

A CADRE Webinar
Moving Research to Practice: Lessons Learned Regarding Meaningful Home-School
Collaboration
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Transcript

MARSHALL PETER: ...be getting started. So, hello and thank you for joining CADRE's webinar on Moving Research to Practice: Lessons Learned Regarding Meaningful Home-School Collaboration. I'm Marshall Peter, the director of CADRE and want to welcome you to what is one in a continuing series of CADRE Webinars. Our presenter today is Dr. Tracy Gershwin Mueller. Dr. Mueller is an associate professor at the University of Northern Colorado. Tracy specializes in interventions for children and youth with challenging behaviors, family-school partnerships, and appropriate dispute resolution in special education. Tracy's research and practice focuses on identifying conflict resolution strategies that empower educational team members and maintain the parent-school partnership. Tracy has been a frequent collaborator with CADRE and we have been consistently impressed by the very high quality of her work. And so, then I'll just turn it right over to you, Tracy, take it away.

DR. TRACY GERSHWIN MUELLER: Wonderful. Well, how is my sound to everyone right now? Before I get started.

MARSHALL PETER: It's perfect.

DR. TRACY GERSHWIN MUELLER: Okay. Great. Well, I just want to thank CADRE for the opportunity to present this webinar and I want to welcome everyone who's here to join us to talk about meaningful home-school collaboration. This is a topic that's very important to me as well as a lot of those of you who are out there, educators and parents. When I talk with you about the -- when I talk with you about Moving Research to Practice, I'm going to be talking about both the letter and the spirit of the Individuals with Disabilities Education Act. I think one of the most important things to emphasize before we get started is that while the letter of the law encourages parent and teacher collaboration and the school team working together for positive student outcomes, the spirit of the law is very much that there's a working

collaborative partnership with mutual goals, ongoing communication, and a really -- a really good cohesive approach towards meeting the student's academic behavioral and social needs. So one of the most important things to keep that at the forefront of the mind is not just the letter of law but really what the spirit of it is all about. So I'll be talking a lot about that. The goals for today are really simply -- first, talking about what meaningful home-school collaboration is. We're going to talk about some of the definitions and what some of the characteristics are when you look at a meaningful home-school partnership. I'm also going to talk with you about the current status of special education due process trends. We're using a lot of the reactive measures to see and identify how satisfied parents and districts are with the system in general, is it working? We're going to be looking at some of the trends and some of the research I have looked at with respect to identifying what sources tend to push parents and districts into potential conflict so we can look at proactive measures. So, on that note, I'll also be reviewing research I've done and others have done about conflict prevention and appropriate dispute resolution that's beyond the IDEA's formal measures, again, keeping in mind the spirit of IDEA so that we can have a meaningful partnership. And most importantly, I think what a lot of people really want is practical strategies. Tools and techniques they can take with them to bring to their local education agencies, their state departments, their teachers, their parents, educational teams that can actually utilize all of this research that we've done and put it into practice so we can have those meaningful home-school collaborative partnership. I'd like to tell a little bit about my back-story before I get into this because I think it's important to understand where we're all coming from. And so by nature, by training, I was a special education teacher and I actually really wanted to stay in the classroom teaching students and I still very much value that aspect. But while I was a teacher, I came upon -- I worked in a district in California, a very large district that was rife with conflict. And so, I saw a lot of the divide that was happening between parents and district members and losing that partnership. So, that's why I've gone on to research parent-school partnerships looking at maintaining that relationship and alternatives to conflict. I've also had a chance to put on the parent hat a little bit while I've worked with families a great deal helping their children with challenging behaviors and I've talked and researched a lot with families. So, I continue to put

on my educator and my parent hat while I talk with all of you about bridging that meaningful home-school collaboration because it's important to talk about -- and understand both perspectives. So, I just wanted to give a little back-story with that. So, what does collaboration truly mean? It's really interesting because this is a word that we use an awful lot. And in my field, in my -- in my current position, I'm a teacher educator. I help prepare special education teachers and we use the word collaboration a lot. But when we ask teachers and educators and all the like what collaboration is, a lot of people have a really hard time defining what it truly means. Cook and Friend did a really good job, and that's why I have this slide up here, defining what collaboration is and what they described it as is "mutual goals; parity; shared responsibility for key decisions; shared accountability for outcomes; shared resources; and the development of trust respect, and a sense of community." Now, when we look at meaningful home-school collaboration, we're going to look at a different aspect of it. And in my research and in some other research that I've read and done, we found that there's a lot of different characteristics of what makes meaningful home-school collaboration. And almost every qualitative -- and actually in all qualitative research I've done with families and district members and notes that I've read, the word trust comes up every time. Trust is an important aspect of that partnership. Parents are entrusting in a district that they're maintaining the welfare of their child and the district is trusting in the parent that they -- that they can believe in what they're doing and that they can have that continuity between the home and the school when working with that child. Another area that's really important is an awareness of each other's perspective. And I'm going to talk a little bit about that in the next coming slides about the different perspectives between educators and parents. Ongoing communication is an essential component. Next to trust, communication is the second most important word that comes up very often and it's often what's lost when we have potential dispute between parents and district members. Shared decision-making is very important aspect of this. This is when the team recognizes what each person brings to the table; parents, district members, anyone who's involved in the child's life to be involved in that decision-making to understand how to meet the child's needs academically, behaviorally, and socially across all environments the child encounters. Not just in the school, in the home, but also in the community. Mutual goals and

