AEA RESOLUTION FACILITATOR GUIDE
(2010-A)

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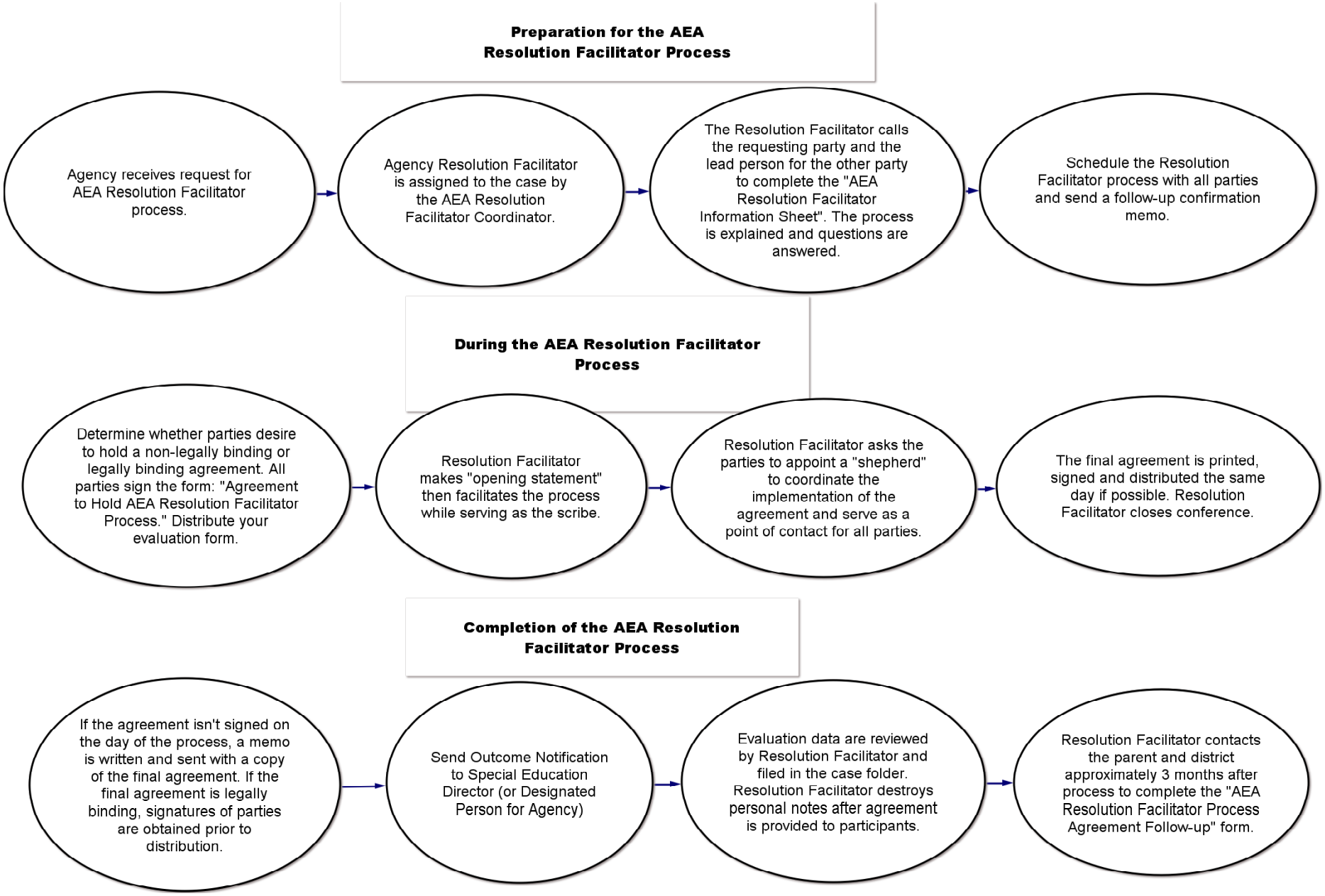
PREFACE

Sometimes people are confused understanding the difference between the "*AEA Resolution Facilitator Process*" and a "*resolution meeting".* Individuals may use them interchangeably; however, these two events are very different. What the AEA Resolution Facilitator Process and resolution meeting have in common is that they are both used when trying to resolve concerns.

AEA Resolution Facilitator Process. The major goal of the AEA Resolution Facilitator process is to have an option available to help resolve differences at the earliest possible time. Each AEA has a designated person (or persons) known as the AEA Resolution Facilitator Coordinator. The process is used when there is a conflict or a concern that may involve general education, Section 504, special education, Early ACCESS, or any issue involving a school setting.

Resolution Meeting. The term "*resolution meeting*" is to be used in the context of a special education hearing request. When a parent requests a hearing, the district and the AEA are mandated by the Individuals with Disabilities Education Act (IDEA) to offer a resolution meeting to the parent, in order to provide an opportunity for resolving differences, without a hearing. This must be done within 15 days of receiving the hearing notice.

Question	AEA Resolution Facilitator Process	Resolution Meeting
Who provides?	The AEA although the AEA may contact the Dept. of Ed. for assistance from a State mediator. It is known as an AEA process and not a State process.	The district and the AEA are required to offer to the parents after a special education hearing request. An AEA RF may be used to help facilitate the meeting or the State can be contacted for help from a State mediator.
What is it?	A form of mediation	A meeting to provide an opportunity for the district and AEA to resolve differences and address issues the parents identified in hearing request.
When can it be used?	Differences occur between: • General education • Special education • Section 504 • Other school related situations	After a parent has requested a special education hearing because of having differences with the district and/or the AEA.
Who can request?	• Parents • AEA or LEA staff • Others involved in school setting	AEA and district must offer to the parent.
If one party requests, does the process have to be provided, regardless?	No. The process is voluntary.	Yes, the AEA and the district must offer. The parent must participate unless all parties ***jointly*** *agree in writing* to waive this meeting.
Is there a required timeline for requesting or offering?	No.	The district and AEA must offer and hold the resolution meeting within 15 days unless there is a joint agreement to delay.
If an agreement between parties is reached is it considered to be "legally binding?"	No, unless stipulated by all parties.	Yes.


Preparation for the AEA Resolution Facilitator Process
Agency receives request for AEA Resolution Facilitator process.
Agency Resolution Facilitator is assigned to the case by the AEA Resolution Facilitator Coordinator.
The Resolution Facilitator calls the requesting party and the lead person for the other party to complete the "AEA Resolution Facilitator Information Sheet". The process is explained and questions are answered.
Schedule the Resolution Facilitator process with all parties and send a follow-up confirmation memo.
During the AEA Resolution Facilitator Process
Determine whether parties desire to hold a non-legally binding or legally binding agreement. All parties sign the form: "Agreement to Hold AEA Resolution Facilitator Process." Distribute your evaluation form.
Resolution Facilitator makes "opening statement" then facilitates the process while serving as the scribe.
Resolution Facilitator asks the parties to appoint a "shepherd" to coordinate the implementation of the agreement and serve as a point of contact for all parties.
The final agreement is printed, signed and distributed the same day if possible. Resolution Facilitator closes conference.
Completion of the AEA Resolution Facilitator Process
If the agreement isn't signed on the day of the process, a memo is written and sent with a copy of the final agreement. If the final agreement is legally binding, signatures of parties are obtained prior to distribution.
Send Outcome Notification to Special Education Director (or Designated Person for Agency)
Evaluation data are reviewed by Resolution Facilitator and filed in the case folder. Resolution Facilitator destroys personal notes after agreement is provided to participants.
Resolution Facilitator contacts the parent and district approximately 3 months after process to complete the "AEA Resolution Facilitator Process Agreement Follow-up" form.

