

Creating Agreement

Collaborative Problem Solving in Early
Intervention and Special Education

The 11th Conference on Inclusive
Schools & Communities

Helene Fallon, LIFT
Marshall Peter, CADRE

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The IDEA Partnership
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Development Team

The following individuals & organizations participated in the development of this presentation



- American Association of School Administrators
 - Carol Auer



- American Occupational Therapy Association (AOTA)
 - Carol Gryde



- Consortium for Appropriate Dispute Resolution in Education (CADRE)
 - Loni Elliott
 - Philip Moses
 - Marshall Peter
 - John Reiman
 - Richard Zeller



- IDEA Partnership
 - Joanne Cashman
 - Terry Jackson



- Fiesta Educativa
 - Lorena Morales

Development Team (cont.)

The following individuals & organizations participated in the development of this presentation



- **National Council on Independent Living**

- Maureen Hollowell



- **National Education Association (NEA)**

- Judy Richards



- **New York Long Island Families Together (LIFT)**

- Helene Fallon



- **School Social Work Association of America (SSWAA)**

- Steve Button



- **Statewide Parent Advocacy Network (SPAN)**

- Diana MTK Autin



- **Wisconsin Family Assistance Center for Education, Training & Supports (FACETS)**

- Nelsinia Ramos



- **Wisconsin Special Education Mediation System**

- Nissan Bar-Lev

- Jan Serak

CADRE/IDEA Partnerships

Dispute Resolution Workgroup Vision

- ❑ Educational outcomes will be improved when families, schools and service providers are working together effectively.
- ❑ Provision of training and educational opportunities to a diverse group of stakeholders enhances the capacity to engage in collaborative problem solving and shared learning that is responsive to individual students' needs.

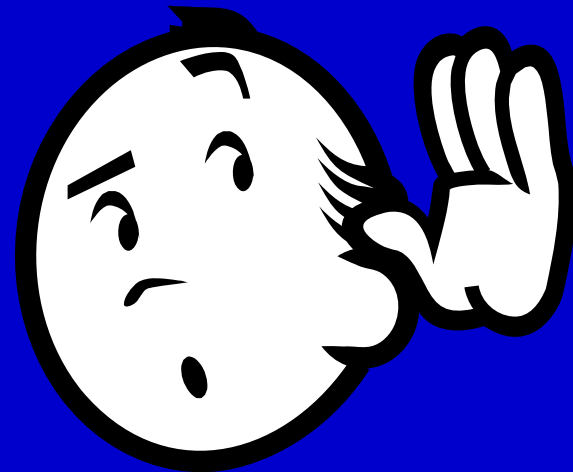
Listening

“Seek first to understand, then to be understood.”

Stephen Covey, “Habit 5”
Seven Habits of Highly Effective People

Characteristics of Good Listening

- ❑ Think of a time when someone listened to you.
- ❑ What did he/she do that made you feel he/she was listening?
- ❑ What was his/her attitude toward you?



Listening

Following the thoughts and feelings of others to understand what they are saying from their perspective, frame of reference, or point of view.

Dignity and Respect

EARS



EYES

UNDIVIDED
ATTENTION

HEART

The Chinese characters that make
up the verb “to listen” tell us
something about this skill.

Listening and Problem Solving

- ❑ Sometimes speakers just need to be heard
- ❑ Sometimes listening clears up confusion
- ❑ Sometimes listening identifies a need for problem solving

Reflective Listening

- The HEART of listening is:
 EMPATHY, CARING & RESPECT
- Main rule:
 KEEP THE FOCUS ON THE OTHER
- Basic skill clusters for reflective listening
 - Attending
 - Engaging
 - Responding

Reflective Listening Skills

- Attending Skills
 - Posture
 - Contact (distance, eyes, touch)
 - Gestures
 - Interested Silence
- Engagement Skills
 - Acknowledgement Responses
 - Open-Ended Questions
- Responding Skills
 - Reflecting Content
 - Reflecting Feeling
 - Reflecting Meaning (Content linked with feeling)

Certain Responses ...

- ❑ Derail the conversation
- ❑ Take the focus off the other
- ❑ Block the other from finding a solution
- ❑ Lower the other's self-esteem
- ❑ Distance your self from the other
- ❑ Diminish the other's motivation

High Risk Responses

Sending Solutions

- ❑ Ordering
- ❑ Threatening
- ❑ Moralizing
- ❑ Advising
- ❑ Logically Arguing
- ❑ Questioning

Evaluating

- ❑ Judging
- ❑ Praising
- ❑ Name-Calling
- ❑ Diagnosing

Withdrawing

- ❑ Reassuring
- ❑ Diverting

Takes the focus off the other person

Listening is a disciplined skill

You can't do two things at once
if one of them is listening.

