

Chapter 3. Methodology

Introduction

This exploratory research utilized both qualitative and quantitative methods including a document review, structured telephone survey, and focus groups to gather data. The use of multiple methodologies permitted triangulation of the data to improve the validity of the findings, and enabled greater inferences from the results.

A review of due process documents on file with the Maine Department of Education was used to identify the population of all parents who had initiated either a hearing or complaint investigation during the 1996 calendar year. A modified, stratified, random sample of parents was selected from the population who had initiated either a hearing or a complaint investigation with the Maine Department of Education during the period January 1, 1996, through December 31, 1996.

An invitation to participate in the study and a copy of the interview questionnaire was mailed to all selected participants on June 5, 1997. A structured telephone interview was conducted with the selected participants during the period June 12 through June 22, 1997. Participants who indicated a willingness to participate in a focus group discussion were mailed reminder cards five to seven days prior to their focus group meeting. Focus groups met on June 19, 20, and 26, in Portland, Augusta, and Bangor, respectively. Two focus groups were held on each site, one for parents who had initiated hearings and the other for parents who had initiated complaint investigations. The hearing and complaint groups were randomly assigned to the first (12 pm – 3pm) or the second (4pm – 6pm) meeting on each day at each site. Table 4 provides a description of the location and times for each focus group.

Table 4

Distribution of focus groups by sites and times

Date	Site	Time	
		12 p.m. – 3 p.m.	4 p.m. – 7 p.m.
June 19	Portland	Complaint	Hearing
June 20	Augusta	Hearing	Complaint
June 26	Bangor	Hearing	Complaint

Sample

The Maine Department of Education maintains a database of all requests for due process hearings, complaint investigations, and mediations that have been received since 1987. The database for all 206 requests filed between January 1, and December 31, 1996, was reviewed to identify the population for this study. The January 1, 1996, through December 31, 1996, period was selected to minimize any possible effect the researcher may have had as a result of employment as the Due Process Coordinator for the Maine Department of Education prior to the commencement of educational leave on August 15, 1995. In this prior capacity, the researcher frequently advised parents regarding dispute resolution, thus necessitated a five-month hiatus to minimize influence upon parental selection of alternative dispute resolution procedures. Access to the database by this researcher is permissible under the Family Educational Rights and Privacy Act (34 C.F.R. 99. 31(a)(1)) as an employee of the Department of Education.

A review of the database found sixty-two duplicate requests in the two hundred and six requests filed by parents for mediation, hearings, and complaint investigations. To ensure an unduplicated count of all hearing and complaint requests, certain requests for hearings, mediations, or complaints were eliminated based upon the following criteria:

1. All mediation requests were eliminated from the selection pool. All but eleven of the sixty-seven requests for mediation also were either accompanied by a request for either a hearing or complaint investigation or were automatically assigned to hearing requests. Of the eleven *stand alone* mediations requests, schools initiated five and parents initiated six. These numbers were too small to draw meaningful inferences. Inclusion of mediations would have detracted from the focus of this study, which is to differentiate between parents who initiated hearings and parents who had initiated complaints.
2. Parents who filed more than one hearing ($n = 5$) or complaint request ($n = 1$) during the year had only their most recent request maintained in the study population. The decision to maintain the most recent request was made to reduce the effect of elapsed time on memories of the hearing or complaint investigation process and events leading up to the hearing or complaint request.
3. Two parents had filed both hearing and complaint investigation requests during 1996. These parents were randomly assigned to either the hearing or complaint group based upon a coin toss.
4. Seven hearing requests initiated by school systems against parents were individually reviewed for inclusion in the study population. Hearings initiated by the school in response to a parental request for an independent evaluation were included within the selection pool. These hearings were a result of action initiated by the parents to seek reimbursement for parentally initiated evaluations to challenge the evaluations obtained by the school ($n = 3$). Hearings which were initiated by the school to override parental refusal to provide initial consent for evaluation ($n = 1$), consent for placement ($n = 2$), or to appeal a complaint investigation ($n = 1$) were excluded. These hearings were initiated by the school and beyond the scope of this study.

