



Effective Special Education Advocacy

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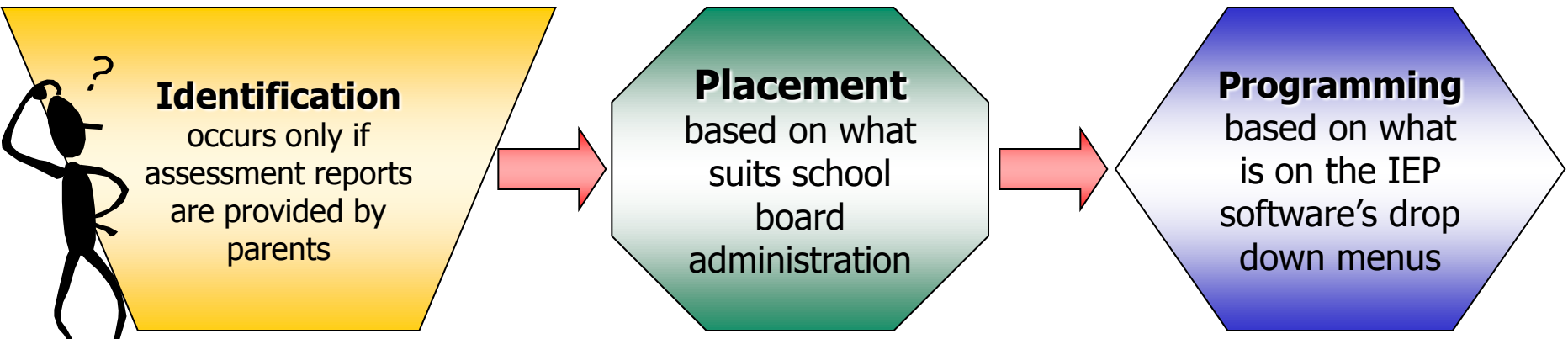
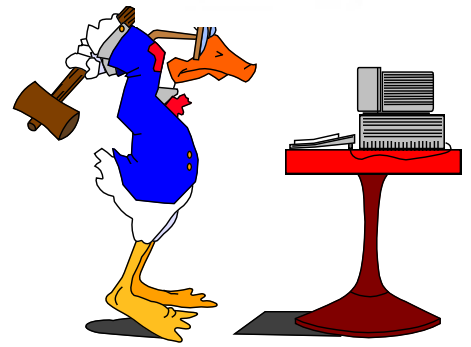
Our Advocacy Mission

- The student's progress and well-being must be the primary focus for parents and educators.
- We must advocate for the most appropriate programs services, and supports to ensure that our students have their academic, social, emotional and safety needs met while they are at school.

