

Very nicely written and analyzed. There are just a few editorial comments (such as data being plural). Paper and final grade: A

Parental roles in special education: Who makes the decisions in special education, parents or schools?

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Abstract

The Individuals with Disabilities Education Act was originally enacted in 1975 and was designed to provide an education to students with disabilities. The law is implemented at many levels with services being determined for students by the Individualized Education Program team which includes parents. Parental roles in special education decision making have evolved as the law has been reauthorized. However, research has indicated that parents do not believe they are active participants in the decision making process resulting in due process and legal action for unsatisfied parents. Alternative conflict resolution techniques and parent centers designed to help parents collaborate with the schools have been included in recent reauthorizations but have met with moderate success. A variety of disability advocacy groups support parental rights whereas fiscally conservative groups support minimizing the federal role. Recommendations for increasing the success of the parent centers include increasing funding for better awareness, require special educators to interact with the centers to help educate parents and develop relationships, and to provide inducements for states and local education agencies that are unable to decrease due process complaints filed or adjudicated.

Parents of students with disabilities have struggled to understand the special education process and to be active participants in decision making regarding the appropriate services for their child. Educators were perceived as the experts and if parents did not agree with their decisions, they could challenge them through due process (Manasevit & Maginnis, 2005). Due process is costly to both the parent and the school (Hehir, 2010). Recent reauthorizations of the Individuals with Disabilities Education Act have attempted to develop a collaborative relationship between parents and schools to decrease the amount of due process and focus on providing direct service (Individuals with Disabilities Education Act, 1997; Individuals with Disabilities Education Improvement Act 2004; Manasevit & Maginnis, 2005). One strategy to facilitate the development of collaborative relationships was to provide federal funding for parent centers across the country to teach parents about special education rights and processes. By being more informed, parents could advocate for their children and effectively communicate with school personnel (ALLIANCE Parent Technical Assistance Centers, 2011). However, data from research and outcome evaluations are conflicting on the effectiveness of the parent centers (Fish, 2006; Childre & Chambers, 2005; Stoner, Jones-Bock, Thompson, Angell, Heyl, & Crowley, 2005). Though the parents who have used the centers have had positive experiences, the number of due process claims being heard continues at the same level (Ahearn, 2002; Zirkel & Gischlar, 2008). Parents continue to report they do not understand special education, their voices are not being heard, and they are being asked to provide consent when they do not agree.

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Introduction

History

The Individuals with Disabilities Education Act (IDEA) is a federal law designed to provide an education to students with disabilities. Prior to the original version of IDEA, the Education for All Handicapped Children Act (EAHCA), the majority of students with disabilities were excluded from schools due to lack of sufficient programs that met their needs. EAHCA was rooted in the Equal Protection Clause of the Civil Rights movement which required equal access to education for students with disabilities as their nondisabled peers (Manasevit & Maginnis, 2005; Ong-Dean, 2009). Another purpose for EAHCA was by providing funds to educate students with disabilities, a greater proportion of them would be able to obtain gainful employment when they graduated rather than live in institutions. Investing in the education of students with disabilities would change them from tax burdens to tax contributors (Ong-Dean, 2009).

The EAHCA was enacted by the U.S. Congress in 1975 to provide educational opportunities to all students with disabilities. The four primary goals of the EAHCA were to provide a free and appropriate public education to all students, to allow due process through procedural safeguards for parents and students who do not agree with school decisions, to provide federal funding to states to support the cost of educating students with disabilities, and to develop an evaluation system for the previous three goals. Providing a free and appropriate public education to students with disabilities means the student has access to specialized supports and related services designed for their individual needs (U.S. Office of Special Education, n.d.). The specialized supports and services include classroom aides, counseling, and speech language pathology. These services are designed to help students with disabilities access the curriculum. Due process is a conflict resolution procedure that utilizes impartial hearing officers to resolve disagreements between parents and schools on issues such as eligibility for related services or the

type of educational setting where the student with disabilities will be successful. Federal funding is provided to states for the additional cost of educating students with disabilities. States must be compliant in all areas of the EAHCA in order to receive the federal funding (Ong-Dean, 2009; Yell, Rogers, & Rogers, 1998).

The EAHCA required the free appropriate public education to be provided to students with disabilities in the least restrictive environment (Education for All Handicapped Children Act, 1975). Least restrictive environment means the setting where students will have the greatest amount of inclusion in general education classes with their nondisabled peers while still being able to receive a free and appropriate public education. The least restrictive environment is a continuum of education placement options where students with disabilities receive their education. At the least restrictive end of the continuum, the students receives their education in a general education classroom with supports such as modified assignments or the help of an instructional aide. The most restrictive end of the continuum is residential placements where students live at a facility with no access to nondisabled peers and receives their education at the residential program (Hallahan & Kauffman, 2006).