being aware of what those mutual goals are. Making sure that all of the team members understand where each other's coming from and what it is that we'd like to achieve when we're getting together to talk about the student's needs. Realistic expectations is another one that comes up a lot. I often hear a lot of district members when talking about potential issues of dispute between -- with families, talking about the difference between realistic and unrealistic expectations and it also goes the other way. I think that district members and parents should both understand that each other -- each perspective have their own expectations and identifying what is realistic for the other to be able to bring to the table. Always keeping the focus on the child. A true home-school collaborative partnership always has that child at the very center of every single discussion. When we're talking about services needed, design of services, delivery of services, if it could -- if it's a certain -- particular strategy we want, it should always go back to the child. We're always talking about the child's needs. We're not necessarily talking about the service. We're talking about the needs and then we're talking about how we can meet those needs and then we'll talk about different services. So always making sure we've got that focus there which is the child. A level playing field, this is a very interesting concept for those of you who are not aware of this, but it comes up an awful lot when we look at dispute resolution in special education. And there's potentially quite an imbalance that can very well happen when we look at the home-school collaborative partnership and that imbalance could simply be numbers. When we look at team members at a meeting or in any kind of a collaborative conversation, oftentimes there's an awful lot of educators involved in the child's life. There's -- in special education, we have a lot of related service personnel. We've got different aspects of the teachers. We've got administrators, coordinators. We've got family members. And so, there's a lot of people that are at the table. And oftentimes, when we're all at those meetings or when we're involved in conversations, the playing field so to speak can become unlevelled. In other words, it could be much more higher on the numbers on the school side and less on the family side. And it's not necessarily the numbers. Sometimes even in the sheer what would be considered power of resources or knowledge or ability can really make things seem unlevelled. So, one of really important thing is maintaining that level so that all members of the team feel like they're equal members of that

team. And I'll talk more about that as we move on. So when we talk about the two parties, and I mentioned earlier these different perspectives, one thing that was very much an aha moment in some of my earlier research was when I really thought about parents and school members and really thought, "Why are we coming to conflicts? Why are we having issues?" And sometimes it could be very simply sitting back and thinking first when we talk about maintaining this partnership, understanding that we've got two very unique perspectives at the table. And when I say at the table I'm, you know, I'm being metaphor -- I'm using a metaphor, we're not always at the IEP table it should always be an ongoing process but very many times -- very often the conversations happen at the IEP table. So I'll be referring to that quite a bit. But when we look at who's really at the table, we've got or we're looking at these different dynamic with parent-school partnerships. We've got the parents who are always -- who are often always thinking about their child. As a parent, you want to know that your child's academic and behavioral and social success is going to happen. Parents worry long term questions like, "Who will care for my child? Will they be successful? What if I'm not around? What about when I'm not around, who is going to be there for my child?" And so parents are continuously coming to the table asking questions about their child. Meanwhile, when we've got school members at the table, although they're always thinking about that child as well they're also thinking about district level issues. They're worrying about their district, their school, their staff, and all student successes. We know that we always need to keep the individual in the individualized education plan, however, district members in that partnership are thinking about the bigger picture. And so, one of the most important things we need to consider when we're thinking about meaningful home-school collaboration is acknowledging these two very different perspectives and really understanding that this does exist. And let's not kid ourselves and think we're all here thinking about only one specific topic. We are but at the same time we've got other issues on our plate. And so, that's something to be very aware of and think about. If district members ever want to understand and have a good idea of the parent perspective, there's a lot of resources out there about parent experiences. And there's a beautiful poem written called "Welcome to Holland" -- if you've never heard of that -- written by Emily Kingsley. And in that, she talks about the perspective of finding out your child has a disability.

So understanding these two different perspectives can be incredibly informative for that meaningful parent-school partnership. And although these two different perspectives exist, we still have one common interest when we come together and that is the student. And so always acknowledging this at the center of the discussion is a very meaningful aspect of that partnership. Conflict happens. Conflict is inevitable in many cases. Issues of disagreement are likely to occur with any partnership. Understanding this is likely can be perhaps one of the greatest proactive strategies we can have when looking toward a meaningful home-school partnership. Understanding it's okay to disagree. It's okay to have a difference of opinion and it -- and it can be a welcome to a conversation where other people are able to share their perspective. Most people, however, have never formally been taught how to deal with conflict. If you all think about your own life, not many people although, actually the majority of you in this session are probably -- have been formally taught about conflict, but if you think about the layperson out there, someone who might not be involved in this type of work, most people don't learn about conflict. Most people don't take classes and don't necessarily -- we don't necessarily address it in our schools beyond the typical conflict resolution at the very level -- not very -- at a very simple level, I should say. And so, what that means is most people, parents and district members alike, when they come to an issue of disagreement, have their own ways of reacting. And this means that sometimes we react according to the way we've been raised or what we've observed. And some people welcome conflict. Some people embrace it and like it and find it as a really great time for meaningful dialogue and discussion about options and ideas. Well, other people might be really fearful of it and it might produce a lot of anxiety or emotional responses. The definition of conflict -- Folger, Poole, and Stutman -- did a very nice job of defining it as interdependent people who perceive incompatible goals and interference from each other in achieving these goals. Essentially, we're coming together, we've got a goal in mind, and we're not necessarily agreeing on it. And this is what tends to happen very often when it comes to disputes between family and district members. I like to put the idea of definition of conflict out there to talk about it because I think it's important in order to understand strategies that are proactive and that we can use to build that partnership. We need to understand that conflict might happen and it's very likely and it's really acknowledging

