

# **What Can Educators & Parents Do to More Effectively Manage Conflict at Earlier Stages?**



**Wisconsin Special Education Mediation System**

# The Wisconsin Special Education System (WSEMS)

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Perspective

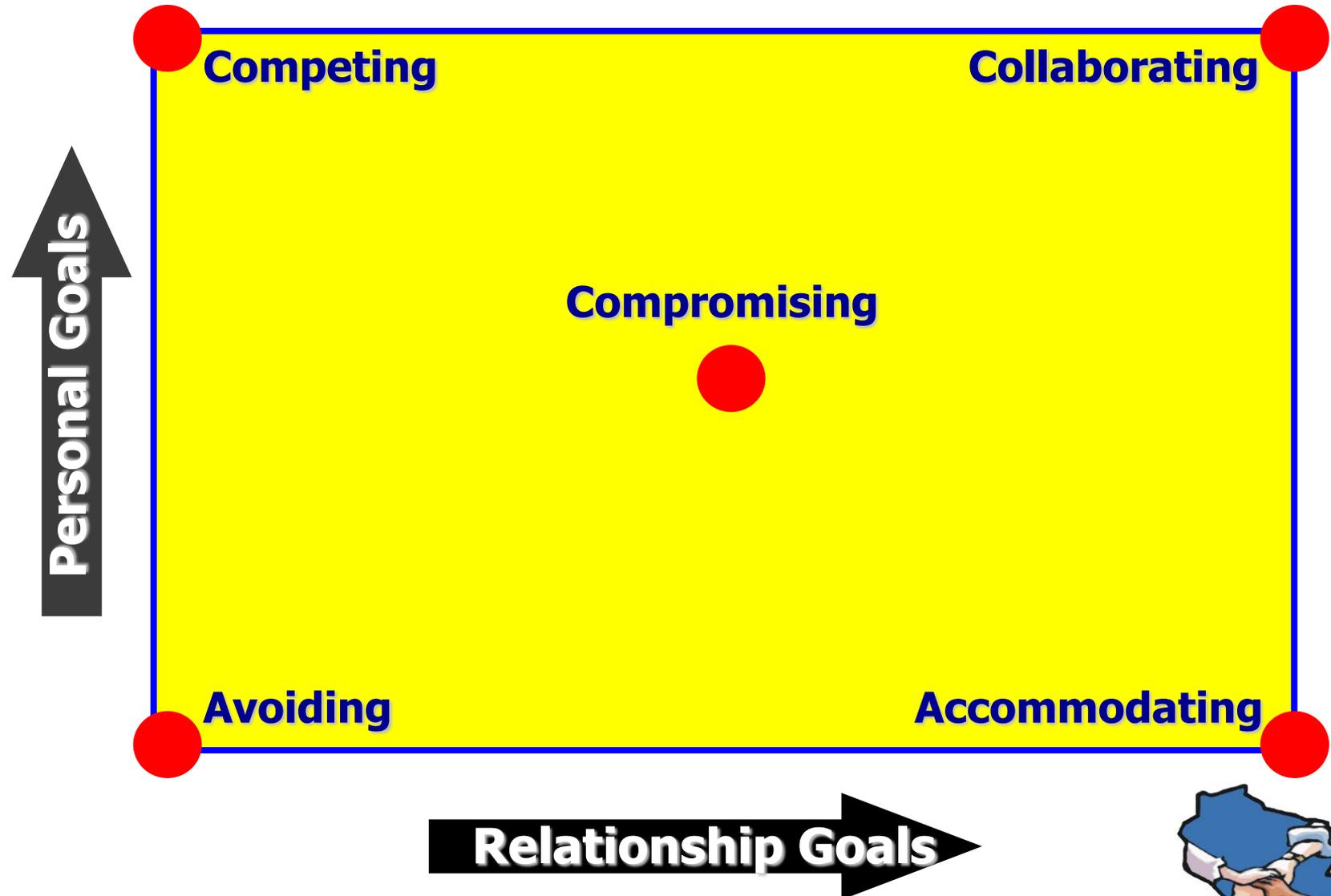
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Administrator

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# The Five Conflict Handling Modes



**Personal Goals**

**Avoidance of conflict can occur  
when neither the relationship nor the  
goal are important.**

**Avoiding**

**Relationship Goals**



**Personal Goals**

**Accommodation can occur when the relationship is important and the request by other party can be easily granted**

**Accommodating**

**Relationship Goals**



# Competing



**Competition is when the goal is important and the party determines that the relationship is not important – or that they are willing to risk the relationship in order to get what they want.**





# Compromising



Compromise is when both parties want to preserve the relationship, but also feel that the goal is important. Therefore, both parties give in a little bit in order to come up with something they both can "live with" even if that does not meet all their needs.



