

GRIEVANCE RESOLUTION IN SPECIAL EDUCATION: A DESCRIPTIVE EVALUATION OF THE ISSUES RELATING TO MEDIATION

by
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Abstract

The purpose of this study was to identify the issues that arise in schools in relation to grievances in special education and to discover whether mediation may be a useful option in the resolution of grievances. The perspectives of parents of students with disabilities and primary principals were explored through the use of interviews, questionnaires and focus groups. The children of the parents interviewed were all of primary school age and varied in the extent of their abilities. Participants described their perspectives in terms of qualities that were valued and those that were not. There were similarities between the information from parents and principals. All agreed that communication, the development of clear processes and teacher training could be improved. It was also agreed that mediation would probably be a helpful recourse. The study draws on the comments of parents and principals to construct a set of recommendations to deal with grievance issues.

Introduction

The study of the issues that surround grievance resolution in special education is an important one for parents, students and school personnel for several reasons. These include the way school personnel relate to parents and students with disabilities, the shared concerns of both parents and school personnel and the values attached to mediation in the grievance process. Mediation can be a very timely process that can empower participants (Field, 1991-2) who sit down together to solve their problems.

Open, two-way, honest, clear lines of communication can prevent most problems from escalating into major difficulties, which are complicated and sometimes never completely healed because of misunderstandings and mistrust (Moore, 1994; Horrocks, 2000). Both children and adults can be badly affected by incidences such as this (Beruldsen, 1997; Hargreaves, 1994). Often the tension lies in distance and in school/parent relationships. Difficulties can relate to moral, professional, cultural, political or physical distance. If parents feel distanced figuratively or literally, then they or their children may be disadvantaged. This is borne out by Davern, (1999), whose research indicates that the reason some school personnel are successful in their dealings with parents is that they are thought to have the ability to lessen the psychological distance created by their professional roles.

Significant Previous Research

The present study was primarily based on three previous studies and a report:

1. 'The Efficacy of Mediation in the Resolution of Parent-School Special Education Disputes', a report from Rutgers, New Jersey, completed by Stanley Vitello in 1990.
2. 'Partners or Pests', a study completed in 1994 by Carole Moore, a researcher for the Scottish Council for Research in Education in Edinburgh.
3. Building Better Communication about Disability Issues in Preschool and School Communities (Ministerial Advisory Committee, 1999).
4. A pilot study on the topic of grievance resolution using mediation for parents of students with disabilities conducted by the present researcher (Horrocks, 2000).

Literature Review

There are a number of articles in the literature on grievance and mediation generally, including Chandler (1985); Stamato and Jaffe (1991); Jascourt (1992); and Bryson (1997). As well, there are also a number of articles on mediation in special education including Fielding (1990); Florida State Department of Education, (1992); Ahearn (1994); Schrag (1996); and the Council for Exceptional Children (1998).

Davern's (1999) study is also interesting to consider. Although not directly related to grievance or mediation, the perspectives of 21 parents of students with disabilities in inclusive settings were studied. It was revealed that parents' identification of satisfying attitudes with school personnel were characterised by indicators that included careful listening, interest in the parents' perspective, respect, using parents ideas, conveying an attitude of equal status (p170). This is consistent with the findings in Horrocks (2000).

Published surveys found on the topic were Stanley Vitello's, New Jersey study on the effectiveness of mediation in the resolution of parent-school special education disputes and Carole Moore's (1994) Scottish study of issues of grievance and redress in education. Moore surveyed a range of Scottish

Education Authorities about mechanisms relating to grievance procedures. She also set out to explore the issues for parents, students and principals when grievances are raised and redress was sought to those grievances. Moore found that although existing mechanisms for grievance raising were operating satisfactorily most of the time, for most parents, there was still considerable room for improvement. Parents provided a variety of reactions in relation to grievance and its redress. Sensitive issues such as those relating to disability appeared difficult for schools to resolve.

Moore concluded that schools should be 'user friendly' and need to consider the practical implications of parents as 'users'. Greater mutual understanding and involvement between parents and the school may help to change attitudes and alleviate some grievances.

Vitello (1990) suggested that schools need to adopt a more preventative approach to handling parent-school disputes in special education. To support this, a principal who was interviewed in Horrocks' (2000) research study commented that: '*casual, friendly resolution of grievances is based on good relationships. I inform teachers to keep communication channels open. It all boils down to communication, honesty and empathy*'. This principal reported few instances of grievances raised at his school. On the other hand, in the same study, another principal reported that he has constant formal and informal complaints. He indicated that although there were grievance procedures at his school, '*they are not published because that might encourage people to use them*'.

The value of mediation in the grievance process

In her article discussing dispute resolution in the year 2000, Chandler, (1985) predicted that mediation would grow and become commonplace. This 'wave of the future' promotes self-governance and strengthens voluntarism to the extent that there is much societal support for increasing the use of this approach in fields such as special education. Parties are permitted flexibility to experiment and make adaptations to suit their needs with the result that mediators surveyed in 1985 had a 65% success rate (Chandler, 1985). It would appear that Chandler's predictions have come true. Because of the burgeoning interest in the acquisition of the skills of mediation, many universities in Australia are offering post-graduate courses in the topic. The average percentage of disputes settled through mediation is approximately 77% (Fielding 1990, Field 1991-2). The high success rate of achieving settlement is a strong endorsement for the process.

