



IEP Facilitation

Effective Collaboration and Shared Problem Solving through Facilitation

Presented by Arizona Department of Education Dispute Resolution

TABLE OF CONTENTS

AGENDA

Day 1 – The Nuts and Bolts	2
Day 2 – The People	3

ROLES AND RESPONSIBILITIES

Your Role as a Participant	4
IEP Team Members Roles and Responsibilities	5
Sample Pre-Meeting Parent Checklist	7
Sample Pre-Meeting School Checklist	8
Sample IEP Meeting Agenda	9
Sample IEP Ground Rules	10

ROOM ARRANGEMENT OPTIONS..... 11

FACILITATOR

Facilitator Opening Statement.....	12
Sample Introductory Statement.....	13
Sample Action Plan	14

THE SPECIAL EDUCATION HANDBOOK: A BRIEF OVERVIEW OF THE HISTORY AND REQUIREMENTS OF PART B OF THE IDEA

IDEA.....	16
Child with a Disability.....	17
The FAPE Mandate	17
The Role of the Parent	18
The IEP	19
IEP Team	20
IEP Team Meetings.....	21
Consensus.....	22
The IEP Document	22
Extended School Year	24
Transportation	25
The IEP Process.....	25

Delivery of Services:

Specially Designed Instruction..... 26
Placement 27
Procedural Safeguards 28
Prior Written Notice..... 28

**CITATIONS RELEVANT TO STATE AND FEDERAL STATUTES,
REGULATIONS AND RULES 31**
IDENTIFY THE CONFLICT.....33
DISCOVERING YOUR STYLE 35
CONFLICT STYLES 39
SPECIAL EDUCATION ACRONYMS 44
CHECK YOUR ATTITUDE WHEN WORKING WITH DIFFICULT BEHAVIORS 46
HANDLING DIFFICULT SITUATIONS 47

fa·cil·i·tate

verb \fə-'si-lə-,tāt\
: to make (something) easier

: to help (something) run more smoothly and effectively

fa·cil·i·ta·tor

noun \fə-'si-lə-,tā-tər\
: one that **facilitates**; *especially*: one that helps to bring about an

outcome (as learning, productivity, or communication) by providing indirect or unobtrusive assistance, guidance, or supervision

IEP facilitation is a student-focused process in which a trained individual (facilitator) assists the individualized education program (IEP) team in developing an IEP that provides a free appropriate public education (FAPE) to the student.

The Arizona Department of Education/Dispute Resolution Unit believes there are three components needed to facilitate a successful IEP meeting: standardized meeting practices, knowledge of the IEP process, and the use of meeting management skills that aid in minimizing conflict and maximizing collaboration. This training is designed to teach these three components.

AGENDA

DAY 1 - THE NUTS AND BOLTS

Welcome and Introductions

Worst Case IEP Meetings

Dispute Resolution

National Trends

Creating a Facilitated IEP Culture in Arizona

Break

The FAPE Mandate

The IEP Team

Lunch

Prior to the IEP Meeting Preparation

The IEP Meeting

Break

The IEP Meeting

Wrap up

AGENDA

DAY 2- THE PEOPLE

Welcome Back

Parent Participation

Communication Skills

Conflict

Role-Play and Reflection

Break

Interest vs Position

Role-Play and Reflection

Lunch

Meeting Tools

Role-Play and Reflection

Break

Facilitation Techniques

Handling Difficult People

Role-Play and Reflection

Dealing with Impasse

How do you bring this back to your district or charter?

Wrap-up

YOUR ROLE AS A PARTICIPANT

- Listen actively -- respect others when they are talking
- Participate by sharing your own opinions and experiences
- Engage each other's thoughts, ideas, and opinions
- Be willing to experiment with ideas and techniques presented
- Honor time limits
- Advise the trainer if you must leave to handle an emergency
- Keep all scenarios "hypothetical"

IEP TEAM MEMBERS ROLES AND RESPONSIBILITIES

Parent

- Provides perspective on the student's performance on school work outside of the school environment
- Shares information related to student's physical and emotional health
- Shares strategies/interventions that are successful in the home environment
- Provides parent perspective on instruction successes and/or needs
- Provides the link to outside therapies, etc., that can be shared with the team
- Assists in the development of all areas of the IEP

General education teacher

- Provides information regarding grade level curriculum and typical student development
- Provides information regarding student's academic strengths and needs based on classroom performance
- Provides information regarding student's functional behavior (e.g. attention to tasks, interactions with peers, etc.) based on classroom observation
- Recommends accommodations and modifications that may benefit the student
- Provides insight regarding what has been successful and what has not
- Assists in the development of all areas of the IEP

Special education teacher

- Provides information on possible strategies/interventions based on student's needs
- Provides recommendations regarding specially designed instruction to help student access and progress in the general curriculum
- Explains student's response to previous special education strategies and techniques
- Recommends accommodations and modifications that may benefit the student
- Assesses possible supports for school personnel and makes recommendations
- Provides ongoing support in the effective implementation of the IEP to all other team members
- Assists in the development of all areas of the IEP

Individual to explain evaluation results*

- Provides information on the instructional implications of the most recent evaluation results
- Provides information on the instructional implications of academic and functional information provided by other team members at the meeting
- Provides recommendations regarding specially designed instruction to help student access and progress in the general curriculum
- Recommends accommodations and modifications that may benefit the student
- Assists in the development of all areas of the IEP

Representative of the public school*

- Identified by the public education agency as an individual that can provide, or supervise the provision of, special education
- Provides insight and information about the general curriculum
- Provides information regarding the availability of the school's resources
- Assists in the development of all areas of the IEP
- Authorized to commit the resources of the school
- These criteria are specifically described in the IDEA regulations.

The Student

- Provides own perspective on his/her education experience
- Shares his/her interests in education and employment
- Shares information about his/her strengths and how they support his/her goals
- Shares what supports he/she feels is needed to help make him/her successful both in school and in postsecondary life

*IDEA regulations specify that these two roles may be fulfilled by another team member.

SAMPLE PRE-MEETING PARENT CHECKLIST

- ✓ **Introduce yourself**
- ✓ **Describe a Facilitated IEP meeting** - A Facilitated Individualized Education Program (IEP) meeting is one in which:
 - An IEP is developed by a collaborative team whose members share responsibility for the meeting process and results.
 - An agenda and ground rules will be established prior to the meeting.
 - Decision-making and any conflicts that arise are managed through the use of facilitation skills.
- ✓ **Describe Your Role as a Facilitator** -
 - Helps keep members of the IEP team focused on the student and on developing an IEP that provides a FAPE to the student.
 - Assists the team to resolve conflicts and disagreements that may arise during the meeting.
 - Helps to maintain open communication among all members.
- ✓ **Clarify the parent role at the IEP meeting.**
- ✓ **Clarify how they would like to be addressed.**
- ✓ **Ask to first describe their child, describe their issues and then have them start thinking about possible solutions. Encourage them to bring these solution ideas to the IEP meeting.**
- ✓ **Elicit information about accommodations or special needs** (How can the facilitator help this situation for you? Will you need additional breaks for any reason? Translator?)
- ✓ **Obtain commitment from the family to allot adequate time for the meeting.**
- ✓ **Encourage parent to bring all relevant documentation to the meeting.**
- ✓ **If parents are divorced:**
 - Discuss current legal decision making status
 - Discuss who will be attending the meeting
- ✓ **Affirm commitment to participate in the FIEP process.**
- ✓ **Explain that you will email/mail agenda before the meeting for their review.**
- ✓ **If the student will be attending the meeting, ask to speak with the student and review the above Checklist with the student if appropriate.**

SAMPLE PRE-MEETING SCHOOL CHECKLIST

(To be done by team leader with all team members)

