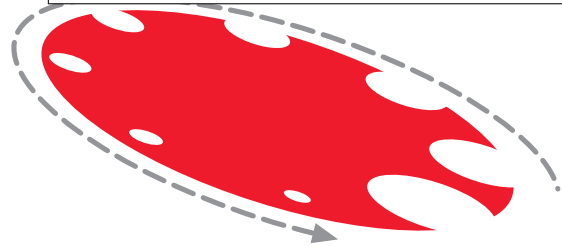




CADRE
Center for Appropriate Dispute
Resolution in Special Education



*Iowa ~ An Exemplary
Dispute Resolution
System in
Special Education*

Profiled in June 2010

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*Helping Parents and Educators
Create Solutions That Improve Results
for Students with Disabilities*

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Iowa Dispute Resolution in Special Education

One of Four Exemplary State Systems



Introduction

Between Fall 2008 and Summer 2010, CADRE, the National Center on Appropriate Dispute Resolution in Special Education, undertook a process to identify state special education dispute resolution systems that are particularly effective and to characterize those systems and their components in ways that will be useful to other states that are considering improvement activities. Four states — Iowa, Oklahoma, Pennsylvania and Wisconsin — were identified as exemplars using the process described below. Profiles were developed so that these states' dispute resolution systems could be viewed in their entirety and used as potential models. Additionally, CADRE is cataloguing items from each of these systems (policies, training materials, forms, brochures, evaluation instruments, etc.) so that they are available for states and others who wish to implement practices or utilize materials that are being successfully used elsewhere.

CADRE used a systematic approach to identify the characteristics of effective dispute resolution systems and the underlying practices and functions that contribute to their successful use by state education agencies. As a first step, fourteen states were identified through the application of the following criteria:

- compliance on State Performance Plan/Annual Performance Report (SPP/APR) Indicators Part B 16–17 and Part C 10–11 for Federal Fiscal Year 2006 (written state complaints investigated and due process hearings completed within timelines);
- levels for performance Indicators Part B 18–19 and Part C 12–13 for Federal Fiscal Year 2006 (resolution meeting written settlement agreement and mediation agreement rates);
- support and utilization of stakeholder involvement in the design, development, and management of their dispute resolution activities;
- investment in and support for innovative dispute resolution processes at the “early stages,” including capacity building/prevention, early disagreement assistance, and alternative conflict resolution methods;
- history of using a broad range of required and alternative dispute resolution processes;
- integration or coordination across dispute resolution options;
- evaluation of dispute resolution activities to inform system improvements;
- involvement with CADRE's Dispute Resolution Community of Practice activities (e.g., dispute resolution coordinator listservs, national symposia, other CADRE activities); and,
- characteristics of organization and demography that would provide some variation among exemplar states.

No four states fully met all these criteria. Therefore, the criteria were applied as preferences for the purpose of nominating states for OSEP approval. CADRE's Director met with staff from OSEP to review the criteria and scoring and consider other factors that might suggest worthiness of identification as an exemplar state. The final four “exemplar states” were selected jointly by the Office of Special Education Programs (OSEP) and CADRE. CADRE communicated with the State Director of Special Education in each of these states to advise them of their selection, gauge their interest in participating, and secure a commitment of the staff time needed to successfully conduct this project. Each state enthusiastically agreed to participate.

Dispute resolution practices exist within the context of a larger system, including the history and culture of the state with respect to dispute resolution. Each profile presents an overview of the state's dispute resolution system, focusing on some common aspects of system performance and emphasizing the organizational characteristics that seem to be critical for successful operation. While each of the four exemplar states is unique, it is worth noting that they share common attributes. Among these are high levels of stakeholder involvement, investment in early upstream dispute resolution processes, use of technical and content expertise, active participation in the CADRE Dispute Resolution Community of Practice, engagement in continuous quality improvement practices, and thorough documentation of systems.

In addition to the profiles, CADRE is now working with representatives from the exemplar states to identify and document elements and features of dispute resolution practices that are effective and contribute to those states' success. An online searchable repository that will catalogue and provide easy access to resources that inform state improvement efforts is also part of CADRE's activities related to exemplary dispute resolution systems.

While these descriptions were being completed the partner state systems adjusted their operations as a part of their improvement efforts: they rewrote awareness materials, modified evaluation systems, and adopted new procedures. The profiles are, then, merely "snapshots" of these state systems at a point in time. This work begins an effort to capture and communicate what works well and what will help states learn from one another rather than "reinventing the wheel." CADRE looks forward to participating in a continuing discussion about how states can design and implement dispute resolution systems that capably support parents and educators to design effective programs for students.