The aim of mediation in special education is to assist parents of children with disabilities, schools and agencies in resolving disagreements in relation to the special education program of a student with disabilities. It is designed to help build relationships and to prevent future conflict. There is a view in the field that mediation and collaborative problem solving processes that attempt to develop solutions to problems based

on common interests and needs, have significant potential to reduce the number of grievances (Stamato & Jaffe 1991). Mediation in special education is a relatively new and innovative procedure and is proving to be effective (Florida State Department of Education 1992).

Advantages of mediation

Acland (1990), The Florida State Department of Special Education (1992) and the Department of Public Policy, Council for Exceptional Children (1998) maintain that mediation for children and students with disabilities can:

- resolve disagreements concerning identification, evaluation, or educational placement of a child or student and clarify issues causing the disagreement
- provide those involved with uninterrupted opportunities to present their points of view
- stimulate mutual problem solving efforts
- promote positive working relationships between families and school personnel and reduce hostility
- help families and school personnel focus on what they have in common, the child or the student rather than the issues that divide them. This assists people to better understand each other's needs and concerns.
- ask questions which reveal the real interests of each side and test receptiveness to new proposals
- raise and clarify issues overlooked or inadequately covered
- assist people to develop and communicate new ideas
- help reframe proposals in more palatable terms and moderate unrealistic demands.

Vitello (1990) advises that time should be allowed to test the efficacy of mediation. If the process does not work, there should be re-negotiation and reconsideration of alternative approaches.

A powerful tool in the mediation process can be an agreement to begin mediation signed by both parties before actually starting the process. Mediation may not be a new technique, but in South Australia, it has been receiving attention by the Department of Education, Training and Employment (DETE) as a positive way of addressing parent grievances. Mediation for families of children with disabilities is a process intended to assist families, school communities and agencies to resolve differences regarding the curriculum or issues such as resourcing, health care or inclusion of children or students with a disability (Florida Department of Education 1992 and Horrocks 2000). There is a greater understanding now and acceptance of the use of mediation in special education in many places, including Arkansas, Florida, Georgia, Maryland, California, and the Department of Education, Training and Employment in South Australia. One of the challenges is to document the process and eventually measure its effectiveness.

Research Methods And Questions

This was a practical, exploratory study using qualitative and quantitative methods that aimed to understand how principals and parents perceive issues regarding grievance and to gauge the reactions to the use of mediation in the grievance process. Currently, there is little data available about grievance issues and mediation in South Australian schools.

Parents and principals were the two sets of stakeholders chosen to participate in the current study because of the significant part they play in the process of grievance resolution as it relates to students with disabilities. Details of how they were selected follow. The questions posed of both parents and principals are included and were based on the questions used in Moore's (1994) Scottish study. Focus groups were chosen as a data collection procedure for the parents and principals were asked to complete a questionnaire.

Focus Groups

Focus groups were considered to be a very appropriate way of gathering data from parents for the purposes of this research because of the benefits of empowerment, interaction and group dynamics. Powell & Single's (1996) definition of a focus group is: "...a group of individuals selected and assembled by researchers to discuss and comment on, from personal experience, the topic that is the subject of the research" (p 499). The influence of feminist and post modernist ethnographic studies has created renewed interest in focus groups, as a research method where postmodernists find it is possible to minimise the distance between researcher and participant. Because focus group methodology is a collectivist rather than an individualistic research method it focuses on the multivocality of participants' attitudes, experiences and beliefs (Denzin and Lincoln 2000). Structured focus groups were chosen to interview parents in this research, because the presence of others who had the shared experience of having a child with a disability was thought to produce deeper insights than a one-to-one interview. To illustrate this, Templeton (1994) defines the essential character of a focus group as "a small temporary community, formed for the purpose of the collaborative enterprise of discovery. The assembly is based on some interest shared by the (group)" (p4). The use of focus group interviews also provided an opportunity for the research to be investigated further, problem solved and data gathered that could not be obtained in other ways.

Uses of focus groups

Two of the common uses of focus groups outlined by Stewart and Shamdasani (1990) are relevant for this research and include:

1. obtaining general background information about a topic of interest;
2. learning how respondents talk about the phenomenon of interest (p15).

The researcher as moderator needed to be mindful of building a rapport with the group to enable them to relax and share information freely about a topic of which they had first hand knowledge. Eight questions based on the ones that were asked of principals were developed rather than conducting an unstructured focus group.

Ethics

The researcher was accountable and therefore assured both parents and principals of confidentiality, anonymity, ownership of data and not falsifying or presenting results out of context. No names were used in the subsequent write-up of the research.

Parents

Parents were contacted through advertisements and professional contacts of the researcher. They were from the same district as the principals but not from the same schools. There was a representative cross section from rural and urban schools and socioeconomic groups. All were female and two had known each other previously. Because some of the parents worked or could not get anyone to look after the children until the husband came home, two focus groups were conducted, one during the day and one in the evening. There were five parents during the day and four in the evening. Fifteen parents in total had promised to attend, but eight sent in an apology. A time and venue was negotiated and the researcher provided transport where it was required. Parents were assured that involvement in the focus groups would take approximately 1-1½ hours.

Parent questions

1. what is meant by the term grievance? give some examples
2. what causes grievances?
3. why are they caused?
4. how do you, as a parent, deal with a grievance that you may have with the school?
5. how should educational grievances be resolved?
6. what do you understand by the term mediation?
7. is mediation going to be a useful option if initial grievance procedures are not working out? in what ways?
8. what are your thoughts about DETE having a list of trained mediators that can be accessed by the school on request?

Confidentiality was assured and all participants informed they would receive a copy of the completed paper.

