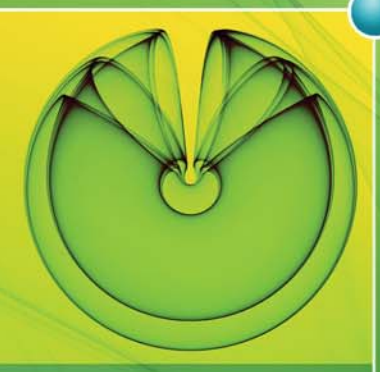
2007

Shared Solutions

A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students With Special Education Needs

Ontario



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A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students With Special Education Needs

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Introduction

The Ministry of Education continues to encourage the use of approaches and strategies that lead to higher achievement for all students in Ontario's publicly funded education system. This resource guide is intended to help parents,[1] educators,[2] and students with special education needs work together to prevent conflicts, resolve them quickly, and allow students to develop their full potential and succeed in school. The approaches outlined build on techniques and strategies for conflict prevention and resolution that are already in place in many school boards.

There are many ways of working through conflict, ranging from informal to formal methods. This resource guide focuses on informal conflict resolution, which is often the most effective approach and enhances the ability of students, parents, and educators to arrive at shared solutions.

This guide addresses conflicts affecting students with special education needs, but the strategies it discusses can be used to resolve conflicts for all students, as well as conflicts that arise in contexts outside the education system. The examples included, while based on real situations, use fictitious student names, and any resolution proposed is just one among several possible outcomes.

1. Throughout this guide, the word *parent* is used to refer to both parent(s) and guardian(s).
2. Throughout this guide, the term *educator* refers to school personnel working within the school setting, such as teachers and principals.

2 Overview of Special Education

The provision of special education programs and services in Ontario's publicly funded elementary and secondary schools is mandated by the Education Act and the regulations made under it. This legislation and various Ministry of Education directives and policies set out the terminology, documentation, and process requirements that are used by school boards in the delivery of special education.

The children and youth who require special education programs and services are a diverse group. Some students with special education needs are formally identified by an Identification, Placement, and Review Committee (IPRC); others receive special education programs and services without being formally identified. Special education programs and services are designed to enable students to develop knowledge and skills and demonstrate learning, and may include supports that enable experiential learning such as cooperative education placements, school-to-work programs, and/or apprenticeship programs.

Special Education Programs

- educational programs that are based on and modified by the results of continuous assessment and evaluation and that include a plan containing specific objectives and an outline of educational services that meet the needs of the exceptional pupil.

Special Education Services

- facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

(Source: Education Act R.S.O. 1990, Definitions s.1.)

Students with special education needs may require *accommodations* and/or *modifications* to the Ontario curriculum, and/or *programs or courses with alternative expectations*, or a combination of the three. The following chart defines these three main strategies in the delivery of special education programs.

Accommodations	Accommodations are the teaching strategies, supports, and/or services that provide students with access to the curriculum and enable them to demonstrate learning.
Modifications	Modifications are changes made to the grade-level curriculum expectations for a subject or course to meet the needs of the student.
Programs and Courses With Alternative Expectations	Alternative expectations outline learning related to skill development in areas not represented in the Ontario curriculum policy documents.

The elements involved in the delivery of a special education program are outlined below. Not all parts of this process are applicable to every student with special education needs.

- An entry-to-school plan is the first occasion for parents and educators, and possibly community partners, to collaborate in the development of procedures to promote a smooth entry to school for children with special education needs.[3]
- The Identification, Placement, and Review Committee (IPRC) process determines if a student should be identified as an "exceptional pupil" and states the exceptionality and the appropriate placement that will best meet the student's strengths and needs. School boards have the discretion to provide special education programs and services for students who are not formally identified as exceptional. For example, an IPRC is not required when both the school and the parents agree that the student with special education needs should be placed in a regular classroom.[4]
- The Individual Education Plan (IEP) is a written plan outlining the appropriate special education programs and services to be received by a student with special education needs. For most students with special education needs, the IEP and the Provincial Report Card are interrelated documents, in that achievement of the learning expectations set out in the IEP should typically be clearly recorded on the Provincial Report Card. An IEP must be

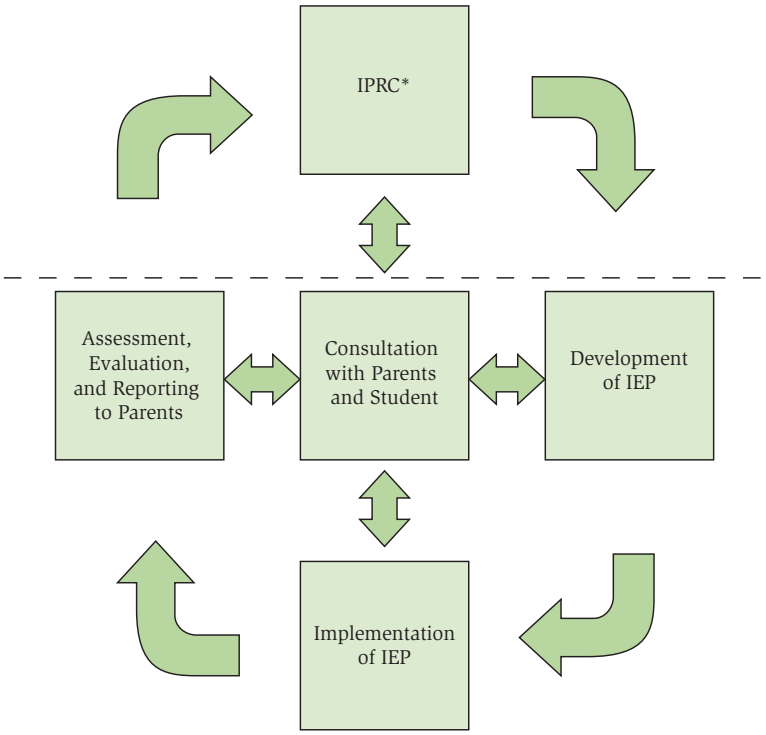
3. For more information, refer to Ontario Ministry of Education, *Planning Entry to School: A Resource Guide*, 2005.
4. See Ontario Ministry of Education, Memoranda from the Deputy Minister of Education, "Special Education Transformation Initiatives", October 12, 2006, and "Instructions for Submission of School Boards'/School Authorities' 2007 Special Education Plans", November 30, 2006.

developed for students who are formally identified as exceptional and may be developed for students who are not formally identified as exceptional. Parents must be consulted in the development of the IEP.[5] Experience has shown that educators and parents who work together in the development of the IEP share a common understanding that reduces potential future conflict.

- The transition plan is another important component of a student's special education program. It helps the student with special education needs make a successful transition from school to further education, work, and community living. The transition plan is a required part of the IEP for students fourteen years of age and older, unless the student is solely identified as gifted.[6]

Figure 1, below, represents the development and delivery of special education programs and services, including the IPRC process. Consultation with parents and students is important in all parts of the process.

Figure 1. DEVELOPMENT AND DELIVERY OF SPECIAL EDUCATION PROGRAMS AND SERVICES



*IEPs can be developed for students with special education needs without an IPRC.

(Source: Adapted from VOICE for Hearing Impaired Children, *The Individual Education Plan for Students Who Are Deaf and Hard of Hearing – A Parent Guide,* 2007.)

5. For more information, refer to Ontario Ministry of Education. *The Individual Education Plan (IEP): A Resource Guide*, 2004.
6. For more information, refer to Ontario Ministry of Education, *Transition Planning: A Resource Guide,* 2002. Transition plans for students with autism spectrum disorders (ASD) are referenced in Policy/Program Memorandum No. 140, 2007.

In Ontario, the Ontario Human Rights Code provides for the right to equal treatment with respect to services, without discrimination on the basis of a number of grounds, including disability. Education is considered to be a service under the code, and service providers have an obligation to accommodate the strengths and needs of a person with a disability, unless doing so causes "undue hardship" for the provider, "considering cost, outside sources of funding, if any, and health and safety requirements, if any".[7] Persons with disabilities are to have their strengths and needs considered, assessed, and accommodated on an individual basis. This includes students with special education needs, whether or not they have been formally identified as exceptional.

Students, parents, and educators all play important roles in the planning and implementation of a student's special education program. Recognizing everyone's contributions and setting observable, measurable, and realistic expectations for student achievement will lead to a positive school climate, the best possible education for the student, and minimal conflict. A detailed description of the roles and responsibilities of all parties collaborating in a student's education is provided in Appendix A.

7. Ontario Human Rights Code, 1990, s. 17 (2).

3 Understanding Conflict

Conflict is natural. When it is a catalyst for needed change, it can have a positive outcome. Conflict usually starts when someone decides that current conditions are unacceptable and need to be changed. Only one person is needed to start a conflict; others may become involved – whether they wish to or not – in response to this initial impetus for change (Windle & Warren, 1999).

