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MEDIATORS' BIOGRAPHIES

Clymer Bardsley, Esquire

Clymer Bardsley, Esquire, President and Founder of The Bardsley Group, has more than 20 years of experience as a lawyer, mediator, trainer and coach. Throughout his career he has helped thousands of individuals to increase their productivity by reducing the conflict in their personal and professional lives. Inspired by assisting people through difficult situations and training them to prevent conflicts from escalating, Clymer established The Bardsley Group in January 2016. Prior to that, Clymer served three prominent conflict resolution organizations: The Good Shepherd Mediation Program in Philadelphia, The Kukin Program for Dispute Resolution at Cardozo School of Law in New York City, and The Moritz College of Law's Program on Dispute Resolution at The Ohio State University in Columbus, Ohio. During this time, he has taught hundreds of people how to skillfully mediate conflicts, and has mediated over 500 disputes for organizations, the courts, communities, and families.

Prior to becoming a lawyer, Clymer was a school teacher for eleven years. Recently, he received CLE training in the IDEA for both professional and personal reasons: his stepson has an IEP.

Clymer is the Editor-in-Chief of the Pennsylvania Bar Association's Alternative Dispute Resolution Newsletter. He serves as both a mediator and a settlement official for the Federal Equal Employment Opportunity Commission and facilitates abuse and neglect matters in Philadelphia Family Court. Clymer is also on the faculty at both Temple University's School of Education and at the Morton Deutsch International Center for Cooperation and Conflict Resolution at Columbia University's Teacher's College.

Jean M. Biesecker, Esquire

Jean Biesecker, a solo practitioner for over 30 years with a dual degree in law and social work, has a family law and dispute resolution practice primarily serving clients in Montgomery and Chester counties. With over 20 years of experience and training in mediation, Jean now devotes her practice entirely to non-court, dispute resolution processes, mediation and collaborative law.

Jean is passionate about creating opportunities for people to explore resolutions of immediate concerns and direct their futures in mutual, decision-making processes. She has been an approved mediator in special education matters for the Commonwealth of Pennsylvania's Office for Dispute Resolution since September 2011 and participates in ongoing training in the area of special education. She recently completed PATTAN's Section 504/Chapter 15 training in May 2016. Jean is currently a facilitator for Montgomery County Court's *Friend of Court* program in abuse matters and is a former mediator for Montgomery (May 2002 to September 2015) and Chester Counties' (May



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2002 to 2012) court-connected custody mediation programs. Jean has also mediated pre-EEO complaints for the U.S. Postal Service REDRESS programs, trained in elder mediation, and served as a parent coordinator for high conflict families in the Denver District Court.

Jean is currently an adjunct professor in the mediation clinic at the University of Pennsylvania Law School and a former adjunct faculty at James Beasley School of Law's mediation clinical program. She is also a former co-instructor for Denver-based dispute resolution professionals, trainer for Pennsylvania child welfare competency-based training and certification program as well as the Pennsylvania Council of Children, Youth and Family Services.

Related to her mediation and collaborative law practice, Jean is a member of the Association for Conflict Resolution, Pennsylvania Council of Mediators, Association of Family and Conciliation Courts; International Academy of Collaborative Professionals; and dispute resolution and collaborative law committees of the Pennsylvania and Montgomery Bar Associations, respectively. Jean has served as co-chair of the Montgomery Bar's collaborative law committee since 2012.

Cheryl Cutrona, Esquire

Cheryl Cutrona has been the Executive Director of the Good Shepherd Mediation Program for 26 years. She is a mediator, facilitator, conflict coach, trainer, arbitrator, editor, attorney and adjunct faculty at Temple University Beasley School of Law. She has been mediating for the Office for Dispute Resolution since 1988. She also serves as a mediator for the Philadelphia Bar Association Lawyer Fee Disputes panel; the Philadelphia Landlord-Tenant appeals mediation program; the U.S. Postal Service REDRESS, and the EEOC Philadelphia Region EASE program. She arbitrates for the Better Business Bureau, DeMars Associates, and the Philadelphia Court of Common Pleas. Cutrona sits on the SR 160 PA Task Force on Alternative Dispute Resolution Advisory Committee; the Board of Directors of the Association for Conflict Resolution Greater Philadelphia Chapter; and the Editorial Board of Conflict Resolution Quarterly. In 2015, she retired from the Pennsylvania Council of Mediators Board of Directors after 20 years of service. She is the 2008 recipient of the Pennsylvania Bar Association Alternative Dispute Resolution Committee "Sir Francis Bacon Dispute Resolution Award" and was named "Most Valuable Peacemaker" by the Pennsylvania Council of Mediators in 2010. Cutrona holds a BA from Michigan State University, a Masters in Library Science from Wayne State University, and a JD from Temple University, Beasley School of Law.