Principals

In order to get a wide range of principals and to obviate the personal bias of the research worker, an alphabetical list was used from which every fourth school was chosen. Fifteen primary school principals were selected from the list. Table 1 below outlines the characteristics of the principals involved in this research. All principals accepted willingly when approached and appointments were made to visit them individually rather than sending out questionnaires by post. The researcher felt that a visit to explain the purpose of the research and to hand deliver the survey would result in a better response from the principals. At the initial appointment the project was outlined and the questionnaire explained. A response time was negotiated and the method of returning the questionnaire decided upon. Principals agreed to either post the responses back to the researcher or send it back by departmental courier.

Principals questions

1. What are grievances? Give some examples.
2. What causes grievances?
3. Why are they caused?
4. Describe some recent grievances raised by parents at your school.
5. What is the frequency of grievance raising by parents of students with disabilities at your school?
6. What channels are used by parents, to raise grievances at your school?
7. How do you (as principal) deal with parent grievances?
8. How should educational grievances be resolved?
9. Who should parents approach if there is a problem with their child?
10. What do you see are the roles of others in this process? E.g. teachers, School Support Officers, parents?
11. What do you understand by the term mediation?
12. Is mediation a useful option to use if initial grievance procedures are not working out?
13. What are your thoughts about DETE having a list of trained mediators that would be available to you at your request?

Table 1. Characteristics of Principals and their Schools

| Rural/ metro | Gender | Age | School pop | Students with disabilities | % students with disabilities | Highest qualifica- tions | Spec Ed training | Conflict/ Grievance res. Training |
|-----------------|--------|-----|---------------|----------------------------------|------------------------------------|--------------------------------|---------------------|---|
| Rural | M | 52 | 56 | 2 | 3.6 | BEd | No | Yes |
| Rural | M | 41 | 240 | 9 | 3.8 | BEd | Yes | Yes |
| Metro | M | 55 | 470 | 25 | 5.3 | DipT | No | Yes |
| Rural | F | 44 | 54 | 2 | 3.7 | DipT | No | No |
| Metro | M | 43 | 340 | 3 | 0.9 | DipT | Yes | Yes |
| Metro | M | 52 | 160 | 30 | 18.8 | MEd | Yes | Yes |
| Rural | M | 50 | 122 | 3 | 2.5 | DipT | No | Yes |
| Metro | M | 50 | 540 | 30 | 5.6 | MEd | No | Yes |
| Metro | M | 55 | 315 | 31 | 9.8 | DipT | No | Yes |
| Rural | F | 46 | 98 | 6 | 6.1 | DipT | Yes | Yes |

Confidentiality was assured and all participants informed they would receive a copy of the completed paper.

Results And Discussion

To facilitate conciseness and precision, the results and discussion in this paper are dealt with together. This is consistent with some examples of qualitative research methodology and was considered appropriate for this project (Dyer, 1996).

Parents

Parents in both focus groups indicated that notetaking rather than tape recording was preferred. The researcher listed the frequency of responses, after the focus groups. The participants in the two groups were relaxed and interacted candidly. Parents had the opportunity to discuss issues relating to the education of their child with a disability in a non-threatening environment. That had not happened before for over half the participants.

It transpired that members of both focus groups had experienced some difficult situations in schools and unresolved issues, and the lack of clear lines of communication had certainly had a negative effect on some parents. Feelings were close to the surface and spoken about often. Some innovative ideas were presented by parents about the proposed DETE mediation service and these were used in the development of the recommendations. The findings from the parent focus groups were transcribed and organised into themes.

Answers to parent questions

1. What is meant by the term grievance?

Both groups agreed that unresolved problems complaints or concerns that often occur when school personnel fail to act on their own policies and procedures constituted grievances. *'The Department seems to have a hidden agenda because too often processes are not open and transparent. It would seem parents are often kept in the dark about their own children'*.

A parent in focus group 2 also said that grievances include complaints or concerns or issues that blow out of proportion because they are not dealt with. *'The principal at the school my son attends asked me not to worry him because he had a heart attack in the previous year and did not want another one. That meant that I couldn't raise issues that were of concern to me'*.

2. What do you think causes grievances?

All of the parents in both groups agreed that at times teachers appear to be disinterested, apathetic and unwilling to accept students with disabilities. There appears to be a lack of information about resources and support. *'Such information was kept hidden from families'*. Issues relating to the nature of disability may reflect a lack of understanding by school personnel. This included ignoring parents' needs in terms of listening and valuing them.

Some parents perceive that inclusion is too hard for some teachers, whose skills were not adequate to cover a range of

abilities within the classroom. One parent was very concerned that *'there was an imbalance between the rhetoric and the reality'*. Exchanges of information about the students' needs, between the school, the parents and the professionals would lead to an enhanced outcome for the student.

Two parents in the second focus group felt that causes of grievance included instances where the reports of professionals such as speech pathologists and psychologists were not taken into account when the curriculum is planned for students with disabilities. Most participants felt that if this improved, the curriculum would be more relevant for students. Issues of harassment and teasing and lack of homework provided by the school were two further issues that had caused grievances for focus group two.

3. Why are they caused?

Both groups reported that school personnel appear to feel threatened because parents are becoming more aware of their rights. In some cases there are misunderstandings and lack of consultation. Information from focus group 1 indicates that resources and expectations of teachers are unrealistic. Further, parents are sometimes kept ignorant of processes and protocols. For example, one parent said that: *'it is easy to convince parents that certain conditions are irreversible. This includes, non-inclusion in school camps, assistance at lunch and behaviour management (getting mum to pick the child up because the school can't control him')*. Another described not being allowed a negotiated curriculum plan meeting when she requested it 'A cause of grievance'.