- ✓ **Introduce yourself**
- ✓ **Describe a Facilitated IEP meeting-** A Facilitated Individualized Education Program (IEP) meeting is one in which:
 - An IEP is developed by a collaborative team whose members share responsibility for the meeting process and results.
 - An agenda and ground rules will be established prior to the meeting.
 - Decision-making and any conflicts that arise are managed through the use of facilitation skills.
- ✓ **Describe Your Role as a Facilitator-**
 - Helps keep members of the IEP team focused on the student and on developing an IEP that provides a FAPE to the student.
 - Assists the team to resolve conflicts and disagreements that may arise during the meeting.
 - Helps to maintain open communication among all members.
- ✓ **Ask to explain their issues and then have them start thinking about possible solutions to these issues.**
- ✓ **Remind team members to adequately prepare the student for the meeting if they will be attending.**
- ✓ **Obtain commitment from the school to allot adequate time and space for the meeting.**
- ✓ **Confirm that all required team members will be present or excused appropriately, and that all team members understand their roles.**
- ✓ **Confirm that parent will receive meeting notice and draft IEP (if one will be provided) in a timely manner.**
- ✓ **Assign an IEP team member as timekeeper and IEP writer.**
- ✓ **Remind all team members to bring any needed forms and relevant documentation.**
- ✓ **Affirm commitment to participate in the FIEP process.**
- ✓ **Explain that you will email/mail agenda before the meeting for their review.**

SAMPLE IEP MEETING AGENDA

- Welcome, Introduction and Roles
- Review ground rules, Parking lot, Action plan
- The IEP:
 - PLAAFP

 - Measurable annual goals

 - Services/supports

 - Educational placement

- Conclusion
- Procedural Safeguards
- Parking Lot, Action plan

Time Keeper:

IEP Writer:

SAMPLE IEP GROUND RULES

Communicate clearly and listen carefully

Respect the views of others

Share your views willingly

Ask and welcome questions

Be open to ideas and views presented

Honor time limits and stay on task

1. Everyone will have an opportunity to speak without interruption.
 2. The IEP team will focus on the student and his/her unique needs.
 3. The IEP team members will treat each other with mutual respect and dignity.
 4. The IEP team will work together to develop an effective educational plan which is in the student's best interest.
 5. The IEP team will minimize "side conversations."
- Acknowledge team members as valuable participants.
 - Demonstrate reciprocal respect toward team members and their opinions.
 - Speak in turn so that valuable information can be considered.
 - Follow the Agenda.
 - Work together to reach consensus.
 - The reason for the meeting is the student's educational needs.
 - Discussion will focus on the student's educational needs.
 - Everyone will be treated with respect.
 - Everyone will have the opportunity to participate/speak.
 - The person speaking will not be interrupted.
 - Plain language will be used as much as possible. Jargon/acronyms will be explained/defined by a speaker who uses them, to ensure that all team members understand what is being said.
 - Electronic devices (e.g. phones, tablets) that are not needed to participate in the meeting will be silenced and put away during the meeting.

ROOM ARRANGEMENT OPTIONS

*Consider the arrangement of seating before the IEP meeting.
Each furniture arrangement has advantages and disadvantages*

Closed Circle with table



Advantages	Disadvantages
Encourages eye contact	No single focus point so difficult to problem solve
Convenient for people to write	Table may create barriers to interaction
No one person with more authority	Allows people to focus on several different people with results in distraction

Semicircle with tables



Advantages	Disadvantages
Allows group to focus on agenda	Table can be a barrier to building trust
Reduces status differential	
May help to reduce personal conflict	
Works well with a single team leader	

Semicircle without table



Advantages	Disadvantages
Allows group to focus on agenda	No writing surface for participants
Reduces status differential	
Allows space for larger groups	

FACILITATOR OPENING STATEMENT CHECKLIST

- ✓ **Introductions-** Welcome the team members to the IEP meeting.
 - Introduce yourself.
 - Ask team members to introduce themselves, indicate how they would like to be addressed at the meeting, and explain their role at the meeting today.

- ✓ **Describe a Facilitated IEP meeting-** A Facilitated Individualized Education Program (IEP) meeting is one in which:
 - An IEP is developed by a collaborative team whose members share responsibility for the meeting process and results.
 - An agenda and ground rules are established prior to the meeting.
 - Decision-making and any conflicts that arise are managed through the use of facilitation skills.

- ✓ **Describe Your Role as a Facilitator-**
 - Helps keep members of the IEP team focused on the student and on developing an IEP that provides a FAPE to the student.
 - Assists the team to resolve conflicts and disagreements that may arise during the meeting.
 - Helps to maintain open communication among all members.

- ✓ **Decision-making Information-** Discuss consensus

- ✓ **Logistical Information-** Location of restrooms, breaks, etc.

- ✓ **Time Expectations-** Clarify time set aside for the meeting and confirm that all team members are available for that length of time.

- ✓ **Ground Rules Establishment-** Review ground rules and obtain agreement from all team members to follow these rules.

- ✓ **Describe how information will be recorded for this meeting and the use of the “Parking Lot”**

- ✓ **Questions/Obtain Team Members’ Commitment to Continue**

SAMPLE INTRODUCTORY STATEMENT

Hello, my name is _____ and I will be your IEP facilitator today. To begin the meeting today, please tell us your full name and let us know how you would like to be referred to during this discussion. Also, please explain to us the role you play at this IEP meeting. Let me model what describing your role sounds like...

First let me explain what a facilitated IEP meeting is. A Facilitated Individualized Education Program (IEP) meeting is one in which an IEP is developed by a collaborative team whose members share responsibility for the meeting process and results; and decision-making and any conflicts that arise are managed through the use of facilitation skills. I am here to facilitate this meeting to help keep members of the IEP team focused on the student and on developing an IEP that provides the student a FAPE (free appropriate public education). I will also assist the team in resolving conflicts and disagreements that may arise during the meeting.

I would like to remind you that this meeting will use a collaborative process to make decisions. We will discuss options and strive for consensus about the student's program and services; working together to develop an IEP that we can agree is in the best interest of the student.

Let me check with you about time. The IEP meeting is scheduled to last for two hours today. I have made myself available for this time and want to make sure that you are all available for this whole session. We will take breaks if needed during this time. The rest rooms are [indicate where].

The following ground rules are important to the facilitated IEP process:

1. Communicate clearly and listen carefully.
2. Respect the views of others.
3. Share your views willingly.
4. Ask and welcome questions.
5. Be open to ideas and views presented.
6. Honor time limits and stay on task. Can we all agree to follow these ground rules?

Does anyone have any questions about the process, my role, or anything else at this time?

Ok, let's begin the meeting with a review of the agenda that was forwarded to you last week...

SAMPLE ACTION PLAN

What	Who	By When
Distribute IEP copies to parent and school	Janet	March 6
Mr. Smith to schedule meeting with Sara to discuss lunchroom concerns	Mr. Smith	March 9

Action Plan for _____

Task/What Needs Doing	Who Will Do/Work On It	Date Needed/Promised	Support Necessary to Complete Task	Other/Misc.

THE SPECIAL EDUCATION HANDBOOK: A BRIEF OVERVIEW OF THE HISTORY AND REQUIREMENTS OF PART B OF THE IDEA

<http://www.azed.gov/special-education/files/2013/06/the-special-education-handbook.pdf>

Congress recognized the special needs of students with disabilities when it passed the Individuals with Disabilities Education Act (IDEA) in 1975, and reauthorized it in 1997 and again in 2004. The purpose of IDEA is to protect the rights of children with disabilities, and to ensure that they receive a *free, appropriate public education* (FAPE) in the *least restrictive environment*. *Free* means at no cost to the parent, and *appropriate* means that the child receives the supports and services that he or she needs to learn, taking into consideration his or her disability. The *least restrictive environment* means that, to the maximum extent appropriate, children with disabilities are educated with their nondisabled peers in the school he or she would attend if nondisabled.

Once a child has been identified as eligible for special education and related services, an individualized education program (IEP) must be developed before services commence. To ensure that each child's needs are addressed, the IEP must be developed at a meeting with the child's IEP team that must include at least one of the child's parents, at least one special education teacher of the child, at least one regular education teacher of the child, a representative of the public education agency, a person to explain the results of any evaluations, the child, when appropriate, and anyone else with special knowledge about the child as determined by the child's parents and the school, respectively. The IEP must specifically identify the educational needs of the individual student and outline a plan for meeting those needs. IDEA regulations outline the specific areas to be addressed in the IEP, including the student's present level of academic achievement and functional performance, measurable annual goals, and special education and related services that the child needs to make progress toward achieving those goals.

In short, the IDEA gives children with disabilities an individual entitlement to a FAPE and their parents certain procedural safeguards to ensure their right to meaningfully participate in decisions about their children's education.

