

12-1-2013

## Actions Speak Louder than Words: How Do Special Education Administrators Prevent and Resolve Conflict with Families?

Tracy Gershwin Mueller  
*University of Northern Colorado*

Shawn Piantoni  
*University of Northern Colorado*

Follow this and additional works at: <http://scholarworks.lib.csusb.edu/josea>

 Part of the [Special Education and Teaching Commons](#)

---

### Recommended Citation

Mueller, Tracy Gershwin and Piantoni, Shawn (2013) "Actions Speak Louder than Words: How Do Special Education Administrators Prevent and Resolve Conflict with Families?," *The Journal of Special Education Apprenticeship*: Vol. 2: No. 2, Article 1.  
Available at: <http://scholarworks.lib.csusb.edu/josea/vol2/iss2/1>

This Article is brought to you for free and open access by CSUSB ScholarWorks. It has been accepted for inclusion in The Journal of Special Education Apprenticeship by an authorized administrator of CSUSB ScholarWorks. For more information, please contact [scholarworks@csusb.edu](mailto:scholarworks@csusb.edu).

## **Actions Speak Louder than Words: How Do Special Education Administrators Prevent and Resolve Conflict with Families?**

**Tracy Gershwin Mueller and Shawn Piantoni**  
University of Northern Colorado

Conflict between parents of children with disabilities and school district members has been an ongoing issue for decades. Special education administrators are often designated to address conflict with the intent to find an amicable resolution. Otherwise, conflict can lead to due process hearings that move valuable time and money away from general district funds. Understanding how administrators informally address such conflict can guide leaders as they promote collaboration between the home and school. This paper presents a qualitative interview study of special education directors' experiences with conflict prevention and resolution. Seven key action-based strategies that prevent and resolve conflict with families were identified: establish communication, provide parent support, level the playing field, intervene at the lowest level possible, maintain the focus on the child, find a middle ground, and understand perspectives. Each of these themes is discussed in detail, along with implications for practice and future research.

*Keywords:* parent-school partnership, conflict prevention, conflict resolution

In 2013, The American Association of School Administrators (AASA), challenged policy makers to “rethink” the current Individuals with Disabilities Education Act (IDEA) dispute resolution options. Pudelski (2013) proposed alterations to IDEA that included alternative dispute resolution procedures designed to repair the parent-school partnership, such as facilitated Individualized Education Plan (IEP) meetings and independent special education conflict consultants. Current IDEA dispute resolution for families of children with disabilities includes the option to: file a state complaint (IDEA 34 C.F. R. §

300. 151-153), participate in mediation (IDEA 34 C.F. R. § 300.506), utilize an impartial hearing officer through a due process hearing (IDEA 34 C.F. R. § 300.511), and the most recently added, resolution process (IDEA 34 C.F. R. § 300.510). Of the four options, due process is perhaps the most controversial. Although originally intended to promote a fair resolution between families and district members, due process has been labeled as imbalanced, formal, costly, time-consuming, and emotionally draining (Feinberg, Beyer, & Moses, 2002; Goldberg & Kuriloff, 1991; Mueller, Singer, & Draper, 2008; Mueller,

2009). In an attempt to address this imbalance and provide a more cost effective solution, mediation was added as an option during the 1997 IDEA reauthorization (IDEA 34 C.F. R. § 300.506). Mediation has been well received; however, it is still viewed as a formal resolution procedure with shortcomings that include an imbalance of participants (i.e., more district heavy than families), the use of advocates or attorneys, inconsistent training of mediators, and the concern that mediation occurs too far into the conflict (Beyer, 1997; Feinberg et al., 2002; Todis, Moses, & Peter, 2008). Researchers have identified the need for more proactive and less formal options to address conflict between parents and district members (Mueller, 2009; Mueller & Carraza, 2011).

While Pudelski's (2013) report prompted a whirlwind of heated conversations between researchers, educators, and politicians, it achieved its initial goal and began a much overdue conversation about conflict between parents and school districts. In the report, results from a survey study of 200 randomly selected school superintendents from across the county were presented. Findings revealed that 95% of respondents indicated potential or actual due process procedures resulted in high or very high levels of personal stress. Consequently, 12% of the administrators reported that after participating in a due process hearing, more than half of the district special education personnel either transferred out of special education or left the district altogether. Additionally, 93% of the administrators reported that the threat of IDEA due process requires teachers, related service personnel and administrators in their district to spend time and resources complying with paperwork that would be better allocated to providing high-quality services and programs for students with disabilities.