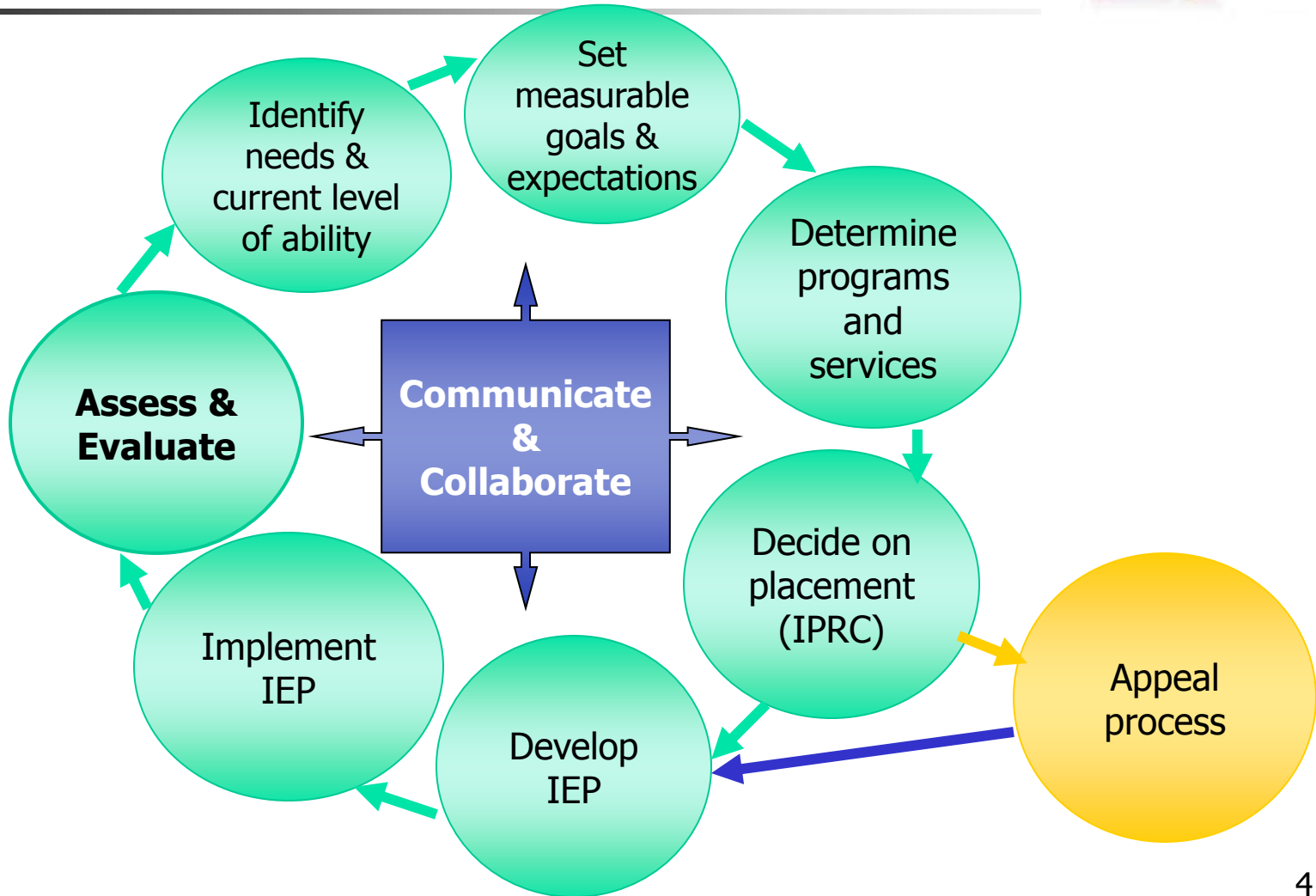
The *wrong* process



...this is what can happen when parents **don't** advocate for their children needs



The right process for providing an appropriate special education program





Special Education Services


Special Education Services include whatever accommodations are necessary for developing and implementing a special education program...

- facilities
- resources, including support personnel, and
- equipment



Educational accommodations

Required to enable students to learn and demonstrate learning

- 
- Human Support
 - Technological Supports
 - Individualized Equipment
 - Specialized Teaching Strategies
 - Environmental Modifications
 - Assessment Accommodations

The Duty to Accommodate students with disabilities

The Ontario Human Rights Code state three principles which support the duty to accommodate students with disabilities:

1. Dignity
2. Individuality
3. Inclusion



Ontario Human Rights Code

Education is considered to be a service under the code, and service providers have an obligation to accommodate the strengths and needs of a person with a disability, unless doing so causes *"undue hardship"* for the provider, *"considering cost, outside sources of funding, if any, and health and safety requirements, if any"*.





Undue Hardship

"Undue hardship implies that there may necessarily be some hardship in accommodating someone's disability, but unless that hardship imposes an undue or unreasonable burden, it yields to the need to accommodate.... Concrete evidence is required to establish undue hardship."



The Supreme Court of Canada has said that, "one must be wary of putting too low a value on accommodating the disabled. It is all too easy to cite increased cost as a reason for refusing to accord the disabled equal treatment". The cost standard is therefore a high one

Why do parents need to advocate for appropriate programs, services and supports?

- Growing in numbers
- Competition for limited resources
- Educators knowledge
- Outcome
- Alternative?



Advocates



- What do advocates do?
- Who are the best advocates?
- Can educators be effective advocates?
- When or why should you contact an advocate?

Prepare a Plan for Advocating

- Long term goal
- In order to get there, you need to know:
 - How the disability affects his learning
 - How your child needs to be taught
 - What services and supports your child needs
 - What steps to take to ensure your child receives appropriate services
 - What obstacles you might encounter
 - How to resolve conflicts
 - How to negotiate solutions





Elements of your Plan

- **Vision Statement** – describe your child in the future: *"My child will be a contributing member of society, working and raising a family"*
- **Mission Statement** – your emotional commitment: *"My mission is to obtain a good quality education for my child so he will have a good life. I will master the information and skills to be an effective advocate."*
- **Goals for yourself as an advocate**
- **Annual Goals for your child**
- **Statement of Needs**
- **Advocacy Strategies**
- **Timelines**

Knowledge is Power



- **Know what your child needs**

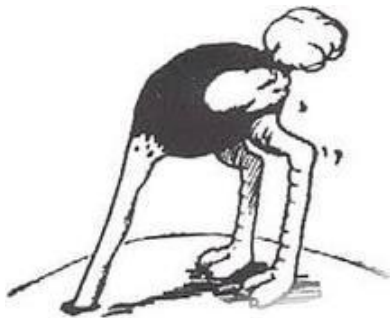
- **Know how the system operates**
 - Educate yourself about special education regulations and the human rights code
 - <http://www.edu.gov.on.ca>
 - <http://www.ohrc.on.ca/en/resources/factsheets/accessibilityaccommodation/view>
 - <http://www.ohrc.on.ca/en/resources/factsheets/Principles>
 - Familiarize yourself with your school board's policies and procedures
 - Get a copy of your school board's Special Education Plan
 - Find out the chain of command
 - Attend your school board's SEAC meetings

