

**Betting on Engagement Over Mandate: How to  
Focus on Interests Not Positions While Building  
Positive Productive Relationships**

**NYSED Hearing Officer Training**

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I) **THE MODERNIZATION AND IMPROVEMENT OF OUR WORK**

A) **ACCOUNTABILITY AND PERFORMANCE AS IHO**

**Change:**

 *How we identify errors, fault and how we correct them.*

 *How we focus on interests, not positions.*

*---- And if I may be so bold ----*

 *How to get along and build positive, productive relationships.*

B) **CHANGE BY PERFORMANCE**

1) **It is not enough to simply mandate a change in practice:**

a) “Vision without systems thinking ends up painting lovely pictures of the future with no deep understanding of the forces that must be mastered to move from here to there” (Senge, 1990, p. 12<sup>1</sup>).

2) **What makes something worth doing?**

a) We all do a great many things, some of which we don’t even like to do,

i) Because the activity leads to a desired outcome.

b) Similarly, we often do things to escape negative consequences...

i) That we prefer to avoid.

B) **IN CONTRAST TO BINARY FEEDBACK (RIGHT VS. WRONG).**

1) **Fortunately, most of us gravitate toward things that mean something to us**

a) For most of us, that is people.

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<sup>1</sup> Senge, P.M. (1990). *The fifth discipline: The arts and practice of the learning organization*. New York: Doubleday.

- 2) **But if people don't anchor meaning for you,**
  - a) Then you seek something else that does.
  - b) Often times that is a particular position, methodology or world view.

**Large-scale change is accomplished when people are shown a truth that influences their feelings rather than just given an analysis that alters their thinking about an issue.**

C) **IN ERROR ANALYSIS AND HUMAN FALLIBILITY**

- 1) **Experts believe that it is the process of a system that requires closer examination for correction...**
  - a) Not the individuals.
- 2) **Drive out the fear of retribution**
  - a) Not punish those who do not achieve success.
    - i) But change our view of mistakes.
- 3) **We need to learn to be comfortable talking about our failures and differences.**
  - a) Not as an excuse,
    - i) But as a method to discourage attitudes of self-doubt and denial.
- 4) **Not to determine who we are going to punish or blame**
  - a) But to sort out what we will do differently.

**Move from judgment to self-reflection...  
And change**

D) **THERE IS A DIFFERENT TYPE OF ACCOUNTABILITY**

- 1) **But...lack of responsiveness**
  - a) Is not independent of performance (e.g., Gerber, 2005<sup>2</sup>).
  - b) Is not independent of attitudes (EPH)
  - c) A climate of performance requires a “seismic shift in beliefs, attitudes, and practice” (Fuchs et al., 2002, p. 40<sup>3</sup>).

II) **GETTING IN THE WAY: WHAT IS?**

A) **FAULTY COMMUNICATION**

- 1) **Most communication is carried out on two levels,**
  - a) The verbal level
  - b) The emotional level.
- 2) **The verbal level,**
  - a) Contains those things which are socially acceptable to say.
- 3) **The emotional level.**
  - a) Provides a means of satisfying emotional needs.
- 4) **When people feel they have not been heard and understood.**
  - a) They can't focus on what you're saying.
  - b) It is not just the words that carry the message.
  - c) It's the emotional context of those words.

B) **SCIENCE IS REJECTED AS UNTRUSTWORTHY,**

- 1) **What happens is merely unfortunate happenstance.**

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<sup>2</sup> Gerber, M.M. (2005). Teachers are still the test: Limitations of response to intervention strategies for identifying children with learning disabilities. *Journal of Learning Disabilities*, 38, 516-524.