The negative impact of due process on school administrators, educators, and parents is indisputable. Fortunately, researchers have begun to explore special education administrators' experiences with preventing and resolving conflict that leads to due process. Although limited, there are some studies that have started this critical endeavor. In one study of two school districts with reduced litigation rates, Mueller et al., (2008) attributed the system changes to acquiring new special education directors who were hired to improve parent-school partnerships. The new directors acknowledged the stress associated with conflict, and very purposefully, initiated system changes that included: creating partnerships, creatively using re-sources, updating educational practices, building relationships, providing teacher and parent support, and practicing alternative dispute resolution. Problems with the previous district climate were credited directly to the former special education administrators' lack of leadership, inaccurate knowledge of special education law, and exclusion of parents. In another study about litigation in school districts, Scheffel, Rude, & Bole (2005) interviewed rural special education directors about conflict prevention strategies. The five themes identified included: (a) law and regulation knowledge, (b) IEP team member experience, (c) director and administrator behavior, (d) school district expertise, and (e) understanding parents and data analysis. Within these five themes, the discussion about the importance of director and administrator behavior was noteworthy. The authors pointed out that, when interacting with parents, it is important for administrators' actions and language to come across as "fairminded and genuinely invested in providing equal treatment and opportunity," (Scheffel et al., 2008, p.6). The authors reasoned that thoughtful encouragement and

interest in the children could perhaps dissuade potential misunderstandings or a lack of trust with families as well. Similarly, Hirsch (2009) told the story of one special education director in an Alabama district rife with conflict. The director initiated changes to reduce impending litigation by conducting a thorough data analysis of due process hearings and requests. The director identified common sources of conflict and proactively implemented programming and services, such as additional mental-health services for students identified with social-emotional disabilities. Another director in Alabama reduced her district hearing requests and improved relations with families by creating a parent-liaison program that trained volunteer parents of children with disabilities to act as mentors and advocates for other parents (Hirsch, 2009). These stories indicate there are many useful low cost and amenable strategies compared to litigation that are being implemented by administrators across the country. The purpose of this paper is to present a qualitative study of special education administrators' experiences with preventing and resolving conflict between parents and districts.

### **Conflict Prevention and Resolution in Special Education: The Need for More Research**

The most recent reports from 2010-11 indicated there were 17,380 hearing requests, compared to 21,118 in 2004-05. Further, the actual number of hearings for 2004-05 and 2010-11, were 7,349 and 1,997 hearings respectively (CADRE, 2012). This change indicates a -73% cumulative decline. The decrease in national hearing requests should not be overlooked. Though data indicates many of these cases utilize mediation or resolution sessions for resolution (CADRE, 2012), it would appear that administrators, educators, and legal council are also potentially employing

strategies that move beyond formal conflict resolution procedures, particularly with cases that never get to a formal hearing request. After all, conflict is inevitable. Parents will continue to experience frustrations with the special education system. For every family that requests a due process hearing, there are potentially dozens of other unhappy families who interact with district administrators on a daily basis. Because of the ramifications litigation can have on families, districts, and students, this concern should not go unnoticed. Research about common sources of conflict and strategies to address disagreements, however, are scarce (Mueller & Carranza, 2011). The identification of administrative strategies aimed to informally prevent and resolve conflict with families could be incredibly informative for research and educator practice.

The benefit to acquiring knowledge about parent-school conflict prevention and resolution from school administrators is twofold. First, the identification of effective strategies could lead to proactive collaborative strategic educational planning for the school system. Second, the implementation of such effective strategies could improve parent-school relations and ultimately student outcomes.

### **Method**

#### **Participants**

Directors of special education were selected using purposeful sampling (Patton, 2002). Purposeful criterion sampling enables researchers to "select individuals and sites for study because they can purposefully inform an understanding of the research problem and central phenomenon of the study" (Creswell, 2007, p.125). Directors of special education were chosen for this study based upon the following criteria: (a) a minimum of 2 years experience working as a director of special education, (b) the size and setting of the school district they

represented, and (c) the prevalence of dispute resolution activities in their district.

Contact with the directors of special education was initiated using an introductory letter about the study. Letters were mailed to each director located in the state of the study, to notify them that they would be approached by a graduate researcher at their tri-annual statewide directors of special education meeting and asked to participate in a research study about conflict prevention and resolution, if they met the aforementioned criteria. Two weeks after the letters were mailed; directors attending the meeting were approached and greeted by a graduate researcher. After initial introductions, the researcher provided each director with a brief verbal overview of the study. Next, the directors were invited to participate in one face-to-face or telephone interview anticipated to last approximately 30-45 minutes. Directors, who agreed to participate, were asked schedule an interview time and to select an interview format (face-to-face or phone) convenient to their busy schedules. The initial recruitment effort at the director's meeting resulted in five scheduled interviews. Confirmation packets were sent to these five directors via mail. The confirmation packets included (a) a confirmation letter with the data and time of the interview, (b) a written human subjects consent form with a pre-addressed stamped envelope, and (c) a copy of the interview questions. Of the five scheduled interviews, four occurred. It was necessary to reschedule one interview, and despite agreement to reschedule, the director became non-responsive. To account for this loss and the attrition of other directors who declined to participate, additional directors of special education were selected using the same purposeful sampling process described earlier. At another director meeting, 6 other directors verbally agreed to participate. Thus, a total of 10 directors of special

