



Alternative Dispute Resolution

Parents and educators who are experiencing a challenge reaching agreement regarding a student's IEP have several options available to them. Alternate Dispute Resolution (ADR) is a free, less formal approach aimed at maintaining positive relationships between parents and schools. KCC SELPA can help guide both parties in finding the most effective ADR option to address potential disputes.

ADR OPTIONS

SELPA Coordinator Consultative Support

SELPA Coordinators are available to consult with both parents and District staff regarding concerns or conflicts.

Mobilizing Internal District Resources

The SELPA offers suggestions and support to districts regarding the identification and utilization of internal resources to achieve new perspectives for addressing disagreements

Informational Interviewing and Intervention

The SELPA Coordinator gathers information through interviews with both the parents and district in order to identify the core area(s) of disagreement. With permission, the SELPA Coordinator shares information and assists the two parties to find common ground with the goal of resolution.

File Review

The SELPA can provide an independent review of the specific issue being contested and then offer suggestions for areas of possible compromise. This is not a district compliance check, just an opportunity to provide an objective point of view.

Student/Environmental Observation

SELPA personnel can conduct an observation targeting the current concern and provide suggestions for areas of possible compromise. This observation may result in some changes, including new interventions and supports for both the student and staff members but should not be seen as a performance evaluation of the classroom teacher.

Facilitated IEP Meeting

Led by an individual specifically trained as a neutral facilitator, a facilitated IEP meeting strives to reach consensus in all areas. Its structure is carefully designed to be efficient, encourage problem solving and ensure all team members feel heard.

Local Mediation

This is a no-cost, low-pressure process directed by a highly trained mediator who is skilled in helping the participants reach mutually acceptable solutions through an effective questioning and problem-solving method. All decisions reached through the mediation process are then documented as part of the new IEP.

DUE PROCESS OPTION

Under the Individuals with Disabilities Education Act (IDEA), both parents and the LEA have the right to file a due process hearing request if there is a disagreement regarding the identification, evaluation, educational placement or provision of FAPE for a student. There are 3 possible components to a due process request as dictated by the law, all typically involving attorneys. Submit requests to the California Office of Administrative Hearings at dgs.ca.gov/OAH. Note: while a legitimate legal remedy, due process can be expensive, and time consuming, often resulting in damage to the parent-school relationship.