that first and then knowing what to do with it that that can make a big difference. So with that, knowing that conflict is likely to happen, the Congress recognized that during the original creation of IDEA. And what we have now currently is four conflict resolution options according to IDEA. Those are state complaints, mediation, the resolution process, and due process hearings. We do know that all of these are reactive in nature, meaning they don't take place until an issue or dispute comes to play. And that's okay because what we needed -- what need is we do need to have a structure that families and district members are aware of that can help potentially to resolve -- to resolve these issues. Now, mediation was added in '97 because Congress recognized that due process was starting to become overly used and, I think, misunderstood. And so recognizing and acknowledging that mediation is a very positive and productive tool for resolving issues of dispute, we added that to IDEA. And it's still optional and that's for good reason. I believe that it's been added as optional because sometimes when things are mandatory, we kind of lose the flavor of the intent and the intent of mediation is to get two parties together who are in a disagreement or have some type of conflict and have a facilitator who's trained and skilled mediation strategies who can help them work through that issue of dispute. One or two potential -- there are some drawbacks to mediation -- is that it is reactive in nature and in some areas, their states or local education agencies do not offer mediation unless there's already been a file for a due process or until there's been a very grave issue of dispute has been produced. And the reason why that's potentially an obstacle is because oftentimes by the time you get to really intense levels of filing for due process, it's very difficult to actually come to the table and find a resolution that everyone can be satisfied with because there's a lot of emotions involved at that point. Mediation also has some drawbacks because mediators themselves vary in terms of their training and qualifications. They have their own definitions and requirements for someone who can be a trained mediator, so that can be an issue. And then -- and finally lawyers can be present. And although attorneys are incredibly helpful in some cases, sometimes if a lawyer is present -- what I should say is the lawyer could be present for one party and not the other. There could be that unlevelled playing field we talked about, which can make things a little bit difficult. The resolution process was added in 2004. That's the most recent one. Resolution meetings are a last resort potentially

before due process hearing takes place for everyone to get together to discuss how to come to potentially a resolution before the due process hearings. It's a good -- anytime we are bringing everyone together to try to resolve issues of disputes to talk it out is a good thing, so it can be very helpful. Some drawbacks to that is that it does not specifically lack any kind of structure. Meaning, you know, IDEA is very ambiguous as to how that meeting should look. And it's not confidential, so that might deter some people in fully disclosing information that they want to discuss and share as opposed to mediation that can be confidential. However, all lawyers -- if one side of the team has a lawyer, if the district has a lawyer then the parents should have a lawyer. And so, that helps keep some of that balance as well with the resolution hearings. All of these formal dispute resolution options are -- they're unavailable for good reason. However, we do know that there are some proactive strategies that could help as well beyond these. So just to briefly talk about the due process here in pitfalls, much of my research is about avoiding due process. Due process is available for a reason and I like to always say -- I'm not saying that due process should never occur. I think that there are some cases where there is a legitimate need for -- where the team is really having a hard time identifying issues and agreement. And in that case, a person might need to be involved to help them resolve that issue. We've been able to unpack some of the ambiguity of IDEA through case law that's gone through due process hearing. So, it is available for good reason, however, it should be a last resort because it can destroy that partnership. It can end that effective communication. Oftentimes, we see a power struggle. Trust is lost. Excessive costs take place. The US School Districts spent roughly \$146 million in the 1999-2000 school year on mediation, due process, and litigation. Due process hearings range between \$2,000 and 200 -- \$12,000 per case. The average research by Daggett found that the average case is about \$95,000. That's a lot of money. That's a lot of money that I feel could be used in terms of building our practices to avoid that litigation that could go back towards the students and the staff. And then, you know, anyone who's ever been involved in litigation knows the excessive amount of time and stress than can happen with that. Most importantly, we often lose sight of our common goal which is meeting the needs of that student, not to say that anyone does it on purpose but it can very easily happen through all of the paperwork and all of the issues that can happen with that. So with that being said, this is

an ongoing issue and CADRE is great for putting on webinars like this to talk about maintaining the parent-school partnership and looking at alternative ways to resolve those issues of dispute when they do come up. IDEA Reauthorization is coming up and on that laundry list we've got dispute resolution already at the top. In fact, the American Association of School Administrators recently published a position paper. Sasha Pudelski published it and she talked about rethinking current IDEA dispute resolution practices referring to due process as inequitable and unpopular, and proposing other practices such as I -- facilitated IEPs independent special education consultant panels. People are already starting to talk. Responses to this paper included a proliferation of conversations among researchers, advocacy groups and educators. Everyone started talking and it was a good thing because it's nice to see people are talking about this. And people are realizing that it's not necessary that we need to revitalize IDEA dispute resolution, but that dispute between parents and schools is an issue that's of concern and we want to find ways to maintain that partnership. Parent experiences with the Special Education System are another issue that we need to look out when we look at that meaningful school partnership. When we talk about having that parent-school collaboration, we need to understand what parents are feeling and what district members are feeling. There has been over 20 years of research about parent experiences with special education and it's continuously saying the same thing. We know that the Special Education system is daunting. There's a lot of jargon. I talked about that unequal leveled playing field, lot of paperwork. It can be very confusing and incredibly formal. In a recent study that I did with fathers of children with disabilities, I talked with them about their experiences with special education and the system. And this was a very recent study and the dads said all the same things that we've been hearing about for over 20 years about the special education system. We've also learned something different from these dads. They talked about feeling like the odd man out. The metaphor was used over and over where these fathers shared experiences where although they were at the team meetings or involved in parents and school meetings or any kind of communication with teachers, they still felt that educators look toward their wives or the mothers of the children involved and then kind of look at them as an odd person on that team and didn't quite know how to involve that, so I'd like you to keep that in the back of your