This document was developed by CADRE as a project for Direction Service, Inc., pursuant to Cooperative Agreement CFDA H326D080001 with the Office of Special Education Programs, United States Department of Education. This system profile was compiled by CADRE staff members (Teresa Coppola, Anita Engiles, Philip Moses, Marshall Peter and Richard Zeller) in partnership with state representatives. Any inaccuracies contained herein are the sole responsibility of CADRE. Opinions expressed do not necessarily reflect the views of the U.S. Department of Education. CADRE gratefully acknowledges the significant contributions of the following people, whose insight and expertise were of great assistance:

Iowa: Dee Ann Wilson, Thomas Mayes and Eric Neessen

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Wisconsin: Jack Marker, Patricia Williams, Patricia Bober, Jan Serak, Jane Burns and Nissan Bar-Lev

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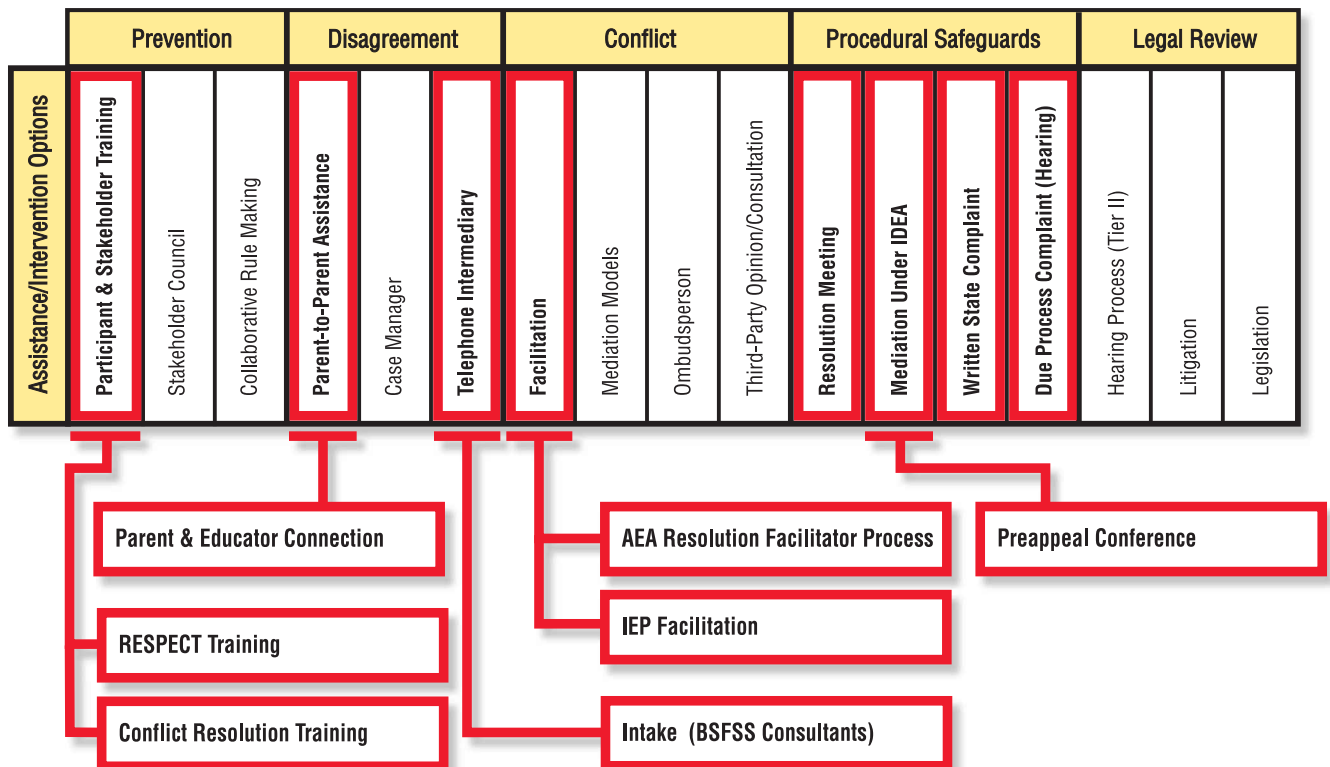
CADRE Consultants: Art Stewart, Tom Kelly and Donna Dickerson