5. One complaint investigation request was eliminated from the study population because the complainant was known by this researcher to have significant comprehension difficulties due to a closed head injury.

The remaining population consisted of 54 unduplicated hearing and 65 unduplicated complaint investigation requests.

Selection of hearing and complaint requests for inclusion in the study used a modified, stratified, random sample. Due to the small number of hearing decisions ($n=9$), mediated complaints ($n = 2$) and withdrawn complaints ($n = 7$), seventeen of these eighteen hearing and complaint requests were included within the study. One mediated complaint was excluded because the mediation request was filed with the Maine Department of Education by the school on the same day that the parent filed the complaint investigation request. A table of random numbers was used to select mediated hearings, withdrawn hearings, and complaint decisions in numbers that were proportional to the study population.

Table 5 provides an enumeration of the hearing and complaint investigation requests selected for inclusion in this study. Sixty of the seventy-four parents randomly selected to participate in this study were interviewed. Ten parents were unable to be contacted. Five of these ten parents could not be reached at the telephone numbers listed in the due process records of the Department and the telephone numbers for the remaining five parents were no longer in service. No effort was made to locate these ten parents, since further investigation potentially could have breached the study participants' right to confidentiality. The remaining four parents were unwilling to participate in the study. There was a 94% participation rate of the selected sample who were contacted and an 81% participation rate of the total selected sample.

Thirty of the sixty parents who participated in the telephone interviews also participated in the focus groups. The decrease in sample size was primarily an issue of logistics for the parents. Some of the reasons reported by parents who elected not to participate in the focus groups included lack of transportation, employment obligations, and other prior commitments.

Table 5

Distribution of Population, Selected Sample, Interviewed Sample and Focus Group
Sample by Due Process Type and Outcome

Due Process Type / Outcome	All Requests n = 119		Selected n = 74		Interviewed n = 60		Focus Group n = 30	
	n	%	n	%	n	%	n	%
Hearings								
Decision	9	16.7	9	23	7	23	5	31
Mediated	16	29.6	10	27	10	32	7	44
Withdrawn	29	53.7	19	50	14	45	4	25
Total	54	45.4	38	51.4	31	51.7	16	53.3
Complaints								
Decision	56	86	28	78	22	76	9	64
Mediated	2	3	1	3	1	3	1	7
Withdrawn	7	11	7	19	6	21	4	29
Total	65	54.6	36	48.6	29	48.3	14	46.7

Table 5 summarizes the distribution and the percentages of the population of all parents who had requested a hearing or complaint investigation during 1996 and the outcome of the requests. The outcome of a hearing or a complaint request may result in one of three discrete outcomes: a *decision*, a *mediated* settlement, and a *withdrawn* request. A *decision* is defined as a final written determination by the hearing officer or complaint investigator assigned to the request. A *mediated* settlement is defined as a mediated agreement between the parents and the school that is facilitated by a mediator provided by the Maine Department of Education and which resolved the dispute. A *withdrawn* request is a request for a hearing or complaint investigation that is withdrawn by the initiating party prior to a decision by a hearing officer or complaint investigator.

Notice of Selection.

A letter, signed by Mr. David Noble Stockford, Director of the Division of Special Services, Maine Department of Education, was mailed to all selected participants two to three weeks prior to the focus group meetings. A copy of the form letter inviting parents to participate in the hearing group can be found in Appendix A. The Department of Education provided reimbursement for travel and childcare expenses and an honorarium of \$25.00 to each family who participated in the interview and focus group. A copy of the telephone interview format (Appendix B) was included with the letter of invitation to permit parents to have an opportunity to review the questions prior to the telephone interview.

Procedures and Data Collection

Data for this study were developed from a review of documents on file with the Due Process Office of the Maine Department of Education, a structured telephone interview, and a focus group meeting. A pilot study using the structured interview and the focus group process was field-tested with an expert panel consisting of the hearing officers and due process staff of the Maine Department of Education to assess the reliability of the instruments. Based upon input from this expert panel, modifications were made to the both the interview format and the focus group questions

Document Review

Copies of the parent's request for a hearing or complaint investigation, mediation agreements, letters of withdrawal or decisions were reviewed in conjunction with the database information maintained by the Due Process Office. This document review yielded data regarding the type of dispute, gender, age and type of disability of the student, whether the parent, the school or both were represented by an attorney, the date the hearing or complaint was filed and the date of the decision, mediated agreement or withdrawal.

