100th Anniversary of School Social Work Conference

*From Charcoal to Diamonds: The Essentials of Managing Conflict and Negotiating Agreements*

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Coal, Graphite or Diamonds?
Let’s find out...

Thomas-Kilmann Conflict Mode Assessment Instrument
The Five Conflict Handling Modes

- Controlling
- Collaborating
- Compromising
- Avoiding
- Accommodating

Source: Thomas-Kilmann Conflict Mode Instrument
Avoiding

- Unassertive and uncooperative
- Do not pursue your own concerns or those of other(s)
- Don’t address the conflict
- Sidestep, postpone, or withdraw from the issue for the present time
Avoiding – When to Use

- When the potential danger or damage outweighs the benefits of resolution
- When more time is needed to collect information
- When emotions need to cool down
Accommodating

- Focuses on relationship needs
- Sacrifice your own personal goals to satisfy the concerns of the other(s)
- Yield to another point of view
Accommodating – When to Use

- To preserve harmony and avoid disruption
- To achieve temporary settlement
- To arrive at quick solutions under pressure
- When the relationship is the most important goal
Controlling

- Power oriented
- Pursue own ends without agreement of others
- Achieving one’s personal goals paramount
- Results in win-lose or lose-win

Relationship Goals

Personal Goals
Controlling – When to Use

- In emergencies
- When unpopular actions must be implemented
- When your family or organization’s welfare is at stake
- When your authority and responsibility are unquestionable
Compromising

- Objective to find expedient, mutually acceptable alternative
- Both parties give up something
- Exchanging concessions - splitting the difference
- Quick middle position
Compromising – When to Use

• When two parties of equal power are strongly committed to mutually exclusive goals
• To achieve temporary settlements to complex issues
• To arrive at quick solutions under pressure
• When the goals of each party are of moderate importance and collaboration isn’t worth the time required
Collaborating

• Personal goals and relationship goals are of equal importance/value
• Seeks win-win outcomes using advanced skills and strategies
• Want to find a solution that fully satisfies needs and concerns of both people
• Involves time commitment in identifying concerns of each person and finding alternatives that meet both sets of needs
Collaborating – When to Use

- When both the issues at hand and the relationship are important
- When the parties are relatively equal in status and power – or the more equal or powerful party supports a win-win collaborative solution
- When the parties are inter-dependent upon one another to implement the solution
- When both sets of goals are too important to compromise
- You have enough time and are willing to take the time necessary
- When the quality of the decision is critical
- To gain commitment and acceptance through consensus
The Five Conflict Handling Modes

- Controlling
- Avoiding
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Source: Thomas-Kilmann Conflict Mode Instrument
Listening
“Listening is probably the most cost effective element of a conflict management system.”

Mary Rowe
Characteristics of Good Listening

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

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

Dignity and Respect
The Chinese characters that make up the verb “to listen” tell us something about this skill.
Listening $\Rightarrow$ Problem Solving

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

- The HEART of listening is:
  EMPATHY, CARING & RESPECT
- Main rule:
  KEEP THE FOCUS ON THE OTHER
The Three Basic Skill Clusters for Reflective Listening Are:

- Attending Skills
- Following Skills
- Responding Skills
Attending Skills:

- Posture
- Contact (distance, eyes, touch)
- Gestures
- Environment
- Interested Silence
Following Skills

- Door-Openers
- Acknowledgement Responses
- Open-Ended Questions
Responding Skills

- Reflecting Content
- Reflecting Feeling
- Reflecting Meaning
  (Content linked with feeling)
- Summarizing
Certain Responses …

- Derail the conversation
- Take the focus off the other
- Block the other from finding a solution
- Lower the other’s self-esteem
- Distance yourself from the other
- Diminish the other’s motivation
High Risk Responses

- Sending Solutions
  - Ordering
  - Threatening
  - Moralizing
  - Advising
  - Logically Arguing
  - Questioning

- Evaluating
  - Judging
  - Praising
  - Diagnosing
  - Name-Calling

- Withdrawing
  - Reassuring
  - Diverting

Takes the focus off the other person
Listening is a disciplined skill

You can’t do two things at once if one of them is listening.
Positions & Interests
Positions & Interests

