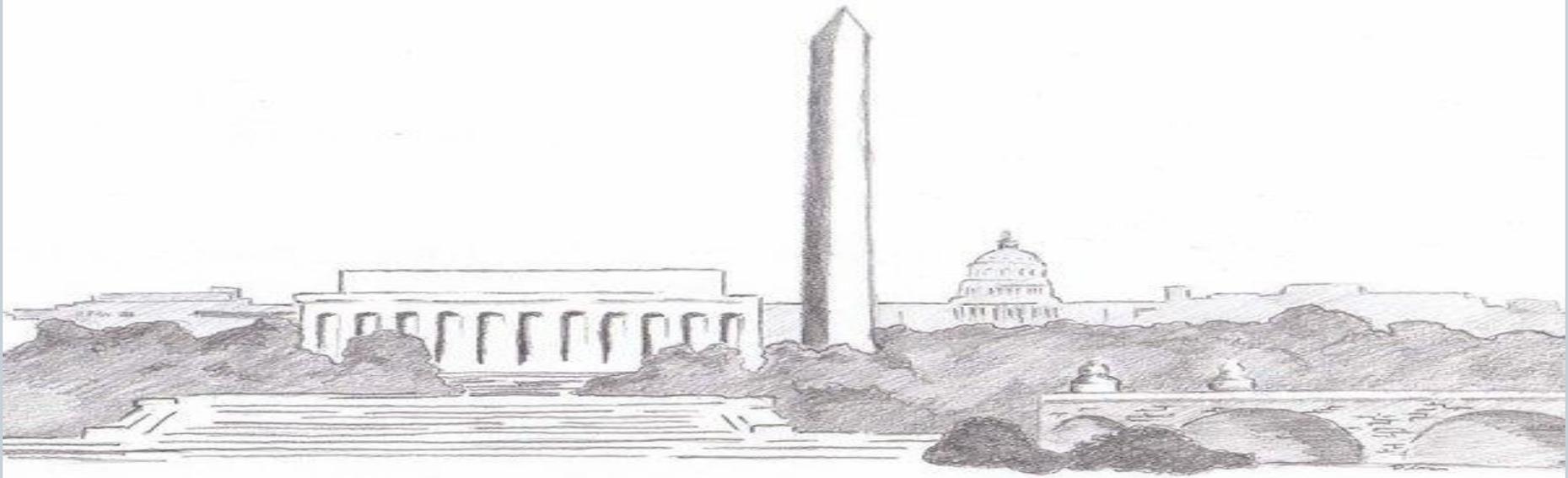


# Moving to the Left on the CADRE Continuum



**NEW EARLY DISPUTE RESOLUTION  
PROCESSES IN WASHINGTON, D.C.**



# Weade Wallace

## Executive Director

### Advocates for Justice & Education



- Mission: To educate parents, youth, and the community about the laws governing public education, specifically for children with special needs. We seek to empower youth and parents to be effective advocates and youth to self-advocate to ensure that children receive an appropriate education. It is also our mission to make the public aware of the consequences of institutional negligence of children with or without disabilities and to promote school and agency accountability.
- Services include:
  - Educational advocacy
  - Healthcare advocacy
  - Community education
  - Peer support network
  - Family navigation
  - Legal services
  - Secondary Transition
  - Parent leadership training
  - Resource library

*Children with Special Needs, need Parents with Special Skills!*



- Aim to “solve DC Problems”
- Co-Founder of SchoolTalk
- As neutral, outside observer, DC Appleseed was asked to answer the question: why does DC have more due process hearings than anywhere else in the nation?