minds as we continue to talk about meaningful school partnerships because one thing that's really very important to think about is that families are different these days. We've got the -- the dad -- the father role is very much involved as opposed to what used to be looked at to how dads have been labeled in your past as primarily the breadwinner. Much research on gender roles looks at fathers in that aspect, but we've got fathers actively involved. We've also got a lot of grandparents who are now raising students with disabilities. We've got young parents who are teenage, who have their children in their teenage years. There's a lot of different family dynamics that teams need to be aware of and consider when we're -- when we're communicating with them to understand that there's different cultural dynamics as well when we include them. Just to briefly talk about that parent experience, one thing we know for sure is that parents, their education on having a child with a disability or their involvement can vary greatly according to the district or the state. The one thing we know all parents are to be provided with according to IDEA is those procedural safeguards. So a very interesting study conducted by Fitzgerald and Watkins in 2006 analyzed due procedural safeguards and found that four to eight percent were written at or below the recommended seventh to eighth grade reading level, much were at a college level. That's something to consider when we talk about those different family dynamics. And I didn't even mention the difference with culturally linguistically diverse families as well. The safeguards contained six or eight point written font and a very small number actually had frequently asked questions. So what we know with the roadmap for many parents is very confusing. This is a little humor, but it's sadly kind of true. This is just a cartoon that says, "I'm not sure why Mr. Barth always feels compelled to bring advocate to an IEP meeting because he's incredibly outnumbered with that team in front of him. And unfortunately, that's the case in a lot of situations and it might still be. However, there's a lot of strategies we can use to help balance that, so that's what I'll be talking about in a little bit. And so conflict develops. It happens. We find that parents and district members can become divided. One thing that I think is incredibly important before I talk about strategies to bridge that partnership between parents and school district members is to understand first to utilize some of what we know about conflict. It's almost the analogy of when -- one of my areas is working with children with behavior disorders. We're not truly going to try to address the

behavior challenge until we understand why it's happening. Similarly, how can we actually proactively prevent districts and school members from being in conflict if we don't actually know what's happening to begin with? Another analogy I'd like to use is that we spend, as I already described, a lot of money on litigation, but we actually don't balance our checkbook very well. And so if we look at some of the literature, there's actually not a lot of literature about why we go to litigation. However, we've got some new studies that have come in to play which have been very helpful. After compiling research about conflict between parents and districts, as you'll notice on this slide, we've identified five major areas that tend to surface: design of services, delivery of services, relationship issues, constraints, and knowledge. Now, interestingly, two issues that are up here cannot be cause enough for filling a due process hearing. For example -- oh, and those, by the way, are relationship issues and constraints. For example, a parent is not going to file for hearing because they don't trust the teacher. And we already know we cannot use constraints or budget constraints to go ahead and file for a hearing. However, we do know that oftentimes, it's the breakdown of communication or it's the breakdown of trust. They can ultimately lead to an issue of disagreement about those -- that design of services or the delivery of services. And ultimately, the denial is potentially FAPE for a student. And so Lake and Billingsley in 2000 conducted one of the first studies about parent-school conflict. This study has been cited very often. It was a very informative study that interviewed 44 parents-school district -- parents, school administrators and mediators about factors that escalate and deescalate parent-school conflict. And this is a visual figure that they created utilizing the information these members, these participants shared. They looked at reciprocal power. We talked about constraints, communication, trust, knowledge, service delivery and at the center of it all was the discrepant views of a child or a child's needs, having difference of opinions or school members viewing children in a different way than the parents view them or sometimes in some cases in the study, district members were using derogatory statements to refer to the child or referring to a child's developmental age or chronological age -- and instead of the chronological age. And so these different ways of viewing a child created a divide. This study I'm putting up here because if you are very interested in conflicts, this is a great study to read to get an idea of where things start to fall apart when it comes to that

meaningful school-parent partnership. Another study I'm going to talk about before I get in to some of the specific strategies is due process hearings. And as I've said, we balance our checkbook -- we don't balance our checkbook very well. We seem to spend a lot of money without looking at how we're balancing it. And so I've often wondered, is there some way that we can identify exactly what's happening? Because then we could look at these trends so we can identify why there -- so we can identify potential proactive strategies. So I, in my spare time, read 575 due process hearings along with another researcher and we utilized 41 states. Washington D.C., New York and New Jersey were not involved in the study because those three regions are notorious for extreme numbers and they would have skewed our data. So what I did was look at common issues of disputes, disabilities represented and hearing outcomes to try to identify if there's any trends or patterns we could share with state agencies, state departments, districts to look at, reexamining their systems to see if maybe we could utilize some of these data for proactive measures. So what disabilities were the most common? Severe learning disability and autism we're the top of these. When we look at prevalence of severe learning disability in the United States, I'm not surprised that this is at the top knowing that the prevalence is so high. Autism is also probably not surprising to a lot of you knowing that it's been a controversial disability for a while now in terms of controversial meeting, a lot of the different interventions, and the cost for interventions and meeting those needs of students who have autism, and especially also understanding the spectrum of needs as well can be difficult. What dispute issues were the most common? Placement in the IEP. So it range from looking at a more restrictive placement to a least one that's less restrictive more in the general education class, there were issues of private school placements, special school placements, special classroom placements. And then the IEP is a big, broad topic looking at meeting and it's really designing the needs of -- designing the plans to meet the needs of that student. I used -- I should say the way we analyze these due process hearings was we adapted a litigation documentation sheet that had originally been used in a Newcomer and Zirkel study in 1999 that also looked at the common areas of dispute in special education. However, that was in 1999 and there was a reauthorization since, so we wanted to look at more recent data. Briefly going through disability and dispute, if you're interested in looking at the relationship