AEA Resolution Facilitator Process

Preparation for the AEA Resolution Facilitator Process

1. Agency receives request for AEA Resolution Facilitator process.
2. It is given to the AEA Resolution Facilitator Coordinator.
3. Agency Resolution Facilitator is assigned to the case by the AEA Resolution Facilitator Coordinator.
4. The assigned Resolution Facilitator calls the requesting party and the lead person for the other party /parties to complete the "AEA Resolution Facilitator Information Sheet". The process is explained and questions about the process are answered.
5. The assigned Resolution Facilitator and parties determine who will participate in the AEA Resolution Facilitator process.
6. The secretary supporting the Resolution Facilitator schedules the Resolution Facilitator process.
7. All parties are asked for available dates with follow-up confirmation of selected date or conference call is held to schedule the Resolution Facilitator process.
8. Complete and send the "scheduling memo" with the *Preparing for the AEA Resolution Facilitator Process* document or brochure attached.
9. Send notification memo to _____ (designated person at AEA, typically person supervising AEA Resolution Facilitator Coordinator).

During the AEA Resolution Facilitator Process

1. All parties sign the form: "Agreement to Hold AEA Resolution Facilitator Process". Determine whether parties desire to hold a non-legally binding or legally binding agreement. Have both sets of documents ready to use dependent upon their decision.
2. Evaluation forms are distributed with stamped, pre-addressed return envelopes. Provide importance of returning evaluations.
3. Resolution Facilitator makes "opening statement". (*Refer to AEA Resolution Facilitator Process Opening Statements*)
4. Resolution Facilitator process follows the outline, with the Facilitator providing guidance and taking notes.
5. Resolution Facilitator serves as the scribe or secretary, using flip charts or an LCD projector, and produces a draft agreement (refer to template) in the words of participants, ensuring consensus on each statement.
6. Resolution Facilitator asks the parties to appoint a "shepherd" to coordinate the implementation of the agreement and serve as a point of contact for all parties. (Refer to Shepherd Job Description form)
7. Once the agreement is ready to be written, somebody else can enter the agreement on a computer, such as a participant or a secretary to disseminate, if it is easier to continue the facilitator role.
8. A draft of the agreement is printed and distributed. The goal is to get an agreement written and signed on that day, if at all possible, even if it is only a "next steps" agreement.
9. Resolution Facilitator closes conference. After thanking the parties for their hard work in coming to an agreement, ask: "Since you all will likely continue to work together in

the future for the benefit of _____, is there anything, in closing, that you would like to say to each other?"

Completing the Process

1. If the agreement isn't signed on the day of the process, a memo is written and sent with a copy of the final agreement. If final agreement is legally binding, signatures of parties are obtained prior to distribution.
2. Send Outcome Notification to Special Education Director (or Designated Person for Agency).
3. Evaluation data are reviewed by Resolution Facilitator and filed in the case folder. A year-end summary of the results will be provided to _____.
4. Case file is completed and stored in _____. Electronic documents are stored on the server by the _____ secretary.
5. Resolution Facilitator destroys personal notes after final agreement is provided to participants.
6. Resolution Facilitator contacts the parent and district approximately three months after conference to complete the "AEA Resolution Facilitator Process Agreement Follow-up" form.

To be used if child-specific

Request for AEA Resolution Facilitator Process

I, _____, am requesting an AEA Resolution Facilitator Process.

_____	_____
Child's name (if appropriate)	Parent's name
_____	_____
Address of child's residence	Parent's address
_____	_____
Child's resident district, school, and AEA (Also, the district child attends, if different)	Parent's phone number

Is there another parent at another address with parental rights? ___Yes ___No

Describe the following (use additional sheets of paper if more space is needed).

1. The nature of your concern:

2. The facts relating to your concern:

3. Your proposed resolution of the concern:

4. What have you already tried to resolve your concern?

Send the completed form to: AEA Resolution Facilitator Coordinator (Include Contact information.)

AEA Resolution Facilitator Information Sheet

Person making request:

Request for an AEA Resolution Facilitator Process form received or information taken.
[ ] YES [ ] NO

Conference with: Date:

Identified issue(s):

Name of all individuals involved and their role:

Has there been a meeting between parties to communicate and clarify the issues or concerns?
[ ] YES [ ] NO WHEN:

OUTCOME:

Do people consider themselves at impasse?

Name of all individuals to be a part of the AEA Resolution Facilitator process (contact person for each party):

Name	Phone	E-mail

[ ] This will be a non-legally binding AEA Resolution Facilitator meeting (unless parties stipulate and agree that it will be legally binding).

Confirmation for Holding AEA Resolution Facilitator Process

Date: _____

To: _____

From: _____, AEA Resolution Facilitator

RE: AEA Resolution Facilitator process regarding _____

This is to confirm arrangements for the AEA Resolution Facilitator process scheduled for _____ (time & date) at_____. It is my understanding that all of those to whom this memo is being sent will be attending this session. If there are additions, please let me know.

Enclosed please find an explanation of the AEA Resolution Facilitator process. It is important that you review the attached document (or brochure) in preparation for our session. Please feel free to contact me if you have questions.

I can be reached at:

Phone:
Fax:
Email:
Mail:

Thank you for your willingness to discuss issues related to _____. I look forward to our time together.

Enclosure: Preparing for the AEA Resolution Facilitator Process (document) or

Preparing for the AEA Resolution Facilitator Process (brochure)

Preparing for the AEA Resolution Facilitator Process

The AEA Resolution Facilitator Process is a voluntary process in which an impartial third party, a Resolution Facilitator, assists individuals in disagreement by facilitating a dialogue intended to: (a) clarify the issues involved in the matter and (b) reach a final resolution or a "next steps" agreement intended to lead to a final resolution. Typically, the AEA Resolution Facilitator Process will take a few hours or less. When scheduling, we ask that you set aside the entire day in case that much time is needed.

The Role of the AEA Resolution Facilitator

The Resolution Facilitator's job is to make it easier for you to talk to each other to gain a better understanding of what you can do together to change the situation which brings you to this process. The Resolution Facilitator will:

- Explain the AEA Resolution Facilitator process and answer any questions you may have.
- Work with you to establish basic communication guidelines to be used in the session.
- Help you identify and clarify the issues to be addressed.
- Facilitate the discussion of each issue.
- Assist you in resolving your concerns.
- Make no decisions or judgments about the matter under discussion – all those decisions are the responsibility of the participants.

Communication Guidelines:

Experience tells us that communication guidelines (sometimes called ground rules) are necessary to promote effective discussion when people have differences and feel strongly about them. The Resolution Facilitator will suggest you keep the following guidelines in mind:

- Let others finish their thought before you speak.
- Be considerate of other's feelings in speech and body language.
- Listen deeply as if your future and the future of everyone involved depends on understanding what is being said.

