**Resolving Ethical Concerns and Professional Conflicts
through a Restorative Lens**

Michigan Association of School Psychologists (MASP)
Informal Guidance

adopted 7/11/23

Conflicts between professionals happen. But when complaints arise and there is a rush to judgment and complaints are formally filed before the parties have had time to discuss and possibly resolve and restore, it is premature and leads to a variety of problematic outcomes. These rushed determinations are usually very marginalizing, assume malintentions, and lead to ostracization and harmful outcomes to all involved on a number of levels.

This is why the NASP and APA ethical codes, and the NASP problem solving model, together make provision for resolving dilemmas that may have an ethically questionable flare to them. They make it clear that we should always start by trying to resolve such dilemmas informally with the subject of the situation directly before elevating the issue to higher levels of authority. This is an ethical behavior in itself to provide that opportunity for all involved before making allegations and complaints about others regarding perceived ethically questionable behaviors.

But what about interpersonal conflicts that do not necessarily involve questions of ethics but that make workplace relationships and effective work productivity difficult? Whether or not there is an ethical component to the conflicts, the role of perception must always be strongly considered and more than ever a process of interpersonal problem identification should be afforded to all involved before allegations, accusations, and complaints are made to others, and certainly before solutions are generated. Solutions based on poor problem identification are what can lead to problematic outcomes. This is critical for morale in professional environments, for the individuals' sense of self, and for the learning, growth, and overall well-being of all involved.

Both ethical concerns and professional conflicts can be approached through the same lens. In that vein, then, this guidance document is designed to help with resolving conflict starting with during the early stages of a problem, particularly during the problem identification phase, before tensions rise and unnecessarily damaging actions are taken. This will drive a more effective problem solving process that flows more naturally from a thoughtful, measured, and robust problem identification process.

Step 1: Self-analysis

It is important to note that the purpose of this guidance is not to rehash traditional problem solving models that already exist, nor is it one of the many prescriptive conflict resolution approaches that already exist. Those should be used alongside this process. Rather, the focus here is to become exposed to, and to try to incorporate into our thinking, a mindset and a new lens through which we see others' behaviors, which is an important part of resolving conflicts in fair and equitable ways that leave all parties feeling valued and with the opportunity to learn and

restore. Whether we have a problem with someone else, or if a complaint is made against us, the goal in both situations is to solve the presenting problem, and self-analysis from the very start and continuing throughout the entire process is critical.

Thus, we propose that resolving conflicts should start with self-awareness regarding one's emotional patterns and motivations and the lens through which we interpret and react to various behaviors coming from others. This can be very complex, but taking a moment to stop and explore one's own vantage point and to analyze the core issue that is bothering you in any given situation is vitally important. When solving problems, we achieve ideal outcomes when both parties are engaged in ethical, kind, and collaborative approaches. It is important to gather relevant information about the problem, separate facts from assumptions, and identify features that contribute to the problem situation (e.g., Nezu & Nezu, 1993).

It may be appropriate to consider your status and level of power in a situation, and what might be interfering with your addressing an issue. According to research, personal feelings of power or powerlessness may affect a person's problem solving style (e.g., Brammer, 1990). To have a kind and ethical problem solving style, we need to gain awareness of how we feel about ourselves in problematic situations, and to realize that rather than being passive or rushing to judgment, we can choose a strategy suited to the situation. In the case of power differentials, we can directly address versus avoiding conversation about power differentials. We may need to seek the help of others to provide objectivity and mediation, but in any case, we can have a conversation about any fears you may have about addressing the issue directly with the person. But we must discuss it with the receiving party, affording the opportunity for learning, growth, and restorative practice. It is important to also analyze what it is about your experiences that lead you to feel that, prior to now, you cannot address it. In any case, avoiding discussing it is counterproductive and is directly related to the unproductive and rushed outcomes that are harmful.

Another dynamic that can negatively contribute to how we interpret and handle situations is the way in which we make assumptions and do not look objectively at facts. But if we separate facts from assumptions, it allows us to be proactive in identifying the actual problem in the scenario. Each individual perceives and structures a problem in their own subjective way (e.g., Marouda-Chatjoulis, 2013). This is based on an individual's past experiences, future plans, and expectations. Problem-solving in an ethical manner would mean that the proper amount of time and reflection is put into a scenario so that no one rushes to judgment without reflecting and having all the facts. Once we have all the facts and assumptions separated, we need to reflect on all the attempts we tried to understand the problem and if we took any steps to solve it.

Remember, it always takes "Two to Tango." It can be helpful to remember that there are always at least two contributors to any conflict. If one approaches the analysis of a problem with the attitude that "I have played some role in this, even if it is a small one," even if the problem was created 97% by the other person, you still contributed 3%. Sometimes, the best you can do is to own your 3%. And usually, you will find that, by virtue of the way we are tempted to view problems, your own contribution is much higher than you think. When you do this, your attitude towards solving the problem, the lens through which you view the situation, and the types of solutions you come up with will be different.

These are just a few general points to remember as you are contemplating how you react to situations and the steps you can take to problem solving in healthy and productive ways. If you find yourself feeling stuck in your past attitudes or feel that you may need to change, give yourself (and remember to give others) the grace to change without shame. If we want others to change, we need to give them the "room" to do this. It may be beneficial to remember Maya Angelou once said "Once you know better, you do better."

Sample questions to ask ourselves in the self-reflection process:

There will likely be many more questions that could be asked, so please consider these just a sampling, but start with these:

- Do I feel powerlessness in this situation? If so, how is that affecting my problem solving style?
- Am I in a position of power in this situation? If so, how is that affecting my problem solving style?
- How do I feel about myself in this problem scenario?
- Are my past experiences influencing the current situation?
- Are my future plans and expectations influencing my current situation?
- Am I being ethical and collaborative in my problem solving strategy?
- Did I separate all my facts from assumptions?
- What features contribute to the problem situation?
- What features contribute to the solution for the situation?
- What attempts have I made to understand the problem from all perspectives?
- What is the best strategy suited for this situation for the most effective outcome?
- What is the problem? Is there a real problem? Is it objectively a serious problem? Can it be solved in a simpler way than the path I may be heading down?
- Can the problem be solved in a way that is fair and kind for the person being accused?

Step 2: Direct and Respectful Discussion and Resolution

There are several ultimate goals of and actions to be taken in the process of enacting fair resolution of professional conflicts. Each of these is presented below and is a critical fundamental mindset or action to adopt as part of this process. These are not necessarily inclusive of all possibilities, but all of this should be done long before any formal complaints are made. This provides an opportunity for all involved to make each other aware of feelings so that we can work through the issues in healthy ways that benefit both the individuals and the organization.

1) Assume good intentions on the part of the person or people with whom you are having conflict.
2) Avoid rushing to judgment and quick actions that fail to follow these processes.
3) Take a collaborative approach that is patient and non-reactive, that is focused on providing opportunity for conversations, and space and grace for working through issues.
4) Schedule a meeting to discuss, with the goal of "seeking to understand" and providing an opportunity to make others clearly aware of what is upsetting.

a) Share perspectives on the impact that you are experiencing. Provide the subject of your conflict with information about what he/she/they are doing that is problematic to/for you.
b) Inquire about the other's intentions in the context of discussing this impact that it is having.
c) Seek to learn your role in the conflict as well as to convey to the other(s) how you were impacted.
d) Approach the situation through a restorative justice lens–provide space for recognition of impact and restoring relationships through a variety of means that could involve clarification of miscommunication, clarification of misunderstanding, apology, and more.
e) Listen to and hear the emotions and perspectives of both sides thoroughly before reacting. Miscommunication and misperception is frequently at the heart of workplace conflict.
f) Develop a joint plan for what each party can do differently in the future.
5) Schedule a follow up to discuss how it is going and other actions needed to resolve the conflict and potentially to resolve the external optics about the conflict to convey that resolution has occurred.
6) Consult confidentially with others who are objective and can provide external perspective, and engage them to mediate if that is most productive.

Summary and Encouragement

Resolving conflicts also involves self-control of our ability to regulate our emotions and therefore to regulate our reactions and behaviors when we are upset by others. It's a lifelong skill that we all continuously learn, rather than something fully mastered once and never needing to be addressed again. This is a mindset that drives an approach, rather than a prescriptive list of what to "do." The problem-solving models tell you what to "do," but here, we emphasize more about "how" to bring a different approach to how we approach the process. In any case, we encourage you to be open to a deeper approach to problem identification leading to solution generation that involves ongoing self-analysis and a willingness to work bidirectionally with colleagues. This is ultimately more empowering to be able to express oneself in ways that will lead to healthier communication and problem solving for all involved. Above all, a careful and thoughtful process of professional conflict resolution and avoiding a rush to judgment and outcomes is imperative. Affording others the opportunity for direct, open conversation is always going to be best.

That said, we recognize that it takes time and repetition and sometimes guidance to learn. Therefore, the MASP Professional Standards Chair, co-chair, and committee will be very glad to help walk you through any issues arising for you in this domain. Please reach out as indicated on our website if you would like a confidential consultation and guidance. We have also included an additional list of resources that you may find helpful. We all can learn and grow at any time in our careers. Please let us know how we can help you in various situations that may arise. We look forward to that opportunity.

References

Brammer, L. (1990). Teaching personal problem solving to adults. Journal of Cognitive Psychotherapy, 4(3), 267-279.

Nezu, A. M., & Nezu, C. M. (1993). Identifying and selecting target problems for clinical interventions: A problem-solving model. Psychological Assessment, 5(3), 254-263. doi:https://doi.org/10.1037/1040-3590.5.3.254

Marouda-Chatjoulis, A. (2003). A proposal for a problem solving process model for counseling in personal dilemmas and conflicts. Psychology: The Journal of the Hellenic Psychological Society, 10(2-3), 310-329.

A sample of related websites to consider:

https://better-teams.com/leading-your-team-by-extending-forgiveness-and-grace

https://leaders.com/articles/leadership/conflict-resolution-skills/

https://onbeing.org/blog/grace-in-disagreement-brene-browns-ten-guidelines-for-engaged-feedback/

https://www.betterup.com/blog/intent-vs-impact

https://www.healthline.com/health/intent-vs-impact#which-is-more-important

https://www.researchgate.net/publication/334178052_The_Role_of_Empathy_and_Compassion_in_Conflict_Resolution
https://psycnet.apa.org/record/2019-58946-004

https://slack.com/blog/collaboration/managing-conflict-in-the-workplace-with-kindness

https://www.forbes.com/sites/samanthaharrington/2017/04/29/how-to-confront-conflict-with-compassion/?sh=11c3ddae6c08

The following websites are focused on students in schools, and they are restorative justice oriented, but they also apply equally to adult situations:

https://www.relateni.org/news-events/6-steps-for-a-restorative-conversation/

https://www.naesp.org/sites/default/files/resources/2/Principal/2009/nov/N-D_p48.pdf

https://files.eric.ed.gov/fulltext/ED604959.pdf