between the disability and the dispute issue, with autism, we found the majority of the dispute issues were around placement, IEP and program appropriateness and assessment and evaluation with an emotional disturbance. Also at the top was placement, as well as the IEP program appropriateness, behavior, and eligibility. Disability and dispute looking as well at multiple disabilities, we have placement at the top, related services and IEP program appropriateness. And then finally specific learning disability, IEP program appropriateness at the top, placement, assessment and evaluation, and behavior. So why is that even important? Well, that study helps us to see what is common among the United States dispute issues. What are we seeing at the top of the list between parents and district members when they're coming to disagreement, but more importantly where are we now? That study was -- looking at 2005, 2006 hearing data, we've obviously moved on since. So if you look at where we are now on this current slide, we've got the number of due process complaints, hearings and the cumulative decline that we've had since 2004. Great news is that we've gotten -- we've gone down dramatically if you look at the numbers between 2004, 2005, and 2010, and 2011. What does this tell us? Something's working. We're doing things. We're implementing strategies, we're reevaluating our data, CADRE is putting out a lot of resources out there. We've got a lot of information that's been -- that's been going on, a lot of research. And so what we found is that fortunately appropriate dispute resolution has this new agenda. I think previous research that I've talked about 20 years of research talks about parent experiences with the special education system for the, you know, for a great deal of time we looked at what was wrong with the system. And I think it's good to look at what's wrong with the system because it helps us see what we can do to help things improve and -- or not what's wrong, but what's flawed with the system I should say. So now, we've gone onto another direction, researchers, educators, state education agencies has done a phenomenal job of working toward appropriate dispute resolution, looking towards conflict prevention and appropriate dispute resolution strategies beyond those formal processes that I spoke about earlier. CADRE continues to publish and present cutting edge research about appropriate dispute resolution. Their website has a great amount of resources, and if you haven't taken advantage of that, I encourage you to. States have made systematic changes that have been wonderful. On CADRE's website we also have

exemplar states, Iowa, Oklahoma, Pennsylvania and Wisconsin. I've had the great privilege of working with some of the folks in Pennsylvania. Kerry Smith, director -- she's the Director of the Office of Dispute Resolution in Pennsylvania. I have worked -- I've also talked with Suzanne McDougall, who's also in that department, talking about their parent consult line, looking at a lot of the things that Pennsylvania's done to revamp and revitalize their system so that parents and district members can develop that meaningful school partnership. We've got a lot of great things with family engagement that's going on. I know the last Webinar, Karen Mapp did a wonderful job of talking about family engagement. And then we've got a lot of IEP facilitation training that's been taking place across the nation. And two individuals I've worked a great deal with so far are Doug and Joyce Little with Key2Ed who do a phenomenal job of IEP facilitation trainings. And a lot of states have taken advantage of their program and the strategies that they teach. So now, let's move that research into practice and talk about how this -- these research studies and some of what I've shared with you can inform educators and parents to build that partnership. I'm going to be talking to you about from a lot of the research I've done as well as others about conflict. Again, looking at the reactive strategies and identifying those proactive strategies. But a lot of my recent -- my recent research has been talking with special education directors about strategies they use to prevent and resolve conflict before going to litigation. I've looked at districts who have made systems change, who've gone from high numbers of litigation request or high numbers of parent dissatisfaction and have reduced those dramatically. I've talked with parents about their experiences with the special education systems. The most -- special education system. The most recent study that I'm working on or several of them actually, one of them is looking at teacher education preparation. Are we preparing teachers to deal with conflict? In our educator preparation programs beyond teaching strategies to work with students and meet their academic and social needs, are we teaching them how to collaborate with parents, communicate with parents and resolve conflicts? And the answer is no, we're not. And so that's an area that we need to really look at. Parent, teacher dyads is another study that I've been working at is I've just completed a study with 10 parents and 10 teachers who have gone through conflict together and resolved it without going through formal processes and talked with each party separately about what it

was that helped them resolve that issue of dispute. And then finally, facilitated IEPs, I've mentioned already, it's growing, it's recognized and there's not a lot of research on experiences with it. So I've wrapped up a qualitative study about facilitated IEP experiences to help create that structure that we can bring and understand what it is about facilitated IEPs that is successful, and also how we can bring that prop into our districts and into our school team meeting. So I'll be talking about these different -- I'll be talking about strategies that have come out of all of these studies that I've just briefly mentioned. So what can school districts do? First, I'm going to talk about what districts can do, then I'm going to talk about what administrators can do, teachers and parents because there's -- as I've said, we've got all different perspectives and different hats that we bring to the table. One of the most effective things that I've learned from school administrators is that they can use their data to make decisions that can address areas of need in our districts. I've read several different articles about special education directors and talked with directors about things they've done. One director identified common sources of the conflict in the district that had gone to litigation and instead of focusing on the litigation cost, she took all of that money or not all of it, but a great amount of money and proactively implemented programming and services that could hopefully avoid that due process. For example, mental health services was coming up time and time again in the litigation, so what she did was put a lot of money and resources into mental health services in her school. So using that data to inform your district can be incredibly helpful. Investing in those resources by using predicted litigation costs to systems improvement. If you know you've got a lot of parents coming, they're unhappy about a particular issue, rather than spending a lot of money on one family's disagreement about it, let's look at moving those resources into that improvement programming if indeed that's a need for the students. Remember, it always comes back to the focus of the needs. And then again, this is coming up a lot, but there is a lack of special education law -- legal knowledge. Special and general education teachers are not necessarily taught or current with special education legal knowledge. There's a lot to be -- to know about it, there's a lot of jargon, but I encourage people to read through the regulations and understand what in fact they mean because we actually do have a lot of what we call hyper interpretation of the law where people assume

things are illegal or they're not okay or we -- we're a lot more lax on the law. But the thing is that we need to understand what we are required to provide our students. And finally, a parent liaison, this is coming up an awful lot in a lot of the literature is that if districts can afford to hire a parent representative to educate, support, and connect with families, it can be incredibly helpful to help offer some of those daunting experiences I referred to early. What can administrators do? Conflict prevention, my studies have found there's three things that administrators find are very helpful: communication, providing parent support, and leveling that playing field. If we look at conflict resolution, a lot of administrators talk about intervening at the lowest level. Preparing their teachers to understand and be aware that when you start to have a disagreement, try to resolve that before bringing in administrators or others who are at the higher level. As long as you can keep it at that level between the parents and the teachers or whoever is immediate in that team, you're more likely to have a very collaborative working partnership where you work through those issues. Again, keeping the focus on the child and finding a middle ground is a refer -- is a reference to negotiating or finding an area where two parties can come to a resolution or an agreement to -- with each other knowing that once I might not get exactly what they're asking for and the other, the same, but let's again get back to the focus on the child, talk about meeting that child's needs and find the best way to meet those needs that can keep the middle ground level with everyone involved. What can educators do? Communicate, communicate, communicate. I've got a little stop, collaborate, and listen stamp on this slide, but communication is key to everything when it comes to parent-school partnerships. Building that trust and communicating with families is essential. A lot of times, families will say they don't feel heard, so making sure you're really listening. If you've got fathers at the table, as I spoke about earlier with my meeting, or different family members, make sure you're involving everyone who's involved. Eliminate that jargon as much as you can. Structure your IEP meetings. And I'm going to present that in a -- in a few slides. And understand those perspectives I described earlier. Understand perspective -- understanding perspectives can be incredibly informative proactively and reactively. On the reactive scale, if you're in an area of potential disagreement and you're at a -- at an IEP meeting because that is where the initial level of a lot of dispute happens. Let's say a family do -- member does say,