Iowa ~ An Exemplary Dispute Resolution System in Special Education

Profiled June 2010

The CADRE Continuum of Processes and Practices

Iowa's Dispute Resolution Options in Bold

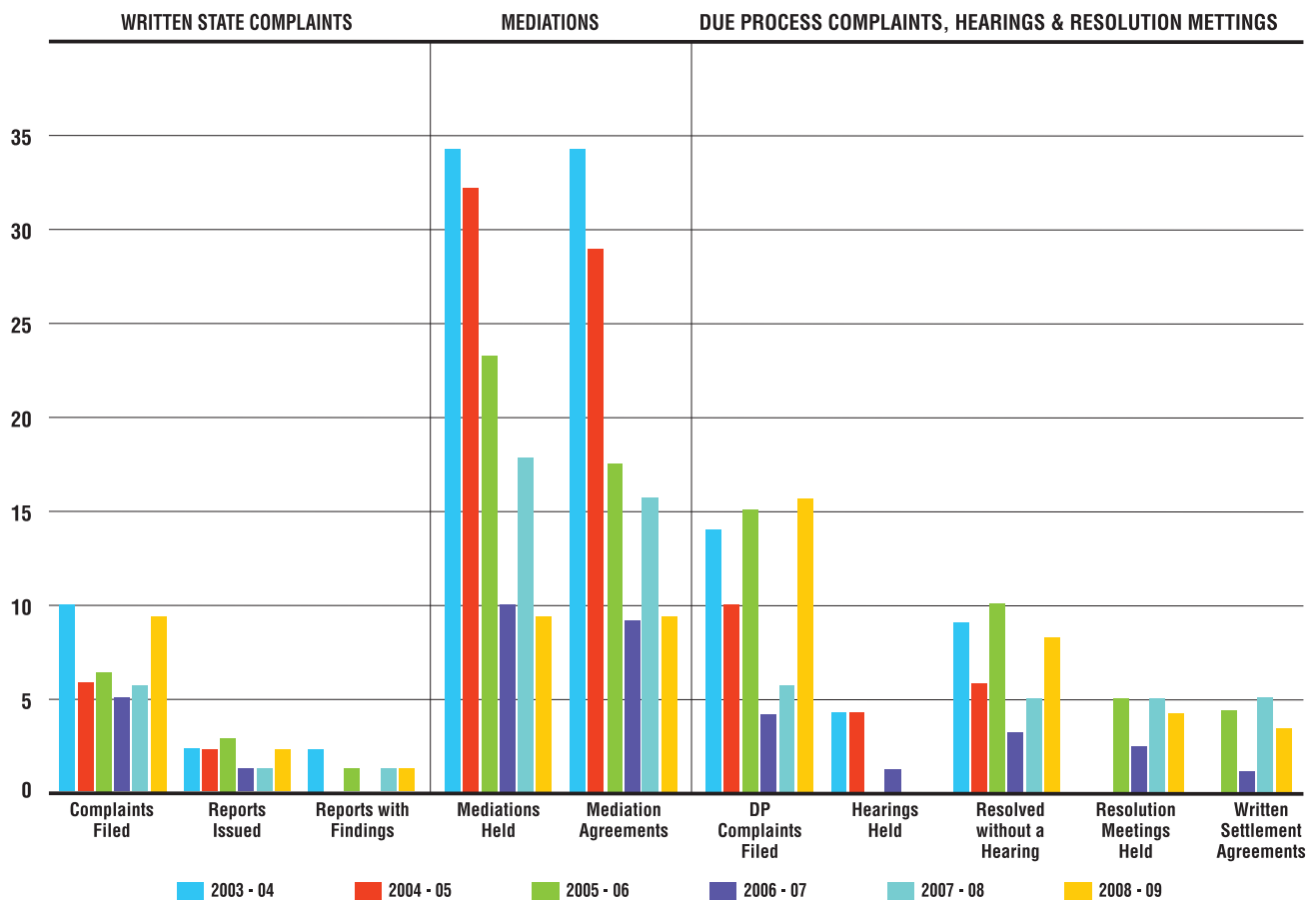


For more information about the CADRE Continuum, see:
<http://www.directionservice.org/cadre/aboutcontinuum.cfm>

The Iowa Department of Education, through its Bureau of Student and Family Support Services (BSFSS), has provided leadership in developing early dispute resolution options in special education for several decades and serves as an excellent example of promoting local-level resolution of disputes. The state education agency (SEA), local education agencies (LEAs), and area education agencies (AEAs) have shown long-term commitment to sustainable system improvements. In 1976, Iowa became the third state in the nation to offer mediation to resolve special education disputes. In 1987, it piloted use of the “preappeal conference,” allowing parents, districts, and AEAs to request mediation without requesting a hearing. In 1988, as part of statewide educational reform, a design team composed of a cross section of stakeholders selected a problem-solving model with an emphasis on dispute prevention and resolution at the local level. To ensure long-term commitment to system transformation, a core committee of SEA staff collaborated with leaders from AEAs to identify and implement innovative practices.

In 1995, the SEA incorporated the preappeal conference process into state regulations and contracted with the Iowa Peace Institute to design and present conflict resolution training to staff participants from each of the AEAs. A more refined process grew out of these trainings, which later became the AEA resolution facilitator process. The Iowa Department of Education has chosen to allocate resources to skill development for parents, educators and other service providers at the LEA and AEA levels where most problems actually occur and where they can be solved if problem-solving capacity exists. In 2003, the Iowa Peace Institute designed a stakeholder training known as ‘RESPECT’. Over the past 15 years, more than 600 people have completed the various conflict resolution trainings, the majority of whom are still working in Iowa’s educational community. Iowa’s engagement of parents to serve as consultants at the SEA level, hiring of parents in each of the AEAs as Parent Coordinators with the Parent & Educator Connection (PEC), and training of large numbers of stakeholders in resolution facilitation have created a strong statewide culture of early dispute prevention and resolution. These investments have also resulted in historically low numbers of both written state complaints and requests for due process hearings. All aspects of Iowa’s dispute resolution system are available to those seeking to resolve disputes about services provided under IDEA Part B or Part C.

Figure 1. Iowa — Dispute Resolution Events per Year
Source: APR Table 7 and Section 618 Data



(Note: Figure 1 does not include Due Process Complaints pending each year at the end of the reporting period.)

