

“What to Do About James”

*MPEA – Standard IV Case Study
Superintendent*

Scott Wegner, Ed.D. and Sandra Wegner Ed.D.
Southwest Missouri State University

As the Assistant Superintendent in charge of Special Programs in your district you are considered the special education expert. You have generally done well with this job since the processes are in place and every referral to date has been handled in an efficient, if not routine, fashion.

Mr. and Mrs. Smith, upon moving to your attendance area last week, have requested a conference with you to talk about their young son, James.

James is a nine-year old child with Down syndrome. There appears to be a complete lack of documentation concerning his condition and there is no active IEP for James. All the guardians can tell you is that he is extremely low functioning.

James has been a ward of the state ever since his parents were convicted of drug trafficking charges. The biological parents are completely out of the picture and will never be granted parental rights. James was taken in by the Smith family as a foster child in the past year, with full knowledge of his condition, and they are firmly committed to giving him a loving and caring home as well as helping him to secure a positive future.

Currently you have no program within your district to handle this situation, nor do you have the budget for one. The only support that you have provided to date has primarily been for Learning Disability and a few SED classifications. You are in a bit of a quandary as to what to do. On top of it all, the Smiths, who have no experience with children with disabilities, have asked several questions which have caught you somewhat off guard. They want to know what the prognosis is for James' future and where they can get support to help him beyond the normal school day. They have asked about future assisted living and sheltered workshop possibilities for James and want to know if there are special "state schools" that could help if the local school cannot provide adequate services. Most of all they want to know who will pay if special services are needed.

The superintendent is supportive but wants to know exactly what the district is responsible for providing. The superintendent also wonders that if the child is a ward of the state, shouldn't the state itself have some responsibilities in this situation? You have set up two meetings. The first, in one week, is with the superintendent to provide an overview of the school's responsibility. The second, in two weeks, is with the parents to answer their questions and to map out a strategy for providing services for James.

First consider these questions:

1. What special ed. services are you obligated to provide? When does the role of school begin and end.
2. What special conditions are established by James being a foster child.
3. What does the future hold for James? How does one make the future transition from school to work? What is vocational rehabilitation? How does one get to a "sheltered workshop"? Is this an option? Are there other alternatives?
4. The Smiths asked about assistance with social adjustment at home. How can you help? What support groups are available? What about advocacy groups?
5. The Smiths have asked you for ideas on people to go to for help in understanding their rights and responsibilities and to help them through some of the rough times ahead. What's available?

6. The Smiths asked about "the state school". They didn't much like the idea but wanted to know what it was and how it applied. What can you find out? Who pays what?
7. What legal issues will you outline for the parents during your meeting with them?

Now, develop an outline for the discussion with the superintendent including:

- A list of the legal issues regarding the school's and state's responsibilities (including financial).
- A continuum of placement recommendations.
- An outline of the meeting with the parents including strategies for discussing placement alternatives

Now develop an outline for the discussion with the parents including:

- Placement alternatives with recommendations.
- A list of groups that can help the Smiths.
- Some indication of future prospects for James.
- What legal responsibilities do they have as a guardian of an identified student.

ISLLC Standards:

Primary standard:

Standard four: **A school administrator is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.**

Secondary Standard:

Standard five: **A school administrator is an educational leader who promotes the success of all students by acting with integrity, fairness, and in an ethical manner.**

Standard six: **A school administrator is an educational leader who promotes the success of all students by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.**

Standard four skills, dispositions and performances:

Skills:

- emerging issues and trends that potentially impact the school community
- community resources
- community relations

Dispositions:

- involvement of families and other stakeholders in school decision-making processes
- collaboration and communication with families
- the proposition that families have the best interests of their children in mind
- resources of the family and community needing to be brought to bear on the education of students

Performances:

- information about family and community concerns, expectations, and needs is used regularly
- there is outreach to different business, religious, political, and service agencies and organizations.
- the school and community serve one another as resources
- available community resources are secured to help the school solve problems and achieve goals
- community youth family services are integrated with school programs
- public resources and funds are used appropriately and wisely

Critical Needs Areas Addressed:

- #3 Ensuring all students, especially at-risk, children with special needs and gifted students are successful in school.
- #4 Increasing parental involvement in the education of their children.

Notes to Instructor:

1. This case study is one that can be used to determine students' entry level skills in special education and or law. Students need to pay close attention to the directions and the questions for consideration.
2. It is important to explain to students that general information is required to solve this issue. Do not let students digress into specific assessment placement issues. That is not the point fo the exercise.
3. The activity could take as little as 60 minutes if you provide all potential documentation and legal opinions before hand, otherwise a one week period should be allowed to gather research.
4. You could use this exercise to accentuate communication skills by requiring a more in-depth analysis of approaches to the meetings and a clearer delineation of communication strategies to be used at the meeting.

Extended learnings:

1. Have students research community support services. Discuss the pros and cons of advocacy groups and get opinions of community members about what should be done. Interview administrators, lawyers and board members to get their opinions.
2. Use the scenario as the backdrop for teaching special education law. Have the students determine if the laws governing this situation differ from state to state and gather case law to support various courses of action.
3. Contact the state to see who has jurisdiction in a case of this type? Write a position paper on the results and submit it a legislator for consideration.

