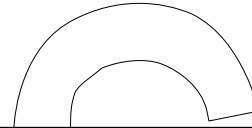
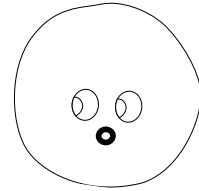


# Are the Services Coordinated by Stakeholders? An Attorney Who Is a Parent Provides Insight as to How to Work Collaboratively with Parents Even When a Parent May Be Challenging

Strategies for effective collaboration among parents and professionals



## Meeting Program

### Using Storytelling:

- Perspectives From an Attorney Who Is Also a Parent
- Who are the Stakeholders and IEP Outcomes
- Statistics and Real-Life Examples for Parents of Children with Disabilities
- Practical Tools for Partnership, Even with Challenging Parents



# Perspectives From an Attorney Who Is Also a Parent



## Unique Insights Gained From Three Seats at the ARD Table

### Special Education Teacher

My special education teaching career began in August of 2007. It concluded at the end of the 2015-2016 school year so that I could complete my 3L year of law school.

### Parent-Side Special Education Attorney

After graduating from law school and passing the bar in 2017, I began representing parents in special education matters.

### Mother of Two Extraordinary Human beings.

Almost five years ago I had my first of two children, and when my eldest son was 11 months I began to suspect and was correct that he had autism and a speech impairment.



## Storytelling

### Our Story for Context

Although I began to suspect much earlier, our official diagnosis came in January 2023 when he was 17 months old. Nothing in my adult life prepared me for diagnosis.

My son is perfect. The World is not.

In those early days, at times worry overtook me so completely it felt like a lifetime of fear compressed into minutes.

- Emotional and mental isolation
- Feeling the need to apologize or explain
- Avoiding some social situations
- Increased guilt and worry
- Excessive planning



## Ordinary experiences become completely unfamiliar.

### Accepting diagnosis:

It took my three months to tell our extended family about his diagnosis. Despite having a loving family, I needed the time to process.

### A very short list of ways that life changed:

- Grocery store visits
- Going to the Park
- Christmas and family gathers
- Insurance deductibles (we hit ours in mid-January every year)

# Who are the Stakeholders and IEP Outcomes



## Defining Stakeholders in Child-Centered Services

### IEP Compliance

The Fifth Circuit evaluates whether an IEP complies with the IDEA using a four-factor test established in *Michael F. (Cypress-Fairbanks Indep. Sch. Dist. v. Michael F., 118 F.3d 245, 252 (5th Cir. 1997))*

### Factor 3

(3) The services are provided in a coordinated and collaborative manner by the key "stakeholders."

### "Stakeholder"

There are two categories of IEP/ARDC members: mandatory and discretionary (34 CFR 300.321(a)).

#### Mandatory:

- Parents of the child
- One general education teacher
- One special education teacher
- A district representative \*\*
- An individual who can interpret evaluation results

## Procedures and Processes: meeting deadlines and following procedure are required but also build trust.

### Procedures for the development of the IEP

- Must be developed by the ARD/IEP Team. (34 CFR 300.324)
- Must be in place at the beginning of the school year (34 CFR 300.323(a))
- Must be in place within 30 days of the determination that a student has a disability (34 CFR 300.323(c)).

### IEP Document Must Include:

- A statement of the child's present levels of academic achievement.
- A statement of measurable annual goals, including academic and functional goals.
- A description of how the child's progress toward meeting the annual goals will be measured.
- A statement of the special education and related services and supplementary aids and services to be provided to the child.
- An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the extracurricular or other nonacademic activities.
- A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on statewide and districtwide assessments.
- The projected date for the beginning of the services and modifications along with the anticipated frequency, location, and duration of those services and modifications.
- Appropriate, measurable postsecondary goals and the services needed to reach those goals.
- Not later than one year before the child reaches the age of majority under state law, a statement that the child has been informed of the child's rights under the IDEA with regard to the rights of the child in reaching the age of majority. (34 CFR 300.320)



## IEP Outcomes



### Andrew F.

- The Supreme Court's decision in *Andrew F. v. Douglas County School District RE-1* (2017), established the standard that IEPs should meet, and that is **that a district must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child's unique circumstances.**



# Understanding Parents of Children with Special Needs is a Critical First step to Collaboration



## Statistics and Real-Life Examples

### Statistical Representations of the Impacts:

Parents of Children with Autism experience a higher rate of divorce - not 80%, but at an increased rate as compared to those who do not have a child with Autism.

Some studies indicate that a range of between 18.6 to 50% of mothers with children with Autism report symptoms consistent with post-traumatic stress disorder (PTSD).



## Being the Parent of a Child with Special Needs

### Parental Lived Experience

By the time a Parent gets to the ARD Committee table, they may have experienced:

- dealing with insurance company denials of claims for life-saving procedures or necessary therapies
- misunderstandings and hurtful advice from family and friends and acquaintances
- lack of available services due to financial situations or geographic locations
- jobs that are not understanding/job loss related to caring for their child
- --Rare Genetic Condition vs. Autism



## Build Trust on Day One

### Every Interaction is an Opportunity to Build Trust

Parents are trusting you with their precious, and often vulnerable, child.

- Be authentic
- Follow-through
- Show respect
- Build healthy boundaries
- Establish a culture of inclusivity and professionalism

# Practical Tools for Partnership, Even with Challenging Parents



## Building Trust and Special Education

### Meaningful Parental Participation

"Participation must be more than mere form; it must be meaningful." *Deal v. Hamilton County Bd. of Educ.*, (6th Cir. 2004), 546 U.S. 936 (2005).

- *Being present and speaking is not sufficient for meaningful parental participation*

### Examples of Meaningful Parental Participation

- Considering parents' suggestions and, to the extent appropriate, incorporating them into the IEP
- Considering any independent educational evaluations, discussing placement options, and answering parents' questions.

## “Curious Communication”



Educators know how to communicate, but not all communication is created equally.

### “Curious Communication”

--The reading goal.

#### Practical Application of “Curious Communication”:

- Ask the hard, and emotionally-based, questions
- Actively Listen
- Address their specific concerns with specific responses
- Answer honestly, even if the answer is “I don’t know, but I will find out.”



## Effective Collaboration starts with Education



### You don’t know, what you don’t know

--Give them the tools to understand.

#### Educating Parents with appropriate tools

- Parents need to understand as much of the process as possible.
- The ARD Guides and Notice of Procedural Safeguards (NOPS)
- An acronym dictionary
- Explaining a curriculum structure
- Providing rubrics or examples of how an IEP coding will convey mastery.
- Get into the weeds with them so that they can duplicate results at home and know that their child is progressing.





## More Than the Positivity Sandwich

One positive comment can make a huge difference

--The assembly

### Present Levels of Academic Achievement and Functional Performance

A well-written PLAAFP is extremely important in building trust with parents. It tells them that you know their child.

A PLAAFP that is full of negativity conveys a very specific message.

--As a parent, I know the quality of a provider based on how they talk about my child.

## Conclusion: Practical Tools for Partnership, Even with Challenging Parents

### Curious Communication

Truly understand their concerns and offer specific responses.

### Educate Parents

Provide Parents with the knowledge they need to fully participate and know whether their child is progressing.

### Go beyond the Positivity Sandwich

Convey real knowledge and understanding of their child.