A clear understanding of conflict – both in general and in special education contexts – is crucial to achieving solutions that meet the needs of the student and that are acceptable to all those involved. This chapter attempts to clarify the following aspects of conflict:

- common responses to conflict
- factors that contribute to conflict
- reasons for conflict in special education
- warning signs of potential conflict

Common Responses to Conflict[8]

In general, there are several common responses to conflict. These include avoidance, confrontation, and acquiescence. The strengths and drawbacks of these three specific types of response are outlined below.

AVOIDANCE

Avoidance can be useful when moods and emotions are high. Sometimes taking a break allows the parties to "cool off", reflect, and consider trying a different, potentially more constructive approach to resolving the issue. In some cases, too, a person may judge that an attempt to deal with a particular conflict is likely to be counter-productive and may decide not to engage with it immediately. However, a consistent pattern of avoiding conflict and hoping it will go

8. The information in this section is based on Windle and Warren, *Collaborative Problem Solving and Dispute Resolution in Special Education*, 1999.

away may be a sign that a person has difficulty acknowledging that there is a problem or that there is merit in the other person's point of view.

CONFRONTATION

Confrontation involves acting on the belief that only one side is right or that there is only one perspective on an issue. While an adversarial response may be taken if a legal right is at the heart of the conflict, emotions can run high and relationships may suffer long-term damage. Confrontation also creates a "win–lose" situation and may not serve the long-term interests of the parties.

ACQUIESCENCE

Acquiescence involves giving in to the other side. As with avoidance, this response may sometimes be appropriate. For example, if more will be lost through damaged relationships than through giving way, giving in may seem to be the most constructive response. However, if the party who gives in feels pressured or ill-used, resentment or a sense of grievance may follow and lead to difficulties at a later date.

Each of these types of response has merit in some situations. Recognizing when one of these approaches is appropriate is an important skill. However, these responses are not the only possible options. By expanding their repertoire of conflict resolution strategies beyond these limited reactions, both parents and educators can significantly enhance their ability to achieve satisfactory solutions to conflict. Suggestions for developing and enhancing collaborative conflict resolution skills and approaches are provided in Chapter 6 of this guide.

Factors Contributing to Conflict

A variety of factors can contribute, separately or in combination, to cause a conflict and/or to complicate or even prevent its resolution. It is important to note that conflict may be complex and that the real conflict may not be about the content but about the process used to resolve the conflict or the quality of the relationship of the people involved in the conflict.

Analysing a conflict to determine what factors are involved can help identify steps that might lead to a solution. The chart that follows describes some of these factors and possible steps that can be taken to reduce their negative impact.

FACTORS CONTRIBUTING TO CONFLICT	POSSIBLE SOLUTIONS
Insufficient, wrong, or misunderstood information: Conflicts can arise when people have too little or incorrect information or when they misunderstand the information supplied.	■ providing complete and/or accurate information ■ identifying what has been misunderstood and providing clarification
Miscommunication: Differences in communication styles may lead the parties to misinterpret the intentions, perceptions, or attitudes of another. As well, the parties may not be aware of the way they come across and the impression they are making.	■ listening actively, asking questions to identify and understand assumptions that may need to be corrected, and validating the feelings of others ■ expressing how one feels and demonstrating empathy
Differing values: Differing values may mean that the parties have differing and possibly incompatible goals.	■ identifying and respecting others' core values while showing and seeking flexibility in areas where compromise is possible
Concerns about resource allocation: Resources may be perceived as inadequate.	■ brainstorming ways of using existing resources more creatively and/or effectively
Historical factors: There may be a history of disagreements and/or real or perceived injustices based on the parties' past experiences.	■ keeping an open mind and showing patience and willingness to listen and work to re-establish trust
Structural factors: Structures exist for parents, schools, and school boards over which they may have little control. This may limit the range of possible solutions for one or more parties.	■ showing empathy for frustrations, providing help with negotiating procedural obstacles, and being flexible (e.g., scheduling meetings at times that are convenient for parents, wherever possible)
Personal/emotional factors: The need for attention, autonomy, control, power, or recognition may influence the behaviour of one or more parties.	■ identifying the possible needs of participants and attempting to respond to them in appropriate ways while serving the student's best interests

FACTORS CONTRIBUTING TO CONFLICT	POSSIBLE SOLUTIONS
Interpersonal factors: Differences in the way the parties approach conflict resolution may lead to a loss of trust. Cultural differences may cause one or more parties to feel that their point of view is not fully understood.	■ validating the feelings and perspective of others ■ expressing how one feels and demonstrating empathy ■ acknowledging and respecting differences and seeking common ground

(Source: Adapted from Windle and Warren, *Collaborative Problem Solving and Dispute Resolution in Special Education*, 1999.)

Reasons for Conflict in Special Education

Issues related to the planning and implementation of a student's special education program may be sources of conflict. As well, poor relationships may develop for a variety of reasons, leading to conflict between parents and educators.

- ***Planning conflicts*** happen when parents and educators do not have access to the same information about the student and/or have a different understanding and ideas about the student's strengths and needs and the special education programs and services that would be most appropriate for the student.
- ***Implementation conflicts*** happen when parents perceive that plans for special education programs and services have not been adequately implemented.
- ***Relationship conflicts*** may arise as a result of cultural differences, styles of interaction, breakdowns in communication, and/or a loss of trust between parents and educators.

CONFLICTS ABOUT PLANNING

Conflicts that happen during the planning stage of special education programs and services may include differences of opinion about a student's strengths and needs, about a student's eligibility for particular programs and services, or about what these programs and services should look like and whether they are necessary for the student's acquisition and demonstration of learning.

Parents may feel that their child has strengths and needs that justify special education programs and services, while educators may feel that the child will be well served without this additional support.

Educators and parents may agree that a student requires an IEP but disagree about what type of intervention would be most appropriate. Information about

scientific advances and about new types of interventions for children with disabilities is readily available from a variety of sources. In some cases, however, the interventions parents request may not be appropriate to a school setting or the particular circumstances of the individual student.

Conflicts may arise during the development of the IEP – about how the consultation should take place, about what is in the IEP, or about whether educators are listening and responding appropriately to the views of the student and parents.

Conflicts may also arise if parents and/or educators are not fully informed about ministry regulations and policy documents with respect to regular and special education. As well, it is important for all parties – educators, other professionals, students, and parents – to be aware of their roles and responsibilities in the planning, implementation, and monitoring of special education programs and services. (These roles and responsibilities are outlined in Appendix A.)

CONFLICTS ABOUT IMPLEMENTATION

Even when agreement has been reached about appropriate programs and services for the student, conflict may still arise if the parents feel that services are not being appropriately provided. Conflicts over implementation may involve concerns about the quality, intensity, and/or frequency of service; transportation; the coordination of services; the flow of information about the status of implementation; the reporting of student progress; and privacy and/or confidentiality.

RELATIONSHIP CONFLICTS

Relationship conflicts can be one of the most frequent causes of difficulty. Contributing factors in relationship conflicts may include loss of trust, differing styles of communication, differing styles of conflict resolution, and cultural differences.

Conflicts caused by deteriorating relationships can be particularly challenging to resolve.

Open dialogue can lead to mutually acceptable solutions.

Differences in opinion can represent an opportunity. If everyone responds constructively, creative solutions can be found.

Cultural Awareness

It is important to remember that some behaviours are culturally based and that this can add to communication difficulties when a situation is emotionally charged.

Well-documented cultural differences exist in both verbal and non-verbal communication. Volume, tone of voice, response time, maintaining or avoiding eye contact, increasing or decreasing the physical space between speakers, and gesturing during oral communication may all be culturally influenced to some extent. In some cultures, increased volume signals heightened conflict, whereas in other cultures, changes in the amount of physical space between speakers may indicate rising tension.

Educators need to work with the communities they serve to understand the cultural bases of behaviours that are demonstrated by students and/or parents. However, it should be remembered that a wide range of behavioural patterns is found in every culture and that not every member of a particular cultural group will display all the behaviours typically attributed to that group.

(Source: Adapted from Ontario Ministry of Education, *Many Roots, Many Voices: Supporting English Language Learners in Every Classroom*, 2005.)

Recognizing Warning Signs

Some tension may be anticipated if a conversation or a meeting involves the sharing of unwelcome information – such as changes in the availability of services, or problems with behaviour management. There may be other, less obvious sources of conflict, however. Both educators and parents need to be alert for signs that not all parties are satisfied with how a student's special education needs are being met.

Early recognition of such signs can help parents and educators take timely steps to defuse potentially contentious situations and make an extra effort to find solutions that are acceptable to everyone.

