

# A G E N D A

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## Creating Agreement

### DISPUTE RESOLUTION SKILLS TRAINING

#### Introductions - Expectations

##### What is conflict?

- Word Association Exercise
- The Conflict Cycle
- The Chinese Symbol for Conflict
- Causes and Types of Conflict

#### Emotions

**Conflict Management Styles:** A self-assessment to learn more about how we manage conflict (e.g., avoidance, accommodation, force, persuasion, negotiation, collaboration & cooperation)

#### Perceptions

#### Effective Communication Skills

**Interpersonal Conflict Resolution:** A six-step process for responding to conflict constructively.

- Set the stage
- Listen to and tell stories
- Clarify Issues
- Generate Options
- Evaluate Options
- Make a Plan

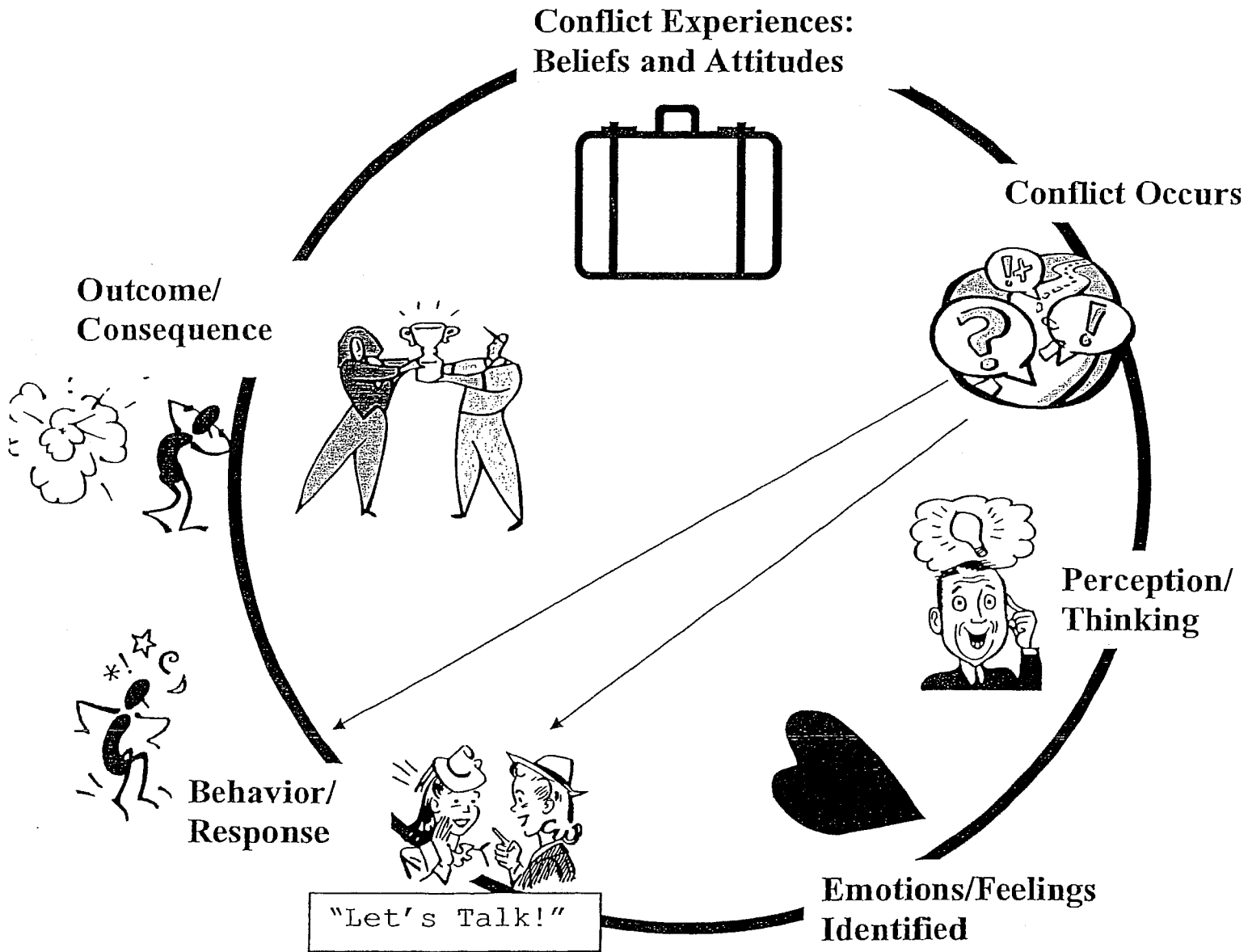
#### Put It All Together

- Role-play

#### Evaluation



# CONFLICT CYCLE



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THE CHINESE SYMBOL FOR CONFLICT

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The Chinese symbol for conflict or crisis includes two elements: DANGER & OPPORTUNITY. In other words, every conflict presents an opportunity.