Child with a Disability

The IDEA defines *child with a disability* as a child who has a qualifying disability and by reason thereof is in need of special education and related services. In other words, under the IDEA it is not enough to simply have a qualifying disability. The disability must cause the child to **need** special education and related services in order to access the general curriculum, which is the same curriculum taught to *all* children.

In Arizona, the categories of disability for children age 3 through 21 are:

- Autism (A)
- Developmental Delay (DD)
- Emotional Disability (ED)
- Hearing Impairment (HI)
- Mild Intellectual Disability (MIID)
- Moderate Intellectual Disability (MOID)
- Multiple Disabilities (MD)
- Multiple Disabilities with Severe Sensory Impairment (MDSSI)
- Orthopedic Impairment (OI)
- Other Health Impairment (OHI)
- Preschool Severe Delay (PSD)
- Severe Intellectual Disability (SID)
- Specific Learning Disability (SLD)
- Speech/Language Impairment (SLI)
- Traumatic Brain Injury (TBI)
- Visual Impairment (VI)

Although the IDEA defines each disability category, the specific qualifications for each category may vary from state to state. In Arizona, several of the categories require additional components other than those described in the IDEA, such as verification of a medical condition for some disabilities.¹

In Arizona, when a child with a disability is eligible in more than one disability category, state per pupil funding is based on the category that has the highest add-on weight. Arizona does not restrict schools from addressing students' needs that are not specifically linked to their particular disability categories. Instead, individualized education program (IEP) teams *must* ensure that all needs are considered.

The FAPE Mandate

Under the IDEA, all children with disabilities ages three through 21 are entitled to a *free appropriate public education* that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent

¹ For details on any additional requirements in Arizona, see the Arizona State Board of Education rules at A.A.C. R7-2-401(E).

living. In Arizona, children with disabilities are entitled to receive a FAPE through the school in which they turn 22.

As used in this part, the term free appropriate public education or *FAPE* means special education and related services that:

- 1) are provided at public expense, under public supervision and direction, and without charge;
- 2) meet the standards of the SEA (State Educational Agency);
- 3) include preschool, elementary school, or secondary school education in the State; and
- 4) are provided in conformity with an individualized education program (IEP).

The Role of the Parent

The parents of children with disabilities must be given the opportunity to meaningfully participate in the special education process. They can provide valuable information about the child's strengths and needs, likes and dislikes, how the child learns, and his or her interests.

As part of their procedural safeguards, schools must afford the parents of a child with a disability the opportunity to participate in meetings that concern the identification, evaluation, educational placement of their children, or the provision of a FAPE. This requirement does not include the requirement for parents to participate in informal conversations among school personnel, preparatory activities among school personnel to plan for the above mentioned meetings, or pre-referral intervention meetings internal to school personnel. The law requires schools to take steps to ensure that one or both of the child's parents are present at each IEP team meeting and to take whatever action is necessary to ensure that the parents understand what is taking place, including arranging for interpreters for parents with deafness or whose native language is other than English.

According to IDEA a parent means:

- a biological or adoptive parent
- a foster parent
- a legal guardian
- an individual acting in the place of a biological or adoptive parent (including a relative with whom the child lives or an individual who is legally responsible for the child's welfare)
- a surrogate parent

If more than one person is qualified to act as the parent, schools should presume that the biological or adoptive parent is the parent under Part B of the IDEA when that individual is attempting to act as the parent, unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.

A surrogate parent for special education is an individual appointed by the Arizona Department of Education or a court of competent jurisdiction to ensure that a child's

rights are protected when the child's parents are unable to do so. Schools are required to ensure the appointment of a surrogate parent for a child with a disability if any of the following are true:

- No parent can be identified
- After having made reasonable attempts, the school cannot determine the parents' whereabouts
- The child is a ward of the state and a parent cannot be identified or a school cannot determine the location of a parent after having made reasonable attempts²
- The child is an unaccompanied homeless youth as defined in the McKinney-Vento Homeless Assistance Act

In order to be eligible to serve as a surrogate parent, the person must: (1) possess adequate knowledge and skills to represent the child, (2) may not be an employee of a state agency involved in the education or care of the child, (3) may not have an interest that would conflict with the child's best interest, and (4) must have a valid fingerprint clearance card issued by the Arizona Department of Public Safety.

The Individualized Education Program (IEP)

"Being disabled should not mean being disqualified from having access to every aspect of life."

~ Emma Thompson

Schools must provide eligible children with disabilities special education and related services in accordance with the child's individualized education program (IEP). An IEP is defined as a written statement for a child with a disability that is developed, reviewed, and revised in accordance with the specific guidelines set forth in the IDEA. The program described in the IEP document must be reasonably calculated to enable the child to receive educational benefit.

While an IEP is not a performance contract and does not constitute a guarantee by the school and/or the teacher that a child will progress at a specified rate, schools and teachers are required to make a good faith effort to assist children in achieving the goals set forth in the IEP and to enable them to access and make progress in the general curriculum. Schools must follow the program outlined in the IEP by providing the services, accommodations, modifications, and other supplementary items described within the document.

The law specifies what information must be included in each IEP, but it does not specify what the IEP document must look like. In Arizona, schools decide what the IEP form will look like.

Implementing the IEP

² The term "ward of the state" does not include a foster child.

Each child's IEP should be implemented as soon as possible following the IEP meeting at which the IEP is developed. An IEP must be in effect before a school can provide special education and related services. Schools must ensure that IEPs are accessible to each regular education teacher, special education teacher, related service provider, or other service provider who is responsible for implementing that IEP, and that each of those individuals is informed of his or her specific responsibilities related to the implementation of the IEP. Indeed, all relevant school personnel must be informed of the specific accommodations, modifications, and supports that must be provided to each child in accordance with his or her IEP.

IEP Team

The IEP team is a group of individuals charged with developing, reviewing, and revising the IEP and is required to consist of the following members:

- 5) not less than one of the child's parents, or the adult student, if legal rights have transferred (which, in Arizona is at age 18);
- 6) not less than one of the child's regular education teachers (if the child is or may be participating in the regular education environment);
- 7) not less than one of the child's special education teachers, or where appropriate, not less than one of the child's special education providers;
- 8) a representative of the child's school who:
 - a. is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - b. is knowledgeable about the general curriculum; and
 - c. is knowledgeable about the availability of the school's resources;
 - d. may be a member of the IEP team serving in another role as long as he or she meets the criteria described in letters a - c.
- 9) an individual who can interpret the instructional implications of evaluation results—who may be one of the team members already serving in another role;
- 10) at the parent's or school's discretion, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;³
- 11) whenever possible, the child with a disability;
- 12) if postsecondary transition services are being discussed, the student and representatives of other agencies who are likely to be responsible for paying for or providing transition services;
- 13) if the public agency is considering a private school placement, a representative of the private school; and
- 14) if a child with a disability was previously served under Part C of IDEA (early intervention related to infants and toddlers), if the parent requests, the

³ The determination of knowledge or special expertise lies solely with the party who invites the individual to the meeting.

child's Part C service coordinator, to assist in the smooth transition of services at the initial IEP meeting.

Excusals

A member of the IEP team is not required to attend an IEP meeting, in whole or in part, if the parent and the school agree that the particular member's attendance at the meeting is not necessary because the member's area of the curriculum or related service **is not** being discussed or modified. In this case, the parent must agree *in writing* prior to the meeting that the particular member is not required to attend the meeting.

A member of the IEP team may be excused from attending an IEP meeting, in whole or in part, when the member's area of the curriculum or related service **is** being discussed if the parent and the school consent to the excusal prior to the meeting, and the member submits written input into the development of the IEP prior to the meeting. The parent's consent to the excusal must be in writing. It is important to remember that consent is more than just an agreement; it means that the parent has been fully informed of all relevant information in his or her native language or other mode of communication. Further, consent means that the activity for which his or her consent is being sought has been described and that the parent understands and agrees in writing to the carrying out this activity.

IEP Team Meetings

Schools are responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising the IEPs of children with disabilities.

