

WI Special Education Mediation System (WSEMS): Stakeholder Engagement Underpins Wisconsin ADR System



October 26, 2011
CADRE Symposium - Eugene, OR

PRESENTERS

- WSEMS
 - Partners: Nissan Bar-Lev, Jan Serak
 - Jane Burns
 - Nelsinia Wroblewski
- WI Department of Public Instruction
 - Marge Resan
 - Patty Williams

STATEWIDE SYSTEM

STATEWIDE SYSTEM | INFORMAL MTD | IEP FACILITATION | MEDIATION | RESOLUTION | OUTREACH

AGENDA

- WSEMS partners & system design
- ADR options in WI
- Neutrals
- Intake, screening & evaluation
- Outreach
- IDEA complaint & due process hearing process
- Collaborative stakeholder process
- Resources

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STATEWIDE SYSTEM

WSEMS Roster of Neutrals

- WSEMS Partners select
- Stakeholders included in roster training:
 - 5-day initial training
 - Required annual training
- 23 neutrals on roster
 - Impartiality
 - Diversity
- Same roster for mediation & facilitation

STATEWIDE SYSTEM

STATEWIDE SYSTEM | INFORMAL MTG | IEP FACILITATION | MEDIATION | RESOLUTION | OUTREACH

IEP FACILITATION

- External facilitators (WSEMS neutrals)
- For any IEP meeting
- Request - Joint or individual
- Voluntary
- Participants:
 - IEP team
 - Facilitator (not part of team)
- 3 hour limit
- Free

IEP FACILITATION

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MEDIATION


- Use roster mediators
- Issues involving:
 - evaluation, eligibility, IEP, placement & FAPE
 - resolution meeting waiver
- Written request – joint/single
- Voluntary
- Free
- No time limit
- Participants – 2 each (may include attorneys)
- Agreement to mediate
 - confidentiality provision
- Written agreement
 - enforceable under WI contract law

MEDIATION

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WSEMS INTAKE

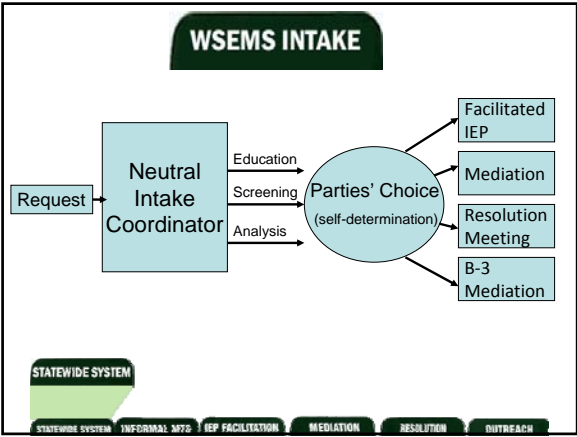
- Impartial Intake Coordinator/
System Administrator
(not a stakeholder)
- Intake, screening, analysis
- Data collection
- System evaluation



Jane Burns

STATEWIDE SYSTEM

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WSEMS INTAKE


Intake/Screening


- Educational/Analytical
- Verifying facts
- Screen for components required by law,
abuse, complications, other ongoing legal processes
- History
- Brokering/Convening to the table

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WSEMS INTAKE





STATEWIDE SYSTEM

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WSEMS DATA

Data Collection:

- After Process Reporting Forms:
 - Mediators/Facilitators
 - Participants
 - Attorneys & Parent Advocates

Data Usage:

- Stakeholder Updates
- WI DPI Reporting (APR & WSEMS Grant)
- Mediator Training/ Professional Development
- Outreach Presentations
- System Design Improvement

STATEWIDE SYSTEM

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WSEMS IEP FACILITATION DATA

2004-2011 (n=817)

• **87.1%** were satisfied with the facilitation process. (n=815)