4. How do you deal with grievances?

Both groups agreed that they would discuss the problem with the teacher first if there were a good relationship between the teacher and the parent. If that failed then a range of actions could be taken. These included the request for a meeting with the principal of the school or their delegate. However, one parent commented, *'this is not always easy because there is resistance at times'*. For example, she thinks that they feel she is a nuisance - *'what does she want now?'* This does not make her feel important or valued. Contact can be made with the district superintendent if the matter is not resolved at the school also writing a letter to the Minister for Education, Training and Employment is an avenue that at least three of the parents had resorted to. Contact had also been made with a legal service when other avenues had failed. Parents in both groups would prefer to be able to work out problems at the school if at all possible.

5. How should grievances be resolved?

Communication, the negotiated curriculum planning process, training and professionalism were thought to be areas where improvements could be made by schools.

Communication

Both groups agreed that they would discuss the problem with the teacher first if there were a good relationship between the teacher and the parent. If that failed then a range of actions could be taken. These included:

- the request for a meeting with the principal of the school or their delegate. However, one parent commented, *'this is not always easy because there is resistance at times'*. For example, she thinks that school personnel feel she is a nuisance. This does not make her feel important or valued.
- contact made with the district superintendent if the matter is not resolved at the school
- writing a letter to the Minister for Education, Training and Employment
- contact with a legal service if that fails.

The use of negotiated curriculum plan processes

The negotiated curriculum plan (NCP) is the Students with Disabilities Policy (1991) in action. This planning process entitles parents to work with professionals and school personnel to develop appropriate accommodations and curriculum for the student with a disability. Parents believe that the handling of this process could be improved in the following ways:

- *'by actively using the NCP- regular updates at review meetings'*
- *'listening to hear what is being said and to then implement the action. Then review the action'*
- *'familiarising parents with the negotiated curriculum planning process'*

Training for parents

All participants indicated that training in several areas would not only be of value to parents, but the information provided would assist in preventing grievances. These include:

- a) the negotiated curriculum planning process
- b) parent's rights and responsibilities
- c) departmental policies
- d) what parents can expect from DETE.

Professionalism

Professional practices could be improved, for example: *'using grievances constructively as a way of improving service'*. Participants' comments included that:

- *'...professionals need to put themselves in parents' shoes'*
- *'...sometimes parents go overboard because of emotions, therefore, principals should be able to handle this and understand'*
- *'...it is important not to include for inclusion's sake accommodation for the child's needs must be made'*.

6. What do you understand by the term mediation?

'The mediator should be skilled enough to bring the matter to a resolution, monitor the conflict and review after an agreed amount of time'. Most of the parents agreed that a mediator is someone who keeps things *'cool, friendly, equitable and politically correct at all times'*. Advocates should be welcomed as part of the process of mediation. *'The process should involve collaborative discussion and there should be an even balance of power'*.

7. Is mediation going to be a useful option if initial grievance procedures are not working out?

All participants answered yes to this question, and provided the following comments:

- *'...it may help to get the mediator involved in the first instance'*
- *'...it helps to isolate and deal with particular issues'*
- *'...because the mediator could be hard on the issues and not personalise things'*.

One participant commented that *'...mediation was a useful option, but only if the mediator was not an official departmental mediator'*. This comment may echo the sentiment of many parents who would not be comfortable with a DETE mediator and not wish to take part in the mediation process as a result.

8. What are your thoughts about DETE having a list of trained mediators that can be accessed by the school on request?

Most participants agreed with having a list of trained mediators. However, two parents thought that having a DETE mediator may be problematic because:

- *'...a list of independent mediators could be made available for parents who do not wish to have a DETE mediator'*
- *'...sometimes it would be best to have independent mediator rather than one from DETE because of the perception of impartiality'*.

The Department of Education, Training and Employment mediators were a reasonable option according to half the group as long as:

- *'... they are not extra positions causing more funds (more waste of money, more waiting list etc)'*
- *'.. parents are made aware that such a service exists'*
- *'.. They are available immediately! No delay'*
- *'... follow ups of reviews are done by the same person/s so you don't have to repeat your story over and over again'*.

A suggestion from one parent was the development of a pool of parents that could be trained as mediators because they are able to understand the problems first-hand.

Principals

Of fifteen principals visited, ten sent in the questionnaires as requested. There were two female and eight male respondents from an original four females and eleven male. The reasons cited for not taking part were illness and not enough time, although no reason was given at all in three cases. At the initial interview, principals were assured that the time to complete the questionnaire would be no more than 30 minutes. This meant that the total time commitment, including the initial interview, was approximately one hour. Travel to the schools was reasonably inexpensive, just time consuming. There was consistency in formats for the collection of information and recording systems. The data in the questionnaires from principals were compared, contrasted and codified.

It would be interesting to discover whether the answers were a true reflection of what was occurring in schools or what principals think you want to hear or they should be saying.

Answers to principal questions

1. What are grievances? Give some examples.

Not all principals defined grievance as requested in the question. Instead, some principals gave examples of grievances encountered at their current school. The principals who did provide a definition said that grievances were problems or concerns to do with aspects of care or education relating to their (the parents') child. These concerns may be real or perceived, but the majority of principals felt that most grievances could be resolved in a mutually supportive atmosphere. Principals reported that grievances occurred for a variety of reasons including problems with communication, unrealistic expectations, lack of resources, lack of process and concerns about the performance of professionals including the need for teacher training and better classroom methodology.