Positions & Interests

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Position

Specific solution proposed to resolve problem - the “WHAT”

Interest

Underlying real need/desire that gives position its life (i.e., beliefs, expectations, values, fears, priorities, hopes, concerns) – the “WHY”

Finding the Interests

Question, question, question...

- *"Why is that solution so important for you?"*
- *Why are you suggesting...?*
- *"What would you accomplish in getting what you want?"*
- *"What if that did/didn't happen?"*
- *"How will you be affected by...?"*
- *"Imagine that you got _____; what would be taken care of?"*

Finding the Interests

- ❑ What need is the person taking this position attempting to satisfy?
- ❑ What is motivating the person?
- ❑ What is the person trying to accomplish?
- ❑ What is the person afraid will happen if a demand is not fulfilled?

Sample Positions:

- *"The target level for appropriate interactions in my classroom must remain at 50%."*
- *"We want an American Sign Language interpreter in that English Lit class."*
- *"I demand an apology now!"*
- *"Rob has a right to a full time instructional assistant next term"*

Summary: Interest-based Negotiation

- ❑ Aims not to change the other person, but to change negotiation behavior
- ❑ Shifts from "your position versus mine" to "you and I versus the problem"
- ❑ Involves a mutual exploration of interests to yield more creative options.
- ❑ Uses objective criteria

Adapted from Highnam, K. (2001). Interest-based negotiation, CSSEA 2001 Fall Conference and AGM. Surry B.C, Canada. CSSEA; Fisher and Ury, *Getting to Yes*.

TESTED TIPS FOR IEP MEETINGS:

What IEP Conveners Can Do (Pre-Meeting)

- ❑ Explain crucial nature of parent's involvement and what will happen at the meeting
- ❑ Invite parents to bring anyone they wish
- ❑ Explain who will be there from the school and why. Ask the parent(s) if anyone has been left out
- ❑ Schedule convenient time and location, and ample time for meeting
- ❑ Establish if parent(s) need help with transportation or childcare
- ❑ Invite parents to review relevant documents prior to meeting, encourage classroom visits
- ❑ Keep parents advised of progress on an ongoing basis

TESTED TIPS FOR IEP MEETINGS: What IEP Conveners Can Do (During Meeting)

- ❑ Make parents feel welcome
 - ❑ Greet at door
 - ❑ Cup of coffee?
 - ❑ Same size chairs for everyone
 - ❑ Brief pre-meeting chit-chat and acclimatization
- ❑ Everyone introduce themselves and explain why they are there
 - ❑ Everyone be addressed with the same degree of formality
- ❑ Speak in clear, plain language – avoid jargon and discipline-specific terminology
- ❑ Have specific materials available that are referred to

TESTED TIPS FOR IEP MEETINGS: What IEP Conveners Can Do (During Meeting)

- ❑ Focus on the child's individualized needs – not your program, classroom, or resource limitations
- ❑ Listen carefully
- ❑ Maintain confidentiality – don't discuss other students
- ❑ Don't hurry
- ❑ Be honest and trust that the parent is also
- ❑ Be willing to say "I don't know"
- ❑ Involve student for at least a portion of the meeting if they can contribute and always if 18 or over

TESTED TIPS FOR IEP MEETINGS: What IEP Conveners Can Do (Post-Meeting)

- Review and evaluate
 - What worked
 - What didn't
 - Incorporate improvements into future meetings
 - Consider building meeting tip file for each child – sources of anger, joy etc.
- Send home thank you note
- Write down specific suggestions about things parents can do at home to help

Fundamental Value:

The student should be present and participate as much as possible in any meeting regarding their services.

“Nothing about me
without me.”

Creating Agreement: The Mediation Process

- ❑ Setting the Stage: Environment, Expectations, Process
- ❑ Establish rapport and trust
- ❑ Uninterrupted Time for each participant
- ❑ Identify, clarify, summarize issues
- ❑ Discuss issues and listen for common ground
- ❑ Generate possible solutions
- ❑ Consider possible solutions
- ❑ Build agreements along the way

For more information, contact

CADRE, the National Center on Dispute
Resolution in Special Education
www.directionservice.org/cadre

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The IDEA Partnerships
www.ideapartnership.org