

**ODR Stakeholder Council Meeting
December 11, 2014
Meeting Minutes
Office for Dispute Resolution
6340 Flank Drive
Harrisburg, PA 17112**

Participants

Cindy Duch
Dr. Mary Beth Gustafson
Jane Williams, Esquire
Harriet Langer-Williamson
Debbie Leggens
Kay Lipsitz
Dennis McAndrews, Esquire
Robyn Oplinger
Dr. Gina Scala

ODR:

Edward Titterton, Esquire, Legal Counsel
Kerry V. Smith, Esquire, Director
Suzanne McDougall, Program Manager
Heather Doyle, SC Secretary

Presenters

Anne Carroll, Esquire, Hearing Officer
Brian Ford, Esquire, Hearing Officer

Minutes

The September 18, 2014 Stakeholder Council (SC) meeting minutes were adopted as written and will be published on the ODR website in both English and Spanish.

Welcome and Introductions

The SC welcomed the new Parent Training and Information Center representative, Cindy Duch, the Director of Parent Advising for the PEAL Center.

Kay Lipsitz has accepted the SC position as a Parent Advocate representative.

Electronic Exhibits Pilot – Hearing Officer Brian Ford

Hearing Officer Brian Ford provided a brief update on the Electronic Exhibits Pilot. The pilot is going live with represented parties, and has been utilized in a completed hearing. Participation in the pilot is voluntary. The next steps for this pilot are: continue to gather data and draw experience as qualifying cases convene; consider modification of the ShareFile setup so that parties will have read-only immediate access to each

other's files upon upload by default (considering whether such modification impacts upon disclosure); teach other hearing officers how to use ShareFile; and discuss expansion of the pilot beyond one hearing officer.

IEP Facilitation – Suzanne McDougall

Based on collective feedback from the IEP Facilitation subcommittee, ODR Mediators and a consult with CADRE, ODR has determined that there is a need to reexamine the role of the facilitator. ODR has consulted with Trisha Bergin-Lytton, who is an expert in the field and has presented with CADRE in the past. She will be providing IEP Facilitation training to our ODR-contracted mediators/facilitators on June 17-18. The contracted facilitators must attend both days of training to receive a certificate and be able to perform facilitations for ODR in the 2015/2016 fiscal year.

ODR has created a new multi-purpose request form, which includes requesting Mediation, Evaluative Conciliation Conference and IEP Facilitation. This stems from a recommendation of the IEP Facilitation subcommittee.

Requests for IEP Facilitation no longer require both parties to sign the form ahead of time; ODR case managers now call the other party to determine their willingness to participate. This change also stems from a recommendation of the IEP Facilitation subcommittee.

The ConsultLine is now assisting parents in filling out the IEP Facilitation request form, as well as submitting it to ODR on behalf of the parent(s).

BSE Update – Kerry Smith

During the June 19, 2014 SC meeting, BSE Director Pat Hozella shared a potential parent training program, which would assist parents on preparing for a due process hearing. BSE still has a strong interest in this program; however, it has been put on hold due to administration changes.

ODR's Bilingual Specialist resigned in September of 2014, which created an open ConsultLine position. Resumes are being accepted and reviewed; however, ODR has not received applications from bilingual applicants. The ODR Director and ConsultLine Director met with the Director of the BSE to discuss options for approaching the needs of bilingual parents seeking the services of ConsultLine.

Hearing Officer Position

Due to the impending retirement of HO Anne Carroll, the SC will be participating in hearing officer interviews during the spring of 2015. In preparation for advertising the position, the issue of attorney versus non-attorney hearing officers was raised. There is a lack of consensus among SC members on this topic. It was decided to open the interview process to all applicants.

Hearing Officer Anne Carroll attended the meeting, to give her insight as to the qualities the SC should be looking for in a candidate. She included: 1) knowledge of special education law; 2) patience and ability to control the hearing process; 3) not only actual impartiality but the appearance of impartiality; 4) deliberate and confident action; 5) ability to work alone, avoiding distractions, and the ability to travel extensively; 6) ability to collaborate with other Hearing Officers; and 7) good organization, writing and research skills.

A recommendation was made and endorsed by the SC that applicants be supplied with a redacted record, and asked to provide a writing sample.

The meeting concluded at 11:48am. The next quarterly meeting of the Stakeholder Council will be held on Thursday, March 19, 2015.