

## Background

The U.S. Department of Education Office of Special Education Programs (OSEP) is responsible for ensuring that states implement the Individuals with Disabilities Education Act (IDEA). To measure state progress and performance, and determine whether states need assistance implementing the IDEA, OSEP has developed a set of 17 Indicators for Part B of IDEA, on which states report annually.<sup>1</sup> The Oklahoma State Department of Education - Special Education Services (OSDE-SES) is responsible for reporting Oklahoma's annual performance and progress. OSEP also uses data from state reports to inform Congress on the implementation of the IDEA across the country.

The IDEA includes a number of procedural safeguards and parental rights, and requires that parents be afforded the opportunity to participate in meetings concerning their child's identification, evaluation, educational placement, and to develop their child's education program (IEP). Local Educational Agencies (LEA), such as school districts, are responsible for ensuring that parents are made aware of and understand their rights under the IDEA.

Disagreements or conflicts relating to special education and related services can develop between families and schools, so the IDEA requires states to offer four processes to help resolve such disputes: written state complaints, mediation, due process complaints/hearing requests, and resolution meetings associated with due process.<sup>2</sup> Although these processes are available, school administrators and staff should work collaboratively with parents to prevent disputes. And when disputes do arise, school administrators and staff should work with parents to resolve differences as early and cooperatively as possible. Building and maintaining strong school-family relationships is better for everyone involved, especially the students.

## Instructions/Overview

The purpose of this self-assessment is for a team of stakeholders to come together, to assess LEA performance in the area of **dispute prevention and conflict resolution**. Prior to beginning the self-assessment, the LEA should:

1. Create a self-assessment team composed of stakeholders from the LEA.
2. Ensure that the self-assessment team understands the five Key Components of Dispute Prevention and Conflict Resolution and the four Stages of Practice described below.
3. Collect information, data, and resources for the self-assessment team to review, such as:
  - a. Dispute Resolution Survey Data from Parents, Practitioners, and LEA Personnel (Appendix 1);
  - b. Written Policies and Procedures (from the LEA and schools in the district);

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<sup>1</sup> Part B of the IDEA relates to special education and related services for children with disabilities from age 3 to 21.

<sup>2</sup> Two of these processes, resolution sessions and mediation, are featured in the annual state report to OSEP: Indicator 15–Percent of hearing requests that went to resolution sessions that were resolved through resolution settlement agreements; Indicator 16–Percent of mediations held that resulted in mediation agreements.

# Dispute Resolution & Conflict Prevention Self-Assessment Facilitator's Key

- c. Professional Development Resources or Presentations;
  - d. Informational Flyers/Posters;
  - e. Other relevant materials.
4. The team will then complete the Self-Assessment Scoring Sheet (Appendix 2), providing an overall rating for each Key Component, with examples, evidence, and/or documentation to support the team's rating.

**Self-Assessment Team**

The self-assessment should be completed together by a team of at least five stakeholders in the LEA, including the Director of Special Education Services, at least one parent of a child who is receiving special education services, and an advocate who supports parents in meetings. Potential participants who may bring important perspectives to the self-assessment process include:

- Teachers (both General and Special Education)
- Parents and Adult Students
- Related Services Personnel
- Principals/Administrators
- Advocates
- Mediators or Meeting Facilitators who have worked in the LEA

LEA:	Team Leader:
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List the team members and the perspective that each represents here:

Name	Role	Signature

## Key Components of LEA Dispute Resolution and Conflict Prevention

The OSDE-SES has identified five Key Components of Dispute Resolution and Conflict Prevention that should be implemented in each LEA:

1. **Parent Participation, School-Family Collaboration (Preventive)**
2. **Interventions/Strategies for Early Conflict Resolution (Facilitative)**
3. **IDEA Dispute Resolution Procedures (Conflict)**
4. **Awareness & Understanding of Procedural Safeguards (Parents & LEA Personnel)**
5. **Professional Development Opportunities/Continued Learning & Skill Development (LEA Personnel)**

A best practice description, list of measures, and examples of those measures for each Key Component is included in the Self-Assessment Scoring Sheet. Using these as guidance, the resources and information gathered to complete the self-assessment as evidence, and the Stages of Practice (below) as the scale, the team will rate the extent to which each Key Component is being implemented in the LEA.