The Deputy Chief of Compliance and Policy oversees the DCPS Resolution Team which is responsible for:

- Responding to family grievances
- Providing training and technical support to assist schools in complying with federal statutes and state regulations for all students
- Facilitating IEP meetings and mediations with families and school staff
- Collaborating with community stakeholders to increase the availability of alternative dispute resolution for District of Columbia families

**Tracey Langley**

**Director of the Office of Dispute Resolution**

**Office of the State Superintendent of Education**

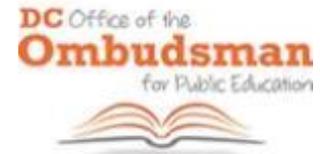


- ODR coordinates and manages DC's special education hearing system. ODR is committed to seeking and offering various alternative dispute resolution options for parents & LEAs. ODR understands the importance of due process, but recognizes that there are several steps that can be taken prior to a due process hearing in an attempt to reach resolution. ODR offers facilitated resolution meetings, mediation, and due process hearings for all children with special education needs in DC.

# Joyanna Smith

## Ombudsman for Public Education

### DC State Board of Education



- The Office of the Ombudsman is responsible for helping students and parents resolve problems as they engage with the District of Columbia Public Schools and public charter schools. The Office offers conflict resolution services to parents, families, and students and is committed to resolving school related complaints, disputes and problems quickly and efficiently in all areas that affect student learning. Some of these areas include student discipline, special education, truancy, student enrollment, transportation, academic progress and bullying. The Office of the Ombudsman is neutral, independent, and impartial.
- We provide support in the areas of informal and formal mediations, attend IEP meetings with families, provide information on the due process hearings at the DC State Education Agency, and regularly clarify and explain the IEP evaluation process to families.



- SchoolTalk is a DC-based, non-profit organization committed to preventing and resolving special education and disability-related conflicts.
- *SchoolTalk employs a **Power With** approach – tapping into the collective strength of all elements of our community. A **Power With** approach facilitates work among students, families, schools, and government and community organizations to secure Free and Appropriate Public Education (FAPE) and successful transitions to adulthood for students with disabilities.*

# Student & School Data



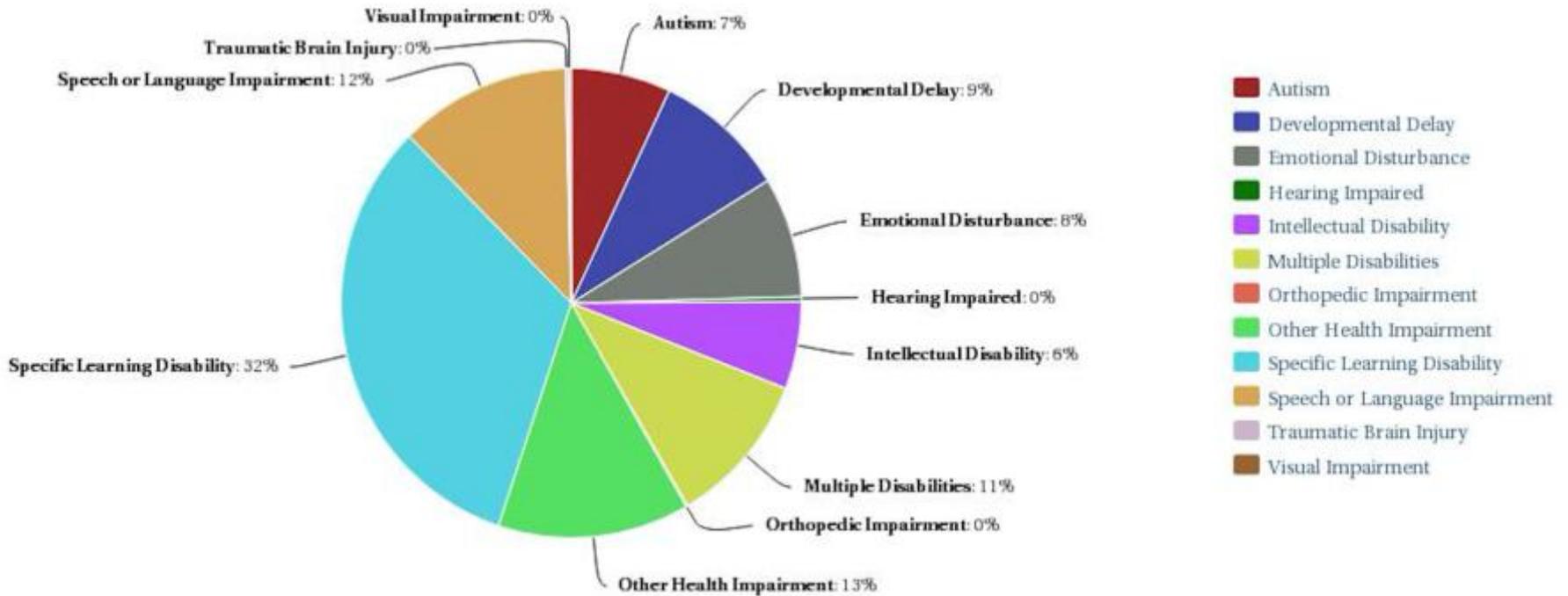
- 85,403 (2014)
- 56% attend District of Columbia Public Schools (2014-2015)
  - Includes students in Non-public schools
- Approximately 44% attend public charter schools (2014-2015)