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Ellen J. DeBenedetti, M.Ed.

Ellen J. DeBenedetti M.Ed. has been a mediator since 1990. She began her career in mediation at a community mediation center and is now a mediator, trainer and conflict coach in private practice. She also mediates for Equal Employment Opportunity Commission, United States Postal Service, PA Department of Education (special education mediations), Key Bridge Foundation (Department of Justice ADA mediations), Transportation Security Administration and U.S. District Court Western Division. From 1997-2010, she was the training coordinator/senior mediator at Dialogue and Resolution Center of CVVC (formerly Pittsburgh Mediation Center), where her primary responsibilities included training in conflict management, mediation, team building and diversity issues, conflict coaching, and mediating some of the more complex and multi-party mediations.

Ellen has been training mediators since 1992. Ellen has taught mediation courses at Duquesne University and California University of PA. She designed and taught the original “Methods of Resolving Conflict Course” for the Duquesne University sociology department’s certificate program in conflict resolution and peacemaking. She participated in the Pittsburgh Public Schools mediation training, co-authored the “Keys to Peaceful Conflict Resolution” curriculum and taught that curriculum as a volunteer at East Hills Elementary School. Ellen is on the boards of the Pennsylvania Council of Mediators and The Mediation Council of Western PA. She is certified by the Institute for the Study of Conflict Transformation to be a mediator.

In addition to her career in mediation, Ellen was a special education teacher for 20 years. She views mediation as an opportunity for the people involved to have a constructive conversation and to make decisions about the issues that they face.

Barry P. Fell

Barry’s career in special education spans more than 35 years and has been primarily focused upon educational services to the deaf and hard-of-hearing population, infants through adults, and to students who are blind with other severe disabilities. Barry began his career at the Western Pennsylvania School for the Deaf, where he first worked as a dormitory supervisor and later as a vocational counselor, parent/infant administrator, and assistant superintendent. At the Western Pennsylvania School for Blind Children, he served in administrative capacities involving personnel, operations, and supervision of student transportation and other related services. From the University of Pittsburgh, Barry holds a bachelor’s degree, certification in deaf education, and a master’s degree in public administration with a certificate in personnel and labor relations. From Cornell University, Barry holds a certificate in collective bargaining. Barry received his mediation training from the Good Shepard Mediation Center in Philadelphia.



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Barbara Foxman, M.S.W.

Barbara Foxman is a licensed clinical social worker, psychotherapist and mediator. She specializes in the treatment of children and adolescents with special needs including learning differences, issues of bereavement and loss, and the impact of divorce on children and adults. She has worked with schools for educational planning of the children that she sees. Ms. Foxman has also worked as a therapist with children and their families at Southern Home for Children in Philadelphia, the Devereux Foundation, Bryn Mawr Hospital (youth and family psychotherapy program), and in private practice. Ms. Foxman mediates in school settings for special education, elder mediation, family, divorce, EEOC matters including ADA issues, and community mediation. Ms. Foxman has presented workshops on values and ethics for social workers, ethics in health care, and ethical standards for mediators. She has been a trainer for elder mediation, conflict resolution in various settings including hospitals, peer mediation in schools, and in community settings. She has also made presentations on areas of loss, bereavement, and health care issues for court-mandated custody programs, and in other health care settings. Ms. Foxman has a master's degree in social work from Wayne State University and has been a mediator and therapist for over 25 years.

Thomas Frost

Mr. Frost is a special education mediator for the Office for Dispute Resolution. He has been active in the field of special education for over 35 years. He served as a special education mediator in the State of New Jersey for 15 years. He is certified as a special education mediator by the Atlanta Justice Center. He has served as a director of special education in both Pennsylvania and New Jersey. Mr. Frost holds degrees from St. Joseph's University in Philadelphia, Southern Connecticut University and Rowan University. Mr. Frost recently retired from an intermediate unit where he served as a professional development specialist working with parents and school staff. Mr. Frost facilitated a local task force on the right to education for four years. He also served as a county interagency coordinator bringing together mental health agencies and school districts to support individual student's education as appropriate and necessary.