The terms used in the figures in this document are either drawn directly from or are shortened versions of data element terms from Table 7, the dispute resolution data reported by states in their APR. Instructions and definitions of all terms used for Table 7 reporting are available at: <https://www.ideadata.org/documents.asp#collection>

Intake Process

When the Bureau of Student and Family Support Services (BSFSS) receives a communication from a parent or AEA or LEA staff member with a concern regarding educational services, a consultant records the details about any child-specific situation that could lead to a complaint about a violation of IDEA. This information is maintained in a file called “Potential Complaints.” Following a request for information or a request for a more formal dispute resolution option, a BSFSS consultant responds by taking steps to comply with the legal requirements of IDEA, while also focusing on problem-solving and collaboration.

The consultant may send a “Parent Packet” at this time, which includes the most recent Procedural Safeguards Manual for Parents and other information about resources and dispute resolution processes required by IDEA, as well as alternative processes offered by the SEA such as the AEA resolution facilitator process. The consultant often initiates conversations with the parent(s) and representatives of the LEA or AEA to identify resources and explore opportunities for early resolution.

To comply with IDEA regarding timelines, a due process complaint is stamped with the date it is received by the SEA and a written state complaint is entered into the SEA complaint log. The complaint officer monitors the log for timeline compliance. The document is routed to the secretary who assists both the Special Education Consumer Relations Consultant and the Legal Consultant.

Optional Processes

Stakeholder Training

One of Iowa’s major investments has been in conflict prevention through the offering of low cost or free conflict resolution and communication training for hundreds of stakeholders. There are six different types of trainings available for stakeholders in Iowa, with more people having taken the 32-hour Introduction to Mediation than any other program. The SEA responded to AEA requests for training with a specially developed curriculum known as ‘RESPECT’ (see below), as well as the Introduction to the AEA Resolution Facilitator Process. The SEA recently provided generous funding for the Parent Training and Information Center (part of the ASK Resource Center) to provide the four-day ‘RESPECT’ training in three different cities.

‘RESPECT’ (Recognizing Everyone’s Strengths by Peacebuilding, Empathizing, Communicating, and Trustbuilding) has been taught to special education administrators, educators, service providers, parents, and others throughout Iowa since 2003. This program addresses conflict in the context of relationships, which includes symbols, perceptions, identities, and meanings. It promotes the understanding of the way that identity is woven into conflict dynamics, explores perceptual differences arising from cultures and

Lesson Learned

“‘Win-Win’ makes it sound like we are playing a competitive game of some kind. When working to rebuild relationships and resolve disputes, people shouldn’t be thinking in terms of winning and losing. We need to change the paradigm; to focus on problem-solving, resolving differences and finding solutions that allow everyone to move forward.”

Dee Ann Wilson

worldviews, and uses creative tools like metaphor and narrative dialogue. It “invites heart into the process” by developing and articulating an ethic of caring.

In the broadest sense, the primary goal of this training program is to build respectful and creative relationships between educators and family members on IEP teams in order to enhance learning for students who receive special education services. This goal is based on the theory that the power of an IEP team to produce results that will meet student, educator, and family needs is rooted in the quality of the relationship among team members and that the quality of those relationships is dependent to a large extent on the way team members work collaboratively to bridge differences. A second long-term goal is to help IEP team members resolve differences as early in the process as possible, with the added benefit that this will likely result in a reduction in complaints, preappeal conferences, mediations, and due process hearings.

IEP Facilitation

Iowa offers facilitation of IEP meetings as another way to resolve disagreements early and at the most local level. The role of AEA resolution facilitators generally includes facilitating IEP meetings; however, AEAs and LEAs sometimes request that a state mediator serve as a facilitator in response to a parent or advocate filing a written state complaint. On occasion, parties to a preappeal conference or mediation request that the state mediator return to facilitate the revision of the IEP to reflect the written settlement agreement, prior to the parent signing the agreement.

AEA Resolution Facilitator Process

In 2000, all AEAs statewide agreed to adopt the AEA resolution facilitator (RF) process, a locally available option to help parents and educators resolve differences at the earliest possible point in a disagreement. The process may be used when there is a conflict or a concern involving general education, special education (Part B), Early ACCESS (Part C), Section 504, or any issue involving a school setting. The assistance of an RF is also encouraged for resolution meetings that follow a hearing request. If the AEA resolution facilitator process is successful, the parties will devise and implement a written plan acceptable to all. If the parties do not agree on an appropriate course of action, all other dispute resolution options remain available.

AEAs provide these services at no cost to parents or educators and disseminate a brochure titled, “*Preparing for the AEA Resolution Facilitator Process.*” As an aid to understanding the process, Iowa provides a brochure, “*Easy Does It! Working Things Out with a Resolution Facilitator.*” It also hosts a website (http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=612&Itemid=1580), providing an overview of the process, facilitator contact information, the above-mentioned brochure, and a FAQ.

