

Richard J. Erhard

501 W. Broadway, Ste. A375
San Diego, CA
Office: 619.798.6087
Mobile: 619.446.8000
email: rerhard@mediation-rje.com
www.mediation-rje.com

A dynamic, energetic and creative professional neutral, operating from a platform of mutual support of the parties, combined with extensive knowledge and expertise of educational law and public policy

EDUCATION:

Master of Arts Degree in Education – May 1998

New Mexico State University, Las Cruces, NM Major: Educational Management & Development

Master of Arts Degree in Education – May 1989

New Mexico State University, Las Cruces, NM Major: Special Education

Bachelor of Fine Arts Degree, with Distinction – August 1972

Santa Barbara Art Institute, Santa Barbara, CA Major: Ceramics and Glass

ALTERNATIVE DISPUTE RESOLUTION CERTIFICATE PROGRAMS:

Conflict Management and the Use of Alternative Dispute Resolution – November 2003

University of California, Irvine, University Extension Certificate Program, 15 quarter units (150) hours

Mediation: Consensual Dispute Resolution Processes and Mediation Skills Training – July 2002

In accordance with the California Dispute Resolution Programs Act (*Bus. & Prof Code Section 465 et. Seq.*)
University of California, Irvine, University Extension Certificate Program, (25) hours

ALTERNATIVE DISPUTE RESOLUTION & CONTINUING LEGAL EDUCATION CERTIFICATES:

Appreciating our Legacy and Engaging the Future: An International Conference for Dispute Resolution Teachers, Scholars and Leaders – June 2019

Pepperdine University School of Law School, Straus Institute for Dispute Resolution, Malibu, CA (12) hours

Can Freud Help? The Interplay of Psychology and Negotiation/Mediation – March 2019

Southern California Mediation Association, San Diego, CA. (1.5) hours

USC/JAMS Arbitration Institute: Best Practices in International Arbitration – March 2019

Judge Judith O. Hollinger Program in Alternative Dispute Resolution Fourth Annual Symposium
University of Southern California, Gould School of Law, Los Angeles, CA. (7) hours

Mediation and Collaborative Law – January 2019

Southern California Mediation Association, San Diego, CA. (1) hour

When Good Mediators Make Bad Decisions: A Look at Ethical Fading in Mediation – January 2019

SCMA & Pepperdine University School of Law, Straus Institute, Los Angeles, CA (2) hours

Mediating Litigated and Commercial Cases – January 2019

The Mediation Alliance, Inc. & American Institute of Mediation, Los Angeles, CA. (40) hours

Advanced Mediation: Skills and Techniques – June 2017

Pepperdine University School of Law School, Straus Institute for Dispute Resolution, Malibu, CA (18) hours

Section 504 Hearing Officer Training/Section 504 Seminar – March 2017

California Council of Administrators of Special Education/Office for Civil Rights, Bellflower, CA (6) hours

Grow Your Mediation Practice Now! – January 2017

American Institute of Mediation, Los Angeles, C., (8) hours

Mediating Litigated and Commercial Cases – December 2016

American Institute of Mediation, Los Angeles, CA. (40) hours

The Art of Facilitating Dynamic and Difficult Groups –June 2016

Pepperdine University School of Law School, Straus Institute for Dispute Resolution, Malibu, CA, (18) hours

Using Practical Tools of Mindful Awareness to Improve the Work and Lives of Lawyers, Mediators, Negotiators, Judges, Arbitrators, and Managers –June 2015

Pepperdine University School of Law School, Straus Institute for Dispute Resolution, Malibu, CA, (18) hours

Conflict Resolution Consulting: Using Mediation to Improve Organizational Communications, Conflict Coaching, Team Building, Leadership, Change, and Systems Design - June 2014

Pepperdine University School of Law School, Straus Institute for Dispute Resolution, Malibu, CA, (18) hours

A Systematic Approach to Mediation Strategies (STAR) – June 2006

Pepperdine University School of Law, Straus Institute for Dispute Resolution, Malibu, CA, (18) hours

Mindfulness in Mediation – June 2005

Pepperdine University School of Law, Straus Institute for Dispute Resolution, Malibu, CA, (18) hours