- **Know how to avoid conflict and advocate effectively**

Negative Responses to Conflict

Negative responses to conflict that lead to poor relationships

- **Avoidance** – when a person chooses not to address the conflict
- **Confrontation** – an adversarial response to the conflict
- **Acquiescence** – giving in to the other side



Positive Responses to Conflict

Positive responses to conflict that lead to relationship building

- **Discussion** – parties address the conflict with equality and respect
- **Clarification** – identify and define the conflict in specific terms
- **Focus** – agreed upon solutions are found that are student focused
- **Follow-up** – follow-up to evaluate the solutions



What Causes Conflict to Occur



- Lack of communication
- Lack of knowledge
- Inaccurate information
- Misinterpreted intentions
- Past experiences
- Lack of trust
- Power struggles
- Unclear roles and responsibilities
- Differing expectations



To Prevent Conflict....

- Maintain a positive attitude
- Maintain a positive relationship
- Communicate regularly
- Keep the best interest of the student in mind at all times
- Provide up-to-date information to each other
 - New special education policies
 - New programs or technology that might benefit the student
 - Professional development
 - New assessments
 - any changes that may affect the student



Effective Advocacy Tips

- Always present the issues in writing, then request a meeting
- Identify key issues and stay focused
- Work towards problem solving – never ‘give in’ on important issues
- Maintain a positive attitude, BUT...
- Don’t assume that the school will automatically provide appropriate services , and
- Don’t assume that school staff know what your child needs and is entitled to
- Be prepared to show documentation to support your request



Prepare for the meeting



- Prepare a Statement of Needs in order to stay focused on the needs of the student
- Write down your questions
- Create an agenda – this is YOUR meeting
- Request that specific people attend
- Find out who else will attend.

At the meeting



- Be on time
- Be friendly and respectful
- If possible, bring someone with you to take notes for you so that you can participate fully in the discussions...
 - key points, action items, who's responsible, timelines, next steps, and next meeting date
- If you get emotional, it may be necessary to reconvene the meeting

(cont'd)

At the meeting (cont'd)

- State your position - read your Statement of Needs
- Define and describe the issues
- Actively listen to the school's suggestions
- Ask questions – Who, What, Why, Where, When, How, Explain
- Stay focused on the student's best interest
- Be prepared to show documentation to support your request
- Use your knowledge of the Education Act and the Human Rights Code to negotiate solutions



Effective Negotiation = Effective Advocacy

The negotiation process is influenced by skill, attitude and style

- State your child's needs and why they need it
- Find out the other party's needs, wants, fears, or concerns
- Maintain emotional control so that negotiation behaviour is constructive
- Stick to the issues and put aside personality conflicts
- Don't waste valuable time blaming people or arguing
- Don't sacrifice your child's needs by giving-in to the other party's needs and wants
- Work together to find a solution where both parties needs and goals are met



After the meeting

Create a paper trail

- If it isn't in writing – it didn't happen and it wasn't said
- Type up your meeting notes and send a copy to the chair
 - key points, action items, who's responsible, timelines, next steps, and next meeting date
- Ask him or her to let you know if there are any errors or omissions.





Steps for resolving important issues

1. Send a note to the teacher explaining your concern and suggest a solution...ask for a response as soon as possible (keep a copy of the note)
2. Clearly explain the issue in writing to the principal and request a meeting
3. Bring an advocate with you to the meeting and take detailed notes
4. Actively listen to the school's point of view and their suggestions
 - show by your body language that you are listening
 - ask a lot of questions - explore - refer back to your letter
 - *eg. how will his need for..... be addressed?*
 - repeat in your own words what you hear - rephrase & clarify
 - summarize what you heard to show that you understand

(cont'd)



Steps for resolving important issues (cont'd)

5. If the principal says no without offering another agreed to solution, ask the principal to state the reason in writing
6. Write to the special education officer and the superintendent of special education and explain the issue. Ask for a response in writing within 5 or 10 days depending on the urgency
7. Contact the school board trustee and explain the issue.
8. Contact the appropriate special education officer at the Ministry for your district and explain the issue.
9. Send an e-mail to your SEAC representative and ask that the issue be raised at the next SEAC meeting
10. If all fails, hire a lawyer – don't give up!



Thank You

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