Schools are responsible for taking steps to ensure that one or both parents of a child with a disability are present at each IEP meeting or are, at least, given the opportunity to participate. Parents should be notified through the use of a "**meeting notice**" early enough so that they will have an opportunity to attend the meeting, which is required to be scheduled at a mutually agreed on time and place. The IDEA does not require the school to schedule an IEP meeting outside regular school hours to accommodate parents or their experts. [*Letter to Thomas*, 51 IDELR 224 (OSEP 2008)]

The meeting notice must indicate the purpose, time, and location of the meeting and who will be in attendance, and it must inform parents of their right to bring to the meeting any individual with knowledge or special expertise about the child. Additionally, if the purpose of the meeting is to discuss postsecondary transition services, the meeting notice must inform the parents that the school is inviting the student, and identify any other agency that will be invited to send a representative. Consent of the parents or adult student is required to invite an outside agency representative.

If neither parent can attend the meeting, the school may use other methods to ensure their participation, such as individual or conference call, or video conferencing. The school may conduct an IEP meeting without the parents if it is unable to convince the parents to attend. The 9th Circuit Court of Appeals recently held that a school's failure to

ensure the parent's participation in an IEP meeting following the parent's request to delay the meeting, as opposed to an affirmative refusal to participate, amounted to a denial of FAPE for the student. If the school holds an IEP meeting without the parent, it must have a record of its attempts to arrange a mutually agreed on time and place, such as detailed phone records, copies of correspondence sent to the parents and responses received, and/or detailed records of visits made to the parents' home(s) or place(s) of employment and the results of those visits.

Consensus

In making decisions about a child's educational program, the IEP team should work toward consensus, but if it is unable to do so, the school has the ultimate responsibility to ensure that the child receives a FAPE. It is not appropriate for the IEP team to make decisions based upon a majority "vote." If the team is unable to reach consensus, the individual acting as the school representative must make the final decision and the school must state its proposal or refusal regarding the child's educational program in a prior written notice (PWN) to the parent. The parent may seek resolution of any disagreement by filing a due process complaint or requesting mediation with the school.

IEP Development

At the beginning of each school year, schools must have an IEP in effect for each child with a disability. Schools are required to give the parent a copy of the child's IEP free of charge. In developing IEPs, teams must consider the following:

- 1) the child's strengths;
- 2) the parents' concerns for enhancing their child's education;
- 3) the results of the child's most recent evaluation; and
- 4) the child's academic, developmental, and functional needs.

The IEP document must contain:

- 1) PLAAFP: A statement of the child's present levels of academic achievement and functional performance including how the child's disability affects his or her involvement and progress in the general curriculum (the same curriculum taught to nondisabled children).
- 2) Measurable annual goals: A statement of measurable goals, including academic and functional goals, designed to meet the child's needs that result from the disability and meet the child's other educational needs. For children who take alternate assessments include benchmarks or short-term objectives.
- 3) Progress reports: A statement of how the child's progress toward meeting annual goals will be measured and a description of how parents will be regularly informed of the child's progress toward meeting those goals.
- 4) Services & supports:
 - a. A statement of the special education and related services and supplementary aids and services—based upon peer-reviewed research to the extent practicable—that the school will provide to the child.

- b. Any program modifications or supports for school personnel so that the child can make progress towards achieving annual goals, be involved in and make progress in the general education curriculum, participate in extracurricular and other nonacademic activities, and participate with both disabled and nondisabled children in these activities.
 - c. Although IDEA does not define the term "supplementary aids and services," the United States Department of Education suggests several possibilities including, but not limited to, modification of the regular class curriculum, behavior management techniques, assistance of an itinerant teacher with special education training, special education training for the regular class teacher, use of assistive technology, provision of note-takers, and use of a resource center or a combination of these.
- 5) An explanation of the extent, if any, to which the child will participate with nondisabled children in the regular classroom setting and in other activities.
- 6) Accommodations for assessments: A statement of any individual accommodations that are necessary to measure the child's academic and functional performance on State and district-wide assessments.
 - a. Although the IDEA does not specifically require IEPs to include classroom accommodations, the United States Department of Education advises that IEPs include classroom accommodations for children whose IEP teams determine those accommodations to be necessary to ensure those children receive a FAPE. [*Letter to Wilson*, 43 IDLER 165 (OSEP 2004)]
- 7) Alternate assessments: If the IEP team determines that the child will take an alternate assessment, the IEP must include a statement of why the child cannot participate in the regular assessment and what particular alternate assessment the child will take.
- 8) Implementation date: The projected date that services and modifications will begin and the anticipated frequency, location, and duration of those services and modifications.
- 9) Postsecondary transition: Beginning with the first IEP to be in effect when the child turns 16, appropriate measurable postsecondary goals that:
 - a. are based on age appropriate transition assessments that take into account the child's strengths, interests, and preferences;
 - b. include the areas of employment and education and/or training, and independent living skills where appropriate;
 - c. are accompanied by a coordinated set of transition activities aimed at assisting the child in reaching those goals, which are specifically designed as an outcomes oriented process that promotes movement from school to post-school life.
- 10) Transfer of majority rights: Beginning no later than one year before the child reaches the age of majority (18 in Arizona), a statement that the child has been informed of the rights, if any, that will transfer to him or her upon reaching the age of majority.

The following special factors must also be considered and documented:

- 1) In the case of a child whose behavior impedes the child's learning or that of others, the IEP team needs to consider the use of positive behavioral interventions and supports, or other strategies, to address the behavior.
- 2) In the case of a child who is limited English proficient, the team must consider the child's language needs as they relate to the IEP.
- 3) In the case of a child who is blind or visually impaired, the IEP team must consider the use of Braille, as appropriate for the child.
- 4) In the case of a child who is deaf or hard of hearing, the IEP team must consider the child's communication needs.
- 5) The IEP team must consider whether a child needs assistive technology devices and services.

Extended School Year

Schools are required to ensure that extended school year services are available to students, as necessary, in order to provide a FAPE. Extended School Year (ESY) services are defined to mean special education and related services that are provided to a child with a disability beyond the school's normal school days, in accordance with the child's IEP, at no cost to the parent. A child's need for ESY services is to be determined on an individual basis by the IEP team. Schools are not permitted to limit ESY services to particular categories of disability or to unilaterally limit the type, amount, or duration of the services. Moreover, eligibility for ESY services cannot be based on need or desire for day care or respite care, an educational program to maximize the student's academic potential, or a summer recreation program.

ESY services are necessary if either: (1) the benefits that the student gained during the regular school year would be significantly jeopardized if he or she is not provided educational services, or (2) the student would experience severe or substantial regression if he or she is not provided educational services during short or long recesses or summer months and the regression would result in substantial skill loss of a degree and duration that would seriously impede the student's progress toward educational goals. The IEP team shall determine if the student is eligible to receive ESY services no later than 45 days prior to the last day of the school year.

The determination of whether a student is eligible for ESY services must take into account least restrictive environment considerations and be determined by the IEP team, using a multifaceted inquiry based on the following criteria: (1) retrospective data, such as past regression and the rate of recoupment, and (2) predictive data, when empirical data is not available, which may be proven by expert opinion based upon a professional individual assessment.

Transportation

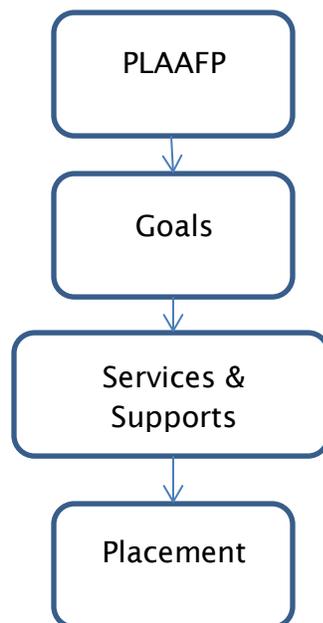
Schools must provide transportation as a related service if it is necessary to assist a child with a disability to benefit from special education. The determination of whether a child

needs transportation is to be made by the IEP team, taking into account whether the child's disability prevents the child from using the same transportation as nondisabled children, or from getting to school in the same manner as nondisabled students. It is presumed that most children do not require transportation as a related service, particularly if integrated transportation can be achieved by providing accommodations, such as lifts, or other equipment adaptations on regular school vehicles. If transportation is a required related service, the transportation arrangement must be clearly described in the IEP, and the service must be provided at no cost to the parent.

The IEP Process

In consideration of all the required IEP content, the development of an IEP is meant to follow a particular process wherein the team first examines what they currently know about a child's performance and educational needs. Using that knowledge the team can decide what goals are appropriate for the child. Based on the child's educational needs and appropriate goals, the IEP team can then determine the services, supports, and modifications that will assist the child in accessing the general curriculum and making progress toward annual goals.