<sup>3</sup> Fuchs, D., Mock, D., Morgan, P.L., & Young, C.L. (2003). *Supra*

- a) Not connected to the ideology that initiated the policy (Shadish, 1984<sup>4</sup>).
  - b) “Empirical evidence is neither sought beforehand nor consulted after a policy has been instituted.”
- 2) **“This insulation from evidence,”**
- a) Virtually guarantees a never-ending supply of policies and practices,
  - b) “Fatally independent of reality” (Sowell, p. 241<sup>5</sup>).
- 3) **Alternative ways of knowing then,**
- a) Especially those based on an individual’s own experience,
    - i) Are often preferred because it is believed to be the only knowable reality (Sasso, 2001<sup>6</sup>)
- 4) **Without an empirical foundation,**
- a) Issues,
    - i) Become ideological debates that represent,
  - b) What Sowell (1995<sup>7</sup>) termed a “conflict of visions.”
    - i) On one side, “vision of the anointed,”
    - ii) On the other side, “vision of the benighted.”

**Positional Thinking**

C) **OUR BEHAVIOR**

- 1) **Resistance results from the way we respond to others.**

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<sup>4</sup> Shadish, W.R. (1984). Policy research: Lessons from the implementation of deinstitutionalization. *American Psychologist*, 39, 735-738.

<sup>5</sup> Sowell, T. (1995). *The vision of the anointed: Self-congratulation as a basis for social policy*. New York: Basic Books.

<sup>6</sup> Sasso, G.M. (2001). The retreat from inquiry and knowledge in special education. *The Journal of Special Education*, 34, 178-193.

<sup>7</sup>Sowell, T. (1995). *The vision of the anointed: Self-congratulation as a basis for social policy*. New York: Basic Books.

- a) As learned, we expect others to accept our authority.
  - b) We avoid adopting new patterns of behavior.
  - c) We have preconceived notions about what we “should do” or “say”, and,
  - d) We rarely consider alternative options.
- 2) **Resistance can also result from a need to keep a system stable.**
- a) Efforts to change are resisted because such change implies too much deviation from “the way things are”.
  - b) Resistance is seen as a way to maintain equilibrium and to avoid conflict.

### III) **EIGHT REASONS THAT MAKE PEOPLE DIFFICULT**

#### A) **FEAR OF THE UNKNOWN**

- 1) **Individuals not sure what they are to do.**
  - a) Creates anxiety.

#### B) **LACK OF POWER**

- 1) **When individuals feel powerless,**
  - a) They resist whatever it is that makes them feel that way.
- 2) **Reflections of power**, who has it and who doesn't (Black, J. A., and English, F.W., 1991).
  - a) Power is not a thing or a state; it is a **perception** of relationships.
  - b) Power **diminishes with use**.
  - c) Power **erodes and increases exponentially**.

#### C) **INERTIA**

- 1) **People don't want to change.**
  - a) Attitude surround.

**HABIT**

- i) Individual Behavior
- ii) Group Behavior.
- iii) Organizational Behavior.

D) **LACK OF SELF INTEREST**

- 1) **Not inclined to see group benefit if not personalized.**
  - a) Lack of awareness.
  - b) May pay attention only to those things that support their view.

E) **AVOIDING CONFLICT**

- 1) **Conflict is avoided at all costs.**
  - a) Conflict **causes and creates anxiety,**
  - b) Conflict **causes and creates frustration,**
  - c) Conflict **causes and creates resentment.**

F) **FAILURE TO COMMUNICATE**

- 1) **How we convey information.**
  - a) Manage ambiguities and make sense of the world.
  - b) Build relationships.
- 2) **Communication is more than what is spoken.**
  - a) Identify clues by our presence, posture, gestures, tone and rhythm.
- 3) **There is communication distortion.**
  - a) Attributes of the receiver.
    - i) Selective perception.
  - b) Semantic problems.
    - i) Words and phrases so general or abstract they invite varying interpretations.
    - ii) Technical language.

G) **ESCALATION OF COMMITMENT**

- 1) **Typically, the individual is defensive and does not want to hear that they might be wrong.**
  - a) Other people's careers get staked to a course of action even if it is wrong.
  - b) **They think they'll have to defend it or they'll lose their job.**
- 2) **The longer the wait for intervention, the further back you go.**
  - a) The phenomenon of delayed intervention happens most often when there is a **high emotional attachment**.
- 3) **The response tends to focus on anger with little tolerance..**
  - a) Predictable: **A much harder intervention the longer you wait.**

H) **THAT'S JUST THE WAY THEY ARE**

- 1) **Understand past behavior. Why people behave as they do.**
  - a) What motivates them?
  - b) What patterns of behaviors are characteristic of them?
- 2) **Predict future behavior by analyzing past behavior.**
  - a) How are they going to behave?
  - b) Actions versus words.

IV) **LEADING THE CHANGE**

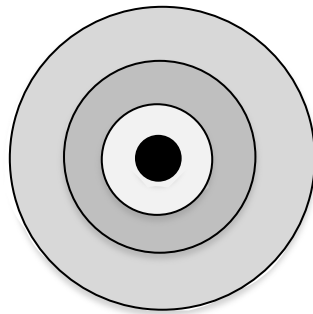
Make a Mistake  
Identify the Mistake  
Correct the Mistake

A) **HUMANS ARE PROBLEMATIC: LIFE IS HARD**

- 1) **We are easily influenced by suggestion.**
  - a) The order in which we see things,



- b) Our most recent experiences, distractions
  - c) The way in which information is framed... **affects what we think and do.**
- 2) **We are not accomplished at considering multiple factors;**
- a) We tend to give some variables too much weight and
  - b) Wrongly ignore others.



**B) LIVING BY THE BOOK, BUT NOT DYING BY IT**

- 1) **The banality of bad decisions.**
- a) “Die by the book” – Irrational decisions that are detrimental.
- 2) **A more mindful way.**
- a) Setting clear “no excuses” goals for teaching and learning.
- 3) **Attending to the “core” business of what schools are about:**
- a) Great teachers and teaching.
- 4) **Adopt data and diagnostic systems that identify error patterns as soon as they occur.**
- a) Respond to them.
  - b) Learn from them.

Continuously, incrementally improve.

C) **CREATE DEEPER AND MORE FUNDAMENTAL CHANGES**

- 1) **The primary task**
  - a) Get people to work together in a systematic way.
- 2) **Solutions do not necessarily have anything to do with the problem** for which they are sought.
  - a) One need not determine true cause and effect relationships in human interactions.
- 3) **You cannot change the past,**
  - a) Concentrate on the future.
  - b) Change is constant and inevitable;
  - c) An incremental change can lead to bigger changes.
- 4) **No situation is all negative, not all bad.**
  - a) Solution focused change moves slowly.

**TIME**

D) **ASSESS THE LEVEL OF AGREEMENT ON TWO CRITICAL DIMENSIONS**

- 1) **Do Lunch or Be Lunch**
  - a) **The extent to which people agree on *what they want*:**
    - i) The results they seek from their participation.
    - ii) Their values and priorities.
    - iii) Which tradeoffs they are willing to make in order to achieve those results.
  - b) **The extent to which people agree on *cause and effect*:**
    - i) Which actions will lead to the desired outcome?

## Create A Climate of Performance

### V) WORKING TIPS<sup>8</sup>

#### A) HOW DO YOU CHANGE?<sup>9</sup>

##### 1) **First, define what you will not change.**

a) Identify specific values, traditions, and relationships that you will preserve.

b) Take care not to convey the message,

**“Everything we have been doing in the past was ineffective, and your experience and professional judgment are irrelevant.”**

c) A more thoughtful message is,

**“I am only going to ask you to engage in changes that will have meaning and value for you and everybody we serve.”**

##### 2) **Second, recognize the importance of actions.**

a) Changes in decision-making policies,

i) Who has the authority to decide what?

b) Time allocation,

i) Which meetings do you attend and which ones you don't?

c) Use the right change tools for you.<sup>10</sup>

##### 3) **Fourth, be willing to do the “scut work.”**

a) The willingness to do the basics

b) Mop that floor, trim the hedges, fill the pop machine.

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<sup>8</sup> Fisher, R., Ury, W., & Patton, B. (1991). *Getting to yes: Negotiating without giving in*. (2<sup>nd</sup> ed.). New York: Penguin Books.

<sup>9</sup> Reeves, Douglas (Dec. 2006/Jan. 2007), Science in the Spotlight, *Educational Leadership*, Vol. 64, No. 4, 92-94.

<sup>10</sup> Christensen, C.M., Marx, M., & Stevenson, H.H. (October 2006), The Tools of Cooperation and Change, *Harvard Business Review*, 84(10), 72-80.

You cannot be seduced by a claim of “collaborative culture” when every hearing is a series of lectures and warnings.

B) **PROMOTE BEHAVIORS, WHICH ARE CONSISTENT WITH YOUR NEEDS AND NORMS**

- 1) **Positive achievement messages define what people should do.**
  - a) **Describe or benefit** for those who participate in the expected behavior.

**Values**

- 2) **The better people understand the reasons for change, the more they will remain positive about it.**
  - a) If resistance is based on inaccurate or inadequate information, a program of communication about the change is essential.
- 3) **If the individuals believe change will be of benefit, negativity can be mediated.**
  - a) Resistance may be reduced when those affected by the change are involved in designing it.
  - b) This strategy is especially useful when commitment is essential to successful implementation.
- 4) **When individuals are having difficulty adjusting to new arrangements and new ways of doing things, arrange for additional training or provide extra emotional support.**
  - a) Effective in combating problems arising from desires for security and fear of the unknown.
- 5) **When people feel they lack the skills needed, they become anxious and anxious people become negative and resistant.**
  - a) If someone is struggling with a new concept or technique, it is easy to stop by and encourage them to work harder,

- b) But it takes more time to sit down with them and listen to their problems.

Although a discussion may not solve these problems, it leaves a message that someone cares.

6) **Individuals like to know the specific steps involved in change. The more they know about how it will be implemented, the more positive they will remain.**

- a) Negotiation before implementation can make the change go more smoothly.
- b) Include representatives of groups likely to offer resistance in the design and implementation of the change.

7) **People need help to implement change in a positive manner.**

- a) Groups that are satisfied with current resource allocation methods may resist any change they believe will threaten future allocations.

**DOVE**

C) **EVERYONE HAS TWO KINDS OF INTEREST: IN THE SUBSTANCE AND IN THE RELATIONSHIP<sup>11</sup>**

- 1) **Separate the relationship from the substance,**
  - a) Deal with the people problem.
- 2) **Try not to damage the relationship.**
  - a) The relationship tends to become entangled with the problem.
  - a) Arguing over a position puts the relationship and substance in conflict.
- 3) **Respond to perceptions?**

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<sup>11</sup> Fisher, R., Ury, W., & Patton, B. (1991). *Getting to yes: Negotiating without giving in*. (2<sup>nd</sup> ed.). New York: Penguin Books.

- a) Understanding the other side is not simply a useful activity that will help you solve your problem.
  - b) Their **thinking** is the problem.
- 4) **Ultimately, conflict lies not in objective reality, but in peoples' heads.**
- a) Put yourself in their shoes.
  - b) Don't blame them for your problem.
  - c) Discuss each other's perceptions.
  - d) Look for opportunities to **act inconsistently** with their perceptions.
- 5) **Prevention works best.**
- a) The best time for handling people problems is before they become people problems.
  - b) Build a working relationship up front.
- D) **CHANGE THE CONVERSATION TO CHANGE THE CULTURE.**
- 1) **We need to learn to treat each other with immense reverence and mutual respect**
- a) Only allow words and actions that encourage self-respect and positive professional growth.
  - b) Every one of us matters.
  - c) No one person is defined by someone else's choices.
  - d) No life exists only as a means to someone else's ends.
- 2) **Create a mutual purpose**
- a) An overriding concern for others and the wider community is essential to ordered living.

VI) **FINAL THOUGHTS: HOW TO DO BETTER AND FEEL GOOD AT THE SAME TIME**

A) **IF YOU CAN'T LEARN TO DO SOMETHING WELL, BETTER LEARN TO ENJOY DOING IT POORLY**

- 1) **Gallagher<sup>12</sup> explodes the myth of multi-tasking**
  - a) **And documents in meticulous detail the benefits of focus.**
- 2) **Focus has a price:**
  - a) When you focus, you're spending limited cognitive currency
  - b) That should be wisely invested.
- 3) **Performance Studies<sup>13</sup> offer abundant evidence.**
  - a) In every discipline and every culture
  - b) Success is the result of sustained, effective, and focused direction practice.
- 4) **In synthesizing the research Colvin<sup>14</sup> (2008) noted:**
  - a) It is not some mysterious talent that leads to success
  - b) But deliberate practice and effective coaching,
  - c) Focusing on the right task at the right level.

B) **WHEN SOMEONE COMES TO YOU FOR ADVICE, FIND OUT WHAT THEY WANT AND GIVE IT TO THEM**

- 1) **Delusion and a natural history of nonsense**
  - a) Who is responsible for the conclusions we have reached?

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<sup>12</sup> Gallagher, W (2009). *Rapt. Attention and the focused Ly'e*. New York: The Penguin Group.

<sup>13</sup> Ericsson, K.A., Charness, Feltovich, P.J. & Hoffman, R. R. (eds) (2006). *The Cambridge Handbook of Expertise and Expert Performance*. New York: Cambridge University Press.

<sup>14</sup> Colvin, G. (2008). *Talent is overrated: What really separates world-class performers from everybody else*. New York: Portfolio.

- b) Who is Responsible for the errors we may have committed or embraced?
- 2) **The legions of ignorance, cover and camouflage**
  - a) Become a secret code of nonsense.
- 3) **Those of us who have the good fortune**
  - a) To be educated.
  - b) Are not always aware how small a minority we actually are.
- 4) **Stop to think, for instance**
  - a) How few people read anything
  - b) How few people think rationally
  - c) How very restrictive knowledge is even today and
- 5) **Most importantly how rare skepticism is...**
  - a) The lifeline of science and research-based practice.
- 6) **Sometimes we need to give people what they need**
  - a) Not what they want.
  - b) Empirical Evidence...Really??

**IPSE DIXIT**

- C) **RATTLESNAKES DO SOMETIMES LIVE IN THE BURROWS OF PRAIRIE DOGS**
  - 1) **This association, like all other forms of symbiosis**
    - a) Is hardly the contractual agreement
    - b) That popular fancy likes to think it is.
  - 2) **The snake is an intruder**



- a) And, one assumes, an unwelcome one
  - b) There is nothing the rodent can do about it
    - i) But keep out of the snake's way.
  - c) If it is not bitten,
    - i) it owes it to its own agility,
    - ii) Not to the tenant's gratitude<sup>15</sup>.
- 3) **To avoid conflict,**
- a) Prepare for conflict
  - b) Trust others by their actions not their words

**D) IF YOU WANT TO GET RID OF SOMEBODY, JUST TELL THEM SOMETHING FOR THEIR OWN GOOD**

- 1) **The void created by the failure to communicate**
- a) Is filled with poison, drivel, and misrepresentation.
- 2) **The more crucial the conversation,**
- a) The less likely we are to handle it well.
- 3) **How we think about problem situations**
- a) And what we do to prepare for them is ever so important.
    - i) How do I express delicate feedback?
    - ii) How do I speak persuasively, not abrasively?
    - iii) What can I do to get people to talk when they are uncomfortable or seem incapable of expressing their concerns?
- 4) **One of the best ways to persuade others is to really listen**

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<sup>15</sup> See Raymond L. Ditmars: *Reptiles of the World* (New York: Sturgis & Walton, 1910.), p. 306. And see Alan Brown: "Animals Don't Like Music," in *The Etude*, February 1943, pp. 79, 126, 128. Tommy Dorsey's experiment is described in this article. And see George J. Romanes: *Animal Intelligence* (London: K. Paul, Trench & Co.; 2<sup>nd</sup> ed., 1882), p. 265.

- a) Expressing interest in the other person's views.
- b) Respectfully acknowledging the emotions others appear to be feeling.
- c) Be careful what you say
  - i) **Friends come and go but enemies accumulate.**

E) **BAD DECISIONS MAKE GOOD STORIES**

- 1) **Work on you first – Get yourself right**
  - a) Focus on What You Really Want
  - b) What does my behavior tell me about what my motives are?"
  - c) How would I behave if this were what I really wanted?"
- 2) **Make It Safe to get yourself right**
  - a) *Create a Purpose.*
  - b) *Focus on Mutual Respect.*
- 3) **Apologize when appropriate.**
  - a) Start with what you *don't* mean.
  - b) Then explain what you *do* mean.
- 4) **Pick a relationship. Pick a conversation.**
  - a) Let others know that you're trying to do better,
  - b) Don't expect perfection; aim for progress.
  - c) And when you succeed,
    - i) Look at it dimensionally.
    - ii) Everything is better with time.

F) **USE AND ENJOY HUMOR**

- 1) **Humor creates feelings of likeability.**
  - a) **Like me...**there is a chance
  - b) You'll like what I have to say.
- 2) **Humor projects confidence.**
  - a) Humor projects an invulnerability.
- 3) **Humor protects feelings.**
  - a) Spare embarrassment, guilt, fear or other negative emotions triggered by a tense situation.
- 4) **Humor permits participants to save face.**
  - a) Humor offers a way of backing down and disengaging from an otherwise downward spiraling conflict cycle.
- 5) **Humor redirects emotions and the behavior.**
  - a) Humor offers a bridge or transition to new more constructive feelings and behavior.
- 6) **Humor is more likely to be seen as an important personality trait.**
  - a) Professionals who are "naturally" funny often use it without thinking.
- 7) **Humor can be both a trait and an intervention.**
  - a) With reflection, perhaps they can use this strength for more strategic purposes.
  - b) For those with a less well-developed sense of humor, it may be possible to "teach" the use of humor as an intervention to further educational and treatment goals.

VII) **THE END...REALLY**

A) **BET ON ENGAGEMENT OVER MANDATE AND PERSUASION**

- 1) **Encourage Difficult Public Exchanges.**

- a) **Trust is built** by dealing with the difficult issues early and publicly.
  - b) **Create room for doubt** and cynicism right in the beginning.
- 2) **Put Real Choice on the Table.**
- a) **Commitment** comes from having choice.
  - b) **Resist the temptation** to package the whole solution early in the name of speed.
- a) **There are always** several right answers to every question.
- 3) **Address conflict.**
- a) **Mine moments of tension** for insight.
- 4) **Defenses and resistance.**
- a) **A sign that you have touched something important and valuable.**
  - b) Simply coming out in a difficult form.

**Resistance Masks Competence**

**B) RELATIONSHIPS ARE THE FOUNDATION OF YOUR WORK**

- 1) **Everyone needs the freedom,**
- a) To find support and motivation, from each other...**in a safe place.**
    - i) Where they won't be dealt with indiscriminately.
    - ii) Where expectations are clearly stated.
    - iii) Where the consequences for violating social rules are clear.
- 2) **Respect and trust and the positive behaviors it inspires.**
- a) Are essential to a positive and productive relationships.

C) **AGAIN, WE NEED TO LEARN TO BE COMFORTABLE TALKING ABOUT OUR MISTAKES**

- 1) **Not as an excuse,**
  - a) But as a method to discourage attitudes of self doubt and denial.
- 2) **Not to determine who we are going to punish or blame**
  - a) But to encourage staff to sort out what they would do differently.