- **Staffing.** Each AEA has a designated AEA resolution facilitator coordinator (RFC) who assigns a resolution facilitator (RF) when a request for this process is received. The AEA RFC may also be part of the PEC, providing an important interface with school personnel and local service providers. The RF is usually an employee of an AEA who has received mediation training and is not involved with the child’s education, although a mediator from the state roster or another AEA may be requested.
- **Qualifications.** RFs must have completed, as a minimum, the 32-hour introductory mediation training and additional AEA-designated training activities.
- **Professional Development.** Trainings include quarterly in-services for the AEA RFCs. The AEA Resolution Facilitator Guide contains forms and guidance about this process to assist mediators and facilitators to engage in consistently competent practice.

Required Processes

Mediation and Preappeal Conferences

Mediation is distinguished from the more informal AEA resolution facilitator process in terms of the issues addressed, other process considerations, and the legal status of agreements. These are detailed in table 1.

Lesson Learned

“I’ve always maintained that the foundation of the AEA resolution facilitator process is involving people who have received conflict resolution training so they have the skills to both prevent and address conflict. I believe Iowa’s lower number of requests for IDEA mandated processes reflects our investment in early resolution of conflict through skillful intervention at the AEA and LEA level.”

Dee Ann Wilson

Table 1. AEA Resolution Facilitator Process Compared to Preappeal Conference

	AEA Resolution Facilitator Process	Preappeal Conference
What issues are addressed?	General education Section 504 Special education Early ACCESS (Part C)	Special education only
Who manages the process?	The AEA	The Iowa Department of Education
Who assists with the process?	A resolution facilitator appointed by the AEA. This person may or may not be employed by the AEA.	A mediator appointed by the Iowa Department of Education, selected on a rotational basis.
Who decides the solutions?	The parties, not the resolution facilitator	The parties, not the mediator
Is an agreement “legally binding”?	No, unless stipulated in the agreement	Yes

Since 1976, the Iowa SEA has provided mediation after a request for a due process hearing. In 1987, it piloted the preappeal conference to provide mediation without a request for a due process hearing. When mediation became a required process with the reauthorization of IDEA in 2004, Iowa continued the use of the term “preappeal conference” to denote a request for mediation without a request for a due process hearing, and it uses the term “mediation” when a party has requested a hearing. The two processes are conducted in essentially the same way. A parent, a district, or an AEA may request from the SEA, in writing, a mediation or preappeal conference on any decision relating to identification, evaluation, educational placement or the provision of Free Appropriate Public Education (FAPE). The request must identify the student, district, and AEA and describe the issues or concerns. Upon receipt of a request, the SEA assigns a mediator and sends information to the participants, including a brochure explaining the process, *“Working Things out When Things Go Wrong: The Special Education Preappeal Conference for Conflict Resolution,”* and a brochure titled, *“Preparing for the Preappeal Conference.”*

The mediator conducts a conference call with participants to explain the process, clarify issues, and schedule the meeting at a time and place convenient for all involved. During this call the mediator indicates that participation in the process is voluntary and provides information about assistance to parents and educators available through the PEC. The mediator explains the right of any party to have legal representation and that participation will not interfere with or delay a party’s right to a full due process hearing. During the conference call, the mediator offers to call any individual participant who will be attending the mediation or preappeal conference for the purpose of providing more detailed information about the process and to answer any questions. The issues and reasons for the dispute will not be discussed during either the conference call or the individual call. Mediators may refer to a guide, *“Mediator’s Guide to Special Education Preappeal Conference,”* created to help them manage all the details of the preappeal conference process from start to finish.

If an agreement is reached, the mediator completes the legally binding agreement form based on the language provided by the parties. Each written agreement is subjected to the “stranger test,” e.g., whether a reasonable person not in attendance can understand what the written agreement means. In order to improve compliance, one of the participants in the meeting is designated as a “shepherd” to foster constructive communication, address questions or concerns, and facilitate problem-solving when unexpected challenges arise during implementation of the agreement. If the process follows a due process complaint and all issues were resolved, the written agreement will contain language regarding dismissal of the hearing request. The mediator sends a form detailing the issues identified at the preappeal or mediation and a copy of the signed written agreement to the SEA. If agreement is not reached at the preappeal conference, the mediator encourages parties to brainstorm options for resolution, including using the AEA resolution facilitator process, attempting the preappeal process again after a designated period of time, or requesting a due process hearing. The mediator may attend the hearing and may be called on to continue the mediation if all parties agree to resume collaborative negotiations.

- **Staffing.** The State contracts annually with individuals who are not current employees of the SEA, AEA, or LEA to conduct mediations and preappeal conferences. Mediators are assigned on a rotational basis from a roster maintained by the State. The current roster lists six qualified mediators; each one typically conducts no more than six preappeals or mediations per year. A mediator may serve as facilitator for an AEA resolution facilitator process, an IEP meeting, a resolution meeting, or any other type of meeting where conflict is anticipated. Mediators may also serve in mentoring and coaching roles with the AEA resolution facilitator process.