education located in one western state in the U.S. were interviewed. At the time of the study, the state department website reported 12 state complaints, 24 mediations, 21 requests for due process hearings, 11 resolution meetings, and 4 adjudicated due process hearings.

Two of the directors interviewed were males and eight were females. This gender distribution mirrors that of the state, with approximately 80% of the directors of special education being women. The background and experience of each director varied in terms of years of experience, however 60% reported a professional background that included serving as special education teacher or related service provider and as a building or site administrator prior to becoming a director of special education. The range of experience in special education administration was between 3 to 20 years, with an average of nearly 10 years ( $M = 9.9$ ).

The participating directors represented 10 school districts within the state. The overall population of the state of inquiry is near 5,000,000 people (U.S. Census Bureau, 2006). Approximately 25% of this population comprises of children below the age of 18. In order to educate these school-age children, the state oversees 178 school districts. The total pupil membership of the state's school districts is near 803,639 students. Of the 10 districts represented in this study, the pupil membership ranged from 50,631 students to 3,868 with a total of approximately 211,994 students. This accounts for approximately 25% of the total population of school-age children within the state.

The primary role of a director of special education within the state is to administer specialized programs for children identified as having at least one of the 13 disabilities listed within IDEA. These disabilities include: (a) autism, (b) deaf-

blindness, (c) emotional disturbance, (d) hearing impairment (including deafness), (e) mental retardation, (f) multiple disabilities, (g) orthopedic impairment, (h) other health impairment, (i) specific learning disability, (j) speech or language impairment, (k) traumatic brain injury, or (l) visual impairment (including blindness). The presence of one of the preceding disabilities must affect the child's educational performance in order for them to be considered eligible to receive special education services (IDEA, 2004). The average percentage of students receiving special education service within all of the school districts included in this study was near 10% ( $M = 9.5\%$ ). This percentage is commensurate with the overall state average of students receiving special education services ( $M = 9.7\%$ ).

To further inform the study, the socioeconomic status of participating school districts was explored using pupil membership counts from the Title I-A Programming under the No Child Left Behind Act of 2001. Title I-A: Improving the Academic Achievement of the Disadvantaged provides financial assistance to school districts with a high rate of student membership living in poverty. The average Title I-A pupil membership for the state is near 19% ( $M = 18.9\%$ ). The average student population for all of the school districts included in this study receiving Title I-A resources was near 6% ( $M = 6.2\%$ ). The districts included in this study hosted a diverse spectrum of Title I-A pupil membership; with one district reporting zero pupil membership to another district reporting a 28% pupil membership (see Table 1 for district demographics).

Table 1  
*School District Demographics in 2007*

Code	District ranking		Student population		
	Setting	Size	Pupil membership	Special education	Title I-A
1	Metro	>25,000	28,696	10%	7%
2	Metro	>25,000	33,573	11%	28%
3	Metro	>25,000	50,631	8%	2%
4	Metro	6,001-25,000	12,608	10%	5%
5	Urban/ Suburban	6,001-25,000	21,423	7%	0%
6	Urban/ Suburban	6,001-25,000	21,308	11%	9%
7	Urban/ Suburban	6,001-25,000	25,610	8%	5%
8	Urban/ Suburban	6,001-25,000	15,305	12%	1%
9	Suburban	6,001-25,000	24,582	8%	2%
10	Outlying Town	<6,000	3,868	10%	3%

The final selection criterion for the directors was the prevalence of dispute resolution activities in their district (i.e., mediation, due process, state complaints). Information about the incidence of state complaints and due process by year and school district was located on the state department's website. Information about mediation requests and cases was made

available upon request. Mediation cases within the represented districts ranged from 0-14 with an average of 3 cases ( $M = 3.4$ ) per year. Due process cases ranged from 0-22 with an average of 6 cases ( $M = 6.3$ ) per year. Federal complaints ranged from 0-8 with an average of 2 cases ( $M = 2.4$ ) per year (see Table 2).