Expanding Mediation: Mindfulness and the “New-New Grid” – June 2004

Pepperdine University School of Law, Straus Institute for Dispute Resolution, Malibu, CA, (18) hours

Facilitated IEP Training – March 2001

JDL Associates, Orange County Department of Education, Orange, CA, (12) hours

Crossing Alligator River: IEP Facilitation – January 2000

Los Angeles County Office of Education, San Marino, CA, (12) hours

Co-Mediation of Special Education Disputes – January 1990

New Mexico State Department of Education and New Mexico State University, Las Cruces, (24) hours

ADMINISTRATIVE TRAINING CERTIFICATES

Personnel Administrator’s Academy – SY 2010/11

Association of California School Administrators - Azusa, CA cohort, (120) hours

Superintendent’s Academy – SY 2009/10

Association of California School Administrators – Whittier, CA cohort, (120) hours

School Business Manager’s Academy – SY 2008/09

Association of California School Administrators – Riverside, CA cohort, (120) hours

LEGAL STUDIES:

Western State University, College of Law – 1998/99

CREDENTIALS:

California:	2002 – Present	Clear Administrative Services
Washington:	2010 – 2017	Superintendent Program Administrator
New Mexico:	1989 – 2001	Level 1 - Standard – Special Education K-12
	1992 – 2001	Level 2 – Standard – Special Education K-12
	1992 – 2001	Level 3A – Instructional Leader K-12
	1993 – 2002	Level 3B – Administrative K-12

FACULTY APPOINTMENTS :

Lecturer in Law – 2019 – Present

The University of Southern California (USC), Gould, School of Law

Developed the syllabus and taught the first course offering for Special Education Dispute Resolution in one of the nation's longest standing and most comprehensive programs in arbitration and mediation; the USC Gould's Judge Judith O. Hollinger Program in Alternative Dispute Resolution.

PROFESSIONAL ADMINISTRATION EXPERIENCES:

President | Principal – 2017 - Present

Richard Erhard and Associates, LLC

To mitigate both the financial and human cost of litigation, our team helps individuals and organizations in the management and resolution of conflict through the use of mediation, meeting facilitation and third-party neutral fact finding and evaluation. To assist agencies and organizations build capacity in dispute management and resolution, we also provide professional development training in Alternative Dispute Resolution (ADR) approaches to conflict.

Mediator | Neutral Services Consultant – 2017 - Present

Richard Erhard and Associates

Following nearly three decades of service in public education, for multiple agencies in two states, I retired from the Coronado Unified School District in Coronado, California as the Assistant Superintendent for Student Services in 2016. Currently I bring together an independent association of multidisciplinary professional related service providers for the objective of providing mutual support and assistance to individuals and organizations in conflict.

Assistant Superintendent of Student Services 2010 – 2016

Coronado Unified School District (3,169 ADA)

Consistently recognized for achievement in the educational field, I provided oversight, guidance and support to professional staff at the regional, district and site level through the innovative and successful development and implementation of new programs, management of complex budgets, negotiation of contracts and agreements and the establishment of strong alliances. Considered a proven leader with special capabilities in building teams, I provided professional development opportunities, as well as strategic implementation of workable plans and programs resulting in student success.

- **Chief Student Services Officer**

- Special Education
 - Implement the Strategic Plan for pre-school, K-12 and Transition
 - Support district's initiative to address the Common Core State Standards (CCSS), the Local Control Accountability Plan (LCAP), through Response to Intervention (RTI) and scientific, research-based programs, data analysis and collaborative teaching
- Section 504 of the Rehabilitation Act (504) and the Americans with Disabilities Act (ADA)
 - Provided staff development on the implications of the ADA amendments on schools
 - Implemented new policy, procedures and forms consistent with the ADA amendments
- Child Welfare and Attendance
 - *Safety and Security*
 - Initiated comprehensive district-wide threat and vulnerability assessments through third-party subject matter experts
 - Developed and implemented a new district security initiative utilizing radio frequency identification (RFID) capability and closed-circuit television (CCTV)
 - Introduced systemic change within the educational community regarding security

