

# BEING THE THIRD SIDE: Supporting Through Conflict





### Introductions

### The SLO SELPA Team

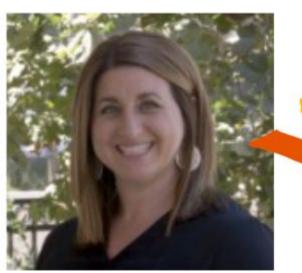
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### Introductions

### Who is in the room?

- Educators
- Mediators
- Hearing Officers
- State Agencies
- Others





### San Luis Obispo County



- 4,000 sq miles within the County
- 32,000 students
- Over 75 schools
- 13 LEAs
  - 10 school districts
  - 3 Charters
  - 1 COE
- 5,500 students with disabilities ages 0-22



# What is a SELPA? Special Education Local Plan Area

- In 1977, all school districts/county school offices in California were required to form geographical regions of sufficient size and scope to provide for all special education service needs of students residing within the region's boundaries.
- Each region became known as a <u>Special Education Local Plan Area, or SELPA.</u>
- Today, there are 132 SELPAs in California with varying governance structures.
- Our collective mission is to champion educational access and opportunities for students with disabilities.







### **Our Mission**

The mission of the San Luis Obispo County SELPA is to be **capacity builders**, **facilitators**, and **connectors** for students, families, and member districts within one statewide coherent system of support in which all students are provided inclusive opportunities for continuous improvement, especially those students who are furthest from success.







### **Learning Objectives**

- Participants will learn about the third side of a conflict relationship
- Participants will understand how to engage teams in <u>adaptive work</u> through listening, surfacing underlying issues, and seeking perspectives
- Participants will <u>build the capacity</u> to work side by side instead of across the table when conflict begins to arise.
- Participants will learn about the steps <u>SLO SELPA</u> took to transform their ADR continuum and the key components to their success.

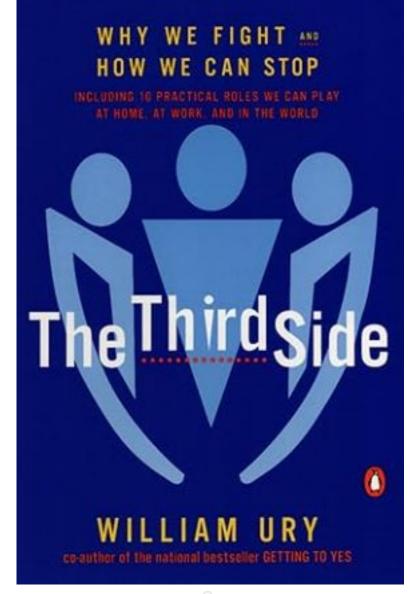




## The Third Side Introduction

While conflicts in special education often seem to be a two-sided battle between parents and school staff, Ury argues that there is always a "third side"—the community—that can prevent, resolve, and contain conflict.

This third side, which can include mediators, advocates, and even the students themselves, has a vested interest in the well-being of the child and the overall educational system.







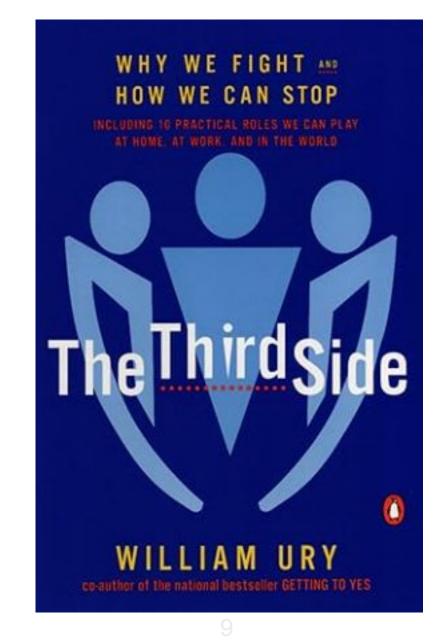
# The Third Side Paradigm Shift

### **Shifting the Paradigm**

- From "us vs. them"
- From "right vs. wrong"



