

Ask the Advocate... by Desiree Vandelac

Why Do Schools Draw Lines in the Sand? Different Perspectives, Power Struggles, Threats, and Advocacy Strategies - by Pat Howey*

Parent: We should be able to trust the system to do what's right for our kids.

Pat: In theory, this sounds good. But when you are dealing with a child with disabilities, there will always be disagreements. You simply will not get agreement from the number of participants who are required to attend these meetings.

Schools are in the decision-making process for the short-term. As a parent, you are in it for the long-term.

Eventually, your child will leave the public school system. If your child does not receive an appropriate education, will the teacher, the school principal or director of special education come to his home to help him balance his checkbook?

Of course not. This is the parents' responsibility.

It is the parents (and society-at-large) who are ultimately responsible for students with disabilities who cannot achieve a level of independence. So parents have a great vested interest.

Parents and Schools: Different Perspectives

Parents and schools invariably look at the child's education from vastly different perspectives. Schools are only required to develop goals and objectives (or benchmarks) for a twelve month period. As parents, we need to look at where we want our children (disabled or not) to be at the end of their public education.

Parent: I don't see why the school has to draw lines in the sand.

Pat: There is nothing wrong with disagreement. Problems come from the manner in which disagreements are handled. I have learned that there are better ways to obtain positive results than to roar through meetings in a Mack Truck.

When Disagreements Turn Into Power Struggles

Many disagreements turn into power struggles. Power struggles do not make winners look good. (For those who think I don't know what I'm talking about, review *Howey v. Tippecanoe School Corporation*. I am Mrs. Howey).

Had I understood this earlier, it might have made a difference between the \$20,000 in attorney's fees we received and the \$50,000 we were attempting to get.

The Law Gives Parents Power – Use Your Power Wisely

Parents need to understand that the law gives them power to use in educational decisions for their children. Parents should not be afraid to use their power.

True advocacy is about improving the lives of children, and ensuring that they become independent, productive, taxpaying citizens who belong to the community in which they live.

Parent: I'm tired of being jerked around so I said I was bringing an attorney to the meeting, I don't have legal representation. Their response surprised me.

Pat: It's dangerous to make threats. What if you can't find representation? The school will decide that you make empty threats. In the future, you may find yourself backed into a corner because you "trained" the school to not believe you.

Parent: I hate going to IEP meetings. The team interrupts me, talks over me, and are not willing to respond to my questions and comments.

Pat: When this happens, it's because parents don't know how to take control of the situation. Parents need to use subtle psychological strategies to empower themselves and make the school members of the team respect their positions.

First, when you go to a team meeting, get there early. Sit on the right side of the person with the most power. (Often, the person with the pen, but not always). An added advantage to this is that you can often read notes that are being written, while they are being written.

Act like an equal team member! Don't fall for the old divide and conquer trick of "us v. them" positions.

If things are going too fast, tell the chairperson that you can't keep up. Ask them to slow down so that you can take better notes. Make this request as many times as is necessary until they comply with your request to slow down. (Most people will give in to a request after is repeated about three times.)

Be persistent. With some school people, you have to repeat your request several times. Pretend that they are your children. You know how many times you have to tell your children to do something, or stop doing something, before they comply!

The Power of Your Written Follow-up Letter

If the team refuses to slow down, document this in your written follow-up letter.

Your follow-up letter is more important than the notes you keep. Your follow-up letter documents any disagreements, procedural

errors, untruths, misstatements – all the things that never make it into the summary of the meeting.

Keep your report factual, not emotional. Do not attack people.

For example, assume you are told, "If you don't like it, then take it to a hearing."

You might write something like this:

Written Opinion

Team Meeting

(DATE)

(Child's Name)

I requested an independent educational evaluation. I was told this would not be provided and that I could request a due process hearing if I did not agree.

Sign it.

Keep a copy for your own records.



Ask the Advocate

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You'll find that your written report is very powerful. It will become part of your child's educational record. The school can never say that it did not happen because you documented it.

Meet Pat Howey

Pat Howey is an advocate who has helped parents obtain special education services for their children with disabilities since 1986. She also helps parents resolve special education disputes with their school districts.

Pat has a B.A. in Paralegal Studies from Saint Mary-of-the-Woods College where she graduated with honors. She is an active member of the [Council of Parent Attorneys and Advocates \(COPAA\)](#).

As a member of the [Wrightslaw Speakers Bureau](#), Pat Howey provides training for parents, educators, and others who want to ensure that children receive quality special education services.

"We were delighted to have Ms. Howey share her education advocacy skills - the support of leaders and advocates like Ms. Howey make our program a success. Thank you!" - Florida PIP Coordinator

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"Changing the world, one child at a time."

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Desiree Vandelac is a Special Education Advocate and Legal Assistant for the Law Offices of Louise Bouzari, and mother of an Asperger's child.

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Local Legislation to Watch

Legislation currently under review by ASBC—partial list

Healthcare

HB 1043: Federal Authorization for Telemedicine, Sponsors - Todd/Tochtrop

HB 1021: Medication Management, Sponsors- Frangas/Keller

HB 1022: Rural Health Care Needs, Sponsors - Butcher

Mental Health

HB 1089: Provider Report Cards - Stafford/Johnson

SB 36: Mandatory Coverage - Keller/Stafford—**ASBC Endorses**

Safety

HB 1064: Tracking Technology, Sponsors - V. Mitchell/Sandoval

HB 1005: Missing Person Alert Program, Sponsors - Soper

HB 1044: Safety Protective Services for At-Risk Adults, Sponsors - McFadyen/Williams

Juvenile Justice

HB 1058: MH Process, Sponsors - Solano/Takis

HB 1057: Family Advocate Program, Sponsors - Stafford/Windels

HB 1129: Restorative Justice Programs — **ASBC Endorses**

Support

SB 4: Part C Coordinated Payment System, Sponsors - Shaffer/Todd **ASBC Endorses**

SB 97: Tobacco Settlement Monies Allocation: Autism Waiver funded through this measure, Sponsors Madden & Fitz Gerald—**ASBC Endorses**

Criminal Justice

SB 3: Competency Evaluation Board, Sponsors - Kester/Jahn