The EAHCA has been amended several times and the name of the law was changed to the Individuals with Disabilities Education Act (IDEA) in 1990 (Hallahan & Kauffman, 2006). The amendments have provided services for children with disabilities starting at birth and have required older students with disabilities to develop a transition plan to help them access postsecondary opportunities. Additional amendments to IDEA have required reporting of progress for students with disabilities to be consistent with their nondisabled peers (U.S. Office of Special Education, n.d.) and for students with disabilities to have access to the same curriculum as their nondisabled peers (Individuals with Disabilities Act, 1997; Hehir, 2009).

The most recent reauthorization, Individuals with Disabilities Education Improvement Act 2004, is commonly referred to as IDEA 2004. IDEA 2004 aligned the special education law with the general education law, No Child Left Behind. The 2004 reauthorization was also intended to reduce bureaucratic processes that shifted resources away from providing direct service (Manasevit & Maginnis, 2005) and to develop trust between parents and schools (H.R. Rep. 108-77, 2003). The bureaucratic process refers to the detailed requirements of the procedural safeguards. Due to the litigious nature of due process schools expended an abundance of energy to ensure they had evidence supporting their recommendations in a due process hearing. This practice diverted resources from direct service to ensuring the procedural requirements were being met. The result was that the students were not receiving the same quality of service as they would if all of the resources were focused on the student (Manasevit & Maginnis, 2005).

In order to receive federal IDEA funds, states are required to develop regulations and procedures for the appropriate implementation of IDEA. The state education agency is responsible for ensuring state regulations are in compliance with IDEA and distributing the federal IDEA funds to local school districts (Yell, Rogers, & Rogers, 1998). The state regulations are monitored by the Office of Special Education Programs at the United States Department of Education. The state education agency also is responsible for monitoring the local education agencies or school districts to ensure compliance with the state regulations. The local education agencies are responsible for developing their own policies and regulations to ensure they remain in compliance with the state regulations. The local education agency monitors the schools in the district to facilitate the appropriate implementation of the state regulations. The implementation of IDEA occurs in schools with school personnel being

responsible for determining eligibility in collaboration with district personnel and the Individualized Education Program (IEP) being developed with school personnel (Manasevit & Maginnis 2005). Therefore, the implementation of IDEA occurs at the federal, state, local, and school level with school personnel having the majority of responsibility for determining eligibility, developing IEPs, and providing special education services.

States are responsible for monitoring the local districts and reporting the data to federal monitors. The states monitor the local districts in the provision of a free and appropriate public education in the least restrictive environment, implementation of specific processes such as eligibility or mediation, and the representation of racial and ethnic groups in special education. States must also focus on improving academic achievement for students with disabilities. Each state must develop a performance plan for the aforementioned areas and submit data to the federal monitor annually. If a state is out of compliance then the Secretary of Education can take actions ranging from advising the state on corrective action to withholding funds and referring the state to the United States Department of Justice (Manasevit & Maginnis, 2005).

IDEA is translated into practice at the school level through the interactions of the IEP team. The IEP team is composed of a school administrator, special education teacher, general education teacher, related service providers (e.g. counselors, speech language pathologists, occupational therapists, etc.) parents and the student. Parents are welcome to include outside professionals on the IEP team such as advocates or educational consultants (Hallahan & Kaufman, 2005).

The IEP team meets to develop and modify educational programming for the student with a disability. The team works together to make eligibility determinations and develop the IEP for the student. A student is referred for special education services through the eligibility process.

The initial eligibility process includes evaluations of the student to determine a specific eligibility category. When the student is identified as a student requiring special education services, an IEP is developed for them (Individuals with Disabilities Education Improvement Act, 2004). The IEP contains the student's present levels of performance, goals to address deficits, related services to help access the curriculum, classroom accommodations, supplemental services, and for older students, a transition plan. The least restrictive environment for the student to receive a free and appropriate public education is also part of the IEP. (Hallahan & Kauffman, 2006). The IEP is a guiding document that details the special education services the school will provide for the student with disabilities.

Parents and IDEA

Parental rights in the original EAHCA were protected through a set of procedural safeguards that both allow parental access to student records and require the school to notify the parent when they plan to initiate, change, or refuse a service. If the parent disagrees with the school's decision, the procedural safeguards provide the parents with the right to impartial due process and civil suit, to resolve the disagreement (Education for All Handicapped Children Act, 1975). Educators were considered to be the experts and therefore should make the appropriate decisions for students with disabilities. Parents who disagree with these decisions were provided the right to challenge them through the procedural safeguards (Manasevit & Maginnis, 2005). The amendment to EAHCA in 1983 included funds to create regional training centers for technical assistance and training to parents of students with disabilities. The 1983 amendment also established a national advisory panel for special education which included parents as members. (Education for All Handicapped Children Act, 1983). IDEA also requires parental consent for any evaluations used to determine eligibility. The special education eligibility

determination is a collaborative process involving both the parents and the school. The parent does have the right to refuse to evaluations for their student. However, the school is able to exercise the same mediation/due process afforded to the parents to resolve the dispute (Individuals with Disabilities Act, 1997).

