

**The WSEMS project is a partnership that incorporates three key special education dispute resolution stakeholders, representing the perspectives of parent advocacy, school districts and mediators.**

**Partner: School Representative to the WSEMS Project (Nissan Bar-Lev)**

The WSEMS project is a partnership that incorporates three key special education dispute resolution stakeholders, representing the perspectives of parent advocacy, school districts and mediators. The school districts' representative insures that the interests of schools are reflected in all WSEMS activities and publications as detailed in the Grant Objectives below:

- I. *Administration of WSEMS.* Provide the **school perspective** on ongoing system design/update, for example establishing procedures for the Resolution Session; as well as stakeholders' communication and interest groups' "round table" discussions on system effectiveness and improvement.
- II. *Design and conduct one-day mediation institute.* Provide the **school perspective** on establishing the institute's agenda; determine materials to be provided to mediators/facilitators; determine speakers' selection, participate in presentations, and share the schools' views throughout the day's discussions and in subsequent interactions with mediators/facilitators.
- III. *Collect, evaluate and disseminate WSEMS data and identify trends.* Provide the **school perspective** on the survey design and selection of questions, data collection, data interpretation and system evaluation. This perspective is provided in partners' meetings as well as in meetings with the WSEMS researcher.
- IV. *Model parent/professional collaboration.* In accordance with the WSEMS aim of "moving Wisconsin special education culture from one that is adversarial to one that is problem-solving and collaborative", the parent/professional team maintains a visible statewide and national leadership presence. This collaborative model assists in resolving a wide range of disputes, including statewide system change issues (for example, Focused Monitoring, Dispute Resolution administration, realigning state and federal special education law, stakeholders facilitation). The school representative provides the **school perspective** in designing and conducting state and national joint presentations to blended audiences of parents, educators and other interest groups. Topics range from Effective Participation in Dispute Resolution Options, Early Conflict Resolution, and How to Access the IEP Facilitation, Mediation and the Resolution Session Options.

- V. ***Maintain and update WSEMS website.*** Provide technical support in designing a new web-based discussion board for interested parties; coordinate the posting and update of all WSEMS files, links, mediators/facilitators' bios, WSEMS forms and others.
- VI. ***Trained neutrals for IEP Facilitation and Resolution Session.*** Provide the **school perspective** to roster facilitators who inquire about specific special education issues; share IEP forms and procedures for initial, annual, and reevaluation of IEPs; coordinate the availability of an LRP electronic bulletin board e-CONNECTION for WSEMS mediators/facilitators.
- VII. ***To provide an updated "Mediation training manual" and "Best Practice Guide" for parents and school representatives on how to be more effective participants in WSEMS dispute resolution options.*** Provide the **school perspective** in updating the Mediation Training Manuals and in developing the Best Practice Guide; disseminate these materials at regional (RSN meetings) and statewide conferences (WCASS winter and spring conferences).

## **Partner: Parent Representative to the WSEMS Project (Jan Serak)**

**Represent parent agency role in WSEMS project:** in regular planning meetings with WSEMS partners (individually or both), project staff, and at least quarterly with WDPI project liaison Respond to requests from Intake Coordinator/ System Administrator. Provide feedback about project administration from parent perspective (as, about the intake process, mediation, facilitation of IEPs and resolution process issues, paperwork, etc.); Represent parent perspective in the recommendation/ development/review of plans and documents for WDPI related to system (as, CIFMS; State Performance Plan; Bulletins; etc.). ; Attend national and state conferences, as a team if possible, to ensure joint information acquisition from each partner's perspective in order to enhance expertise related to system administration; to gain knowledge about best practices and current information available in the mediation field, to learn how other states' systems operate; and to further reputation/recognition of WSEMS.

Provide input, from parent perspective, into system of training, assigning, supporting neutrals. Assist with curriculum development/agenda for the interpreter institute and annual mediator institute to ensure balanced perspective. Research materials for institutes. Prepare for/participate as a presenter in the 2 institutes. Identify and invite additional parent perspective presenters to ensure "balanced" training experience. Assist on site with i nstitutes.

Model effective parent/educator collaboration as a WSEMS parent/educator team when possible. Represent the parent perspective and WSEMS on national groups to further national recognition of the WSEMS (as, CADRE Advisory Board; OSEP-funded IDEA Partnership Creating Agreement Team).