Finally, knowing the child's strengths and needs, the goals he or she will work on, and the types and amounts of services and supports to be delivered, the team can determine what educational placement will provide the child with the least restrictive environment in which to access a free appropriate public education.



Delivery of Services

"I cannot emphasize enough the importance of a good teacher."

~ Temple Grandin

Specially Designed Instruction

Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability. "Specially designed instruction" means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to address the unique needs of the child that result from his or her disability, and to ensure the child access to the general curriculum so that he or she can meet the educational standards that apply to all children. Special education is meant to provide a child with a disability skills, techniques, and strategies designed with the unique needs resulting from their particular disabilities in mind and aimed at mitigating the effects of those disabilities. Specially designed instruction does not merely provide momentary access to information, but rather creates knowledge in a child with a disability by teaching a transferrable set of skills that can be used across settings and time.

Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, school nurse services designed to enable a child with a disability to receive a FAPE, early identification and assessment of disabilities in children, counseling services, including rehabilitative counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. The term also includes school health services, social work services in schools, and parent counseling and training. The term does not include a medical device that is surgically implanted or the maintenance or replacement of such a device.

Schools, teachers, and parents commonly misunderstand the difference between providing special education and providing accommodations. Accommodations are the provisions made to allow a student to access and demonstrate learning. Accommodations do not substantially change the instructional level, the content or the performance criteria, but are made in order to provide a student equal access to learning and equal opportunity to demonstrate what is known. Accommodations do not alter the content of the curriculum or a test, or provide inappropriate assistance to the student within the context of the test. Accommodations are task or situation dependent, whereas specially designed instruction should be portable and useful in mitigating the impact of the disability across all circumstances or in any situation.

Placement

Least Restrictive Environment

The IDEA's least restrictive environment (LRE) provision requires that, to the maximum extent appropriate, children with disabilities, including children in preschool, public or private institutions, or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. However, this does not mean that the LRE will be the same for every child with a disability. In each case, the IEP team must decide the most appropriate educational setting in which the child can receive a FAPE given his or her unique needs. The IEP team must determine which environment puts the least amount of restrictions on the child's opportunity to learn.

Additional rules regarding educational placement require that children with disabilities be educated as close to home as possible, and in the same school he or she would attend if not disabled, unless the IEP specifies some other arrangement. In a situation where a child will not participate fully with peers without disabilities, the IEP must include an explanation of why and to what extent.

Continuum

The law requires schools to ensure that there is a "continuum of alternative placements" available to meet the needs of students with disabilities who cannot be educated in the regular classroom for part or all of the school day. The *continuum* must be designed to ensure that there is an appropriate setting for each child with a disability, based on the child's specific needs, and includes general education classes, special education classes, special schools, home instruction, and instruction in hospitals or institutions. Ensuring the availability of this continuum does not require public agencies to have every possible placement option at all campuses, but rather these options may be available through locating students at other schools within the public agency, placement at private schools, or placement at other public agencies if such financial and logistical relationships exist. Lack of an appropriate placement within a given school does not eliminate a public agency's obligation to ensure a child is educated in his or her LRE.

The Placement Decision

The placement decision must be made by a group of people, including the parents and other people knowledgeable about the child, the meaning of the evaluation data, and the placement options. Placement is generally the last in a series of decisions, and occurs only after a child is evaluated and an IEP is developed. Thus, the appropriate goals, services, and supports should be determined before deciding where they will be provided. Placement must be reviewed annually and must be individually determined for the child based on the IEP goals and services to be provided rather than developing goals and services to "fit" the placement. Factors that may be considered in determining placements include the educational benefits to the child with a disability, the non-academic and social benefits to the child, and the degree of disruption that the child will cause to his or her

learning and the learning of others. Factors that may not be considered in determining placements include the child's category of disability, the severity of the disability, and the availability or cost of placements or special education and related services.

Procedural Safeguards

When Congress enacted the IDEA, they included a system of procedural safeguards to protect the rights of children with disabilities and their parents.

The IDEA requires that public schools provide written notice to parents that includes a full explanation of the procedural safeguards. This procedural safeguards notice (PSN) must be written in a manner that is easily understandable to the general public and must be written in the parent's native language or other mode of communication, unless it is clearly not feasible to do so. If the parent's native language or other mode of communication is not a written language, the school must take steps to ensure that the notice is translated orally and that the parent understands the content of the notice; the school must maintain written evidence that these steps were undertaken.

In accordance with IDEA, procedural safeguards shall be given to parents once a year and: (a) upon initial referral for evaluation by the school or parental request for an evaluation; (b) upon receipt of the first State administrative complaint and the first due process complaint in the school year; (c) when a school removes a student for disciplinary reasons and the removal constitutes a change of placement; and (d) upon request by the parent. The procedural safeguards notice must provide an explanation of the following topics:

- Independent educational evaluations (IEE)
- Prior written notice
- Parental consent
- Access to education records
- The opportunity to use the due process complaint system and the State complaint system, including the time period for filing a complaint, the opportunity for the school to resolve the complaint, and the difference between a due process complaint and a State complaint
- The availability of mediation
- A child's placement during the pendency of any due process complaint
- Procedures for students who are subject to placement in an interim alternative educational setting
- Requirements for unilateral placement by parents of children in private schools at public expense
- Due process hearings, appeals, civil actions, and attorneys' fees

Prior Written Notice

The IDEA requires schools to provide written notice to the parents of a child with a disability a reasonable time before the school *proposes* or *refuses* to initiate or change the identification, evaluation, educational placement of the child, or the provision of a free appropriate public education (FAPE) to the child. This notice, called a "prior written

notice” or “PWN” is provided to parents *prior* to the school acting on the proposals or refusals described in the notice.

A PWN must include the following content:

- 1) A description of the action proposed or refused by the school;
- 2) An explanation of why the school proposes or refuses to take the action;
- 3) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;
- 4) A statement that the parents of a child with a disability have protection under the procedural safeguards provided in the IDEA and how a copy of those procedural safeguards may be obtained;
- 5) Sources for parents to contact to obtain assistance in understanding the IDEA;
- 6) A description of other options considered by the IEP team and the reason why those options were rejected; and
- 7) A description of other factors relevant to the school’s proposal or refusal.

The notice must be written in language understandable to the general public and provided in the parent’s native language or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the parent’s native language or other mode of communication is not a written language, the school must take steps to ensure that the notice is translated orally and that the parent understands the content of the notice; the school must maintain written evidence that these steps were undertaken.

Schools must give parents PWN to document their proposals and refusals to initiate or change the identification, evaluation, educational placement, or provision of FAPE to the child.

- **Identification:** A PWN must be provided to the parents of a preschool or school-aged child who is *identified* through child find measures and referred by the school for an initial evaluation.
- **Evaluation:**
- Collection of additional data: Schools must provide PWN *before* collecting additional evaluation data. **OR** Schools must provide PWN refusing to collect additional data after the IEP team determines that no additional evaluation data is needed to complete the evaluation process.
- Eligibility: PWN must be provided after the IEP team has determined whether the child is or is not eligible as a child with a disability as this completes the evaluation process. This PWN would document either a school’s proposal to make the child eligible for special education or the school’s refusal to make the child eligible.
- **Educational placement:** Schools must provide PWN when there is a proposal or refusal to initiate or change a child’s educational placement, including:
 - Initial placement of a child into special education upon initial eligibility for special education and related services

- Exiting a child from special education altogether when the child's IEP team determines the child is no longer eligible as a child with a disability
 - Graduation from high school with a regular high school diploma
 - Disciplinary removals that constitute a change of placement
 - A decision about the educational placement of a child along the continuum of alternative placements
- **Free Appropriate Public Education (FAPE):** PWN must be provided when there is a proposal or refusal to initiate or change the provision of a FAPE, such as before implementation of the initial IEP, or before a revised IEP can be implemented. When an IEP team decides to add to, subtract from, or otherwise alter what constitutes a FAPE for a child, parents must be provided PWN documenting the resulting proposals and refusals.