The process of schools making decisions and parents challenging those decisions through due process created many conflicts between schools and parents (Manasevit & Maginnis, 2005). The time, effort, and money, required to exercise due process requires social capital that some families of students with disabilities may not possess. The lack of social capital excluded some parents from being able to exercise due process. From the school perspective, participation in due process shifts resources away from direct service to the students. Such resources include legal fees and time the special educators and related service providers must spend engaged in due process proceedings instead of providing services (Hehir, 2010). Therefore, the lack of collaboration between schools and parents can result in a process that is costly in time, money, and effort, that is shifted away from direct service to students with disabilities.

The problem of conflicts between the schools and parents was addressed by the U.S. Congress during the 1997 reauthorization of IDEA. Mediation was offered as a nonadversarial resolution to conflict. States were required to offer mediation as a voluntary option for parents but parents had the right to refuse mediation and exercise due process (H.R. Rep. 105-95, 1997). A report by the President's Commission on Excellence in Special Education (2002) recommended an increase for support of programs that helped parents better understand the special education process. The U.S. Congress recognized the tension between parents and schools during hearings for the reauthorization of IDEA in 2003 (S. 7836, 2003). A pre-resolution session was added to the due process procedure to facilitate amicable conflict

resolution (S. Rep. 108-79, 2003). An additional goal of IDEA 2004 was to decrease litigation by improving trust between schools and parents to allow them to work together in a collaborative manner (S. Rep. 108-77, 2003).

The reauthorization of IDEA in 1997 did not include the regional parent training centers but allowed grants to organizations to develop parent training centers. One goal of the parent training centers was to help educate parents about the procedural safeguards and to teach them about alternate dispute resolution methods to include mediation. Other goals of the parent training centers included assisting parents with communicating with school personnel and helping parents become more active in the decision making process (Individuals with Disabilities Education Act, 1997). The grants for parent training centers also were included in the reauthorization of IDEA in 2004 though the language was changed from helping parents communicate to helping parents collaborate with schools (Individuals with Disabilities Education Improvement Act, 2004).

The original EAHCA minimized the role of parents in educational decision making by providing the ability to challenge decisions rather than participate in making them. The attempt to increase the role of parents in special educational decision making emerged in IDEA 1997. However, the collaborative relationship in IDEA 2004 is more apparent because lawmakers were focused on informing the parents of special education processes and providing them with a wider range of options (H.R. Rep. 108-77, 2003a). Developing collaborative relationships means educating parents on special education services and processes. Educating parents will allow them to make informed choices and provide meaningful discussion during collaboration.

The changes to IDEA 1997 and 2004 were intended to better inform parents of special education services to facilitate collaboration with schools. Increasing collaboration allows

schools and parents to agree on special education decisions resulting in a decrease of due process (Manasevit & Maginnis, 2005). Decreasing due process allows schools to use their resources to provide direct services for students with disabilities (Hehir, 2010).

Conflict Resolution

Since the 1997 reauthorization of IDEA, the conflicts between parents and schools can be solved through either due process or mediation. Mediation consists of an objective third-party working with the parent and the school to resolve the conflict. The process is voluntary and the state is responsible for the cost of mediation. If mediation is unsuccessful, the parent still has the right to due process (Manasevit & Maginnis, 2005).

Due process begins with either the parent or the school district filing a complaint against the other. The party receiving the complaint must respond to the complaint with the reasons why they are making their decision and the alternative options they considered. The parent and the school meet for a pre-resolution session in an attempt to resolve the conflict without due process. If the pre-resolution session is unsuccessful, then the due process will occur. During the due process hearing, both parties have the right to counsel, to present evidence, and to interview witnesses. The hearing officer cannot be an employee of the school district or the State Educational Agency. The hearing officer must also be knowledgeable in regulations, provisions, and interpretations regarding IDEA. The hearing officer will make a determination in regards to the provision of a Free and Appropriate Public Education. Both the school and the parent have the right to appeal the hearing officer decision to the State Education Agency. If the State Education Agency decision is unsatisfactory, both the parent and the school have the right to file a suit in either state or federal court (Manasevit & Maginnis, 2005).