Table 2  
*Level of Conflict Experienced by Districts 1998-2007*

District Code	Mediation Cases	Due Process Cases	Federal Complaints
1	14	14	4
2	3	11	8
3	0	0	0
4	0	0	1
5	0	2	0
6	4	4	2
7	8	22	3
8	4	6	3
9	1	4	2
10	0	0	1

### Procedure

Nine of the directors requested telephone interviews and one director requested to be interviewed in person. All of the interviews were audiotaped and coded to ensure confidentiality. The interviews followed a semi-structured interview protocol to acquire a mixture of specific data and flexible data (Merriam, 1998). A set of predetermined interview questions was developed to gather specific data and a flexible conversation strategy was used to gather unguided perspectives (Merriam, 1998). Directors were asked to describe their positions and talk about experiences with

preventing and resolving conflicts with families. Each interview lasted an average of 30 minutes.

### Data Analysis

Each audiotaped interview was transcribed verbatim. The transcripts were initially coded by the authors of this study to organize and apply meaning to the data (Coffey & Atkinson, 1996). Initial codes were generated using categorical themes from the initial interview protocol (e.g., demographics, district philosophy, conflict prevention strategies, causes of conflict, conflict resolution strategies). These categorical themes were then coded into

smaller more meaningful segments (e.g., communication, pre-IEP meeting activities, IEP meeting process and practices, resolution strategies). During the coding process, the researchers determined that additional demographic information was needed to accurately describe the roles and experiences of the directors' service background in special education. To gather this information, a nine item online survey was distributed. All 10 directors received an email with a link to the survey. Seven of the directors completed the survey and three directors did not respond despite follow-up emails.

After the initial coding was complete, a comparison of all 10 transcripts was completed to identify repetitious and consistent segments. Segments using similar words or implying similar meanings were clustered together and then ranked according to the frequency that they appeared (Patton, 2002). Initial categories were revised to match, as closely as possible, the words and phrases used by the directors. For example, while describing conflict prevention activities such as involving parents and personalizing relationships, one director used the phrase, 'level the playing field'. This phrase captured the essence of what many of the directors were describing as strategies to prevent conflict; therefore it was applied as a title for that theme. A peer review process between the researchers coding the transcripts was implemented throughout the data coding process to ensure agreement around interpretation and labeling of themes. There was mutual agreement with all of the codes and themes.

### **Findings**

#### **Preventing Conflict**

All of the directors discussed the importance of employing conflict prevention practices. Within this category, there were three salient strategies: communication, parent support, and leveling the playing

field. Each of these practices complimented each other nicely and could be considered deliberate active approaches to empower and involve parents of children with disabilities.

**Communication.** Communication was identified as the most frequently mentioned conflict prevention strategy. When discussing the importance of communication, the directors repeatedly spoke about being open and honest, taking the time to listen, and asking parents questions. These directors talked about communication as a district philosophy they promoted with educators and families. One director shared, "We do a lot of work to make sure we are communicating to our parents ... anything that you could think about how to communicate what we're doing in our schools, we try." Another director who had to implement programmatic changes described consciously reaching out to parents to include them in the changes, by saying, "We had to do a lot of groundwork, calling the parents personally, writing letters, talking to them about why we wanted to potentially move or redesign the program." One director talked about promoting collaboration with families by saying:

I really try to communicate with parents that we're a partnership, and it's not an all-or-nothing situation, but that we're in this together. And really try to demonstrate that I respect their right as a parent to make decisions for their child. So, you know, a lot of it is just communication.

Another director stated:

Our district prides itself or really wants us to have open communication, so we do a lot of work to make sure we are communicating to our parents...we do mailings, emails, district newsletters, reports about



budgets, anything that you could think about how to communicate.

With respect to communication aimed to prevent conflict, another director talked about the importance of maintaining open and discussing all issues as they arise. This was juxtaposed to waiting until there is chaos and quickly dismissing parent concerns or frustrations. The directors talked about the importance of building trust through communication, with one director sharing, "At our district we have really made it open so that we're willing to listen and try to fix it [problems]. We're just open to dialogue and conversation to build that trust between parents and educators."

The directors also talked about communication at IEP meetings. One director shared, "A key components of any IEP meeting is to assure that all IEP team members listen to parents...they don't have to acquiesce, but they have to listen to them, they have to consider their ideas" The director later added, "People don't keep their jobs in the district if they don't listen or disregard parents." Another administrator commented on a recent IEP meeting where she observed open, honest, and empathic listening with the family. This director recounted her experience by saying:

It was so gratifying to me to hear the teacher say to this parent that that was advocating very strongly for her child, to hear the teacher ask, Mrs. Johnson, tell me what your hopes and dreams are for your child? And, it just kind of set a different tone for that parent.