The AEA Resolution Facilitator Process:

This is a general description of the AEA Resolution Facilitator process. A particular session may proceed differently depending on the needs or wishes of the participants.

- Opening remarks by the Resolution Facilitator.
- Each party shares his or her point of view regarding how he or she sees things – what brings us here today?
- Issues are identified and clarified.
- Solution options for each issue are jointly developed, discussed, and negotiated.
- When the parties reach an agreement, an agreement will be printed and signed following the process. (The agreement is written during the process, using a computer and projected for all to see.)

BROCHURE:
"PREPARING FOR THE AEA RESOLUTION FACILITATOR PROCESS"

Please insert your brochure here.

Scheduling Memorandum for
Special Education Director or Designated Person for Agency

Date: _____

To: Special Education Director (or appropriate designee)
AEA
Phone

From: _____, AEA Resolution Facilitator

RE: Scheduled AEA Resolution Facilitator Process

_____ An AEA Resolution Facilitator Process has been scheduled

_____ A resolution meeting has been scheduled, using an AEA Resolution Facilitator (after parent requested due process hearing). The agreement will be legally binding under IDEA.

Student name: _____ Birthdate: _____

Student's School of Attendance: _____

Resident District: _____

_____,_____at _____
(time and date) (location)

AEA Resolution Facilitator Process: Facilitator's Guide

Persons Participating: **Date:**

Resolution Facilitator:

Ground Rules:
- Identify/indicate the amount of time available for the meeting.
- Review the format for the meeting.
- Review "communication guidelines".
- Make sure there is a willingness to negotiate on the part of each person.
- Indicate you will take notes.

Review the situation (each tells story without interruption):
- Have the person who initiated the concern tell his or her story first, then the other person(s).
- Identify central themes, specific concerns and any potential solutions generated during their storytelling.
- Clarify INTERESTS (why they want what they want) rather than POSITIONS (what they want).
- Summarize and restate.

Brainstorm Solution Options (without critique):
- Invent options for mutual gain.

Evaluate the positive and negative implications of the brainstormed solution options:
- You may wish to acknowledge, validate, empathize, clarify, summarize and restate.
- Reality test the options: What would happen if ….
- Which solutions are acceptable?
- Which solutions are doable?

Select solutions:
- Decide on the basis of objective criteria.
- Come to an agreement.
- Make commitments – put them in writing.
- Determine how the agreement will be monitored.
- Establish a follow-up date(s) for necessary persons.

AEA Resolution Facilitator Process Opening Statements

____ Welcome and thank you for coming. My name is _____. I would like you to call me _____. I will be your Resolution Facilitator today. I am a trained and impartial facilitator. [Disclosures]. Are we expecting anyone else?

____ Please introduce yourself, indicating what you wish to be called.

____ *Housekeeping*: Restrooms, breaks, lunch

____ I would like to thank both of you [or groups] for deciding to use this process. I realize you had
other options. As you know we're here to seek resolution of some issues on behalf of _____.
Do each of you (referring to district and AEA representative) have the authority to make commitments here today?

____ *Definition*: The AEA Resolution Facilitator process is voluntary. It is an opportunity to clarify issues and come to your own best solution. It is not a court proceeding or an adversarial process. We are to approach the situation as a shared problem and an opportunity to create a mutually beneficial way to move forward.

____ *Goals*: An agreement, but also greater clarity, and improved communication and relationships. Even if no agreement – better understanding of the entire situation and where to go next.

____ *My responsibilities*:

Maintain confidentiality.
Be impartial, not a judge
Facilitate the process
Assist you to develop written agreement: I will take notes to help keep us on track.
After we have written the agreement, I will destroy all notes pertaining to this proceeding.
Work together to address and resolve issues.
Speak and listen respectfully
Listen without interrupting

____ In order to help the process move forward, I have three guidelines for each of us to keep in mind:

1. Let others finish their thought before speaking yourself.
2. Be considerate of other's feelings in speech and body language.
3. Listen deeply as if your future and the future of everyone involved depends on understanding what is being said.

Do each of you agree to these guidelines? Are there any additional ones we need to help make the conversation here comfortable for you?

____ *Agenda*:

1. Each of you will take a turn giving your perspective, beginning with the person who requested the process.
2. Questions and clarification.
3. We will identify issues and decide which issue to discuss first.
4. We will discuss the issue(s) and brainstorm solutions.
5. We will work on a mutual resolution or I will ask each party to propose a fair resolution.
6. We will work toward consensus regarding a resolution and draft a simple written agreement.

____ *Begin the session:*

1. Distribute, discuss, and sign Agreement to Hold AEA Resolution Facilitator process (Note: Determine parties preferences regarding confidentiality).
2. To parents: "Can you tell me about_____.
3. To educators: "Is there anything you would like to add?
4. To all: Let's continue our discussion by reviewing the issues that brought us together today. Could we begin by identifying those issues? (beginning with the person who brought the request).

AGREEMENT TO HOLD AEA RESOLUTION FACILITATOR PROCESS

Date of Session:_____

Beginning time:_____

Ending time: _____

1. I understand that the Resolution Facilitator will not disclose anything about this AEA Resolution Facilitator process that in any way identifies the parties to it. I also understand that the Resolution Facilitator cannot be called to testify as a witness in any future hearing regarding this matter unless required by law.

2. I will not blame the Resolution Facilitator or try to obtain compensation or reimbursement from the Facilitator for anything connected to the session—including the agreement we reach.

3. Confidentiality is not a condition for participation but discussion occurring during this meeting may remain confidential if parties agree.
   [ ] Discussion will not remain confidential
   [ ] Due to the personal and private nature of the matters to be discussed in this meeting, all discussions that occur during this process shall be confidential. I understand this is not intended to prohibit any of us from discussing information, including any written agreement we reach, on a need-to-know basis, with appropriate staff, family members, counsel and professional advisors.

4. If we reach a written agreement, I will support it as written.

   [ ] The agreement will be non-binding.
   [ ] The agreement will be legally binding.

