

Promote Partnerships and Improve Outcomes for Children by Avoiding Conflict.

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Conflict in the arena of special education is unique in that everyone involved professes to be an advocate promoting the best interests of the child. The Court in *Lascari v. Board of Educ.*, 116 N.J. 30, (1989) found that all parties had an "interest in assuring that a handicapped child receives an appropriate education" and held that "the adversary nature of the proceedings [due process] should yield to obtaining the right result for the child." The purpose of the advocate, whether parent or professional educator, is to inform, educate, and develop an atmosphere of collaboration and open communications sufficient to provide all parties with a sense of comfort that their individual responsibility to the child has been satisfied.

If all parties have the same goal, why is there so much conflict in the field of special education? The answer is relatively simple. The perspective of parents is the welfare of the individual child for whom they are responsible. The perspective of the educational professional is the welfare of the children for whom they are responsible. The only true conflict is based on the allocation of limited resources.

There are two types of conflict (1) Consensus conflict occurs when ideas, opinions, or beliefs differ and (2) resource competition exists when there are limited resources to meet the needs of both parties. Within each type there are four subtypes of conflict: 1. real conflict (exists and is perceived to exist), 2. latent conflict (exists, but is not perceived to exist), 3. false conflict (does not exist but is perceived to exist), and 4. no conflict. Any conflict regarding consensus is almost always a false conflict driven by inadequate information as to the character of the disability involved and/or the appropriate response to the identified disability. Such conflict is most often false because a responsible interpretation of existing research is usually dispositive of both issues. However, consensus is often difficult when opinions are driven by real and latent conflicts involving the limited availability of resources. Resources universally in short supply include: 1. trained personnel, 2. time, 3. space, and 4. money (who, when, where, and how).

I. Informed x 3

In this case, informed refers to research based and/or clinically proven. The child with a learning disability is entitled to informed instruction delivered by an informed instructor in an informed environment. When the child is failing to learn using traditional methods of instruction, a specific alternate method of instruction must be discussed and identified in the IEP. If the method of instruction identified requires training in order to be delivered effectively and with a fidelity to its design, the training of the instructor is a proper topic for discussion. Finally, the character of the environment where the instruction is to take place should be determined including, among other considerations, intensity, homogeneity of grouping, need for infused reinforcement, and freedom from distractions.

II. Attitude and Diagnostic Interview.

Parents must treat the educational professional as a lifetime learner who's chosen profession reflects his or her love of children and teaching. The educational professional, in return, must treat the parent as a valuable and indispensable resource of information regarding the child. Invariably, a thorough diagnostic interview with parents will garner enough information for the knowledgeable professional to develop diagnostic and programmatic impressions that are merely confirmed and quantified by the empirical data collected from formal testing.

A thorough diagnostic interview with parents has many direct and indirect advantages. In addition to providing insight into diagnosis and direction for evaluations, such an interview gives status to the parent by acknowledging the value of anecdotal input and provides an opportunity to classify and categorize the real world correlates of intrinsic disabilities. Behavior rarely occurs without a cause or purpose. The professional can usually explain the reason for behavior in terms of causes that are intrinsic to the child and not related to inadequate parenting. The child's behavior in the real world is, in fact, often a predictable manifestation of variables intrinsic to the child. Such a discussion, addresses the parents' feelings of confusion, anxiety, anger, and guilt. Parents need assurance as to two principal concerns: 1. that they are not responsible for the problems faced by their child and 2. that they will never have to look back, from the future, and say, "I wish I had" Mistakes are inevitable, regrets are avoidable. Free a parent of the burden of guilt and the specter of regret and the educational professional has a friend for life.

III. Avoid unnecessary conflict

A. Starting off on the wrong foot (Fighting Words).

(1) Don't start sentences with wasted words that polarize. "You've got to understand. . .," "To tell the truth . . .," "To be honest . . ." are verbal crutches without meaning that interfere with the understanding and acceptance of the comments to follow. (2) Educators talking to parents about parenting skills is like parents talking to teachers about teaching skills. (3) Use person First language, e.g., a child with a disability not a disabled child.

B. Power positioning

Where you sit makes a difference. Parents feel vulnerable at meetings, they are usually out numbered and lack the specific expertise of the educational professionals present. The table should be round or, at least, the power of the educators should not be further reinforced by seating arrangements that just serve to emphasize authority

C. Active listening.

Everyone should be made to feel that they are contributing to the development of a common consensus or understanding. When someone else has a point to make: 1. let him or her finish, 2. ask clarifying questions, and 3. paraphrase to display an understanding.