To "shared interests" in student success







## The Third Side Causes of Conflict

#### **Why Conflict Escalates**

- Frustrated needs
- Poor skills
- Weak relationships
- Conflicting interests
- Disputed rights
- Unequal power
- Injured relationships
- No attention
- No limitation
- No protection

### In Special Education, this could be because of:

- Disagreements over Design of Services
- Problems with Service Delivery
- Relationship and Communication Issues
- Systemic and Legal Factors





### The Third Side

### A Visual of "Third-Sider" Roles





# The Third Side Strategies and Roles of the Third Side

### **Preventing**

 Using <u>providers</u>, <u>teachers</u>, and <u>bridge-builders</u> to address the root causes of conflict.

### Resolving

 Using mediators, arbiters, equalizers, and healers to help the parties find common ground and repair relationships.

#### **Containing**

Using witnesses, referees, and peacekeepers to stop violence.



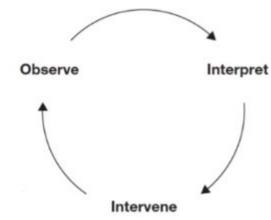


### **Adaptive Leadership**

What is it?

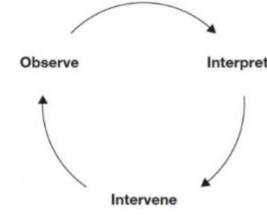
"You need perspective on yourself and the system context in which you operate" (pg. 6)

- Data collection
- Problem identification
- Interpretation
- Identification of approaches to action

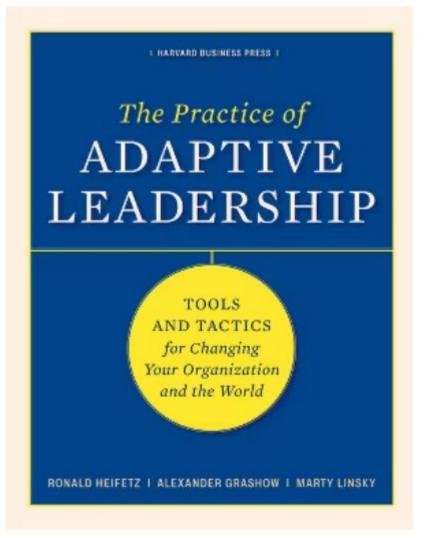


The practice of leadership has 2 core processes for the self and system:

- Diagnosis
- Action









### **Adaptive Leadership**

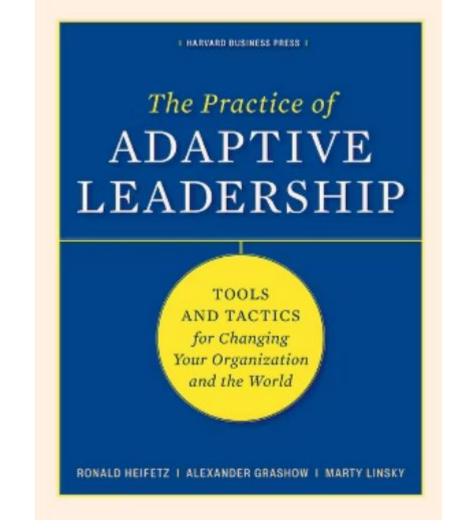
### Core Components

Adaptive Leadership is the practice of mobilizing people to tackle tough challenges and thrive (p.14).

### **Adaptive Leadership Behaviors**

- Get on the balcony
- Identify the adaptive challenges
- Regulate distress
- Maintain disciplined attention
- Protect leadership voice from below

With a focus on the holding environment, leaders/followers, and interactions







# Adaptive Leadership & The Third Side Framework Alignment and Connection

#### **Empowerment**

 Advocate for empowering the people directly affected by the challenge or conflict to find the solution.