Please Print Your Name, Role, and E-mail address and then sign your name

Printed name and role (Facilitator)
Email
Signature
Printed name and role (Person with authority to bind LEA)
Email
Signature
Printed name and role (Person with authority to bind AEA)
Email
Signature
Printed name and role (Person in role of parent)
Email
Printed name and role
Email
Signature
Printed name and role
Email
Signature

AEA Resolution Facilitator Process Outline

Element	Objectives	How
Opening	Provide a welcoming, safe and hopeful environment Clarify facilitator role, purpose & expectations Build trust in the facilitator and the process	• Welcome • Explain purpose and process • Explain the value of the AEA Resolution Facilitator process • Clarify role of facilitator and parties • Explain impartiality • Explain confidentiality • Establish and/or elicit ground rules
Perspective Sharing	Share points of view Identify issues and feelings Model collaboration and impartiality Make it easier for parties to work together	• Ask each to briefly summarize the situation from his/her perspective. • Actively listen • Elicit and list issues • Identify commonalities and differences • Enforce "communication guidelines"
Facilitated Dialogue	Enable each to understand how the other experiences the conflict Discover new information affecting the situation Move from understanding to interest-base negotiation Help parties "see" and reflect on accomplishments Maintain a safe, positive environment	• Obtain agreement on which issue will be discussed first. • Confirm that each is ready to move to attempt an agreement • Facilitate discussion of the issues and brainstorm solutions. -Help them focus on specific issues and underlying concerns -Point out new information -Use active listening techniques. -Acknowledge positive and cooperative work -Enforce "communication guidelines"
Negotiation and Agreement	Facilitate negotiations Help parties jointly craft an agreement	• Ask each to describe a fair resolution • Assist with the negotiation of each issue • Help the parties reality-test any resolution • Help parties move beyond impasse • Draft agreement in parties' own words (they approve and sign) • Affirm common understanding • Ask: whether there is anything else that needs to be discussed • Identify a Sheperd to oversee the implementation of the agreement
Closing	Validate hard work and accomplishments End on a positive note	• Set # of Sheperd follow ups & dates • Set date & method of facilitator follow-up • Make closing statement • Thank them for using the process and provide opportunity for parties to say one last thing to each other since they will be continuing to work together in the future.

AEA Resolution Facilitator Note Taking Guidelines

A Resolution Facilitator will take notes during the process and tell all parties *at the beginning of the session* that *the notes will be destroyed when an agreement is signed*.

The purpose of taking notes during the Resolution Facilitator process is to remember and reflect on the key words, phrases or comments from the participants that may be useful in facilitating the conversation and drafting the agreement.

Note taking begins after the Resolution Facilitator's opening comments when the parties begin sharing their perspectives on the situation. Note taking typically ends when the agreement is written.

The Resolution Facilitator does not keep verbatim notes. Rather the Resolution Facilitator records selected statements from both parties as they share information and perspectives. For example, one party may bring new information to the table. After the party finishes speaking, the Resolution Facilitator may wish to refer to their notes before probing for the meaning and implications of this information for the benefit and understanding of all.

Another purpose served by note taking is for clarification. Perhaps a suggestion has been made quickly in the context of a longer set of thoughts and feelings. After the party has spoken the Resolution Facilitator can then request additional information so that all parties may be on the same page as they move toward resolution and be aware of their respective responsibilities if they were to commit to the recommendation.

Some Resolution Facilitators have found it useful to underline comments which reflect INTERESTS (why a party wants what they want) and separate these from POSITIONS (what the party wants).

It can be helpful to scan one's notes to see areas or points of agreement. Identifying and naming these common perspectives to all present can prime the discussion on yet-to-be resolved differences.

Because of the nature of the notes there is no required form or outline to follow. Some resolution facilitators use blank sheets of paper with a heading prepared in advance with the date, location and the first name of the party initiating the Resolution Facilitator process. If there is more than one issue to be discussed, there may be separate sections for notes regarding each issue.

It may be helpful to describe or code your intended action next to a comment. For example, you may want to ask for clarification, note that both parties agree with a particular viewpoint, or note that a specific recommendation may be part of the draft agreement.

It may also be helpful to have the previous page (B-4) next to your note taking pages so as to guide your work through the various elements of the session.

Remember to reiterate that all notes will be destroyed after the agreement is signed.

AEA Resolution Facilitator Notes

(Sample)

Date _____ Time _____

Issue # 1

Speaker	**Comments from Speaker**	**RF Action** (e.g., clarify, incorporate in agreement, request more information, follow-up on interests expressed.)

Non-binding Agreement for AEA Resolution Facilitator Process

DATE: _____

RE: _____

Agreement between the _____ Community School District and _____, parent. Prepared by _____, AEA Resolution Facilitator on _____.

The parties listed below met on _____ to resolve issues on behalf of _____.

The agreement between parties is as follows:

Resolution

Description of action to resolve issue identified	Person or agency responsible to initiate and complete an action	Timeline for action
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe.		
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe		
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe		
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe		
Issue: Action:		

What has to happen so that parties know this part of the agreement has been met? Describe		

The following individual(s) will take primary responsibility for ensuring this agreement is carried out:
_____, _____;_____, _____; _____, _____
Shepherd Position Name Position Name Position

Those present, in addition to the Resolution Facilitator were:

_____, Parent _____

_____, Director of Special Education _____

_____, Principal _____

Responsibilities of the Shepherd:

- Serve as point of contact for all parties.
- Monitor the completion of all actions in this agreement.
- Work with parties to resolve any difficulties which arise during the implementation
- Communicate to all parties when the agreement has been completed.

Legally Binding Agreement for AEA Resolution Facilitator Process

DATE: _____

RE: _____

Agreement between the _____ Community School District and _____, parent. Prepared by _____, AEA Resolution Facilitator on _____.

The parties listed below met on _____ to resolve issues on behalf of _____.

The agreement between parties is as follows:

Resolution

Description of action to resolve issue identified	Person or agency responsible to initiate and complete an action	Timeline for action
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe.		
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe		
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe		
Issue: Action: What has to happen so that parties know this part of the agreement has been met? Describe		

The following individual(s) will take primary responsibility for ensuring this agreement is carried out:

_____, _____
Shepherd Position

_____, _____
Name Position

_____, _____
Name Position

Responsibilities of the Shepherd:

- Serve as point of contact for all parties.
- Monitor the completion of all actions in this agreement.
- Work with parties to resolve any difficulties which arise during the implementation
- Communicate to all parties when the agreement has been completed.

Contingency Plan: Is a contingency plan needed for any part of the agreement because of something that has the potential to be outside the control of any party in the dispute? (Please include the name of a specific person who may be included during any part of the agreement.)

☐No ☐ Yes

If yes, describe the plan

Suggested Next Steps

1. If a final written agreement becomes available on the day of the Resolution Facilitator Process, the Facilitator will provide copies to all parties and request signatures on that date, if possible, from those individuals whom signatures are required.

2. If an agreement was reached but a written agreement was not available for distribution on the day of the Resolution Facilitator Process, the Facilitator will send or e-mail the written agreement to all parties, with separate signature pages for each party from whom signatures are required.

Mandated Signatures for Legally Binding Written Agreement
(To be completed after the agreement is finalized)

The undersigned parties agree:

1. This is a legally binding agreement enforceable in any state court of competent jurisdiction or in a district court of the United States.

2. This agreement is in force for the period _____ unless changed by the IEP team or by mutual written consent of the parties.

3. _____ is the shepherd of this agreement. As such she/he is the person others may contact with questions or concerns about the agreement's implementation.

_____

Print and Sign (Parent) Date

_____

Print and Sign (Parent) Date

_____

Print and Sign (Designated representative of LEA) Date

_____

Print and Sign (Designated representative of AEA) Date

JOB DESCRIPTION FOR SHEPHERD

1. Brief description of the nature of the job, its scope and responsibilities.

A shepherd guides the implementation of an agreement and is the person any of those involved in an AEA Resolution Facilitator Process will contact with questions or concerns about the agreement being followed. A shepherd is also the point of contact for any of those involved who believe that additional effort is needed to resolve differences. As a general rule the shepherd is a LEA or AEA staff member, is present at the AEA Resolution Facilitator Process and is named shepherd by agreement of the others present. Exceptions to this rule are possible with the consent of the parties to a given AEA Resolution Facilitator Process.