# CAUSES AND TYPES OF CONFLICT

*Conflict may arise because of any one or more of the following causes, which are listed from easiest to most difficult to resolve:*

- **Resources:** money, time, staff, etc.
  
- **Psychological Needs:** respect, power, friendship, etc.
  
- **Values:** truthfulness, fidelity, etc.

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# RESPONSES TO CONFLICT

There are many ways to respond to conflict. You can learn to choose the most effective response based on the importance of the relationship with the other disputant, the importance of the issue involved, the parties' level of hostility, time, place, authority, power, negotiability, resources and level of trust.

## AVOID OR POSTPONE

People avoid conflicts by:

- Choosing not to address the conflict because the issue is not important
- Choosing not to address the conflict because the relationship is not important
- Ignoring it
- Pretending it isn't there
- Hoping the conflict will go away without further action
- Denying or hiding true feelings
- Withdrawing from the situation

People who always avoid conflict never have their needs met. Remember: avoiding a problem does not solve it. But it may be the best choice if you fear confrontation or lack power in a given situation.

**"Responsible postponing"** means acknowledging the emotions involved and scheduling a meeting to discuss the conflict at a later time. Postponing works best when:

- The relationship and the issue are important, but the parties are too hostile or angry at the moment so a cooling off period is needed
- There is not enough time available at the moment to thoroughly discuss the issues
- The location is inappropriate for a confidential discussion (e.g., not comfortable, not private, not neutral, inconvenient)

## ACCOMMODATE

Accommodating means going along with the other disputant(s) and acknowledging that you made the decision to concede. This is also known as "choosing your battles."

People may choose to accommodate when:

- The conflict is not important
- The other person's needs are very strong
- The other person has the power or authority.
- The relationship will benefit

Remember: people who always accommodate never have their needs met.

## **CONTROLL/PERSUADE/FORCE/COMPETE**

People may choose to persuade or force the other disputant to “do it my way.”

Force or persuasion is a constructive response when:

- There is no common ground
- There is no willingness to change
- The issue is not negotiable (e.g., danger, rules, laws)
- It is an emergency that calls for an immediate response

## **COMPROMISE / NEGOTIATE—**

Negotiation is a process for resolving disputes when parties assume that it is not possible to meet all the parties’ needs, but the parties are willing to meet and discuss an acceptable agreement that will ease the tension and change some behavior.

Negotiation works best when:

- There is room for give and take
- There are limited resources that must be divided
- There is some time available to discuss the issues
- The relationship between the parties has, at least, “arms-length” trust

Negotiation typically results in a compromise.

## **COLLABORATE—COOPERATE—CONCILIATE—COMMUNICATE**

Collaboration is joint problem-solving for mutual gain. It is the optimal response to conflict because cooperation builds and sustains relationships. It works best when:

- The parties involved are willing to work together to find a win-win resolution to the conflict
- There is a high level of trust
- The parties are willing to take responsibility for their role in the conflict
- The parties have respect for each other

Even if a mutually satisfactory agreement is not reached, a better understanding of the situation results and the relationship is strengthened. Collaboration works best when:

- The issue involved is negotiable
- The parties have some level of trust
- The parties demonstrate respect for each other’s feelings
- There is enough time available to address the issues

# **INTERPERSONAL CONFLICT RESOLUTION**

A six-step process for responding to conflict constructively.