Principals believe that service providers did sometimes not meet parental expectations, specifically, in terms of insufficient resources. Also, unrealistic parents' expectations can sometimes lead to problems. For instance, in the example below a principal was dissatisfied because a parent complained to the school, then to DETE. This resulted in the parents' requests being met by DETE and the school possibly being faced with other perceived unrealistic expectations. *'Occasionally one or two families have high, some would say unrealistic expectations. These parents quickly complain to us and to DETE. The most recent of these has met a very high response from DETE and us which engenders little appreciation and because it becomes the new benchmark for more requests'*.

High expectations could be due in part to a misunderstanding of the child's ultimate capabilities when there is a lack of progress by students or an incorrect interpretation of negotiated curriculum plans. One principal commented that: *'there are sometimes difficulties when emotions override what is reasonable'*.

Lack of staffing, restrictions on time, deficits with equipment and concerns over allocation of funds were identified as potential sources of grievance raising. For example:

- *'lack of money from DETE for special equipment e.g. not enough computers for students with disabilities'*
- *'continual change in personnel e.g. lack of consistency of staffing particularly School Support Officers working with students with disabilities. As hours are limited, School Support Officers often seek full time positions and move to other situations'*
- *'insufficient time to get programs operational'*.

As well, there are differing perspectives about what is required to support the student. Principals report that parents are sometimes unhappy with the availability, quality and amount of special education support, or with the result/outcomes of the special education service. For instance, comments that parents have made to principals have included:

- *'my children aren't being supported'*
- *'my child doesn't need to be supported any longer'*
- *'I don't want my child in the special education class'*
- *'I want my child in the special education class.'*

These differing perspectives, have at times, caused difficulties in parent/school relationships according to principals' feedback.

Principals have concerns regarding:

- *'teacher performance, fairness and class discipline'*
- *'their own performance e.g. unfairly treating a child's poor communication practices'*
- *'lack of special education training for mainstream teachers'*.

Teacher training and performance are issues raised by principals that are consistent with feedback from parents.

2. What do you think are the causes of grievance?

One principal wrote that parental self-centredness was the cause of some of the problems that arise with parents and caregivers. *'They (the parents) think that theirs is the only concern facing the school'*. However, other principals were prepared to look at their practice and not lay the blame at the feet of parents.

Lack of effective communication is a strong theme throughout this study and results in parents being unsure what is reasonable to expect for their child at school. Lack of information from service providers and the school are also at the crux of some grievances with too much jargon used in special education curriculum and unexplained information, causing misunderstanding by parents. *'Most complaints occur due to misunderstandings by parents and can usually be resolved by early intervention'* Sometimes the poor conflict resolution and interpersonal skills of school personnel are problematic. For example: *'There is sometimes a discounting of parents'*

perceived problems by staff and also a lack of understanding by staff of the particular problems encountered by parents of a child who has a disability.'

Lack of effective resourcing causes problems within a school (also in Fielding, 1990). This could range from the perception that the student's needs do not rate highly enough on the priority list for the resources available, to time for training programming for teachers and time to respond accordingly to parents. This has a negative affect for both parents and staff. For example: *'We have been given 2 hours per week School Support Officers time for a Down Syndrome student in a mainstream class. It is not sufficient'*.

Parents have a natural concern for their children. One principal says that this sometimes stems from guilt albeit not deserved. He says: *'parents don't want their children to struggle as they have had to and so they want them supported so they will be able to have more options as they get older'*. Another principal commented: *'parents are angered when their children are suspended for being violent towards others'*.

Problems arise when parents perceive a lack of bureaucrats' processes or a lack of a definitive process in the school. *'Communication breakdowns often occur due to lack of understanding of processes and procedures'*. One principal admitted that sometimes *'there seems to be a lack of staff humanness'*. Also, sometimes *'there is a lack of staff energy'*.

3. What is your perception of why grievances are caused?

Principals indicated that grievances sometimes occur when there is a breakdown in communication or that there are unrealistic expectations by parents. Fifty per cent of principals agreed that it is possible that school personnel do not listen or that outside agencies do not communicate with school personnel. For example, information from hospital assessments or reports are not sent on. Some of the other examples given by principals included:

- *'lack of information for caregivers plus insufficient resources (especially time) for school personnel to adequately respond as needed through the eyes of the parent'*
- *'usually through lack of communication/information by the school and service providers to the clients'*
- *'usually it's down to lack of information- failure to communicate accurately. It is essential to follow grievance and deal with them quickly or they are likely to 'fester' resulting in a ministerial, or whatever'*.

Lack of resourcing plays a large part in principal responses. For example:

- lack of resourcing by the government. *'Few parents feel their child, even in the Special Ed class, is getting sufficient support'*.

- lack of understanding about resourcing. *'There is an expectation that support will continue beyond original allocation e.g. support received at kindergarten does not automatically translate to school'*.
- no longer wanting support. *'A few of the Year 6-7 students don't want support any longer because they feel their peers think they are 'dumb' and thus they simply tell their parents to tell me to have the extra help taken away. Following discussions they (the parents) change their minds.'*

Principals have concerns that family pressures are expressed at school and students bring behavioural problems from home to school. This is then transposed into being the school's fault and school personnel are left with the responsibility of dealing with it. Conflict within the school can be caused as a result. This raises two issues:

- do families and school personnel really come to grips with each other?
- family business increasingly becomes teachers' business and this adds to teacher responsibility.