Position
Specific solution proposed to resolve problem - the “WHAT”

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

Psychological

Substantive

Procedural
Sample Positions:

- “The target level for appropriate interactions in my classroom must remain at 50%.”
- “We want an ASL interpreter in that English Lit class.”
- “I demand an apology now!”
- “Rob has a right to a full time instructional assistant next term”
Finding the Interests

**Position**: One party’s solution to the problem/situation.
Often a self-serving solution

**Issue**: Elements or subject matter of the problem.
Elements at issue between the parties that must be negotiated in order to reach agreement.

**Interest**: Factors that motivate/drive parties to reach agreement and take positions.
Interests underlie positions in that the parties’ positions are intended to meet and/or address their interests (hopes, wants, needs, fears, concerns)

Finding the Interests

Question, question, question...

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

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

- Aims not to change the other person, but to change negotiation behavior
- Separates the people from the problem
- Soft on people, hard on problem
- Shifts from "your position versus mine" to "you and I versus the problem"
- Shifts from "position-taking" to "perspective-taking"
- Holds that Interests are a truer measure of negotiation goals than Positions.
- 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
Facilitating IEP Meetings
Approaches to Facilitation
Goal of the Process

Issue Identification

Communication  Settlement

Relational Transformation
Approaches to Facilitation
Criteria for Decision-Making

Cost – Benefit, Etc.

Interests

Rights

Power
Approaches to Facilitation

Goal of the Process

Facilitator  

Transformation  

Evaluator
Meeting Functions

- **Participation:**
  - Contributing information, ideas and suggestions
  - Discussing the issues, asking questions and advocating

- **Process Management:**
  - Setting and following an agenda
  - Process agreements
  - Keeping people focused on the task
  - Encouraging participation

Adapted from JDL & Associates
Meeting Functions

- Information Management:
  - Organizing and recording information
  - Documenting agreements appropriately

- Decision Making:
  - Clarifying options
  - Analyzing possible solutions
  - Making decisions by consensus

Adapted from JDL & Associates
Some Prevention Activities

- At the beginning:
  - Getting agreement on outcomes, agenda, roles, decision-making (consensus), ground rules

- During the meeting:
  - Making process suggestions
  - Getting process agreements
  - Clarify information through listening
  - Providing feedback
  - Elicit interests
  - Generating participation
  - Managing conflict

Adapted from JDL & Associates
TESTED TIPS FOR IEP MEETINGS:
What IEP Conveners Can Do (Pre-Meeting)

- Explain crucial nature of each team member’s involvement and what will happen at the meeting
- Schedule convenient time and location, and ample time for meeting
- Invite team members to review relevant documents prior to meeting and observe student
TESTED TIPS FOR IEP MEETINGS:
What IEP Conveners Can Do (During Meeting)

- Make team members feel welcome
  - Greet at door
  - Perhaps a cold or hot beverage?
  - Same size chairs for everyone
  - Brief pre-meeting chit-chat and acclimatization
- Everyone introduce themselves and explain why they are there
  - Everyone be addressed with the same degree of formality
- Speak in clear, plain language – avoid jargon and discipline-specific terminology
- Have copies of specific materials available that are referred to
TESTED TIPS FOR IEP MEETINGS:
What IEP Conveners Can Do (During Meeting)

- Focus on the child’s individualized needs - not the program, classroom, or resource limitations
- Listen carefully
- Maintain confidentiality - don’t discuss other students
- Don’t hurry
- Be willing to say “I don’t know”
- Involve student for at least a portion of the meeting if they can contribute and always if 18 or over
TESTED TIPS FOR IEP MEETINGS: What IEP Conveners Can Do (Post-Meeting)

- Review and evaluate
  - What worked
  - What didn’t
  - Incorporate improvements into future meetings
  - Consider building meeting tip file for each child - sources of anger, joy etc.

- Send home thank you note
For more information, contact

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

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The IDEA Partnerships
www.ideapartnership.org