Focusing on Student Achievement and Success

Beyond Compliance Toward Improvement

By James A. Tucker, Ph.D., McKee Chair of Excellence in Learning, University of Tennessee at Chattanooga

For decades, we have been working steadily toward realizing a dream—that all students, regardless of their special challenges, receive a free and appropriate education. We created Title I programs to accommodate students who are economically disadvantaged. We created bilingual education programs to accommodate students who are challenged simply because their primary home language is different from English. And we created "special education" to provide for the unique instructional needs of students with disabilities. All of this was supported by what was known as the Effective Schools Movement (Mace-Matlock 1987; Goodman 1985).

Focusing on the effective education of students with disabilities, how are we doing? What are the obstacles that remain to be overcome? I posed this question to some of the men and women with whom I have worked since 1971, the year I began my special education/school psychology career. In response, my colleagues raised a number of points. But they generally agreed that one issue has increased in size and consequence and represents the most compelling challenge to achieving the dream. That issue is the compliance process—the set of procedural requirements necessary to assure state and federal authorities that we are appropriately using the funds allocated for the education of students with disabilities.

Accountability is important; indeed, it is critical to the full implementation of the laws our nation has enacted on behalf of each school-age citizen. We are accountable to students and their families as well as to the taxpayers. That said, is it possible that a system of accountability procedures can become self-defeating? To answer that question, allow me to recount a bit of our special education heritage and recall a specific set of factors that may not only inform us but give us direction for the present.

Unintended Consequences

In 1975, as we began to implement Public Law 94-142, the Education for All Handicapped Children Act, resources seemed unlimited, and the means of obtaining them were relatively simple. Services began to flow immediately. But it did not take long for a disturbing set of unanticipated conditions to emerge. With a new set of services available, the number of students who were thought to need these services began to increase almost exponentially. In the name of "child find," the term that was used to describe our active search for students with disabilities who were either not in school or whose needs were not being met adequately, we "found" more apparently eligible students than we expected. This increase, coupled with the funding cap imposed by the federal government, created a crisis of service delivery that demanded explanation and resolution. One result was a steady increase in the compliance requirements that were imposed on state departments of education, and hence on local school systems. Another result was a formal discussion of the situation at the national level.

In 1981, the first in a series of Wingspread Conferences on special

The Special EDge

Informing and supporting parents, educators, and other service providers on special education topics, focusing on research-based practices, legislation, technical support, and current resources

Fred Balcom
California Department of Education
Special Education Division

"Beyond Compliance Toward Improvement," the cover article for this issue of *The Special EDge*, offers a framework for thinking about how we can improve services and outcomes for students with disabilities. Jim Tucker's thought-provoking piece provides some background for where we've been, describes where we are, and—more importantly—suggests directions for the future. The rest of this issue explores specific ways to realize this future vision.

The Special Education Division devotes most of its resources to ensuring compliance with federal and state law. Many districts find themselves spending large sums of money on attorney fees as they are variously challenged over issues regarding legally mandated procedural compliance. We are left with very few resources for focusing on the very things that we all believe matter most: improving instruction, increasing participation in general education, and providing all students with the opportunity to develop the skills and knowledge they need to lead meaningful, productive lives.

The ability to address procedural violations and to access due process procedures is vital to ensuring special education rights. However, it is equally important to remember two things: not every procedural violation results in a denial of a free appropriate public education, and the end game of due process always leaves someone winning and someone losing, with no one completely satisfied.

Since the mid-seventies, students with disabilities have been receiving special education services. Since then, the methods for ensuring compliance with the law have been in effect and have been enforced. Yet the overall results for students with disabilities show little improvement. Clearly, we must improve how we work together—as parents, teachers, and administrators—and focus on constructively resolving our differences in a way that allows us to focus our best energies and the bulk of our resources on securing positive outcomes for our students.

Alternative dispute resolution processes (ADR) suggest constructive approaches to resolving conflict without focusing solely on procedural issues, and ADR leaves all parties with some mutually satisfactory resolution of the issues. We are examining ways to expand the use of ADR in California, which would allow us to move towards improving student outcomes while maintaining compliance with federal and state law—all without exhausting resources that are already lean.

As we look to the future, we know that both the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA) are due for reauthorization. In these pieces of legislation we expect to see a greater emphasis on special education within the context of general education. We must remember that all students are general education students first. The supplementary aids and services in specially designed instruction are provided to improve student outcomes within the context of general education. One way to secure a seamless blending of services is through universal design for learning, which allows a student's instructional needs to be met within a common format and firmly positions special education within a universally accepted principle for all students—making special education not so "special." We anticipate a focus on universal design for learning in the reauthorization of both ESEA and IDEA and look forward to supporting any effort that makes it more possible for all students—regardless of their disability or their challenges with the English language or their lack of an enriched early childhood environment—to succeed.

Solving Problems and Resolving Conflict: Another Way

Over the past thirty years, parents and schools have collectively spent millions of dollars in court trying to resolve special education disputes. The Individuals with Disabilities Education Act (IDEA), however, recognizes formal legal proceedings as the option of last resort. The law requires that two other methods for resolving disagreements be available as intermediate steps between formally filing a complaint with the Office of Administrative Hearings (OAH) and setting a court date: a resolution session and formal mediation.[1] School districts conduct resolution sessions; and, in California, OAH manages the formal mediation process and ultimately hears cases in a manner similar to civil court trials.

In its reauthorization in 2004, IDEA encouraged additional, less formal approaches to resolving differences between parents and schools. These approaches are what constitute ADR: alternative dispute resolution. While not an IDEA mandate and therefore not subject to compliance procedures, ADR is a very good idea. In fact, many states have voluntarily chosen to entertain the benefits of going beyond strict compliance, and they are adopting various alternative and informal mechanisms for resolving disagreements about special education services. These states "appear to be using ADR with promising results."[2]

Judith Kopec, presiding administrative law judge at OAH, has participated directly and indirectly in both mandated and voluntary dispute resolution, and she has seen the cost—both emotional and financial. As a result, she has become "a firm believer and advocate in participating in any alternative form of dispute resolution. When you get through anger and lack of trust," she says, "you really find that the parties are not that far apart in what they want for the child." ADR encompasses numerous ways to work through strong feelings, establish trust, and focus on what is best for each student—all without having to go to court or even to leave a school district. Here's how it's working nationally and in California.

Formal Complaints

The **formal complaints** filed with OAH involve disagreements over due process for students in special education, specifically disagreements between parents or guardians and a school district about assessment, identification, or placement of a student with disabilities. These disputes are different from **compliance complaints**, which allege that there has been a violation of state or federal requirements regarding the education of a student with a disability. A compliance complaint might allege, for example, that a school is not fulfilling the terms of a child's IEP.

See also the insert to this issue of *The Special EDge*, which features a profile of the Procedural Safeguards Referral Service, the entry point for compliance complaints within the California Department of Education's Special Education Division.

The National Perspective

According to Marshall Peter, Director of the National Center on Dispute Resolution in Special Education (CADRE), "Over the last decade there has been a major national investment in developing ADR options and equipping people with the ability to settle disagreements before a conflict blows up. It often involves training school staff to conduct better IEP meetings and training people who can come into IEP meetings and help the process get unstuck, working so that everyone can agree to a program for the student."