There is also the concern that some parents only see their own side of things and don't see the education of their child as a two way process. For example:

- *'people set agendas based on their version of reality. Many people cannot accept that their agenda is not the only agenda to be considered'*
- *'society is infatuated with personal rights often surpassing their commitment to personal and legal responsibilities'*

Also of concern were recommendations by private specialists that cannot be met in the school, thereby setting the school up in the parent's eyes because there are insufficient resources to fulfill the specialist's recommendations. Training and development also was an issue for principals. For example:

- *training and development is required for staff dealing with grievances*
- *there is a lack of training for class teachers to support their programming.*

4. Describe some recent grievances raised by parents at your school.

Grievances raised by parents encompass those of school management, classroom methodology, resources and behaviour management. However, one principal stated that there had not been any grievances at the school since he had been there (2 terms) and another said that there had been none in the last two years.

Parents approach the principal and query why their child is not learning. This can cause problems if the matter is not addressed.

In relation to school management, the issues that have caused grievances are continual special education staff turnover, staff behaviour and slow implementation of initiatives. Parents complaining about homework have also caused grievances. For example: *'I send my child to school to learn, don't expect me to do your job at home'*.

Other examples given were:

- *'a child missing out in an excursion after failing to return permission slip and money'*
- *'as we have 4 hours per week School Support Officers time allocated to students with disabilities it is hard to maintain staff - most School Support Officers seek more hours in other positions so you are continually training new staff.'*

Grievances have arisen in relation to classroom management. For example,

- *'teachers sometimes do not follow agreed negotiated curriculum plans'*
- *'the only grievance raised by the parents of our Yr3 NCP student has been that she believes Junior Primary proved more interesting for her child. The class teacher believes that the boy's learning difficulties have always 'been there' but are becoming more obvious to him and others as he gets older. As the work becomes more difficult he finds learning less interesting'*
- *'my child has ADD so he can't be expected to conform to the same rules as everyone else'*
- *'my child is very bright - she doesn't seem to be extended in the classroom.'*

Parents are unclear about the level of support a school can provide and when they question the program for their child, wonder why there is no extra support. Also, parents perceive there is a lack of DETE funding for specialised equipment e.g. individual computers. Although these comments highlight examples of grievances about resources in schools, clear and timely explanations by school personnel to parents about the mechanics of what the levels of support mean and how they work, would possibly assist in alleviating parental concerns.

Grievances regarding behaviour management included when a:

- *a child is being victimized by other students'*
- *other children are hurting a child physically and emotionally.*

5. What is the frequency of grievance raising by parents of students with disabilities at your school?

Principals varied in this response from; it doesn't apply to us at all to very rare (perhaps once a year) to infrequent. This was attributed to good staff, set procedures and open communication'. *'Historically, we would have one family every two or three years.'*

'At our school, grievances are not significant because we have set procedures and excellent staff and programs.'

'There are very few grievances raised. They are all settled quickly because we keep the lines of communication open and I am open to listening and understanding parent's concerns.'

One principal, however, was less positive. His experience was that: *'grievances assume part of the regular behaviour of that family while they remain at the school'*. Could that be a reflection of the communication between school and home? The comment certainly begs the question.

6. What channels are used by parents at your school to raise grievances

Nothing can be better than regular, clear explanations of grievance policy or procedures. Parents and staff are then sure about the steps to take when problems arise (also in Fielding, 1990; Moore, 1994; and Horrocks, 2000). Parents can usually redress grievances formally or informally and the responses to this question fell into these categories.

Formal procedures. For example:

'We have:

- *formal procedures that are set up, published and implemented*
- *thorough documentation, parent information workshops*
- *a grievance procedure policy.'*

'We have a grievance policy that is circulated to parents at the beginning of the year and is regularly updated'

Overwhelmingly, the responses from principals indicated that any problems are usually taken to the class teacher first before they can become grievances. Then, if the parent is not satisfied, an appointment is made with the principal. Parents then meet with the principal and teacher to establish common ground and to decide on a future course of action with an accompanying timeline. A meeting is set at a future date to review progress of the matter.

Other formal avenues used by schools are the school council, student review teams, the school counsellor and the school community liaison teacher if the school has one. Parents are also able to access staff at the district office. This includes the guidance officer, the disability services support officers and the district superintendent.

Informal procedures

Informal procedures supplement the above and include regular conversations with students and parents by designated staff.

7. How do you (as principal) deal with parent grievances?

Parent grievances are dealt with by using good conflict resolution skills. The principals all demonstrated a good understanding of these skills, which may account for the relatively low incidence of grievance raising in their schools and reflect the fact that 9 out of 10 principals who provided feedback had training in conflict resolution. The skills specified by principals included:

- *actively listen to the parent grievance to establish just what the problems are*
- *listen empathetically*
- *reassure the parent that the grievance will be taken seriously (no discounting)*
- *make time to explain clearly, concisely and follow up, involve others (including parents) in decision making - try and act rather than react*
- *generate possible solutions*
- *act promptly work quickly toward solutions*
- *negotiate a way forward*
- *set up an action plan*
- *set review date*
- *act within resources*
- *seek external support*
- *provide on going feedback*
- *refer to records of students*
- *collate information and organise a meeting with student review team.*

Specific examples from principals included:

- *'where necessary, specialists are brought in to explain what we are able to provide and what is reasonable to expect. We have excellent relations with support people from DETE and other agencies'*
- *'discussing, listening, noting concerns. Follow up but explain the 'reality' of our school situation while finding out what is at the 'heart' of the grievance. Taking time to talk and involve all those involved in the grievance. Documenting what will happen and who is responsible. Checking to see that decided outcomes have been achieved'*
- *'I listen to the concern, document, then have agreement on the issue. If I can resolve them I do immediately, but if a teacher is involved I arrange for the immediate release of that person and discuss the issue with the parent and teacher and act as the mediator. I document the agreed actions and a further time where we can discuss the progress made. Staff and parents understand that I will not support educationally unsound practices and that the well being of the students is paramount'*
- *'listen, understand, put myself in their shoes, agree on what to do, carry out any action / research and communicate the results to the parents'*