Warning signs may include:

- a history of conflict between the student's family and the educator or school, particularly if a conflict has escalated beyond the school in the past;
- tension-filled phone, e-mail, or in-person communications and evidence of major differences between the perspectives of parents and educators;

- avoidance of phone, e-mail, or in-person communication by either parents or educators;
- questioning of the expertise and/or integrity of a parent or educator;
- a verbal attack by a parent or educator on another party;
- signs of defensiveness or anxiety in a parent, educator, or student, including:
  - non-verbal signals, such as changes in eye contact, tightening of lips, narrowing of eyes, crossing of arms or legs, eye-rolling, rigid body posture, fidgeting, or doodling;
  - verbal signals such as a rise in voice pitch, an increase in the rate of speech, sighs or other sounds of exasperation, repetition of statements, adversarial word choices;
- complaints about a meeting process or outcomes made to individuals who may or may not have been present at the meeting;
- repeated questions about how a program is being implemented;
- poor follow-through on agreements;
- a complaint filed by either a parent or an educator.

Preventing Conflicts

4

A "culture of collaboration" can help parents and educators to work constructively together to address concerns related to programs and services before they become sources of conflict. To create such a culture, boards and schools need to promote a positive school climate and establish effective lines of communication among parents, students, and educators.

A Positive School Climate

A positive school climate benefits students, parents, and educators. In such a climate, students with special education needs feel good about themselves as valued learners whose achievements are respected. Parents feel welcomed and involved and are reassured that their children are receiving a good education and are making demonstrated progress. Educators feel that their expertise is respected so that they can focus on what they do best, which is teaching students.

Achieving and maintaining a positive school climate requires teamwork on the part of educators, parents, and students. Research data show that the greater the family involvement in schools the better the outcomes in terms of students' academic performance, attendance, and attitude (Carter, 2002). By encouraging family involvement and developing and maintaining relationships of mutual trust and respect with parents and students, schools enhance students' ability to succeed.

THE HALLMARKS OF A POSITIVE SCHOOL CLIMATE[9]

- ✓ Everyone is treated with respect.
- ✓ The school is a caring and responsive environment.
- ✓ Educators encourage and maintain regular interaction between schools and families.
- ✓ The school culture develops a sense of community and caring relationships to provide all students with greater opportunities to achieve success.[10]

9. Adapted from Ottawa-Carleton District School Board, *Positive School Climate Checklist*, 2006.
10. For more information on school culture and character development, see Ontario Ministry of Education, *Finding Common Ground: Character Development in Ontario Schools, K–12*, 2006.

- ✓ Parents are involved in school activities.
- ✓ Everyone feels safe and secure.
- ✓ There is a strong focus on prevention and early intervention in conflicts.
- ✓ Everyone is invited to contribute ideas and offer feedback.
- ✓ The successes of both students and staff are celebrated.
- ✓ Learning disruptions are minimized.
- ✓ Cross-cultural communication is valued.
- ✓ Educators have received training on antiracism and ethno-cultural equity and on avoiding ableism,[11] sexism, and homophobia.
- ✓ All students are challenged through high expectations to do their best.
- ✓ Students are encouraged to show leadership in creating a positive school climate.
- ✓ School administrators know who students are.
- ✓ School spirit is strong among both staff and students.
- ✓ School statistics show high levels of achievement and student growth over time.

MAINTAINING A POSITIVE SCHOOL CLIMATE

Students, parents, and educators can all contribute to maintaining a positive school climate.

What Students Can Do: Students can contribute to a positive school climate by working hard, by demonstrating respect for all members of the school community, and by willingly participating in school events such as peer mentorship/leadership, circle of friends, student councils, and other extracurricular activities.

What Parents Can Do: Parents can contribute to a positive school climate by becoming involved in their child's education and the life of the school. This might include volunteering, as well as attending school functions and parent-teacher meetings. By demonstrating an interest in their child's school, parents send the message that they value education, thereby encouraging their own and other children to do so as well.[12]

11. For more information on ableism, see Thomas Hehir, *New Directions in Special Education: Eliminating Ableism in Policy and Practice*, 2005.
12. For more information on inclusion of parents in the Ontario school system, see Ontario Ministry of Education, "Parental Involvement: A Checklist", 2006.

What Educators Can Do: Educators can contribute to a positive school climate by maintaining regular and positive communication with parents and by keeping the best interests of students with special education needs in mind at all times, remembering that each student has different learning strengths and needs and a unique style of learning.

Effective Communication: The Key to Building Positive Relationships

Effective communication is the key to building relationships of mutual trust and cooperation. Although educators and parents share the same goal – to provide the best possible educational opportunity for the student – each views the student's educational needs from a different perspective. Effective communication can help each party to understand and acknowledge the perspective and contributions of the other.

THE PARENTS' PERSPECTIVE

It is important for all those involved in the education of students with special education needs to consider the pressures that can arise for families in adapting to the needs of their child. For some parents, the acknowledgement and recognition of their child's special needs can be very traumatic, and it takes time for them to adapt to the feelings they are experiencing. These feelings can include denial, anxiety, and fear. Sometimes it can be difficult for parents to match the desires they have for their child's future with their child's special education needs.

Understanding the experiences that parents may go through with their children as they enter and progress in school can be invaluable in enabling educators to help the students and their parents make the most of their experiences.

THE EDUCATOR'S PERSPECTIVE

Ontario's classrooms have changed to adapt to new technologies, new cultures, and students with a variety of needs and interests. Some students who have special needs require the intervention of a number of professionals and para-professionals, and this can create a challenge for the delivery of a special education program by the classroom teacher.

It is important for parents to understand that educators must balance many interests in today's classrooms and must use their professional judgement daily to ensure that all students across Ontario receive an appropriate education.

When all parties acknowledge and respect their potentially different perspectives, it is possible to arrive at a shared solution, including an enhanced positive school climate and better relationships.

Boards and schools can promote effective communication between parents and educators by:

- ensuring that both parents and school staff receive common messaging about special education programs and services;
- providing training and professional development to help educators strengthen their communication skills – including both their ability to present information clearly, tactfully, and with empathy, and their ability to interpret others' messages and behaviours accurately and with insight and to understand how the other party is feeling;
- providing a school board communication guide, developed in consultation with the board's Special Education Advisory Committee (SEAC), to help parents know whom to talk to and when they should do so.

Keeping the lines of communication open means that parents and teachers do not hesitate to contact one another about a student's progress whenever it seems advisable to do so. When people have a comfortable relationship, they are more willing to ask questions, offer opinions, and discuss options in an open and honest way, making it easier to avoid potential problems and to resolve difficulties promptly when they arise.

Educators can check regularly for possible parent or student concerns or confusion by asking questions, and can clarify information if it appears that a communication breakdown has occurred.

PARENTS AND EDUCATORS: THE SHARED PERSPECTIVE

Disagreements may arise and strong emotions may surface when people discuss complex issues such as programs and services for students with special education needs. Knowing how to prevent conflicts from escalating and/or resolve them cooperatively helps maintain a climate where all students thrive. Where the parties already have a good relationship, they can air their concerns in a constructive way, exploring options and seeking creative, student-focused solutions to problems.

While both educators and parents are seeking solutions to address complex problems, it is important for all parties to balance strong advocacy of their own views with a commitment to inquiry – a willingness to ask and respond to questions to clarify all parties' understanding of the issues and positions under discussion. Inquiry and exploration enable participants to discover or disclose their own and others' reasoning and assumptions and enhance each party's awareness and appreciation of other points of view. The use of an inquiry approach allows participants to avoid over-commitment to unrealistic positions, to build on one another's insights, and to work together to arrive at a shared solution.

> ***A positive school climate is based on and strengthened by effective communication.***
>
> Effective communication provides a foundation for preventing and resolving conflicts in a friendly, informal way.

See Appendix B for a list of tips and key questions that can serve as a quick reminder of the elements that can be used to arrive at a shared solution. A tear-out sheet containing this information is provided at the end of this guide.

Conflict Prevention Strategies

Maintaining a positive school climate and keeping the lines of communication open can help to create an environment in which concerns can be resolved without conflict or with minimal conflict. In addition, as discussed in Chapter 3, educators can be alert for warning signs and take steps to deal with possible triggers for conflict at an early stage. Scheduling a face-to-face meeting to discuss an issue can often be constructive. The strategies listed on pages 22–23 can be used before, during, and after such a meeting to help participants work towards mutually acceptable solutions and avoid conflict.

STRATEGIES FOR USE BEFORE, DURING, AND AFTER A MEETING

Before a meeting, it's important for the people conducting the meeting to make sure that:

- ✓ the appropriate people will be in attendance, ensuring a balanced representation among parties (e.g., parents; educators; the student, if appropriate; a parent advocate; a community service agency representative; an interpreter for English language learners);
- ✓ necessary accommodations (e.g., the provision of sign-language interpreters) are made for parents (and/or the student) attending the meeting;
- ✓ all the participants understand the IEP process and have a copy of the plan well before the meeting, if it is to be discussed;
- ✓ specific concerns and questions that can be addressed prior to the meeting have been dealt with;
- ✓ the purpose of the meeting has been established and/or an agenda has been prepared and agreed upon, in consultation with all participants;
- ✓ everyone involved knows the purpose of the meeting and has all the information necessary to engage in informed discussion;
- ✓ adequate advance notice of the meeting has been given;
- ✓ the location and meeting time are acceptable to everyone;
- ✓ a realistic amount of time has been set aside for the meeting;
- ✓ adequate seating is provided, and chairs are arranged so that people are facing each other;
- ✓ any necessary materials (e.g., reports) have been gathered;
- ✓ if notes are required, a note-taker has been identified and agreed upon in advance.

