



THE WRIGHT WAY

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■ Quality special education services are intensive, individualized and expensive. Because parents want quality services for their children, parent-school conflict is normal, predictable . . . and inevitable. Educators believe they are “the experts” in educating children. Some educators and service providers feel threatened by strong, articulate parents who are active advocates for their children. How do schools deal with perceived threats? Some schools try to limit parents’ ability to advocate for their children.

The following will help you learn how to manage a crisis with the school. We describe typical parent-school crises that cause parents to seek outside help. You will learn that a crisis has two sides: danger and opportunity. We will describe how to avoid common pitfalls and provide strategies you can use to weather a crisis.

Crisis Management, Step-by-Step



Help! Events That Trigger

Here are common events that trigger crises and requests for help from parents. The school:

- Placed the child in a less desirable program, despite objections by the parents;
- Refused to change the child’s program and placement, despite recommendations from a private sector professional that the program is not appropriate;
- Refused to consider or include private sector test results and recommendations in the child’s IEP;
- Refused to provide accommodations and modifications so the child failed high-stakes tests;
- Decided the child does not have a learning disability, but is emotionally disturbed or mentally retarded, and unilaterally changed the child’s label and placement;
- Decided the child is not emotionally disturbed, but has a conduct disorder and is not eligible for special education services;
- Decided the child is not mentally retarded, but is a slow learner and is not eligible for special education services;
- Caused the child to be arrested at school and suspended or expelled the child for behavior that is related to the child’s disability;
- Sent the child home because they do not have an appropriate program and do not want the child in school;
- Insisted that inclusion means all special education services must be delivered in the classroom;
- Terminated the child from special education because the child did not benefit from the only program they offer;
- Terminated the child from special education after the child’s IQ scores dropped because there is no longer a severe discrepancy between the child’s ability and achievement scores;
- Refused to provide necessary services because these services are expensive or would establish a precedent.

Three factors increase the likelihood of a crisis:

1. The school makes a unilateral decision;
2. The school ignores information from others, including professionals and parents;
3. The decision or action may harm the child.

In a crisis, you will feel frightened, confused, guilty, angry and helpless. Your common sense and good judgment vanish. What should you do? During a crisis, your first response is likely to be a big mistake!

A crisis hits! What should you do? For the first few days, do nothing. You are feeling helpless and emotionally overwhelmed. If you believe you must do something, resist this urge!

If you are like most parents, you do not need an attorney. The key to resolving special disputes is preparation, preparation and more preparation. As a parent, your goals are to prevent problems when possible and to minimize the seriousness of those problems you cannot prevent.

Our Prevention Model of Special Education Advocacy is based on the "prepare for litigation" approach to civil litigation. Do you start a fight when you have no ammunition? No! Do you start a fight before you know where the high ground is? No! You do not start a fight until you have a good chance of prevailing.

••• Short-Term Solutions •••

Think. Regroup. Analyze the issues. Gather information. Locate the high ground. Think about how to solve the problem. Plan a strategy so you can take the hill and prevail without firing a shot.

Use your energy to prepare. Focus on short-term solutions and long-range planning. In a crisis, you need to:

••• Control Your Emotions •••

Keep your emotions under control! Do not obsess about unfairness. If you allow yourself to obsess about unfairness or revenge, you will make mistakes.

Be careful about revealing your feelings to school personnel. If you share your feelings, the school will perceive you as emotional, vulnerable and possibly unstable. If you discuss your personal problems, you are likely to appear to be more problem-ridden than you are.

Spend your time and energy thinking, planning and preparing. When you prepare, it is more difficult to make mistakes. Put your emotions in your backpack. Use your emotions as a source of energy to keep you moving, step-by-step, to high ground.

••• Remove Your Child from the Middle •••

Children who are embroiled in battles between their parents and their school are similar to children in custody battles. As they travel back and forth between the two sides, they are in the middle.

Many children assume that parent-school problems are their fault. You may explain the situation to your child but you should not allow or encourage the child to take sides.

LONG-TERM PLANNING

A crisis is an opportunity. The crisis forces you to face reality. You realize that you must take steps to change your child's educational situation. You need to do long-term planning.

✦ Begin a Program of Self-Study

You need to learn about the law, your child's disability, how your child learns, and how your child should be taught. Where do you begin? Join one or two special education organizations for one year. Immerse yourself in information about disabilities, educational remediation techniques, legal rights and responsibilities, and tactics and strategies.