# Collaborating

**Personal Goals**

**Collaboration is when both the goal and relationship are important. The parties generate creative options to come with and ideas that meet the needs of both parties.**

**Relationship Goals**



# “Getting To Yes”

## A Step by Step Process

- Separate people from the problem
- Distinguish between issues, positions and interests – understand the reasons behind positions
- Explore creative options
- Evaluate realistic alternatives



# Step 1: Separate the People from the Problem

- Create a comfortable environment
- Develop rapport
- Create a positive atmosphere
- Be soft on the people & hard on the issues
- Cooperation does not mean accommodation



# Step 2: Differentiate Between Issues, Positions & Interests

## Issues

- Factual
- Concrete
- Debatable

## Interests

- Motivations, drives, needs
- Fears, concerns
- Not Debatable



# Example of a Position & Interest

## Position



## Interest



# Sample Positions, Issues and Interests

- “I want my daughter in the neighboring school district’s LD program.” (I have concerns with the LD program in my district).
- “I want my child to have the same teacher aide from last year.” (I am concerned how my child will progress in school)



# Finding the Interests

- Questions to ask yourself
- Questions to ask the other party



# Explain your interests

- Communicate and explain your interests.
- Make your interests come alive.
- Acknowledge the other party's interests.
- Share your interests and reasoning first and proposals later.

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



# CADRE VIDEO

## Understanding Positions and Interests

### Understanding "Positions" and "Interests"



# Communication Loop

**Sender**



**Message**



**Receiver**



**Filtering Lenses**

**Reflective  
Listening**



# Listening is a Disciplined Skill

- You can't do two things at once if one of them is listening.
- You can't listen if you are trying to figure out what to say.
- You can't listen if you are assuming.



# Step 3: Explore Creative Options

- No immediate criticism when the idea is first suggested
- No quitting
- Develop wide variety of ideas - be open & receptive to new options
- Use objective criteria



# Develop and Evaluate the Options

## Develop

Ask the question “What would it look like if.....” (...we provided OT? ...there was a residential placement? ...your child went back to a regular classroom 3 hours a day?)

## Evaluate

Realistically discuss the pros and cons of all the options



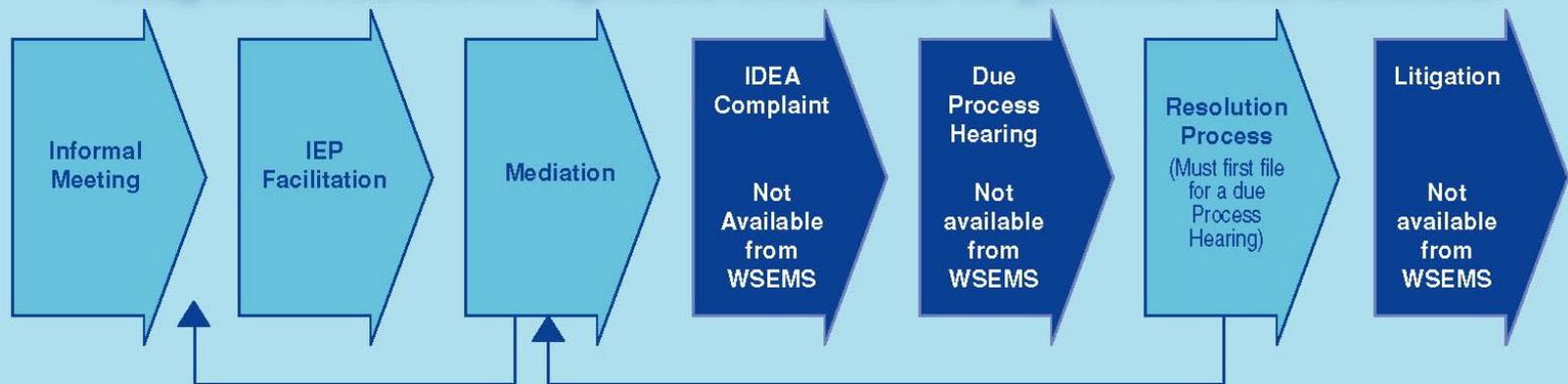
# Step 4. Explore Realistic Alternatives

- What are the consequences if we don't settle?
- BATNA, WATNA, MLANTA
- Options are created inside negotiation
- Alternatives are what happens if we can't resolve our dispute in negotiation or mediation



# WSEMS Continuum of Special Education Dispute Resolution Options in Wisconsin

## Dispute resolution options available to parents and schools



Choosing the **light blue** options gives parents and schools more control over the outcome. For more information about the IDEA Complaint and Due Process Hearing options, contact the Wisconsin Department of Public Instruction at (608) 266-1781, or toll free 1-800-441-4563.



# Resources



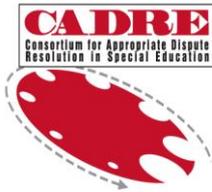
## **WSEMS**

[www.wsems.us](http://www.wsems.us)



## **SharedWork.org**

[www.sharedwork.org](http://www.sharedwork.org)



**CADRE**, the National Center on  
Dispute Resolution in  
Special Education

[www.directionservice.org/cadre](http://www.directionservice.org/cadre)



## **IDEA Partnership**

[www.ideapartnership.org](http://www.ideapartnership.org)