# Special Education Data



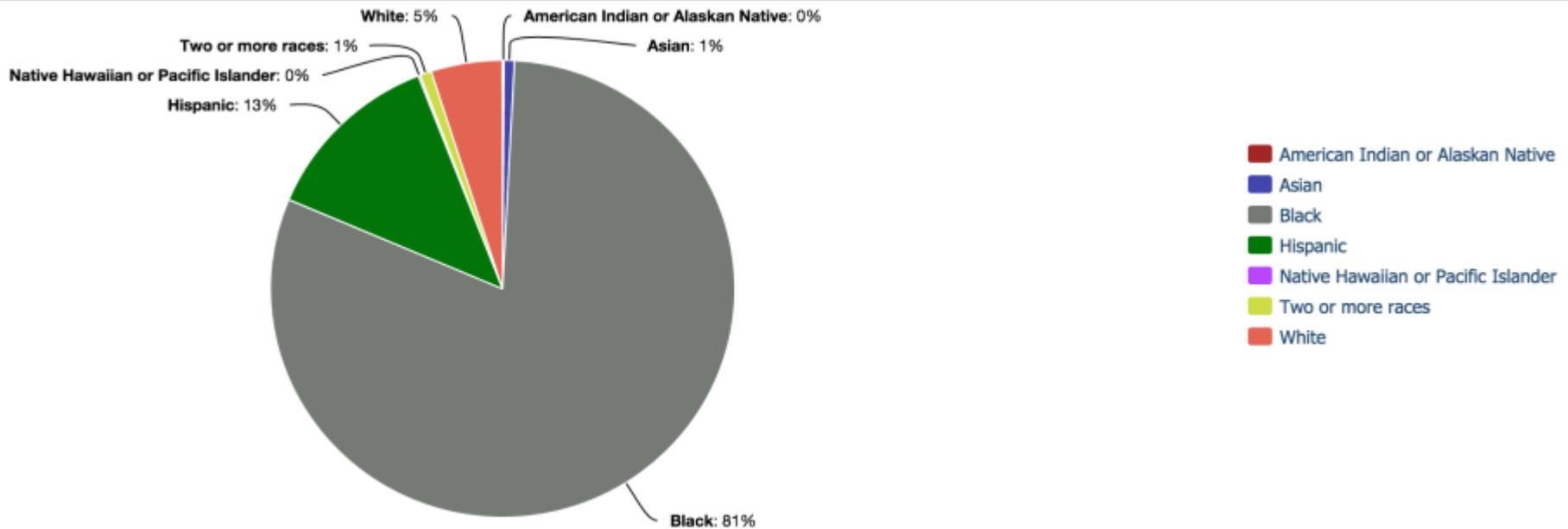
- 12,173 students with disabilities (2014)
  - 14% of total students
- 4,894 students with IEPs in Public Charter Schools (2014-2015)
- 8,010 students with IEPs in DCPS (2014-2015)

# Child Count 2014 – Disability



Includes students served in nonpublic programs and students in surrounding counties eligible to be receiving services under IDEA. Surrounding county students are included in DCPS count in its role as the geographic LEA.