2. Essential job functions.

#	Responsibility
(1)	Reviews the agreement to see who is responsible for taking specific actions and by what date those actions are to be taken.
(2)	Checks with persons identified in #1 above to see whether they have done what was agreed to do by the date agreed upon.
(3)	If an agreed upon action has not been accomplished, works with the person(s) responsible for the action on the specific steps that need to be taken to comply with the agreement.
(4)	If a specific action agreed upon turns out to be unworkable for any reason, contacts the parties to seek an appropriate written modification of the agreement and/or a return to the AEA Resolution Facilitator Process.
(5)	If an agreement is modified repeats functions 1-4 as needed.
(6)	Responds to inquiries and/or concerns from parties to the agreement about implementation and takes corrective action as needed.

AEA RESOLUTION FACILITATOR PROCESS EVALUATION

Date_____

Please take a few a minutes to respond to the following questions. Your views are very important to us, and will be treated confidentially. A return envelope is provided for your convenience.

Preparing for the AEA Resolution Facilitator process

1. What did you expect to achieve from participating in the AEA Resolution Facilitator process?

_____

_____

2. What concerns, if any, did you have about participating in the AEA Resolution Facilitator process?

_____

_____

3. In preparing for your AEA Resolution Facilitator process, how helpful were the following:

Scheduling Memo	___Helpful	___Not helpful	___Not received	___Not needed
Preparing for AEA Resolution Facilitation Process	___Helpful	___Not helpful	___Not received	___Not needed
Phone call with the AEA Resolution Facilitator	___Helpful	___Not helpful	___Not received	___Not needed

4. Did you feel prepared to participate in AEA Resolution Facilitator process?

_____

_____

During the AEA Resolution Facilitator process:	Strongly Agree	Agree	Disagree	Strongly Disagree
5. The AEA Resolution Facilitator process was explained adequately by the Resolution Facilitator.	☐	☐	☐	☐
6. I was given the opportunity to discuss and explain the issues important to me.	☐	☐	☐	☐
7. My views were considered before any solutions or agreements were made.	☐	☐	☐	☐
8. I was treated fairly by the Resolution Facilitator involved in the case.	☐	☐	☐	☐

9. Comments on my experience with the AEA Resolution Facilitation process:

_____

_____

Outcome of the AEA Resolution Facilitator process

10. I was satisfied with the outcome of the AEA Resolution Facilitator process.
_____Agree _____Undecided _____Disagree

11. On how many issues did you reach an agreement _____All _____Some _____None
If none or only some of the issues were resolved, is there anything else that could have been done to help reach an agreement on additional issues?

_____

_____

12. Regardless of whether or not an agreement was reached:

Did you get a better understanding of the issues? ___ Yes ___ No

Did you get a better understanding of your own interests? ___ Yes ___ No

Did you get a better understanding of others' interests? ___ Yes ___ No

Did you feel that communication between participants improved? ___ Yes ___ No

13. What is your overall evaluation of the AEA Resolution Facilitator process?

_____Excellent _____Good _____Average _____Poor

14. Comments about your AEA Resolution Facilitator process experience with Resolution Facilitator.

_____

_____

OPTIONAL: What role did you have at the AEA Resolution Facilitator process?

_____ Parent/Student _____ AEA _____ School _____ Other

_____ Advocate for _____

After the Meeting Reminders

After the meeting a few activities are recommended prior to closing the file:

1. If the agreement isn't signed on the day of the process, a memo is written and sent with a copy of the final agreement. If final agreement is legally binding, signatures of parties are obtained prior to distribution.
2. Complete and submit Outcome Notification to Special Education Director (or Designated Person for Agency).
3. Evaluation data are reviewed by Resolution Facilitator and filed in the case folder. A year-end summary of the results will be provided to _____.
4. Case file is completed and stored in _____. Electronic documents are stored on the server by the _____ secretary.
5. Resolution Facilitator destroys personal notes after final agreement is provided to participants.
6. The Resolution Facilitator Coordinator completes documentation of the case in the agency's resolution database
7. Resolution Facilitator contacts the shepherd approximately 1 month after conference (or as scheduled) to complete the "AEA Resolution Facilitator Follow-up" form.

This will only be used if agreement was not signed on day of process

Final Agreement Memo

[ADDRESS]

[DATE]

RE: AEA Resolution Facilitator Process Agreement for _____

Dear _____,

Attached please find a copy of the signed agreement. I was impressed by your hard work during the time we were together and the respect demonstrated by all parties. The completion of this agreement ends the formal part of the AEA Resolution Facilitator process.

Mark one:

___This agreement is legally binding and should be carefully followed by responsible parties (if parties agreed the agreement was legally binding). or

___Although this agreement is not legally binding, I am confident that it will be honored as the consensus of the group.

I will now destroy my notes for this session. Please do not hesitate to call on me if I can be of further assistance.

_____(your name)
AEA Resolution Facilitator
AEA
Street Address
City, State, Zip
Phone, ext. _____ (your extension)

AEA Resolution Facilitator Outcome Notification to Special Education Director or Designated Person for Agency

Date: _____

To: Designated Person at AEA

From: _____, AEA Resolution Facilitator

RE: Resolution Facilitator Agreement

The AEA Resolution Facilitator process was held for _____
(student) (birthdate)
_____on _____.
(attending school) (date)

_____ Agreement was reached in _____ session(s).
_____ Some progress was made, but all issues are not yet resolved.
_____ Agreement was not reached.

Comments:

_____ _____
AEA Resolution Facilitator Phone Number

AEA Resolution Facilitator Process Agreement Follow-Up
(Three-month follow-up)

This form would be sent to the parent only.

AEA Resolution Facilitator Process
Date of Process: _____

Today's Date: _____
Resolution Facilitator: _____

You recently participated in an AEA Resolution Facilitator Process on behalf of your child. The AEA would like to know how things are going after all parties reached an agreement. A copy of the agreement is enclosed. The district is being sent a similar questionnaire. Please take a few minutes to complete this questionnaire. Use the back if you need more space. Thank you for taking the time to complete this form.

1. Are all parts of the agreement being followed? _____ Yes _____ No (If you marked no, indicate directly on the enclosed copy of the agreement what part of the agreement is not being followed.) What is your understanding of why this part of the agreement is not being implemented?

In case of dissatisfaction, did you contact the designated shepherd? _____ Yes _____ No

What resources/services would be needed to help implement the agreement?

2. What positive or good things have come about because of the agreement?

3. Has anything negative or disappointing happened because of the agreement?

4. Do you have any other comments about the agreement of the process?

Please return this form and a marked copy of the settlement agreement (in the envelope provided) in order to help us monitor the process.

Your response will not be shared with the district unless you indicate that you would like us to do so.

No, don't share. _____ Yes, please share. _____

AEA Resolution Facilitator Process Agreement Follow-Up
(Three-month follow-up)

This form would be sent to the district only.