Another director shared similar examples when she said, "I try real hard to get staff to ask parents questions during the IEP meetings saying, and this is what we see, is that what you're seeing?" The directors appreciated personal and meaningful communication with families. Rather than communicating about generic details, the

administrators talked about conversations that relayed a sense of empathy and compassion for the families.

One director recommended:

Have the conversations about things that matter to the parents, like: Where [is my child] going to go to school? Who's the teacher going to be? What's this going to look like on a day-to-day basis for my child? and, How's it going to be different from what we know right now?

All of these directors shared multiple examples of how communication has shaped their practice to build relationships with families, and consequently prevent conflict.

**Parent support.** The importance of supporting parents throughout their child's education has been documented throughout literature. The directors shared examples of providing support for families by way of providing parent training, support groups, advisory councils, and even a parent liaison position. One director commented, "Parents also need to have the same knowledge and experience to work with their children ...so I try to support their need for professional development." When referring to this parent support, one director stated, "We're always trying to work with parents...when you look at priorities, that seems to be, for me, a big priority... to help them when they need it." Although the directors valued all forms of parent support, some directors viewed the role of the parent liaison as a significant aid to parents. These directors spoke about the importance of having a person whose sole responsibility was to link with parents and assist them with any education, emotional encouragement, or just friendship. One director shared that the liaison, "Walks people through a lot of that stuff in a real non-confrontational kind of situation." The value of the liaison was apparent through all discussion. These directors felt that the liaison helped to defuse any potential

conflicts or misunderstandings. One director commented:

I think when people [parents] come in, they're so overwhelmed by information and not exactly understanding what special education entails and what it does and doesn't do, and having that parent liaison to be able to spend time with those people, and just sit down, have a cup of coffee, and walk them through it, has been very, very helpful for our parents, and they like it a lot.

The role of the liaison is one that accompanies the parents while understanding the district perspective. One director described their district liaison as someone who, "Is not there just for the parents, she's there to bridge the gap between the parents and the school and try to find an equitable solution for both of us." Another director shared:

She [the parent liaison] does a really good job of balancing with parents, helping them to understand the reasons why things are done the way they are [by the district, school, or educators], the legal reasons...she does a really good job. And sometimes she'll go in and really help the school try to understand the parents' perspective and how maybe they should loosen up a little bit and be more open to what that the parents are saying.

Overall, these directors understood that many parents of children with disabilities are inundated with special education legalize, while trying to meet the needs of their child. The addition of support, whether through education or someone walking them through the system as a liaison, ultimately assisted these directors with developing positive relationships with families and preventing conflict.

**Leveling the playing field.** The IEP meeting can be incredibly intimidating to even the savviest parent. The directors acknowledged this problem and consequently spoke of "leveling the playing field." The directors talked about implementing changes that could redistribute or eliminate power, including: making the IEP process more friendly to parents, providing pre-IEP information, facilitating parent involvement, respecting parents, personalizing relationships with parents, and using the "If this was my child" test. One director shared an example of one such strategy:

Some of our teams, when they hold IEP meetings, they project the IEP on a projector, rather than have multiple copies on a table, and we've gotten good feedback from parents who say, It's great to see what you see is what you get, and there isn't any sort of secret notes taken as you're having conversations, but as we're developing the IEP, there's somebody's who is typing it out and then clarifying, Is this what you meant?

Another director commented on the importance of including families through the IEP goal writing process by saying, "We work jointly on the IEP goals and the input into current level of functioning, that we listen to parents as well as students' hopes and dreams for their future, for the students' future." It was not uncommon for these directors to place themselves in the parent shoes. For example, one director commented:

I think what happens is our parents feel a little bit shanghaied when they get into meetings and we're all sitting there with notes and this and that and the other thing, and they haven't had any time to think or process. And then they're trying to do that in front of half a dozen

people, some of whom they may not even know. I think that's asking a lot of parents.

Another director shared a similar belief: "We've tried to get real sensitive about what that feels like to parents and how can we make the IEP process more amenable to parents." One director even shared:

I think as a person in my chair [as a director of special education], you need to step outside of your skin and be the parent. Just walk around your desk and sit in that chair and say, if this was my child, how would I be acting? We don't do that enough!

These directors also talked about making sure these "leveling" practices were implemented. As one director aptly stated, "This is not just lip service."

### **Conflict Resolution**

Although the directors shared many examples of proactive strategies used to promote partnerships with parents, they still acknowledged the importance of knowing and using effective conflict resolution strategies. In fact, it is important to note that despite the best efforts of one director, a due process hearing was taking place at the time of the study. The director recognized that for some situations, due process hearings might be the only option. Nevertheless, these directors shared many positive examples of intervening at the lowest level, keeping the focus on the child, finding a middle ground, and understanding perspectives.