Conceptual Framework

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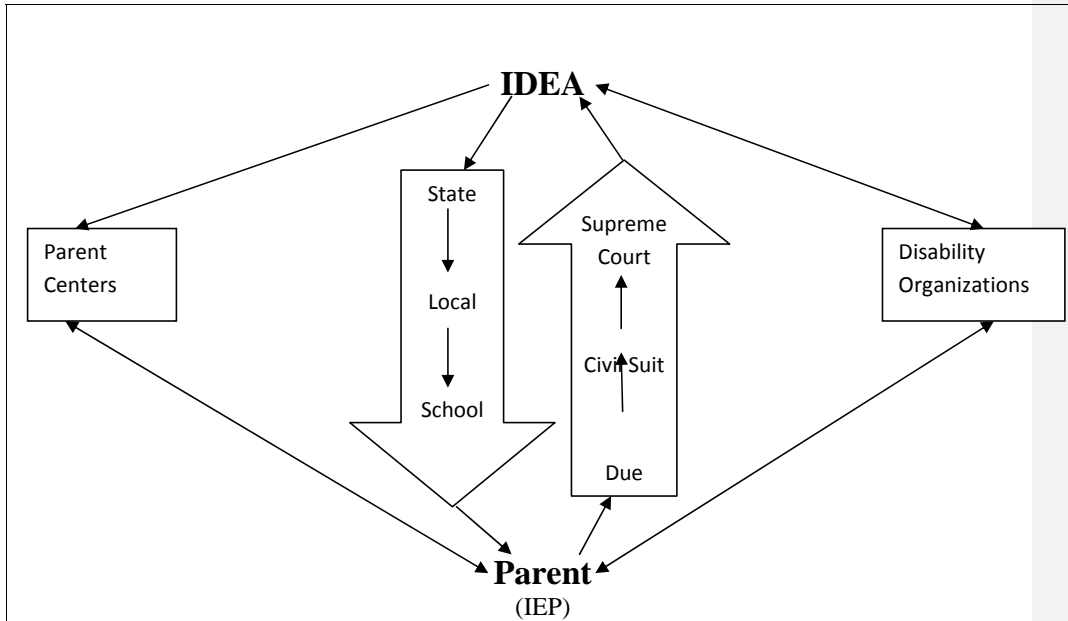


Figure 1. Co-constructive Framework of IDEA

The evolution of IDEA pertaining to parental involvement in the special education decision process fits within co-construction as demonstrated in Figure 1. The top-down model of IDEA implementation trickles down from the federal level to parents of students with disabilities who are the policy recipients of IDEA. The implementation of IDEA at the school level is based on the individual student’s needs and the collaboration of the members of the student’s team represents a series of contextualized layers that must align for the team to agree on the best educational program for the student.

Despite the top-down model described above, the tension created by conflict between parents and schools has influenced change in IDEA. The influence of the tension on the law demonstrates the law is not only top-down but also bottom-up making it bi-directional. Exercising due process and filing civil suits that are either heard locally or in the Supreme Court influences each reauthorization of IDEA. For example, the number of due process claims prior

to IDEA 1997 resulted in adding mediation and parent centers to help educate parents about special education (Individuals with Disabilities Education Act, 1997). The trend continued with IDEA 2004 when specific language about collaboration was added (Individuals with Disabilities Education Improvement Act, 2004).

Beyond the school level implementation of IDEA and the parent influence through due process and there are bidirectional relationships between the parent centers and parents and disability organizations and parents. The parent centers have the potential to influence [an](#) IEP meeting by providing parents with information about special education. Informed parents may also help the parent centers by volunteering to help other parents. Disability organizations may also provide information to parents on special education. Parents make donations and provide information to disability organizations who serve as interest groups to influence reauthorizations of IDEA.

Research

Fish (2006) interviewed seven parents of students with autism about their perceptions of IEP meetings. Parents reported that they did not believe their input at the meetings was valued and their perception was that they were not seen as equals in the meeting. They also reported that IEP meetings could be improved if school districts provided better education for parents about special education law. The parents reported that because the school system failed to educate them about special education law, parents needed to educate themselves in order to gain access to the appropriate services for their students (Fish, 2006).

Similar results were found by Blaiklock (2010) from interviews of parents with students in special education. The parents interviewed were from four separate school districts in a mid-Atlantic state. The parents reported they had little knowledge of special education rights and

services. They had received many copies of the procedural safeguards but no parent had read them. The parents had varying levels of satisfaction with the types and amount of services they received. Nonetheless, despite how satisfied they were with the special education services, all of the parents reported they found the IEP meetings to be intimidating. Several parents reported they felt bullied and strong-armed into agreeing with the schools decisions. These parents indicated getting the appropriate services required a long battle before the school system acquiesced (Blaiklock, 2010).

Stoner et. al. (2005) interviewed parents of students who had received special education services starting with early intervention services that extended into school age. The parents reported finding access to early intervention services to be easy. However, when the student began to attend school, the parents described the IEP process as traumatic and confusing. The parents also reported having to fight with the school system in order to obtain services. Having to fight for services caused the parents to become distrustful of the school resulting in increased diligence to ensuring their student's needs were being met.

While piloting an alternate IEP development program, Childre and Chambers (2005) interviewed parents of students with disabilities on their perceptions of the traditional IEP meeting. Parents reported that they believed their students were receiving the appropriate services but their input was not solicited and when offered, was seldom heard. The parents felt pressured to agree to the proposed IEP and that the IEP was completely written prior to the meeting. Parents also reported they did not understand the special education jargon that was used in the meetings. Finally, parents indicated they were not fully informed about the types of placements and services for which they were consenting.