Represent the parent perspective while planning/providing presentations about the WSEMS; mediation, facilitated IEPs and resolution meetings, early conflict prevention and management; and effective communication. Conduct presentations as a parent/educator team to blended groups of educators, parents, others. Partner in designing training curricula, refining and customizing PowerPoint presentations and workshop materials for every presentation as needed. Distribute, collect and summarize all workshop evaluation information collected, use to inform workshop revisions that may be needed, and for final project reporting. Facilitate extensive efforts to reach out to all constituencies, including dissemination of 3,000 WSEMS brochures, manuals and other materials, including through exhibits, by mail or in-person delivery to community sites, parent groups, statewide groups and disability organizations. Initiate and respond to individual emails and listserves to promote system use, create awareness. Provide parent perspective support for website revisions.

Provide parent perspective on development/revision of system and project evaluation tools to ensure that they are “parent-friendly” and culturally appropriate. Provide parent perspective on data collection, trend analysis process, and summary documents. Make recommendations from parent perspective for system improvement. Assist with stakeholder advisory council communication.

## **Partner: Mediation expertise, Nina Meierding. Description of Services**

- To work jointly with the other two partners, representing a collaborative parent-mediator-special education director "team".
  - Consult by telephone, e-mail and occasionally in-person with the other two partners regarding WSEMS related issues, including outreach, system operation system materials and data analysis.
  - Co-present with the two WSEMS partners at least one presentation per year.
- To provide technical assistance with regard to dispute resolution and legal issues to the existing 23 roster mediators including “best practices” in mediation and facilitation.
  - Consult by telephone, e-mail (or other electronic means) or in-person with the roster mediators in response to their inquiries. For example, previous questions dealt with issues of “best practices” in mediation, confidentiality (WI Stat. §904.085), unauthorized practice of law, agreement writing, the model standards of conduct, and the Wisconsin Stat. §115.797 that was just realigned with the federal IDEA 2004 law.
- Use information such as feedback from intake coordinator, the two

- WSEMS partners, questionnaires, data and trend reports and the observation of mediators/facilitators to improve the system in general, and provide feedback to individual mediators/facilitators in particular.
- To provide technical assistance with regard to dispute resolution and legal issues to the intake coordinator including system management and evaluation, confidentiality, unauthorized practice of law, agreement writing, ethical questions, Wisconsin statute §802.12, §904.085, 1997 Wisconsin Act 164 - Chapter 115.797, as well as the ACR/ABA Model Standards of Conduct. Help keep the roster mediators, the WSEMS partners and staff informed of any significant changes that would affect the work we do in the field of dispute resolution including the area of law.
    - Consult by phone, e-mail or in-person to provide assistance, as needed, in answering legal and dispute resolution questions about documents related to the operation of mediation and facilitation systems. Documents could include evaluation questionnaires, data reports, and agreement to mediate or facilitate
    - Consult by phone, e-mail or in-person with the intake coordinator and the Research Methodologist on data analysis as needed.
    - Participate with the WSEMS partners and intake coordinator in evaluating the performance of mediation, facilitated IEP and facilitated resolution meetings systems by using feedback from questionnaires, data and trend reports and observation of mediators/facilitators.
  - To provide technical assistance with regard to dispute resolution and legal issues to the users of the mediation and facilitation systems, including attorneys, advocates, parents, and school personnel, as needed.
    - Consult by phone and e-mail, when referred by intake coordinator, with the system users. For example, previous questions dealt with such issues as: (1) Is an adult student signing away their rights by signing a waiver giving parents, who do not have guardianship, permission to speak for them in the mediation process? Or (2) Can a parent advocate sign a request for mediation form for a parent if the parent has signed a proxy statement giving them permission?
  - To design and present a one-day annual training for roster mediators/facilitators in conjunction with the other two partners, intake coordinator, WSEMS Outreach Coordinator (who is bilingual in Spanish) and WDPI representative.

Assist the other two partners, intake coordinator, Outreach Coordinator and WDPI representative with the selection of topics, presenters and materials for the one-day annual training.

## **Latino Outreach Coordinator (Nelsinia Ramos)**

Statewide outreach activities (provision of training including in Spanish to blended audiences, information dissemination, outreach to underserved families), collection/development/translation of project materials/website/curricula into Spanish, representation of the parent perspective in project activities, ensure access by Latino families to project materials/activities; provision of technical assistance to project staff and roster neutrals about cultural issues, participate in project evaluation activities, modeling of effective collaboration statewide and nationally.

Provide feedback about project administration from parent AND cultural perspective Respond to requests for information from Intake Coordinator, including related to cultural issues, Spanish-translated materials (as, system correspondence, etc.). Represent parent perspective in the recommendation/development/review of plans and documents for WDPI related to system (including translating). Attend national and state conferences, with WSEMS as a team if possible, to ensure joint information acquisition from each partner's perspective in order to enhance expertise related to system administration; to gain knowledge about best practices and current information available in the mediation field, to learn how other states' systems operate; and to further national recognition of WSEMS

Provide consultation support to neutrals, upon request, from the parent perspective, especially related to parent, cultural and disability-issues (includes some research). Assist with curriculum and agenda for the interpreter institute and annual mediator institute. Research materials for institutes (as, about cultural issues & interpreting). Participate in the 2 institutes. Identify and invite additional parent perspective, especially those who are culturally diverse, as presenters to ensure "balanced" and rich training institutes. Identify cultural awareness training that may be available for neutrals. Model effective parent/educator collaboration, as a WSEMS parent/educator team when possible.