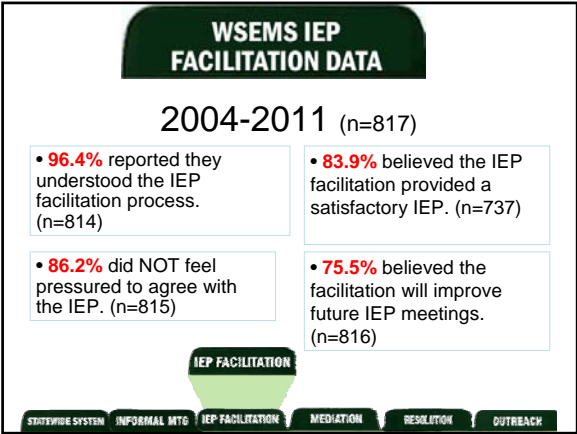
• **84%** would use the facilitator again. (n=793)

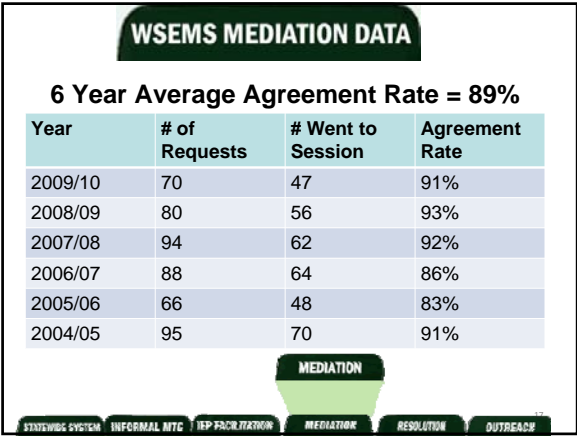
• **85.8%** would use the facilitated IEP process again. (n=815)

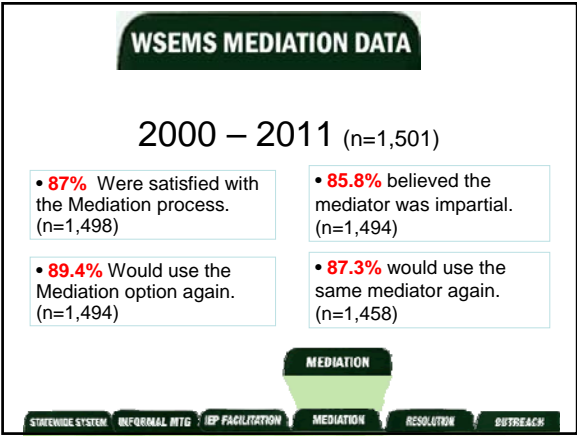
• **85.6%** believed the facilitator was neutral. (n=815)

IEP FACILITATION

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WSEMS MEDIATION DATA

Attorney Participation

- Attorneys for parents 2009/10: 28.3% of cases
- Attorneys for districts 2009/10: 39.1% of cases

10.8% difference
(Agreement rate 100%)

STATEWIDE SYSTEM

STATEWIDE SYSTEM INFORMAL MTG IEP FACILITATION MEDIATION RESOLUTION OUTREACH

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CULTURALLY RELEVANT EFFORTS

- WSEMS Roster
- Interpreter Manual
- Translated system materials
- Website in Spanish
- Diverse stakeholders for roster training



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OUTREACH

CULTURALLY RELEVANT EFFORTS

- Latino Outreach Specialist
- Outreach
- Dissemination of system informational materials
- Training for Spanish-speaking families
- Roster training



Nelsinia Wroblewski

OUTREACH

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INDICATOR 16

State IDEA Complaint Process

- Wisconsin receives approximately 80-90 complaints per year
- Wisconsin consistently meets the target of 100% set for this indicator
- Resources Available



INDICATOR 17

Due Process Hearing System

- Structure of Wisconsin's System
- Wisconsin receives approximately 35 hearing requests per year
- The vast majority of requests resolve without a hearing
- Wisconsin consistently meets the target of 100% for this indicator



INDICATOR 19

Mediation System

- Wisconsin conducts approximately 40-70 mediations per year
- Wisconsin consistently exceeds the targets set by our stakeholders for this indicator



COLLABORATIVE STAKEHOLDER PROCESS

- Development of mediation system
- Setting targets for improvement indicators
- Collaborative processes for drafting proposed legislation and administrative rules



RESOURCES

- WI Special Education Mediation System
<http://www.wsems.us>
- CADRE Exemplar Collection
www.directionservice.org/cadre/exemplar/matrix.cfm
- WI Department of Public Instruction
<http://dpi.wi.gov/sped/index.html>