Structured Telephone Interview

Five to fourteen days prior to the focus group meeting, a structured telephone interview with each participant was conducted. Participants were asked if they had received the letter of invitation to participate in the study. Participants were advised that they had been randomly selected, their participation was completely voluntary, and that any information provided would be confidential and not personally identifiable. Participants were further advised that they were under no obligation to respond to any question and that no one other than the principal researcher would have access to the list of participants in this study. Each participant was asked if they had an opportunity to review the interview questionnaire and was provided an opportunity to ask questions regarding the study. Before the start of the interview, each participant was asked specifically if they were willing to participate in the study.

Upon completion of the interview, participants were asked if they were willing to participate in the focus group meeting. The focus group meeting was described as a meeting with other parents to further discuss some of the issues and concerns raised in the interview. Interviewees were advised that participants in the focus group would be limited to the principal investigator, a group facilitator, and parents. No school personnel would attend. If the interviewee indicated that they would be unable to attend, they were thanked for their participation and the telephone call was terminated. If the interviewee indicated that they were available or might be available, they were told the time, date, and location of the meeting. Participants were asked to be on time since they would not be allowed to participate if they arrived after the meeting started.

The time, date and location of the meeting was not included within the original letter of invitation to ensure that only those parents who had participated in the structured telephone interview would participate in the focus group. Despite this precaution, one parent invited a state legislator to one of the focus group meetings. The legislator left the meeting after the nature of the research and the need for confidentiality of the participants was explained.

Focus groups.

The focus group was used to augment the data gathered through the interview process and to take advantage of the synergistic effects of focused discussions with individuals who have had common experiences. The focus group is an informal assembly of targeted individuals who are willing to express their opinions about a selected topic. The goal of a focus group is to obtain perceptions, feelings, attitudes, and ideas about a selected topic. The focus group is typically small, averaging 6-12 participants. The participants should have relatively homogeneous backgrounds although their attitudes may vary considerably. In the focus group process, a moderator with a prepared interview guide solicits participant's responses in a comfortable, secure setting (Krueger, 1994).

Focus groups are compatible with the basic assumptions of qualitative research. The focus group process recognizes that multiple views of reality exist and that individual perspectives and the context of an event influence these views of reality. Focus group interviews yield a great deal of specific information on a selected topic in a relatively short period of time and provide richer, fuller information than that typically gained through individual interviews (Vaughn, Schumm, & Sinagub, 1996).

A total of six focus groups were held in three sites, Portland, Augusta, and Bangor. Homogeneous groups of parents who had either initiated a hearing or a complaint investigation met at each site. Table 6 identifies the date, time, and location for each focus group. The three sites of Portland, Augusta, and Bangor were selected to minimize travel time for the participants. A conference room was rented in a major hotel within each city that was relatively close to the interstate and therefore easy to find. Each room was equipped with a horseshoe shaped conference table, flipchart and easel, and refreshments.

The decision to conduct two focus group meetings per day was primarily a function of finances and logistics. Two meetings could be held per day without any increase in the room rental charge other than the cost for refreshments. The availability of both the facilitator and the researcher were limited due to prior commitments and there was concern that the availability of

parents would be limited due to summer vacations. The possibility of holding the focus groups on the weekends was considered and rejected since this would interfere with weekend recreational plans of parents and possibly bias the sample through religious observance of the Sabbath.

The selection of the noon to 3 p.m. (afternoon) and 4 p.m. to 7 p.m. (evening) periods was based upon the desire to conduct two meetings per day and to hold the meetings on weekdays. Given that one meeting would occur during regular work hours while the other could occur after the close of the work day, it was decided that the second meeting would start at 4 p.m. in order to equalize the relative inconvenience of holding the focus groups during normal working hours. The hearing and complaint groups were assigned at random to the afternoon and evening sessions through a coin toss.