✦ Join a Support or Study Group

Get help from other parents. Look for a support group or study group in your community. Members of the group will provide information, recommend experts, offer support and alleviate the sinking feeling that you are fighting this battle alone.

*To find a group that is right for you, read *Strategies to Find a Support or Study Group* at:*
<http://www.wrightslaw.com/info/advo.parent.group.htm>.

✦ Learn About Your Legal Rights and Responsibilities

You need to learn about your legal rights and responsibilities. Read and re-read the Individuals with Disabilities Education Act (IDEA). Use a highlighter. Attach sticky notes on those pages that relate to your child's situation.

There are dozens of good legal research sites on the Internet.

FindLaw is an encyclopedic law site with resources for legal professionals, students, businesses, and the public.
www.findlaw.com/

The Legal Information Institute (LII) from the Cornell Law School includes decisions by topic, journal articles, other resources. www.law.cornell.edu/

Wrightslaw is a special education law and advocacy site.
www.wrightslaw.com

✦ Learn About Special Education

You need accurate information about your child's disability, how the disability affects your child, and about appropriate educational and remediation techniques. The groups listed in the Directory of Disabilities Organizations and Information Groups are an invaluable source of information.

For the websites of national disabilities organizations and information groups, go to:
<http://www.yellowpagesforkids.com/help/dis.orgs.htm>.

THE WRIGHT WAY



The National Dissemination Center for Children with Disabilities (NICHCY) provides information about disabilities; programs and services; IDEA, the nation's special education law; No Child Left Behind, the nation's general education law; and research-based information on effective practices for children with disabilities. <http://www.nichcy.org/>

••• Get Legal and Advocacy Information From Your State •••

Contact the Special Education Division of your State Department of Education. Ask for a copy of your state special education laws, regulations, and guidelines. Request all material about special education, IEPs, and Section 504 programs.

To find your State's website, check the Directory of State Departments of Education: www.yellowpagesforkids.com/help/seas.htm

Your state has an independently operated and funded Protection and Advocacy Office. Their mission is to provide legal and advocacy services to people with disabilities. Some chapters offer special education training programs. Request all publications about special education, IEPs, and parent rights and responsibilities from your state P & A office.

For a list of Protection and Advocacy agencies by state, go to the website for the National Disability Rights Network: <http://www.napas.org>.

Contact your state Parent Information and Training Center. These centers help families obtain appropriate special education services for their children with disabilities, provide training and information to parents and professionals, help resolve family-school problems, and connect children with disabilities with community resources.

For a list of state Parent Information and Training

Centers with contact information, check the Directory of Parent Training Centers: www.yellowpagesforkids.com/help/ptis.htm

••• Request Your Child's Records •••

Request a complete copy of your child's cumulative and confidential files from your child's school and from the administrative office where the special education department is located. Request a copy of your child's records from all agencies and individuals that may have information about your child.

••• Get a Comprehensive Evaluation •••

Get a comprehensive evaluation of your child from an independent expert in the private sector. The purpose of this evaluation is to identify your child's problems and develop a plan to address these problems. Before you can make wise decisions about your child's special education program, you need accurate diagnostic information about the child's disability, strengths, weaknesses and needs.

At this point, many parents say, "But the school is supposed to test my child," or "I want an independent evaluation and I want them to pay for it!"

If the school arranges and pays for an independent evaluation, you should expect this evaluation to support the school's position. You need accurate diagnostic information about your child's problems from an evaluator who is independent of the school district. With this information, you will be able to develop solutions to problems.

You are likely to have to pay for this evaluation. View the evaluation as an investment in your child's future. A comprehensive evaluation will give you a roadmap for the future.

Tip: Many universities have child development clinics and education and psychology departments that will evaluate your child at low or no cost.

••• Examine Your Beliefs •••

Examine your beliefs about your child and your child's disability. Do you feel sorry for your child? Do you feel guilty about your child's problems? When you tried to protect your child from painful experiences, did you become over-protective? Will pity, guilt, and over-protectiveness help your child grow up into an emotionally healthy adult?

If your child has a disability, your child learns differently. Your child must be taught differently. When your child is taught correctly, your child can and will learn. Conditions that are disabilities in large classroom environments often have powerful, corresponding strengths. When the child learns to channel these qualities, they can be assets. ☒