

## **Iowa official recognized for efforts to promote alternate dispute resolution**

LAS VEGAS -- As coordinator of Iowa's due process system, Dee Ann Wilson might be expected to take the occasional conflict between parents and school officials in stride.

But when she gets to her office at the [Iowa Education Department](#), she is always a bit surprised when someone leaves a message saying the parties to such a conflict are at an impasse.

"I tend to take it personally," she said. "I start reexamining: Where did that come from? Did we have a breakdown?"

For her persistent belief that conflicts between school officials and parents can be resolved without resorting to a due process hearing, Wilson was honored April 28 at [LRP's 30th National Institute on Legal Issues of Educating Individuals with Disabilities®](#) in Las Vegas.

The [JoLeta Reynolds Service to Special Education Award](#), named after the retired senior policy advisor at the U.S. Education Department, is presented each year to one or more public employees who show dedication, excellence and integrity in serving special needs children and their families.

### **Pioneering new techniques**

Jim Gerl, an attorney at [Scotti & Gerl](#) in Lewisburg, W.Va., said he nominated Wilson because she has maintained Iowa's tradition of trying to resolve conflicts early.

That tradition dates to 1976, when Iowa was the third state in the nation to offer mediation if a due process hearing is requested, Wilson said. And since about 1987, she said, it has also offered mediation even when no hearing has been requested -- something that was not required by the IDEA until 2004, Gerl said.

"Special ed parties can get pretty carried away with litigation, sometimes," he said. "She was able to sell them all on the idea that this [other approach] was better for the child."

Wilson has done two other things to keep conflicts from escalating into due process hearings, Gerl and others said.

First, she developed a technique similar to mediation for use by the state's [Area Education Agencies](#), called the [AEA Resolution Facilitator](#) process.

In doing so, Wilson worked closely with Gregory Buntz, president of the Conflict Resolution Center of Iowa.

The idea was to "get differences addressed and resolved early on," he said -- and to never give up.

"When I was doing mediation, I could hear Dee Ann's voice in my ears," he said. "Sometimes, when it looked like you'd hit that impasse and it was pretty much time to fold the tent and go away, I could just sort of hear her talking about [the need to] put that 'closing the tent' out of my head and try one more thing."

Second, she does such a good job of hearing parents out and conveying their concerns to local officials that tensions on both sides are reduced, according to Ellen McGinnis-Smith, executive director of [Des Moines Public Schools](#).

"By the time I talk with a parent, she's already calmed them down, because [Wilson has] asked such good questions and she's such a good listener," McGinnis-Smith said.

In addition, Wilson "assumes positive intent," McGinnis-Smith said. "She doesn't assume that someone is trying to get something that they shouldn't have or that a school is trying to do wrong by a child or a family."

### **Keeping faith in the process**

Wilson also has an infectious optimism, according to Linda Appleby, parent coordinator at the [Northwest Area Education Agency](#).

"It's very hard to say no to Dee Ann. She's just so passionate about it -- she kind of makes you excited about what she's excited about," she said. "Someone once said to me, 'If Dee Ann has a conversation with you, she can talk you into almost anything,'" she added. "It's simply because she believes so much in what she does."

Wilson pleads guilty, as charged.

"I've been called Pollyanna more than once, and that's when I have a bad day," she said. "It's whenever I get to work and see if I have a complaint. I guess that's my reaction: 'Oh, what should we have done? How could this have happened?'"

It's an attitude that has helped make Iowa a leader in how to handle conflicts between parents and school officials, according to director Marshall Peter, director of the [Center for Appropriate Dispute Resolution in Special Education](#) in Eugene, Ore.

Iowa "is one of the states that we really refer to as being an example of an optimal state dispute resolution system," he said. "To the maximum extent possible, they are trying to preempt conflict, or at least, when it occurs, [to make sure] that it's addressed as collaboratively as possible."

In fact, Peter is studying Iowa's due process system, along with those in Oklahoma, Pennsylvania and Wisconsin, under a grant from OSEP.

The goal is to understand why those states have such good numbers when it comes to conflicts between parents and school officials, Peter said.

Iowa, for example, had about 1.4 hearings per 100,000 special ed students in school year 2006-07, according to the consortium.

In comparison, the rate was five hearings per 100,000 special ed students in Ohio, 22 in New Jersey, and 179 in New York.

In fact, Iowa had no hearings in school year 2007-08 and none so far this school year, either, although there is one on the horizon, Wilson said.

But Wilson says she won't stop trying to help parents and school officials resolve conflicts at their earliest opportunity, no matter how good the numbers look.

"Your own worst enemy is your success," she said.

### **Key accomplishments**

- Dee Ann Wilson encouraged Iowa parents to use mediation without requesting a due process hearing and pioneered a similar process for use by the state's [Area Education Agencies](#), called the [AEA Resolution Facilitator](#) process. In these and other ways, she helped keep the state's rate of due process hearings one of the lowest in the nation.
- Wilson has presented at various conferences, including the [2005 National Symposium on IEP Facilitation](#), sponsored by the [Center for Appropriate Dispute Resolution in Special Education](#).
- CADRE recently picked Iowa as one of four "exemplar" states under a contract with OSEP that will highlight best practices for dispute resolution.
- Wilson helped write the *Resolution Facilitator Guide* for use by Area Education Agencies and contributed to various other publications, including [An Examination of Suspension and Expulsion Issues for Students with Disabilities](#).

### Hearings held per 100,000 students

#### with IEPs, 2006-07 school year

North Dakota	0.0
Nebraska	0.0
Utah	0.0
Montana	0.0
North Carolina	1.0
Oklahoma	1.0
Iowa	1.4
Mississippi	1.5
Kansas	1.5
Arizona	1.5
West Virginia	2.1
Missouri	2.2
Louisiana	2.3
Wisconsin	2.4
Colorado	2.4
Tennessee	2.5
Minnesota	2.5
Michigan	2.5
Oregon	2.6
Florida	2.6
Kentucky	2.7
Arkansas	3.0
Georgia	3.2
Idaho	3.6
South Carolina	3.9
Nevada	4.1
Alabama	4.7
Virginia	4.7
Ohio	4.8
South Dakota	5.6
Indiana	7.3

Illinois	9.0
Texas	9.5
Washington	10.5
California	11.0
Wyoming	14.0
Massachusetts	15.6
Maine	17.5
New Mexico	19.4
Delaware	20.6
Maryland	21.0
New Jersey	22.0
Alaska	22.8
Connecticut	24.6
Pennsylvania	27.6
Rhode Island	31.0
Vermont	31.0
New Hampshire	99.2
Hawaii	137.0
New York	178.5

Source: The [Center For Appropriate Dispute Resolution in Special Education](#)'s National Dispute Resolution Database, rate per 10,000 students (6-17 years) in Special Education Childcount, raw data from states reported in Table 7, submitted to the [Data Accountability Center](#), [Westat](#), available [here](#). Data multiplied by 10 by LRP Publications to show rate per 100,000 students.

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