Table 6 summarizes the distribution of participants by focus group sites and times. The 4 p.m. to 7 p. m. meetings averaged slightly more participants (6.66) than the noon to 3 p. m. meetings (5.66). The sixteen participants in the complaint focus group and the twenty-one participants in the hearing focus group consisted of fourteen and sixteen families, respectively. Both spouses from two families of the complaint group and both spouses from five families of the hearing group elected to attend the focus group meetings. Since the purpose of focus groups is to identify common themes and concerns rather than quantitative data, it was decided to permit both spouses to attend rather than risk the potential loss of information. Both spouses were encouraged to provide their own responses and discouraged from collaborating or commenting on each other's responses.

Table 6

Distribution of focus groups families / participants by sites and times

Date	Site	Time	
		12 p.m. – 3 p.m.	4 p.m. – 7 p.m.
June 19	Portland	Complaint (n=4/4)	Hearing (n = 6/8)
June 20	Augusta	Hearing (n = 4/5)	Complaint (n = 6/8)
June 26	Bangor	Hearing (n = 6/8)	Complaint (n = 4/4)
		mean = 5.66	mean = 6.66

Note: Total complaint participants = 14 families / 16 participants, Total hearing participants = 16 families / 21 participants

Each focus group began with a brief introduction explaining that the purpose of the focus group was to assist the Department of Education to improve the conflict resolution process for parents and schools. The participants were advised that they had been randomly selected and were free to leave at any time or to decline to respond to any question. The informed consent form (App. C) was reviewed, the need for confidentiality of the information shared by the participants was emphasized, and an opportunity for participants to ask questions was provided to the group.

Eleven questions were presented to each focus group, one at a time. An index card with the question was given to each participant and an abbreviated form of the question was printed on the flip chart. The question was read aloud, participants were given an opportunity to ask questions for clarification and were encouraged to write their responses on the index card. It was emphasized that there were no right or wrong answers. Their unique perspectives as parents who have been involved in either a complaint or hearing was emphasized over spelling accuracy or neatness.

After the participants had finished writing their responses on the cards, the facilitator asked each participant to identify the single response that best answered the question. Their response was written on the flip chart and questions were asked by both the facilitator and researcher to clarify any ambiguous responses. During the discussions of each question, the researcher took additional notes to capture issues and statements that were salient but not necessarily included within the responses written on the flip chart. After each participant had an opportunity to identify their most relevant response, the index cards were collected for later analysis and the next question was posed to the group.

Video and audio recording of focus groups and transcript analysis is the method commonly used with focus groups (Krueger 1994, Vaughn, Schumm & Sinagub, 1996). The decision to use the index card and flip chart method of gathering information was made to reduce intimidation caused by an audio and / or video tape recording thus creating a chilling effect on participants, limiting their willingness to freely provide honest responses. Writing initial responses on the index cards and requesting each participant to identify their single most relevant response reduced the potential for some participants to dominant the discussion or exercise undue influence upon the other members of the focus group. The combination of responses written on the index cards, the responses written on the flip chart and the notes of the discussion provided a rich source of information regarding parents' responses to the series of questions.

Instrumentation

Structured interview

A structured interview was used with both the parents who requested hearings and those who requested complaints. The interview gathered demographic information, data concerning parental involvement with their children's schools, information regarding the children who were the subject of the disputes, and information regarding the parents' due process requests, (Appendix B).

Family demographic information collected during the interview included marital status, number of children, and number of adults in the household. The employment and education of each parent were identified during the interview. Interviewees were also asked to identify their approximate annual household income, the county in which they reside, and the length of time they had resided at their current residences. These interview questions were intended to identify differences between the hearing and the complaint groups for each of these variables.

The parental involvement questions asked parents to indicate their ability to attend their child's pupil evaluation team (PET) meetings, school events, and parent - teacher conferences. Parents were also asked whether or not they had the ability to observe and volunteer in their children's classrooms. These questions were designed to determine if differences existed between the hearing and complaint groups along the dimension of parental participation in school activities.