#### **Systemic View**

 Encourage a shift in perspective with emphasis that problems are interconnected and deeply rooted in the system's values and beliefs.

#### The "Work"

 Addressing the issue is difficult, involves discomfort, and requires a change in habits and beliefs.

#### **Process over Outcome**

 Focus is on creating a space for dialogue and learning, rather than simply imposing a final decision.





## The Third Side The Work- Our Work

### **Our BIG 2 Questions**

- What is this situation calling me to be?
- What can I do for this team that they have not been able to do for themselves?







## The Case Study





### **Case Scenario**

- Student is in 5th grade
- Initial eligibility in 1st grade
- Determined eligible under SLD and OHI
- Current IEP Direct Services
  - SAI 300 Minutes Weekly: Separate Setting
  - SAI 450 Minutes Weekly: Regular Classroom Setting
  - OT 30 Minutes Monthly: unknown setting
- Student is not making progress on goals
- Family has retained an advocate





# ADR Process Where it Begins

Parent calls the SELPA Office mainline

- Use of ADR general call log
- Use of process map for how calls are addressed

Program Specialist calls parent back when time allows, within 24 hours

- Spend time listening
- Offer suggestions to try with the district
- Call district to ensure they know the concerns
- Request parent to call back as needed
  - "CONFERENCING"



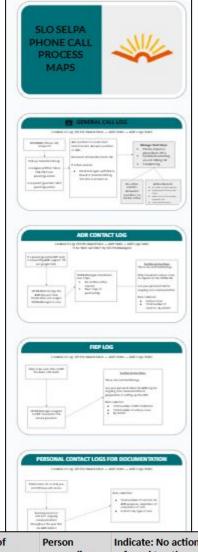




## ADR Process Resources







Indicate: No action, referred to ADR, Intake Can you briefly tell me what your What type of support Is follow up Date of Initials **Caller Name** Student Name LEA School Site concern is? are you looking for? action needed? Response referred to other Date Caller Number Grade responding





# ADR Process Receiving the Request

 2 weeks later, the parent filled out the ADR Request form via the SELPA website

- SELPA Executive Director received the request and assigned the case to a Program Specialist
  - based on capacity
  - presumed needs of the case
  - area of expertise





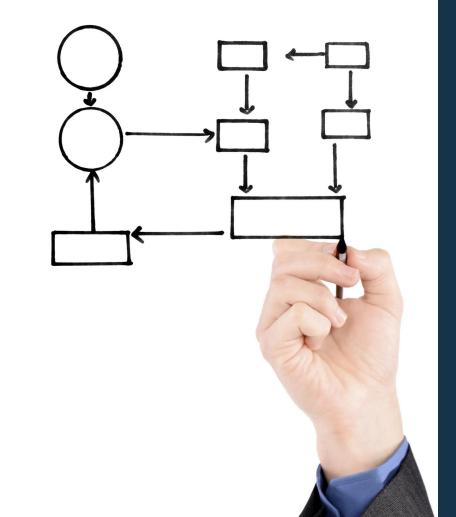
## **Connect and Inquire**





## **Connect and Inquire** *The Process*

- 1. Call the parent
- 2. Engage in active listening
- 3. Seek clarity
- 4. Ask questions to identify gaps
- 5. Determine what the case needs







# **Connect and Inquire**Seeking Clarity & Question Asking

Make the call to the parent

#### Focus:

- Clarify what they see as the conflict
- Acknowledge thoughts and feelings
- Summarize ideas to ensure mutual understanding
- Identify the underlying issue
- Gently surface next steps

Concerns:	Requests:
Agenda Items/Norms:	Questions/Other:





# **Connect and Inquire** *Exploration with All Parties*

### **SELPA Next Steps**

- Talk to the school team members
- Try to see the whole picture
- Then determine
  - What can I do for the team that the current team has not been able to do for themselves?
  - What type of third-side support does this case need?
  - What does this case need based on the SELPA ADR Continuum?