**1. Set the stage**

**2. Listen to and tell stories**

**3. Clarify Issues**

**4. Generate Options**

**5. Evaluate Options**

**6. Make a Plan**

# STEP 1: SET THE STAGE

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1. Find out if the other person is willing to try and resolve the problem.  
If the other person is not willing, ask "What will happen if we don't work this out?"
2. Set a time and place to talk it out.
  - Where? (private, neutral, no distractions, convenient)
  - When? (immediately? after a cooling off period? convenient for both)
  - How long is the meeting expected to take? (How much time should I block out for the meeting?)
3. Agree on guidelines for the discussion. Some ideas are:
  - No interrupting; one person speaks at a time.
  - No name-calling or put-downs; refer to each other with respect.
  - Other rules to make each person comfortable.
4. Decide who will go first.
5. Other considerations that will make you more comfortable? (e.g., bringing a support person, having coffee or other refreshments available, tissues, etc.)

## **STEP 2: LISTEN TO AND TELL STORIES**

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Determine what the conflict is really about. Take time to listen to each other's point of view.

### **Minimize Barriers to Listening**

- External distractions: noise, cell phones, beepers, etc.
- Physical and emotional well-being
- Discomfort
- Time constraints
- Interrupting
- Rehearsing
- Second Guessing/Mind-Reading
- Day Dreaming
- Filtering/Selective Listening
- Judging/Making Assumptions
- Language difficulties
- Fear or intimidation
- Power imbalances

### **Maximize Active Listening Skills**

- Non-verbal cues: Relaxed and open posture, gestures, etc.
- Accommodate personal space needs.
- Facial expressions: Think about what your face is saying to the other person.
- Eye contact: Be aware of cultural differences
- Verbal cues/minimal encouragers.
- Paraphrase
  1. Restate facts
  2. Reflect feelings
- Validate

### **Storytelling: Use Communication Skills that Encourage Peacemaking**

- Avoid blaming statements: Attack the problem, not the person. Stay away from universal comments such as, "You always..." and "You never..."
- Use "I" statements: Tell how the situation is affecting you.
- Clarify: Don't make assumptions. Ask open-ended questions.
- Reframe negative thoughts into constructive language.

# LISTENING EXERCISE

Practice your active listening and paraphrasing skills in pairs.

**STORYTELLER:** Pair up with a partner and take turns sharing the details of a conflict. Use the situation card for a sample conflict or think of person you know in a conflict or who you recently read about or watched on television or in a movie.

**LISTENER:** Without making judgments or giving advice, listen carefully to the Storyteller, then paraphrase what you heard. Remember to restate the subject content and reflect the feelings.

**DEBRIEF:** When you finish, reflect back to your partner on the skills you felt were effective and why you found them to be effective. Storyteller should critique the Listener's body language and verbal responses using the following scale.

## LISTENER'S VERBAL RESPONSES

1. Summarized the essence of the subject content \_\_\_\_\_
2. Did not indicate approval or disapproval \_\_\_\_\_
3. Did not interrupt \_\_\_\_\_
4. Did not give advice \_\_\_\_\_
5. Used appropriate and understandable language \_\_\_\_\_
6. Identified feelings \_\_\_\_\_

## LISTENER'S NONVERBAL RESPONSES

1. Appropriately set the stage \_\_\_\_\_
2. Eye contact \_\_\_\_\_
3. Facial expression \_\_\_\_\_
4. Tone of voice \_\_\_\_\_
5. Posture \_\_\_\_\_
6. Verbal and nonverbal messages were consistent \_\_\_\_\_

# POSITIONS, INTERESTS AND COMMON GROUND

**POSITIONS** are what people want.

Sometimes people get so locked into demanding what they want, they forget why it is important to them. Examples of positional statements:

- If my son doesn't get an aide, I will go to a due process hearing.
- Give it to me now.
- You can't make me do it.
- It's not my fault.
- I don't want my child in his classroom.
- I won't do it.

**INTERESTS** are the needs, desires, concerns or fears that motivate people to take a certain position.

To determine the interests in an interpersonal conflict, ask, "Why is that important to me?" and "Why is that important to [the other person involved in the conflict]?"

The most powerful interests are basic human needs.

**P** = Physical needs (e.g., food, water, shelter)

**E** = Emotional needs which are driven by feelings (e.g., saving face, security, love, appreciation, understanding)

**P** = Psychological needs which are driven by the ego (e.g., self-esteem, power, control)

**S** = Social needs (e.g., friendship, sense of belonging, peer acceptance, respect of others)

**I** = Intellectual (e.g., fun, freedom, competence, order)

**COMMON GROUND** is shared interests and values.

Listen for areas of common ground that might lead to a solution. If people in conflict can focus on what they have in common rather than their differences, they are more likely to cooperate to resolve the dispute.