During a meeting, the people conducting the meeting should:

- ✓ ensure that all parties remember that *the student's* interests come first;
- ✓ ensure that all participants are introduced and have an opportunity to state how they see the issue;
- ✓ listen attentively and with an open mind to others' views;
- ✓ avoid drawing premature conclusions about others' views and/or about potential solutions;

- ✓ invite questions and comments to clarify assumptions, perceptions, and information;
- ✓ seek clarification about the thoughts, feelings, and assumptions of others, paraphrasing if necessary to ensure that others' views have been correctly interpreted;
- ✓ acknowledge key points made by others and ensure that they have fully understood another's position before responding;
- ✓ politely express disagreement about substantive matters if necessary, but avoid personal attacks and be prepared to intervene to prevent personal attacks by others;
- ✓ recognize the value of allowing people to vent their feelings, while keeping in mind that the meeting may need to be rescheduled if emotions can't be calmed;
- ✓ if emotions are out of hand and/or the meeting has reached an impasse, be prepared to stop the meeting and reconvene on another day;
- ✓ use paraphrase and exploratory questions to help less articulate participants express their concerns and feelings;
- ✓ ask questions such as "How would this benefit the student?" to keep the discussion focused on the student's interests;
- ✓ thank all parties for coming and provide them with the name of a contact person for follow-up questions and feedback, along with details of how this person can be reached.

After a meeting, the note-taker should:

- ✓ prepare a summary of the meeting that clearly outlines:
  - the key points discussed and any action items or decisions made;
  - the next steps agreed upon;
  - the date time, location, and purpose of any follow-up meeting scheduled;
- ✓ ensure that copies of the summary are sent to all those who attended the meeting.

(Source: Adapted from Portland Public Schools, *Guidelines for Conflict Management in Special Education*, 2000.)

The most important thing for everyone to remember is to keep the lines of communication open. That way, if at first you don't succeed, you can try again.

Paul's Story: An Example of Prevention in Action

Paul is a Grade 4 student recently diagnosed with a learning disability. An IEP with modified expectations was developed that took into consideration Paul's current level of reading competence. However, Paul was not doing his homework, and his teacher and parents became concerned. The principal organized a meeting with Paul, his parents, and the teacher to discuss the problem.

Context, and actions taken:

- The school had well-established procedures in place for assessing students who were struggling with the curriculum and for consulting parents about the development of the IEP.
- The principal and teachers maintained regular ongoing communication with the parents.
- School personnel had been proactive in providing additional resources for Paul.
- The meeting identified a need to provide assistive technology for Paul and additional support at home as well.
- The meeting also identified a need for improved communication among the parties involved.
- A "daily communications book" was provided outlining specific expectations for Paul to meet.
- The parents and Paul agreed to use the book to record completed work and give reasons for incomplete assignments.
- The school and parents developed positive reinforcement strategies to reward Paul for using the communications book and the new assistive technology.
- A follow-up meeting to review progress was scheduled for a month later.

Strategies used to prevent conflict:

- The student is included in discussions.
- The principal arranges a meeting with parents and relevant school personnel.
- Participants define the problem or concern.
- All parties discuss and explain the assumptions or beliefs that define the problem for them.
- Possible solutions are explored, with input from all parties.
- A plan is agreed on that identifies the roles and responsibilities of all parties in implementing the solution, with a time frame for carrying out the various steps.
- A follow-up meeting is arranged to review progress.

Resolving Conflicts

5

Communication Protocol

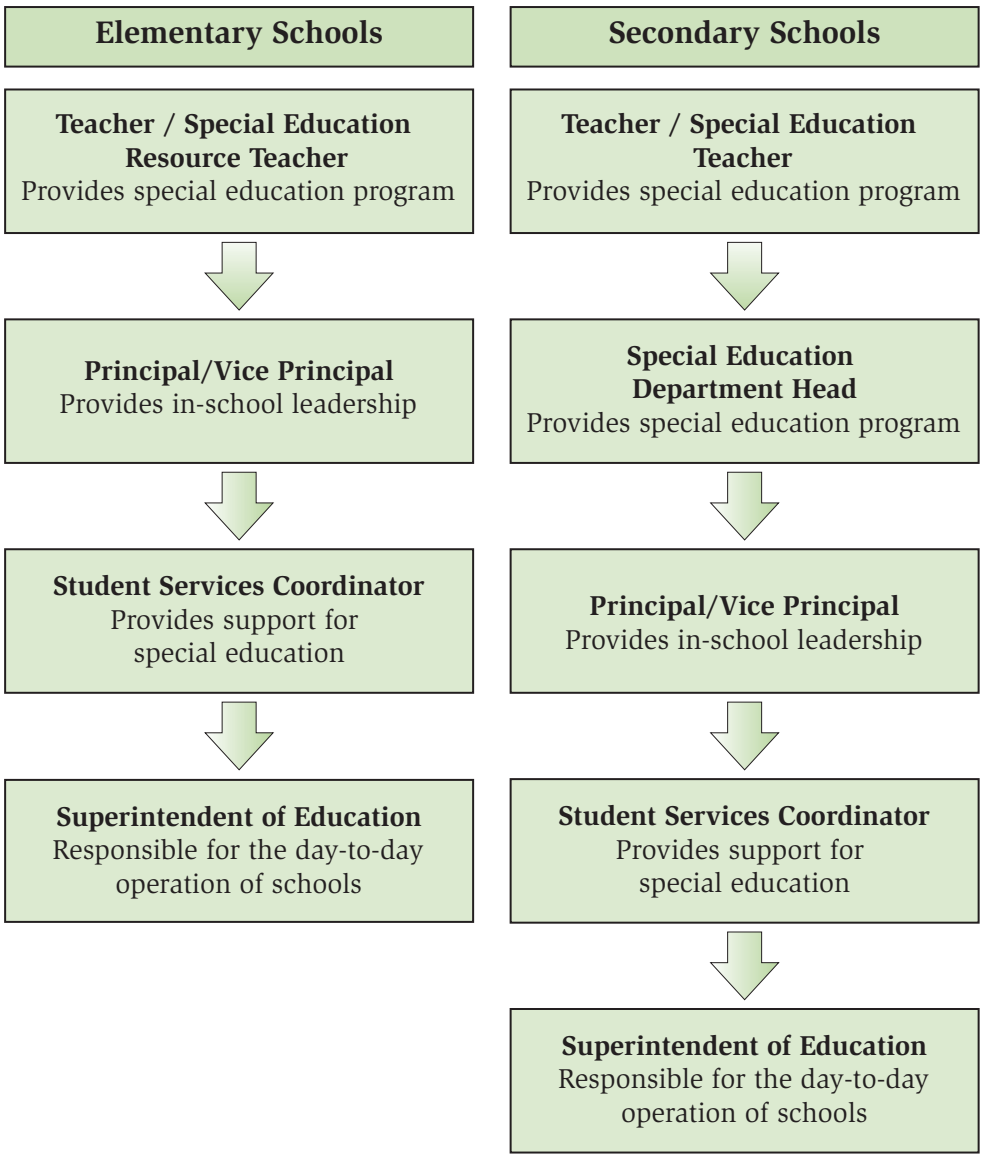
When a conflict arises about a student's special education programs and services, it is essential that parents first speak to the person most involved in the student's education: the classroom teacher or the special education (resource) teacher. If the conflict cannot be resolved at this level, it may be necessary for the school principal to become involved. School board officials may also be called upon at this stage, as they bring an additional board-wide perspective to the issues in dispute.

In some circumstances, when discussions with school board officials do not resolve the issue, staff of the regional office of the Ministry of Education may be able to provide information to parents, educators, and school board officials. They may also be able to share examples of successful strategies or solutions developed by other school boards. It should be noted, however, that ministry staff cannot provide legal advice or direction either to parents or to school boards, and those seeking legal assistance are advised to contact independent legal counsel.

Various parent associations may be able to assist parents in their discussions with educators and school board officials. In addition, each school board's Special Education Advisory Committee (SEAC) has a mandate to make recommendations to the board about system-wide matters affecting the establishment, development, and delivery of special education programs and services within the board. However, SEACs do not advise parents or school boards on matters involving individual students.

Figure 2 identifies personnel at various levels who may be called on to assist in resolving conflicts. The sequence in the chart may vary somewhat from one school board to another to reflect individual school boards' protocols and policies. It is important to note that not all resources may be available in all school boards.

Figure 2. CONSULTATION SEQUENCE FOR SPECIAL EDUCATION CONFLICT RESOLUTION



(Source: Adapted from York Region District School Board and York Region District School Board Special Education Advisory Committee, *Special Education: A Communication Guide for Parents and Students*, 2006.)