### **SLO SELPA ADR Continuum**

#### ADR CONTINUUM

SELPA STAFF WILL LISTEN TO YOUR CONCERNS AND IDENTIFY A PROCESS TO HELP



**SELPA CONFERENCING** 

When requested, the SELPA staff will conference with parents or district staff to intervene early, offer suggestions, and resolve concerns.



**SELPA COACHING** 

Staff is available to meet with teams or parents to coach and consult on helpful resolution strategies, effective communication techniques, and options for resolving conflicts. A coaching relationship is for those who are ready to learn, grow, and show up differently.



IEP PROCESS SUPPORT

Staff is available to support the IEP process and determine needs on an individual case basis.

Support may include case analysis, team-building skills, meeting agenda preparation, process preparation, supporting meaningful participation, and/or attending IEP meetings.



**FACILITATED IEP** 

This is a formal IEP meeting facilitated by a neutral facilitator.

The process is designed to help the IEP team build relationships, focus on the IEP content and the student, and work toward positive outcomes.



LOCAL RESOLUTION SESSION

A problem-solving method that brings parties together to reach a mutually satisfying agreement with the guidance of a facilitator. The session allows parties to listen and express their points of view. If agreement is reached, the specifics are put in writing and signed by all parties.



OAH RESOLUTION, MEDIATION, AND HEARING

A parent can file a complaint with the Office of Administrative Hearing. If the issue is not resolved in a resolution session, the matter will proceed to mediation. If mediation is unsuccessful, the issue will proceed to a Due Process hearing. The goal is to reach a mutual agreement as early in the process as possible to move forward.





## Connect and Inquire Determine Case Needs

#### Case Scenario:

- The team lacks thorough preparation for meetings
- Parents feel they are not being heard
- Parents feel there is no follow up to agreed upon actions
- School team feels the advocate is verbally aggressive
- Two IEP meetings have been held with no resolution

SELPA has determined that Facilitation support is needed.





## **Preparing For The Meeting**





## **Preparing For the Meeting**

### Communication and Connection

- Who are you having conversations with?
- What questions are you asking?
- Have you gained insight on various perspectives?
- Are there timelines or follow through needed?

#### Sample Investigation Questions

#### Initial

Tell me a bit about what's going on.

#### Clarification

- I heard you say ( \_\_\_\_\_\_). Can you tell me more about that?
- I heard you say your child needs (\_\_\_\_\_\_). Could you elaborate a bit more on that? What might that look like throughout the day?
- Let me share back to you what I have heard so far and make sure I have this right. (summarize)
- . If you had to prioritize your concerns, what comes up for you the most?
- · What feels most urgent for you at this time?

#### **Future-Oriented**

 If this upcoming IEP meeting went really well, what would you hope to walk away with?





### **Preparing For the Meeting** The Core Components







# Preparing For the Meeting Identifying Norms

- What have we learned from the prep work?
- In conversations, do we need to identify specific norms for this particular case?
- Ex: in this case the norms need to create safety in the space- folks need to be able to disagree, calmly and politely, as well as create clarity around agreements





# Sample Norms Specific to the Case Scenario

- One person speaks at a time, avoiding interruptions
- Stay on agreed upon agenda
- Treat everyone with respect
- Avoid Side Bars, including written notes
- Use a polite tone
- Honor Time Frame

- Treat all members as valued participants
- Work together to find solutions
- Allow time to review actions/agreements prior to close of meeting
- Clearly identify who will do what and by when





### **Sample ADR Planning Grid**

#### **ADR Request - Planning Grid**

Sample Investigation Questions
Parent (Sample Notes)

#### Concerns:

- Child not making progress on IEP reading goals
- · Parent not being heard at IEP meetings
- Verbal agreements in IEP meetings, and there is no follow-through or proper documentation
- · Staff are untrained on the dyslexia curriculum
- The child is making progress with Linda-mood bell, but not at school
- Doesn't understand her daughter's schedule and who is doing what and when?
- Independence- parent wants her to be as independent as possible and doesn't know what accommodations she actually needs that are on her IEP- wants a balance