**Intervene at the lowest level.** All of the directors talked about the importance of keeping disagreements between teachers and parents before moving up to higher administrative positions for a resolution. The directors felt that going beyond the parties involved in the dispute often made the situation worse. These directors repeatedly talked about keeping the conflict at "the lowest level." One director commented,

"We hope that first of all our teams are going to be able to resolve their problems at the lowest level, that's a philosophy we have." Meanwhile, another stated, "You [administrators] go to great lengths to try to resolve issues, again at the lowest level possible." These directors did not want lawyers or outside conflict resolution strategies used. Rather, they valued the importance of maintaining an educational team that can problem solve together and work toward an amicable solution. Again, another director shared, "We really do try and insure that problems are solved at the lowest possible level." Low-level conflict resolution was described as simply sitting down with families and working through the solutions. Specific resolution strategies included keeping the focus on the child, finding a middle ground, and understanding the perspectives of all members of the team. Each of these will be discussed in detail.

**Keep the focus on the child.** The directors all recognized the significance in maintaining the focus of the IEP during meetings: designing an action plan to address the academic, social, and behavioral needs of the child. The directors felt that during issues of disagreement, it is important to center all talk and actions on the child. One director commented:

If you can keep the focus on the kids, not on the parents, or the staff member that's marginal, or the day's too long ... but, what does this child need? ...then you stay out of the personalities ... that's really hard for some people to do.

Another director talked about a specific conflict situation that utilized this strategy:

We had to stick to what really was right for the child, based upon the need and the IEP... and through the process of doing what we need to do, the IEP process and the reviews,

and the resolutions, we found answers.

This idea of keeping the child's needs at the center of discussion was pivotal for conflict resolution. One director even talked about making this focus transparent to parents and sharing the district's intentions. This director felt that it was important for parents to see and understand that even during times of disagreement, the district maintains focused on addressing the child's needs. This director stated, "What we want to be saying is we're the difference makers. Your kid is important, and your kid is going to be successful because we're the difference makers."

**Find a middle ground.** The directors felt the best kind of resolution was one where you could find a middle ground. In fact, one director shared that "the most difficult things are a problem that is an either/or." situation, meaning there is no room to discuss ideas and the group is at an impasse. One director shared, "You really have to be open to what the discussion is and then from there, you try to find a solution that fits for all parties." Another director commented:

I think we go to great lengths to try to resolve conflicts in a win/win type of situation, and not a dictatorial way, just saying, this conflict is over and this is what you're going to do. We really try to come to some resolution.

It was very clear that these directors approached conflict from a collaborative model, rather than taking aggressive and unwavering positions. Another director stated:

We always try to sit down...and get all the issues out on the table, and come to resolution in a meaningful, yet peaceful way that also has some teeth in it by having a contract to what each party has agreed to do.

Otherwise, you get, 'I didn't say that'...this way it's in black and white and the parties have agreed to it.

Part of finding the middle ground is acknowledgement of the issue first before attempting a resolution. One director stated, "I never as director, I've never shied away from disagreements. I also think I'm a person who feels that disagreements are fine, are good, and that it makes the world go around." This director felt that disagreements could help people grow and learn. Once these directors acknowledged that conflict happens, they also talked about finding a way for both parties to set aside their "egos" and work to resolve the issue with some middle ground for both parties. One director stated:

Weather the storm, change what you can, go with what you know, what you can fix and let the other things go by. Egos can get in the way, you have to put egos out of your focus when you solve problems. You can't take anything personal, you can't hear everything, so you have to look at a problem, figure out the solution and move on from there.

**Understand perspectives.** In relation to the "middle ground" strategy, the directors recognized the value in partnering with parents and understanding perspectives. One director best described this strategy by saying:

The tone that I try to set is that parents are professionals, parents are partners, we are their partners, and we're all working for the students, that we try to see each other's point of view, teachers know that I listen to all sides and I think that sets the model for what I want them to do.

These directors talked about the importance of having parents actively involved during discussions. Parents should be regarded as

key members of the educational team and treated as such. One director shared, "There's no blame and there is just problems and they have to be solved, you get together and you solve them and you work through them and you fix them without actually pointing fingers and blaming others for mistakes." Another director talked about the positive outcomes with understanding parents by saying, "Because of our willingness and the parents' willingness to work through it, we got through it." Another director added, "When you're dealing with such important issues as children and their education, you're going to have different opinions. No one person can feel they can always have the right answers." These directors stressed the importance in understanding the different points of view and then mutually working toward a solution.

Although the directors talked about the value in partnering and understanding the parent perspective, one director acknowledged that some educators have a difficult time with this practice and offered the following advice:

I believe truly working in partnership really depends on your belief system and your attitude. If you truly believe that parents have something to offer, that parents are your partners, and that parents are absolutely critical to the education of their child, then you'll come with that kind of an attitude.

