Leading with Disability for Inclusive Decision-Making and Dispute Resolution

CoDesign Works for Roots of Inclusion
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Introduction

As part of the Washington Statewide Family Engagement Center (WASFEC), Roots of Inclusion partnered with CoDesign Works to create frameworks for school communities to make better decisions ("**WHAT")** and resolve conflicts (**"WHY")** in ways that center individual student success and joy, while building practices and changes for equity and transformation of schools. "***The WASFEC collaborates with partners to enhance family engagement efforts statewide through a five-year federal grant. We foster an equity-driven culture of family engagement, collaborating with families to co-create solutions for historically marginalized children and youth. Our programs empower families, educators, and child development professionals to provide layered support for youth to thrive."***[1] Roots of Inclusion works "in relationship with others to understand the systems and structures that perpetuate exclusion while ensuring that systems are moving toward inclusion."[2] Roots of Inclusion and WASFEC recognize that family engagement approaches grounded in respect and appreciation for disability teach schools, families, and communities how to see every student as they are and where they are. CoDesign Works leads with disability as a tool for fostering inclusion, belonging, and responsiveness rather than disability as a technical or compliance issue.

Why Disability as a Foundation for Inclusion, Belonging, and Responsiveness?

Disability is sometimes viewed as a niche issue, even though it affects almost 25% of the U.S. population.[3] When viewed instead as an experience of both discrimination and a mismatch between a person's needs and the environment created by others, however, disability becomes a natural launching point for reshaping our communities to be inclusive and responsive.[4]

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[1] More resources can be found at https://wasfec.org/
[2] Roots of Inclusion's values can be found at https://www.rootsofinclusion.org/about-us.html
[3] In Washington State, 27% of residents have disabilities. https://www.cdc.gov/ncbddd/disabilityandhealth/impacts/washington.html
[4] Note the difference between disability and a person's difference in mental or physical functioning (impairment). For example, the Centre for Disability Studies at the University of Leeds distinguishes between what is happening with a person's body and/or mind and when they interact with the social environment. "A disabled person is a person with an impairment who experiences disability. Disability is

Therefore, CoDesign Works in its partnership with FEC grounds these frameworks in the idea that disability teaches us fundamental lessons about how to show up for each other in systems and communities and honor the entirety of people's lived experiences. Consider, for example, that:

- Understanding and responding to disability is an exercise in listening for and to people's needs, meeting them where they are, and not valuing or devaluing needs based on the source of that need
- Disability is ultimately a lesson not about etiquette, proper language, ramp incline– but about honoring difference and its inevitability
- Disability is one of the best examples of variation, creativity, difference, environmental influence, ebbs and flows of our lifespans, how people change and how communities respond or not
- We cannot detach disability from its place in social justice history, civil rights movements, and past, present, and future experiences of discrimination
- No solution toward inclusion, belonging, and responsiveness is ever perfect or finished
- No solution works if the people most affected by it were never included
- Lasting, meaningful commitment and problem-solving toward inclusion and responsiveness cannot be tasks or responsibilities of just a few people in our school communities
- When we are shifting school and other communities, we must make room for adult and student input, learning, changed dynamics and needs
- Everyone has needs, stories, communication, identity, ideas, preferences, beliefs, joy, and sorrow– that are also highly influenced by an environment that rises to meet them or leaves them isolated
- Getting better at talking about and responding to disability is about strengthening our capacity for recognizing others' dignity, the need for equity, and learning through discomfort and respectful curiosity instead of charity, pity, and avoidance
- Disability teaches us that unless we address the individual needs that we often see as "special", insurmountable, unrealistic, and inconvenient, we've created middling solutions that meet no one's needs– disabled or not, marginalized or with the most formal power

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the result of negative interactions that take place between a person with an impairment and her or his social environment. Impairment is thus part of a negative interaction, but it is not the cause of, nor does it justify, disability." https://disability-studies.leeds.ac.uk/wp-content/uploads/sites/40/library/Northern-Officers-Group-defining-impairment-and-disability.pdf

- We also create a culture where no one deserves less because of their lived experience and everyone takes responsibility for the greater good, learns openly, and feels supported to share when their needs arise
- Humanizing and embracing disability makes us better problem-solvers, adaptive, responsive, hopeful, interdependent, authentic, learners and advocates

What Principles Guide Our Decision-Making and Problem-Solving Then?

The following principles guide CoDesign Works' collaborations and are adapted from the field of design justice:

- The focus of the work is to sustain, heal, and empower our communities.
- We center the wisdom and voices of those who are directly impacted by the outcomes of our decision-making processes and decisions. To do so, we must make decision making, collaboration, and problem-solving spaces accessible and welcoming in all ways– from physical space to effective communication.
- We prioritize and value the impact of our actions over the intent of our actions or the need to be perceived in positive, self-affirming ways.
- Embrace vulnerability, flexibility, mistakes, and change as alive and ongoing processes that must be grounded in accountability and collaboration.
- School communities and decision-makers are facilitators of (not the only experts about or arbiters of) better decisions, outcomes, and experiences. Everyone is an expert and has brilliance based on their own lived experiences.
- We honor strategies and solutions that are already working at the community level and that honor cultural knowledge and insights.
- We strive for sustainable, community-led outcomes that do not repeat past harms and see each individual challenge and conflict as an opportunity to design better systems.

WHAT Framework for Inclusive and Responsive Decision-Making in Schools

The **WHAT Framework (Who/How/Accountability/Try)** helps school communities make decisions where people feel grounded in mutual respect, empowered to share what their hopes and visions are for students, and remain focused on student outcomes and dreams rather than adult dynamics and slow-moving systems.

If we are committed to inclusive, responsive school communities, then we must embrace tools that allow us to make decisions with accountability, fairness, and transparency. Even smaller decisions about who serves on a school committee, for example, can lead to lasting impacts when it comes to hiring, building accessibility, pedagogy, and family engagement strategies. At an even lower level, an educator deciding next steps with a student who has failed an exam can seem like a small decision, but it is not in the student's life and it can lead to systemic impacts and the repetition of outdated processes that have not been examined in a while.

The **WHAT Framework** is about recognizing and honoring people's needs, experiences, and wisdom in our school communities. The framework is not presented in any chronological order. (For example, you might be tempted to start with Accountability and the issue of what decision is being made, but that is also shaped by the Who.) Rather, it provides prompts for reflection and discussion for better decision-making processes and outcomes that are anti-ableist and equity-driven. Under each element of the framework, we have highlighted the principles that are most in play when moving through the section, though the principles apply across the process. By moving through the framework, decision-makers go from a commitment to fairness to embracing restorative justice (repairing harm caused to the individual), and finally, they learn skills for transformative justice– where schools change the conditions that led to the original concern for the betterment of communities.

Who: People are more important than strategies. People identify issues, make decisions, and take action. Begin any process by getting the right people involved.

Humanizing and embracing disability makes us better problem-solvers, adaptive, responsive, hopeful, interdependent, authentic, learners and advocates

School communities and decision-makers are facilitators of (not the only experts about or arbiters of) better decisions, outcomes, and experiences. Everyone is an expert and has brilliance based on their own lived experiences.

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Who is centered in the process and decisions?

- Whose view is centered?
- Who is invited to be a part of the decision?
- What communication has happened so far? Has that communication been accessible (e.g., plain language, interpretation and translations for accessibility)?

Who holds the power and influence in the process?

- Who has the most informal and formal power in this decision?
- What are the power dynamics of the people involved in making the decision?
- Are there people involved in the decision whose opinions could be given too much weight? Why? What procedures and guardrails are in place already that can lead us to a fair process?

Who will be most affected by this decision and in what ways?

- Keeping the most affected person(s) in mind, who has knowledge that would help us make an informed and fair decision?
- Whose view is not being considered in this decision, even though it might affect them?

Why?

- What groups experience disparities related to this decision?

How: Take actions that center the people who are most impacted in decision-making processes and decisions.

We center the wisdom and voices of those who are directly impacted by the outcomes of our decision-making processes and decisions. To do so, we must make decision making, collaboration, and problem-solving spaces accessible and welcoming in all ways– from physical space to effective communication.

We prioritize the value and impact of our actions over the intent of our actions or the need to be perceived in positive, self-affirming ways.

How do we make the process inclusive?

- How will the time, place, and format help participants feel comfortable sharing their needs and perspectives, and allow us to make the best decision possible?
- How have we considered any access needs, language and cultural differences, and important identities?
- Have we asked what those needs and beliefs are rather than assuming or guessing?

How do we make the process meaningful and responsive?

- Have we invited or assembled a group of people who can make and implement the decision?
- Have we checked in with ourselves about the emotions, stressors, memories, and stakes that this conversation brings up for us?
- How committed are we to a certain solution or outcome going into the conversation and how willing are we to listen, be creative, and revisit our assumptions?

How do we support those with less power so that we can remedy past harms as a school community and/or decision-making team?

- Does this process or decision benefit some people more than others and if so, how is that linked to current or historical inequities?
- Are there potential harms that could come from making this decision or not?
- What are the specific impacts beyond this particular decision on the school community or members of our community that are similarly situated?
- What is one thing that would make this situation worse?

Accountability: Promote honesty, encourage dependability, and build trust with the community through explicit and open communication.

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Does our decision and process advance our school community's goals for belonging, equity, inclusion, and welcoming?

- Has this decision-making process made those involved and those potentially affected feel more welcome and seen? How will we know?
- Are we using language and action steps that anyone could understand?
- Have we taken the time to listen and consider the needs that have been shared?
- Have we spoken openly about how the process and decision get us closer to better relationships and restorative justice, and ultimately, transformative justice?
- Is there an intentional process for making the decision? Is it one of habit or inertia or is it the best option?

Have we been explicit and open about the process?

- What is the decision that is being made? If you asked each person impacted by the decision, would they agree?
- Does everyone understand what their role is?
- What is the process for making the decision?
- What is the timeline to make this decision?
- What is the timeline to implement the decision?

Try: Solutions are always evolving and require some testing and trying. Commit to an initial decision, communicate the decision openly and clearly, and learn from the process.

Embrace vulnerability, flexibility, mistakes, and change as alive and ongoing processes that must be grounded in accountability and collaboration.

Have we committed to action?

- Who will implement this decision?
- What is the action?
- When will the decision be implemented?
- Have these commitments been shared with the people involved in the decision-making process?

How will we evaluate the merits and challenges of the choice we made?

- Have we sought feedback on the impacts of the decision?
- When will we follow-up to discuss the impacts of the decision?
- Who should be consulted about the impact of the decision?
- What impact will the feedback have on the decision?

How do we learn from this process?

- Have we checked in to discuss how the decision-making process went?
- When will we follow up to discuss the process?
- Who should be consulted about the process?
- Have we each identified approaches and communication that might serve us better in the future?
- Have we obtained new insights into other needs for students, families, and educators in our school community?
- How will we apply what we've learned to better our individual interactions and our school community?
- Have we tried to learn from this process so that we can strengthen our relationships and ability to problem-solve together in the future?
- How will we keep working towards the goals of restorative and transformative justice in our conversations and decisions?

WHY Framework for Conflict Resolution

How to negotiate conflicts in an accessible and inclusive manner to promote a healthy school community that centers students' needs and outcomes

Conflicts are part of relationships, especially when they are high stakes and high emotions, such as school concerns. To assist school communities in navigating disputes, we have created the **WHY Framework for Conflict Resolution (What/How/Yes, and?)** with the goal of sustaining, healing, and empowering our school communities. The **WHY Framework** centers the wisdom and voices of those who are directly impacted by the outcomes of a school's decision-making processes and decisions– the student.

Understanding "why" is the key to conflict resolution. But asking "why" can seem confrontational. The following questions and reflections help move away from confrontation towards collaboration. The **WHY Framework** assists families, students, educators, and others concerned about issues in our schools with understanding what is at the heart of a conflict. It provides prompts for avoiding unproductive confrontation by considering:

- the specific needs that have not been met;
- the reasons why a person or group may believe a specific outcome is necessary or desirable; and
- and the reasons why that outcome feels necessary or desirable.

Both school staff and families often get fixated on a specific conflict or one disputed solution. They can get stuck in positions, instead of interests, and when that happens, they can lose the ability to focus on the student and take perspectives. However, when they shift their focus away from a specific outcome towards the many possibilities to achieve the ultimate goal of supporting student learning and growth, conflict resolution can become collaborative, restorative, and transformative..

The **WHY Framework** presents a tool for reflection and action, not in any particular chronological order. The questions presented are prompts for fostering collaborative dispute resolution. Under each element of the framework, we have highlighted the principles that are most in play when moving through the section, though the principles apply across the process.

What does the student need?

Assume that a student has unmet needs and understand what those needs are.

We center the wisdom and voices of those who are directly impacted by the outcomes of our decision-making processes and decisions.

We prioritize and value the impact of our actions over the intent of our actions or the need to be perceived in positive, self-affirming ways.

What are the student's needs that are not adequately or appropriately met?

- Even if you disagree that a student has unmet needs, do you believe that there is a problem to fix? How would you describe the problem?
- What is the difference between how you're describing the need and how others who are part of the dispute describe the need?
- What would a third person say if they were looking at the student's challenges or concerns at school?
- Is the description of the unmet need specific enough to be understood by everyone?
- Or is it vague and broad? Does the solution depend on how that need is defined?

Are you committed to a specific outcome?

- Why do you believe specific outcomes are necessary or desirable? What would a specific outcome accomplish?
- Do you want to avoid a specific outcome? Why?
- Is the proposed resolution inconvenient for you or others?
- What fears about the outcome for this student are driving the conflict, including how resolving this individual conflict might change what needs to happen for other students or in the education system?

What are your personal motivations in taking a particular position or seeking a specific outcome?

- What are the dynamics between the adults involved in the decision? How is your experience with similar problems or your interactions with these people in the past shaping your experience now?
- What emotions (e.g., shame, fear, anger, sadness, compassion, helplessness) are behind a specific outcome?
- How important is it for you to be right? What's driving that feeling or position?
- What potential biases are in play?
- Do you have underlying needs (such as the need to be perceived positively or to feel like you got a "win") that you need to assert? Are your needs being prioritized over the impact on the student's educational opportunities?

How can you resolve the dispute?

Understand each person's "what" to shift away from conflict towards mutual problem-solving.

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Everyone is an expert and has brilliance based on their own lived experiences.

We honor strategies and solutions that are already working at the community level and that honor cultural knowledge and insights.

Does everyone understand every other person's "what"? (i.e. the needs that are currently unmet, the desirability of particular outcomes, and solutions)

- Are there differences in everyone's "what"?
- Is there overlap between each person's "what"?

- How can you identify any shared needs or desires as a place to start collaboration?

Have we listened to the people whose lives will be most impacted by the decision?

- Have we listened to the experience of people who know the student?
- Have we asked the student for additional information and used that insight to generate possibilities and/or get unstuck?

What are all the remaining possibilities to resolve this conflict and meet the student's needs?

- Are we problem-solving as expansively as we can, or only exploring possibilities through habit or convenience?
- Are there potential solutions that we can identify together within the existing limits?
- Do the possibilities address the student's needs?
- How would an outside perspective (e.g., ombuds, mediator, community organization, different staff member, additional family member, specialist) lend possible solutions?

Yes, and?

Negotiations are improvisational. Like improv comedy, accept others' perspectives and ideas and expand on them without judgment. "Yes" without accountability is meaningless. Commit to setting details, following up, and measuring accountability.

Embrace vulnerability, flexibility, mistakes, and change as alive and ongoing processes that must be grounded in accountability and collaboration.

We strive for sustainable, community-led outcomes that do not repeat past harms and see each individual challenge and conflict as an opportunity to design better systems.

If there is an agreement, commit to the following:

- What will happen next?

- Where will this take place?
- When will it begin? How often will an action occur? What is the day and time?
- Who will be involved in the next steps? Do you have commitments from these people?
- When and how will we evaluate this approach?

If there is an impasse and no agreement:

- Can we disagree and commit to trying something now?
- Is there more than one solution? Are there overlaps, commonalities, and possible multi-pronged solutions?
- What is the simplest, most immediate, and implementable option?
- What is the student's perspective? Are there one or more actions that address their greatest concerns?
- Can we try multiple things at the same time?
- Can we agree on at least one item?
- A next step might not be perfect, guaranteed to work, or address all the shared concerns, but is there one step towards progress that we can agree on now?

Commit to trying and learning

- How long should we commit to trying something?
- Can we meet to discuss the success of the implementation and solution?
- Should we have a weekly telephone or email check-in before the next meeting so that everyone involved has a clear understanding of any progress (or lack thereof)?
- What if our idea fails?
    - Why did it fail? Can we change one or more parts?
    - Did we not address the needs? Are the underlying needs misunderstood? Should we refine the "what" to build a new "how"?
    - Is the idea sound but the application not effective? Is there some training or learning necessary for any person?
- What if this succeeds?

- Is the solution sustainable?
- What, if anything, should we adapt or modify?
- Does it reflect new needs that were not previously identified?
- How could others in our school community benefit from what we've learned here?