Parent Advocacy: Helping Parents to Communicate

All parents have the right to advocate for their child. Parents may wish to work with a parent advocate if they are unfamiliar with school board processes, or if their child's needs are complex, or if they feel that the intervention of a third party might be helpful. A parent advocate may accompany the parents to meetings to help them express their concerns. Parent advocates may be people with training in advocacy or may have some special education experience, possibly gained as an advocate for their own children. Parent advocates have a role to play in special education in Ontario; they can help improve communication between parents and educators and prevent or limit the scope of a potential conflict.

Advocacy for a student with special education needs works best when the parent or parent advocate:

- has proven relationship/communication skills and/or an existing positive working relationship with educators;
- is familiar with how special education programs and services are designed and provided;
- is familiar with special education policy/legislation;
- is familiar with the school system in which the student is registered.

Self-Advocacy: Helping Students to Acquire a Valuable Skill

The ability to self-advocate is important for students to learn in order to be successful at all stages of their lives.

Students live with their learning challenges on a daily basis and need the ability to negotiate obstacles, build on their strengths, and clearly articulate their needs. By cooperating to help students understand their strengths and needs and express their views, educators and parents can assist them to acquire important life skills.

Schools are a great place for students to begin to develop and practise self-advocacy skills that they can use to learn and succeed throughout their lives. Students need to learn to take time regularly to reflect on what's going well for them, what isn't, and why, in order to communicate their strengths and needs to others.

To be effective advocates for their own interests, students need an understanding of their legal rights and responsibilities. They also need self-knowledge – an understanding of their strengths, needs, and personal goals. Self-evaluation and reflection are important components of self-knowledge.

Before involving a student in a conflict resolution meeting, parents and educators should give consideration to the degree to which the student will benefit and be able to participate. The following questions might be useful:

Does the student have:

- the ability to understand the procedures and content of the meeting (cognitive functioning)?
- the ability to behave appropriately during the meeting (behavioural functioning)?
- the ability to identify, express, and cope adequately with feelings in a meeting (emotional maturity)?
- specific needs (e.g., physical, language) that require accommodations at the meeting?

The Role of Active Listening

At any level of formality, successful conflict resolution depends on the ability of all parties to develop a clear understanding of the issues and of the concerns of the participants. Active listening is the key to understanding and plays a central role in all communication.

Some key active listening strategies are outlined in the chart below.

Active Listening Strategies

Demonstrate appropriate listening behaviour

Use verbal and non-verbal cues to show that you are really listening. (Be aware, however, that appropriate body language and vocalization vary from culture to culture.)

Examples: Verbal cues – short vocal affirmatives (used sparingly)

Non-verbal cues – looking at the speaker, nodding, avoiding gestures that signal restlessness or impatience

Explore

Ask questions about background and context to deepen understanding. This may also help enhance the speaker's insight into a problem.

Examples: "Could you tell me which of these things happened first?"

"I'm still not sure what made you so upset. Could you explain again?"

Restate

Repeat in your own words what the speaker has told you. This shows that you are listening and helps check for accuracy.

Example: "So she said that she would call right back, and then she called two days later?"

Clarify

Outline for the speaker how you interpret what he or she has said. This may lead the speaker to offer further clarification of key points.

Example: "You said what she did hurt a lot. It sounds as if you felt really humiliated. Do I have that right?"

Summarize

Reiterate the major ideas, themes, and feelings the speaker has disclosed. This draws all the threads together and gives participants a common base of understanding from which to move forward.

Example: "So the main problem you have with this is…"

(Source: Adapted from Ontario Principals' Council, *The Art of Resolution: Essential Skills for School Leaders: An Ontario Principals' Council Resource Book*, 2006.)

The Role of Constructive Thinking

Successful conflict resolution also depends on the ability of all participants to think constructively throughout the proceedings and avoid attitudes and behaviours that can block progress.

Important components of constructive thinking include:

- believing that a solution can be found;
- believing that all parties are focused on the student's interests and want to remove apparent barriers to a solution;
- accepting that there can be more than one way to solve a problem.

The following list of conflict resolution do's and don'ts highlights some key attitudes and behaviours that characterize constructive thinking – and the opposite.

Conflict Resolution Dos and Don'ts

Do	*Don't*
Look for solutions	Look for someone to blame
Focus on the problem	Focus on the person
Take a non-adversarial approach	Take an adversarial approach
Use dialogue	Engage in debate
Focus on the student's interests	Focus on a predetermined outcome
Think that "everyone can win"	Think that "someone has to lose"
Focus on change	Focus on control

(Source: Adapted from Ontario Principals' Council, *The Art of Resolution: Essential Skills for School Leaders: An Ontario Principals' Council Resource Book*, 2006.)

Principles of Successful Conflict Prevention and Resolution[13]

Any process of informal conflict prevention or resolution should be based on the following principles:

A FOCUS ON THE STUDENT

The student's progress and well-being must be the primary focus of all discussions between parents and educators. The goal of any conflict resolution strategy must

13. Adapted from Manitoba Education, Citizenship and Youth, *Working Together: A Guide to Positive Problem Solving for Schools, Families and Communities*, 2004, pp. 9–10.

be to ensure the student's academic, social, and emotional development by providing him or her with the most appropriate programs and services.

MUTUAL RESPECT

All parties should treat others as they themselves would like to be treated.

ACCESSIBILITY

All information relating to programs and services should be freely available to all involved, with transparent and user-friendly protocols and procedures for obtaining the information. It is also important to provide barrier-free access for students and parents to facilities and accommodations such as translators or sign-language interpreters.

RESPECT FOR DIVERSITY

All parties should refrain from making judgements about others based on culture or ethnicity, social or economic background, religion, or gender.

Respecting Diversity

Students, parents, and educators in Ontario come from many different backgrounds. To ensure that people from different backgrounds are able to communicate and build collaborative relationships, school personnel should:

- consult a multicultural or multi-faith calendar to ensure that meetings are not scheduled on a day when a parent or educator cannot be available;
- recruit interpreters for English language learners where available (e.g., from among community members);
- state the purpose of any calls or letters home in clear and reassuring language (to avoid alarming parents, who may assume their child is in trouble);
- avoid using jargon (acronyms such as IEP or IPRC can be confusing for a number of parents, including those who are English language learners);
- encourage and assist parents to seek out and establish partnerships with others in similar circumstances and/or with similar concerns (e.g., about parenting in a new cultural environment).

(Source: Adapted from Ontario Ministry of Education, *Many Roots, Many Voices: Supporting English Language Learners in the Classroom*, 2005.)

BALANCING POWER

Parents and educators have different responsibilities when it comes to educating students. For both parties to carry out their respective mandates effectively, each must acknowledge the role, responsibilities, and rights of the other.

FAIRNESS

Processes for resolving issues must be fair and equitable. All parties must feel that their own views and those of others have received a fair hearing and have been adequately taken into account in the outcome.

TRANSPARENCY

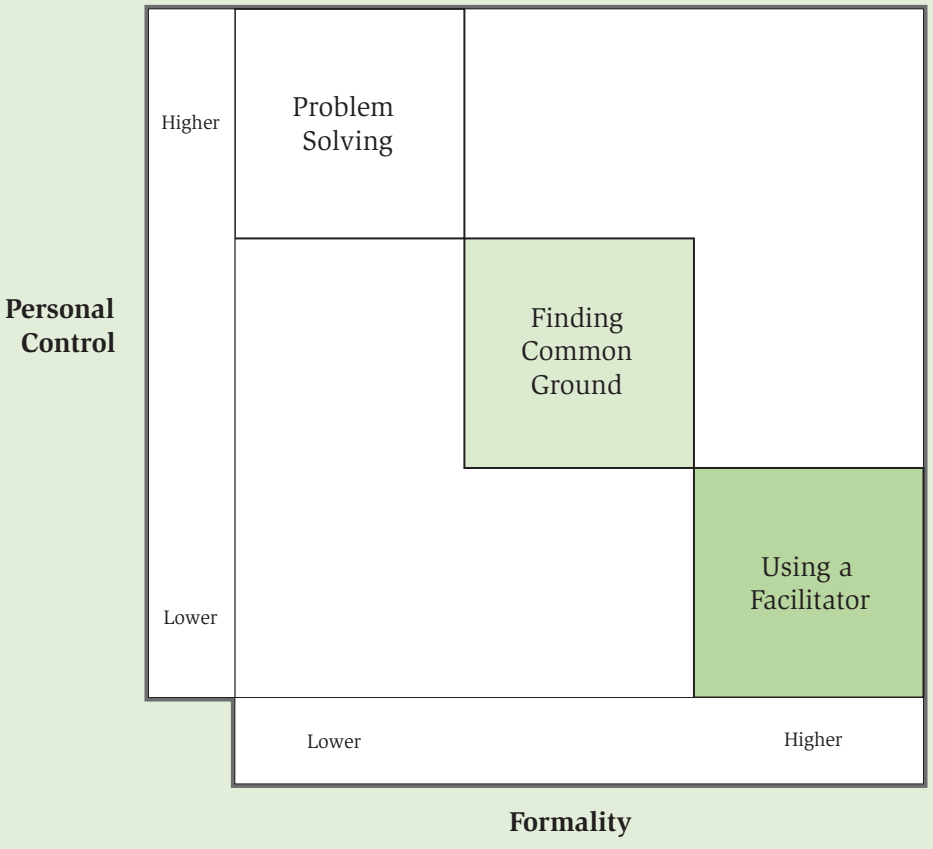
All communication should be open and all information freely available to all involved.

