

How to Build Trust in a Mediation System when Distrust Abounds

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The federal government supports states' trust-building, collaboration, and group decision-making through IDEA.

CADRE Continuum

Stages of Conflict	Stage I			Stage II			Stage III			Stage IV			Stage V				
Levels of Intervention	Prevention			Disagreement			Conflict			Procedural Safeguards			Legal Review				
Assistance/ Intervention Options	Participant & Stakeholder Training	Stakeholder Council	Collaborative Rule Making	Parent-to-Parent Assistance	Case Manager	Telephone Intermediary	Facilitation	Mediation Hybrid Models	Ombudsperson	Third-Party Opinion/Consultation	Resolution Session	Mediation Under IDEA	Complaints	Due Process Hearing	Hearing Review (Tier II)	Litigation	Legislation
Dimensions that help clarify placement of the options along the Continuum	Third-Party Assistance						Third-Party Intervention										
	Decision Making by Parties						Decision Making by Third Party										
	Interest-Based						Rights-Based										
	Informal & Flexible						Formal & Fixed										

When a student's special education
planning meeting becomes a stormy
process the student's education
is at stake.



**A trusted
mediation
system can
solve that
problem.**

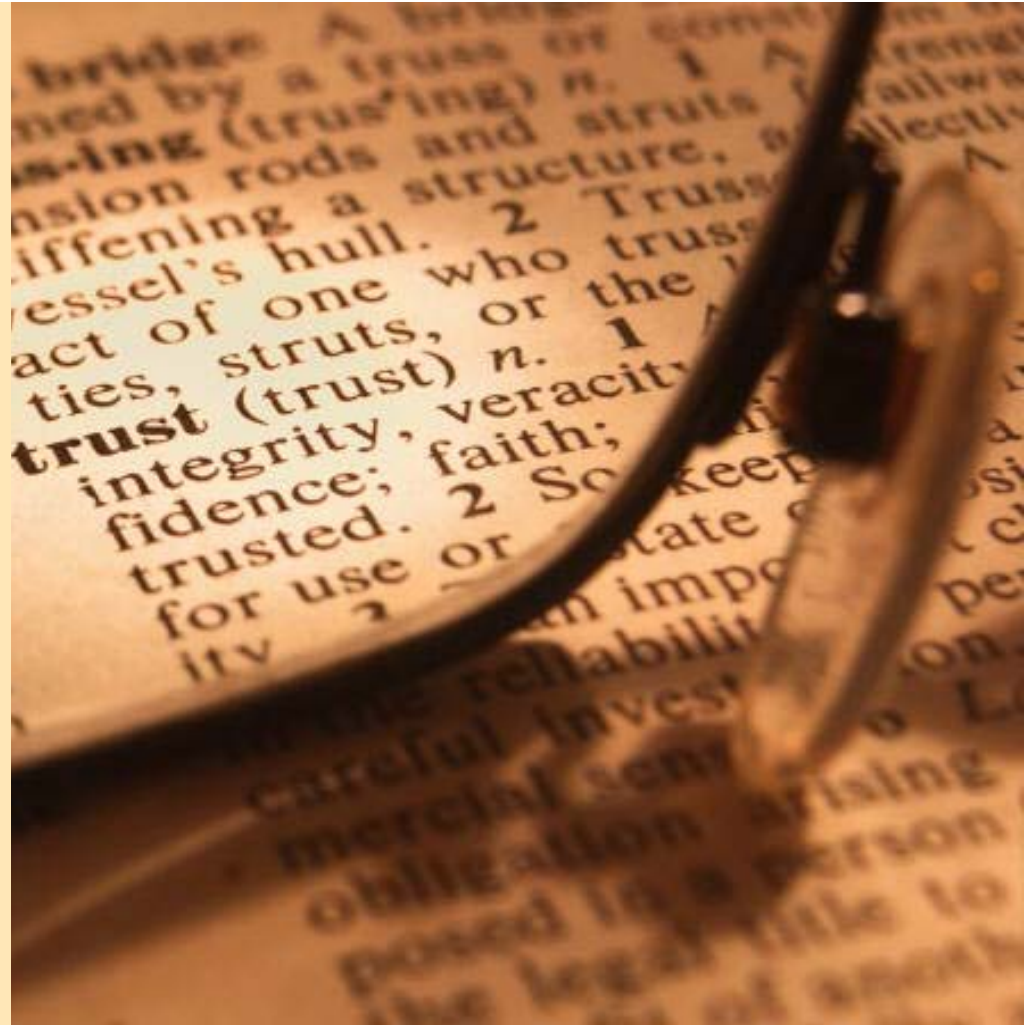


Parties who request mediation are often in a highly emotional state and distrust is rampant.



In Minnesota last year, calmer waters prevailed in 91% of the mediation cases and relationships usually improved.

Trust in
the state
ADR system
increases
confidence and
cooperation.





How trusted is
your state's
ADR system?

Minnesota believes a trusted system is developed in four ways.



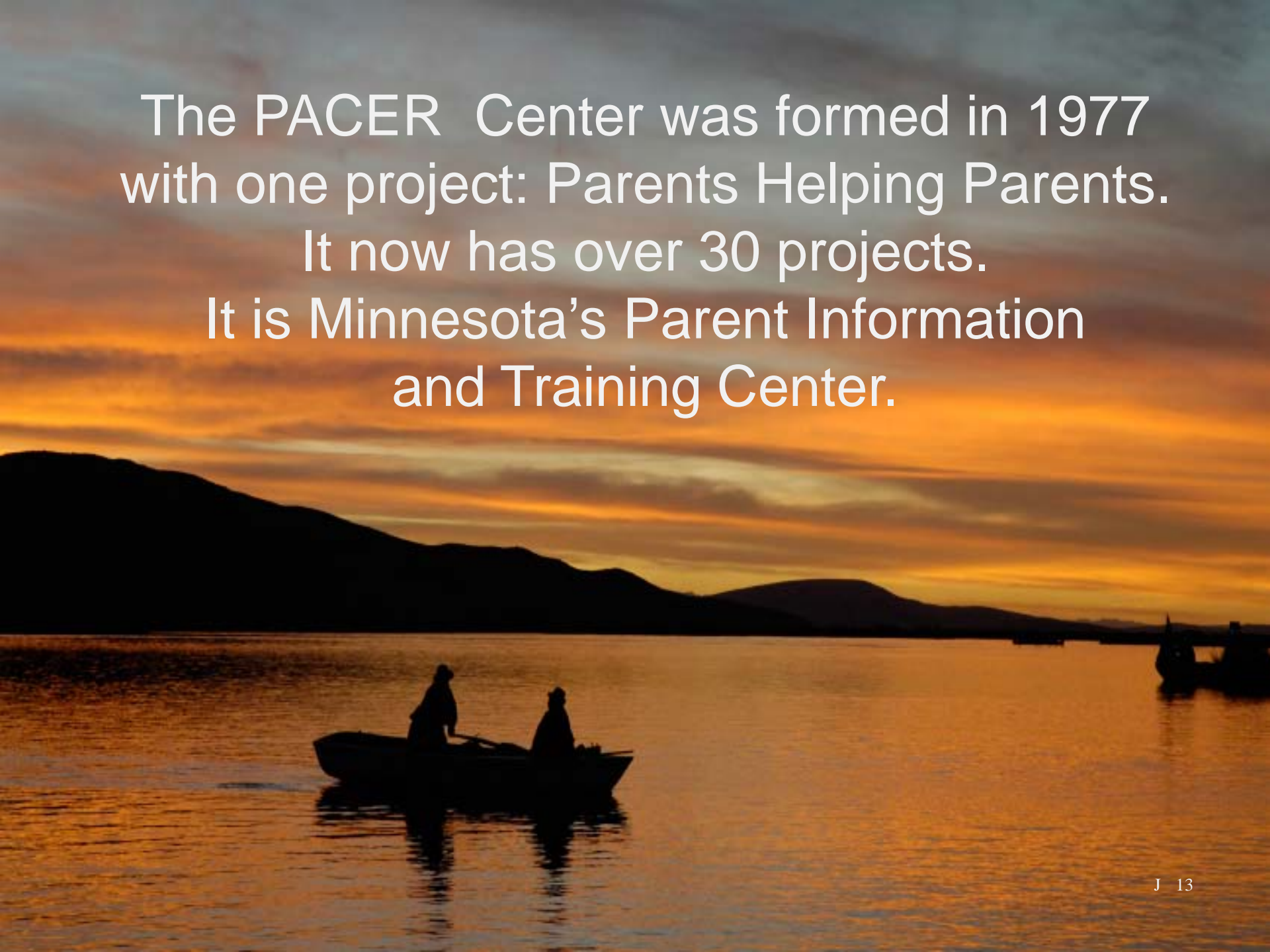


**Building trust
in a system.**

- ***Stake-holder involvement***
- Transparency
- Proficiency
- Feedback loop

MNSEMS has a history of stakeholder involvement to design and improve its service.

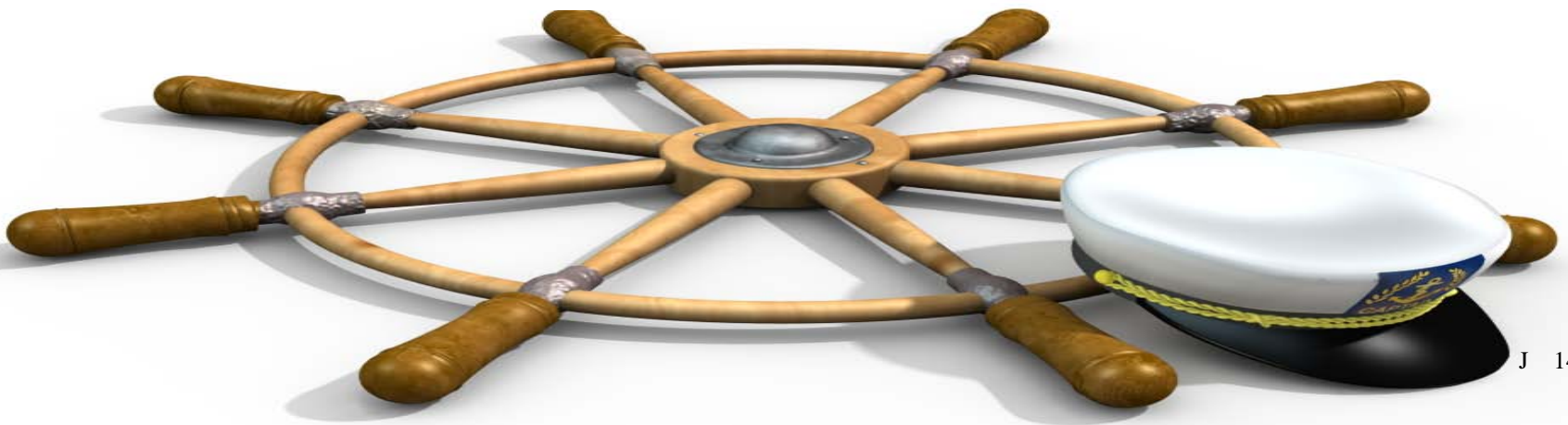


A serene sunset scene over a large body of water. The sky is filled with soft, orange and yellow clouds, transitioning into a darker blue at the top. In the foreground, the water reflects the warm colors of the sunset. A small boat with two people is silhouetted against the water in the lower center. In the background, dark, rolling hills or mountains are visible under the twilight sky.

The PACER Center was formed in 1977
with one project: Parents Helping Parents.
It now has over 30 projects.
It is Minnesota's Parent Information
and Training Center.

PACER's role as
a stakeholder
has been
particularly
valuable.

- 15 years of funding
- all disabilities
- statewide



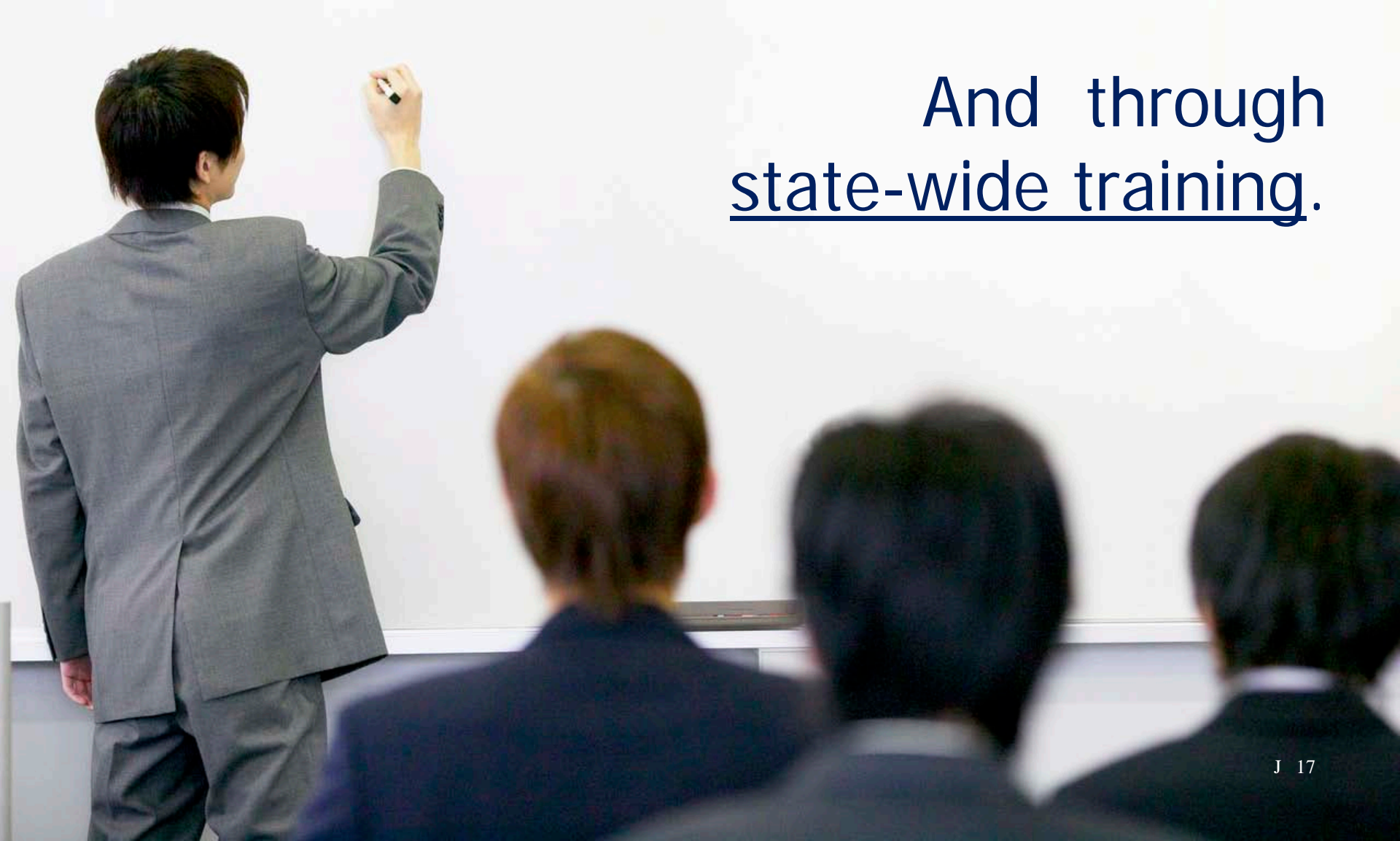
PACER increases
parents' knowledge of
their rights and
responsibilities
through
individual assistance.

- phone
- record reviews
- e-mail

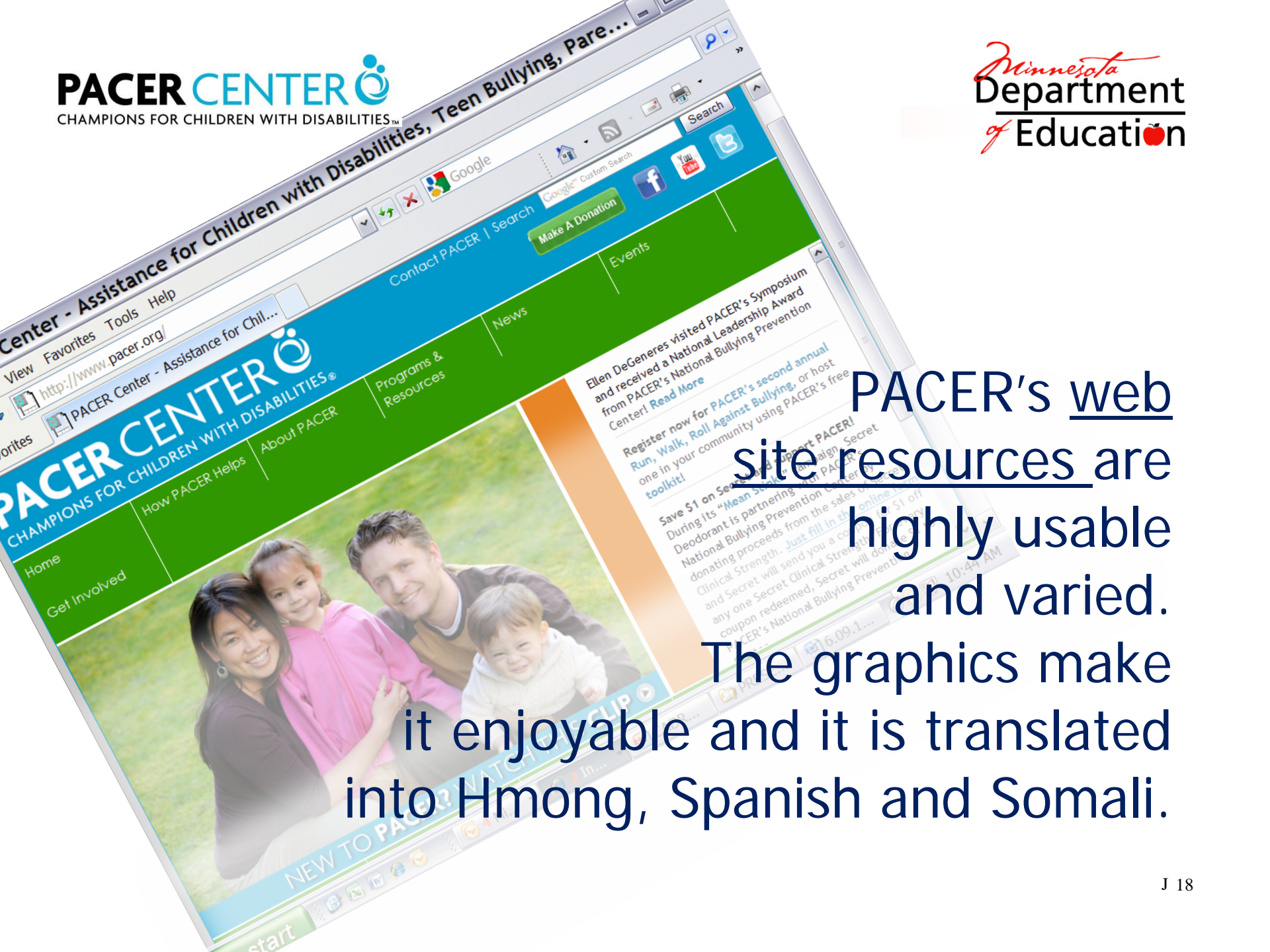


PACER also
works in-person
with parents.





And through
state-wide training.



PACER's web site resources are highly usable and varied.

The graphics make it enjoyable and it is translated into Hmong, Spanish and Somali.



MNSEMS keeps data from all of the ADR participants and produces detailed annual reports which MDE shares with all of its stakeholders.

Evaluations

ewertung



Sehr gut



Gut



Befriedigend



Ausreichend



Mangelhaft





What are some other ways to continue stakeholders' involvement in a state ADR system?



**Building trust
in a system.**

- Stake-holder involvement
- ***Transparency***
- Proficiency
- Feedback loop

We believe our system needs to be transparent to all.



**A transparent process adds to parties'
confidence in participation.**

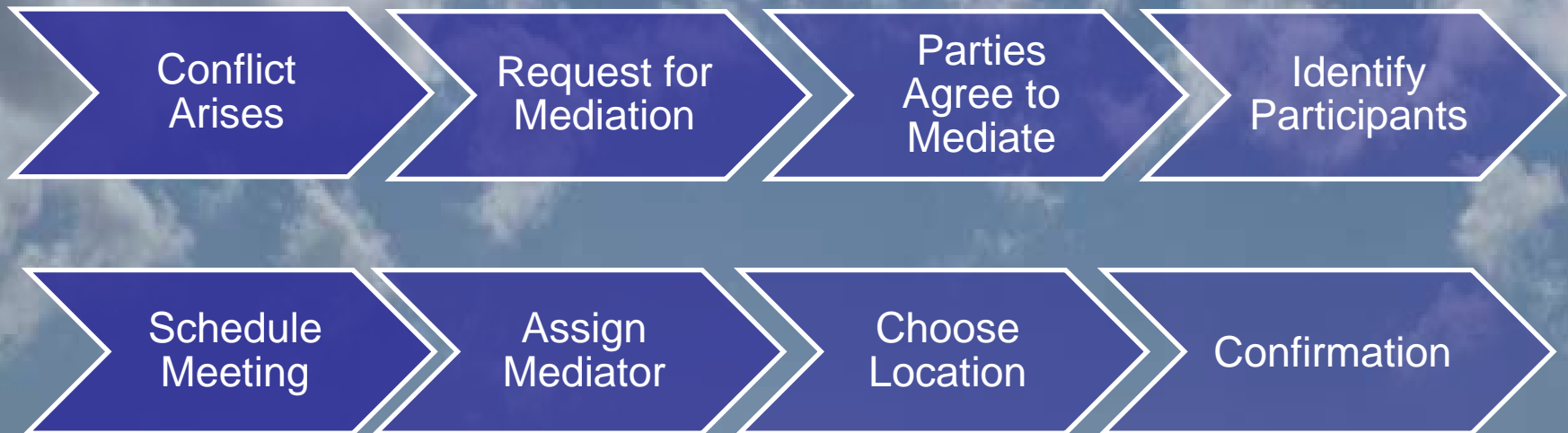
Conflict
Arises

Request for
Mediation

Parties
Agree to
Mediate

Identify
Participants

**A transparent process adds to parties'
confidence in participation.**



**A transparent process adds to parties'
confidence in participation.**

Case
Development

Mediator
Contacts Parties

Mediation Takes
Place



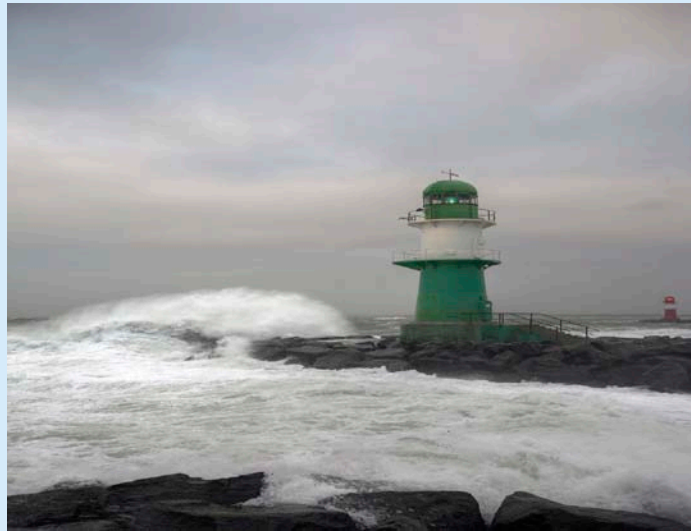
What examples
do you have
of the
transparency of
your state's
ADR system?



**Building trust
in a system.**

- Stake-holder involvement
- Transparency
- ***Proficiency***
- Feedback loop

The coordinator and mediators share



their optimism in a positive outcome.

MNSEMS contracts with skilled mediators.



MDE makes every attempt to ensure implementation of the agreement.





What has been
the most
successful
technique your
state has used
to ensure the
proficiency of
your system?



**Building trust
in a system.**

- Stake-holder involvement
- Transparency
- Proficiency
- ***Feedback loop***

Parties complete an online survey just after the session and two months following.



**Evaluations
reveal that
parties consider
MNSEMS staff
encouraging
and neutral.**

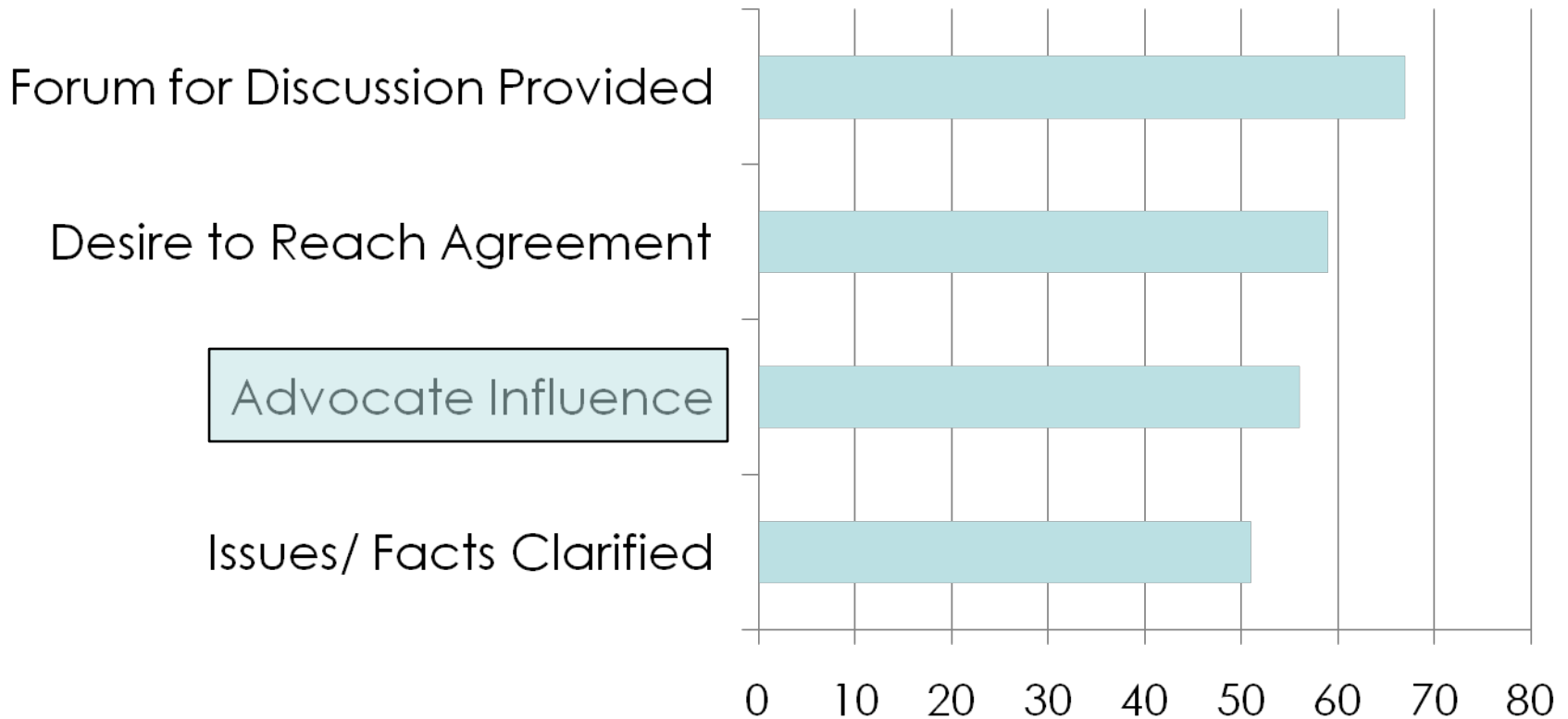




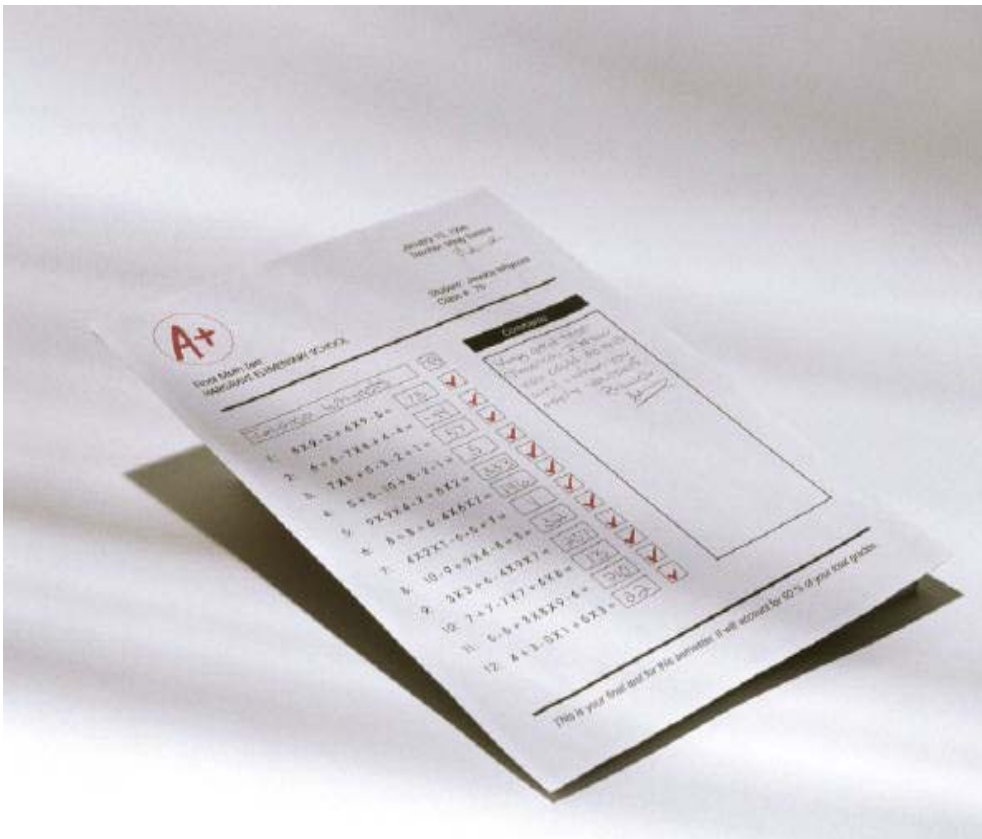
Mediators learn the efficacy of their interventions.

Outcome Data from MDE

Reasons for Agreement:



Outcome Data from PACER



Did the PACER Advocate help you understand what to expect, help you clarify and prioritize the issues?

97% YES (9/06 – present)

Outcome Data from PACER



Did the PACER Advocate demonstrate effective skills for resolving disagreements with your child's school team?

97% YES (9/06 – present)

Parties' suggestions
improve our
mediation system.





Parties' reasons for requesting mediation inform MDE's training plan for districts.



What are some examples of how stakeholder evaluations changed your state's system?

Minnesota believes a trusted system is developed in four ways.



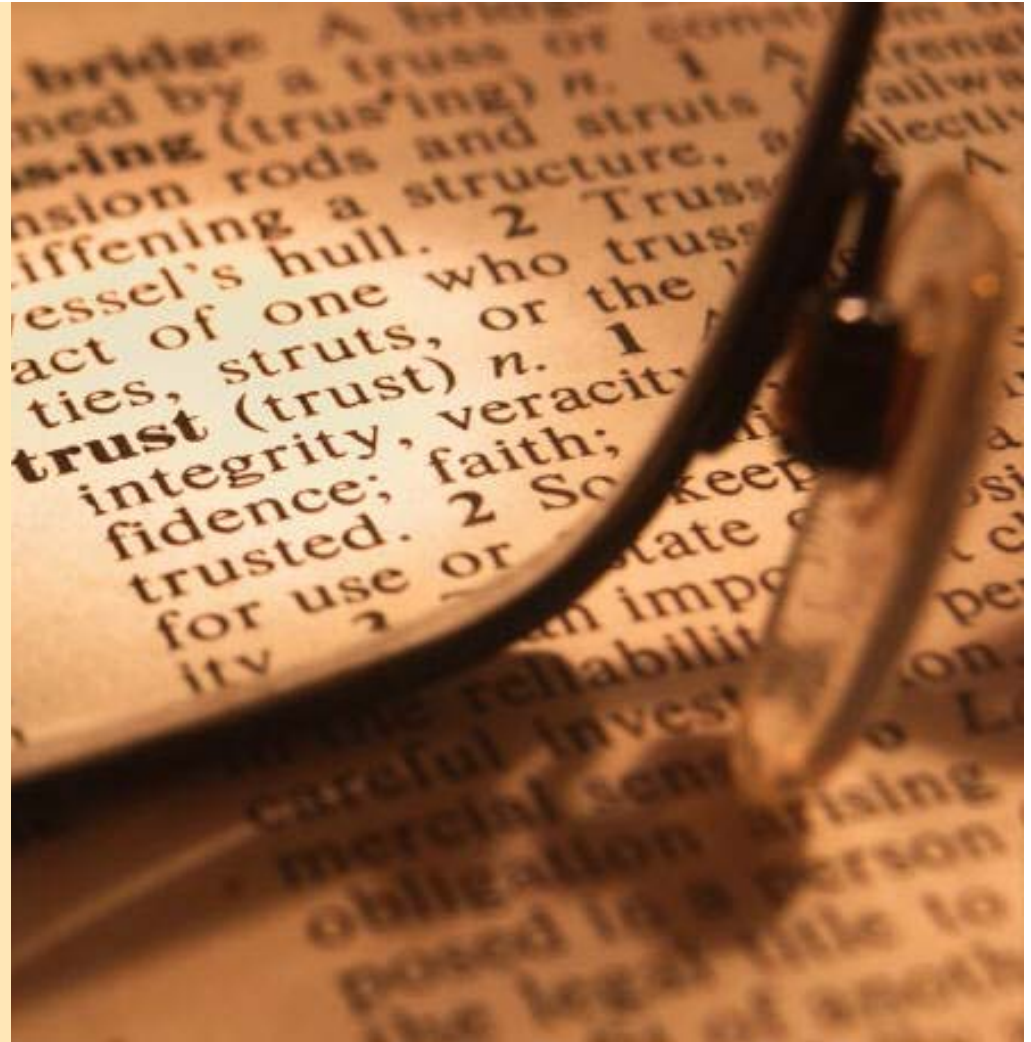


What are the
next steps you
would
recommend
for increasing
trust in
your state's
ADR system?



Like ours, your states' conflicts
may be challenging!

Trust in
the state ADR
system
increases
confidence
cooperation
and success.





All states can
increase trust
in their
ADR systems.

A trusted ADR system is a vital resource.



It bolsters
teams that
are shaky
and helps
members
re-establish a
working
relationship.

It changes outcomes for students...

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