Studying the other side of the collaboration, Bezdeck, Summers, & Turnbull (2010) interviewed 20 special education professionals about their perceptions of collaboration with parents. The special education personnel reported they believed some parents were too involved in their student's education whereas other parents were not involved enough. The special educators reported they were focused on parental opinions though many made statements about practices that contradicted a family-centered approach. The third finding was that special education personnel often blamed the parents for failed collaboration. Parents lost materials to be used in the home or failed to follow through on agreed practices in the home (Bezdek, Summers, & Turnbull, 2010).

Ahearn (2002) analyzed the number of due process hearings from years prior to the 1997 IDEA reauthorization to the year 2000. Results indicated the number of due process requests increased by 10.4 percent each year from 1996 to 2000 with 7,532 requests made in 1996 and 11,068 requests made in 2000. However, a number of those requests were withdrawn with a total of 3,555 requests being heard in 1996 and 3,020 requests being heard in 2000. The decrease from 1996 to 2000 represents a decrease of four percent each year. Zirkel & Gischlar (2010) extended Ahearn's research and surveyed states for the number of adjudicated due process hearings from the years 2000 to 2005. They found that the decreasing trend identified by Ahearn (2002) did not continue and the number of due process hearings remained steady as a plateau of approximately 3,000 cases being adjudicated each year from 2000 to 2005.

During the reauthorization of IDEA in both 1997 and 2004, the U.S. Congress attempted to increase the role of parents in an effort to increase collaboration and decrease due process complaints. The research described above indicates that parental involvement in the special education continues to be a problem. The interview data reveal that parents continue to perceive

their input is not valued, they are pressured and strong-armed into making educational decisions, they are not being educated by the schools about special education law, and have to fight to obtain the services they believe to be appropriate for their student (Blaiklock, 2010; Childre & Chambers, 2005; Fish, 2006; Stoner, Jones-Bock, Thompson, Angel, Heyl, & Crowley, 2005).

The parent interview data ~~is~~ are consistent with the teacher interview data which indicated a perception that parents can be too involved in the special education process and that parents can also be blamed for failing to provide the appropriate structure in the home (Bezdek, Summers, & Turnbull, 2010). The interview data from both parents and teachers indicates the tension IDEA 2004 was intended to relieve continues to exist.

Another indicator of both IDEA 1997 and IDEA 2004 achieving the goal of increasing collaboration between schools and parents would have been a decrease in due process hearings. Schools and parents would be able to resolve their differences without filing a complaint. Though the introduction of mediation helped decrease and stabilize the number of due process complaints that were heard, Ahearn (2002) reported a large increase in the number of complaints that were filed. Therefore, the introduction of mediation and the intention to develop collaborative relationships between parents and schools had no impact on the amount of due process being exercised.

A potential consequence of failing to increase collaboration between parents and schools is that parents will continue to be frustrated by the special education process. The tension may also create stress for educators as they share the responsibility with parents in educating the student. If schools continue to focus on procedural requirements, due process may continue to shift school resources away from direct service to the students. Students may be placed in inappropriate settings and may not receive the appropriate amount of services they require.

Ultimately, a potential consequence of not resolving this conflict is that the student in special education will receive a lower quality education and may not achieve to their full potential.

Funding

IDEA provides federal funding to states through grants to help support the additional costs of educating students with disabilities. The original intent was for the federal funds to provide 40 percent of the cost above the average per pupil expenditure. However, the 40 percent goal was never obtained and though that level of funding still plays a role, it is nonmandatory. The states are able to use part of the federal grants for administrative purposes. The remainder of the excess cost for educating students with disabilities is absorbed by the State and Local Education Agencies. The amount of IDEA funds a state receives is based on the number of students with disabilities and the state is responsible for distributing the funds to the Local Education Agencies (Manasevit & Maginnis, 2005).

Although the bulk of IDEA funding goes to helping states offset the costs of educating students with disabilities, there also are grants available for support functions such as research, development of assistive technology, parent training centers, and technical assistance (Individuals with Disabilities Education Act, 2004). For example, in 2009 \$22,781,000,000 was allocated to grants for supporting states in K-12 programs, preschool programs, and infant and toddler programs. The amount allocated for grants for the support programs for 2009 was \$253,000,000 (U.S. Government Publishing Office, n.d.).

Developing collaborative relationships between parents and schools is supported through federal funding to the parent training centers. The funds allocated for the parent training centers are specified within the federal budget. Figure 2 displays the amount of funds (in millions) allocated to parent training centers from 1997-2010. Figure 2 displays an increasing amount of

funding to the parent training centers from their inclusion in IDEA to present day. The amount of funding has almost doubled which potentially demonstrates that the U. S. Congress recognizes the importance of the parent training centers for parents of students with disabilities.