Nancy Geist Giacomini, Ed.D.

Dr. Giacomini is a private mediator, educator, consultant and author with an international practice based out of Chester County, PA. Longtime advocacy for integrated conflict management options in education culminated in her co-edited publication *Reframing Campus Conflict: Student Conduct Practice through a Social Justice Lens* (Stylus 2009). She has enjoyed featured national speaking engagements, multi-day mediation training and webinar series development, and systems-level consultation based on the ideas collaboratively advanced in this groundbreaking publication. In addition, she is a conflict management faculty member, subject matter expert and dissertation chair for Sullivan University (KY) and is on the editorial board of the *Journal of Conflict Management*.



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Dr. Giacomini's interest in campus justice and conflict resolution began at the University of Delaware while assistant dean of students responsible for student conduct administration. Over a decade of campus leadership included multi-year roles chairing and advising the inaugural student mediation committee, appellate judicial board, council for student judicial affairs and sexual assault awareness weeks. She was also responsible for providing direct support to students, families and faculty related to conflict, crisis, and disability. Nancy's leadership extended beyond campus to include nearly three decades of service in the Association for Student Conduct Administration (ASCA). She enjoyed roles as elected president, conference and training institute chair, foundation board member, conflict resolution task force and diversity task force strategic planning member, and community of practice for women founder/chair. Nancy was awarded the prestigious institutional award for women's equity for campus advocacy related to diversity, access and inclusion and the ASCA Gehring award for sustained leadership.

After leaving her role as assistant dean, Nancy completed her doctor of education degree at the University of Delaware (2001) while serving as a Conflict Resolution Program (CRP) Associate in the institute for public administration. She taught in the master's degree program, mediated special education disputes for the Delaware Department of Education, and facilitated statewide dialogue related to dispute resolution in special education. Doctoral research, "Enhancing the Collaborative Capacity of Individualized Education Programs (IEPs) in Delaware Schools", helped shape sustained state-wide IEP facilitation and training. Nancy completed additional degrees in counseling and psychology and holds basic and advanced certificates across a spectrum of dispute resolution processes including IEP and group facilitation, conflict coaching, mediation, restorative victim/offender conferences and higher education due process hearings. She is certified to administer the Conflict Dynamics Profile (CDP) and teach Becoming Conflict Competent curriculum developed by Eckerd College. Dr. Giacomini's practice is rooted in educational, restorative and social justice values and informed by a thorough working knowledge of the legal mandates and case precedents that shape due process rights in special and higher education.

Lou Ann Gray, M.Ed., NCPC

Lou Ann has 39 years of experience as a mental health counselor and supervisor and 8 years' experience as a mediator. She has served as a faculty member in higher education and motivational speaker and is a certified guidance counselor K-12 with 18 years of public education experience concentrating in special and alternative education services. In addition to her private counselor and mediation practice, Lou Ann is a mediator and IEP facilitator for the Office for Dispute Resolution in Harrisburg, U.S. District Court of Western Pennsylvania, a neutral third-party mediator for UPMC's intermediation program and is a nationally certified parenting coordinator. Ms. Gray is a member of The Association for Conflict Resolution, Pennsylvania Council of Mediators, Mediation Council of Western Pennsylvania and Professional Academy of Custody



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Evaluators. Currently, Ms. Gray is coordinator of crisis intervention services at The Open Door in Indiana, PA for Armstrong and Indiana Counties.

Lorraine Heeter, Esquire

Attorney Lorraine Heeter earned a bachelor of science in nursing from LaSalle University and her Juris Doctor from Case Western Reserve University. She had 11 years' experience in pediatric nursing before changing career to the practice of law. Attorney Heeter practiced with a law firm for two years before becoming a PA special education appeals panel member, of which she was a member until the current change in the PA due process system. Attorney Heeter attended the certificate program for conflict resolution and mediation at the Center for Victims of Violence and Crime in Pittsburgh, PA.

Jean Lupariello, Esquire

Jean M. Lupariello is an Attorney/Mediator with a private practice in mediation and collaborative law. She has been a court –appointed mediator in the custody department of the Allegheny County Court of Common Pleas for the past 19 years and has been appointed as a Parenting Coordinator and a Guardian Ad Litem by the Family Court judges on many cases. She is also a contract mediator for the Housing Authority of the City of Pittsburgh. Attorney Lupariello has spent many years representing families in Juvenile Court where she is involved with the agencies and resources ordered for children with special needs. She also attends and provides input at IEP meetings as an Educational Guardian for dependent children. As a Special Education Mediator with the Office for Dispute Resolution, Attorney Lupariello participates in ongoing training to expand her knowledge about special education and the regulations that ensure a child's right to a free and appropriate public education. She has been a special education mediator with the Office for Dispute Resolution since 2007.