URLs:

1. National Association for Child Development - The National Association for Child Development is an international organization of parents and professionals dedicated to helping children and adults reach their full potential through the use of innovative techniques and research. <http://www.nacd.org>
2. Successlink – Includes a “best practices” section which addresses programs that might assist in this case. <http://www.successlink.org/>
3. Parenting Special Needs - A variety of sites designed to educate, support, and offer hope to families of children with Down Syndrome. <http://specialchildren.about.com>
4. Missouri DESE Special Education – Contains compliance information and other helpful resources. Other states may wish contact their own state department for rules and regulations particular to their state. <http://www.dese.state.mo.us/divspeced>
5. FindLaw – A site that contains numerous links to case law at several judicial levels. <http://public.findlaw.com/>

Topics that students should be able to use or address:

- Services provided to schools by related agencies
- Innovative Special Programming

- Ethical Frameworks
- Change Processes
- Community Relations
- Diversity
- Special Education Finance
- Consensus Building
- Communications Skills

The administrator has knowledge and understanding of:	Level One	Level Two	Level Three
emerging issues and trends that potentially impact the school community	Fails to understand or exhibit one-dimensional thinking about the implication of the parents request	Recognizes financial the impact of the parents request from several aspects (financial, legal, social, ethical)	Recognizes financial the impact of the parents request from several aspects and uses innovative thinking concerning problem resolution.
community resources	Does not recognize community resources available to parents and school to assist in the issue	Recognizes obvious community resources available to parents and school to assist in the issue	Recognizes obvious community resources available to parents and school and finds resources that might have logical connections (service groups, school-business partnerships etc.)
community relations	Fails to approach the parents in a manner that puts the district in a positive light.	Approaches the parents in a positive manner.	Approaches the parents in a positive manner and exhibits "beyond the normal call of duty" behavior.

<p>Dispositions</p> <p>involvement of families and other stakeholders in school decision-making processes</p> <p>collaboration and communication with families</p> <p>the proposition that families have the best interests of their children in mind</p> <p>resources of the family and community needing to be brought to bear on the education of students</p>	<p>Problem solution seen as a matter for professionals. Parents treated as "clients".</p>	<p>Problem solution is seen as a two way street.</p>	<p>Problem solution is seen as a two way street and the school is seen as an agency to actualize the families best interest. Sense of community is stressed.</p>
<p>information about family and community concerns, expectations, and needs is used regularly</p>	<p>Plans do not incorporate parents concerns into possible problem solution.</p>	<p>Plans address parents stated concerns.</p>	<p>Plans address parents stated concerns as well as potential issues that the parents have not considered or asked about.</p>
<p>Resources Utilization:</p> <p>available community resources are secured to help the school solve problems and achieve goals</p> <p>the school and community serve one another as resources</p> <p>there is outreach to different business, religious, political, and service agencies and organizations</p>	<p>Does not recognize community resources available to parents and school to assist in the issue</p>	<p>Recognizes obvious community resources available to parents and school and plans are in place to actively engage them.</p>	<p>Recognizes a vast number of resources, obvious and not so obvious, and plans are made to engage them as well as solicit others.</p>
<p>community youth family services are integrated with school programs</p>	<p>A vision of high expectations is not clearly stated and plans for revision do not include specific plans for appropriate community involvement</p>	<p>A vision of high expectations is clearly stated but plans for revision do not include all members or are top-down in nature</p>	<p>A vision of high expectations is clearly stated and plans for revision include specific and appropriate plans for inclusion of all members.</p>
<p>public resources and funds are used appropriately and wisely</p>	<p>Fails to show prudent use of school resources.</p>	<p>Shows prudent use of available resources to ensure legal and ethical</p>	<p>Shows prudent use of available resources to ensure legal and ethical responsibilities</p>

		responsibilities.	as well as creative ways of securing additional resources.
--	--	-------------------	------------------------------------------------------------

Field Test Results:

"What to do about James" Class				
Question	Very Helpful	Helpful	Somewhat helpful	Not Helpful
1	9	6	2	0
2	12	5	0	0
3	6	6	3	0
	Highly effective	Effective	Somewhat effective	Not effective
4	7	8	2	0
5	Comments: <ul style="list-style-type: none"> • Brought Standards to life. Good activity. • Stresses the importance of caring for all students. • ISLLC standards as so broad. Hard not to apply. 			
6	Comments: <ul style="list-style-type: none"> • Down Syndrome is a broad diagnosis. Any specifics? • Like more information on child's functioning level.. • Interesting activity but overwhelming to non-special education types. • Add a list of issues to be explained to the parents to the assignment. • None. • Nothing • What is a "ward of the state" 			

"What to do about James" Instructor				
Question	Very Helpful	Helpful	Somewhat helpful	Not Helpful
1	1			
2	1			
3	1			
	Highly effective	Effective	Somewhat effective	Not effective
4	1			
5	Comments: <ul style="list-style-type: none"> • More common than one might think. A number of students actually 			

	<p>had heard of similar cases. I used it primarily to teach the legal aspects of special education versus specific services. Those with special education background wanted more information on the actual IEP etc. I could have done a better job explaining the parameters of the exercise to them. The non-special ed. types addressed the standards a bit more directly. What was there general legal responsibilities, what is transition to work, sheltered workshops, state schools etc. I had them use the URLs and they found most of the information they needed. What they didn't find I provided as an "consultant".</p>
6	<p>Comments:</p> <ul style="list-style-type: none"> • Students with Special education wanted more information so I might suggest adding some information concerning any IEP or specific handicapping conditions that might be present. Or, you could add something that took those factors out of the problem. The non-sp.ed. students thought the activity was good and didn't have the same concerns.

Author Notes:

I took the comments and made some changes to the scenario. First I added information concerning a missing IEP and lack of testing data. This should push the students to recommend further testing and evaluation and remove the topic as a barrier to discussing more important issues. I added a question to consider about what legal issues needed to be given to the parents as well as a component for the product due.

The students and instructor also offered some clerical suggestions which I made.

I changed the instructor's instructions to include a reference concerning the explanation of the main purpose of the exercise. It reads, "It is important to explain to students that general information is required to solve this issue. Do not let students digress into specific assessment placement issues. That is not the point of the exercise." This will help the process in case there are special education specialists in the crowd.