Collaborative Approaches to Resolving Conflicts

6

Approaches to resolving conflicts range from the relatively informal to the very formal. Figure 3 below identifies three approaches with increasing degrees of formality: problem solving, finding common ground, and using a facilitator. This guide focuses on these three approaches because they usually offer the best chances of success, at least initially.

Figure 3. APPROACHES TO CONFLICT RESOLUTION



(Source: Adapted from Manitoba Education, Citizenship and Youth, *Working Together: A Guide to Positive Problem Solving for Schools, Families and Communities*, 2004.)

Problem Solving

Problem solving is the most informal of the three approaches to conflict resolution outlined in this guide and the one that gives parents, educators, and students the most influence over the outcome. It is important for everyone to keep an open mind during discussions and to be willing to consider creative solutions.

Often, problem solving can be done with a phone call or a brief informal meeting, particularly when there is a positive school climate.

For problem solving to be successful, each person must:

- ✓ agree on what the issue is;
- ✓ understand the assumptions and beliefs that underlie the issue;
- ✓ know what options (supports and resources) are available;
- ✓ come to the process without preconceived ideas about solutions;
- ✓ stay focused on the benefits for the student;
- ✓ be willing to share all information that relates to the issue;
- ✓ be open to others' ideas and suggestions;
- ✓ use open and closed questions as a method of inquiry;
- ✓ be willing to explore creative ways of reaching a shared solution.

Steps in Problem Solving

Define the issue.

- Clarify the purpose of the conversation.
- Determine how others define the issue initially.
- Discuss any opposing views.
- Agree on a shared definition of the problem.

Share information and ideas.

- Identify assumptions and related information/data upon which each party's understanding is based. Test assumptions if necessary.
- Identify different points of view and clarify the thinking behind them.
- Highlight new ideas and information that may affect the outcome.

Generate and explore possible solutions.

- Be realistic: identify the implications of each solution.
- Ensure that all parties understand the implications.

Predict consequences.

- Envisage the likely consequences of each solution.
- Eliminate the least workable solutions.
- Rank the final few.

Choose a solution and develop a plan for action, including performance measures.

- Identify the most likely outcome(s) of the decision.
- Set a timeline to give the solution a fair chance.
- Record who is doing what.
- Set a date for the follow-up evaluation.

Do a follow-up evaluation.

- Evaluate outcomes and explore learning: (1) Is the proposed solution working? (2) Are any changes needed?
- If problems are identified, have another brainstorming session and consider another possible solution.

(Source: Adapted from Learning Disabilities Association of London and Area, *Problem Solving Approach*, pamphlet, undated.)

Jovan's Story: Problem Solving

Jovan is a Grade 9 student with behavioural challenges. Jovan's IEP had been quite successful in helping him meet these challenges in the past, but his English teacher noticed that he was becoming increasingly withdrawn from other students and was showing signs of anxiety. When approached about the problem by his English teacher, Jovan insisted that nothing was wrong. The teacher was not reassured. She approached the special education teacher, the principal, and the parents to discuss her concerns. Jovan's parents had also noticed that Jovan was withdrawing from daily activities and people. They had tried to talk to him, but he was unresponsive.

Context, and actions taken:

- The student was included in all discussions but remained uncommunicative.
- The teacher made several phone calls to Jovan's parents before reaching his father.
- The parents' work schedules meant that they could not be available during school hours for a meeting.
- The teacher and principal agreed to meet the parents and Jovan outside regular school hours.
- The teacher encouraged Jovan to invite to the meeting someone he trusted who would support him and act as his advocate, if necessary.
- The parents expressed appreciation for the educators' support and openly shared their concerns.
- The principal offered to provide a list of community agencies that give free counselling support to youth and families who are experiencing similar types of difficulty.
- School personnel and the parents agreed upon a four-week plan of action to address Jovan's special education needs, including timelines for feedback on progress.
- The parents made contact with a community service provider who could accommodate their work schedules.

Strategies used to resolve the conflict:

- The student is actively involved in the problem-solving process and is encouraged to invite someone to advocate on his behalf.
- Teachers contact the parents to discuss their concerns about the student's behaviour.
- The principal and teachers explore options for arranging a meeting with the parents.
- Educators and the parents have an open dialogue about their concerns and possible solutions.
- All parties agree to work closely together to address the student's special education needs.
- All parties discuss and explain the assumptions or beliefs that define the problem for them.
- A communication schedule is developed that accommodates the parents' work schedules.
- A follow-up meeting is arranged to review the student's progress.

Finding Common Ground

When everyone agrees that problem solving isn't working, it's time to try finding common ground.

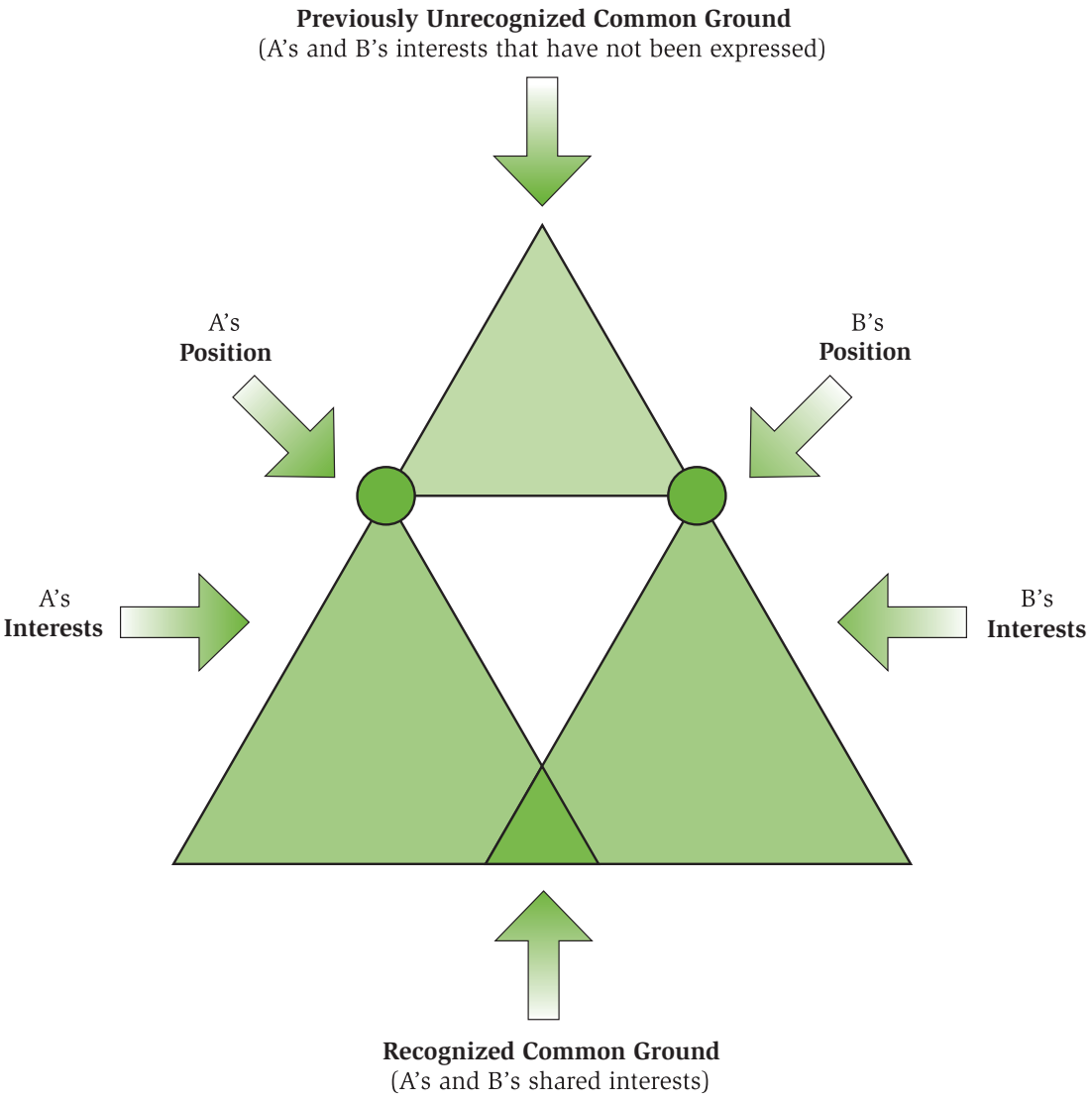
With this approach, a face-to-face meeting is always necessary, since part of the problem is that the parties have preconceived ideas about the solutions they want.