Dr. Constance Lyttle, Esquire

Since 1976, Constance has been actively involved in all areas of special education dispute resolution in the Commonwealth of Pennsylvania, serving as a tenured associate professor of special education (10 years) at Duquesne University; a school district attorney, as an associate in the law firm of Kirkpatrick & Lockhart; a collaborative special education parent attorney and school district attorney, mediator, facilitator and resolution coach in private practice (Founder- www.SpedLawSolutions.com); a PA special education hearing officer (seven years); and, a PA special education appeals panel hearing officer (13 years).

Dr. Lyttle is currently an associate clinical professor at Drexel University, having created the collaborative special education law and process master's and doctoral special education leadership concentration, including, but not limited to special education advocacy and early special education dispute resolution skills training; while serving as a PA special education mediator, IEP/IFSP facilitator and resolution meeting facilitator.



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Gerald Powers, Ed., D., Professor Emeritus

Dr. Powers has over 50 years' experience in special education (1964 to present). This experience included elementary and secondary classroom teaching, program supervision, administration, undergraduate and graduate teaching, grant reviews, LEA program evaluations, grant mentorships, mediations, IEP facilitations, and resolution conferences. Dr. Powers served two terms on the Commonwealth of Pennsylvania Speech and Hearing Licensure Board (chairman twice) and 13 years on the Bloomsburg Area District School Board (president twice).

Dr. Powers served as the primary advisor/mentor of over 100 graduate degree research projects in special education. He has reviewed over 75 personnel preparation grants for OSEP funding and he has mentored over 60 OSEP grant applications for the Monarch Project. Dr. Powers has also performed compliance reviews/ monitoring of over 70 LEA programs in special education.

Dr. Powers was trained in mediation by the Justice Center of Atlanta. Following this training, Dr. Powers conducted over 100 special education mediations, 20 IEP facilitations, and five resolution meeting facilitations.

Dr. Powers has an undergraduate degree in history/pre-law from the University of Massachusetts (1962), a master's degree in special education from the University of New Hampshire (1965), and an earned doctorate in special education administration from the University of Northern Colorado (1971).

Dr. Powers completed over 28 years as a professor in special education at Bloomsburg University. Dr. Powers was awarded professor emeritus status from Bloomsburg University in 1999.

Jane Rigler, Esquire

Jane Rigler was a law school faculty member, for 27 years, with a professional interest in labor negotiation, mediation, and civil rights. She has been an arbitrator, mediator, facilitator, and fact-finder, in a wide variety of cases, for more than 30 years and joined the ODR's roster of mediators early in 2015. Her residence is in Carlisle.

James Salem

James Salem has been employed as a certified special education teacher, administrator, and consultant to both private and public schools in Pennsylvania for 60 years. He has a bachelor of business administration degree from the University of Pittsburgh and a master of science degree from Gallaudet University.

In 1993, Mr. Salem was trained to be a mediator/facilitator by the Justice Center of Atlanta, and since that time he has been employed by the Office for Dispute Resolution,



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conducting hundreds of mediations, resolution meeting facilitations, and IEP facilitations. Mr. Salem has also chaired and/or participated in hundreds of special education program audits for the Pennsylvania Department of Education. He is a former member and chair of the Pennsylvania Special Education Advisory Panel (SEAP); a former member and chair of the Advisory Committee on Deafness to the Pennsylvania Office of Vocational Rehabilitation; a former member of the advisory committee to the Office for Dispute Resolution; and former member and co-chair of the Educational Resources for Children with Hearing Loss (an advisory committee to the PA Department of Education).

Janice G. Seidenfeld

Janice G. Seidenfeld has been a mediator since 1993. Janice has contracted with the Office for Dispute Resolution since 2000, for whom she is a special education mediator and facilitator. In her private practice, she mediates family, divorce, custody, elder, business, community, and victim offender (adult and juvenile) issues. Janice serves as a mediator for the Key Bridge Foundation (Department of Justice ADA mediations), U.S. District Court for the Western District of Pennsylvania and the Office of Victim Advocates for the Commonwealth of Pennsylvania.