### **Discussion and Implications**

Conflict with families is an ongoing issue for special education administrators. If disagreements with families are not properly resolved, serious implications can follow. Current IDEA dispute procedures typically lead to large amounts of time, money, and stress for everyone involved (Feinberg et al., 2002; Mueller et al., 2008). Ultimately, this complication can lead to disjointed relations with families for the duration of the child's

education. Such an impasse was not the intent of the IDEA regulations that stipulate parent involvement and protection via procedural safeguards (IDEA 20 U.S.C. § 1415). Therefore, studies about conflict prevention and resolution can inform the field of special education about strategies that foster the parent-school partnership, and resolve disagreements amicably. This study can contribute to this line of inquiry and practice.

Building on preliminary research about informal conflict prevention and dispute resolution practices in school districts, the directors in this study shared similar experiences to the few other studies about this phenomenon (Mueller et al., 2008; Scheffel et al., 2008). First, this study demonstrated there are specific actions administrators can make to prevent and resolve disputes with families through informal procedures. Most notable, these directors utilized strategies that were not expensive, time exhaustive, or required a high staff load. All of the strategies presented centered on the concept of collaboration. The term "collaboration" is one that is utilized often in education and clearly promoted throughout IDEA. Collaboration, however, is a term that is not readily defined for parents or educators in IDEA. It is often loosely used to describe working together, when in fact; there are specific characteristics and actions that are required for effective collaboration to take place. Cook and Friend (2010) define collaboration as, "a style professionals select to employ based on mutual goals; parity; shared responsibility for key decisions; shared accountability for outcomes; shared resources; and the development of trust, respect, and a sense of community (p.3)." These administrators expanded the definition of collaboration with families through both the prevention and resolution strategies presented: establish commun-

ication, provide parent support, level the playing field, intervene at the lowest level possible, maintain the focus on the child, find a middle ground, and understand perspectives.

Another key finding was that all of the prevention strategies presented in this study are action-based. Rather than waiting for disputes to arise, these directors recognized the need to act and be proactive. Communication, parent support, and leveling the playing field are all strategies that require deliberate planning and follow-through. For some of these administrators they directly aligned staff performance indicators with the level or type of communication that took place with the parents. For example, one director commented that a teacher, who wasn't parent friendly, wouldn't remain an employee in the district for long. Several directors also acted on the needs of parents and hired a parent liaison position to assist and support families as they navigate the special education system. These directors believed that their actions made a difference by establishing a collaborative partnership with families that could prevent conflict altogether.

One interesting finding with this study revolves around the notion of "leveling the playing field." Other studies of parent participation in special education have continued to point to the imbalance parents experience with the special education system (Harry, Allen, & McLaughlin, 1995; Lake & Billingsley, 2000; Mueller et al., 2008; Nelson, Summers, & Turnbull, 2004). In fact, in a testimony before the President's Commission on Excellence in Special Education, William Dussault, an attorney and Vice President of the council of parent advocates and attorney, described this imbalance further:

We generally try to take parents away from the litigation process because, quite frankly, the district does hold all the cards. The district holds all the records; you [district] are the custodian of the records if you represent a district. You [district] have all the professional personnel in your back pocket, all the service providers are employed by the district... and you [district] have a budget that the parent does not have unless the parent chooses to go into the equity in their home, their savings accounts, or other services. This is not a level playing field, folks (President's Commission on Excellence in Special Education, 2002, pp.40-41).

The directors in this study talked about this imbalance, and described different strategies used to "level the field." This notion of leveling the playing field could perhaps provide educators and parents with more productive and less contentious meetings. Future research and practice aimed at balancing roles and responsibilities could inform the field and establish greater parent-school collaboration. Studies that explore successful IEP meetings could perhaps pinpoint specific "leveling" actions that could be used and promoted throughout teacher and system practice.

**Future Research.** Although this study was limited to a small number of special education directors located in one Western state, results from this study contribute to the development of a conflict prevention and resolution model for administrators to use with families. Future research should focus on other special education directors across the nation with the intent to further explore informal conflict prevention and resolution practices for families. Researchers could interview parents about their experiences with build-

ing collaborative partnerships and resolving disputes using informal processes with district members. Other studies about educator and administrative practice could also extend this inquiry further so that a collection of informal conflict prevention and resolution strategies could be made available. The continued identification of effective and efficient strategies to address conflict in special education will ultimately provide practitioners with guidelines to use as they work with families. Because parent participation is such a vital component to a child's education, this line of inquiry can only continue to improve practice. Ultimately, restoring the intent of parent-professional partnerships as endorsed through IDEA.

