

CADRE and JAMS Foundation Present:
Voices from the Field
Interview Clip #1 Transcript – Patricia McGinnis

Marshall: So Patricia, as you think about your career with Minnesota's special education mediation services, and your years of work in the area of dispute resolution, are there lessons that you've learned that have been particularly important?

Patricia: Many, I would say. The importance of relationship has to be on top. The effort at collaborative decision making has to start with good relationships, good communication. I am in the firm belief that if relationships are strong we probably wouldn't have very many complaints or hearings. When relationships are strong people will admit when they make a mistake, apologize, it's accepted and they can move on. They can fix it and move on. And so when relationships are really torn apart, any little problem escalates so quickly. So, that is a real key part of a lesson learned. Another one is the need for data, always, to improve the system to improve our process to improve mediator skills. We have an opportunity to do that because we have a very strong evaluation system, both right after the process, whether its mediation or facilitated IEP, or two months later, we also ask after mediation some follow-up questions to see if what they agreed on is being followed, although we're not monitoring it we want to know if it's working well. If we get some feedback I can call and tell them you can have another mediation there are options if something happened and so that feedback can really inform not only our system but also our training plan and so when we hear that the reason for mediation is about communication, collaboration, trust, problems with due process, the IEP process, we've developed training based on that that we've brought statewide. Another one that we're hearing is no matter what we've done so far, disagreements very often are about student needs and so it's including both people's perspective and still being able to work through that disagreement to some kind of common, common thread that they can work on and we are just in the midst of planning a training that can help district and district staff and parents come to some common ground about needs. And then I think the third thing may be optimism. Sometimes I get calls that are so adversarial, have such a tone, that, and the problems have escalated beyond understanding almost and if I didn't have some optimism in the system and in our mediators and in just the mediation process I'd think I tell them, 'This process is not for you.' But that's not so, that's not what I do or how I react. I have a belief that it is possible and not

only for that immediate issue but they can, the mediators can influence future communication and problem solving so that there's some long term effort about resolving conflict, not just the immediate. So, there's things for us to continue to work on in those areas, to just keep improving.