AEA Resolution Facilitator Process
Date of Process: _____

Today's Date: _____
Resolution Facilitator: _____

You recently participated in an AEA Resolution Facilitator Process on behalf of a child in your district. The AEA would like to know how things are going after all parties reached an agreement. A copy of the agreement is enclosed. The parent is being sent a similar questionnaire. Please take a few minutes to complete this questionnaire. Use the back if you need more space. Thank you for taking the time to complete this form.

1. Are all parts of the agreement being followed? _____ Yes _____ No (If you marked no, indicate directly on the enclosed copy of the agreement what part of the agreement is not being followed.) What is your understanding of why this part of the agreement is not being implemented?

In case of dissatisfaction, did you contact the designated shepherd? _____ Yes _____ No

What resources/services would be needed to help implement the agreement?

2. What positive or good things have come about because of the agreement?

3. Has anything negative or disappointing happened because of the agreement?

4. Do you have any other comments about the agreement of the process?

Please return this form and a marked copy of the settlement agreement (in the envelope provided) in order to help us monitor the process.

Your response will not be shared with the parents unless you indicate that you would like us to do so.

No, don't share. _____ Yes, please share. _____

Appendices

2009-2010

AEA Resolution Facilitator Coordinators

AEA 1

Art Miller……..…563-245-1480 or 800-632-5918
amiller@aea1.k12.ia.us
Brooke Gassman……563-556-3310, ext. 742 or 800-942-4668
bgassman@aea1.k12.ia.us

AEA 267

Dennis Sinclair……..319-273-8250 or 800-735-1539
dsinclair@aea267.k12.ia.us

AEA 8

Jerry Stremel……..……..712-335-3588, ext. 2004
jstremel@aea8.k12.ia.us

AEA 9

Jabari Woods……..563-528-5683
jwoods@aea9.k12.ia.us
Nancy McGill……..563-263-8476
nmegill@aea9.k12.ia.us

AEA 10

Paul Kiburz……...….319-358-6219
pkiburz@aea10.k12.ia.us

AEA 11

Steve Iverson……..……515-289-4575
siverson@aea11.k12.ia.us

Northwest AEA

Linda Appleby……..……712-222-6000, ext. 6035
lappleby@nwaea.k12.ia.us
Molly Twohig……712-222-6000, ext. 6345 or 800-352-9040
mtwohig@nwaea.k12.ia.us

AEA 13

Michele Harrison…….…712-366-4210 or 800-645-2985
mharrison@aea13.org
Phil Bruner……712-322-7354 or 800-645-4574
pbruner@aea13.org

AEA 14

Angie Hance……..……641-782-8443 or 800-362-1864
ahance@aea14.k12.ia.us

Great Prairie AEA

Nancy Gutman……..319-753-6561, ext. 1269
Nancy.gutman@gpaea.k12.ia.us

Appendix II

AEA Resolution Facilitator Coordinator Job Description

1. **Brief description of the nature of the job, its scope and responsibilities.**

An AEA Resolution Facilitator Coordinator (RFC) is the AEA contact person for those interested in having the assistance of AEA Resolution Facilitators to assist with resolving differences.
There are at least four options that may involve arranging for a Resolution Facilitator by the RFC:

- To make arrangements for using the ***Resolution Facilitator process***,
- To arrange for a Resolution Facilitator to act as an IEP Facilitator **at an *IEP meeting***,
- To arrange for a Resolution Facilitator to facilitate a **"resolution meeting"** after a parent has filed a due process hearing notice to the district and AEA (and which must be addressed within 15 days), or
- To appoint a Resolution Facilitator to assist at ***any other type of meeting*** to serve as a facilitator when conflict may be anticipated.
- Other.

The RFC makes persons throughout the AEA and its service area aware of the Resolution Facilitation Process, answers general and specific questions on the Resolution Facilitator process and Resolution Facilitators, and receives requests for using Resolution Facilitators.

Utilizing the AEA's intake process the RFC determines whether particular situations are appropriate for using Resolution Facilitators, assigns Resolution Facilitators, receives evaluations if using the Resolution Facilitator process (and other possible follow-up forms), and debriefs the Resolution Facilitators following their assignments. The RFC is also a Resolution Facilitator and may assign him or herself to given cases. If a situation is deemed not to be appropriate for Resolution Facilitators the RFC makes referrals to an appropriate resolution option.

The RFC coordinates training for Resolution Facilitators and maintains the AEA's roster of qualified Resolution Facilitators.

In addition, when the RFC is initially contacted and if the RFC is able to offer problem solving that may assist with getting the issue/s resolved without using the Resolution Facilitator process that should be done.

2. **Essential job functions.**

#	Responsibility
(1)	Promote the Resolution Facilitator process.
(2)	Receive and respond to requests for information.
(3)	Gather information from persons making requests for Resolution Facilitators.
(4)	Assign Resolution Facilitators when appropriate.
(5)	Provide required forms to parties and to Resolution Facilitators.
(6)	Receive evaluation and other required forms following the Resolution Facilitator process and maintain files on each case.
(7)	Debrief and/or coach Resolution Facilitators following the involvement of the Resolution Facilitators.
(8)	Maintain and update as needed AEA's Resolution Facilitator process procedures, manual

#	Responsibility
	and forms.
9)	Arrange for introductory, advanced and refresher mediation training and maintain AEA's roster of qualified Resolution Facilitators.
(10)	Maintain data system to measure effectiveness, both informal and formal use of system.

3. Job qualifications.

Necessary education or work experience:

- Introductory and advanced mediation training, experience in administering or coordinating polices and procedures, experience in working with a diverse set of persons in a wide range of roles in PreK-12 settings, including persons with differences, and experience in program design and promotion.

Required knowledge and skills:

- Mediation and collaborative negotiation, program design, administration and marketing skills.
- Knowledge of human and organizational behavior, and knowledge and understanding of a range of appropriate conflict resolution options.
- Working knowledge of the IEP and 504 processes if facilitating actual IEP or 504 meetings.

Other qualifications:

- Collaborative problem solving ability.
- Appreciation of the importance of, and attention to, detail and timeliness.
- Patience, tolerance for ambiguity, a caring attitude and the ability to convey that attitude to others.
- A commitment to confidentiality.
- A passion for helping persons with differences find the most appropriate means of addressing and resolving those differences.

Note: It is important that all parties understand who the Resolution Facilitator Coordinator reports to when acting in this role.

Summary of Resolution Facilitator Activities

AEA _____ Resolution Facilitator Coordinator(s) (RFC) _____

Request received by RFC – enter date and ID#	Type of action -a party declined -complaint to DE -Resolution Facilitator Process -Resolution meeting -Other action such as RFC facilitating an IEP meeting. Specify other. enter one of these 5	RF assigned to case – enter date and name of RF	RF event held – enter date and location	Key issues and other comments	Outcome of event (e.g., agreement signed, move to preappeal, hearing, etc.)	Evaluations received by RFC – enter date and # of evals -enter date that evals were shared with RF

AEA Resolution Facilitator Statewide System

Question #1. What does having a statewide AEA Resolution Facilitator system mean?