"Well, I'd really like the service for my child," and you really don't think that's a need. Rather than immediately shutting that parent down or saying, "This isn't going to work," ask them. One of my favorite sayings when I provide mediation or when I work with families is, "Can you tell me more about that?" Just have that open-ended question so that you're giving them the room to discuss their needs and understand those perspectives. Reduce that power imbalance as much as you can by acknowledging the parent expertise. One of the things that I always make a point of doing when I'm involved as a -- as a behavior analyst is I introduce myself as, you know, I'm Dr. Mueller and I -- and I am -- I actually say I'm Tracy Mueller because I really like to keep power out of it. And I like to say, "My name is Tracy, and I'm an expert in behavior, but you -- I want to acknowledge your role and that you're an expert in Jillian. And the two of us are experts at -- experts at this table, so let's work together to meet the needs of this child." Family engagement is also incredibly helpful. As much as we can, create those opportunities. And as I referred earlier, Karen Mapp's webinar, has been archived and there's a lot of great resources on how to create opportunities for family engagement. I encourage you to refer to that as well. Before the IEP meeting. I talked about giving you some strategies that can help you structure that IEP meeting. I think it's really important to remember first and foremost that the IEP is a process, not a product. It's not about that one-day meeting. It's not about the paperwork. This is a process of individualizing a program for a child's unique needs. And so with that, we need to include families as much as we can before the meeting. Have conversations where we talk to the parents about the previous year. Invite them to share their goals. Ask them questions like, "What do you feel was a great accomplishment this year? What do you feel you'd like to work on this coming up year?" And then imbed those when you write your own goals. Please be sure you schedule your meeting at a convenient time. Ask families what time works and what doesn't work. If you can provide reports early, that's wonderful. I can't tell you how many meetings I've been out where it becomes an adult read-aloud where we all sit there and hear someone read a 10-page or -- I'm being facetious but a very long report. And it's boring and nobody listens and more importantly, we're not all auditory learners. Some of us need that visual. And particularly if you're from another culture or you've got -- you don't have a big background which most of us don't in special education, it can be

very frustrating. And so if you can provide those reports early and interpret them in a parent-friendly way, it can be incredibly helpful. A lot of districts are sending reviewed drafts of the IEP -- sending drafts of the IEP goals ahead of time to families. And of course writing DRAFT all across it after you've talked with them about their goals and saying things like, "You know, after our conversation, I've drafted these goals and I like to see what you think about them." And then when you get to that meeting, it's a conversation about meeting that child's needs. It's not about reading each goal. It's about talking about the goals, talking about accommodations and modifications, and more importantly talking about how we're going to do that? How are we going to build it so there's continuity, so parents can work on the same things the teachers can work on so we can make sure we're really working toward improving that student's outcomes? It is undisputed that there's a direct link between parent involvement and student outcomes. We have had a plethora of research that has shown exactly how powerful parent involvement is with student outcomes. And so the more we can have that conversation, the greater we are to have those outcomes we want. And then finally, make sure you obtain any necessary supports for families. Make sure you have interpreters, make sure things are translated ahead of time, and that parents' needs are able to be met. During the IEP meeting. Some simple strategies are in front of you. A lot of these strategies come from what we see in facilitated IEP meetings by the way, which is very helpful. A comfortable atmosphere. Arranging seating to prevent that power imbalance. Do the round table if you can or make sure team members are sitting next to families so we don't have that picture that I showed with that cartoon of Mr. Barth. So we have everyone working towards each other. Have tissue available. Have food available sometimes or water. Make sure it's comfortable. If it's going to be in the school, try to have it in a place where there's adult size chairs. I've seen a lot of adults try to fit in these little itty-bitty student chairs and it can be quite uncomfortable. And so thinking about that perspective. Utilize meeting norms. Things like saying to families ahead of time, "We'd like it if everyone would remain open-minded and non-judgmental." This is to everyone in the -- in the meeting. Saying to everyone, "We want everyone to participate. It's important no one dominates." So those types of things. Using an agenda. Charting is a very powerful tool at IEP meetings where we visually document what we're talking about. I referred to earlier about all of us -- a lot of us