The interview gathered information about the student who was the subject of each hearing or complaint. The parents were asked to identify their child's date of birth, gender, and disability. Additionally, the parents were requested to specify the number of years the child had attended the school that was the other party to the hearing or complaint. These questions were designed to identify differences between the hearing and complaint groups regarding these student specific variables.

Information regarding the parents' due process requests included a summary of the dispute and parental satisfaction with the results of their hearings or complaint investigations. Finally, the families were asked how they became aware of either the hearing or complaint process, and they were requested to identify the assistance, if any, which they had received during the hearing or complaint processes.

Focus group questions.

The eleven questions posed to each focus group were developed and pilot tested with the state hearing officers and staff in the Due Process Office of the Maine Department of Education,

(Appendix D). The questions were designed to review the entire process from the development of the conflict through resolution of the dispute. The eleven questions are listed below. The questions were reworded as appropriate for the complaint and hearing participants.

1. Identify at least three things that your school did which created or increased your disagreement with the school and resulted in your hearing / complaint request.
2. What are three things the school could have done to decrease the disagreement before you filed your hearing / complaint request?
3. Is there anything that you did which created or increased the disagreement which resulted in your hearing / complaint request?
4. What are three things you could have done to decrease the disagreement before you filed your hearing / complaint request?
5. Why did you select the hearing / complaint process instead of the hearing process / complaint investigation or mediation process?
6. Should other parents use the hearing / complaint process to resolve a disagreement with the school? Provide at least three reasons for your answer.
7. Did you withdraw, mediate, or receive a hearing / complaint decision? List at least three reasons you selected this outcome.
8. What were your feelings during the hearing / complaint process?
9. What problems or difficulties did you experience with the hearing / complaint process?
10. Was the hearing / complaint process fair? Explain your answer.
11. What are three things that the Department of Education could do to improve the hearing / complaint process?

Data Analysis

Survey results

Nominal data gathered through the survey were entered into a spreadsheet using a coding developed from the interview format. Appendix E presents the coding format developed for this study. The data were analyzed using cross tabulations and chi square analysis calculated by SPSS 7.5 for Windows (1996). Nominal data included, in part, marital status, ability to take time off from their work, ability to participate in school activities, how parents were informed of the due process system, assistance parents received, and other related activities. The chi square

analysis was appropriate given the small number in each group and the desire to determine if the variables were independent. Measures of association were used to indicate the degree of relationship between variables including the *phi* coefficient for 2 x 2 contingency tables and *Cramer's V* coefficient for larger contingency tables.

The survey questions concerning household income, years of residence within the community, years enrolled in school prior to initiation of due process generated interval or ratio data. *T*-tests for independent samples were used to analyze the interval data gathered through the structured interview.

Since a relatively small sample size was available for conducting this study, a *p* value of <0.05 was selected to determine significance.

Focus group

The results of the focus groups were analyzed through a sorting process to identify common themes, and a validation process to verify that the themes thus identified accurately reflected the responses. The responses that the focus group members selected as their single best response to each question had been written on the flip chart and verified by the facilitator as accurately reflecting their responses. The responses for each question were aggregated from all three focus groups and entered as a text file. The responses were printed onto a separate sheet for each question and reviewed by the researcher, the facilitator, and an independent third party who was a visiting assistant professor in educational administration. The visiting faculty member had prior experience as a building principal, was familiar with special education, and held a Ph.D. in educational administration. Each reviewer read all responses for each focus group question. Each reviewer next identified two to four themes that were expressed in the responses to each question. The themes identified by the three reviewers were again aggregated for each question and the researcher selected two to four common themes for each question that were representative of the responses from the focus group participants. A reliability check determined that there was 73% agreement between the themes identified by the reviewers and the common themes selected as representative of all the focus group participants.

Validity of the themes identified for each focus group was determined through a review by a special education administration doctoral student and a faculty member. Each reviewer was asked to indicate whether or not the theme reflected the majority of responses expressed by the focus group participants. This validity check determined that there was 92% agreement between the identified themes and the responses expressed by the focus group participants.