- **Qualifications.** Minimum qualifications for a special education mediator in Iowa include: a Bachelor's Degree (Master's preferred); faculty membership at a college or university (tenured preferred) or recent employment in a leadership role with a district or an AEA (or other pertinent experience); two or more years of experience involving special education (either direct or indirect); knowledge of special education laws and regulations; experience in conflict resolution techniques; and, completion of basic mediator training (minimum 32 hours).

- **Professional Development.** The State requires mediators to follow written SEA guidance on mediation and attend quarterly day-long in-services. The State also covers expenses for mediators to attend state and regional special education law conferences. It provides access to LRP's website and additional training as continuing education needs are identified. Mediators commit to adherence to the Iowa State Model Standards of Conduct for Mediators. They also engage in ongoing peer discussions of practice issues and participate in initiatives for system improvements, including the creation of guides and checklists. The State provides results of evaluation and survey forms from these initiatives to the mediators in a cumulative year-end report. These results are highly valued by both the mediators and the SEA as longitudinal information to guide decisions about which practices to maintain and which ones to consider for improvement and revision. Every three years, stakeholders gather for a day-long meeting to examine ways to improve the preappeal/mediation process.

- **Evaluation.** The mediator provides an evaluation instrument to each participant on the day of the meeting. The instrument evaluates the experience of participants before and during the mediation or preappeal conference. A three-month survey is also sent to the parent(s) and the primary contact person from the LEA to determine whether the signed written agreement was or is being implemented. Evaluation results are accumulated throughout the year and shared in summary form with the mediators at their annual in-service day near the end of the school year. After June 30 each year, mediators receive the full-year report. Evaluation results provide guidance for ongoing mediator training and protocol adjustments. During 2008-09, the evaluation data collected from these instruments showed that more than 93% of respondents deemed the written materials and intake process helpful; all respondents agreed that the mediators adequately explained the process and treated them fairly; 97% agreed they had an opportunity to discuss the issues and have their views considered; and, more than 70% agreed they had a better understanding of all issues, that all issues were dealt with in the agreement, and that they were satisfied with the outcome.

Iowa's investments in mediation and in other early and local dispute resolution options have resulted in historically low levels of written state complaint and due process complaint filings as compared to national data,

Lesson Learned

A unique feature of Iowa's implementation of agreements, whether reached in a resolution meeting, mediation or a "preappeal conference," is the designation of a "shepherd." As part of each agreement, a person is identified as being responsible for coordinating the implementation of the agreement and for serving as a contact person for all participants. The shepherd is usually an LEA or AEA staff member who is present at the meeting and named shepherd by agreement of the others present. The shepherd can facilitate written modifications of an agreement and/or arrange a second meeting.

which can be seen in figure 2. In fact, Iowa has consistently had the lowest combined rates of written state complaint and due process complaint filings among all states for these years. For more information about mediation and preappeal conferences in Iowa, see the websites:

http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=608&Itemid=1587

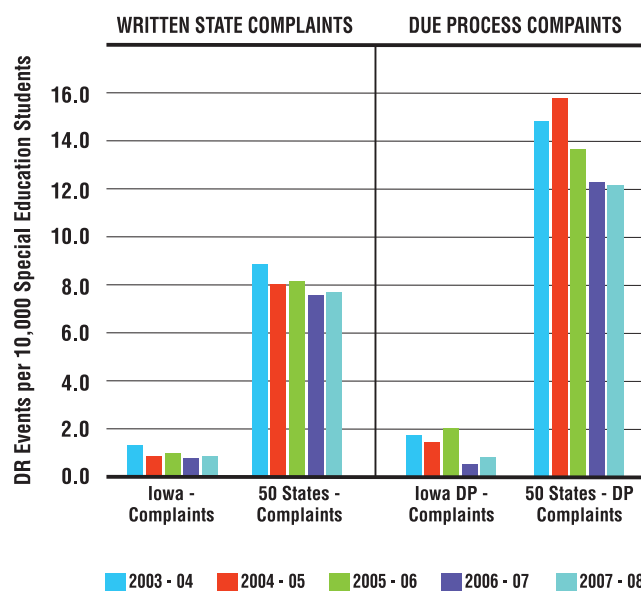
http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=609&Itemid=1588.

Written State Complaints

Iowa strives to resolve written state complaints without the need for a formal investigation and this commitment to early local resolution is central to the SEA's response to the filing of a complaint. When the BSFSS receives a written complaint, the Consultant for Special Education Consumer Relations contacts the complainant to provide information about the complaint process and available alternatives to it and to explore whether another dispute resolution option would be appropriate and acceptable. The Consultant focuses on understanding the basis of the complaint and the goals of the complainant.

In keeping with the spirit of IDEA's requirements for written state complaint procedures (section 300.152 and the comment therein), the BSFSS not only “. . . provides the public agency with an opportunity to respond . . .,” it designates a period of time during which those involved may pursue resolution before the SEA begins its investigation. It sends a letter to the LEA and the AEA (with a copy to the complainant) allowing between 15 and 30 days to resolve the identified concerns. In addition, a phone call is typically placed by the Consultant to the AEA Special Education Director and to the LEA, depending on the size of the district, to discuss and explain available options.