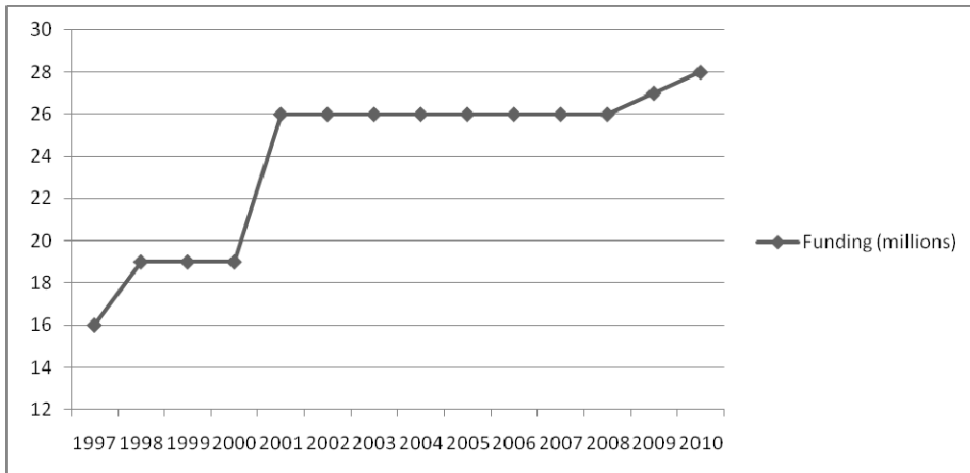


Figure 2. Allocations in Federal Budget for grants to Organizations for Parent Training Centers from 1997-2010 (U.S. Government Printing Office, n.d.)

Evaluation

The outcomes of the parent training centers were evaluated by the ALLIANCE National Parent Technical Assistance Center in 2011. The ALLIANCE National Parent Technical Assistance Center is the national coordinator for the 107 parent training centers operating in the United States. A third-party provider conducted a telephone survey to a random sample of 25 parents who received technical assistance from each center and a random sample of 25 parents who had attended a parent center workshop from each center for a total of over 5000

participants. Outcome data ~~was~~were also collected using an online survey and several individual stories were reported in the evaluation. The outcome data ~~was~~were collected from

October 1, 2009 through September 30, 2010 (ALLIANCE National Parent Technical Assistance Center, 2011).

The evaluation indicated that approximately 801,000 parents had received individual assistance and 174,000 parents had attended trainings or presentations held by the parent centers. Parents of all students with every disability category were represented with the highest (22.13 percent) being parents of students with autism and the second highest (12.87 percent) being parents of students with learning disabilities. The ages of the students ranged from birth to beyond high school with the largest percentage being for students between the ages of 6 and 11 (34.25). Parents from culturally and racially diverse backgrounds were represented as thirty-percent of people receiving assistance which is consistent with their representation in the general population. The parent centers distributed approximately 5.7 million newsletters, had approximately 14 million visits to their websites, made contact with 25 thousand parents through media activities and 901 thousand parents through poster session and resource fairs. Representatives from the parent centers provided assistance by attending 11,615 IEP meetings, facilitated 382 IEP meetings, and helped with 323 mediations and 338 resolutions (ALLIANCE National Parent Technical Assistance Center, 2011).

The outcome data for parents who received individual assistance and parents who attended workshops ~~is~~ are summarized in Table 1. The evaluation concluded the data indicate a benefit to parents that justifies the cost for the parent centers (ALLIANCE National Parent Technical Assistance Center, 2011).

Table 1

Summary of Outcome Evaluation

Parent Center Outcome	To a Great/Some	Yes (percentage)
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	Extent (percentage)			
	Individual	Workshop	Individual	Workshop
Help Children more Appropriate Services	-	-	80	79
Parents more knowledgeable about how to work with schools	94	97	-	-
Help Address Child’s Critical Needs	-	-	89	88
Provide Relevant Information to Make Decisions	-	-	93	94
Parents Share Information with Received with Other Parents	83	88	-	-
Provide Useful Information to Parents (Very Useful/Not Useful)	-	-	95	97
Materials are High Quality	-	-	97	97
Help Resolve Disagreements with Schools	-	-	84	-

ALLIANCE Parent Technical Assistance Center (2011)

The overall goal of the parent centers is to help educate parents of their rights, teach them how to effectively collaborate with schools, and to inform parents about alternative conflict resolution strategies (Individuals with Disabilities Education Improvement Act, 2004). Though the data from the outcome evaluation suggest the parent centers are effective, there are issues with the data and how they are being reported. Despite the large sample for the evaluation, there is an assumption that every parent of a child with a disability knows the parent centers exist and how to access them. The second issue with the evaluation was though they used a third party to conduct the survey, the final report was written by the national parent center resulting in a risk to

the objectivity of the report. The third issue is that in reporting the survey data, two parts of the scale appear to be aggregated (to a great extent/to some extent).

In addition to the aforementioned issues, there was no description of how the survey was administered or how the questions were framed. The time of day the calls were made may have influenced who was able to respond to the survey (i.e. working parent versus stay at home parent). Though the sample consisted of over 5000 parents, there was no response rate recorded in the evaluation. The manner in which the questions were posed may have also influenced parental response in favor of the parent centers. Finally, without the proper introduction to the survey, parents may have felt pressured to report positive interactions due to fear that negative reports would adversely affect the parent centers.