Peter confirms that the growing use of ADR is yielding positive results. "Nationally there has been a reduction in the number of due process[3] complaints being filed and hearings being held." He is particularly enthusiastic about the role that parent training and information centers[4] are playing

1. For information about the differences between resolution sessions and mediation, download *www.cde.ca.gov/sp/se/qa/documents/pseng.doc* or go to *www.dredf.org/special_education/dueprocess.pdf.*

2. IDEA "provides for several distinct dispute resolution processes including mediation, filing of a due process complaint, which may lead to a resolution meeting and/or an impartial due process hearing, and civil action [P.L. 108-446 §615(e)(i)]. IDEA regulations also specify procedures for filing a state written complaint against an education agency by an individual or organization [34 CFR §§300.151 through 300.153]." From *Optional IDEA Alternative Dispute Resolution,* found at *www.projectforum.org/docs/OptionalIDEAAlternativeDisputeResolution.pdf.*

3. Due process refers to the formal complaint procedures that IDEA has established to help parents and schools find agreement when members of a student's IEP team (parents, teachers, school administrators, services providers, etc.) disagree over the contents or implementation of the IEP.

4. Download a complete and updated directory of parent centers in California at *www.calstat.org/specialEdgeOld.html* (scroll down to Winter/Spring 2009 Special Insert).

in this trend. These sources of support are "providing school staff and parents with the skills they need to help them sit down when there is a disagreement and work things through. Oftentimes both parents and educators misunderstand what the law requires of the schools. These centers offer training so that misunderstandings can be avoided and time not wasted in misplaced expectations." Peter believes that increasing the number of people with training in collaboration and facilitation has resulted in a net "decline in the demand for and use of adversarial procedures" and ultimately justifies "the increased investment in early dispute resolution options."

This promising outlook, however, is tempered by the current financial challenges that face so many states. "Money has become an issue," says Peter. "I've been working in dispute resolution and advocacy for 34 years. The fiscal challenges that states, counties, and schools are facing are unprecedented and significantly challenge the capacity of schools to deliver services." Because ADR "can help to avert due process hearings and lessen the need for the engagement of attorneys," he says," it is my hope that people will see ADR as an investment that will more than pay for itself. How financial problems will affect demand and the capacity to prevent and capably respond to conflict remains to be seen."

What may not be so uncertain is how the next reauthorization of IDEA addresses ADR. Peter believes the law will continue to encourage dispute resolution strategies at the local level. "For a long time, Congress has been interested in encouraging early resolution meetings. I believe that interest will continue and that there could be additional emphasis on processes that create opportunities [for parents and schools] to work things out." Peter expects to see some clarification and simplification of timelines related to due process in the new law, as well, but "my hope is that things do not get too codified. It's important for people to have maximum flexibility and encouragement to work together in creative ways to solve problems."

The CADRE Web site (*www.directionservice.org/cadre*) features numerous sets of training materials for developing the skills that Peter believes both parents and teachers need in order to engage in constructive dialogue, find common ground, and resolve conflict—regardless of what the problem is or where it occurs.

ADR in California

Numerous Special Education Local Plan Areas (SELPAs) across the state have been working for more than a decade to develop local, alternative approaches to resolving disputes while maintaining working relationships between parents and school staff. Although these approaches take on the flavor of the individual regions, they all seem to work with a three-pronged focus that involves training school staff, providing school staff and parents with intermediary support to address potential conflict, and helping parents gain knowledge and parity.

Training School Staff

Training related to ADR generally focuses on helping general education administrators and staff learn about special education and stay current on legal requirements. In many California SELPAs, everyone involved in IEP meetings also receives training on how to facilitate potentially contentious situations and find common ground. These facilitation skills usually revolve around the kinds of communication strategies that Marshall Peter promotes—those that help one person better understand the position of another. According to Jill Heuer, SELPA director in San Luis Obispo County, "The important thing is that everyone be heard, that trust be established, and that everyone gets a chance to speak honestly so that everyone can focus on the student."

Providing Supporting Structures

The second ADR strategy involves developing a SELPA's internal structure for addressing and mitigating conflict. Mt. Diablo, Solano County, and San Luis Obispo County SELPAs all have facilitators who are neutral third parties trained to help an IEP meeting if a prior one was contentious or if an IEP team member anticipates a problem. Mt. Diablo SELPA also has an individual who serves as an "ADR Administrator," who, according to SELPA director Mildred Browne, supports parents and staff in "setting up local mediations long before parents resort to filing a formal complaint." The ADR administrator is also "part of our first-aid meetings," says Browne, where special education staff, parent liaisons, and school principals sit down to talk about potentially

"hot cases" that could be heading for due process. Together the members of this team strategize about how to keep the situation from escalating. "Before a case becomes even warm," says Browne, "people know they can get help. We involve school site principals, teachers, case managers. Everyone does everything possible to resolve conflict at the local level."

One SELPA in Solano County employs a dispute resolution intake coordinator who takes calls from anyone in the area. This SELPA's response is similar to Mt. Diablo's: "When there is a dispute, we sit down and meet with the district having difficulty, and we brainstorm solutions," says Solano SELPA director Sam Neustadt.

Supporting Parents

The third ADR strategy involves helping parents: giving them information about their child's legal and educational rights, offering training in advocacy, and making available peer-to-peer support. "We work to empower parents," says Neustadt. "We know that parents often 'lawyer up' because of a perceived differential in power. They often don't feel that it's a level playing field." His Solano SELPA offers parent academies every year, where parents can learn about special education law. These free events are scheduled on Saturdays and include such sessions as "Beyond Grief," "Special Education 101," and "Behavior Basics, De-escalation," as well as opportunities to network with other parents and learn about resources.

This SELPA also supports parents by providing a child advocate,[5] who is contracted through a local parent training and information center. The advocate takes referrals directly from the ADR intake coordinator, contacts the family that has a disagreement with a school, and provides family members with information about their legal rights and procedural safeguards.

The Mt. Diablo SELPA directly supports parents by providing a parent liaison who knows the law and "makes sure we're providing FAPE," says

Browne. This liaison "walks a tight-rope," according to Browne, "between being responsive to parents and being mindful of the needs of the district—although she leans toward the parents first." The advocate also trains parents to provide support to other parents and "she works with our preschools and provides assessment information. We've had a parent liaison for 11 years," says Browne, "and the results of her efforts in avoiding due process have paid [the salary for the position] over and over again."

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Special Education Rights

The special education rights of parents and children include a "free appropriate public education" (FAPE), determined through appropriate evaluation, provided in the "least restrictive environment" (LRE), and guided by an individualized education program (IEP) that includes parents as active participants and decision makers. For specific information about these rights, go to *www.cde.ca.gov/sp/se/qa/documents/pseng.pdf*.

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Focusing on the Student

Throughout all of the ADR approaches in these SELPAs, there is a singular focus: the child. Browne asks angry parents, "What does your child need?" This one question seems to re-set the tempers of parents and teachers alike and dissipate any anger. In San Luis Obispo, "We bring a picture of the child to IEP meetings," says Heuer, "so we all remember why we are there. Also, through the Tri-Counties Regional Center we have had training in person-centered thinking, and we're working to develop the one-person profile, which helps to keep the focus on the child."