#### Requests:

- District to pay for Linda Mood Bell
- · District to train staff on the curriculum being used
- · Clear communication
- Monthly progress report updates/data checks

#### Agenda Items

- Reading
  - Curriculum, training, goals, services
- Accommodations
- Progress Reporting
- Home/School Communication

#### Norms:

Add the following to stock norms

- · One person speaks at a time, avoiding interruptions
- Stay on the agreed-upon agenda
- Allow time to review actions/agreements before the close of the meeting
- · Clearly identify who will do what and by when

#### Ouestions/Other:

- Discuss the request for Linda-Mood Bell payment with the sped director and program coordinator, addressing parent concerns.
- Who will be in attendance at the IEP meeting?
- · Who will be my LEA lead to connect with?





# Preparing for the Meeting Building the Agenda

- Ask parents and district what they need discussed to leave the IEP meeting feeling settled?
- Are there non-negotiables?
- Use identified gaps and put into agenda
- Agenda template

Insert logo/letterhead here  TITLE		
Date The meeting is being recorded.		
Time	Welcome/Settle In	
Time	Welconie/Settle III	
(10min)	Facilitator Opening Remarks  IEP Meeting Purpose  Meeting Norms  One person speaks at a time, avoiding interruptions  Stay on the agreed-upon agenda Treat everyone with respect Avoid Side Bars, including written notes  Use a polite tone Treat all members as valued participants Work together to find solutions Honor Time Frame Introductions Meeting Attendees Share Name, Title, and role Identify Roles/Responsibilities- Agenda, Meeting Norms, Facilitator of collaborative conversations, Parking Lot Time Keeper Note Taker (s) Time Frame  IEP Meeting Documentation Parent rights/Medi-Cal IEP meeting notice Participation signatures	





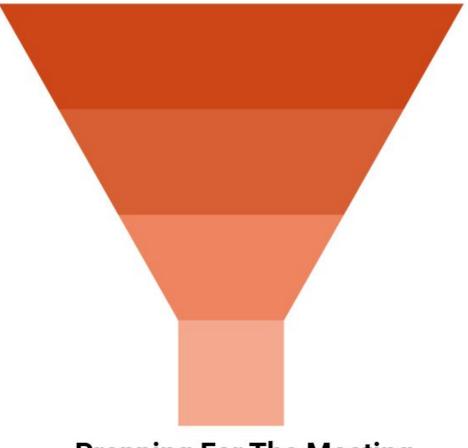
## **Prepping for the Meeting**





## Prepping for the Meeting Narrowing the Focus





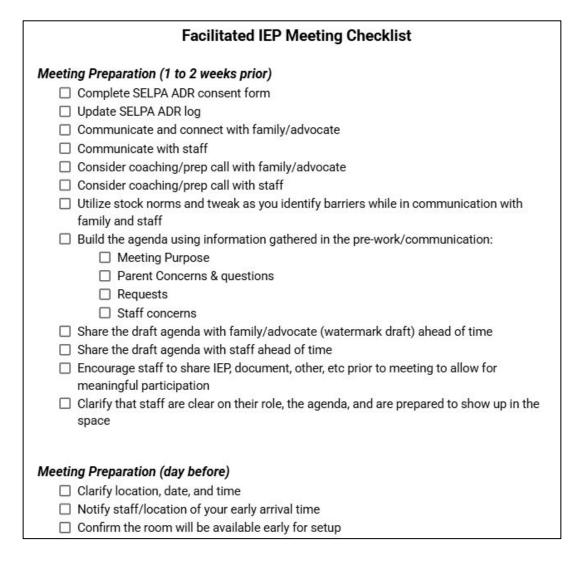




### **Prepping For the Meeting**

### **Facilitated IEP Meeting Checklist**

- Final pre-meeting communication
- Agendas finalized and sent to all members
- Meeting logistics confirmed
- Space