8. How should educational grievances be resolved?

All principals answered that good communication and structures in place are essential in resolving grievances. Everyone must be very clear about roles and responsibilities. School personnel need to organise regular reviews and report back to parents regularly. There should also be access to outside personnel to assist if the school process breaks down. *'Educational grievances should be resolved at the school with both parties accepting that their opinions will be listened to, but with the family ultimately accepting the professional advice of the principal. DETE should be approached, not as a whipping boy but as a second opinion'*. Concerns are discussed and clarified, then there is a follow up and time is allocated to check on outcomes.

- *'where possible we resolve things at the school level, however, if this is not possible we stick to the involvement of the Disability Coordinator. So far this has resolved all our grievances'*
- *'ensure clarity about roles and responsibilities, clarify concerns and try to resolve grievances at the school'*.

9. Who should parents approach?

The majority of principals believe parents should be encouraged to approach the people who are most involved with their child or the person they feel most comfortable to approach. It is essential that parents know who is the 'responsible' person to approach. For example: *'in any situation where there are many participants - parents do not always know whom to contact. Where practical we designate a liaison person who facilitates communication and provide support. Where necessary an advocate becomes involved'*.

Other examples included:

- *'I believe the school should be always approached first because 99% of all grievances can be settled at the school'*
- *'the 'offending' person in the first instance and if there is no resolution, then the principal'*
- *'initially, the person with whom they have the grievance so that it can be resolved, if not, then the principal could act as mediator'*.

10. What do you see are the roles of others in this process? E.g. teachers, School Support Officers, parents?

Every person involved must be very clear about his or her role in supporting the child. It is preferable, for some principals, that a leadership team member coordinate matters.

Teachers

- *'provide data and reality checks'*
- *'could act as support persons for colleagues'*.

Parents

- ‘share information and support school programs’
- ‘need to follow the grievance procedure’.

School Support Officers

- need to be involved if the grievance concerns them.
‘To listen and to provide information (NOT ADVICE!) to assist in the healing process’. ‘The School Support Officers at our school, play a very important role in helping our two NCP students get ahead, they should not be approached about a grievance. The teacher then principal should be involved if an issue can not be worked out’.

Principals

Participants bring the full information to the meeting. Quite often the principal only has the ‘big picture’ views.

Others

Others in the school can direct people to the appropriate personnel whose task it is to assist in the resolution of the issues. Revealingly, this comment was made. *‘It varies which individual cares’* Does this mean that if no one cares, nothing happens? Others could act as mediators (e.g. in case where there is a grievance against the principal).

11. What do you understand by the term mediation?

‘When the person grieved against is listened to and some action occurs that makes that person feel as if something has changed, something has happened’. According to one principal mediation provides an opportunity for an outside person to be involved, chairing a discussion between conflicting parties, when either of the parties is not prepared to work towards an equal resolution. The outside person should have the ability to help people toward a win/win situation. The advantage of this is the impartiality of the person brought in to mediate (to be a link, a go between, to help resolve issues of dissension). Acland, (1990); Field, (1991-2); Herman, (1993); and Horrocks, (2000) support this notion in the literature.

‘A person (mediator) could assist to clarify the problem and assist to keep discussion flowing. They would seek to reconcile the parties and follow up resolutions to ensure that both parties were satisfied with the outcome.’ *‘The result of mediation should ensure inappropriate is stopped and the working relationship between the parties is re constructed.’*

Mediation does not necessarily mean that an outside person is brought in. One principal commented that he might act by mediating between parties.

12. Is mediation a useful option to use if initial grievance procedures are not working out?

‘Yes - the person needs to know that someone cares, someone listens and something will be done’. None of the principals

thought that mediation was not useful. However, there were provisos:

- *‘as long as there was not a community perception that because mediators were called in, the school was not able to do its job’*
- *‘the mediator must be an ‘external’ one’*
- *‘if the principal believes that this would assist’*
- *‘mediation should only occur when all avenues have been exhausted at school level’.*

Mediation can be very effective provided one keeps an open mind. *‘This (mediator) would be very useful, particularly when the principal is seen by the parent as being ‘negative’ towards him or her - simply because the principal has had to say ‘no’ to requests that aren’t possible to meet’.*

13. What are your thoughts about DETE having a list of trained mediators that would be available to you at your request?

Mediation was not seen to be required as a service at all by one rural principal, because the school never has issues regarding students with disabilities. This principal was skeptical that a mediation scheme would ever be funded. Yet another principal thought that DETE should put its resources into adequate funding for children with disabilities. However, others were more supportive of the notion. Most principals agreed that having a list of mediators was an excellent idea as long as the mediator had knowledge of the area of students with disabilities.