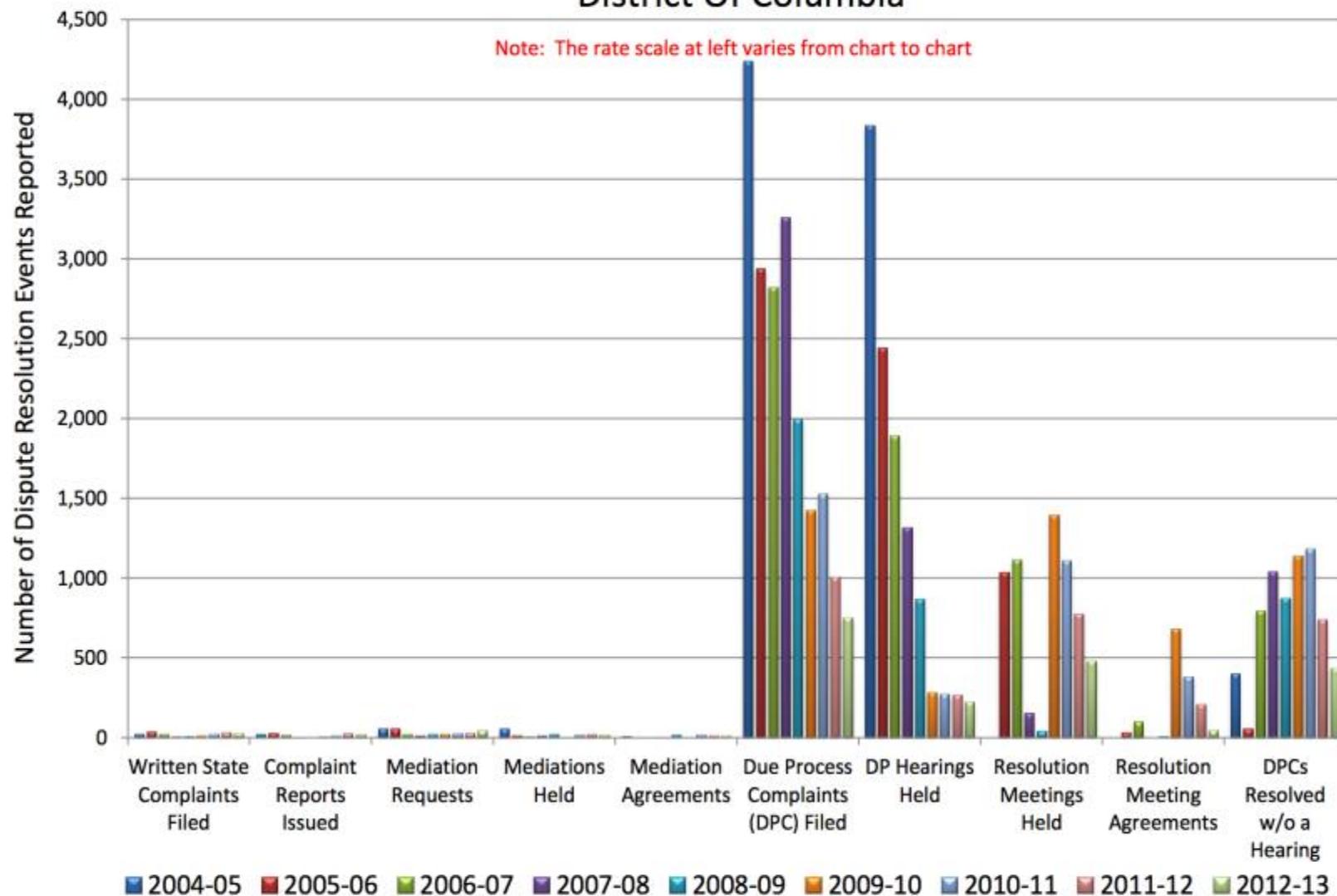
# Child Count 2014 – Race



Includes students served in nonpublic programs and students in surrounding counties eligible to be receiving services under IDEA. Surrounding county students are included in DCPS count in its role as the geographic LEA.

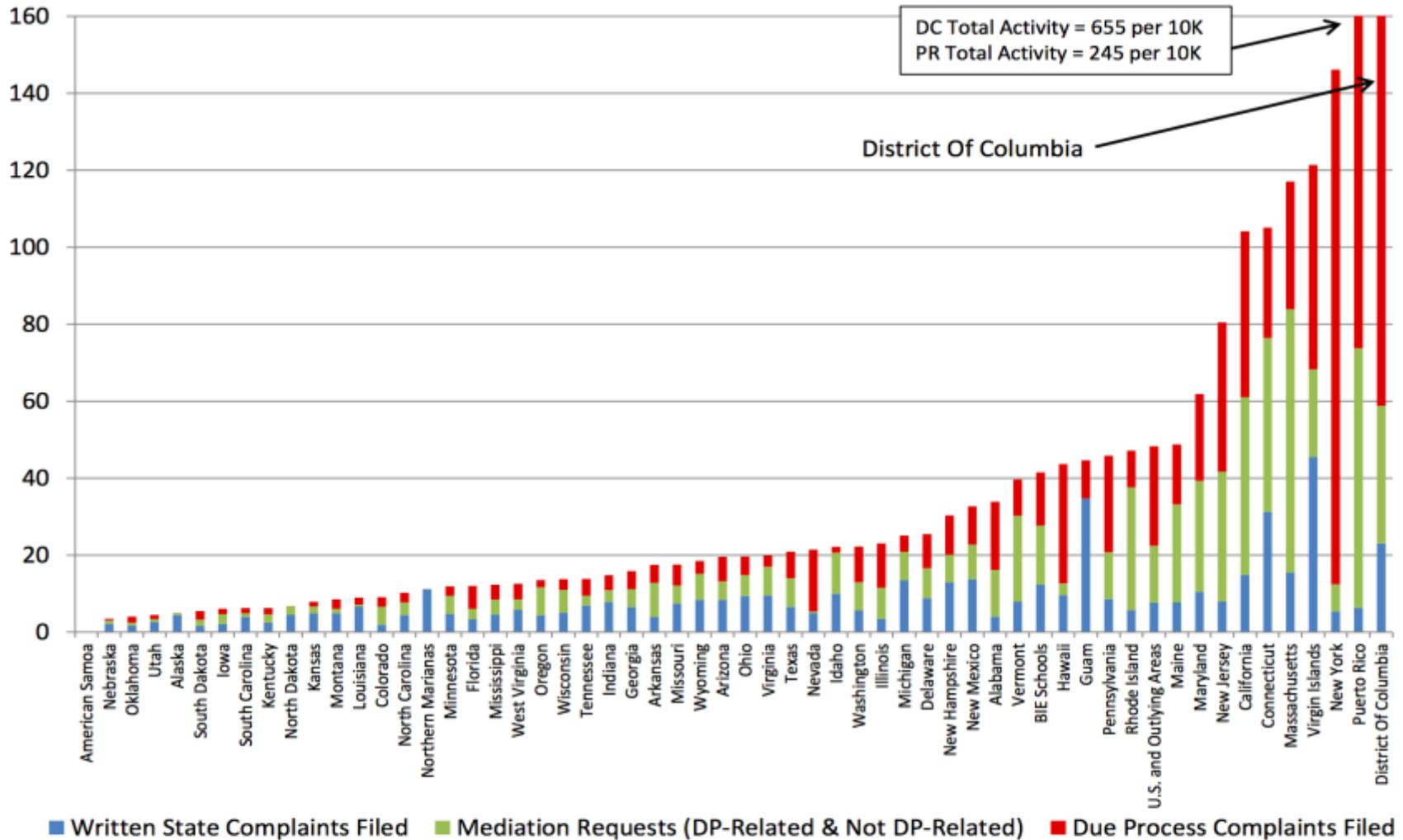


# IDEA Dispute Resolution Activity: District Of Columbia





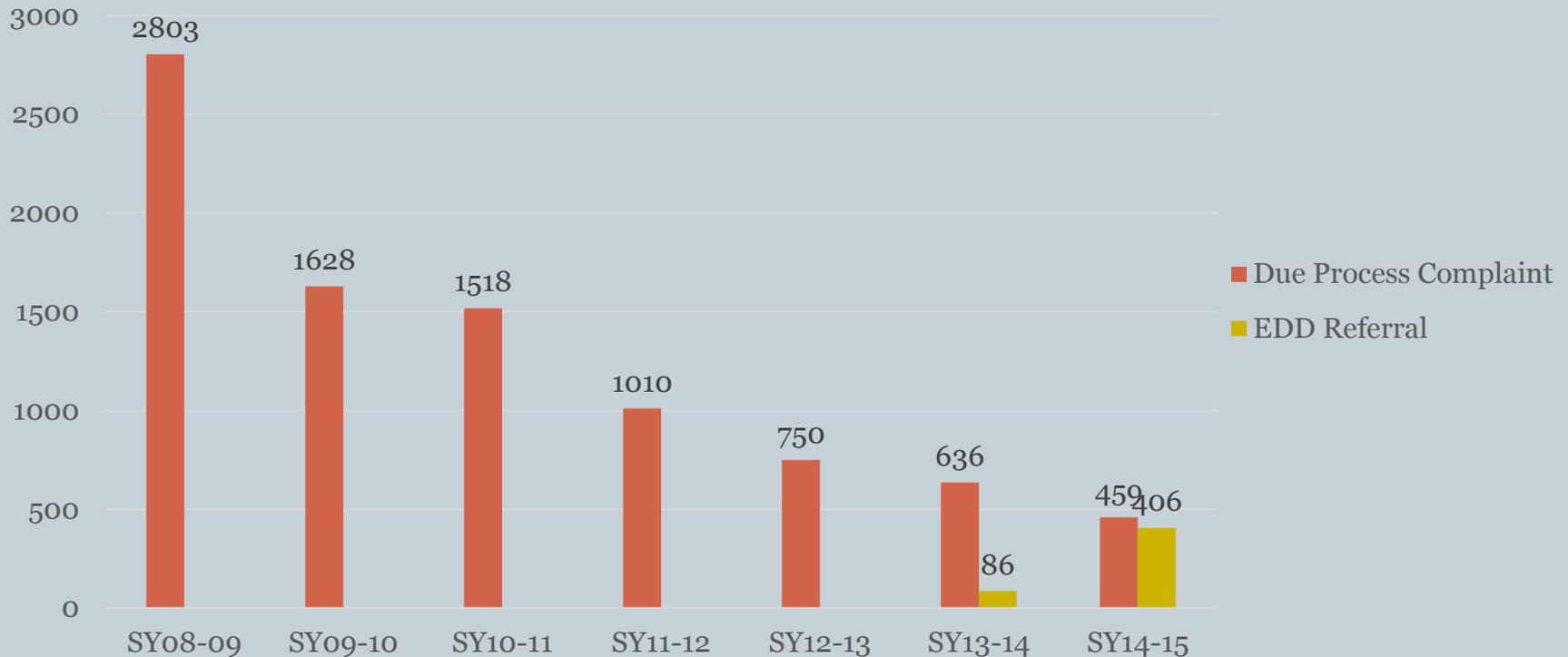
# Total Dispute Resolution Activity by State/Entity per 10K Childcount: 2012-13



# DCPS Due Process Complaints Over Time



There has been a 85% decline in due process complaints since 2008. In 2013, DCPS began tracking the number of IDEA grievances brought by families. The number of formal complaints continue to decrease as DCPS continues to improve systems and mechanisms to quickly address family concerns prior to the filing of formal complaints. *Source: Unofficial reporting – DCPS Resolution Team October 2015*



# DC IS EXPERIENCING SIGNIFICANT CHANGE

1995

Petties Special Education Class Action filed against DC

U.S. Congress passes School Reform Act for DC Schools

- Introduces charter schools

1997

Blackman-Jones Special Education Class Action filed against DCPS

2007

School Reform

- Mayoral control of schools
- Creation of the Office of the State Superintendent of Education

2014

DC Council passes new Special Education legislation

Petties & Blackman-Jones suits terminated

New earlier dispute resolution processes started

- Ombudsman for Public Education
- Office of the Student Advocate
- Mediation Pilot
- IEP Facilitation Pilot

2011-2014

# DC DISPUTE RESOLUTION CONTINUUM

SYSTEMIC IMPROVEMENTS TO PROCESSES AND PROCEDURES PREVENT FUTURE CONFLICTS.