- *Residency*
 - Created and implemented new policies and procedures for residency, inter/intra district transfers and open enrollment
 - *Attendance*
 - Provide oversight of the Student Attendance and Review Board (SARB) process
 - *Student Discipline*
 - Counsel staff regarding extraordinary suspension and expulsion requests
 - *Guidance and Counseling*
 - Effectively lobbied for and supervise additional mental health counselors in the district
 - *Health Services*
 - Improved integration of services between medical and educational providers through empowerment of medical staff and enhanced lines of communication
- **Chief Compliance Officer**
 - Recommend and/or coordinate district responses to pending, or prospective, legal actions including investigations under the Uniform Complaint Procedures (UCP)
 - Developed objective policies and procedures designed to minimize potential discrimination and mitigate prospective legal claims
 - Reduced negative legal exposure through staff development opportunities including the provision of formal and informal training to staff and community in the area of Alternative Dispute Resolution (ADR) and Neutral Fact Finding
 - Introduced legally defensible curricula for Special Education, English Language Learners and other “at-risk” students

Director of Pupil Personnel Services - 2007 – 2010

Coronado Unified School District (3,041 ADA)

- Provided comprehensive longitudinal reports on the status of special education to the Board of Education leading to significant change in services delivery model incorporating universal design and the successful implementation of a district-wide literacy model
- Created a Staff Operations Manual, Parent Handbook and Process Guide for IEP meetings
- Procured and Implemented three-year staff development grant for Assistive Technology, California Department of Education (CDE)
- Collaborated with parents to reorganize the district *Special Education Parent Advisory Committee (SEPAC)*

Executive Director Special Education Local Plan Area (SELPA) – 2006-2007

West Orange County Consortium for Special Education (ADA 48,038)

- Provided oversight of special education and related services to the 5 member districts

Director, Special Education Local Plan Area (SELPA) – 2004-2006

Santa Ana Unified School District (ADA 59,310)

- Managed special education services at 60 school sites - Early Start, Pre-K-12 and Adult Transition
- Administered a departmental budget in excess of \$60,000,000
- Reduced special education transportation costs by approximately \$1,000,000
- Established a community-based Early Start program recognized by the CDE as a demonstration site
- Coached the bilingual education department on the creation of linguistically appropriate goals and objectives

Assistant Director, Special Education Local Plan Area (SELPA) – 2001-2004

Santa Ana Unified School District (ADA 62,874)

- Recouped over \$2,000,000 in regionalized service funding
- Obtained and implemented a multi-year grant from the CDE for Alternative Dispute Resolution (ADR)
- Restructured district autism program to provide legally defensible services

Director, Special Education Local Plan Area (SELPA) – 2000-2001

Tustin Unified School District (ADA 16,963)

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- Collaborated with the CDE in the State's first Verification Review process

Assistant Principal 1999-2000

Los Angeles County Office of Education, Stoneman Principal's Administrative Unit

- Oversaw the Administrative Unit's operational budget for a multi-district program

Special Education Coordinator 1994-1998

Alamogordo Public Schools (ADA 6,391)

- Developed new Board Policy (BP) & Administrative Procedures (AR) for §504 of the Rehabilitation Act

Special Education Assistant Coordinator 1993-1994

Alamogordo Public Schools (ADA 6,391)

- Successfully implemented the district's first inclusion program based on parallel architectural structuring

Qualified Mental Retardation Professional (QMRP) 1992-1993

New Mexico State Department of Health, Fort Stanton Hospital and Training School

- Provided administrative oversight of programs ensuring compliance with Jackson class action law suit

PROFESSIONAL TEACHING EXPERIENCES:

Resource Specialist 1998-1999

La Habra City Schools (ADA 5,762)

Special Education Teacher 1992

Las Cruces Public Schools (ADA 24,385)

Special Education Teacher 1990-1992

Ruidoso Municipal Schools (ADA 2,288)

Special Education Teacher/Coordinator 1989-1990

Fort Sumner Municipal Schools (ADA 316)

PROFESSIONAL ASSOCIATIONS:

- Southern California Mediation Association, Board of Directors | Program Chair, 2018-Present
- Alpine Education Foundation, Board of Directors, 2018-Present
- Southern California Mediation Association, Member, 2017-Present
- American Bar Association, Associate Member, Dispute Resolution Section, 2003-Present
- American Bar Association, Associate Member, Senior Lawyers Division, 2016-Present
- Association of California School Administrators (ACSA), 2004-Present
- San Diego County Administrators of Special Education, Board of Directors, 2009-2014
- Orange County Administrators of Special Education, Board of Directors, 2004-07

COMMUNITY SERVICES:

- Coronado Unified School District, Proposition E Bond Initiative Committee, District Volunteer, 2014
- Alpine Union School District, Proposition H Bond Initiative Committee, Community Co-Chair, 2012
- Miracle League of San Diego, District Representative, 2012
- Orange County Superintendents Special Education Legal Alliance, Member, 2006-07
- Mental Health Services Act, Proposition 63, County/Community Plan, SAUSD Representative, 2005-06
- American Bar Association, Law Student Division, External VP, WSU College of Law, 1998-99
- New Mexico Association for Retarded Citizens, Board of Directors, 1994-98
- New Mexico Corrections Education Task Force, Local Education Agency (LEA) Representative, 1996-98

RELATED EXPERIENCES:

- Summer Intern, Parker, Covert & Chidester LLP, 1999

PRESENTATION HIGHLIGHTS:

Moderator - Mediator/Attorney Panel: Exploration of Niche Markets in Mediation

Southern California Mediation Association (SCMA) Annual Conference, Los Angeles, CA 2019

Legal Panel Presenter

Special Education Legal Seminar, Riverside County Office of Education, Temecula, CA, 2019

The Waiting to Fail Model: Is this your District's Approach?

Special Education Legal Seminar, Riverside County Office of Education, Temecula, CA, 2019

Parents as Partners (Session 2): An Integrative Approach to Special Education Dispute Resolution:

Breaking the Waiting to Fail Model

San Diego County Office of Education, South County Special Education Local Plan Area (SELPA), 2019

Webinar Host - How I Made It: And You Can Too! An Interview with Commercial Mediator Lee Jay Berman

On-line webinar, Southern California Mediation Association (SCMA), Los Angeles, CA 2019

Difficult IEP Meetings: Using Mindfulness to Transform Adverse Relationships into Collaborative Partnerships

Association of California School Administrators (ACSA), Annual State Symposium, Anaheim, CA, 2019

The Legal Underpinning of Special Education in Public Schools: It's not what you think, feel, or believe!

CSP 752 School Psychology Practicum Seminar, San Diego State University, 2019

Parents as Partners: An Integrative Approach to Special Education Dispute Resolution: Breaking the Waiting to Fail Model

San Diego County Office of Education, South County Special Education Local Plan Area (SELPA), 2019

Legal Panel Presenter

Special Education Legal Seminar, Riverside County Office of Education, Temecula, CA, 2018

Difficult IEP Meetings: Using Mindfulness to Transform Adverse Relationships into Collaborative Partnerships

Special Education Legal Seminar, Riverside County Office of Education, Temecula, CA, 2018

Creating a Mediator Mindset: Positions and Interests...what about "Neutrality"?

Poway Unified School District, Poway Unified School District, Poway, CA, 2018

Early Dispute Resolution vs. Institutionalized Mediation: Therapeutic Jurisprudence Considerations for Special Education ADR

San Diego County Office of Education, South County Special Education Local Plan Area (SELPA), 2018

Special Ed Connection® Users Group: Resolving Special Education Conflict without Litigation

LRP's National Institute on Legal Issues of Educating Individuals with Disabilities, Dallas, TX, 2018

Legal Panel Presenter: Non-traditional and Unexplored Career Paths for Mediators

Southern California Mediation Association and USC Gould School of Law, Los Angeles, CA 2018

In the Matter of: Parents on Behalf of Student v. District

CSP 752 School Psychology Practicum Seminar, San Diego State University, 2018

In the Matter of: Parents on Behalf of Student v. District

Spring Staff Development Presentations, Chula Vista Elementary School District, Jan-May 2018

Who is the Administrative Designee/Representative, LEA?: What about Conflict?

