The Dispute Resolution Continuum

Dr. Michael Blake
Program Manager for Dispute Resolution, Budget, and Data
Georgia Department of Education

Parent Mentor Partnership Annual 2012 Kickoff
September 19 – 21 Calloway Gardens
Today’s Agenda

• Introduction
• Learning objectives
• Three areas for potential special education disputes
  • Design, Delivery, Relationships
• The dispute resolution continuum
• Parent/Educator collaboration
• Action plans
• Wrap it up
Learning Objectives
Created by Benjamin Bloom, 1956, Revised by Lorin Anderson (a student of Bloom), 1990s
Learning Objectives

- **Remember** and **understand** the three areas for potential special education disputes
  - Design, Delivery, Relationships
- **Understand** the dispute resolution continuum
- **Apply** and **analyze** the three potential areas for special education disputes in relationship to the dispute resolution continuum
- **Evaluate** your district’s current status regarding prevention and early stage dispute resolution
- **Create** an action plan for prevention and early resolution of disputes in your district
New! A CADRE Webinar - Re-connecting with the Roots of the IEP/IFSP Process. On September 19, 2012 CADRE will host a free 75 minute webinar with guest presenter Greg Abell.

Encouraging Meaningful Parent/Educator Collaboration:
A Review of Recent Literature

Timothy Hedeen, Philip Moses and Marshall Peter

Center for Appropriate Dispute Resolution in Special Education (CADRE)
Eugene, Oregon

July 2011
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Three Areas For Potential Special Education Disputes

Design

Delivery

Relationships
Think of a special education dispute. Make notes on your graphic organizer if needed.
These debates typically concern:

- eligibility for services
- methodology of intervention
- perceptions about student needs
- the scope of the IDEA entitlement
- educational placement
Delivery

These debates typically concern:

- provider competence
- scheduling
- transportation
- coordination of services
- procedural requirements
- privacy
- confidentiality
Relationship conflicts may stem from:

- Loss of trust
- Breakdowns in communication
- Cultural differences
Think of a special education dispute. Where did it fit within the three categories (can be more than one)?

Design
Delivery
Relationships
Perhaps the best and easiest way to manage conflict is to prevent it in the first place.............
# CADRE Continuum of Processes & Practices

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### Assistance/Intervention Options
- **Parent Engagement**
  - Participant & Stakeholder Training
  - Stakeholder Council
  - Collaborative Rule Making
  - Parent to Parent Assistance
- **Case Manager**
- **Telephone Intermediary**
- **Facilitation**
- **Mediation Models**
- **Ombudsperson**
- **Third-Party Opinion/Consultation**
  - Resolution Meeting
  - Mediation under IDEA
  - Written State Complaints
  - Due Process Hearing
  - Hearing Appeal (Two-Tier Systems)
- **Litigation**
- **Legislation**

### Dimensions that help clarify placement of the options along the Continuum
- **Third-Party Assistance**
- **Decision Making by Parties**
- **Interest-Based**
- **Informal & Flexible**
- **Third-Party Intervention**
- **Decision Making by Third-Party**
- **Rights-Based**
- **Formal & Fixed**
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### Dimensions that help clarify placement of the options along the Continuum

- **Third-Party Assistance**
- **Decision Making by Parties**
- **Interest-Based**
- **Informal & Flexible**

- **Third-Party Intervention**
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#### Assistance/Intervention Options

- Parent Engagement

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Parent Engagement

“The message is clear. It is simply impossible to have an island of excellence in a sea of community indifference, and when parents become school partners, the results can be consequential and enduring.”

Parent Engagement Diad Quickfire

Discuss with the elbow partner to your right your current understanding of the parent engagement activities in your district.
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**Assistance/Intervention Options**
- Parent Engagement
- Participant & Stakeholder Training

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Discuss with the elbow partner to your right your current understanding of the participant/stakeholder training and stakeholder council activities in your district.
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#### Assistance/Intervention Options

- Parent Engagement
- Participant & Stakeholder Training
- Stakeholder Council
- Collaborative Rule Making

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**Assistance/Intervention Options**

- Parent Engagement
- Participant & Stakeholder Training
- Stakeholder Council
- Collaborative Rule Making
- Parent to Parent Assistance

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Discuss with the elbow partner to your right your current understanding of the parent mentor activities (including plans for this year) in your district.
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  - Collaborative Rule Making
  - Parent to Parent Assistance
  - Case Manager

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  - Facilitation
  - Mediation Models

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Facilitated IEP Project
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**Assistance Intervention Options**

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Parent/Educator Collaboration

Cook and Friend define it...as “a style professionals select to employ based on mutual goals; parity; shared responsibility for key decisions; shared accountability for outcomes; shared resources; and the development of trust, respect, and a sense of community”

Continuum of Collaboration

Increasing degree of collaboration and partnership

Informing         Involving         Engaging        Leading

The first stage, informing, represents the one-way flow of communication from schools to students and parents.
Parent/Educator Collaboration
Involving and Engaging

Involvement represents an invitation to parents to support an agenda determined by the school staff, while through engagement “the school staff, students, parents, and community members [together] create the agenda, [and] make decisions...
Parent/Educator Collaboration

Leading

Leading occurs when the partners have created a norm of engagement, with all partners playing appropriate leadership roles as they work towards a shared vision.
Deutsch’s “crude law of social relations” based on these observations:
• competitive behavior by one party tends to elicit competitive behavior from the other,
• cooperative behavior tends to elicit cooperative behavior. Thus, cooperation induces and is induced by:
  • readiness to be helpful,
  • openness in communication,
  • trusting and friendly attitudes,
  • sensitivity to common interests and
  • de-emphasis of opposed interests,
  • orientation toward enhancing mutual power rather than power differences

Call In With Tim Hadeen

Timothy Hedeen, Ph.D.
Professor of Conflict Management
Department of Political Science and International Affairs
Kennesaw State University
Action Plan

Use the graphic organizer to create an action plan for prevention and early resolution of disputes in your district.
Learning Objectives

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