What Can SERC Do For You?

The mission of Special Education Resolution Center is to help school districts and families resolve disputes at the earliest stage possible.

OKLAHOMA Education

Special Education Resolution Center

Special Education Resolution Center

- We are a third party, neutral organization helping parents and schools resolve disputes at the earliest stage possible.
- SERC serves in partnership with the OSDE, and the OSU Department of Wellness and Sponsored Programs is the lead agency.
- SERC is not an advocate for families or schools, but we work with both in supporting the IEP team process… at no cost to families or schools!

SERC Activities

- Trainings
  - Meeting Facilitation, Crucial Conversations, Communication and Managing High Conflict People, Specialized Monthly Webinars, IDEA Topics, Customized Trainings for Districts and Community Members
- Services
  - Consultation/Individual Debriefs, IEP Facilitation, Mediation, Due Process (Hearing Officers, Facilitated Resolution Sessions, Procedural Guidance)

Indicators for Assistance

- If a parent is confused by what their child's school is proposing or refusing...
- If a school doesn't understand why a parent is making a certain request...
- If a parent needs assistance in navigating resources to support their child at school or in the community...
- If a school needs assistance in navigating resources to provide appropriate educational services to a child with a disability...
- If a parent and a school are unable to agree on issues related to an IEP, special education or related services, or if the meeting and topics to be addressed will be complex, controversial, or difficult to negotiate...
- Other matters related to special education... if we can't help you with training, consultation, or services, we can direct you to an appropriate support!

Who Ya Gonna Call?

- Call SERC!
- If any of the previous information applies to you, reach out!
- 918-270-1849 (main office)
- 888-267-0028 (toll-free)
- okserc@okstate.edu (email)

IEP Facilitation 1

- How to Request
  - Either party (school or parent) may request, but both parties must agree
  - Contact SERC for intake and determine whether service is appropriate
  - If service is needed, complete agreement forms (parent also completes a consent to release information form) and send to the SERC office
- Next Steps and Time Frame
  - Once agreement from both parties is received by SERC, we will work with the school, parent, and assigned facilitator for a mutually agreeable time
  - This may be scheduled within a few days or weeks of the initial request
- Facilitator Selection
  - Trained facilitators are assigned to cases on a rotational basis by SERC

IEP Facilitation 2

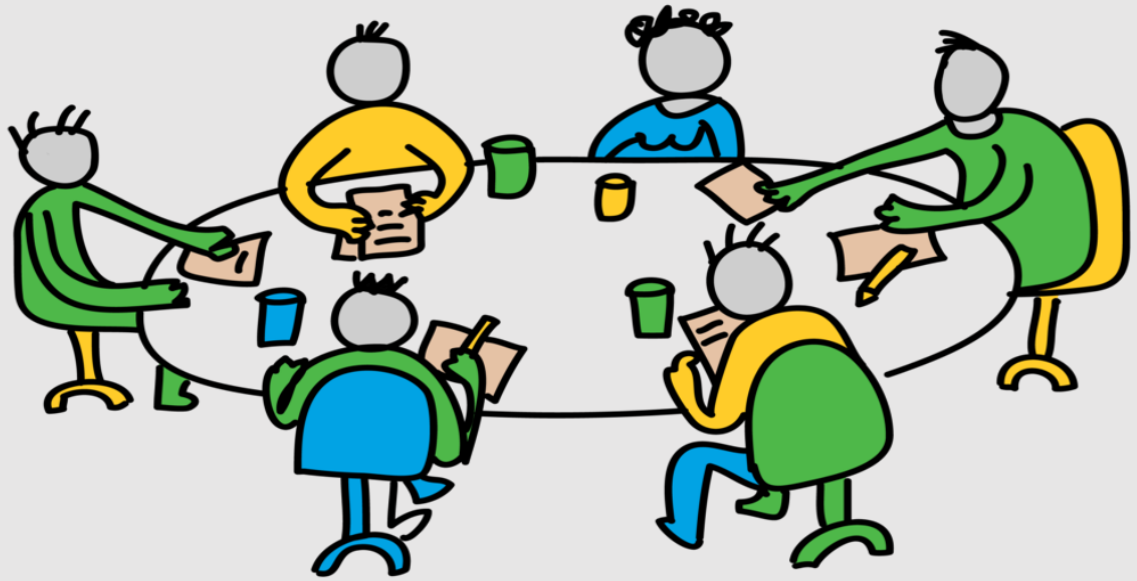
- Facilitator Role in Meeting
  - The neutral facilitator attends the IEP meeting, but does not lead the team
  - IEP meeting is led in the same way it would be without a facilitator present
  - Facilitator steps in as needed to manage conflict and help problem solve
- Service Purpose
  - Facilitation may be appropriate when a parent and school district are unable to agree upon important issues related to a child's IEP, or when a meeting is expected to address complex or controversial topics
- Preparing for the Service
  - Consider primary concerns for the child's education, and student input
  - Be willing to listen and work together with other team members