## **STEP 3: CLARIFY THE ISSUES**

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After each person has had uninterrupted time to present his/her issues of concern, the disputants should identify the issues that they want to resolve. This is an important step in the process, because each person experiencing conflict may perceive the issues differently. The following tips may be used to help you:

- List the issues early in the process.
- List the issues visibly so that everyone can see them and use them as a framework for the rest of the conflict resolution discussion.
- State the issues clearly and simply.
- List only issues that are negotiable (room for give and take and possible to change).
- List only issues that the individuals involved have the authority to decide.
- Frame the issues based on interests, not positions, so that they are acceptable to all the individuals involved in the conflict resolution session

## STEP 4: GENERATE OPTIONS

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Ground rules for brainstorming:

- List ideas quickly.
- Write down as many ideas as you can.
- Accept all ideas without judging them as “good” or “bad.”

**Ideas**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

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# STEP 5: EVALUATE OPTIONS

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Reality test the ideas generated during the brainstorming step.

1. Ask: "Is this option acceptable to both of us?" (You could prioritize favorite ideas)

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2. Establish criteria to determine the workability of each acceptable option (e.g., resources like time, money, people, space).

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3. Predict how each acceptable solution might work in terms of those factors.

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4. Predict how each acceptable solution could be implemented. Ask "How realistic is this idea?" "What obstacles might we encounter?"

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5. Using that information, begin making a plan that is mutually acceptable.

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## STEP 6: MAKE A PLAN

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As you evaluate the options, win-win solutions are likely to emerge. Memorialize your agreement, in writing if possible, so that no one forgets exactly what was agreed upon. Everyone involved should sign and date the writing to seal their commitment. Refine the agreement in terms of:

- Who?
- What?
- Where?
- When?
- How?
- What if. . . ? (contingency plans)

### WRITING TIPS

1. Be specific.
2. Number the paragraphs.
3. Re-read each statement for clarity; eliminate ambiguities.
4. Use simple words.
5. Do not blame or establish guilt.
6. Balance the promises so it does not look like one person is doing more than the other(s).
7. Write neatly so everyone can read it later!
8. Give everyone a copy to take with them.

If agreements are not reached, you can “agree to disagree” and discuss where you will go from here.

# SAMPLE PLAN OF ACTION

May 10, 2006

On May 10, 2006 Jones (mother of Joey) and Mr. Smith (School Administrator) met to discuss Joey Jones (student) and decided to do the following:

- Joey's IEP team will reconvene on June 1, 2006.
- At this meeting, the IEP team will write Joey's IEP for next year, incorporating one scheduled class period each day for Joey to go to the Resource Room.
- During this Resource Room time, the Learning Support teacher will provide Joey's math instruction for  $\frac{1}{2}$  of the period.
- The IEP team will add annual goals(s) to Joey's IEP to include instruction in organization skills.
- The Learning Support teacher will teach these additional skills in the Resource Room.
- Mr. Smith will ensure that the agreed-upon schedule will allow Joey to participate in his major subject areas in his regular classroom. If any scheduling conflicts arise, Mr. Smith will immediately reconvene the IEP team.

/signatures of the participants/

N.B. One copy should be made for each participant, and one copy should be filed in the student's file.

# INTERPERSONAL CONFLICT RESOLUTION

A six-step process for responding to conflict constructively.

- 1. Set the stage**
  - Agree to address the issues in conflict
  - Find a private space and eliminate distractions
  - Agree on guidelines
  
- 2. Listen to and tell stories**
  - Each person has uninterrupted time to tell his/her perception of the situation
  - Each person listens and paraphrases what he/she heard
  
- 3. Clarify Issues**
  - Agree on what issues are to be resolved
  - Identify each person's needs
  
- 4. Generate Options**
  - Brainstorm possible solutions
  - Don't criticize others' ideas until brainstorming is completed
  - List as many ideas as possible
  - Focus on what you can do; not what won't work
  - Be creative!
  
- 5. Evaluate Options**
  - Reality test the options, ask, "If we decide to do this, how will it work out?"
  - Look for options that satisfy everybody
  
- 6. Make a Plan**
  - Fine tune your agreements in terms of who, what, where, when and how
  - Or, if consensus is not reached, agree to disagree and decide where to go from there

# CONFLICT RESOLUTION RESOURCES

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