**CITATIONS RELEVANT TO
STATE AND FEDERAL STATUTES,
REGULATIONS AND RULES**

Disability Categories: Arizona Revised Statutes (A.R.S.) § 15-761

Definition of FAPE: 20 United States Code (U.S.C.) § 1401(9);
34 Code of Federal Regulations (C.F.R.)
§ 300.17; A.R.S. § 15-764(A)(1)

The Role of the Parent

Definition of parent: 34 C.F.R. § 300.30; A.R.S. § 15-761(22)
Surrogate parent: A.R.S. § 15-763.01
Parent Participation: 34 C.F.R. § 300.322; 34 C.F.R. § 300.501(b)

Child Find: 20 U.S.C. § 1414(a)(1)(A); 34 C.F.R. § 300.111; Arizona
Administrative Code (A.A.C.) R7-2-401(D)

Evaluation: 20 U.S.C. § 1414; 34 C.F.R. §§ 300.301-306; A.A.C. R7-
2-401(E)

Evaluation timeline: 34 C.F.R. § 300.301(a);
A.A.C. R7-2-401(E)(3) and (4)

Consent for evaluation: 34 C.F.R. § 300.300(a)
Evaluation process: 34 C.F.R. §§ 300.304-311
IEE: 34 C.F.R. § 300.502

Consent for Services: 34 C.F.R. § 300.300(b)

Revocation of Consent: 34 C.F.R. § 300.300(b)(4)

IEP: 20 U.S.C. § 1414(d); 34 C.F.R. §§ 300.320-328
IEP team: 34 C.F.R. § 300.321
IEP meetings: 34 C.F.R. § 300.322; 34 C.F.R. § 300.328
IEP development: 34 C.F.R. § 300.324
ESY: 34 C.F.R. § 300.106; A.R.S. § 15-881;
A.A.C. R7-2-408

Delivery of Services

Special education: 20 U.S.C. § 1402(29); 34 C.F.R. § 300.39
Related services: 20 U.S.C. § 1402(26); 34 C.F.R. § 300.34
Accommodations: A.A.C. R7-2-401(B)(1)

Placement

Least Restrictive Environment: 34 C.F.R. § 300.114
Continuum of
alternative placements: 34 C.F.R. § 300.115
Placement decision: 34 C.F.R. § 300.116
Unilateral placements: 20 U.S.C. § 1412(a)(10)(C);
34 C.F.R. § 300.403;
Burlington Sch. Comm. V. Dep't of Educ., 471 U.S. 370
(1985)

Implementing the IEP: 34 C.F.R. § 300.323
Review/revision: 34 C.F.R. § 300.324(b); A.A.C. R7-2-401(G)(7)
Transfer students: 34 C.F.R. § 300.323(e); A.R.S. § 15-828(F)

**Procedural Safeguards
Notice:** 34 C.F.R. § 300.504

Prior Written Notice: 34 C.F.R. § 300.503

Identify the Conflict

Below are some scenarios that an IEP facilitator may encounter. As a team, read the scenario and then identify the root cause(s). From there, brainstorm possible solutions to these conflicts.

<p>Scenario 1 Lupita is a 5th grade student that requires assistive technology in order to communicate. Her parents have researched all options, and believe she needs the newest voice-generating AT device in order to maximize her IEP progress. This device costs approximately \$10,000. The school district feels that Lauren’s IEP goals can be met using a different AT device at a lower cost.</p>	<p>Root Cause(s):</p>
	<p>Possible Solutions:</p>

<p>Scenario 2 A father is upset because he believes that his son’s special education teacher does not care. He states that they made an agreement that weekly progress would be sent home, and this has not been done. He also feels that the special education teacher is negligent in that she does not always return his phone calls the same day.</p>	<p>Root Cause(s):</p>
	<p>Possible Solutions:</p>

<p>Scenario 3 Joshua is a student with numerous medical and emotional issues that sometimes requires his mother to come into school. School is not going well and frustration is mounting because his mother must work and cannot always come to school when she is needed and/or when she would like to.</p>	<p>Root Cause(s):</p>
	<p>Possible Solutions:</p>

<p>Scenario 4 Tim, the father of Donny, has a great deal of difficulty communicating with the school, particularly when his child is in trouble. He comes into school and attends meeting with an attitude, arms folded and says little. Privately he believes the school is picking on Donny. Tim had the same difficulties as a child and believes his school was to blame.</p>	Root Cause(s):
	Possible Solutions:

<p>Scenario 5 Helen’s teacher feels that Helen, a third grade student, gains valuable social skills when she participates in class meetings. Helen’s mother feels that school time should be spent learning math/reading/writing skills as she is behind. She wants Helen pulled out for individualized instruction during this class meeting time.</p>	Root Cause(s):
	Possible Solutions:

<p>Scenario 6 A father is convinced that his son can learn to read at grade level, and that the school has failed. Two separate ability tests given several years ago place his son’s IQ between the 2nd -5th percentile, leading the school to believe that grade level reading is most likely unrealistic. Father believes the test results are incorrect.</p>	Root Cause(s):
	Possible Solutions:

DISCOVERING YOUR STYLE

The proverbs listed below can be thought of as descriptions of some of the different strategies for resolving conflicts. Proverbs state traditional wisdom. These proverbs reflect traditional wisdom for resolving conflicts. Read each of the proverbs carefully. Use the scale below to indicate how typical each proverb is of your actions in a conflict.

5 = Very typical of the way I act in a conflict

4 = Frequently typical of the way I act in a conflict

3 = Sometimes typical of the way I act in a conflict

2 = Seldom typical of the way I act in a conflict

1 = Never typical of the way I act in a conflict

- _____ 1. It is easier to refrain than to retreat from a quarrel.
- _____ 2. If you cannot make a person think as you do, make him or her do as you think.
- _____ 3. Soft words win hard hearts.
- _____ 4. You scratch my back I'll scratch yours.
- _____ 5. Come now and let us reason together.
- _____ 6. When two quarrel, the person who keeps silent first is the most praiseworthy.
- _____ 7. Might overcome right.
- _____ 8. Smooth words make smooth ways.
- _____ 9. Better half a loaf than no bread at all.
- _____ 10. Truth lies in knowledge, not in majority opinion.
- _____ 11. He who fights and runs away lives to fight another day.
- _____ 12. He hath conquered well that hath made his enemies flee.
- _____ 13. Kill your enemies with kindness.
- _____ 14. A fair exchange brings no quarrel.
- _____ 15. A person has the final answer but every person has a piece to contribute.
- _____ 16. Stay away from people who disagree with you.
- _____ 17. Fields are won by those who believe in winning.
- _____ 18. Kind words are worth much and cost little.
- _____ 19. Tit for tat is fair play.
- _____ 20. Only the person who is willing to give up his monopoly on truth can ever profit from the truth that others hold.
- _____ 21. Avoid quarrelsome people as they will only make your life miserable.
- _____ 22. A person who will not flee will make others flee.
- _____ 23. Soft words insure harmony.
- _____ 24. One gift for another makes good friends.
- _____ 25. Bring your conflict into the open and face them directly; only then will the best solution be discovered.
- _____ 26. The best way of handling conflicts is to avoid them.

- _____ 27. Put your foot down where you mean to stand.
- _____ 28. Gentleness will triumph over anger.
- _____ 29. Getting part of what you want is better than not getting anything at all.
- _____ 30. Frankness, honesty, and trust will move mountains.
- _____ 31. There is nothing so important you have to fight for it.
- _____ 32. There are two kinds of people in the world, the winners and the losers.
- _____ 33. When one hits you with a stone, hit him or her with a piece of cotton.
- _____ 34. When both people give halfway, a fair settlement is achieved.
- _____ 35. By digging and digging, the truth is discovered.