## Stages of Practice

Performance will be evaluated by rating implementation of the Key Components in the LEA, using the Stages of Practice continuum:

- 1 = **Minimally or No Implementation** – Schools in the LEA are not (or are minimally) implementing best practices, and are not compliant on required activities.
- 2 = **Partial Implementation** – Schools in the LEA are inconsistent in their implementation of best practice measures and compliance with required activities. Implementation, performance, and documentation vary across schools.
- 3 = **Full Implementation** – Schools in the LEA are implementing many of the best practice measures and are compliant with required activities. There is observable evidence and documentation to support and demonstrate this.
- 4 = **Exemplary/Best Practice** – All schools in the LEA implement best practices regularly and consistently, and there is observable evidence and documentation to support and demonstrate this.

## Scoring

Since there are five Key Components and the Stages of Practice is a four-point scale, the maximum number of points possible, or the highest score for this self-assessment, is 20.

## Key Components and Measures

The following general measures should be considered when determining the LEA's Stage of Practice for each Key Component. The measures include:

- **Implementation** (percentage of schools in the LEA implementing the practice; consistency of implementation)
- **Documentation** (recordkeeping/access, organization, management; file/case management; file completeness)
- **Information and Public Awareness** (types of materials/formats; target audience(s); readability; Q&As/FAQs; process guides; flow charts; checklists; distribution of materials/info; availability in languages other than English)
- **Policies and Procedures** (development; relevance/responsivity; clarity; how frequently updated or reviewed; how comprehensive)
- **Stakeholder Involvement** (internal and external stakeholders; collaborative decision-making)
- **Continuing Education** (personnel development; training; coaching; opportunities to practice skills)

## Key Component Detail and Examples

To prepare for facilitating the self-assessment team, the team leader is encouraged to review the information in each of the Key Components and Examples below. Some additional detail about each of the Key Components and characteristics for each Stage of Practice is included in the Self-Assessment Scoring Sheet.

### Key Component 1: Parent Participation, School-Family Collaboration (Preventive)

**Best Practice:** Schools work in partnership with parents, so everyone can effectively and actively participate, communicate, and collaborate, to prevent conflict and ensure positive outcomes for students with disabilities.

#### Examples:

- Parents are encouraged to participate in their child's education, and are assisted with obtaining the supports needed for them to do so successfully.
  - Parents are invited to share concerns; staff are receptive to the information shared and respond in a professional manner.
- Parents are provided all required information (e.g., procedural safeguards, parental rights notice) and training or resources to support their understanding.
- Resources and materials that encourage school-family collaboration and involvement are developed in partnership with end-users and shared with the whole community.

- Understandability; accessible formats; native languages.
- Frequently asked questions; guides; top tips; checklists.
- Meetings (e.g., evaluation, IEP, transition) are planned and scheduled with parents, for maximum attendance and participation, and in accordance with required timelines.
  - Meeting times and locations are convenient for parents.
  - Topics and agendas are developed in partnership with parents.
  - Meeting materials (such as evaluation results, draft IEPs, assessments, proposed changes) are provided to parents and other team members far enough in advance to permit meaningful review. Alternative formats, translation, and/or interpreter services are offered/provided by the LEA proactively.
  - As appropriate, students are encouraged to attend and participate in their IEP meetings.
- LEA personnel explain proposals, educational planning, and terminology in language that is understandable to parents, and the use of jargon is discouraged in communications with parents.
- Workshops to build communication and conflict prevention/de-escalation skills are offered or sponsored by the LEA for the school community.
- Records (e.g., education, parent contact, meeting notes, case files) are kept in an organized and consistent manner, so that they are easily accessible (e.g., for parent, LEA staff, audit).

## **Key Component 2: Interventions/Strategies for Early Conflict Resolution (Facilitative)**

**Best Practice:** The LEA consistently and successfully implements a range of early conflict resolution strategies district-wide and when a disagreement arises, works with parents to explore these options as early as possible.