### References

- Beyer, J. (1997). Practicing law at the margins: Surveying ethics rules for legal assistants and lawyers who mediate. *The Georgetown Journal of Legal Ethics*, 11(2), 411-420.
- CADRE. (2012, February). Six year state and national summaries of dispute resolution data. Retrieved August 16, 2013, from: <http://www.directionservice.org/cadre/>
- Coffey, A., & Atkinson, P. (1996). Making sense of qualitative data: Complimentary research strategies. Thousand Oaks, CA: Sage.
- Cook, L., & Friend, M. (2010). The state of the art of collaboration on behalf of students with disabilities. *Journal of Educational and Psychological Consultation*, 20, 1-8. doi 10.1080/10474410903535398
- Creswell, J. (2007). *Qualitative inquiry and research design: Choosing among five approaches*. London: Sage.
- Feinberg, E., & Beyer, J. (2000, July). *The role of attorneys in special education mediation*. Eugene, Oregon: Consortium for Appropriate Dispute Resolution in Special Education (CADRE). Retrieved August 16, 2013, from: <http://www.directionservice.org/cadre/>
- Feinberg, E., Beyer, J. M., & Moses, P. (2002). *Beyond mediation: Strategies for appropriate early dispute resolution in special education*. Eugene, Oregon: Consortium for Appropriate Dispute Resolution in Special Education (CADRE). Retrieved August 16, 2013, from: <http://www.directionservice.org/cadre/>
- Goldberg, S.S., & Kuriloff, P.J. (1991). Evaluating the fairness of special education hearings. *Exceptional Children*, 57(6), 546-564.
- Harry, B., Allen, N., & McLaughlin, M. (1995). Communication versus compliance: African American parents' involvement in special education. *Exceptional Children*, 61(4), 364-377.
- Hirsch (2009, April 1). Resolve special ed. conflict before they start: proactive ways to prevent the headaches, and expenses caused by parent complaints. Edutopia. Retrieved August 16, 2013, from <http://www.edutopia.org/special-education-conflict-resolution-parents>
- Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1415 Procedural Safeguards
- Individuals with Disabilities Education Act (IDEA) 34 C.F. R. §300. 151-153; 300.506; 300.510-511).
- Lake, J. F., & Billingsley, B. S. (2000). An analysis of factors that contribute to parent-school conflict in special education. *Remedial and Special Education*, 21(4), 240-256. doi: 10.1177/074193250002100407
- Merriam, S. (1998). *Qualitative research and case study applications in education*. San Francisco: Jossey-Bass.
- Mueller, T.G., & Carranza, F. D. (2011). *An Examination of Special Education Due*

- Process Hearings. *The Journal of Disability Policy Studies*, 22 (3), 133-141. doi: 10.1177/1044207310392762
- Mueller, T.G. (2009). Appropriate Dispute Resolution: A New Agenda for Special Education Policy. *Journal of Disability Policy Studies*, 20 (1), 4-13.
- Mueller, T.G., Singer, G.H.S., & Draper, L. (2008). Reducing parental dissatisfaction with special education in two school districts: Implementing conflict prevention and alternative dispute resolution. *Journal of Educational and Psychological Consultation*, 18 (3), 191-233. doi: 10.1080/10474410701864339
- Patton, M. Q. (2002). *Qualitative research and evaluation methods* (2nd ed.). Newbury Park, CA: Sage.
- President's Commission on Special Education (2002, July). A new era: Revitalizing special education for children and their families. *Education Publications Center*, U.S. Department of Education, 1-93. Retrieved August 16, 2013, from <http://education.ucf.edu/>
- Pudelski, S. (April, 2013). *Rethinking special education due process: AASA IDEA Reauthorization proposals Part 1*. Alexandria, VA: American Association of School Administrators. Retrieved August 16, 2013, from <http://www.aasa.org/>
- Scheffel, D.L., Rude, H. A., Bole, P.T. (2005). Avoiding special education due process in rural school districts. *Rural Special Education Quarterly*, 24(4), 3-8.
- Nelson, L.G.L., Summers, J.A., & Turnbull, A.P. (2004). Boundaries in family-professional relationships: Implications for special education. *Remedial and Special Education*, 25, 253-165.
- Todis, B. Moses, P., & Peter, M. (2008). Perspectives of participants in special education mediation: A qualitative inquiry. Consortium for Appropriate Dispute Resolution in Special Education (CADRE): Eugene, Oregon. Retrieved August 16, 2013, from <http://www.directionservice.org/cadre/>
- U.S. Census Bureau. (2013). State and county quickfacts. Retrieved August 16, 2013, from <http://quickfacts.census.gov/>