

# ALTERNATIVE DISPUTE RESOLUTION TRAINING

Getting Past Positions and Focusing on Interests...Tips and Tools for Collaborating with the IEP Team  
Santa Clara County SELPA 2

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Technical support provided by Kevin Higa

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## Agenda

- Welcome, Introductions, Meeting Agreements
- Friendship Lottery
- Five Strategies for Getting To Yes
- Positive Communication Techniques
- IEP Meeting Prep Sheet
- Rusty Case
- Next Steps, Resources & Implementation of What Was Learned Today

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## Meeting Agreements

- Have your camera on
- Re-name yourself to include name and District
- One Person Speaks at a Time
- Listen Carefully to the Ideas of Others
- Consider The Ideas of Others
- Share Your Views Willingly
- Ask And Welcome Questions
- Honor Agreed Time Limits
- Keep The Meeting Focused on The Child \*

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## Meeting Agreements Continued

- Respect Different Opinions
- Protect Confidentiality (agreement not to speak about specific cases)
- There Are No Mistakes
- Have Fun

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## Meeting Agreement Goals

Safe Space for....

- Sharing
- Practicing Listening & Communication Skills
- Learning with one another

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## FIVE STRATEGIES FOR GETTING TO YES

1. Know your BATNA (best alternative to a negotiated agreement).
2. Separate interests from positions.
3. Invent options for mutual gain.
4. Insist on objective criteria for measuring success.
5. Be hard on problems and gentle with people.

From *Getting To Yes: Negotiating Agreement Without Giving In*, Robert Fisher and William Ury

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# POSITIONS

- Things you say you want
- Demands
- Your solutions to a problem

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## LET'S PUT IT ON THE "BOARD"/CHAT BOX

What are some "Demands" that you communicate to the School District and/or Regional Center?

&

What are some "Demands" that you receive from the School District and/or Regional Centers?

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## INTERESTS

Underlying Motivations

- Concerns and Fears
- Basic Human Needs
  - Security
  - Economic well being
  - Sense of Belonging
  - Recognition
  - Control over ones' life

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## THINGS I SHOULD BE READY TO PUT ON THE TABLE

My Interests	Options	Legitimacy	Their Interests
What I really care about. My wants, needs, concerns, hopes, and fears	Possible agreements that we might reach	External standards or precedents that might convince one or both of us that a proposed agreement is fair	What I think they really care about: their wants, concerns, hopes, and fears

**My Walk-Away Alternative**

What can I do if I walk away without agreement? Which is the best? What would I really do?

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**Commitment**

If we reach agreement, we commit to some option

From Getting To Yes by Roger Fisher and William Ury

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## IMPLEMENTATION AND NEXT STEPS

What are you going to take away from the Training?

How are you going to use the content of this training?

What questions/needs do you still have?

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*Stay In Touch!*

**Marc Purchin**

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*Special Thank you to Kevin Higa*

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