Improving the evaluation completed by ALLIANCE Parent Technical Assistance Centers would require using an objective third-party to complete the evaluation to eliminate bias. Given the goals of the parent centers are to help parents develop collaborative relationships, teach parents about special education rights and services, and effectively use alternative conflict resolution procedures, the amount of due process complaints being heard and the utilization of alternative conflict resolution strategies would be an indicator of the program's effectiveness. Other indicators of the program's effectiveness would be measuring parent belief that they are in a collaborative relationship with the school and to examine if parents have knowledge of special education rights and services. In addition to the items that were in the ALLIANCE survey, sections should be added that focus on the level of collaboration, parental perception of their knowledge about special education rights and services, and knowledge of alternative conflict resolution techniques.

Gaining an accurate perspective of the impact of the parent training centers requires a sample of the parents of students with disabilities as a whole rather than a sample of parents who have used the centers. A convenience sample could be generated by distributing the survey to school administrators and having them pass the survey to parents after an IEP meeting. In addition to measuring the effectiveness of the parent centers, questions could also focus on awareness of the centers, parents use of them, and if parents had disagreements with the school. Adding these types of questions helps control for the assumptions that every parent has a problem and that every parent knows about the centers. With the exception of awareness of the centers, the remainder of the questions should be written to utilize a likert scale to provide a continuum of options rather than simple yes/no categories. The continuum will provide a deeper understanding of the level of benefit of the parent centers. The scores on the survey from those sections could be compared between parents who utilized the centers and those who did not. The survey should be piloted with a small group of parents to ensure that it will reliably measure the effectiveness of parent centers.

In addition to the survey data, the number of due process requests and how each one was resolved (mediation, pre-resolution, etc.) should be gathered from each state. The survey data would be correlated with the state due process data to evaluate if the parent centers had any impact on the number of due process claims and how the claims were resolved. Survey and due process data can be disaggregated by state to determine if some parent centers are more effective than others. The results of this evaluation should be shared with each parent center, special educators, and members of the U.S. Congress responsible for making funding decisions for the parent centers.

Positions

The Consortium for Citizens with Disabilities (CCD) is a coalition of 106 organizations focused on advocating for individuals with disabilities. During the reauthorization of IDEA in 2004, CCD attempted to influence parental collaboration through guiding principles that was signed by 62 of its member organizations. Specifically, CCD emphasized the importance of parent-school collaboration in helping children with disabilities. CCD also demonstrated support for parents by demanding they be informed of their rights and recoupment of attorney fees for parents who prevail in due process hearings. Recoupment of attorney fees facilitates a fairer process by allowing parents with less social capital to have access to higher quality attorneys for the due process hearing (Consortium for Citizens with Disabilities, 2003).

CCD has also attempted to increase funding for the parent education centers by making appropriation recommendations to the U.S. House of Representatives Education Appropriations Subcommittee. CCD made recommendations for modest increases to \$28.6 million (a \$2 million increase) for the fiscal years 2006-2008 (Consortium for Citizens with Disabilities, 2005, 2006, 2007). However, CCD recommended significant increases for funding to the parent centers in other years to include a recommendation of \$95.7 million for fiscal year 2009, \$64 million for fiscal year 2002, and \$81.3 million for fiscal year 2005 (Consortium for Citizens with Disabilities 2001, 2004, 2008). Though the members of CCD do not overtly demonstrate support for the parent centers on their websites, they do inadvertently support the parent centers through their membership with CCD who annually advocates for additional funding for the parent centers.

The National Association of State Directors of Special Education (NASDSE) is a member of CCD and represents the interests of state special education administrators. NASDSE supports the parent centers and often refers parents to them. They believe the parent centers

perform a valuable service that could not be accomplished by state agencies due to parents becoming mistrustful. The information they receive from other parents of students with disabilities at the parent centers will help them more than any state agency could because parents are more likely to trust the parent centers (N. Reder, personal communication, April 20, 2011).

Several members of CCD have demonstrated additional support for parental roles in special education decision making. The support has been demonstrated through providing information on parental roles on the organization's website, making recommendations for increased parental involvement and attorney fees during the reauthorization of IDEA in 2004, and supporting legislation for reimbursing expert witness fees during due process. Groups such as Autism Speaks, Children and Adults with Attention Deficit/Hyperactivity Disorder (CHADD), demonstrate support for parental collaboration by providing information on their websites. Providing information to parents about their rights and informing them of the collaborative process helps supplement the activities of the parent training centers by existing as an additional resource for information. Organizations such as the Conference of Educational Administrators of Schools and Programs for the Deaf and the American Association on Intellectual and Developmental Disabilities demonstrate support for increasing parent/family collaboration in educational decisions as part of their policy agendas (American Association on Intellectual and Developmental Disabilities, 2008; Conference of Education Administrators of Schools and Programs for the Deaf, 2005). Having these issues on their policy agenda demonstrates the associations' recognition of the importance of parental collaboration and an intention to attempt to influence policy makers on the issue.

