CADRE/IDEA Partnership

Building Partnerships, Creating Agreement Collaborative Problem Solving in Early Intervention and Special Education

CADRE/IDEA Partnership

Jointly Developed By:

The Consortium For Appropriate Dispute Resolution In Special Education (CADRE)

The IDEA Partnership Project (at NASDSE)

With funding from the US Department of Education, Office of Special Education Programs (OSEP)

Development Team

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

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  - Nelsinia Ramos
- **Wisconsin Special Education Mediation System**
  - Nissan Bar-Lev
  - Jan Serak

CADRE/IDEA Partnerships Creating Agreement Workgroup Vision

- Educational outcomes are improved when families, schools and service providers work together effectively.

- Training and support for diverse groups of stakeholders helps them learn together and problem solve in ways that are more responsive to individual students' needs.

Positions & Interests

Positions & Interests

Position:

Specific solution proposed to resolve problem – the "What"

Interest:

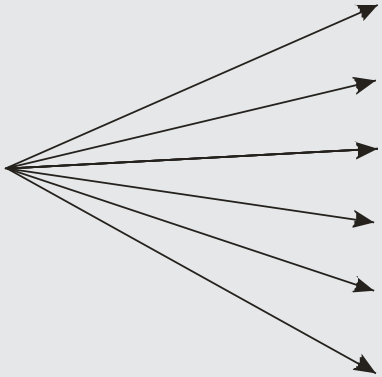
Underlying real need/ desire that gives position its life (beliefs, values, expectations, fears, priorities, hopes, concerns) – the "Why"

Depositioning:

Why is that solution so important to you?

Position

Be in by 10:00



Possible Interests

- Concern about safety
- Wanting to be a good parent
- Wanting to exercise control
- Wanting to protect against bad influences
- Wanting to be able to sleep at night
- Concerned about what neighbors think

Sample Positions:

"Any child in my class must be able to do the basic work required."

"We want an American Sign Language interpreter in that English Lit class."

"Rob has a right to a full time instructional assistant next term"

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?

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?”**

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Explain your interests

Communicate and explain your interests.

Make your interests come alive.

Acknowledge the other party's interests.

Share your interests and reasoning first and proposals later.

Adapted from Roger Fisher and William Ury (1981), ***Getting to Yes, Negotiation Agreement without Giving In***

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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*.

Listening

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"Seek first to understand, then to be understood."

Stephen Covey, "Habit 5"
Seven Habits of Highly Effective People

Listening

- Think of a time when someone listened to you.
- What did he/she do that made you feel s/he 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

Communication Loop

Sender

Receiver

Message

Filtering Lenses

Reflective
Listening

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

Listening is a disciplined skill

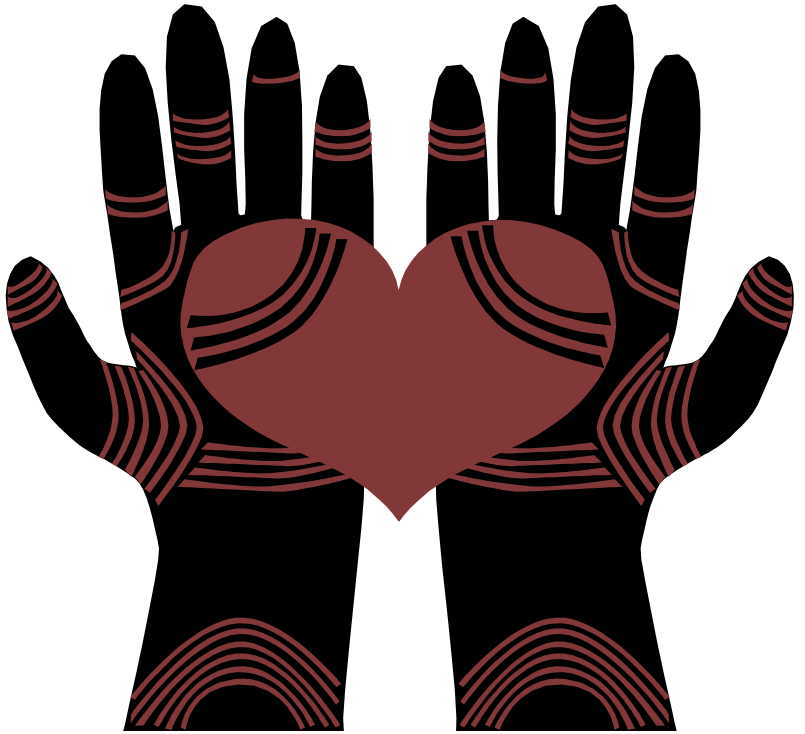
You can't do two things at once if one of them is listening.