	PREVENTION	DISAGREEMENT	CONFLICT	LEGAL	SYSTEMATIC
STAGES OF CONFLICT	Effective processes and good communication reduce the number of conflicts.	There is a disagreement however the conflict has not escalated.	Conflict has escalated beyond the ability of the parties to work toward resolution without assistance.	Formal and legal processes are necessary for resolving the issue and protecting rights.	Conflict that is caused by inadequate policies and procedures.
NATURE OF INTERVENTIONS	Interventions strengthen the abilities of families to navigate the system and advocate for their children.	Third party intervention is focused on providing information and advice to families and individuals to help them address specific issues.	Third party intervention involves informal and informal processes for facilitating communication and problem-solving among involved parties when there is an active conflict.	These interventions are required by law. Many involve decision-making by a third party based on rights under law or policy.  <ul style="list-style-type: none"> <li>• State Complaint</li> <li>• Due Process Hearing</li> <li>• Resolution Session</li> <li>• Formal investigations</li> </ul>	Advocates for change by identifying systemic issues and making recommendations. Provides opportunities for engagement and problem-solving on improved policies and processes.
INTERVENTION OPTIONS	<ul style="list-style-type: none"> <li>• Parent-engagement</li> <li>• Youth engagement*</li> <li>• Participant &amp; Stakeholder Training</li> <li>• Information sharing/ Outreach materials</li> </ul>	<ul style="list-style-type: none"> <li>• Case management*</li> <li>• Technical and legal information</li> <li>• Case-specific coaching*</li> </ul>	<ul style="list-style-type: none"> <li>• IEP Facilitation*</li> <li>• Mediation Models*</li> <li>• Ombudsperson*</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution Meeting</li> <li>• Mediation under IDEA</li> <li>• Written State Complaints</li> <li>• Due Process Hearing</li> </ul>	<ul style="list-style-type: none"> <li>• Special Education Legislation*</li> <li>• Special Education Policy making</li> <li>• Stakeholder decision-making</li> </ul>
ORGANIZATIONS RESPONSIBLE FOR INTERVENTIONS	<ul style="list-style-type: none"> <li>• Office of the Student Advocate</li> <li>• Advocates for Justice and Education (PTI)</li> <li>• School Talk</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsman for Public Education</li> <li>• Advocates for Justice and Education (PTI)</li> <li>• School Talk</li> </ul>	<ul style="list-style-type: none"> <li>• Advocates for Justice and Education (PTI)</li> <li>• OSSE ODR</li> <li>• DCPS Resolution Team</li> <li>• Ombudsman for Public Ed.</li> <li>• Office of the Student Advocate</li> <li>• SchoolTalk (provides training)</li> </ul>	<ul style="list-style-type: none"> <li>• OSSE ODR</li> <li>• DCPS Resolution Team</li> </ul>	<ul style="list-style-type: none"> <li>• DC Council</li> <li>• DME</li> <li>• OSSE</li> <li>• Office of the Student Advocate</li> <li>• Ombudsman for Public Education</li> </ul>

\* Intervention options developed within the last two years

Based on the CADRE Continuum Framework

# Sources



- DC Public Charter School Student Enrollment 2014-2015. *District of Columbia Public Charter School Board*. [http://www.dcpsb.org/sites/default/files/2014-15%20Enrollment March%202015\\_Final.pdf](http://www.dcpsb.org/sites/default/files/2014-15%20Enrollment%20March%202015_Final.pdf)
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