not necessarily being auditory learners. Well, those of you who are involved in this -- in -- webinar, you have a visual in front of you that I'm talking about. It would be very awkward if you were just listening to me and you did not have a visual in front of you. And so it's the same for those IEP meetings. Having some area where we can document what we're discussing so we can look at it and have that. Gaining consensus before moving on is a strategy we see in facilitated IEP meetings. Where prior to moving on to accommodations and modifications, we ask everyone, "Are you in agreement with what we just discussed or are there any other issues?" Asking open-ended questions allows families the opportunity to become involved and engaged. I've talked about maintaining the focus on the student. I've seen a lot of teams bring pictures of the student to put at the center of the table which can be very helpful or student work samples or, really, I ideally bring the student to the table and have the student facilitate the IEP if they're at the level. And I've seen some -- I've seen students of all levels able to facilitate their own IEP meeting where we've helped them create a powerpoint and the student goes through the powerpoint. And so I think at least by the age of 14 we should have students at that table able to talk about. The more we can empower these students, the greater the outcomes for them ultimately in the future. Because again, our overall goal is that student success should be a successful citizen in our society. So the more we involve them, the better we can. Using a parking lot for off-topic issues. If you're not aware of this strategy, it can be very helpful. It's just identifying a designated area or a space and saying to the team ahead of time if issues come up that are -- although they're very important, but they're off-topic, we're just going to ask you either to share it and write it up on -- we're going to write it up in the parking lot to attend to later. Or write it on a sticky note and go ahead and just stick it up there and we'll make sure we have time to address that later. And then if there is potentially disagreement or you just feel like a facilitator would be helpful, it is possible to go ahead and, if it's possible, have a neutral facilitator there. And this would make it more of a facilitated IEP. That would be where you have someone who's trained in facilitation, who could help move through who's not involved in the team meeting. People are doing this in a variety of ways. I've seen district members train all of their teachers in it and then teachers can facilitate each other or administrators can do that. Or I've seen state education agencies that have a pool of

facilitators available that they can call upon. And so however you decide to set up your system, if you feel that there's a need to have someone neutral there to help move the team along, that would be very helpful. It's very much, like -- a facilitated IEP is very much like a mediated IEP where you've got someone there who's helping move everyone along, but is not directly involved. And then finally after the IEP meeting. We forget about this part. Acknowledge the team. Celebrate successes. Talk about the things we've agreed upon. Even if you get to the end of an IEP and -- or a meeting I should say and you haven't agreed on everything, but you're -- and you're going to have another meeting, acknowledge you have agreed on and talk about where you're going to go next. Timelines for implementation are huge if you talk with families. Families then want to know when things are going to be implemented and how they're going to be implemented. So creating that timeline and visually documenting it can be very helpful. I think just as well as it's important to acknowledge that conflict is likely, it's important to acknowledge to the team that, "Let's come up with a strategy if we disagree or if you're concerned or something comes up. What can we do to make sure we're maintaining that partnership and addressing it proactively? Do we need to phone call each other? Do we need to have a meeting? Do we need to email each other? How are we going to work toward that?" And then have that plan for the ongoing communication and ask for feedback at the end. Ask everyone how that meeting went. What can parents do? Parent networks are helpful. Resources for families, understanding perspectives, communicating with team members, and of course obtaining information for local parent training and information center. I encourage parents to reach out and talk to your district liaison or your child's teacher and ask what resources are available. CADRE website has a lot of resources. Wrightslaw has a lot of resources. There's a lot of wonderful resources for families. Parent-to-parent support can be incredibly helpful as well if we can have any kind of parent growth. And while I get close to wrapping this up and allowing time for questions, I do want to acknowledge some promising practices that we see ahead of us in the field. Trisha Jones did a wonderful webinar a while back for CADRE on conflict coaching. That's also available in the archives and I've been fortunate to work with her as well. And she's got some great ideas, and I encourage you to look at conflict coaching as some strategies. Parent engagement, I've talked about. Parent-to-

parent support, I briefly mentioned. It's very helpful. Linking other parents with each other can be very helpful to learn strategies or just talk to someone or have support or have someone there at the meeting. Parent education opportunities. Acknowledging how daunting that special education system is. The more we can provide parents with opportunities to learn about how to navigate that system, the better the outcome for our team. Facilitated IEPs, I have mentioned, are incredibly promising and family members, district members are saying that they find that -- in my research everyone I've interviewed has said all the facilitated IEPs they have attended have resolved in an amicable outcome where there was no potential for litigation. Where -- and these were some issues that were very contentious and were in some cases three or four-day facilitated IEPs, but they found that the system and the process I should say with the use of that facilitator resolved the situation. And then something that I've been doing in my own teacher education courses is we've been having mock IEP meetings with our teachers, our student teachers. We've been having them sit down with case studies and we've got parents there and administrators there who have been going through -- actually practicing the IEP process. These teachers are able to practice talking with families. And we deliberately throw a lot of curveballs at these teachers and parents. And we ask them to ask for services that might be difficult to discuss or we put issues that might be difficult to deal with because we want to give them practice to resolving issues at that meeting rather than going through the outside. So looking forward, I think that we need to look towards some future research and practice in the -- in a lot of different areas. One of which is I am looking and working toward research on advocacy in special education. I think a lot of you have your own experiences with advocates. And I've learned this a lot in my research is that we've got two types of advocates that are coming through. We've got advocates who appear to be wanting the team to come to a resolution and wanting to maintain that partnership. And then we've also got some potential advocates out there who have been known to sort of add fuel to the fire so to speak. And so I think that we need to do some research about advocates in, like, in potential conflicts and look at the need for advocate training or certificate. If someone is going to represent themselves at an IEP meeting as an advocate, then there should be some type of certificate or training just like teachers need training to work toward meeting their student's needs and administrators

do. I -- and lawyers do. I think advocates might as well. I think we need to look at embedding state-wide continuum of supports. We've got those exemplar states who are doing a fabulous job of that. Pennsylvania, I mentioned. And I'm happy to say that Colorado is working toward a state-wide of continuum supports as well. That's conflict prevention and dispute resolution. I mentioned earlier teacher education and training. Making sure we're educating our teachers to build that partnership and maintain it in areas of potential disagreement. Facilitated IEP research and practice should continue. And then of course I'm a -- I'm a big proponent of looking outside of our field and looking at other disciplines to see how they resolve conflict. Looking at the medical field. Looking at large industries or businesses to see how they address conflict because conflict is everywhere. And so I want to thank you all for your time. And I'd like to -- I'm going to -- I'm going to lean on you -- those of you in CADRE right now, Marshall, about fielding...

MARSHALL PETER: Great.

DR. TRACY GERSHWIN MUELLER: ...any questions that everyone has.