The Financial Picture

In general, SELPA directors regularly echo Marshall Peter's concerns about finances, and they wish more money were available for ADR in financially strapped California. But the

commitment to ADR remains, and for good reason. In Heuer's experience, "We have had so many IEP meetings that are resolved positively with relationships restored. It's impossible to know what cost we have averted by keeping lawyers out of the mix, but we have to think that we have saved a lot." Neustadt speaks for many SELPA directors when voices his commitment to avoiding and resolving disputes in order "to steer every dollar we have to appropriate services for kids and as little as possible to expensive disputes that always come at the expense of relationships. If we can save one case from going to due process, we've earned the money back that we spend on ADR services."

This claim may be something of an understatement. Perry Zirkel, a leading scholar in special education law at Lehigh University, writes about a special education litigation case that cost "over $20,000 just for the stenographer." If the average hearing takes between five and six days, and the average lawyer in California charges $300 an hour, these SELPA directors make a strong case for advising other school districts and SELPAs to "spend a little to save a lot." If, through ADR efforts, each of California's 119 SELPAs can stop one due process case from going to court, the state has easily saved millions of dollars. Spending a little to save a lot does not just sound like a good idea. Reasonably considered, it sounds like the only idea. ◆

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5. A special education advocate works on behalf of children with disabilities (and their parents). Ideally, an advocate knows special education and the applicable federal and state laws, informs parents of their child's educational rights, and assists families in negotiating and resolving conflicts with school districts to secure appropriate educational services for children. Advocates most commonly work with schools and families at the district level. When a difficulty is brought to OAH, parties involved most commonly employ trained mediators or lawyers.

education was convened. The purpose of that initial conference was to discuss what were euphemistically referred to as unintended results. Why, for example, when we sought students with unmet educational needs, did we end up with such a large and growing number in a previously unrecognized category called "learning disabilities"? And how would the system cope with these results? At the conference, in response to such questions, three of the world's leading special education policy analysts, Maynard Reynolds, John Brandl, and William Copeland (1983) put forward a summary statement citing factors that "influence how a large service system actually works and why it produces unintended consequences." According to these analysts, "service is performed where the money is, regardless of whether the rhetoric says the service should be performed somewhere else." Further, "when service personnel are faced with the choice of documenting compliance (as a condition of funding) or providing the services defined by the rhetoric of the system, they will document compliance first." Do our special education programs suffer from the continuing reality of such factors? Is it possible that, with the best of intentions, we have created such an intense requirement for accountability that by fulfilling it we have begun to erode our ability to provide the services that were originally intended?

In 1991, I was invited to speak at the Annual Education Conference of the California School Boards Association in San Francisco. In that presentation I recounted the history of special education and concluded with the following statement:

"So let's start with what we know. And when we are implementing what we already know that works, we will learn other things that work even better. I am convinced that we have not carefully considered the basis for some of our traditional practices in special education, and consequently, with the best of intentions, we have actually contributed to the problem that we sought to alleviate." (Tucker 1991)

The final three decades of the twentieth century were an exciting time for education in America, a time during which we learned a great deal. We saw landmark legislation, a number of legislative clarifications, and a number of class-action court cases that settled some outstanding issues. But with each clarification and resolution came added accountability that resulted in a new form of unintended results—the high cost of system accountability.

We can, whenever and wherever we choose, successfully teach all children.

Current Reality

Maintaining state- and federally approved programs for students with disabilities requires the expertise of professionals to document and certify compliance for the individual student, the individual school site, the individual school district, and the individual state. Ever-decreasing funds available for program delivery are used in ever-increasing amounts to demonstrate the compliance that makes the funds available. In the process, our accountability to the individual students with disabilities and their families has been compromised, at least to some extent.

Every person in the world needs an education that is special—an education that is specially designed to meet his or her specific needs. By the unfortunate acts of history, we have conceptually limited special consideration of the individual student to those with disabilities. But all students occasionally need a very low student-teacher ratio—in driver education, say, or for music lessons, detention, or academic assistance after school. Being a "slow" student who is unable to keep up with the "rest of the class" because the pace of instruction is too fast neither makes the student "handicapped" nor makes the tutoring that he or she needs "special." Routine instruction provided at a slower pace, at a lower level of content, or at a lower student-to-teacher ratio is not in and of itself "special"; it is only more intensive.

We must describe more specifically what we have traditionally called "special education." I'm not so presumptuous as to assume that we could change the definition of special education. In fact, I am on record as having lauded the current definition (Tucker, 2002). The problem is that we have not implemented the provisions of that definition—"specially designed instruction . . . to meet the unique needs of a student with a disability" (Individuals with Disabilities Education Act, Section 1401(a)(16)). What I believe can be presumed, however, is that a fresh set of descriptors is needed for the education of students with disabilities.

There is no question, for example, that specially designed instruction for students with disabilities includes such educational supports as training in the use of assistive devices, orientation and mobility training, Braille training, signing, and all other instructional supports deemed necessary by the nature of the disability. What are not appropriately included under current special-education legislation, however, are specially designed instructional interventions that may be needed by a student not because of a disability but because they are basic instructional supports that would be needed by any student.

Fresh Descriptors for All

The good news is that conceptual frameworks to implement appropriate instruction for all students, including those with disabilities, already are being developed and are well along in implementation. For

example, under the dynamic rubric of "universal design" (Rose and Meyer 2002), education is moving toward an approach in which each student's instructional needs are met within a common format, thus reducing and in some cases even eliminating the need to set apart as "special" an instructional strategy that is simply part of the standard continuum. When we add the adoption of Common Core Standards (California Department of Education, 2010), we now have the possibility that the objectives for each individual student will not only be addressed within a single system of delivery but also be addressed with individual accountability.

To move in the direction suggested by universal design and the Common Core Standards requires little if any change in current law and policy. Indeed, it has been within these kinds of initiatives that we now have such effective instructional innovations as differentiated instruction (Tomlinson and McTighe 2006) and response to intervention (Jimerson, Burns, and VanDerHeyden 2007)—strategies and approaches that address the unique needs of all students, including those with disabilities. Here again, these supports can prevent the need to implement something "special," and any time we successfully provide prevention strategies, we reduce some of the need to monitor for compliance.