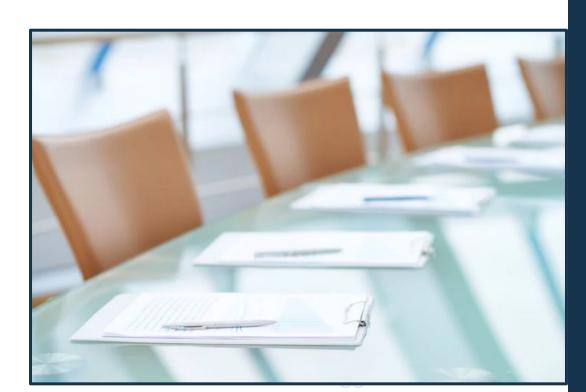
### **Facilitating the Meeting**





# Facilitating the IEP Showing Up

- Setting the tone, lead by example
- Arrive early
- Greetings, smiles, introductions, hand shakes
- Consider where to greet the parent
- Consider room setup
- Provide printed agendas
- Allow people to get settled







# Facilitating the IEP Clarify Role

- Set the tone/establish safety
- Monitor norms
- Agenda keeper
- Be confident- relaxes others
- Clear visuals- posters, agenda, drafts
- Make things transparent
- Start on time





## Facilitating the IEP Use of Visuals

### Create transparency and build trust with the use of visuals

#### **ACTION ITEMS**

- Edit goal #1 to include conditions
- Add accommodation of short breaks
- Follow up on parking lot

#### **NORMS**

- One person speaks at a time, avoiding interruptions
- Stay on agreed upon agenda
- Treat everyone with respect
- Avoid Side Bars, including written notes
- Use a polite tone
- Honor Time Frame

#### **AGREEMENTS**

- Goal #2, 3
- State testing supports
- OT services
- SAI push in services

#### **PARKING LOT**

- Help parents log into Aeries
- Show parents how to use Google Classroom





## Facilitating the Meeting During the Meeting- The Opener

### **Opening Remarks**

Adjust on a case by case basis

- Name
- Your position and brief background
- Provide clarity around your role at the IEP meeting and what that will look like (expectations, visual supports)
- Example: "There may be hard conversations or emotions in today's meeting, and that's okay. It's how we move through these conversations that matters and I'm here to support you all with that."
- Model your opening remarks with confidence and warmth.





# Facilitating the Meeting During the Meeting

- Listen and observe
  - Constantly observe body language, facial expressions, and tones to make adjustments as necessary
- Monitor meeting norms
- Keep up with agenda, managing time
- Nudge people along when necessary
- Reference visuals
- Pause the group to seek clarity
- Summarize or restate
- Document agreements and parking lot items





## Facilitating the Meeting During the Meeting-Application

### **Case Application**

- Scenario: Staff member being intensely peppered with questions by advocate
  - How to pause and redirect the questioning?
- Scenario: Advocate and site leader talking over each other in disagreement
  - How to pause the room and take the energy/steam out of the conflict?
  - What do we do if the team can't agree to move forward?





# Facilitating the Meeting Closing the Meeting

### The 10 Minute Closing

Do not skip this step

- Review actions and agreements
- Identify how any parking lot items will be addressed
- Clarify who will do what and by when
- Confirm that the note taker documented all agreements
- Offer team members opportunity to take a photo of posters to support follow up
- Consider having team initial the actions/agreements poster
- Share with the team that that you will support everyone by following up on agreements
- "Thank you for leaning into difficult conversations with the shared goal of supporting ."