The AEA Resolution Facilitator system is a statewide conflict resolution process available through each of Iowa's 10 intermediate agencies (area education agencies). Each AEA has a designated person (or persons) known as the AEA Resolution Facilitator Coordinator. The major goal of the AEA Resolution Facilitator process is to have an option available to help resolve differences at the earliest possible time. Another goal is to have persons receive conflict resolution skill training so that individuals will enhance their skills to get differences addressed and meaningfully resolved in a collaborative manner.

Question #2. What type of circumstances may involve the use of a Resolution Facilitator?

The conflict or concerns may involve general education, Section 504, special education, Early ACCESS, or any issue involving a school setting. The conflict may be between educators and parents, educators and educators, or any other employee hired by the district or AEA.

There are at least four options that may involve a Resolution Facilitator:

- To explore the options for using the *AEA Resolution Facilitator process* because of some type of conflict which could lead to mediation;
- To arrange for a Resolution Facilitator to act as an IEP Facilitator at an *IEP meeting* should there be a potential for an adversarial meeting;
- To arrange for a Resolution Facilitator to facilitate a "resolution meeting" after a parent has filed a due process hearing notice to the district and AEA (and which must be addressed within 15 days); or
- To appoint a Resolution Facilitator to assist at *any other type of meeting* to serve as a facilitator when conflict may be anticipated.
- Other

Question #3. What process is to be used if someone wants to use a Resolution Facilitator?
Step One. Contact the designated AEA Resolution Facilitator Coordinator.
Step Two. Inform the Coordinator what type of option is desired (from Question #2 above).
Step Three. The Coordinator will determine whether the request can be implemented and act accordingly.
Use of the process will be at the discretion of the parties involved.

Question #4. What if the AEA does not have a Resolution Facilitator available?

If the AEA Resolution Facilitator Coordinator does not have a Resolution Facilitator available or the Coordinator believes the conflict is of a magnitude greater than the AEA is willing to attempt to resolve, the Coordinator should contact Eric Neessen, Iowa Department of Education for assistance. The State of Iowa has agreed to use its state mediators when the Coordinator seeks assistance from the State.

Question #5. Other than the trainings that are available to assist with conflict resolution training (and during 2007-2008 will need to be funded by the LEAs or AEAs) are there other technical assistance opportunities to help the AEA Resolution Facilitators refine and enhance their skills?

Yes, the Iowa Department will provide mentoring and coaching for the Resolution Facilitators for any of the four circumstances outlined above. For more information contact Eric Neessen. (It is anticipated more specific information will be available Summer 2007.)

Question #6. What type of training have the AEA Resolution Facilitators received?

This cadre is made up of people who have received a *minimum* of four days of introductory mediation training. Many have far exceeded that.

Question #7. What happens if a party considering using the Resolution Facilitator process does not perceive the AEA Resolution Facilitator process to be impartial?

The party should indicate to the AEA Coordinator that he/she would participate in the process if the Resolution Facilitator was not from the resident AEA. The coordinator could contact an AEA that is willing to participate in an exchange system or the Coordinator could contact Eric Neessen for consideration of a state mediator. In addition, the coordinator could also review other mediation options that could be used if the issue involves special education, such as the preappeal conference.

Question #8: How are costs handled for exchange programs, using the Resolution Facilitator process?

The service is exchanged without cost, although the agency using the service may reimburse the sending AEA expenses such as mileage, meals, and motel. When the State mediators are used, the State will cover the costs.

Question #9: How do people know the process is available?

Each AEA is responsible for promoting and disseminating information about the Resolution Facilitator process, such as disseminating brochures or including the information on district and AEA website. The State is also instrumental in promoting its use.

Question #10: Since this process is used by the entire AEA and is not just for special education issues, how do other AEA divisions promote it?

Each AEA Special Education Director has spoken before his/her administrative group. Somebody from the AEA may also want to speak at one of the monthly superintendent meetings that each AEA has. Other ways to promote could include: (1) through school counselor contacts, (2) through AEA newsletters and publications (3) through information specialists at the AEA and (4) at the principal meetings.

Question #11: What training is available statewide for resolving conflict (although the costs must now be covered by districts or AEAs)?

- **RESPECT in the IEP Process**: Recognizing Everyone's Strengths by Peacebuilding, Empathizing, Communicating and Trustbuilding. The goals of the course are to teach IEP team members how to honor and resolve differences that arise among families and educators and how to think and act like facilitators/coaches in IEP meetings even though that may not be their formal role. (4 days spread out over 9 - 12 weeks so as to allow participants to practice new skills and concepts between training sessions).
- **Introductory Mediation** (4 days)
- **Advanced Mediation** (4 days)
- **Advanced Mediation**, Part II (2 days)
- **Refresher courses** for those who have completed any of the above (One day, typically, but could be longer)
- **Creating Solutions: Skills to Effectively Resolve Disputes between Parents and Educators** To give parents some of the same core skills that are addressed in trainings for educators. (One day)

Guidelines for Mentoring AEA Resolution Facilitators

Introduction

The coach's or mentor's role is to help AEA Resolution Facilitators (referred to hereafter as Resolution Facilitators) improve their practice. It is, therefore, a developmental opportunity for the Resolution Facilitator and a mentoring opportunity for the coach. When giving feedback, the coach must be both honest and supportive.

The coach's responsibilities include:

1. Telephone consultation to coach the Resolution Facilitator in his or her preparation for the facilitation.
2. Co-mediation or observation at the Resolution Facilitator's discretion.
3. Debriefing immediately following the facilitated meeting.
4. Follow-up telephone coaching of up to one hour within a week following the facilitated meeting regarding any questions or concerns the Resolution Facilitator (or coach) may have.
5. A written confidential report given only to the Resolution Facilitator providing assessment and suggestions for further development. This report is to be provided no more than two weeks after the session.

Coaching the Preparation

This is both an open-ended conversation in which the coach would first, respond to questions the Resolution Facilitator might have about an upcoming session, and second, to inquire as to aspects of mediation that the Resolution Facilitator believes he or she especially needs to work on. Additionally, the coach could provide some guidance to the Resolution Facilitator as to best practices that the state mediators have put in place over the years.

In terms of the open-ended conversation, the coach could go through some or all of the following questions to help the Resolution Facilitator prepare for the session:

1. What are the issues to be mediated?
2. What have the parties done already to resolve matters?
3. Do you have any special concerns about the matter?
4. What are your goals for the session?
5. Have the parties agreed to have me present and how will you introduce me?
6. How many people will be at the table and how do you plan to seat them?
7. Are there cross-cultural factors involved? If so, how will you address them?
8. Do any of the parties have any special needs that must be accommodated?
9. Have you sent each person written information on preparing for a Resolution Facilitator session, including an agreement to participate form?
10. Have you spoken with the parties to explain the process and to answer any questions they have?
11. Are you confident that the parties understand your role and responsibilities as well as their own?
12. Is your opening statement ready to go?

13. Do you have some communications guidelines in mind?
14. Have you given any thought as to what the form of any agreement reached might be? Have you spoken with the parties about this?
15. What are your expectations of me during the session?
16. If you should want to confer with me during the session, how would we handle that?
17. What time would you like me to be there?