San Diego County Office of Education, South County Special Education Local Plan Area (SELPA), 2018

Legal Panel Presenter

Inaugural Special Education Legal Seminar, Riverside County Office of Education, Temecula, CA, 2017

Who is the Administrative Designee/Representative, LEA?: What about Conflict?

San Diego County Office of Education, North County SELPA, 2017

Conflict and Confrontation: Surrounded by the Enemy with No Friends

LAW 1912.01 Dispute Resolution in Education

Straus Institute for Dispute Resolution, Pepperdine University School of Law, Malibu, CA 2017

Navy School Liaison Officers as Neutral Consultants: Bringing Peace Into the Room

Navy Region Southwest, Navy Base San Diego, National City, CA 2017

Current Issues in Education: The Evolving Landscape in Special Education 2017...FAPE, Rowley and Andrew F.: Have the dimensions of the playing field changed?

CSP 762, School Psychology Intern Program, San Diego State University, San Diego, CA 2017

Early Intervening Services for Adults: Bringing Peace into the Room

San Diego County Office of Education, South County SELPA, National City, CA 2017, March-May

Current Issues in Education: Is There a Readiness Standard for the Least Restrictive Environment?

CSP 762, School Psychology Intern Program, San Diego State University, San Diego, CA 2016

Current Issues in Education: The Big Bang Theory, or How to Avoid Being the Next Named Defendant

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CSP 762, School Psychology Intern Program, San Diego State University, San Diego, CA 2015

In Support of the Navy Exceptional Family Member Program: A Collaborative Approach

Navy Region Southwest Fleet and Family Services, Coronado, CA 2012

Introducing Alternative Dispute Resolution into the Hearts and Minds of Your Community

The 9th Annual State Alternative Dispute Resolution Special Education Conference, Santa Ana, CA 2007

Local Level Dispute Resolution: A Continuum

The California Council for Exceptional Children Annual Conference, Anaheim, CA 2006

Conference Chair and Host:

The 8th Annual State Alternative Dispute Resolution Special Education Conference, Santa Ana, CA 2006

Approaching IEP Meetings

Pepperdine University, School of Law School, Special Education Legal Clinic, Malibu, CA 2006

IDEA 2004: Clarification or Ambiguity

Santa Ana Unified School District, 2005

Alternatives in Alternative Dispute Resolution: Expanding the Continuum beyond Mediation

The 7th Annual State Alternative Dispute Resolution Special Education Conference, San Mateo, CA 2005

Attorney as Problem Solver

Pepperdine Law School, Special Education Legal Clinic, Malibu, CA 2005

Legal Issues in Special Education

Chapman University, College of Education, Student Teacher Seminar, Orange, CA 2005

Legal Issues in Special Education

Chapman University, College of Education, Student Teacher Seminar, Orange, CA 2004

The Evil Twins: §504 & the ADA

The National Association of Pupil Services Administrators, National Conference, San Diego, CA 1998

Disability Law in Public Education

New Mexico State University, Las Cruces, College of Education, Las Cruces, NM 1997

Implications of Disability Law on Public Education

National Association of Pupil Service Administrators, National Conference, Savannah, GA 1996

For the Education of All Children: A Service Delivery Model Based on Parallel Architectural Structuring

New Mexico Council for Exceptional Children, State Conference, Albuquerque, NM 1990

Adolescent Suicide

Rocky Mountain Educational Research Association, Regional Conference, Las Cruces, NM 1989

SPECIAL AWARDS:

Outstanding Leadership Award

Presented by the Board of Directors, San Diego Council Administrators of Special Education, May, 2013

Dedicated Service in Special Education Award

Presented by the San Diego Council Administrators of Special Education, May, 2012

Outstanding Service Award

Presented by the California Department of Education, April, 2006

Best Practices Award: New Mexico School-to-Work Advisory Board

Presented by the Office of the Governor, Santa Fe, NM, October, 1995

Quality Education Award: "Most Innovative Program of the Year"

Presented by the New Mexico Research and Study Council, Albuquerque, NM 1990

Interagency Collaboration Scholarship

Presented by New Mexico State University and the New Mexico State Department of Education, 1989

Michael Gallegos Memorial Scholarship

Presented by New Mexico State University, 1989

PROFESSIONAL REFERENCES:

Available upon request