# Facilitating the IEP After the Meeting

- Ensure team members know the action plan
- Follow up: are actions, agreements, parking lot items being addressed
- Focus on what will keep the trust that was built

High Quality IEPs  IEP Action Plan		
Task: (what needs to be done)		
Who: (will work on it/complete it)	Date needed	
What supports are necessary to complete the task(s)?		
Additional notes:		
Date completed:		
Task: (what needs to be done)		
Who: (will work on it/complete it)	Date needed	
What supports are necessary to complete the task(s)?		
Additional notes:		
Date completed:		





## Facilitating the IEP After the Meeting-Application

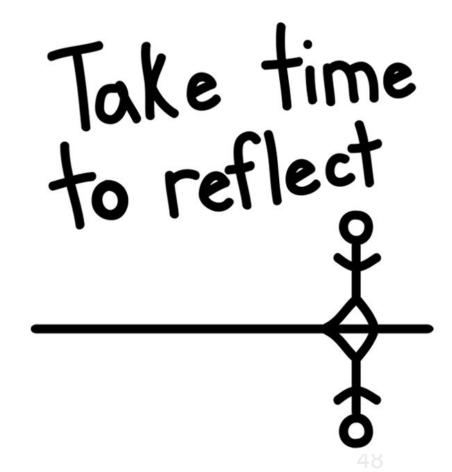
- Email team members- Follow up support
- Send photos of Actions/Agreements posters
- Email personal notes of gratitude
- Set a reminder to follow up on action item completion





## Facilitating IEP Reflection

- Schedule margins
- Reflect with team members
- Gather feedback
  - surveys
  - o phone calls
  - o emails
- Plan for case transition
- Reflection on 2 BIG questions







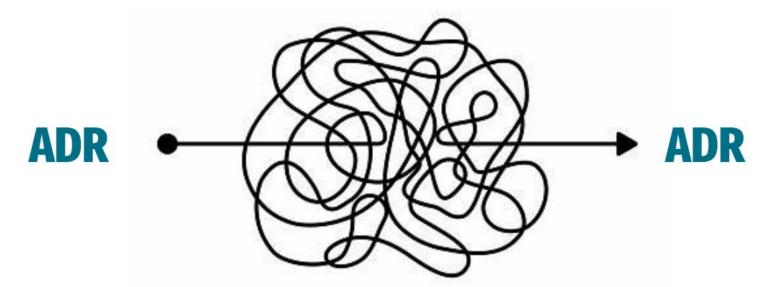
## SLO SELPA's ADR Journey





### SLO SELPA's ADR Journey

- 1. Capacity Building
- 2. Prevention Focus
- 3. Reflection
- 4. Next Steps and Opportunities







### SLO SELPA's ADR Journey: Internal Capacity Building

Before 2020

2020-2022

2022-2024

Current

- Original recipient of CA state ADR-01
- Historical use of Independent Advocate funded by SELPA
  - Transitioned to Ombudsperson
  - Transitioned to SELPA Staff
- Continuous improvement and iterative process of revision
- Expansive continuum with focus on proactive/preventative strategies
- Support by ADR Consultants (Greg Abell/Carlo Rossi)
- Collective commitment from SEOC, CBOs, and Superintendents to prioritize resources for ADR





## SLO SELPA's ADR Journey Prevention Focus- Learning

### Parent Participation Learning Series

- virtual lunchtime learning
- based on end of year survey results
- partnership with our Family Empowerment Center, PHP, and CAC

### On-Demand Learning Resources

- high quality professional learning
- high interest topics or based on requests
- can be used at anytime by anyone
- digestible concept and skill building aligned to best practices





## SLO SELPA's ADR Journey

### Prevention Focus-Learning

ADR Monthly Tips and Mid-Monthly BOOST

- sent widely to all educators each month
- best practices, strategies, and resources
- 5 minutes of engagement

### **ADR Community of Practice**

- facilitated by Greg Abell and Carlo Rossi for 3 years
- transitioned to the SELPA
- shared learning, reflection, hot topics
- focus for 25/26- site administrators/ LEA Designees

Our goal is to offer a range of high quality learning opportunities to proactively address best practices in special education



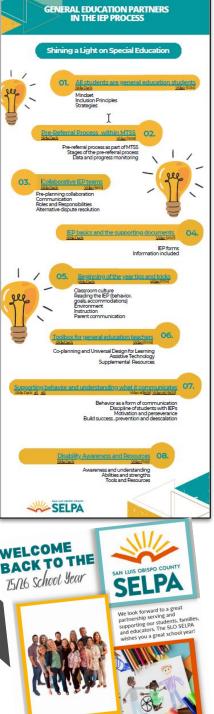


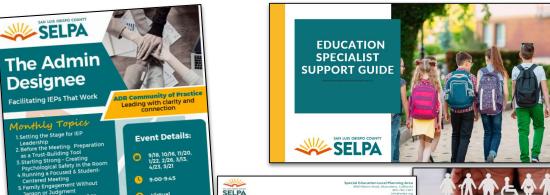
## SLO SELPA's ADR Journey Prevention Focus- Branding

- Logo
- Consistent Colors and Style
- Social Media
- Website renovation
- Advertising plan
- Consistent messaging across and within
  - built listservs using google groups
  - ADR standing agenda item in all meetings
  - celebrate at every opportunity

Our goal is to build an identity that conveys openness, trust, partnership, and expertise







#### **Alternative Dispute Prevention** and Resolution

12.31

18:35

Unk 15:19

ADR is an informal method of settling disagreements that may arise during the IEP process. ADR specific options in this process to open communication, promote understanding, and reach agree JENNIFER that support and strengthen relationships. ADR is designed to meet the interests of the parties inv result in a mutually agreeable outcome, rather than a decision solely made by a third party, hearing or judge

REQUEST ADR SUPPORT

7.Empowering Gen Ed Voices 8.Closing with Clarity

Paraeducator On-Demand Module Series

ADR MONTHLY TIPS

#### Alternative Dispute Prevention

At SLO County SELPA, we believe that strong partnerships between families and educators are built through proactive, collaborative communication. Our Alternative Dispute Prevention efforts emphasize early resolution strategies, open support positive outcomes for students and strengthen relationships across our school communities



#### **ADR Monthly Tips**



















## SLO SELPA's ADR Journey Prevention Focus- Connection

### Local Agency Partnership

- monthly networking with local agencies
- share what SELPA is doing
- learn what they are doing
- discuss how to best partner together

Our goal is to develop strong partnerships with our local agencies to increase the effectiveness of connections in service of our families





### **Local Agency Partnerships**







































# SLO SELPA's ADR Journey Iterative Improvement and Growth

- Is our ADR continuum the right model of support?
- How do we create appropriate boundaries to build capacity and independence?
- How do we effectively transition off cases by identifying other third siders?
- How do we continue to grow, learn, and adjust to the changing needs?
- How can we effectively measure the impact of our efforts?
- What is meaningful data collection in ADR?
- How can we learn more about OAH filings that did not use the SELPA?





# SLO SELPA's ADR Journey Reflective Opportunities

How are we reflecting on practices to improve skills?

<ul><li>With Teams</li><li>after every SELPA-involved</li><li>ADR case</li></ul>	<ul> <li>With ADR Professionals</li> <li>Region leads</li> <li>ADR consulting contracts</li> </ul>
<ul><li>With Parents/Guardians</li><li>after every SELPA-involved</li><li>ADR case</li></ul>	<ul><li>With SELPA</li><li>● bi-monthly SELPA ADR Huddles</li></ul>





# SLO SELPA's ADR Journey Next Steps

#### Parent Ambassadors

we need to build a supportive network for parents with parents

### Capacity building of others

- develop site leaders as ADR leaders
- systematize onboarding into ADR- revolving staff transitions

Build working partnerships with Advocates and Attorneys

• trusting relationships, transparent processes, effective communication





Special gratitude and many thanks to our ADR Consultants who have been deeply impactful to our journey.