Janice is on the board of the Mediation Council of Western PA and volunteers at the Center for Victims. She received a master's degree in special education from Teacher's College, Columbia University in New York after which she taught neurologically and emotionally-impaired elementary students in New York City.

Marty Thomas-Brumme

Marty Thomas-Brummé has a Bachelor of Science degree in Special Education from Mansfield University, a Master's of Education in Counseling from Millersville University, and has completed the coursework for a Ph.D. in Psychoeducational Processes at Temple University. He has extensive mediation training through the Justice Center of Atlanta (Special Education Mediation Training, IEP Facilitation), Good Shepherd Mediation Center (Basic Mediation Training), U.S. Postal Service (USPS REDRESS Mediation Training), the Municipal Court of Philadelphia (Landlord/Tenant Mediation Training), Zena Zumeta (Divorce and Custody Mediation Training) and the Mennonite Central Committee (Victim Offender Mediation Training). He continues his education through participation in ongoing trainings in Special Education Mediation and IEP facilitation. He also started and directed a community mediation center and has taught training sessions on basic mediation and conflict resolution skills throughout the state. Mr. Thomas-Brumme has a variety of life experiences including managing a homeless shelter, running a training center for a national school dropout prevention organization, working in higher education, and living and traveling in Europe, Australia, New Zealand and Southeast Asia. He has been a mediator with the Pennsylvania Office for Dispute Resolution since 1987.



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Judy Tobe, M.A.

Judy Tobe is a mediator, facilitator, conflict coach and speech pathologist. Judy became a mediator in 2000 and has since mediated over 1,000 cases involving educational, employment, workplace, and discrimination disputes. In addition to mediating and facilitating cases for the Office for Dispute Resolution since 2008, she has served as a mediator for the U.S. Equal Employment Opportunity Commission and the U.S. District Court for the Western District of Pennsylvania. In addition to her career as a mediator, Judy holds a master's degree from the State University of New York at Buffalo. Judy has attended and participated in numerous advanced mediation trainings in the past 16 years including all special education training offered by the Office for Dispute Resolution.

Max Wald, Ed.D.

Max Wald, Ed.D. has served as a teacher, school principal at both the elementary and secondary school level, director of special education, college professor, hearing officer, and mediator. Dr. Wald earned all of his degrees at Temple University where he also taught and supervised student teachers. He served as a principal in the School District of Philadelphia, Colonial School District and the Cherry Hill School District. He was a director at the Woods Schools and the Pathway School. He has taught at Temple University, Arcadia University, and at the University of Leicester in England. Dr. Wald received a research fellowship in rehabilitation psychology at the Moss Rehabilitation Hospital and is certified as a teacher and supervisor of special education. He served as a hearing officer with the Office for Dispute Resolution for nine years and is currently a trained mediator. He is certified by the Florida Supreme Court as a family mediator.

Okima Williams Amaya, Ph.D.

Dr. Okima Williams Amaya, Ph.D. has practice conflict resolution and crisis management for over 25 years. Dr. Amaya's dissertation was conducted in conjunction with the Office for Dispute Resolution which investigated Participant Satisfaction in Mediation in the realm of Special Education. Dr. Amaya was been trained by the Atlanta School of Conflict Resolution in mediation and has participated and conducted trainings in conflict resolution and Crisis Intervention for Behavioral Health Agencies. Dr. Amaya has been a Special Education Mediator under contract with ODR since 1998, and has participated in diverse seminars on IDEA regulations, international and cultural competency in mediation, and crisis management in mediation. Dr. Amaya has conducted over 200 mediations for the PA Office of Dispute Resolution.

Dr. Amaya also has been trained in IEP and IFSP facilitation. In addition, Dr. Amaya has a Master's degree in Psychology from West Chester, University and has over 30 years of experience working with consumers and their families from diverse backgrounds and settings. Dr. Amaya's background includes working in the following facilities: Community Mental Health Center as a counselor/therapist; Wrap Around Services Agencies as a Behavior Health Consultant and Mobile Therapist working with



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children who have Special Needs. Dr. Amaya worked in conjunction with the PA Department of Public Welfare providing Medical Case management Services to children and adults through the Michael Dallas Waiver program for 6 years.

Dr. Amaya has a strong background in working scenarios that involve children and families who possess complicated medical, behavioral, and educational components, as well as addressing the needs of all parties, and has an overall agreement rate of 90 percent.

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