You can't listen if you are trying to figure out what to say.

You can't listen if you are assuming.

Listening

Listening for the heart… with the heart…

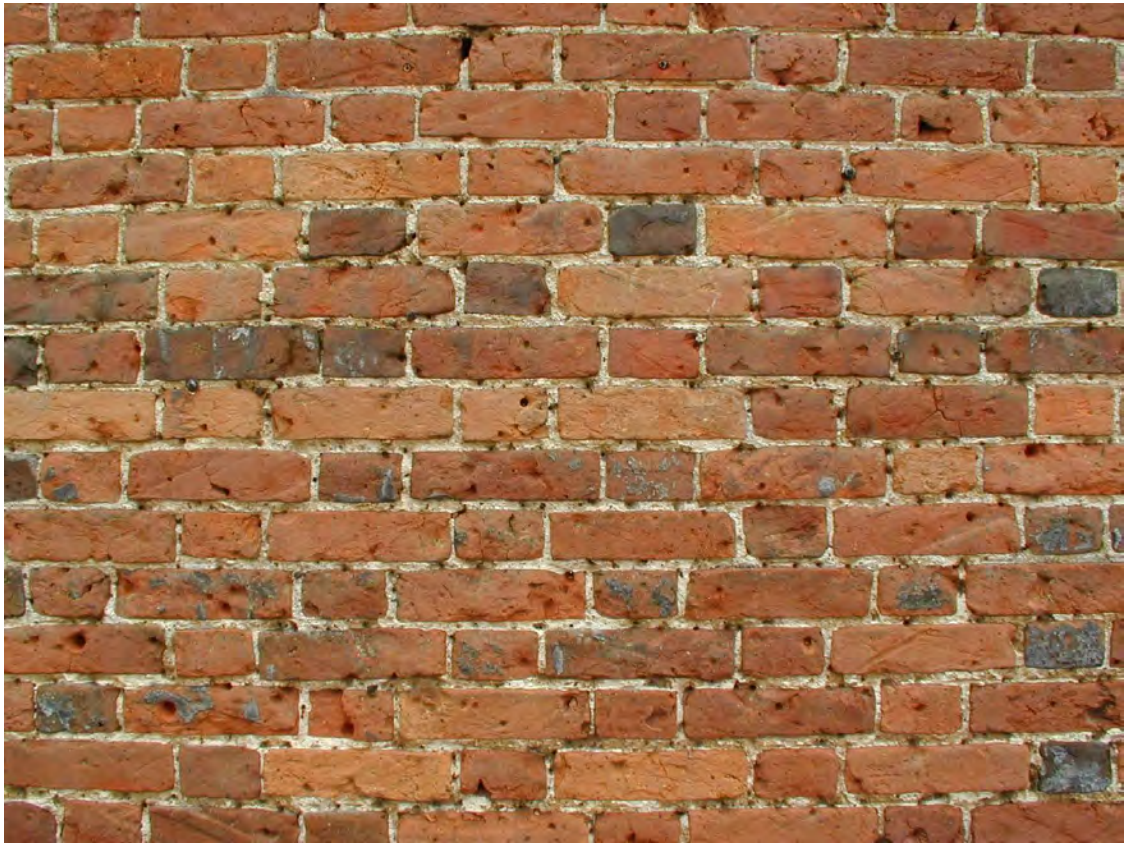


To See (or Hear) Clearly

- It is only with the heart that one can see clearly; what is essential is invisible to the eye.
  - *The Little Prince*

    Antoine de Saint Exupery

What stands in the way?



What can we do?

Communication Essentials

Addressing Power Imbalances

Cultural Reciprocity

Student Involvement

Power Imbalances

Inherent in Conflict

- Actual and perceived power may differ
- Participants may not be equipped/supported to participate effectively
- Cultural differences may contribute
- Recognize there are formal and informal forms of power

Power Imbalances

Addressing Power Imbalances

Well-facilitated processes and trained participants

Well-built relationships

Unbiased third party/facilitator

What else can help reduce power imbalances?

Cultural Reciprocity

Cultures have different ways of responding to conflict

Culture shapes status, relationships and social behaviors with regard to conflict resolution

Recognize that many people communicate and process information differently

Cultural Reciprocity

Strategies to address cultural reciprocity range from the policy to the program to the personal level

Cultural reciprocity is a process, not an outcome

Moving from Cultural Competence to Cultural Reciprocity

- Do unto others as they would have you do unto them.
- You can only practice cultural reciprocity if you listen with the heart…for the heart…and share your heart.