IEP Facilitation 3

- Measure of Success
  - At the conclusion of the meeting, the intended outcome is an IEP supported by team members and benefits the child
- Impact on Relationships
  - Can improve creative problem-solving
  - May result in better communication and improved relationships
- Additional Considerations
  - Respect the facilitator role and be willing to participate in the process
  - The facilitator will not typically address issues unrelated to the IEP

Facilitated IEP Meeting

- A neutral third-party attends to ***assist***, not lead, the team through the IEP process during an annual IEP review, amendment, eligibility meeting, etc.
- The intended outcome is a successful IEP meeting with mended relationships between parties and consensus regarding the student's educational plan



Mediation 1

- How to Request
  - Either party (school or parent) may request, but both parties must agree
  - Contact SERC for intake and determine whether service is appropriate
  - If service is needed, complete agreement forms (parent also completes a consent to release information form) and send to the SERC office
  - Mediation agreement form must include specific issues to be discussed
- Next Steps and Time Frame
  - Once agreement from both parties is received by SERC, we work with the school, parent, and assigned mediator for an agreeable time
  - Must be scheduled in a timely manner to resolve disputes
- Mediator Selection
  - Trained mediators are assigned to cases on a rotational basis by SERC

Mediation 2

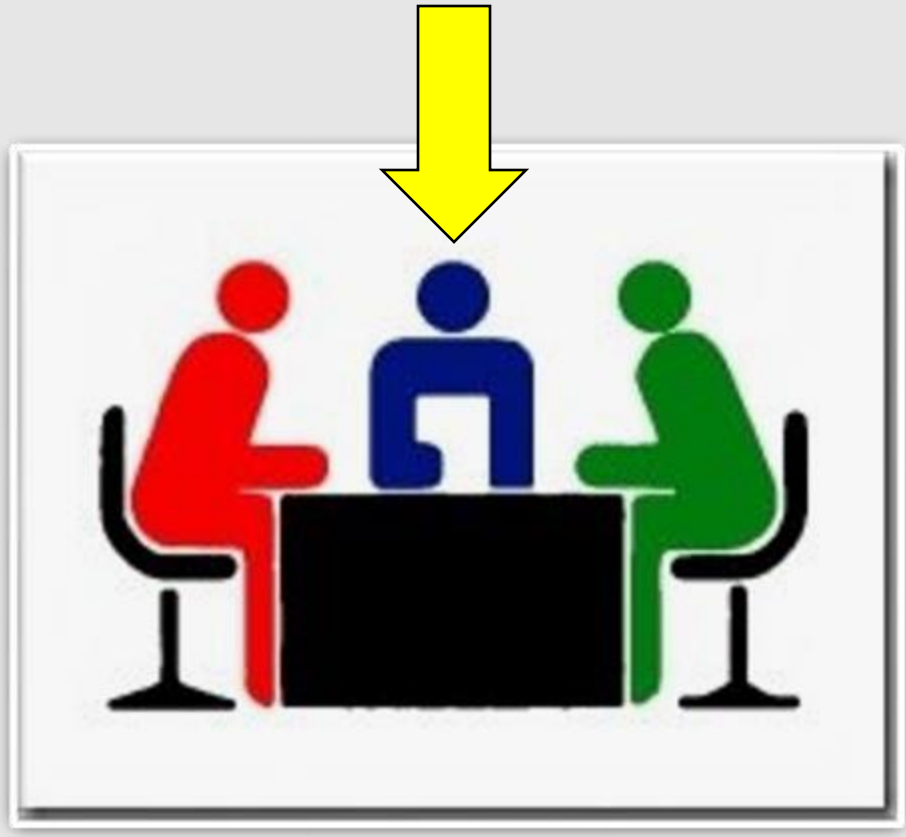
- Mediator Role in Meeting
  - The mediator leads the mediation session in an attempt to resolve specific matters of disagreement and come to consensus on those issues
  - Discussions in mediation are confidential and cannot be used in any future civil proceedings related to the topics of mediation
- Service Purpose
  - Mediation may be appropriate anytime there is disagreement between parents and educators about special education or related services
- Preparing for the Service
  - Identify matters of disagreement for discussion in mediation
  - Be willing to listen and work together with other team members