MARSHALL PETER: Good. So a couple of pieces, Tracy. First of all, a couple of comments that came in that Greg Abell indicated that his considerable experience with mediation, that communication issues are the top issue. That they are -- in his experience. And John English really affirmed your assessment about the need for a teacher preparation. There were also a couple of comments about confidentiality. John English shared some perspectives on Higher Department of Education. There were questions about confidentiality and the role of the facilitator. I might mention that CADRE also has a number of resources that may be helpful if that's an active question where you were. We did get a question early on from Stanford Glenn, who wondered if you had any recent data concerning the cost of due process and wanted to know what the resource you mentioned was in terms of the numbers you cited.

DR. TRACY GERSHWIN MUELLER: Yes. So I don't have any recent cost. I'm continuously trying to come across those. Interestingly, where I see most cost is in newspaper articles where districts are reporting their costs. But as far as research, not a lot. I referred to the this position paper that came out recently, Sasha Pudelski, where she surveyed administrators. And there is

some cost in there where she talked about costs that they utilized for outside counsel, attorney fees, those types of issues. So I would encourage you to look at that study if you'd like to see some recent cost in that respect. But I -- there really is no research on those costs. It can vary so great.

MARSHALL PETER: So what I'm going to do is -- thank you Tracy. In just a moment here, I will invite you if you have a question you'd like to ask live on the phone. We'll -- I'll give you some instructions. In the meantime, we're also putting up a couple of polls. We would really appreciate you taking a minute and letting us know about your experience with today's webinar. So I'm going to unmute or invite you if you have a question, to unmute and then remute your line. And then -- before we wrap up, I'll make an announcement about our next webinar. So -- and we did just get another question which is, "How do we get this content to district personnel rather than just to state education agencies, CADRE sensitive individuals, and university people?"

DR. TRACY GERSHWIN MUELLER: How do we get this information to -- can you say that again? It...

MARSHALL PETER: Yes. I think that the -- that basically, the question -- it's certainly one that we're actively working on and expect to be over the course for the next five years, but it's really, how do we get the information that we have shared today to the people who are really on the ground, in the trenches doing this work on a daily basis, whether it's, you know, getting it to parents, getting it to school folks. I know we're continually trying to broaden the base of people who are getting our information, but do you have any suggestions about or thoughts about how we make this more readily available?

DR. TRACY GERSHWIN MUELLER: Yeah. You know, this is something that's a big issue, is getting to -- the information to the people that are out there, that are in the trenches so to speak. And so I think that's where the connections between state education agencies and district directors can be very helpful. I found in my work that contacting district special education directors is probably one of the most important pieces. To contact them, get them the information, and also parent training and information centers. Finding and identifying conferences or any

professional development opportunities that are offered at the local level or at the state level or district level and presenting those to those individuals. I think having information available on websites is probably one of the most useful for educators and parents. And so, anyway, networking is possible, but getting it out there is the hardest because teachers are working. They're busy. They are overwhelmed and families as well. And so I think leaning towards those agencies is -- and potential outlets through conferences are probably your best starting point.

MARSHALL PETER: Terrific. So what I'm going to do is -- I think we have enough time for one or two questions. And I believe Mary Anne Linden may be in the cue. If you have a question that you would like to ask, please press pound six to unmute your phone. And then as soon as you've asked the question, please press star six to remute the phone so we don't pick up noise that will interfere. So is there a question? While we're waiting to see if there's any questions, I just want to say that several people commented on what an excellent presentation it was, Tracy.

DR. TRACY GERSHWIN MUELLER: Thank you. That's great to hear.

MARSHALL PETER: So I'm not hearing any questions.

MAN: I think that's right.

MARSHALL PETER: There are a number of people typing, so hang on just another second and then I'm going to announce our next webinar. Yeah.

DR. TRACY GERSHWIN MUELLER: So...

MARSHALL PETER: Yeah. It's all -- what's coming in is all positive feedback. So I'll check it again, but I'm going to make the announcement and then we can -- we'll see if anything else comes in before we wrap this up. So, again, I want to thank everybody for joining us today and thank Tracy, in particular for a -- an absolutely tremendous presentation. She raised a number of issues, and ones that we're certainly thinking about here. So thank you very much Tracy. It was tremendous. We're pleased to announce that our next webinar will be entitled, Inclusive Listening: Building Understanding, Supporting Collaboration." This webinar will be scheduled to take place on December the 18th, from 11:30 to 12:45 Pacific Time. And we always have

people who sign in at 8:30 Pacific Time. And so just to, again, these are pretty much always going to be at 11:30. It gives us an opportunity to involve people both on the east coast, but also we -- we've had a pretty dedicated audience from Hawaii that's been interested. The presentation will be done by Lorig Charkoudian and Erricka Bridgeford who are from Community Mediation Maryland. The webinar will introduce participants to the concepts and strategies of inclusive listening, a system for listening and reflecting for mediation and facilitation. Inclusive listening has been developed over the last 15 years by mediators and trainers in Maryland. It honors participants' experiences, supporting them to have the conversation...

WOMAN: Hello?

MARSHALL PETER: ...in an authentic way. At the same time, it acknowledges participants' feelings, highlights their values and identifies topics in a neutral way to prepare for collaborative problem solving. We've had the pleasure of working with Lorig over the years, and are sure that she'll deliver an outstanding experience. And so it -- we had comment about the importance of building racial and cultural consciousness as we work to gain perspectives and build collaboration. And there are also comments about moral related to multicultural issues. So thank you all for joining us. We hope that we'll have the opportunity to see you again on December the 18th. And Tracy, I'll give you a call as soon as we wrap up here just to chat for a minute. Thank you very, very much. It was tremendous and we received a lot of very positive feedback. Bye now.

DR. TRACY GERSHWIN MUELLER: Thank you. It was a pleasure.