CONFLICT STYLES SCORING KEY

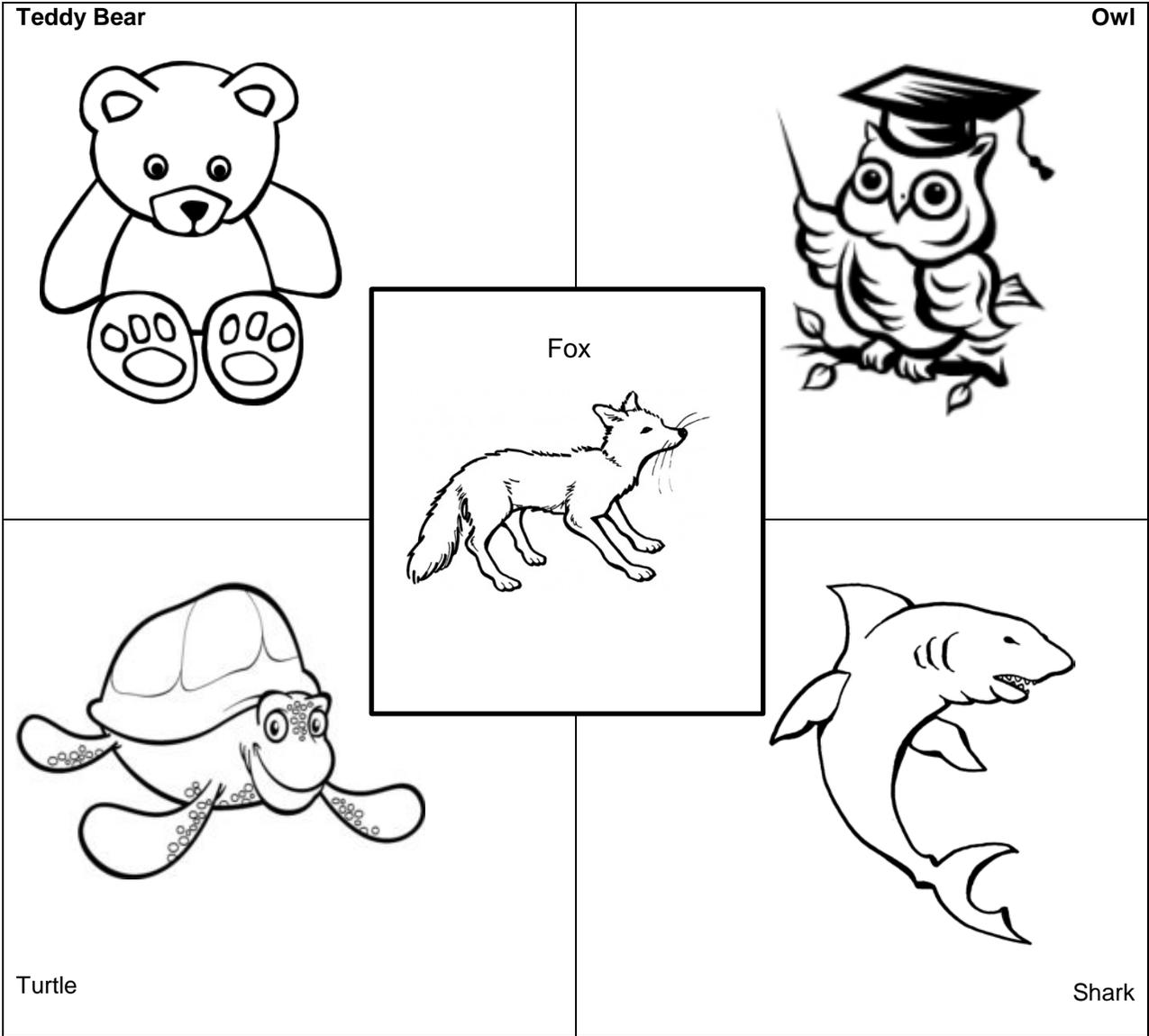
Turtle	Shark	Teddy Bear	Fox	Owl
1.	2.	3.	4.	5.
6.	7.	8.	9.	10.
11.	12.	13.	14.	15.
16.	17.	18.	19.	20.
21.	22.	23.	24.	25.
26.	27.	28.	29.	30.
31.	32.	33.	34.	35.
Total:	Total:	Total:	Total:	Total:

The higher the total score for each conflict style, the more you tend to use that style. The lower the total score for each conflict style, the less you tend to use that style.

High

Low

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Low

GOALS

High

From Reaching Out by David Johnson

CONFLICT STYLES

The Avoiding Turtle

Turtles withdraw into their shells to avoid conflicts. They give up their personal goals and relationships. They stay away from the issues over which the conflict is taking place and from the persons they are in conflict with. Turtles believe it is hopeless to try and resolve conflicts. They feel helpless. They believe it is easier to withdraw (physically and psychologically) from a conflict than to face it.

Turtles adopt an avoiding or withdrawing conflict management style. They would rather hide and ignore conflict than resolve it; this leads them to become uncooperative and unassertive. Turtles tend to give up personal goals and display passive behavior creating lose-lose situations.

The Controlling/Competing Shark

Sharks try to overpower opponents by forcing them to accept their solutions to the conflict. Their goals are highly important to them and relationships of minor importance. They seek to achieve their goals at all costs. They are not concerned with the needs of others. They do not care if others like or accept them. Sharks assume that conflicts are either won or lost and they want to be the winner. This gives them a sense of pride and achievement. Losing gives them a sense of weakness, inadequacy and failure. They try and win by attacking, overpowering, overwhelming and intimidating others.

Sharks are highly goal-oriented. Relationships take on a lower priority. Sharks do not hesitate to use aggressive behavior to resolve conflicts. Sharks can be autocratic, authoritative, and uncooperative; threatening and intimidating. Sharks have a need to win; therefore others must lose, creating win-lose situations.

The Accommodating Teddy Bear

To teddy bears, the relationship is of great importance while their own goals are of less importance. Teddy bears want to be accepted and liked by other people. They think that conflict should be avoided in favour of harmony. They feel that people cannot discuss conflict without damaging relationships. They are afraid that if a conflict continues, someone will get hurt and that could ruin the relationship. They give up their goals in order to preserve the relationship. They like to smooth things over.

Teddy bears use a smoothing or accommodating conflict management style with emphasis on human relationships. Teddy bears ignore their own goals and resolve conflict by giving into others; becoming unassertive and cooperative creating a win-lose (bear is loser) situation.

The Compromising Fox

Foxes are moderately concerned with their own goals and their relationships with others. They give up part of their own goals and are able to persuade others in a conflict to give up part of "theirs". They seek a conflict solution in which both sides gain something - the middle ground between two extreme positions. They compromise; they will give up a part of their goal and relationship in order to find agreement for the common good.

Foxes use a compromising conflict management style; concern is for goals and relationships. Foxes are willing to sacrifice some of their goals while persuading others to give up part of theirs. Compromise is assertive and the cooperative result is either win-lose or lose-lose.

The Collaborating Owl

Owls highly value their own goals and relationships. They view conflicts as problems to be solved and seek a solution that achieves both their own and the other person's goals. Owls see conflicts as a means of improving relationships by reducing tension between two people. They try to begin a discussion that identifies the conflict as a problem to be solved. By seeking solutions that satisfy everyone, owls maintain the relationship. They are not happy until a solution is found that both satisfies everyone's goals and resolves the tensions and negative feelings that may have been present. Owls use a collaborating or problem confronting conflict management style valuing their goals and relationships. Owls view conflicts as problems to be solved finding solutions agreeable to all sides (win-win).

Reflection

- In general, I would say I have chosen a conflict style that could be described as...

- I am best at handling conflicts that concern...

- I am least effective at handling conflicts that concern...

- The most helpful skills I bring to conflict resolution are...
- My responses to conflict would be more effective if I...

ACCOMMODATION

When to Practice:

- When one is wrong/other is right
- When there is a desire for harmony in the relationship
- When relationship is more important than the dispute
- When losses can be minimized
- When a party needs to “save face”
- When one wants leverage for future conflict

Disadvantages:

- Requires party to give something up
- Issues likely to remain unresolved
- Does not generate creative solutions
- Can cause frustration and/or resentment
- Creates a loss of influence in situation/relationship
- Can damage relationships
- Can foster competition over “niceness”

COMPETITION

When to Practice:

- When immediate and decisive action is necessary
- When the style will be rewarded
- When there is no relationship of value
- When the issue is more important than the relationship
- Where a party needs to prove commitment/strength
- When total victory is desired
- When competing can bring parties together/make both better

Disadvantages:

- Strains/damages relationships
- Requires that one/both/all are “losers” in conflict
- Conflict may escalate
- Less likely to use constructive approaches later
- May encourage covert actions
- Can lead to stalemates
- Creates resentment and/or desire for revenge

COMPROMISE

When to Practice:

- When a temporary solution is needed
- When parties are of equal power
- When parties wish to save time and energy
- When doing so “seems fair” to all parties

Disadvantages:

- Often leaves underlying issues unresolved
- Issue may become a recurring problem
- Parties required to give something up
- One/both/all parties may not be completely satisfied
- Becomes an easy way out of creative conflict resolution
- Leads to “position padding”

COLLABORATION

When to Practice:

- When the relationship is important
- When a mutually satisfying outcome is sought
- When both views/sides are too important to compromise
- When underlying issues need to be addressed
- When one wants to avoid destructive means for handling conflict
- When new and creative solutions are desired

Disadvantages:

- Takes more time and energy
- Requires both parties to be committed to the process
- Makes a party appear unreasonable if he/she later decides against collaboration
- A collaborative party may appear weak to an aggressive party

From Reaching Out by David Johnson

SPECIAL EDUCATION ACRONYMS

A	Autism	CFT	Child Family Team
AAC	Arizona Administrative Code (State Regulations)	CP	Cerebral Palsy
AAS	Arizona Academic Standards	CPS	Child Protective Services
ACTT	Arizona Community Transition Team	CRS	Children's Rehabilitative Services
ADA	Americans with Disabilities Act	CSPD	Comprehensive System of Personnel Development
ADD	Attention Deficit Disorder	CST	Child Study Team
ADE	Arizona Department of Education	CTE	Career and Technical Education
ADHD	Attention Deficit Hyperactivity Disorder	DD	Developmental Delay
ADJC	Arizona Department of Juvenile Corrections	DDD	Division of Developmental Disabilities
ADOC	Arizona Department of Corrections	DES	Department of Economic Security
AHCCCS	Arizona Health Care Cost Containment System	DHS	Department of Health Services
AIMS	Arizona Instrument to Measure Standards	DOC	Department of Corrections
AIMS-A	Arizona Instrument to Measure Standards Alternate	DOR	District of Residence
APR	Annual Performance Report	DSM-IV	Diagnostic and Statistical Manual of Mental Disorders-IV
ARS	Arizona Revised Statutes	ED	Emotional Disability
ASBA	Arizona School Boards Association	EDP	Emotional Disability, Private School
ASDB	Arizona State Schools for the Deaf and Blind	ELL	English Language Learner
ASVAB	Armed Services Vocational Aptitude Battery	ESS	Exceptional Student Services
AT	Assistive Technology	ESY	Extended School Year
AYP	Adequate Yearly Progress	FAPE	Free Appropriate Public Education
AzEIP	Arizona Early Intervention Program	FBA	Functional Behavioral Assessment
AZELLA	Arizona English Language Learner Assessment	FEOG	Full Educational Opportunity Goal
AZ LEARNS	Arizona Leading Education through the Accountability and Results Notification System	FERPA	Family Educational Rights and Privacy Act
AZ READS	Arizona Readiness, Early Diagnosis and Intervention, Accountability, Development of Teacher Expertise, Support	GATE	Gifted and Talented Education
BHS	Behavioral Health Services	HI	Hearing Impairment
BIP	Behavior Intervention Plan	IAES	Interim Alternative Educational Setting
CAI	Computer Assisted Instruction	ID	Intellectual Disability
CASA	Court Appointed Special Advocate	IDEA	Individuals with Disabilities Education Act
CBI	Community Based Instruction	IEE	Independent Educational Evaluation
CEC	Council for Exceptional Children	IEP	Individualized Education Program
CFR	Code of Federal Regulations	IFSP	Individualized Family Service Plan
		IQ	Intelligence Quotient
		LD	Learning Disability
		LEA	Local Education Agency
		LEP	Limited English Proficient
		LRE	Least Restrictive Environment
		MD	Multiple Disabilities
		MDSSI	Multiple Disabilities with Severe Sensory Impairment
		MET	Multidisciplinary Evaluation Team
		MID	Mild Intellectual Disability
		MIPS	Medicaid in the Public Schools

MOID	Moderate Intellectual Disability	RBHA	Regional Behavioral Health Authority
MPG	Measureable Postsecondary Goal	RED	Review of Existing Data
MS	Multiple Sclerosis	RSA	Rehabilitation Services Administration
MSW	Master of Social Work	RSK	Raising Special Kids
NASN	National Association of School Nurses	RTC	Residential Treatment Center
NASP	National Association of School Psychologists	RTI	Response to Intervention
NCLB	No Child Left Behind	SAIS	Student Accountability Information System
NIMAC	National Instructional Materials Access Center	SEA	State Education Agency
NIMAS	National Instructional Materials Accessibility Standard	SEI	Sheltered English Immersion
NRT	Norm Referenced Test	SELECT	Special Education Learning Experiences for Competency in Teaching
OCR	Office of Civil Rights	SI	Sensory Integration
OJT	On-the-Job Training	SID	Severe Intellectual Disability
OI	Orthopedic Impairment	SLD	Specific Learning Disability
OHI	Other Health Impairment	SLI	Speech Language Impairment
O & M	Orientation and Mobility	SLP	Speech Language Pathologist
OSEP	Office of Special Education Programs	SLT	Speech Language Technician
OSERS	Office of Special Education and Rehabilitative Services	SPP	State Performance Plan
OT	Occupational Therapy	SSDI	Social Security Disability Insurance
OTR	Occupational Therapist, Registered	SSI	Supplemental Security Income
PBIS	Positive Behavioral Interventions and Supports	SST	Student Study Team
PEA	Public Education Agency (including Charter schools)	TA	Technical Assistance
PHLOTE	Primary Home Language Other than English	TBI	Traumatic Brain Injury
PLAAFP	Present Level of Academic Achievement and Functional Performance	USC	United States Code
PMD	Progress Monitoring Data	USDOE	United States Department of Education
PSD	Preschool Severe Delay	VI	Visual Impairment
PSN	Procedural Safeguard's Notice (parent's rights)	VMI	Visual Motor Integration
PT	Physical Therapy	VR	Vocational Rehabilitation
PTI	Parent Training and Information Center (Raising Special Kids)		
PWN	Prior Written Notice		

CHECK YOUR ATTITUDE WHEN WORKING WITH DIFFICULT BEHAVIORS

1. It is “difficult behaviors” not “difficult people.” People may be willing to change their behavior, but not who they are.
2. All behavior is purposeful and designed to meet a legitimate need. The needs are not always evident from the behavior.
3. The more we resist difficult behavior, the more likely they are to continue. That which we resist, persists.
4. The more we acknowledge the legitimacy of needs, the more the difficult behaviors are likely to diminish.
5. Not coming to an agreement is not a “difficult behavior.”
6. Most difficult behaviors are based on the emotion of fear.

*(Adapted from the State of Arizona Office of the Attorney General
Basic Mediation Training manual)*

HANDLING DIFFICULT SITUATIONS

Breaking guidelines for respectful communication:

- Acknowledge the person's feelings to let them know they have been heard, and then remind them of the ground rules.
- Get a recommitment to the ground rules and explain the importance of the rules to this process.
- Take a break and caucus with the violator to let them vent their feelings and find out more about their inability to follow the ground rules.
- If the behavior continues, remind more firmly or warn that the IEP meeting will need to be stopped if the ground rules are not followed.
- End the IEP meeting if necessary.

Intense emotions:

- Acknowledge the emotion ("I can see that you are very angry about this..")
- Ask for a short break.
- Let them know that feelings are ok and encouraged but certain behaviors are not acceptable in the IEP meeting.
- Ask them a factual question.
- Remain calm and steady, pause, use silence, lower your voice, proximity

Non-stop talkers:

- Gently interrupt them and summarize their key points or bring them back to the issue.
- Instead of asking questions, summarize what has been said.
- Validate their strengths as a talker, but ask them to keep their comments short.
- Set time limits for all IEP team members to talk.

Quiet people:

- With a calm voice, ask them lots of neutral questions.
- Give them room to think and then talk.
- Help to empower them. Don't let the non-stop talker overpower them.

Blamers:

- Reframe their complaints into wants.
- Continue to refocus the discussion on the present rather than the past.
- Remind them that they now have the opportunity to work on the problem together.

Cultural and value differences:

- Watch that your own expectations and values don't get in the way.
- Restate the problems in neutral terms and clarify what person really means.
- Acknowledge that there are differences and see if they are willing to find a solution.
- Try to have a facilitator or team member who is from the same culture or value system as the parent.
- Ask why things are important to them; look for higher, common interests.
- Don't assume you understand what someone means- always ask for clarification.

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