Student Involvement

"Nothing about me without me."

Fundamentally important
Capacity for participation varies
Advantages of participation
Challenges with participation

CONFLICT

Even with the best listening & a focus on interests, not positions, in any meaningful relationship there will be conflict.

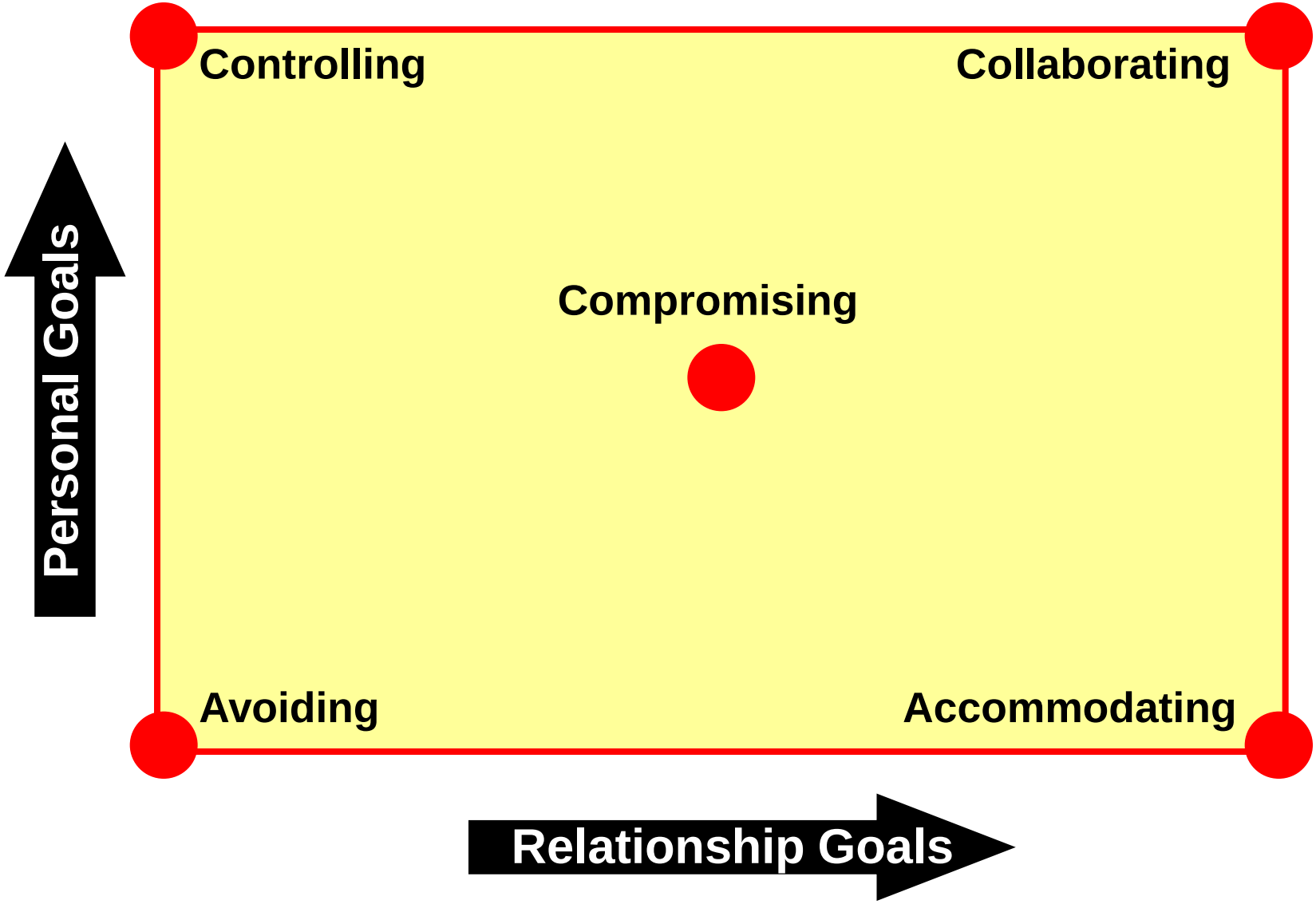
What does the word “conflict” bring to mind?