This approach requires each party to:

- ✓ focus on the student's strengths and needs;
- ✓ discuss and explain the assumptions or beliefs that define the problem for him or her;
- ✓ have a clear understanding of what the issue is;
- ✓ clearly articulate how he or she sees the issue;
- ✓ share all information that pertains to the issue;
- ✓ listen actively and ask open-ended questions to elicit more information, such as "What would happen if…?", "Would you be happy if…?;
- ✓ be willing to brainstorm to identify possible options;
- ✓ be willing to identify interests, perceptions, or needs that are common to the parties;
- ✓ be willing to compromise in order to narrow the scope of the issue;
- ✓ recognize and accept common ground when it is discovered;
- ✓ agree to a written plan to implement the agreed-upon solution;
- ✓ agree to attend a follow-up meeting within a set time frame to discuss how well the solution is working.

Figure 4 below illustrates the concept of finding common ground between the positions and interests of two different parties. When the two parties originally get together to resolve a conflict they may not recognize the extent of the common ground between them. As they begin to work through the conflict and explore one another's interests and positions, they may begin to realize that they share a considerable amount of common ground and that a solution is possible.

Figure 4. DIAGRAM OF FINDING COMMON GROUND



(Source: Agree Dispute Resolution, Slide Presentation on Conflict Resolution, 2007.)

Ziyaad's Story: Finding Common Ground

Ziyaad is a Grade 1 student with a language delay. Since the age of three, Ziyaad had been receiving speech and language services through the preschool program run by the local health agency. When he entered Grade 1, his mother expressed concerns about the level of speech and language services supplied by the school board. She had already talked to the teacher about her concerns, and Ziyaad was still not getting the services.

Context, and actions taken:

- The student's mother contacted the principal to inquire about the level and frequency of speech and language services.
- The principal contacted the speech and language pathologist assigned to the school to get further information, which he conveyed to the mother.
- The mother continued to have concerns about the level of service and asked to meet with the teacher, the principal, and the speech and language pathologist.
- The principal set up the meeting.
- At the meeting the mother shared her concerns about Ziyaad's language skills at school and at home, and insisted on a certain type and frequency of speech and language services.
- School personnel (including the speech and language pathologist) explained the delivery of speech and language services within the context of the school board.
- After an open dialogue, the mother and school personnel found common issues and agreed on an action plan for speech and language services.
- An action plan was developed that included: a review of the most recent speech and language assessment; development of an IEP with alternative expectations related to Ziyaad's speech development needs; a speech and language reassessment (with the parent's consent) to help determine the type and frequency of speech and language services required; parental involvement through the use of speech-reinforcement strategies at home.
- A follow-up meeting was scheduled for one month later to review Ziyaad's progress and identify any further actions that might be required.

Strategies used to resolve the conflict:

- The mother reaches out to the school to explain Ziyaad's needs and request specific speech and language interventions.
- The school gathers student information.
- All the parties at the meeting discuss the situation and are able to find common ground.
- By compromising within their specific interests, all the parties come to a mutually acceptable shared solution.
- Participants clarify the problem, agree on an action plan, and consult together to develop an IEP.
- A follow-up meeting is planned to review progress.

Using a Facilitator

At times it can be helpful to bring in a neutral third party – a facilitator – to help guide the resolution process.

Potential facilitators may include educators or administrators not directly involved with the student's education; professional support staff such as special education coordinators, social workers, or other professionals; or someone from the community whom the parents and educators can agree on. For facilitation to be successful, the facilitator must be someone whom all parties trust. Both parents and educators may suggest potential facilitators, with the understanding that the person chosen must be acceptable to both parties.

The facilitator's job is not to propose or impose solutions but to help participants identify the issue or issues, find common ground, and look for a mutually acceptable solution.

A facilitator helps ensure that everyone stays on track by:

- ✓ making sure there is an agreed-upon agenda;
- ✓ keeping the discussion focused on the student's demonstrated strengths and needs and related program and service considerations;
- ✓ encouraging active participation by each party;
- ✓ identifying the issue and the purpose of the meeting;
- ✓ helping to clarify everyone's position, including using inquiry to identify any unwarranted assumptions or misconceptions and bring to light all relevant information;
- ✓ allowing respectful disagreements;
- ✓ intervening to limit interruptions and stop abusive behaviour;
- ✓ promoting the exploration of possible shared solutions that are realistic and attainable.

Brigitte's Story: Using a Facilitator

Brigitte is a Grade 5 student. Brigitte had recently been assessed by a psychologist in private practice. Following the assessment, Brigitte's parents asked the school to recognize Brigitte as a gifted student and to provide an IEP with modified expectations that would better meet her needs. The principal requested a copy of the assessment, but the parents refused to share the information. The principal insisted that without a copy of the assessment he could not develop an IEP for Brigitte or refer her to an IPRC to be identified as a gifted student. The parents obtained a letter from the psychologist stating that Brigitte had scores in the superior range on the intelligence test. However, the parents did not want Brigitte to be formally identified as gifted, but to be provided with an enrichment program. The principal continued to maintain that he needed to see the assessment report in order to plan and develop the IEP. Tension increased between the school and the parents, with no resolution in sight.

Context, and actions taken:

- The principal asked the parents to meet with the school board's psychologist to discuss the situation and to allow the school board's psychologist to communicate with the psychologist who had done the private assessment.
- The parents agreed and signed the required form allowing communication between the two psychologists.
- The school board psychologist acted as facilitator at the meeting.
- School personnel and the parents came to an understanding at a second meeting about what could be shared from the private assessment report and what could be filed in the Ontario Student Record.
- An IEP was developed, with Brigitte's involvement.

Strategies used to resolve the conflict:

- The parties recognize the need for an external facilitator with relevant expertise.
- The principal and the parents agree on a facilitator.
- The facilitator gathers pertinent information while respecting the parents' wish for certain personal details to be held back.
- A member of school staff is selected to coordinate the meeting.
- A meeting agenda is prepared, and all staff directly involved in the student's program attend.
- The facilitator considers the input from all the parties and helps them negotiate a solution.
- An action plan, including requirements for follow-up support and resources, is developed.
- Procedures for monitoring and tracking the student's progress are outlined, and a follow-up meeting to review results is scheduled.

7 Conclusion

Delivering an education that is appropriate to the strengths and needs of students receiving special education programs and services is the goal of all partners in special education. The interests of these students are usually best served when conflicts are resolved promptly, without bad feelings, and with minimal stress for all parties. Conflict resolution approaches are useful and effective tools for achieving such a result.

Learning to apply the conflict resolution approaches and strategies outlined in this document can help students, parents, and educators in special education to build bridges between schools and families. The goal, as always, is to create a caring, productive, and collaborative environment that enhances the learning experiences of students with special education needs and allows them to realize their true potential.

It is important to remember that everyone brings different perspectives, values, and professional responsibilities, as well as different strengths, to the process of conflict resolution in special education. Parents have a wealth of knowledge and valuable information that can assist in the education of their children. Educators have training and experience and are guided by legal obligations and professional standards of practice and ethics. Through collaboration, students, parents, and educators can achieve the best outcome for students – and in the process set a good example of how to prevent and resolve conflicts successfully.

Appendix A:
Roles and Responsibilities in Special Education

THE STUDENT

The student:

- complies with the requirements as outlined in the Education Act, regulations, and policy documents, including policy/program memoranda;
- complies with board policies and procedures;
- participates in Identification, Placement, and Review Committees (IPRCs), parent-teacher conferences, and other activities, as appropriate.

PARENTS

Parents:

- familiarize themselves with board policies and procedures in areas that affect their child;
- participate in IPRCs, parent-teacher conferences, and other relevant school activities;
- participate in the planning of the student's Individual Education Plan (IEP);
- become acquainted with the school staff who work with the student;
- support the student at home;
- work with the school principal and teachers to solve problems;
- are responsible for the student's attendance at school.

THE TEACHER

The teacher:

- carries out duties as outlined in the Education Act, regulations, and policy documents, including policy/program memoranda;
- follows board policies and procedures regarding special education;
- works with the special education teacher to acquire and maintain up-to-date knowledge of special education practices;
- where appropriate, develops the IEP with special education staff and parents for a student with special education needs;
- provides the program for the student with special education needs in the regular class;
- communicates the student's progress to parents;
- works with other school board staff to review and update the student's IEP.

THE SPECIAL EDUCATION TEACHER

The special education teacher (in addition to the responsibilities listed above for teachers):

- holds qualifications, in accordance with the regulations under the Education Act, to teach special education;
- monitors the student's progress with reference to the IEP and modifies the program as necessary;
- assists in providing educational assessments for exceptional pupils.