**Figure 2. Comparison of Dispute Resolution Methods
Iowa and National Rates**
Source: APR Table 7 and Section 618 Data



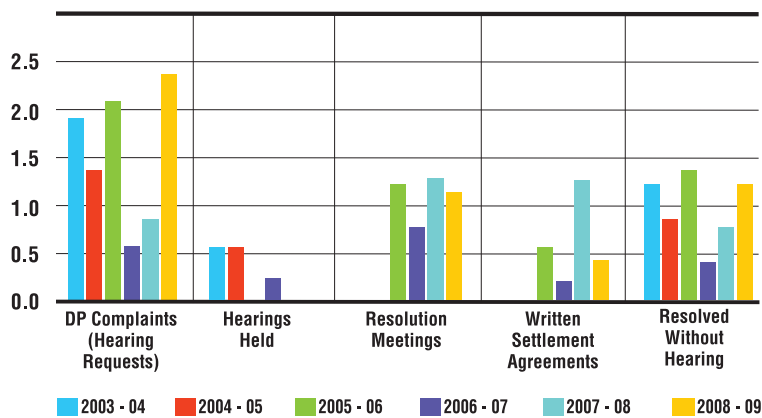
The SEA encourages local resolution through IEP facilitation, the AEA resolution facilitator process, or a preappeal conference and will provide a State-contracted mediator if the LEA/AEA makes that request and the complainant agrees. If either the complainant or the LEA/AEA does not agree to the use of an alternative dispute resolution process or if any proposal for resolution made by the LEA/AEA is not acceptable to the complainant, the BSFSS proceeds with the complaint investigation process. The issuance of a final report, including findings where necessary, is made by the SEA within 60 days of receipt of the initial request; there is no provision for a request

for reconsideration. The Iowa Administrative Procedures Act gives a party the right to seek judicial review of a final decision of a special education complaint by filing a petition in the Iowa District Court within 30 days after the issuance of the SEA's final decision in the contested case. For more information about written state complaints in Iowa, see the website: http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=606&Itemid=1585

Due Process Hearings and Resolution Meetings

Iowa's investment in early and local dispute resolution options has resulted in very few due process complaints filed and hearings held, as can be seen in figure 3 below.

Figure 3. Iowa Due Process Complaints Activity Events per 10,000 Special Education Students
Source: APR Table 7 and 618 Data



Following receipt of a request for a due process hearing, the BSFSS sends a letter to all parties providing information about the mandated requirements, including timelines and the requirement for a resolution meeting. The letter to the parents includes a chart comparing legally mandated and alternative dispute resolution processes and information about the availability of free or low cost legal assistance. The district and AEA receive an electronic document called “*Tips for LEA/AEA When Conducting a Resolution Meeting*,” which includes a checklist and a Q & A sheet.

Disinterested administrative law judges (ALJs) serve on a rotational basis, and the next available is appointed to the case. A mediator is also assigned at this time. ALJs may be asked to serve as mediators with reimbursement at mediator rates, but they cannot serve as “on call” mediators at hearings and cannot serve as AEA resolution facilitators or coach AEA facilitators. The ALJ includes the mediator in a conference call made to all parties to

Lesson Learned

“People don’t always know what they have asked for, so don’t assume what has been requested is what is wanted. Recently, the SEA received a due process complaint and a written state complaint from a parent; one was about her son and the other was about her daughter. When I called the parent, she was very surprised to learn that she was requesting two different formal legal processes. She thought she was required to complete these forms in order to have an opportunity to present her views in upcoming IEP meetings, since she predicted she was going to have a different stance from other IEP members.”

Dee Ann Wilson

set the hearing date. Then the ALJ disconnects from the call and at that time, if all parties agree to participate, a date is set for the mediation. Once assigned to a case, a mediator may be on call at a due process hearing.

The Consultant for Consumer Relations follows up with personal phone calls to the AEA Special Education Director and, depending on its size, to the LEA and perhaps to the LEA's attorney to discuss the required resolution meeting and other options for resolving the problem. The LEA and AEA offer a resolution meeting to the parent(s) through a letter in the primary language of the parent(s), followed by a phone call to confirm that the letter was received and understood. A representative from the LEA or AEA may meet informally with the parent(s) prior to the formal resolution meeting. An AEA resolution facilitator may facilitate the meeting, or the State may assign a mediator to serve as a resolution facilitator.

- **Staffing.** Currently there are four ALJs with whom the SEA contracts annually. The attrition rate for ALJs in Iowa has been low, with the present four ALJs having served since 1986, 1988, 1989, and 1999.
- **Qualifications.** ALJs are chosen because of their knowledge of special education law; their listening, speaking, thinking, and writing skills; and their reputation for leadership. Historically, Iowa has chosen ALJs who are college or university professors with responsibility for preparing future administrators, specialized support staff (e.g., school psychologists), or teachers in the field of special education. Only one is a licensed attorney. The most recent opening was filled by an individual with experience in early childhood special education.
- **Professional Development.** ALJs are expected to participate in the quarterly and annual training opportunities offered by the state to individuals with whom it contracts to provide mediation services, and they are invited to attend related conferences, with expenses paid by the SEA. The SEA also provides internet access to LRP's website.