Conflict

- Expressed struggle
- Two or more people
- Interdependent
- Strong emotion
- Perceived blockage

Needs
Values

The Five Conflict Handling Modes



Source: Thomas Killmann

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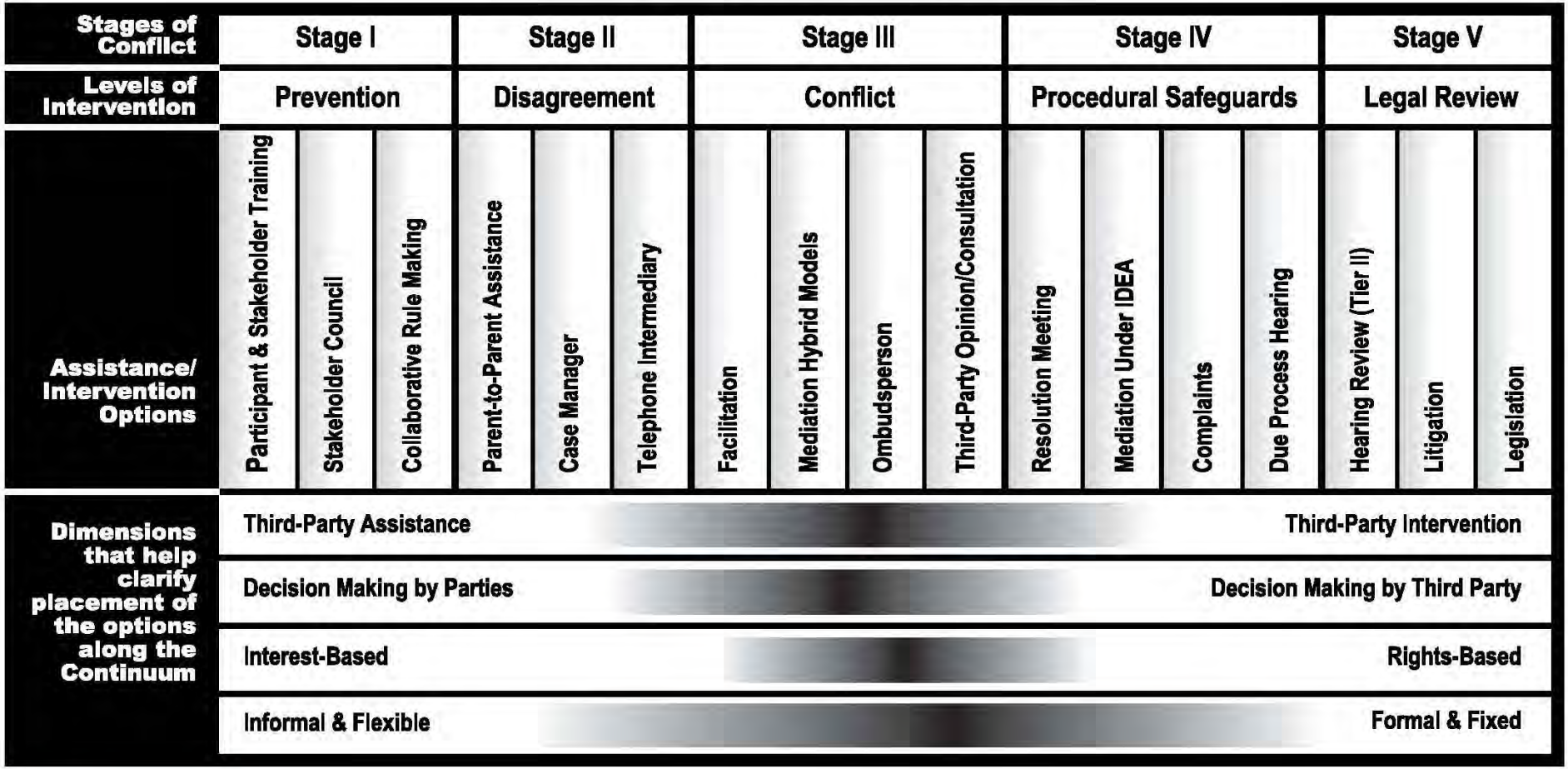
Costs of Conflict

- Financial costs
- Educational costs: takes energy away from instruction, can interfere with needed consistency
- Human costs: stress, burnout, marital discord
- Relationships: hurts relationships among people who have to work together
- Societal costs: parents, families, schools divided; bad press for special education; missed opportunities

CADRE Continuum of Special Education Conflict Resolution Options



CADRE
Consortium for Appropriate Dispute Resolution in Special Education

Developed by CADRE
www.directionservice.org/cadre/continuum

IDEAs that Work
U.S. Office of Special Education Programs

Commitment

People say, what is the sense of our small effort.

They cannot see that we must lay one brick at a time, take one step at a time.

A pebble cast into a pond causes ripples that spread in all directions. Each one of our thoughts, words and deeds is like that…

-Dorothy Day

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For more Information Contact:

SharedWork.org
www.sharedwork.org

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

The IDEA Partnership
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