As far as best practices go, there are several things the coach might let the Resolution Facilitator know:

1. The concept of the shepherd, and the current language pertaining to the shepherd, that appears in preappeal and mediation agreements.
2. The value of having signed agreements and of having them signed the day of the Resolution Facilitation, when at all possible.
3. The idea that some state mediators have found it helpful to type agreements on a laptop during the session and to display them, using an LCD projector.
4. The idea that some state mediators, rather than typing the agreements themselves, thus distracting them from their ability to facilitate, have found it useful to have someone else available to do the actual typing.

Debriefing Immediately Following the Session

First, have a conversation about how the Resolution Facilitator feels the session went and give your general observations. Next, discuss those things the Resolution Facilitator said he or she wanted to work on; ask how that went. Third, go through your specific observations to provide feedback on what went well and what the Resolution Facilitator might have done differently. In giving this feedback, be specific about the point in the session to which you are referring and refer to specific words the Resolution Facilitator spoke or specific techniques the Resolution Facilitator used. It is sometimes helpful to ask the Resolution Facilitator about his or her thinking behind a question that he or she asked or an intervention he or she attempted. Finally, close the debriefing on a positive note.

Follow-up Telephone Coaching

While the laptop/LCD approach to agreement writing may be good practice, there are other approaches. A Resolution Facilitator session, for example, might result in a rough draft agreement, written on flip chart paper that the Resolution Facilitator typed, and sent out to the parties for their review. In such a situation, the follow-up telephone coaching could focus on the draft agreement and any questions the Resolution Facilitator or the coach might have about it, before it is sent to the parties.

Given that both the coach and the Resolution Facilitator have had time to reflect on the session, it might also be a good time to deal with any questions or concerns either may have about any aspect of the process or the Resolution Facilitator's approach. It would be good to also ask the Resolution Facilitator if there are any areas of the mediation process or his or her handling of the session that he or she would like the coach to focus on, or to give advice on, in the written confidential report to follow.

One size will not fit all, so what follows should serve only as general guidance as to the specifics the coach could focus on in the report.

These guidelines are arranged in terms of the elements of the mediation process that the Resolution Facilitators are familiar with from their training. They have to do with how effective the Resolution Facilitator was in facilitating and in managing each element of the process.

Again, these are guidelines. They are comprehensive and are not meant to suggest that each individual question below ought to be addressed in a written report. Each element of the mediation process should be addressed, however, as should the Resolution Facilitator's effectiveness in handling certain factors that might arise such as strongly or quietly expressed emotions, one party's attempt to exert power over the other, an impasse, cultural factors, and/or ethical dilemmas. The coach might also comment on mediator techniques he or she observed being used, such as specific questioning techniques, reframing, and specific impasse-handling techniques. Finally, the coach could comment on the Resolution Facilitator's presence such as the qualities and personal characteristics he or she brought to the room that contributed to, or detracted from, an atmosphere conducive to meaningful conflict resolution.

The Resolution Facilitator's Opening

How effective was the Resolution Facilitator in:

1. Creating a safe, positive, and hopeful environment?
2. Setting a collaborative tone?
3. Helping the parties begin to develop trust in the process and in the Resolution Facilitator?
4. Explaining the purpose of the session and how it typically unfolds?
5. Clarifying the roles and tasks of the Resolution Facilitator and the parties?
6. Clarifying what is to happen in terms of any agreement reached in the session?
7. Eliciting and/or establishing ground rules?
8. Handling the matter of confidentiality?
9. Answering any questions the parties may have had?
10. Transitioning to perspective sharing?

Perspective Sharing

During this element of the process, how effective was the Resolution Facilitator in:

1. Eliciting the parties' perspective on the situation and how each has been affected by what has happened?
2. Listening to the perspective of each as evidenced by acknowledging, validating, empathizing, clarifying, and summarizing?
3. Exhibiting impartiality?
4. Advancing each party’s understanding of the other's perspective;?
5. Identifying both the presenting problem and the interests underlying the positions each party took?
6. Identifying commonalities and differences?
7. Presenting reminders about ground rules?
8. Clarifying and framing the issues to be mediated?
9. Laying the groundwork for a conversation between the parties?
10. Transitioning to that conversation?

Facilitated Dialogue

During this element of the process, how effective was the Resolution Facilitator in:

1. Helping each party understand how the other experiences the conflict?

2. Bringing to the surface any new information that affects the situation between the parties?
3. Maintaining a safe, positive, and hopeful environment?
4. Making it possible for the parties to engage in dialogue, listen to each other, and understand what the other is saying?
5. Facilitating dialogue in emotion-laden situations?
6. Facilitating dialogue on each of the issues to be mediated?
7. Facilitating dialogue on both positions and interests?
8. Presenting reminders about ground rules as needed?
9. Helping the parties reflect on what they have accomplished so far in the process?
10. Helping the parties to transition from understanding each other to interest-based negotiation?

Negotiation and Agreement

During this element of the process, how effective was the Resolution Facilitator in:

1. Facilitating interest-based negotiation?
2. Help the parties move beyond impasse?
3. Helping the parties make their own decisions, including in situations where a power imbalance might have interfered with one party's ability to decide for him or herself?
4. Helping the parties brainstorm and reality-test possible solutions?
5. Helping the parties craft a mutually beneficial written agreement? An agreement will be tightly written, making it clear who is responsible for what actions and when, and which would pass the stranger test.
6. Helping the parties think through whom they will contact, or what they will do, if something they agreed to does not work out?
7. Helping the parties identify a shepherd as a first point of contact with questions or concerns about implementation?

Closing the Session

1. Did the Resolution Facilitator validate the parties' hard work and their accomplishments?
2. Did the Resolution Facilitator make a closing statement that ended the session on a positive note?

Mentor's Notes: The Process

Resolution Facilitator: _____ Date: _____

Mediator's Opening: safe positive environment • collaborative tone • trust in process and facilitator • purpose & structure of session • roles and tasks of facilitator and parties • agreement procedure • communication guidelines • confidentiality • questions • transition
Perspective Sharing: eliciting perspectives and effects • listening actively • impartiality • advancing understandings • presenting problem and underlying interests • commonalities and differences • reminders regarding ground rules • framing issues • reframing • groundwork for parties' dialogue • transitioning to dialogue.
Facilitated Dialogue: parties understand how the other experiences the conflict • surfacing new information • safe, positive, hopeful environment • facilitating dialogue on each issue & facilitating listening & understanding • handling emotions • facilitating dialogue on positions and interests • reminders about ground rules • reflect on accomplishments • transitioning from understanding to negotiation.

Negotiation and Agreement: facilitating interest-based negotiation • handling impasse • handling power imbalance • brainstorm and reality-test solutions • serve as scribe for written agreement that is tightly written, passes the stranger test, addresses contingencies as appropriate, and identifies a shepherd as appropriate.
Closing: validation • closing statement ends on a positive note.

Mentor's Notes: Additional Comments

Facilitator's Presence: qualities and personal characteristics contributing to, or detracting from, atmosphere conducive to meaningful conflict resolution.
Questions and Questioning Techniques: **open and closed, non-judgmental, probing, etc.**
Handling Emotions, Power and/or Impasse:
Cultural Factors and/or Ethical Dilemmas:

Mentor's Notes: Additional Comments

Things the Resolution Facilitator wanted to work on:
Other comments: