EDM Circles –

Strategies for Exploring the Complexities of Ethical Decision Making for Students

Paula Gajewski Mickelson,
MA, CI, CT, NIC: Advanced
St. Catherine University, St. Paul MN

What's in store for us today -

We will identify:

- ❖ **common issues** and **interests** that occur in conflict between interpreters and deaf people,
- ❖ elements of **Circle Processes** that may be used in classroom and learning environments
- ❖ elements of alternative dispute resolution and Circle Processes that will specifically help students develop **open, constructive dialogue** about challenges interpreters face in ethical decision-making,
- ❖ dilemmas, questions and topics that they may present to students to unpack in Circle Processes that will help them **hone critical thinking skills, familiarity with terminology and strategies to find shared solutions**,
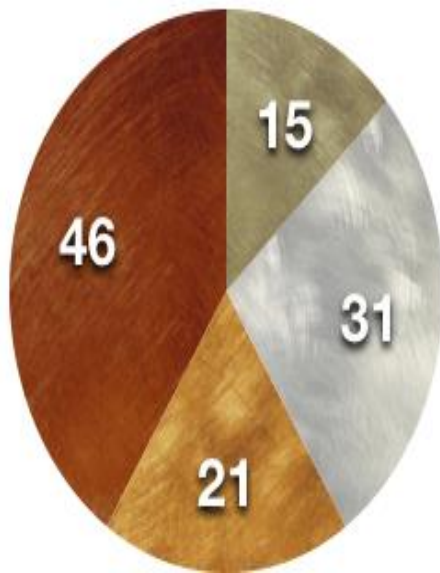- ❖ **strategies for using components of this process** within the work environment.

Guidelines…

A bit of background...

Grievances filed with RID
January 1999 – July 1 2005
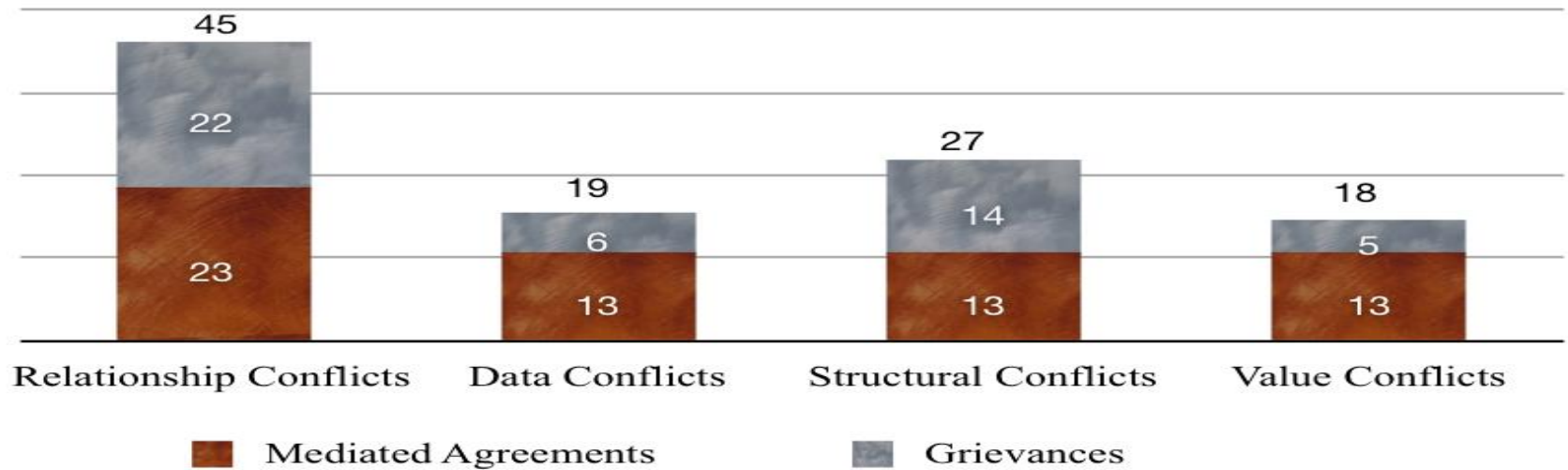
Total number of grievances filed: 113

- Dropped
- Did not meet criteria
- Met criteria but bypassed mediation for adjudication
- Processed in mediation system

15

46
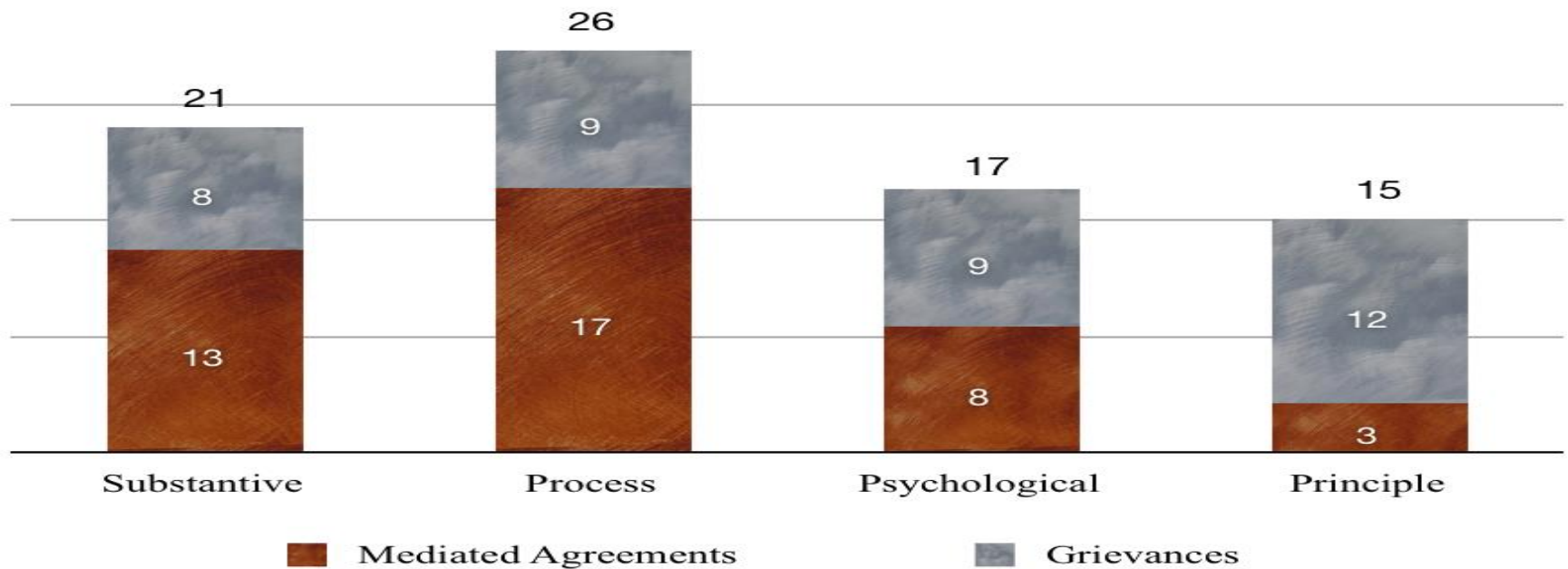
31

21

Diagnosis of Issues - Circle of Conflict

Circle of Conflict – by Christopher Moore, modified by Gary Furlong

- **_Relationships_** negative experience in the past, stereotypes, poor or failed communications, repetitive negative behaviour

- **_Values_** belief systems, right and wrong, good and evil, just and unjust

- **_Externals/Moods_** factors unrelated to substance of dispute psychological or physiological "bad hair day"

- **_Data_** lack of information, misinformation, too much information, collection problems

- **_Structure_** limited physical resources (time, money), authority issues, geographical constraints, organizational structures

Types of Conflict / Issues (WHAT it's about)

	Relationship Conflicts	Data Conflicts	Structural Conflicts	Value Conflicts
Grievances	22	6	14	5
Mediated Agreements	23	13	13	13
Total	45	19	27	18

■ Mediated Agreements ■ Grievances

Interests – WHY something is important

Relationship Conflicts (92%)
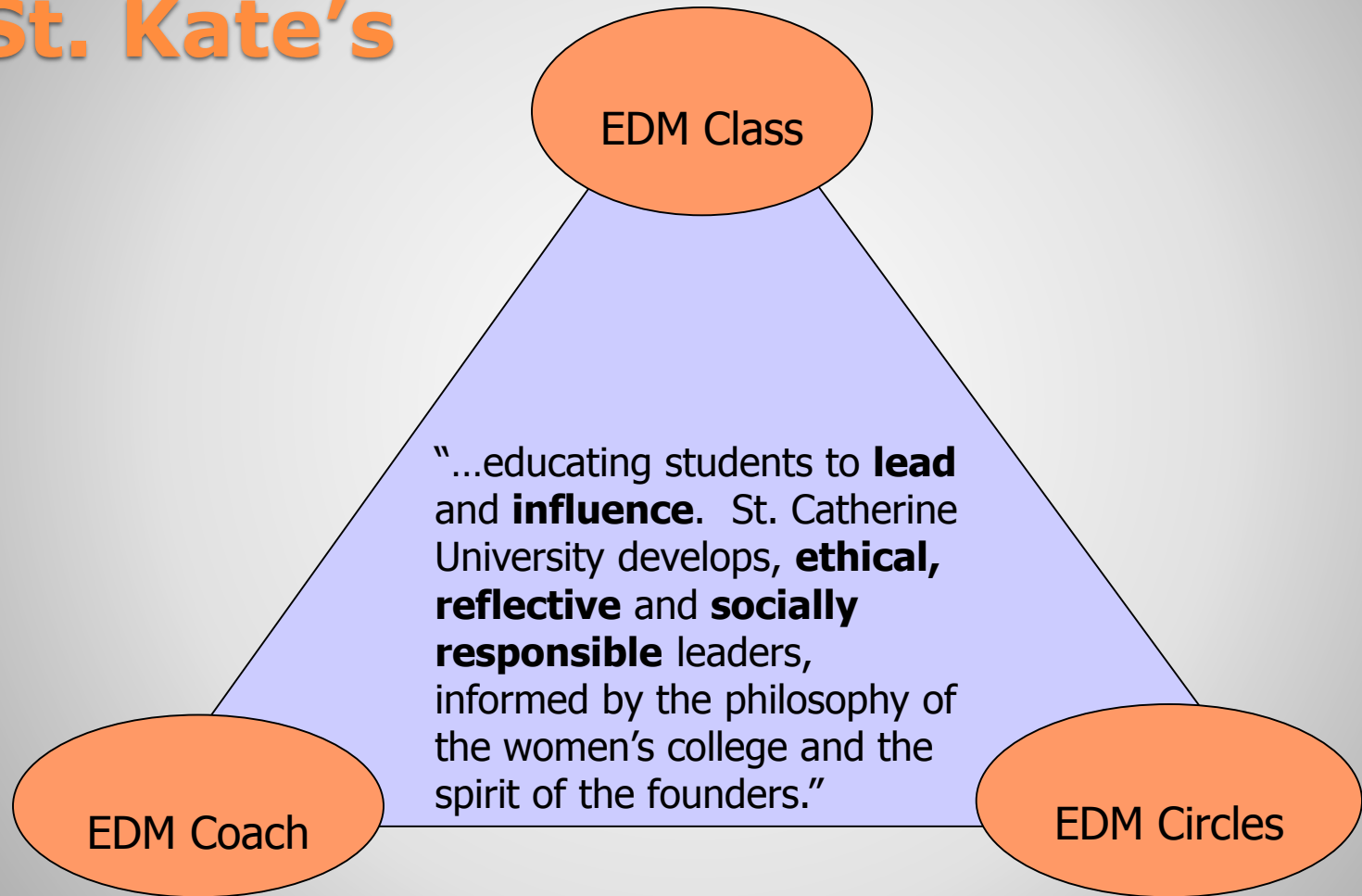
Process Interests (53%)

Substantive Interests (43%)

Study in Alternative Dispute Resolution led to...

- Restorative Justice...

- Circle Processes....

- Systems...

Developing Ethical Fitness at St. Kate's

EDM Class

"…educating students to **lead** and **influence**. St. Catherine University develops, **ethical, reflective** and **socially responsible** leaders, informed by the philosophy of the women's college and the spirit of the founders."

EDM Coach

EDM Circles

Circle Processes

Types of Circles -

- *Talking*
- *Understanding*
- Healing
- Sentencing
- *Support*
- *Community-Building*
- *Conflict*
- Reintegration
- *Celebration*

In Circle...

- Everyone is **respect**ed
- Everyone gets a chance to **talk without interruption**
- Everyone is **equal** – no person is more important than anyone else
- Spiritual and emotional aspects of **individual experience** are welcomed

Elements of Circles -

- Ceremony
- A Talking Piece
- Facilitator or Keeper
- Guidelines
- Consensus Decision Making
(not in Talking / EDM Circles)

Ceremony

- Intentional Opening
- Provides transition and focus
- Sets the tone of the Circle

Talking Piece

- Symbolic … or not

- Physical symbol of taking turns and focus

Circle Keeper

The Keeper does -

- Helps the group create and maintain a collective space to do their collective work.

The Keeper does NOT:

- Control the issues raised by the group.
- Try to move the group toward a particular outcome.
- Enforce the group guidelines (this is done by the whole.)
- Fix the problem the Circle is addressing.

Guidelines -

- Create the safe space
- Created together
- Should be revisited each time the Circle convenes
- Modified as needed

Ideas for Circles...

Discussing the CPC

5.0 Respect for Colleagues

Interpreters demonstrate respect for colleagues, interns and students of the profession.

Guiding Principle: **Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.**

Illustrative Behavior – Interpreters:

- **5.1 Maintain civility toward colleagues, interns, and students.**
- **5.2 Work cooperatively with team members through consultation before assignments regarding logistics, providing professional and courteous assistance when asked and monitoring the accuracy of the message while functioning in the role of the support interpreter.**
- **5.3 Approach colleagues privately to discuss and resolve breaches of ethical or professional conduct through standard conflict resolution methods; file a formal grievance only after such attempts have been unsuccessful or the breaches are harmful or habitual.**
- **5.4 Assist and encourage colleagues by sharing information and serving as mentors when appropriate.**
- **5.5 Obtain the consent of colleagues before bringing an intern to an assignment.**

Possible Circle Questions –

- How do you know when you are being respected by a colleague or another person? (what do they do/say that shows you respect?)
- How do you show colleagues or others respect?
- What assumptions do you make about respect (giving it or receiving it)?
- How have your ideas about respect changed over time?

Respect for Colleagues in Action – NIC Practice DVD

- Possible Circle Questions –

  - ❖ **Share one possible perspective of any of the main people in the scenario (e.g. "on" interpreter; you as the team interpreter; the hearing consumer; the Deaf consumer; others?) What is his/her perspective on the situation?**
  - ❖ **What assumptions may (choose one of the people) bring to the situation?**
  - ❖ **What part of the CPC helps guide your decision for what to do here? Why?**

Developing questions -

- Open-ended
- Not leading
- Encourage reflection
- CPC… unpacking that and sharing perspectives and understandings…

Perspectives, for example...

"Perspectives…"

- Share an example of a time when you were reminded there are different perspectives from your own.

- How do you think looking at situations from different perspectives enhances your ethical decision making?

NIC Rubric –

- ## What is the conflict?
  - ◦ Perspectives on the conflict?
  - ◦ Conflict with CPC? Law? Policies? Procedures? Other?
- ## What would you do?
  - ◦ Perspectives?
  - ◦ Decision including reasoning influenced by past and present practices and resources.
- ## Why?
  - ◦ Short and long term effects, including cultural, political, and/or sociological implications.

- Define terms…
  - Ethics
  - Boundaries
  - "attitude"
- Scenario
  - Follow up questions (avoid "what would you do?" until you've unpacked the scenario.)
- Hot topics –
  - From the community
  - From the field
    - i.e. Facebook / Social Media
    - Other?

General insights

- Any size Circle will work; smaller groups help with time management
- Variety / differing perspectives represented
- Don't jump to "what I would do" – unpack the process in circle
- Challenges – people who keep the talking piece for long periods, feel pressures to do this "right"

What's Next?

How do you want to move forward with this information?

Contact Information

Paula Gajewski Mickelson
◦ paulagm@stkate.edu

References

- Cartwright, Brenda E., <u>Encounters With Reality, 1001 Interpreter Scenarios</u>, RID Press, 1999.

- Gish, Sandra, <u>Ethics and Decision Making for Interpreters in Health Care Settings</u>, College of St. Catherine, 1990.

- Kidder, Rushworth, <u>How Good People Make Tough Choices</u>, Fireside, 1995.

- Mills-Stewart, Kelly and Anna Witter Merithew, The Dimensions of Ethical Decision-Making: A Guided Exploration for Interpreters, Sign Media, 2006.

- Pranis, Kay. <u>The Little Book of Circle Processes</u>, Good Books, 2005.

- Stone, D. Patton, B. & Heen, S. <u>Difficult Conversations How to Discuss What Matters Most</u>, Penguin Group, 1999.