

*It's all about building and maintaining our relationships.*

In our schools, students, parents, the Church and educators work to create a positive Christian culture and climate that fosters relationships, acceptance, success and accessibility for all. Special education programs and services are delivered to our students in this culture of collaboration.

We subscribe to the prevention and conflict resolution strategies and ideas promoted in *"Shared Solutions: A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students with Special Education Needs"* (Ministry of Education, 2007). We know that problems are usually more quickly and better solved through the informal avenues present when positive and constructive relationships exist among parents, students and educators.



We also recognize there will be problems that frustrate our joint efforts to come to a solution with which everyone agrees. In such cases it may be necessary to engage in an "alternative dispute resolution process" (ADR). After all, we all continue to want what is best for your child, our student. We may simply differ on how best to accomplish this important outcome. While we may differ on the problem solution, ***it is always good for children to know that the adults in their lives value them enough to maintain a positive and productive working relationship.***

*How do I Initiate the ADR Process?*

Once an issue becomes an unresolved conflict it can be referred to the Director of Education to be considered for ADR. Parents must submit, in writing, the **Request for a Dispute Resolution Process form** available from their school principal. The completed form must be delivered to:

**Director of Education**  
**Halton Catholic District School Board**  
802 Drury Lane,  
Burlington, Ontario  
L7R 3Y2

*The Halton Catholic District School Board,  
in partnership with home and church,  
is dedicated to providing excellence  
in Catholic education  
by developing Christ-centred individuals  
enabled to transform society.*

**Contact us at:**  
**Tel: 905-632-6300 Ext. 125**  
**Fax: 905-632-9516**  
**WWW.HCDSB.ORG**



## **Alternative Dispute Resolution**

**a pilot project of the  
Halton Catholic District S.B.,  
funded by the Ontario  
Ministry of Education**

**~ Special Education Services ~  
Where every success begins with, "...I can!"**

## What is alternative dispute resolution, or ADR?

ADR refers to a number of ways of solving problems that fall outside of “regular channels” for solving school program and services issues.

Following “regular channels” typically means starting out by speaking to your child’s teacher, then perhaps your school principal, before then speaking to a board consultant, and eventually to a superintendent, just ahead of speaking to the Director of Education. Following “regular channels” often quickly resolves all but the most difficult problems.

**The ADR processes** [described below] are employed *after having followed* the more routinely used channels without coming to a satisfactory resolution.

**The ADR processes** include conferencing, neutral evaluation, mediation, and circles [a form of conferencing].

By way of an example, suppose you have been attempting to resolve a service issue regarding support for your child. You have followed the usual route of contacting your child’s teacher, and special-education resource teacher. You then contacted the school principal since the problem still remained unsolved. The school special education consultant was brought in by the principal as a resource but, in spite of everyone’s best efforts, the problem still exists. This may now be the time to look at employing one of the alternate dispute resolution processes.

## Can ADR be used to solve any kind of special education problem?

ADR is only applied to special-education problems involving **services and programs**.

When it comes to disagreements about your child’s identification or placement, as these are defined in the Education Act, you can avail yourself of review, appeal and tribunal processes if a disagreement persists after having taken it through routine official channels.

**Special Education Services** are understood to include special facilities or resources or support staff and/or special equipment that may be necessary to develop and implement your child’s special education program (IEP)

**Special Education Programs** refers to courses of instruction that are modified by the results of a continuous assessment and evaluation process and based on specific objectives and educational services that are necessary to meet your **child’s needs**.



## What are the ADR processes?

There are three dispute resolution options available.

**Conference Option:** a facilitator who has experience and expertise in special education and training in dispute resolution, facilitates the dialogue between parties. The facilitator assists the participants throughout the process in designing a plan to resolve the dispute. Conferencing can be provided in a number of formats. This is a non-binding process on either party.

**Circles:** A form of conferencing in which participation is moderated through the use of a “talking piece” The circle process is non-binding and facilitated by a neutral party who guides the participants through a dialogue.

**Mediation:** a neutral, impartial, accredited third party attempts to facilitate a settlement between disputing parties through dialogue and negotiation. A mediator has not decision making authority, and this is a non-binding process on either party. Mediation only works when both parties are able to commit to the process in good faith and a spirit of co-operation.