D. Take notes.

Taking notes of what someone says sends the message that you value their input. Parents bring a lot of emotion to their comments; it is immensely reassuring to them that their input is being taken seriously enough to be written down.

E. The finger of blame does not point to solutions.

The psychological construct of self-serving bias predisposes an individual to attribute successes to internal forces and failures to forces beyond the individual's control. Parents are prone to see the child's difficulty as the fault of the school and the school is prone to see the child's difficulty as the fault of the parents or the child. Trying to assess fault based on a desire to avoid fault does not advance the purpose of addressing the difficulties experienced by the child.

F. Sometimes it is how you say it that counts.

"Jim has a lot of potential, but he doesn't make the effort." Parents hearing this interpret it as meaning that their son is lazy, doesn't care, is a loser. Avoid using of the word "but." "Jim has a lot of potential and, with a little more confidence, his motivation will improve.

G. Metameaning.

Parents are understandably emotionally involved when it comes to discussing the weakness of their child. When a comment is made that is challenging or appears to trigger a defensive response, the professional should consider what is really being said or asked. When parents observe that they have triggered a defensive response they should retreat, rethink, and rephrase to get their point across and regain a focus on the child. Concerns and questions of parents that are not articulated and addressed at the meeting will invariably be recalled in the parking lot or on the way home. Unasked questions result in uninformed answers spiced with mistrust and invalid assumptions.

H. Fixed Pie Bias.

The Fixed Pie Bias is the inability to talk about issues not on the agenda. School personnel should be prepared to discuss any issue of relevance to the child without the need to prepare a united response. A need to caucus or schedule another meeting to discuss unexpected concerns creates a we/they atmosphere that belies collaboration

I. Think out of the box.

There are never enough trained personnel, time, space, or money to provide the ideal for each and every student. However, if the school is open about the availability of resources and the parent recognizes a cost-benefit approach to problem solving, an acceptable solution can most often be devised. Jim has friends and plays sports at his local public school that has no available informed instructors to meet his remedial needs. Perhaps Jim could be the practicum student for a teacher being trained in the selected method of instruction. The ability to brainstorm solutions is impossible if the resource deficiency is not admitted.

J. Rules of evidence.

If a parent brings an advocate to the meeting, the school will often feel the needed to be represented. All too often, the attorney for the school feels it is necessary to contribute by pointing out every time the parent says something inconsistent with the law. Every time parents say, or even infer, that all they want is what is "best" for their child, the conversation is interrupted by the school board attorney who has obviously been lying in wait, who advises everyone that "best" is not the responsibility of the public schools. He or she will often go on to say that public schools are only required to provide an "appropriate education" and if you want better the parent can pay privately. Another frequent contribution is to tell parents that the school can't do what you ask until we try this, that, or the other thing first. The message is that the child's current failure is not sufficient; he or she must fail repeatedly to assure that the school is not capable of providing a "merely appropriate" program in a less restrictive environment. The quote comes to mind, "You can't jump a chasm in two short jumps" (David Lloyd George). These comments are not without merit; however, they are so clearly threatening to a parent, and are so often unnecessary that they should not be articulated without a clear context. In other words, after two or more clearly appropriate programs have been identified, criteria that consider the least restrictive environment with the least commitment of resources may be appropriate to determine selection.

IV. Prepare: School personnel should take time to prepare parents to participate appropriately in a meeting where decisions regarding their child are likely to be made. Franklin's admonition that, "a stitch in time saves nine" comes to mind.

A. Rehearsal: What is the parents' role at the meeting. What is the purpose of the meeting? Who will lead the discussion?

B. Review and Observe: Parents should review the file and any new reports and observe any placements likely to be recommended.

C. Write down: Parents should make a list of strengths and weaknesses and, most importantly, any questions that they should not forget to ask.

Conclusion

Helping educational professionals avoid conflict by meeting the needs of parents insures that the needs of the child are being met as well; for you can't do the first without the latter. Ultimately, the parents will only be comfortable if the educational professionals display a convincing awareness of their child's needs and how those needs can be met. The purpose of the advocate, whether parent or school, is to inform and educate rather than intimidate and litigate. How much more effective is collaboration than capitulation? A merger of common interests has exponentially more potential than the surrender of one party to the will of the other party.

1 Leigh Thompson, 1998

2 64 FR 12552, March 12, 1999.

3 Letter to Dickman, Office of Special Education programs (April 2, 2002) 37 IDELR 284.