Examples included:

- *‘if it can’t be resolved at school level it would be great to have an ‘umpire’ to help resolve an grievances’*
- *‘having access to personnel who are trained mediators would be extremely beneficial to any principal who requests support in relation to resolving grievances’*
- *‘to have this as an option if all fails would be great’*
- *‘this is good for solving those issues that cannot be resolved at the local level’.*

Having access to a list of mediators may be useful for problems other than those that arise from the parents of students with disabilities. One principal wrote that, *‘My experience has shown that parents of children with NCP’s have always resolved grievances amicably. It is the parents of those children who are not NCP who often only get one side of the story from their child who can be unrelenting in dealing with their grievances which in some cases are not resolved because the parent becomes very aggressive and abusive’.*

A principal with both high community support and high percentage of students on a negotiated curriculum plan said the following:

- *‘formal procedures are set up, published and implemented’*

- *'there is thorough documentation, additional School Support Officers time, parent workshops'*
- *'informal procedures supplement the above and include regular conversations with students and parents by designated staff'*
- *'clear explanations of what can and can't be done are given at interviews and realistic goals set'*.

Open communication, publishing and implementation of formal and informal procedures and clarity of purpose may be considered to be the key ingredients to successful parent/school relationships. Training in special education and/or conflict resolution may also be of value.

There is awareness from both parents and principals that a change of practice would lead to better staff/parent relationships. A mutually supportive atmosphere is possible by improvements

in several areas. These are communication, service provision, training, processes and procedures, mediation and more comprehensive induction packs and shown in Table 1 below. When it comes to exchanging information, reports of professionals such as Occupational Therapists and Speech Pathologists need to be taken into account for curriculum relevance.

Generalising results

Caution must be used when generalising the findings from two such small focus groups and the principals' questionnaire. The plausibility of the findings of both groups can be tested against other known facts (a form of triangulation, Chambers, Wedel and Rodwell 1992). The researcher believes that trust can be placed in the findings, as background information was available to clarify information when required. Clarification was sought from departmental records and follow up phone calls in several instances and recurring issues were identified in the responses from principals and parents.

Table 2. Recommendations from the Parent and Principal Feedback

| | Parents | Principals |
|--------------------------|---|---|
| Communication | <ul style="list-style-type: none"> • the use of good communication practices e.g. listening to concerns and providing jargon-free information for parents • more consultation • relevant exchanges of information relating to the educational and physical needs of the child. • improvement in the areas of: <ul style="list-style-type: none"> • the interpersonal skills of school personnel • regular and inclusive negotiated curriculum planning meetings • parent training in departmental processes | <ul style="list-style-type: none"> • improvement in the areas of: <ul style="list-style-type: none"> • service delivery • including parents as part of the educational process • providing timely information about processes and procedures |
| Service provision | <ul style="list-style-type: none"> • deal with problems quickly before they become grievances | <ul style="list-style-type: none"> • create a service delivery ethos at the school • publish the fact that there are very few grievances at the school because of clear processes and procedures and open communication |
| Training | <ul style="list-style-type: none"> • provide parent training in: <ul style="list-style-type: none"> • the negotiated curriculum plan • parents' rights and responsibilities • departmental policies • DETE resourcing formulae | <ul style="list-style-type: none"> • provide staff training in: <ul style="list-style-type: none"> • conflict resolution and interpersonal skills • disability issues and processes e.g. the negotiated curriculum plan • inclusive methodology and behaviour management |

| | Parents | Principals |
|---------------------------------|--|--|
| Processes and procedures | <ul style="list-style-type: none"> circulate the grievance policy to parents at the beginning of the year and ensure it is regularly updated | <ul style="list-style-type: none"> ensure processes and procedures are clearly documented, explained simply and revisited regularly ensure staff and parents have knowledge of processes related to students with disabilities such as the negotiated curriculum plan and grievance procedures |
| Mediation | <ul style="list-style-type: none"> a school counsellor could be trained for the role of mediator parents as well as DETE personnel could be trained as mediators data on the mediations kept | <ul style="list-style-type: none"> provide parents with a list of trained mediators alternatives to DETE mediators provided follow up to the mediation should occur to ensure that issues have really been resolved within a set timeframe, thereby ensuring accountability |
| Induction packs | <ul style="list-style-type: none"> specific induction packs could be provided for parents of students with disabilities relating to: <ul style="list-style-type: none"> information about specific disability detailed steps of pathways and people to contact for a range of items eg grievance procedures processes in the school that parents should know a list of mediators provided as part of the induction pack for parents. | |

Conclusion

It could be said that parents will always have grievances and principals are very busy, therefore, there will always be problems. However, based on the findings of this report, it is apparent that there are commonalities in the recommendations of the principals and parents. These especially include the need to improve communication and service provision. Principals acknowledged that parents should be included in decision making and they need to be informed about whom to approach and what to do when they have concerns. Parents would like induction packs made available by schools with all the processes and procedures relevant to disability included. This seems to be a simple yet effective way of providing important information. Nevertheless, school/parent relationships have a better chance of flourishing in an atmosphere where parents are valued, informed and included. School personnel could do well to lower the professional mask and allow parents to see that they are human and can show compassion. Principals and teachers can be authoritative, yet open and explain things in language that can be understood. School personnel need to connect with parents, as this will lessen the disadvantage that parents sometimes feel in a parent/school relationship. Parents sometimes feel disconnected and powerless when it comes to the education of their child, particularly if the child has a disability. Therefore, schools need to adopt a more preventative approach to handling parent-school disputes in special education.

Although principals said that the frequency of grievance raising varied from: it doesn't apply to us at all to very rare (perhaps once a year) to infrequent, these answers may not be real and will be addressed in the next stage of the research.

It is hoped that this study will provide some indicators for the development of grievance procedures, as part of service delivery in schools. Mediation is thought to be a useful service by both parents and principals with certain provisos. These include the use of non-departmental mediators if preferred and a mediation database established. Parents would also like to be provided with a list of such mediators, for their information.

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