**Move from judgment to self-reflection.**

- 3) **You have made and are going to make errors that could be avoidable,**
  - a) Go after the process
  - b) **Not the people.**
- 4) **Sort out what we can do differently and**
  - a) Reinforce the belief that... **“doing nothing is not an acceptable answer.”**
- 5) **Focus on interests**
  - a) Not positions

**Principled Thinking**

## APPENDIX A

### **Dodging the Power-Struggle Trap: Some Techniques to Consider**

[Note: In March 2013, Special Education Solutions, LLC presented on the sanctioning authority of IDEA hearing officers. An updated version of the written outline is included in your materials. As noted therein, it is emphasized that a hearing officer should take steps to avoid the imposition of disciplinary sanctions against a party and/or an attorney for actual misconduct. The strategies below should first be considered so as to avoid altogether sanctioning a party and/or attorney for misconduct.]

#### I) **DISENGAGING TACTICS**

##### A) **MOST IMPORTANT OBJECTIVE**

- 1) **Remain outwardly calm.**
- 2) **The main purpose is to keep your cool.**

##### B) **USE A BRIEF, SIMPLE STRESS-REDUCTION TECHNIQUE BEFORE RESPONDING TO A PROVOCATIVE REMARK OR BEHAVIOR**

- 1) **Take a deeper-than-normal breath and release it slowly.**
- 2) **This technique allows an additional moment to plan appropriate response-rather than simply reacting.**

##### C) **RESPOND IN A ‘NEUTRAL’ BUSINESS-LIKE, CALM VOICE**

- 1) **Surprisingly, people often interpret their emotional states from their own behavioral cues. If a person speaks calmly, that individual is more likely to believe that he or she really *is* calm – even when dealing with a stressful situation.**
- 2) **Keep response brief.**
  - a) Teachers make the mistake with irrelevant comments, asking unhelpful questions.
- 3) **Avoid reacting in a confrontational manner to ‘baiting’ remarks that are deliberately intended to draw you into a power struggle.**
  - a) Comment is merely mildly annoying, ignore it.
  - b) The negative comment is serious enough to require that you respond.

i) Briefly state in a neutral manner why the remark was inappropriate.

c) Then move on.

## II) INTERRUPTING TACTICS

### A) A 'COOL DOWN' BREAK

1) **“Take five minutes in the cool-down corner and then come over so we can talk.”**

### B) PARAPHRASE THE ESSENTIAL POINTS OF CONCERN

1) **Sum up the crucial points of that concern (paraphrase) in his or her own words.**

2) **Examples of paraphrase comments:**

a) **“Let me be sure that I understand you correctly...”**

b) **“Are you telling me that...?”**

c) **“It sounds to me like these are your concerns...”**

3) **When engage in ‘active listening’ by paraphrasing,**

a) **Demonstrate a respect and**

b) **Improve understanding.**

## III) DE-ESCALATING TACTICS

### A) WHEN A PERSON IS VERY ANGRY OR UPSET

1) **That individual frequently will demonstrate poor judgment and make impulsive decisions.**

2) **Replace negative words with positive words.**

3) **Positive ‘spin’.**

4) **Positive paraphrasing.**

5) **Use non-verbal strategies to defuse the confrontation.**

- a) When people get into arguments, they often unconsciously mirror the emotional posturing of the other.
    - i) For example, pointing when the other points, standing when the other person stands, etc.
  - b) Use non-verbal techniques to lower the tension.
- 6) **Offer face-saving path out of a potential conflict.**
- a) “Is there anything that we can work out at this time to earn your cooperation?”
  - b) Treat with dignity, model negotiation as a positive means for resolving conflict.
- 7) **Be prepared for the possibility of a sarcastic or unrealistic response.**
- a) Ignore.
  - b) Simply ask again.
- 8) **Use humor to defuse a confrontation.**
- 9) **‘Emotion labeling’ can be a helpful tactic.**
- a) Emotion labeling should generally be done in a tentative manner.
    - i) “You sound nervous...”
    - ii) “You appear frustrated...”
  - b) No one can never know with complete certainty what feelings another person is experiencing.
- 10) **Consider the ‘communicative function’ of the confrontational behavior.**