THE SCHOOL PRINCIPAL

The school principal:

- carries out duties as outlined in the Education Act, regulations, and policy documents, including policy/program memoranda and board policies;
- ensures that appropriately qualified staff are assigned to teach special education classes;
- communicates ministry and board policies and procedures about special education to staff, students, and parents;
- ensures that the identification and placement of exceptional pupils, through an IPRC, is done according to the procedures outlined in the Education Act, regulations, and board policies;

- consults with school board staff to determine the most appropriate program for students with special education needs;
- ensures the development, implementation, and review of a student's IEP, including a transition plan, according to provincial requirements;
- ensures that parents are consulted in the development of their child's IEP and that they are provided with a copy of the IEP;
- ensures the delivery of the program as set out in the IEP;
- ensures that appropriate assessments are requested and that, if necessary, appropriate consents are obtained.

THE SPECIAL EDUCATION ADVISORY COMMITTEE

The Special Education Advisory Committee (SEAC):

- makes recommendations to the board with respect to any matter affecting the establishment, development, and delivery of special education programs and services within the board;
- participates in the board's annual review of its special education plan;
- participates in the board's annual budget process as it relates to special education;
- reviews the financial statements of the board as they relate to special education;
- provides information to parents, as requested.

THE DISTRICT SCHOOL BOARD OR SCHOOL AUTHORITY

The district school board or school authority:

- establishes school board policy and practices that comply with the Education Act, regulations, and policy documents, including policy/program memoranda;
- monitors school compliance with the Education Act, regulations, and policy documents, including policy/program memoranda;
- requires staff to comply with the Education Act, regulations, and policy documents, including policy/program memoranda;
- provides appropriately qualified staff to deliver programs and services for the students with special education needs in the board;
- reports on the expenditures for special education;
- develops and maintains a special education plan that is amended from time to time to meet the current strengths and needs of the students with special education needs in the board;

- reviews the plan annually and submits amendments to the Minister of Education;
- provides statistical reports to the ministry as required;
- prepares a parent guide to provide parents with information about special education programs, services, and procedures;
- establishes one or more IPRCs to identify students with special education needs and determine appropriate placements for them;
- establishes a Special Education Advisory Committee;
- provides professional development to staff on special education.

THE MINISTRY OF EDUCATION

The Ministry of Education:

- sets out, through the Education Act, regulations, and policy documents, including policy/program memoranda, the legal obligations of school boards regarding the provision of special education programs and services;
- prescribes the categories and definitions of exceptionality;
- requires school boards to provide appropriate special education programs and services for their students with special education needs;
- establishes the funding for special education through the structure of the funding model;
- requires school boards to report on their expenditures for special education;
- sets province-wide standards for curriculum and for reporting achievement;
- requires school boards to maintain special education plans, review them annually, and submit amendments to the ministry;
- requires school boards to establish Special Education Advisory Committees;
- establishes the Ontario Special Education (English and French)Tribunals to hear disputes between parents and school boards regarding the identification and placement of exceptional pupils;
- establishes a Minister's Advisory Council on Special Education to advise the Minister of Education on matters related to special education programs and services;
- establishes a Provincial Parent Association Advisory Committee on Special Education Advisory Committees;
- operates Provincial and Demonstration Schools for students who are deaf, blind, or deaf-blind, or who have severe learning disabilities.

Appendix B:
Shared Solutions on the Go

TIPS FOR REACHING A SHARED SOLUTION	KEY QUESTIONS TO HELP INVOLVE THE STUDENT
1. Listen actively and intently.	1. What is the problem?
2. Acknowledge the other party's position.	2. Who is involved in the problem?
3. Acknowledge the validity of the other party's feelings.	3. Who needs to be involved in the problem?
4. Apologize if it seems appropriate to do so.	4. How do you feel about the problem?
5. Use humour.	5. What do you think can be done to resolve the problem?
6. Change the timing of a meeting or take a break.	6. What part could you play in resolving the problem?
7. Use "Yes… and" instead of "Yes… but".	7. How will we know if the problem has been resolved?
8. Ask questions that elicit a "yes" response.	8. Who can you talk to if you need or want to share or clarify your thoughts and feelings about the problem?
9. Change language from "you" to "us".	
10. Agree on a shared, mutually acceptable solution.	

(Source: Adapted from Windle and Warren, *Collaborative Problem Solving and Dispute Resolution in Special Education*, 1999.)

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Tear-Out Sheet

Shared Solutions on the Go

TIPS FOR REACHING A SHARED SOLUTION	KEY QUESTIONS TO HELP INVOLVE THE STUDENT
1. Listen actively and intently.	1. What is the problem?
2. Acknowledge the other party's position.	2. Who is involved in the problem?
3. Acknowledge the validity of the other party's feelings.	3. Who needs to be involved in the problem?
4. Apologize if it seems appropriate to do so.	4. How do you feel about the problem?
5. Use humour.	5. What do you think can be done to resolve the problem?
6. Change the timing of a meeting or take a break.	6. What part could you play in resolving the problem?
7. Use "Yes… and" instead of "Yes… but".	7. How will we know if the problem has been resolved?
8. Ask questions that elicit a "yes" response.	8. Who can you talk to if you need or want to share or clarify your thoughts and feelings about the problem?
9. Change language from "you" to "us".	
10. Agree on a shared, mutually acceptable solution.	

(Source: Adapted from Windle and Warren, *Collaborative Problem Solving and Dispute Resolution in Special Education*, 1999.)

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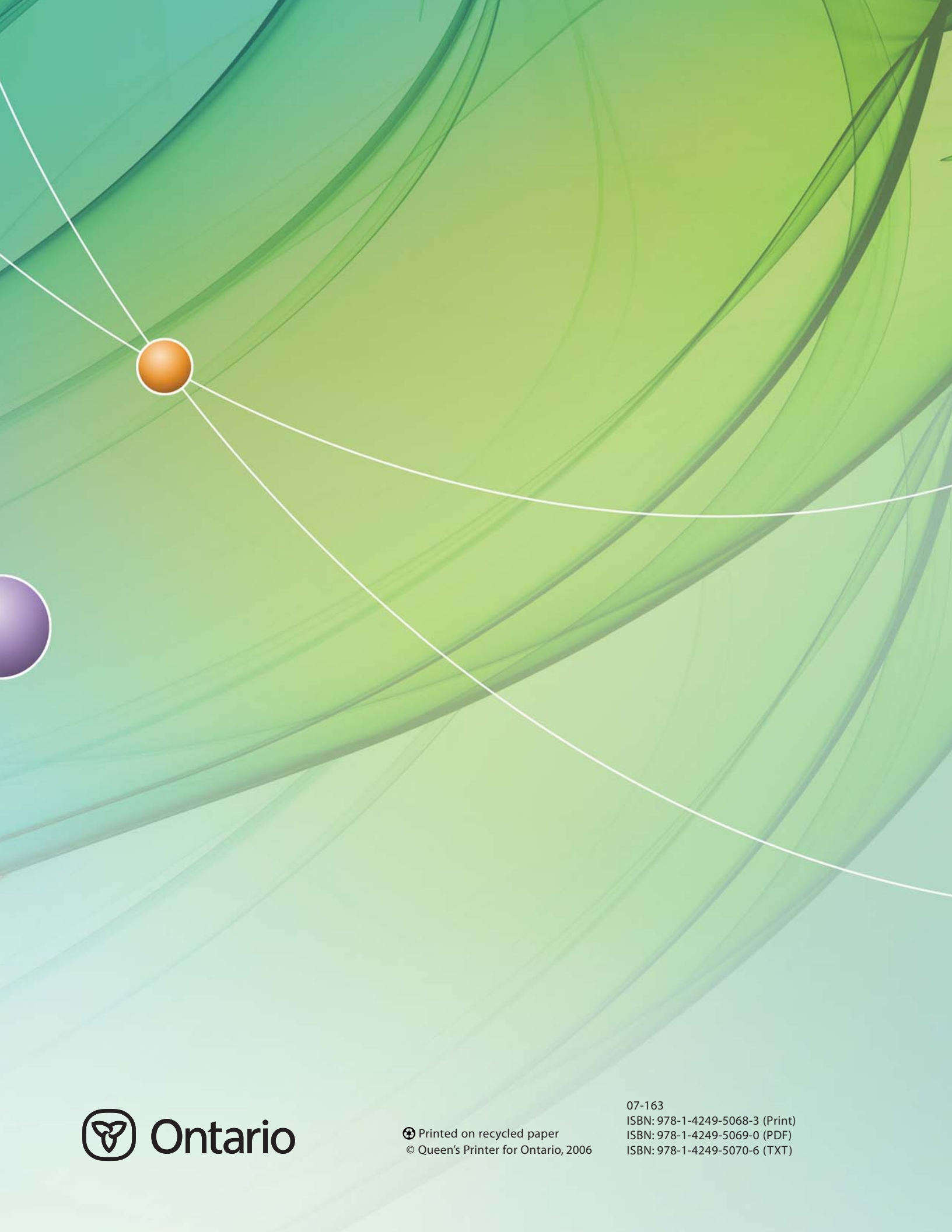

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