Mediation 3

- Measure of Success
  - At the conclusion of the mediation session, the intended outcome is a written, legally enforceable agreement between the two parties
- Impact on Relationships
  - Can improve creative problem-solving in future meetings
  - May result in better communication and improved relationships
- Additional Considerations
  - This flexible process is dependent upon the parties in the meeting and their willingness to collaborate, compromise, and come to consensus
  - Complex situations may require multiple mediation sessions
  - Mediation is often a suitable solution for resolving matters in a state complaint or in a due process request

Mediation Session

- A neutral third party ***leads*** the school and parent through a discussion of the specific issues of disagreement, with a goal of coming to consensus on one, more, or all issues submitted by either or both parties for mediation
- The intended outcome is a written, **legally binding agreement** between the school and parent, and improved team problem solving



Service Similarities - IEP Facilitation and Mediation

How to Request:

- Call SERC to determine if service is necessary and complete the request forms
- SERC will follow-up with the other party to ensure agreement to engage
- *Note*: SERC is not "embedded" in the process, but serves to help when there is disagreement and potential high conflict (need for alternate dispute resolution)

Preparation:

- Think of the main concerns or issues you want to discuss
- Consider the child's needs and opinion related to their own education
- Be willing to listen to others' ideas and think creatively

Impact on Relationships:

- Can build or strengthen relationships
- Can improve creative thinking and problem-solving in the team dynamic

IEP Facilitation	Mediation
Facilitator Role in Meeting: • Attends, but does not lead • Steps in as needed for issues in communication, clarification, bridging the gap, reorient to future	Mediator Role in Meeting: • Leads the session by way of a discussion on issues of disagreement
Service Purpose: • Occurs in context of an IEP meeting	Service Purpose: • Occurs as a separate session to gain agreement on specific matters
Measure of Success: • An agreed upon IEP calculated to meet the student's unique needs	Measure of Success: • A written legally binding agreement between the school and parent

Other Dispute Resolution Options

- State Complaint
  - A state complaint may be filed to the OSDE regarding *alleged violations of the IDEA (Individuals with Disabilities Education Act)*
    - The complaint form must include statements as to the school's violation(s) of IDEA and the facts to support the statements of alleged violation(s) within previous 12 months
  - The OSDE will review the complaint, determine if it is sufficient to open for investigation, and respond to the complaint within 60 calendar days
    - IDEA violations do not include matters like: (a) general anger with the school, (b) experiences of disrespect from school personnel, (c) general education issues, etc.
  - Mediation is an option for resolution of IDEA issues in a state complaint

Other Dispute Resolution Options 2

- Due Process
  - A parent or school may file a due process complaint regarding *issues related to the identification, evaluation, or educational placement of a child with a disability, or the provision of FAPE (free and appropriate public education)*
    - It must allege IDEA violation(s) that occurred within 2 years of filing
  - A due process request initiates a *legal, court-like proceeding* that includes requirements for both parties, timelines to adhere to, assignment of a hearing officer to the case, etc.
    - Due to the legal nature of this dispute resolution, many school districts choose to be represented by an attorney once a request is filed – at their discretion and expense
    - Parents may also choose to have legal representation – at their discretion and expense

Call SERC!

- Use us as your "phone a friend" when you have questions, concerns, or need guidance on options.

- Remember, we are here to assist schools and families in working together to meet student needs!

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Special Education Resolution Center (SERC)

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