These movements are not only in harmony with current research-based theory and practice; they take us back to the historic roots of special education, when, through the use of such terms as "zero-reject" and "mainstreaming," we envisaged effective schools that would provide for the unique instructional needs of all students. The effective schools movement saw educators and policymakers working together to produce an educational delivery system within which every child in America could reach his or her maximum potential. For more than 30 years we have been inspired by the words of Ronald R. Edmonds, the spokesperson for that movement:

"It seems to me, therefore, that what is left of this discussion are three declarative statements: (a) We can, whenever and wherever we choose, successfully teach all children whose schooling is of interest to us; (b) We already know more than we need to do that; and (c) Whether or not we do it must finally depend on how we feel about the fact that we haven't so far." (Edmonds 1979, p. 23)

What are we waiting for? Can we break free of the constraints imposed by those factors that seem to force us to spend limited resources on a proliferation of compliance processing at the expense of providing the service that our now legislated vision promises? ◆

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Common Core Standards

The Common Core State Standards grew out of an initiative led by states across the country and coordinated by the National Governors Association Center for Best Practices and the Council of Chief State School Officers. Adopted in California in August 2010, these standards are aligned with college and work expectations; are clear, understandable and consistent; include rigorous content and the application of knowledge through high-order skills; build upon strengths and lessons of current state standards; are informed by other top-performing countries so that all students are prepared to succeed in our global economy and society; and are evidence-based. Consistent standards provide appropriate benchmarks for all students, regardless of where they live; and they define the knowledge and skills students should acquire in their K–12 education so that, when they graduate from high school, students will have the ability to succeed in entry-level, credit-bearing academic college courses and in workforce training programs.

For more about the national movement to these standards, go to ***www.corestandards.org***. For more about Common Core Standards in California, go to ***www.cde.ca.gov/ci/cc***.

Building and Maintaining Working Relationships

Written in collaboration with Nora Thompson, Executive Director, Matrix; Marta Anchondo, Executive Director, TASK; Jane Floethe-Ford, Director of Education, Parents Helping Parents; and Carol Gonsalves, Child Advocate and Parent

Because of its many and sometime complicated laws and procedural requirements, special education can be a fertile ground for disagreement between parents and teachers. Conflict and disagreement, however, do not have to result in negative experiences, especially when both parties recognize and agree on their mutual goals.

The goal that parents and teachers share involves securing an effective education for every child. How can these two parties work through differing ideas and opinions to realize this goal? Since resolving conflict requires an understanding of "the other side," teachers and school staff will want to know what parents want from their schools. And parents will want to know what teachers want from them.

What Do Parents Want?

Parents want educators to consider the daily experience of having and loving a child with a disability, of worrying not just about a child's educational progress but about the child's eventual ability to become a socially healthy, independent adult.

Parents want teachers to "get" their child. What motivates him? How does he best learn? What are his strengths? They want the school staff to have high expectations so that the child lives up to his full potential, and they want to have a "say" in conversations about what their child's education looks like.

There are a number of things that parents do not want. They don't want to feel "outnumbered" or ignored or pressured into agreeing to something they don't understand. And they don't want to feel belittled or dismissed because of what they don't know.

Complicating what they want and don't want are the countless worries that many parents have, worries that may grow larger and more frightening when a child has a disability. Parents worry that they are not doing enough for their child; they read about "critical years" and "developmental windows," and they fear that if their child is not given certain services or help **RIGHT NOW**, it will be too late and the child's future will be irrevocably compromised.

Schools can go a long way toward avoiding contentious and even hostile relationships with parents by keeping uppermost in their minds these kinds of challenges and concerns that parents of children with disabilities face every day.

Pointers for School Staff
Communication

• Listen carefully to a parent's concerns. People will find it difficult to become (or stay) angry with you if you are truly interested in them.

• Share information with parents frequently. Give them progress reports, assessments, behavior support plans, and other updates. Make sure they receive information on time.

• Make sure all information that parents receive is clear and complete. If either spoken or written information is confusing, it's easy to conclude that someone doesn't care enough or is even hiding something. If people are not given complete information, they often fill in the blanks themselves. And the conclusions they draw may not be accurate or helpful to anyone.

• Don't blindside parents. If a student starts having difficulties, call the parents immediately. If the problem goes away next week, great. But if it persists, you have been proactive; and you won't have to surprise—and possibly anger—parents when you finally meet. An angry parent wants—and can take up—more time than a phone call.

• If parents want to meet about a difficulty their child is experiencing, don't put them off. Their concern and frustration will only intensify. If it's important to the parent, it's important.

• Avoid starting conversations with a hard-and-fast position. This can lead to a stalemate, which is a setup for conflict.

• When parents ask for something you are not sure is appropriate, don't dismiss them out of hand. Be curious about the reasons behind their request. Ask what they believe the child needs and explore with them different ways to address those needs. Sometimes parents will request a one-on-one aide, thinking this is the answer to all problems. They may not realize that this kind of support is not the only way a child can learn or that a one-on-one aide can actually be a drawback to social growth for a child.

• Connect families to parent-to-parent resource organizations so they have peers to talk with and learn from.

• Provide information to parents in their home language.

• Learn about the culture of the families of the children you teach so you do not miss cues or misinterpret behavior.

IEP Meetings

• At the start of a meeting, ask parents about any concerns they have for their child and what they would like to discuss. This shows parents that you view them as sources of important information and as contributing members of the IEP team—not just as functionaries whose only role is to sign forms.

• If families offer relevant information about their child (some families bring their own assessment of their child's needs and strengths), incorporate that information into the process and include it in the IEP records.

• Reassure parents that you want them to fully understand the IEP before consenting to it. Make sure they know they can bring the plan home and think

about it or that they can sign just part of it (so that certain services and supports can begin immediately) and take their time with the rest.

• Don't skip over details when reviewing assessments; explain any recommendation fully in light of the assessment that guides it. Parents don't always understand how conclusions are drawn and what they mean. This is their child you're talking about. No detail is unimportant.

• If necessary, make sure parents have a trained interpreter in their home language.

• No matter where or how an IEP meeting ends, always make sure that parents have a copy of the IEP plan to take with them when they leave.

Assumptions to Avoid

• Don't assume that an emotional parent is a hostile parent. That parent is probably carrying a great deal of concern and anxiety for his child.

• When parents request copies of records, don't assume they are headed for litigation. They might simply have been learning about the importance of keeping good records and of being fully prepared for meetings. Encourage them. When families review records before a meeting, they can participate more effectively and efficiently.

Relationships

• Start with the good stuff. Any time you talk with a parent, whether it's just in passing or at a formal IEP meeting, talk first about the child's positive qualities. Then, if necessary, introduce any concerns about the child's needs or challenges. This shows the parent that you see the child as a person, not just a problem.

• Be honest. Parents know when you're not telling the whole truth. And while you may be tempted to delay an issue, don't count on it going away. Less-than-complete honesty can easily make things worse in the long run.

• Finally, lead with your heart. True compassion can serve as a more powerful deterrent to conflict—and ground

for building constructive relationships—than the finest and most succinct articulation of legal requirements.

What Do Teachers Want?

Managing conflict while securing an appropriate education for students with disabilities involves more than just what parents want, and certainly parents are not the only ones who care about what happens to their child. Teachers have both a personal and a professional investment in their students' progress. So what do teachers want from parents?

Respect is a good place to start. Teachers represent one of the hardest-working and most under-appreciated professions in the country. And your child is not the teacher's only student. With budget cuts and increased class sizes, teachers' workloads are only increasing. Teachers are people, too, with the very human limitations of energy and time. Parents would do well to start with the assumption that the school and the teachers also want their child to succeed. People often live up to our expectations.

Pointers for Parents
Communication

• Keep your communication constructively focused on your child's education rather than on any disagreement you have with the teacher or the school. Some ways to stay focused:

1. Bring facts and data, not speculations or assumptions, to every conversation about your child and his teachers. By tracking such things as progress reports, homework, and observations that you and others make, you develop a picture of how you arrived at your conclusions; and you show that you are not reacting to one or two occurrences but rather detecting a pattern. When you provide this kind of information, you help the IEP team members focus on that bigger picture, which might have been obscured by one good test score or one big meltdown. Using facts helps everyone make better decisions.

2. Focus on what can be done today.

3. Find a specific point of common interest with the teacher (e.g., your

child's difficulty in staying focused in class or in learning fractions).

4. If you feel overwhelmed, ask for a break so you can collect yourself and refocus on what is important: your child.

• Get accurate information about legal requirements and procedures. Your requests will carry great weight if they are grounded in the law.

• Learn how to negotiate.

IEP Meetings

• As you prepare for an IEP meeting, prioritize your areas of concern. Don't put off what is important to your child's future, but don't sweat the small stuff.

• When bringing up an area of disagreement, remain open-minded. There may be many ways to resolve an issue. If you think your child needs a one-on-one aide, think carefully about your reasons. Does the child get distracted during math time? Does she complain that she has no friends at recess? Is she having "meltdowns" after lunch? By working with the other IEP team members, you might agree to something other than the aide: regular help from a paraprofessional, a peer-buddy at recess time, a "break card" with support for using it during anxious times. When you're willing to consider other ideas, you open the door for alternatives that everyone can support, and you demonstrate that you are a team player—which buys you future credibility.

Assumptions to Avoid

• Don't assume that everything is going to go your way. Educating your child must be a team effort.

• Don't assume that what you're asking for is always the best for your child. Be open to other approaches to the same goal.

Relationships

• Build positive relationships with school personnel. In all probability, your child will be at his current school for months if not years. Do whatever you can to make sure the associations for your child are as pleasant as possible.

• If you are able to help your child with schoolwork at home, ask teachers about tools for doing that. This shows

teachers that you see yourself as an active partner in your child's education.

• Don't accuse staff of incompetence or maliciousness. Personal attacks make people defensive, and there are better ways to make your point, which can keep the focus on your child's educational needs and not on how you (or someone else) blew up at a meeting.

• Don't assume that a bad experience will be repeated. Offer to repair a relationship if one has gone sour. Be reasonable to work with, even (especially!) if previous interactions with a teacher or administrator have been rocky.

• Find a parent support group that can help you get the information you need and understand the landscape of the world you have to navigate.[1]

• Being a parent is regularly challenging. Be good to yourself.

Tips for Everyone

The best suggestions for getting along with others boil down to basic good manners. Showing up on time. Doing what you said you would do. Thanking people. Paying attention. Being respectful.

For both teachers and parents, building and sustaining relationships through respectful and thoughtful communication is essential when the goal is to avoid the inefficiency and emotional exhaustion of unresolved conflict and due process[2] proceedings. If you cannot come to an agreement without outside help, take advantage of facilitators, conflict mediators, and even formal mediation. If one of these approaches helps avoid unnecessary conflict and litigation, it's worth the effort.

We all need to be the best version of ourselves when we work to resolve conflicts and especially when we work to support our children. When that best version shows up, good things happen. ◆

1. Go to *www.calstat.org/specialEdge Old. html* for a directory of parent centers in the Winter/Spring 2009 special insert.
2. See insert, page iv.

necessary part of the picture. It ensures consistency; it ensures that the student is receiving the kind of education that is his right. But the education that made a difference for me was not on that piece of paper; it grew out of my relationship with this man who wanted to know who I was."

There is no question in Mooney's mind about the radical power of relationships: "the power of people to change lives," in his words. As a keynote speaker, Mooney addressed a room of educators and agency staff at the California Department of Education and Department of Rehabilitation Secondary Transition Conference last November. Speaking to the educators in particular, he said, "You are the determining element. Not a book, not a classroom. You, in the life outcomes of a young person. Period." He went on to site a study out of Harvard University that examined how young people develop the trait of resiliency. According to Mooney, "they all had one thing in common. Not high IQ, not financial resources or ability or disability, but . . . one meaningful adult, other than their immediate family, in their life. Ninety-five percent of the time, guess who that adult was. Teachers."

Merging the reality of this profound influence with the emphasis on "kids, not labels," Mooney would like to see among all teachers a "shift in attitude so that they see it as their responsibility to modify what they do to suit the needs of their students, especially the 70–85 percent of students with disabilities who are ADD or LD. To work with the difference they see in front of them and to see this difference as valuable."

In Mooney's experience, these kinds of modifications "are not complicated or expensive." One of his teachers "gave me two desks. He gave me clipboards so that I could walk around while I wrote; he gave me drum pads to use in class." Mooney says the movement that these modifications allowed

"helped me pay attention. This teacher knew this about me and created the conditions I needed to learn. He did not think: 'What is wrong with that kid?' Instead he thought 'What can I do so that, based on what I know about him, that kid can learn?' And I know that even kids without disabilities benefited from these and other modifications that he made to his classroom and his teaching."

Mooney preaches a "next wave" of special education: one that does not operate "out of a deficit design." He says he is "hoping for a core change in special education philosophy. Now we have goals and objectives that are defined and oriented to a remediation journey, where teachers are trying to fix what is wrong with kids rather than focusing on a child's strengths and interests." He looks forward to a greater focus on "each student's strengths and talents. Let's change the emphasis, the paradigm."

While the current IDEA supports an educational approach that builds on students' strengths, laws can sometimes be slow to work their effect. They change systems from the "top down" and may be perceived as random impositions from outside rather than as constructive and integral redress to conditions for a specific time and place. The benefit of people like Jonathan Mooney is that they inspire individuals to make change, sometimes radical change, at the personal level, one educator at a time. Although, in the case of Jonathan Mooney, probably 30 educators at a time. ◆

other schools within its Special Education Local Plan Area (the Western Orange County Consortium for Special Education) and to make presentations in other school districts. And now, after five years of participating in ERIA, Silavs says the district "has been asked to exit" the program so that the resources can be directed to a district with greater need. That is a sure sign of success. ◆

—Janet Mandelstam

Ocean View Schools Move Beyond Compliance

How One District Supports Student Improvement

It's a busy morning in language arts at Vista View Middle School.

A sixth-grade class of students, many with individualized education programs (IEPs), is puzzling over idiomatic expressions. Seventh and eighth graders are practicing vowel sounds in one blended special education-general education classroom and identifying irregular past-tense verbs in another. The special day class is reading Aesop's Fables. The speech therapist is working with a small group of students with autism on auditory processing and sentence structure. And across the playground, participants in a class for students who are deaf and hard of hearing are telling a story in both English and American Sign Language.

This variety of classes and supports for students with a wide range of disabilities is just one reason why, between 2005 and 2010, Vista View registered an impressive 22.5 percent improvement in the number of students with disabilities who scored proficient and above in English language arts (ELA).

Vista View's numbers are not unique among schools in the Ocean View School District. Over the past five years, half of the schools in the district recorded double-digit gains in ELA academic scores as reflected in Adequate Yearly Progress reports based on annual STAR tests. And while scores have risen statewide, Ocean View exceeds the state average for students with disabilities. How do they do it?

Visits to three schools—Vista View and Sun View Elementary, both Title I schools, and Golden View Elementary—suggest that the answer lies in three Ps: a student-centered *philosophy*; trained, committed *personnel*; and the faithful implementation of research-based *programs*.

Philosophy

There is a sign next to principal Kristie Holman's desk at Sun View that reads: "Each child is a unique and unrepeatable miracle." That sentiment permeates the district, where a student-centered philosophy inspires the staff to look beyond labels to the needs of individual students. "We have both the desire and the ability to zero in on each child; there's no 'one-size-fits-all' program," says Kristen Henry, school psychologist at Sun View, which led the district with a 32.7 percent increase in ELA proficiency.

"The philosophy of the Ocean View district is very inclusive," says Deputy Superintendent Beverly Hempstead. "Teachers will do whatever it takes to support all students." And, she adds emphatically, "All means all."

Robert Miller, principal at Vista View, echoes Hempstead when he says, "Our site is looking at getting results for all students; we know every student by name and need." And, says Yael Klein, who teaches an intensive intervention class in language arts, "We have high expectations for the students and assert them early in the year."

These high expectations—and impressive results—come out of a district where more than a third (34.7 percent) of students are on free or reduced-price lunch, nearly a quarter (23.5 percent) are English language learners, and 1,200 students have IEPs. A majority of the students with disabilities are in general education classes for at least part of the school day. As Elaine Burney, principal at Golden View, says, "We prefer to push in rather than pull out."

Personnel

Support for students with disabilities starts at the top, with a school board intent on student achievement and a district-level leadership team whose knowledge is experiential as well as theoretical. Hempstead and Lindy Leech-Painter, coordinator of special education, were both special education teachers; Anne Silavs, director of curriculum and instruction, was formerly principal at Vista View, where she implemented a number of innovative programs for students with disabilities.

Current principals all agree that district administrators are always available to them. The administrators visit each Ocean View school at least three times a year. "We're coming as coaches to look at the data and to ask, 'What are your next steps, and how can we support you?'" says Hempstead.

Burney is in her first year as principal at Golden View, where she says she is "very impressed with this team" and praises the staff for collaboration and flexibility. At all the schools, the special education team extols the willingness of general education teachers to accept students with disabilities and credits teamwork for the rate of success that these students have seen. Leech-Painter suggests that years of experience play a role in this success, as Ocean View has been able to attract, develop, and maintain staff. "Look at teacher demographics," she says. "We have many long-time teachers, and the new teachers are taken in by those with longevity," so that anyone who is new is welcomed, mentored, and supported. All of these teachers "have a sense of accountability," says Silavs. "They are continually talking about the students, about the data," a focus that contributes to their effectiveness.

There's another, simpler reason, too, for Ocean View's success. "We have a passion for teaching," says Klein.

Programs

Since 2005, Ocean View has participated in the Effective Reading Intervention Academy Training (ERIA), a five-step program that offers training and ongoing coaching to help schools improve literacy outcomes, primarily in middle and high schools. "While ERIA was a wonderful complement, the culture, approach, and structure

for improving outcomes already was in place," says Silavs. "Prior to ERIA we began looking at the needs of all students, students who had a need but weren't identified for special education." Focusing on students with reading difficulties and offering interventions led to a steady drop in the number of students identified with a specific learning disability—from 324 in the 2000–01 school year to 154 in 2006–07.

Teachers throughout the district use an array of strategies and methods that support individual students to develop specific skills. At Golden View, a "response to intervention" (RtI) approach identifies students with reading difficulties before they are failing. This effort includes such programs as Read Naturally, which improves fluency, and Project Read, which stresses phonics. Resource teacher Chris Paden uses Language!—an intensive program that emphasizes phonics and decoding—and targets all students who need ELA support, whether or not they have an IEP. When students are ready to move on to middle school, a more advanced level of Language! awaits them.

If comprehension rather than fluency is the skill that needs improvement, students at Vista View are enrolled in Read 180, an intensive, four-level program with direct instruction, computer, and independent reading components. In Simone Rico's class of sixth, seventh, and eighth graders—half of whom have IEPs—half a dozen boys with earphones sit at computers. They can enter the "spelling zone," where they hear a word, spell it out on the screen, and know instantly if they are correct; the "word zone," where they see words on the screen and pronounce them; and the "reading zone," where they see a story, hear it, read it aloud, and answer questions about it. Rico can listen to them reading, check their tests, and adjust the level of the program.

English language arts are deemed so important that students in the intensive Language! programs spend 144 minutes a day in those classes in lieu of social studies and science. "These students' needs are greatest in literacy," says Silavs. "If they can't read, they won't be able to access the core material." To compensate for the absence of those core courses, she says, "We are trying to make language arts more interdisciplinary. Within language classes the students read about different topics related to social studies and science so they have some knowledge of those subjects" when they return to the general education classroom.

ERIA

Based on the work of Anita Archer, the Effective Reading Intervention Academy Training (ERIA) helps teachers learn how to increase the skills of struggling readers. This work is paid for by federal funds awarded through Part B of the Individuals with Disabilities Education Act to the California Department of Education and subcontracted to the CalSTAT Project. For the *ERIA Program Guide* go to ***www.calstat.org/effectivereading.html***.

Program Fidelity

Whether it's Read 180 or Language! (or any other research-based intervention), the key to success, say Ocean View teachers and administrators, is implementing the program with fidelity. "If a program has data that shows if you do x, you get y, and you dink around with that—bring in other material, skip chapters—you won't get the results," says Hempstead. At Vista View, Miller says, programs "are taught to fidelity by trained, qualified teachers."

Miller's "easy steps to an effective student literacy program" also include using assessment data to identify student needs and determine the appropriate programs, implementing the programs, and monitoring students to measure progress and determine additional needs. He then has the flex-

ibility to move students into and out of programs based on the assessments. Sun View's Holman agrees that "we're assessment driven, and we make adjustments." When she says, "You're not a lifer," she is referring to the school's commitment to helping students overcome learning disabilities when possible and eventually leave the ranks of those needing special education services.

Throughout the Ocean View district, staff members integrate language arts into all aspects of the school day. Irene Hennessy, the speech and language therapist at Golden View, works with 55 students whose IEPs have a speech and language component. "We try to use curriculum-based vocabulary and themes that are used in the language arts programs." Ultimately, getting students to read and write—and enjoy it—is the goal. Some of the intervention programs recommend "high-interest reading" as a way of capturing student attention. In her behavior modification program at Sun View, Jamie Cifuentes plans lessons around Halo, a science fiction video game popular with her students. Eight boys, who might otherwise require more intensive special education placement because of behavioral challenges, "become better writers because they are writing about something they like," she says.

At Vista View, Miller says, "We require 30 minutes a day of independent reading from every student." The students keep "reading logs" and are tested for comprehension. "If they pass two books at one reading level, they can move on to the next," he says. "It's not an intervention but an exposure to words." Library time is scheduled at least once a week for each student, and the school librarian often selects individual students and reads with them. Students have about 2,000 books checked out of the library at any given time.

Sharing the Approach

As student achievement grew, Ocean View began to share its work with

The RiSE (Resources in Special Education) Library freely lends materials to California residents; the borrower pays only for return postage. The list below features a few of the library's resources. Go to *www.php.com/services/libraries* to view the library's complete holdings. To order materials, phone or e-mail RiSE librarian Judy Bower: 408-727-5775; *judy@php.com*.

Parenting

Believe in My Child with Special Needs! Helping Children Achieve Their Potential in School
Mary A. Falvey. 2005. A reassuring handbook that de-mystifies complicated educational issues, encourages parents of children with disabilities to celebrate abilities and recognize possibilities, and provides guidance for parents on what they need to know to be successful advocates for their children throughout their school years. Call #24195.

The Special Needs Planning Guide: How to Prepare for Every Stage of Your Child's Life
John W. Nadworny and Cynthia R. Haddad. 2007. Offers families of children with disabilities a step-by-step guide for planning the financial future of the family and of the child, all with the goal of achieving financial security at each stage of the child's life. Call #24201.

Teaching

The Complete Learning Disabilities Handbook: Ready-to-Use Strategies and Activities for Teaching Students with Learning Disabilities
Joan M. Harwell and Rebecca Williams Jackson. 2008. Designed to help educators improve their students' academic performance, motivation, participation, and self-esteem. Offers practical suggestions, remediation techniques, sample lessons, and assessment forms. Covers such areas as special education law, the student study team process, teaching reading and math, interventions, classroom management, and the role of the family. Call #24196.

New Multimedia

Accessible IEPs for All: Gathering the Experts Around the Table
Juliana Fabrocini, Matt Adler, and Laura San Giacomo. 2007. Gives viewers an inside look at an actual IEP meeting for a young boy with multiple disabilities. General and special educators demonstrate their commitment to working together and with parents to focus on the best interest of a child. DVD. Call #24192.

Wrightslaw Special Education Law & Advocacy Training Program
Wrightslaw. 2006. Includes four programs that focus on law and advocacy strategies: special education law, rights, and responsibilities; tests and measurements to gauge progress and regression; smart IEPs; and an introduction to tactics and strategies for effective advocacy. CD-ROM. Call #24202.

Focusing on LRE and Inclusion: Staff Training Tips
Sheila Fernley. 2007. Helps educators understand the legal and practical compliance issues surrounding LRE and inclusion. Provides reports and activity guides, questions to facilitate discussion, tips for developing a training plan, supporting articles, facilitator resources, and more. Call # 24071 or 24076.

Special Education: Contemporary Perspectives for School Professionals
Marilyn Friend. 2008. Combines research-informed concepts and skills with practical information for educators, addressing such issues as high standards and accountability, curriculum access, inclusive practices, professional collaboration, student diversity, and legislative change. Call #24199.

The Special Educator's Survival Guide
Roger Pierangelo. 2004. A practical guide to every facet of the special education teacher's job, from teaching in a self-contained classroom or resource room to serving on a multidisciplinary team. Explains the referral process, parent intakes and conferences, evaluation, interpretation, diagnosis, remediation, placement, classroom management, educational law, and more. Call #24200.

Resolving Conflict

The Art of Mediation
Mark D. Bennett and Michele S. G. Hermann. 2005. Provides basic definitions of mediation, contrasts mediation with other forms of dispute resolution, describes varieties of mediation, and explains the various roles and functions of the mediator. Useful teaching notes help plan, deliver, and evaluate mediation training. Call #24193.

Basic Skills for the New Mediator
Alan H. Goodman. 2005. Explores all aspects of mediation, providing a solid foundation for practitioners; suggests answers to 100 questions a new mediator might ask concerning the mediation process. Call #24194.

Conflict Resolution
Daniel Dana. 2000. Offers a hands-on approach to communicating effectively, understanding and using organizational politics to everyone's advantage, confronting employees and peers, and more. Call #24197.

The Mediator's Handbook, 3rd edition
Jennifer E. Beer with Eileen Stief. 2010. Offers a flexible model for effective mediation in diverse environments, a clear overview of mediation and conflict, a large "toolbox" section that details the skills and approaches used by professional mediators, and a look at informal mediation. Call #24198.

Internet Resources
For Moving Beyond Compliance

Improving Schools

www.centerforcsri.org/

The Center for Comprehensive School Improvement offers publications, tools, a research database, and Webcasts to help schools organize, plan, implement, and sustain effective programs and strategies.

www.ascd.org/publications/ educational_leadership/feb03/ vol60/num05/Developing_an_ Inquiry-Minded_District.aspx

"Developing an Inquiry-Minded District" is an article that explains how a data-based inquiry and decision-making process can improve decisions about curriculum, instruction, and policy.

www.educationalpolicy.org/ pdf/NCD.pdf

Improving Educational Outcomes for Students with Disabilities features research on practices that promote academic success for students with disabilities.

www.ncrel.org/sdrs/areas/issues/ methods/technlgy/te800.htm

Using Technology to Improve Student Achievement, from the North Central Regional Education Laboratory, explores how schools can use technology to ensure student achievement; what factors need to be in place to support the effective use of technology, and what resources school districts can use to plan for and sustain the use of technology in support of students.

Solving Problems

www.advocacyinstitute.org/ resources/index.shtml

The Advocacy Institute offers dozens of free resources about alternative dispute resolution, mediation, response to intervention, and more.

www.ecac-parentcenter.org/ education/documents/Beyond_ Mediation.pdf

Beyond Mediation: Strategies for Appropriate Early Dispute Resolution

in Special Education is a document that identifies effective early dispute resolution strategies for resolving disagreements between families and schools about children's educational programs and support services while preserving the critical relationship between parents and providers.

www.livesinthebalance.org/ what-is-collaborative- problem-solving-cps

Lives in the Balance features several videos about collaborative problem solving, particularly in support of students with emotional disabilities.

www.projectforum.org/docs/ OptionalIDEAAlternative DisputeResolution.pdf

Optional IDEA Alternative Dispute Resolution (2008) summarizes results of a national survey of states' use of the kinds of alternative dispute resolution (ADR) processes that are recommended but not required by IDEA.

www.dredf.org/special_ education/dueprocess.pdf

Special Education Due Process and the Resolution Meeting is a guidance document designed to help parents work with schools to ensure that their children receive the services and supports needed to succeed academically and socially.

www.advocacyinstitute.org/ resources/Preparing.for.Sp Ed.Mediation.Resolution. Sessions.pdf

Preparing for Special Education Resolution and Mediation Sessions: A Guide for Families and Advocates is a guidance document that offers information that will equip families and advocates to make the most of the expanded dispute resolution options offered by the Individuals with Disabilities Education Act (IDEA). Additional documents about advocacy are available at ***www. advocacyinstitute.org/resources/ index.shtml***.

From CADRE

CADRE, the National Center on Dispute Resolution in Special Education, encourages the use of mediation and other collaborative strategies to resolve disagreements about special education and early intervention programs. CADRE develops information and materials to support efforts to resolve special education-related disputes at the local level with relationships intact. The following resources are a small sample of what CADRE has to offer.

www.directionservice.org/ cadre/listeningmodule.cfm

This **CADRE Listening** video helps viewers to better understand the three critical elements of listening: keeping the focus on the other person, listening with care and empathy, and demonstrating understanding.

www.directionservice.org/ cadre/pdf/Parent-IEP%20 Process.pdf

Parents' Experiences with the IEP Process: Considerations for Improving Practice is a nine-page document that examines the experiences and perceptions of parents or other caregivers of the IEP process; highlights recommendations for improving those experiences and encouraging parental participation in IEP meetings.

www.directionservice.org/ cadre/pdf/ParentGuide.pdf

Special Education Mediation: A Guide for Parents is an eight-page document that describes the mediation process and defines key terms within that process.

www.directionservice.org/cadre/ PAvideo.cfm

A Tale of Two Conversations offers video examples of effective strategies for communication between parents and teachers.

Calendar 2011

April 27–30
BOOST Conference
Sponsored by the BOOST Collaborative, this conference is designed for anyone interested in after-school and out-of-school-time programs and efforts. The event will provide networking, team-building opportunities, and workshops on research in out-of-school-time programming. Palm Springs, CA. For more information, contact Tia Quinn at *tia@boostcollaborative.org* or 619-232-6678; or visit *www.boostcollaborative.com/boost-conference*.

May 2–5
Bridges to Success in Developmental and Learning Disabilities
The YAI (Young Adult Institute) Network's 32nd Annual International Conference is designed for professionals at all levels, family members, and individuals with developmental and learning disabilities. With presenters and attendees from 35 different countries, the event is a major forum for the exchange of ideas and the introduction of new models and strategies that have a positive impact in the field of autism and other developmental and learning disabilities. New York, NY. For more information, contact Tina Sobel, at *tina.sobel@yai.org* or 212-273-6457; or visit *www.yai.org/resources/conferences/yai-conference/*.

May 5–6
Breakthrough Strategies to Teach and Counsel Troubled Youth
Sponsored by Youth Change, this workshop is designed for teachers, counselors, special educators, social workers, psychologists, juvenile court workers, foster parents, or anyone who works with hard-to-reach, hard-to-manage youth and children. Workshop participants will be able to address their own specific problem areas. Seattle, WA. For more information, contact Ruth Wells at *dwells@youthchg.com* or 503-982-4220; or visit *www.youthchg.com*.

May 10–11
The New Three R's: Restructure, Reform, and Response to Intervention
Sponsored by the Council for Administrators of Special Education, the Council for Exceptional Children, and Scholastic Education, this conference is designed for school administrators, teachers, and support personnel. The event will explore the "New Three R's of Education" since No Child Left Behind. Keynote sessions will provide an overview of strategies designed especially for students who are at risk of academic failure. Berkeley, CA. For more information, contact Jerry Hime at 714-390-2679 or *gjhime@earthlink.net*; or go to *www.calstatecec.org*.

June 12–14
Retention 2011—International Conference on Student Success
The 2011 International Conference on Student Success, sponsored by the Educational Policy Institute, will explore ways to help students succeed in high school and postsecondary education. More than 50 sessions will address such topics as developing and implementing a retention plan and using academic assessment to inform retention practice. San Diego, CA. For more information, contact Dr. Watson Scott Swail at *epuydupin@educationalpolicy.org* or 703-875-0701; or visit *www.educationalpolicy.org/events/R11/default.htm*.

June 29–July 1
Working Together to Create Bullying-Resistant Schools
Sponsored by the National Association of African American Studies and Affiliates, this interactive training will examine ways to create bullying-resistant school communities, to recognize and respond to problems when they occur, to improve the management of bullying incidents, to utilize community partnerships for response to bullying problems, to work to analyze key issues and causes of bullying problems and formulate a viable response, and much more. Lake Buena Vista, FL. For more information, contact Lemuel Berry, Jr., at *naaasconference@earthlink.net* or 207-839-8004; or visit *www.naaas.org/*.

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- ❏ Family member   ❏ Other _____

Mailing Address
- Name _____
- School/Organization _____
- Address _____
- City/State/Zip _____
- E-mail Address _____

Other Interests
- ❏ Online courses   ❏ Workshops and training
- ❏ Parent leadership   ❏ Educational consulting

Mail To
California Services for Technical Assistance and Training (CalSTAT)
c/o Napa County Office of Education
5789 State Farm Drive, Suite 230
Rohnert Park, CA 94928
707-849-2275

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Special Education's Next New Wave

Jonathan Mooney is in the habit of making fairly radical statements about education. He has been quoted as saying "the worst students make the best teachers" and "content is dumb." And he likes to repeat a line from a favorite teacher who told him to "screw spelling." But philosophically, Jonathan Mooney is radical in the way that Supreme Court Judge William Rhenquist was radical when he said that "it would do little good for Congress to spend millions of dollars in providing access to public education only to have the . . . child [with a disability] receive no benefit from that education;"[1] and the President's Commission on Excellence in Special Education in 2002, when it called for its own radical changes to special education and wrote that "ultimately, efforts to achieve excellence in special education services must focus on one objective—providing a free appropriate public education so that children with disabilities may become self-directed adults able to contribute to their communities to the maximum extent possible."[2]

Self-directed and contributing to his community? That certainly describes Jonathan Mooney. At 30, he is a graduate of Brown University, a published author working on his third book, a nationally recognized public speaker, and a paid advocate in Los Angeles for career pathways for individuals with disabilities and for those who are economically disadvantaged.

Yet Mooney has learning disabilities of such significance that he was unable to read in sixth grade. At one point, he dropped out of school.

1. Supreme Court Judge William Rhenquist, 1982, Rowley vs. Board of Education
2. *www2.ed.gov/inits/commissionsboards/ whspecialeducation/reports/four.html*

What accounts for the remarkable transformation? While Mooney will be the first to tell stories about the teachers

who, to put it mildly, did not help him get into Brown, or about the guidance counselor who predicted that his future would consist of flipping burgers and jail time, he also will be the first to attribute his adult success to the educators who were committed to "focusing on kids, not labels." The difference may, at the outset, look like one of semantics, but in Mooney's experience it has been the stuff of life or death. Literally. He reports being suicidal as a young boy until he found himself in a classroom with a teacher who was interested not in the tags of learning disability (LD) or attention deficit disorder (ADD) that came attached to his name but rather in how to help him learn.

Despite his relative youth, Jonathan Mooney understands a great deal about the law and holds a deep-seated appreciation for those pieces of legislation—the Americans with Disabilities Act and the Individuals with Disabilities Education Act—that have "opened up schools to kids" with disabilities and

made it mandatory that they be taught the state curriculum. And he has clearly studied the way federal law has expanded its focus beyond inclusion to emphasize educational benefit and individualized services. So the argument of which comes first—compliance with special education law, which includes appropriate identification and (yes) labels, or a focus on the individual—is a specious one, since the law argues for both. But Mooney, understandably, is especially passionate about the direction of the emphasis.

In his experience, "the teachers who made the biggest difference in my life were not hooked lock-step into labels, not even into the individualized education program [IEP]. They saw the piece of paper that described the IEP as secondary to who I was." His most effective teacher, he says, "didn't read my IEP until after sitting down with me and getting to know the person in front of him. He was committed first to building a relationship with me that had nothing to do with a label or a deficit. Granted, the IEP is a