### Examples:

- Workshops to build communication, conflict prevention/de-escalation skills, and meeting facilitation skills are provided or sponsored by the LEA.
- The LEA develops and/or supports community assistance resources for parents (e.g., PTI, LEA's own program, disability-specific agency, resource guide/index).
- When there is a disagreement, team members and parents work together to resolve the issue(s)
  - LEA staff are trained and encouraged to acknowledge and address parent needs, brainstorm new ideas, develop interest-based solutions.
- When there is discord or a disagreement, the LEA works to keep communication open.
  - The school has a parent facilitator who reaches out to parents to check in when there's a problem.
  - Recognizing when the help of a third party would be beneficial/suggesting the use of an intermediary, case manager, or facilitator.
- When parents suggest using a third party, LEA personnel respond positively.

**Key Component 3: IDEA Dispute Resolution Procedures (Conflict)**

**Best Practice:** LEA personnel have a clear understanding of the IDEA dispute resolution procedures (mediation, written state complaints, due process complaints/hearing requests, and resolution meetings), are able to explain to parents differences among the four options, and respond quickly and appropriately when an option is initiated.

Examples:

—Mediation

- Procedures to offer assistance to parents or LEA personnel are available if the parties are unsure whether they want to try mediation, or are unfamiliar with the benefits of mediation.
- Mediation is recommended when earlier efforts to resolve disagreements have not worked.
- The LEA does not use mediation to deny or delay a parent's rights, including the right to a hearing.

—Due Process Hearing Request

- The LEA immediately acknowledges receipt of every due process hearing request and begins taking steps to resolve the issues in the request during the 30-day resolution period.
- The LEA responds to hearing requests within 10 days, and sends required notices.
- LEA personnel continue to communicate in a professional manner with parents after a hearing request has been filed.

—Resolution Meetings

- The LEA schedules a resolution session to occur within 15 days of receiving a due process hearing request.
- The LEA is open to using third party facilitators during resolution meetings.

—Written State Complaint

- The LEA responds in a timely manner to any request for information when a written state complaint is filed with the OSDE.
- School staff explore possibilities for informally resolving the issues in the written state complaint.
- When a parent has filed a written state complaint, school administrators and staff are encouraged to reach out to the parent, to suggest using mediation to resolve issues.

**Key Component 4: Awareness & Understanding of Procedural Safeguards (Parents & LEA Personnel)**

**Best Practice:** The LEA ensures that all personnel have an understanding and awareness of the IDEA procedural safeguards, and that parents are supported in understanding their rights.

Examples:

- Information about the IDEA procedural safeguards and parental rights is made readily available to school personnel, related service providers, and parents.
  - Paper and electronic availability: website, brochures, flyers, recordings, videos.
  - Posters; bulletin board or webpage resource repository.
  - Understandable; accessible formats; native languages.
- Parents are provided procedural safeguards and parental rights notices at least annually, and upon parent request.
- School administrators and staff are provided with the training and resources necessary for them to support parents' understanding of procedural safeguards.
  - Professional development opportunities to build staff capacity.
- District and school-level information, policies, and procedures are reviewed, at least annually, to ensure that they are relevant and understandable.
  - Internal and external stakeholder involvement from development through rollout.

**Key Component 5: Professional Development Opportunities/Continued Learning & Skill Development (LEA Personnel)**

**Best Practice:** Professional development opportunities relating to collaborative communication and working together with parents are provided to all LEA personnel district-wide, at different times during the year, via different methods and formats.

Examples:

- Professional development days include training and skill development relating to working collaboratively with parents, building/honing communication skills, and conflict prevention and resolution.
  - Meeting management skills, facilitation training,
- LEA policies and procedures provide supports for personnel to practice building their collaborative communication skills, and to share experiences and learning with their colleagues.
  - Coaching; mentoring; peer-to-peer observation and feedback on interactions and communications with parents.
- The LEA utilizes shared decision-making when developing policies and procedures relating to professional development, including programs and training opportunities.