For more information about due process hearings and resolution meetings in Iowa, see the websites:

http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=607&Itemid=1586

http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=792&Itemid=1584

Dispute Resolution System Administration

Oversight

The Bureau of Student and Family Support Services (BSFSS) under the SEA, the Iowa Department of Education, has the responsibility for administering Iowa's IDEA Part B special education dispute resolution system.

Early ACCESS, Iowa's Part C program, is managed by the Bureau of Early Childhood Services (BECS). Both bureaus are part of the Department of Education. There is extensive information about Early ACCESS on the Iowa Department of Education website and on the Early ACCESS website. The Iowa Special Education Advisory Panel (SEAP) serves as a resource to advise the SEA on behalf of children with special needs and their families. The membership of the panel consists of approximately 24 representatives from both public and private sectors who, by virtue of their position, interest, and training, can contribute in this advisory role.

Culturally Relevant Aspects of the DR System

The Iowa Department of Education actively seeks to improve and expand cultural competency. ALJs and mediators receive in-service training on diversity issues. At district school improvement accreditation visits, the SEA interview team is required to reflect the diversity of the school population and includes student representatives.

The SEA implements its commitment to cultural competency within the BSFSS and in its relationship with the AEAs. During any meetings that involve non-English-speaking participants, an attorney, PEC representative, or parent advocate explains the materials and process in the native language of the participant. The Iowa Department of Education Speech-Language Services office produced the *English Language Learner Guidelines Manual* to provide guidance on the use of interpreters. The *Procedural Safeguards Manual for Parents* is available in seven languages. The State AEA website has a link that provides a literal translation of the information available in English into more than thirty other languages, from Arabic to Vietnamese.

Partner Organizations/Collaboration

The Parent and Educator Connection (PEC) provides services and supports for families who have children with IEPs and the educators who work with them. The program has been in existence since 1984 and was designed and developed by parents and teachers working together with direction and fiscal support from the SEA. Every AEA has at least one PEC coordinator working in the schools, and larger AEAs may have a dozen or more. Their work is often invisible, but like the oil in a machine, their role is to make the connection between parents and educators smoother. They help parents and educators access resources, and they may attend IEP meetings or explain the complexities of the special education system. Each PEC coordinator has (or has had) a child receiving special education services. Their work is based on the belief that through families and teachers working together children will benefit and have opportunities to be successful. Through participants' learning and working together, partnerships can develop that have a powerful impact on the lives of children with disabilities.

Public Awareness/Outreach

Iowa has a comprehensive array of web and electronic resources related to their dispute resolution options, and these are available through the SEA website

http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=574&Itemid=2126.

Iowa parents, educators, and mediators benefit from information and guidance provided in manuals and model forms — from an initial inquiry about a child-specific concern to a follow-up survey and evaluation of all dispute resolution processes offered to address that concern. A model form for filing a complaint is provided in the *Procedural Safeguards Manual for Parents*. The manual is available from the complaint officer or from the SEA website. The State, AEAs, and LEAs all provide information about legally required and alternative dispute resolution processes to parents; the Iowa Protection and Advocacy Services, Inc., (P&A) and other advocacy groups; the PEC; and the Parent Training and Information Center of Iowa (PTI).

Key Iowa Leadership at the time this Profile was Developed

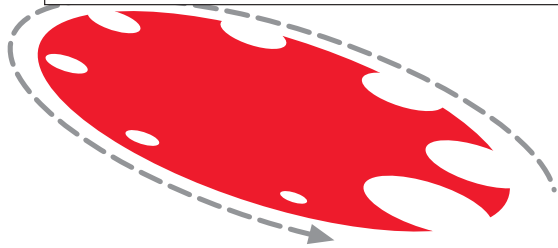
Judy Jeffrey, *Director, Iowa Department of Education*

Lana Michelson, *Director, Bureau of Student and Family Support Services (BSFSS)*

Thomas Mayes, *Legal Consultant, BSFSS*

Dee Ann Wilson, *Consultant, Special Education Consumer Relations, BSFSS, and CADRE Exemplar Contact*

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Des Moines, IA 50319-0146
Phone: (515) 281-5294
Website: <http://www.iowa.gov/educate>



The Center for Appropriate Dispute Resolution in Special Education (CADRE) works to increase the nation's capacity to effectively resolve special education disputes, reducing the use of expensive adversarial processes.

CADRE works with state and local education and early intervention systems, parent centers, families and educators to improve programs and results for children with disabilities.

CADRE is funded by the Office of Special Education Programs at the US Department of Education to serve as the National Center on Dispute Resolution in Special Education.

CADRE's Priorities

- *Identify effective, cost-beneficial dispute resolution practices and support their implementation*
- *Enhance collaboration between education/early intervention agencies and parent organizations*
- *Promote improved problem-solving skills across stakeholder groups*
- *Assist states to implement the dispute resolution provisions of IDEA'04*
- *Support integration of dispute resolution management and improved state system performance*
- *Compile State Performance Plan data and information on the characteristics of state systems*