Assist with development of training curriculum, PowerPoint presentations and materials, including providing translations into Spanish. Represent the parent perspective when conducting presentations, as a parent/educator team and to blended audiences of educators/parents/others whenever possible, including training conducted in Spanish. Distribute, collect and summarize workshop evaluation information collected. Conduct outreach to all constituencies, especially to underserved families, assisting with dissemination of WSEMS materials. Identify translated materials for non-English speaking/reading or low literacy level parents related to mediation. Provide parent perspective support for website, including Spanish translation.

Translate participant surveys, workshop evaluations and other evaluation materials into Spanish as requested. Provide parent perspective on development/revision of system and project evaluation tools to ensure that they are "parent-friendly" and culturally appropriate. Provide parent perspective on data collection, trend analysis process, and summary documents. Make recommendations from parent perspective for system improvement.

## **Intake Coordinator – Description of Services / Deliverables (Jane Burns)**

Jane Burns is currently the WSEMS Intake Coordinator. Her responsibilities entail: Coordination of dispute resolution services of WSEMS including mediation, IEP facilitation, and neutral at a resolution meeting.

### **Intake:**

- Complete intake form with information from parties and attorneys.
- Update WSEMS Tracking Forms.
- Answer parties and potential parties' questions about the system and dispute resolution.
- Prepare information packets for potential users of the system.

### **Screening:**

- Determine that the child's disability qualifies under IDEA.
- Determine who has legal custody of the child.
- If the child is over 18, determine if the child is competent to participate in mediation or get copies of the guardianship papers or a waiver giving the parents permission to make educational decisions.
- Determine if the issue(s) is one defined by state statute
- If abuse or violence is alleged, apply advanced screening techniques to determine if the special education issues can be mediated separately from the abuse or violence issues, or if proof can be provided that social services does not have an open investigation or that allegations are unfounded.
- Determine if any safety issues exist that could affect the mediation and require a safety officer to be present.
- Determine if a language (foreign/sign) interpreter or a bilingual mediator is needed.
- Determine if any criminal charges or suspension or expulsion issues are pending.
- Determine if a due process, IDEA complaint, OCR complaint or lawsuit has been filed and the effect this will have on the dispute resolution process.
- Talk with the parties to understand why they are requesting mediation, IEP facilitation or a neutral for a resolution session, and if there is jurisdiction under state and federal law.
- Educate the parties about the options of mediation, IEP facilitation and a neutral at a resolution meeting so the intake coordinator and the parties can analyze which option is appropriate for their situation.

### **Referral:**

- Explore with the parties if they would like input into the mediator/facilitator selection and what their preferences for qualities in the neutral would be, or discuss if they want to nominate a specific mediator(s) as allowed by state statute for mediation.

- If the parties want to leave the selection up to Burns, try and match the particulars of the case with the strengths and weaknesses of a mediator, keeping in mind geographical location, using the working knowledge of the roster mediators – some of whom Burns has worked with for ten years.
- Prepare packets of forms for mediators/facilitators.

Other:

- Provide technical dispute resolution assistance to 32 roster mediators/facilitators within the scope of her expertise as the Intake Coordinator for the WSEMS for ten years.
- Provide technical dispute resolution assistance to the users of all the processes offered including attorneys, parent advocates, parents, school personnel as needed within the scope of her expertise.
- Revise documents and databases, as needed, related to the daily operations of all the systems including case management procedure, intake questionnaire, evaluation questionnaires, data reports, and tracking forms.
- Data analysis in consultation with mediator partner.
- Meet with research methodologist as needed.
- Meet with the attorney-mediator as needed.
- Meet with parent/advocate and special education director partners and Outreach Coordinator as needed.
- Help plan the annual update training.
- Speak at conferences as needed.
- Work the WSEMS exhibit booth at conferences as needed.
- Maintain internal data collection.
- Give updated information for website to CESA 7.
- Respond to requests from states and agencies researching the “Wisconsin model”.
- Respond to specific inquiries about WSEMS from CADRE, DPI (OSEP reports) and others.
- Handle all invoice payments for the roster mediators.
- Provide statewide leadership in mediation. For example, serves on the Wisconsin Associate of Mediators Board of Directors.