Finally, parental involvement is receiving support through the IDEA Fairness Restoration Act which is currently being considered by both the U.S. House of Representatives and the U.S.

Senate. The purpose of the IDEA Fairness Restoration Act is to reimburse parents who prevail in due process hearings for the cost of expert witnesses that testified for them. Reimbursing parents make the process more equitable because it allows parents with fewer resources access to the ability to build a stronger case for their opinion (H.R. 1208 IDEA Fairness Restoration Act; S. 613 IDEA Fairness Restoration Act). The potential for increased cost of due process may encourage school districts to be more flexible in resolving due process complaints before they are heard. The Arc for People with Intellectual and Developmental Disabilities, CHADD, and TASH are supporting the bill (Children and Adults with Attention Deficit/Hyperactivity Disorder, 2009; TASH, 2011, The Arc for People with Intellectual and Developmental Disabilities, n.d.).

ALLIANCE Parent Technical Assistance Centers (2011) also supports parent centers and parental collaboration and has attempted to influence the Department of Education of their value in providing support for parents through the outcome evaluation described in the previous section. The opinions of organizations representing school personnel were sought by searching the websites of the Council of Administrators of Special Education (CASE), National Association of Special Education Teachers (NASPE), and the Council of Chief State School Officers (CCSSO). There was no information from any of the aforementioned organizations on their position regarding parent centers or parental collaboration in special education decision making. The silence of CASE, NASPE, and CCSSO, on the parent centers does not indicate support or opposition. However, these organizations may be reluctant to advocate support for the parent centers due to concerns that funding will be diverted away from state educational programs to the parent centers.

Though special education is not specifically addressed, several organizations advocate for decreased federal roles and funding in state and local government. FreedomWorks advocates for less federal spending to decrease taxes. The Heritage Foundation reports that federal spending on education has yielded limited results and that control of education should be shifted away from the federal government to local communities. The decreased federal role would translate to less federal funding for special education and no federal funding for the parent centers.

Cato Institute advocates for decreased federal spending and roles in education. In addition to the current position on education, Cato Institute also made recommendations for special education to the U.S. Congress during the IDEA 2004 reauthorization. The recommendations claimed the existing IDEA model was responsible for the contentious relationships between parents and schools. States should be responsible for defining disability categories and the average cost of services for each disability category. The states would then create a menu of services with associated costs. Parents would have the opportunity to choose the services they felt appropriate with the advice of special education personnel up to the total cost assigned for their child's disability category. Cato Institute advocates this process will turn parents into customers who will be more motivated to learn about their child's disability and the most appropriate way to educate them (Cato Institute, n.d.).

Recommendations

The intent during the reauthorization of IDEA in 1997 and 2004 was to increase collaboration between parents and schools and decrease the number of due process hearings. Two strategies to accomplish those goals were creating additional conflict resolution tools and funding parent centers designed to help parents understand special education (Individuals with Disabilities Education Act, 1997, 2004). Despite the addition of alternate resolution strategies

and funding parent information centers, parents continue to report a lack of participation in special education decision making for their students with disabilities (Blaklock, 2010; Childre & Chambers , 2005; Fish, 2006; Stoner, Jones-Bock, Thompson, Angel, Heyl, & Crowley, 2005). However, parent centers and alternate resolution strategies have demonstrated some success in that despite an increase in the number of due process complaints being filed, the number of complaints going to hearing has decreased and remained stable since the implementation of IDEA 1997 (Ahearn, 2002; Zirkel & Gischlar, 2008). The parent centers have also reported being successful for the parents with whom they have interacted (ALLIANCE Parent Technical Assistance Center, 2011).

Cato Model

Though the Cato Institute has an innovative strategy that facilitates parental choice, there are several assumptions which may not make it possible. First, the assumption that the state will be able to provide the same level of services in every school district regardless of size. Parents may decide to choose services from the menu that may only be able to be implemented in large school systems. The second assumption is that parents will be motivated to learn about special education because they have choices. Despite their ability to choose, parents may still choose services that are not appropriate for their child resulting in the tension between parents and schools that currently exists. The third assumption is that special education personnel will be able to effectively advise the parent on special education to help them make informed decisions. The current system matches this recommendation but is ineffective. The fourth assumption is that every parent has the social capital to effectively interact with the system and make informed decisions. Finally, the Cato Institute recommendations assume the system will work perfectly and lacks safeguards for parents or schools when it does not (Cato Institute, n.d.).

Conflict Resolution

Based on the decrease of complaints being heard and the amount of alternate resolution strategies being used (Ahearn, 2002; Zirkel & Gischlar, 2008) the current resolution strategies in IDEA are effective and should be continued. Additional conflict strategies may be beneficial such as attempting to utilize mediation at the local level rather than escalating to the state to access mediation. IDEA should be amended to encourage state and local education agencies to identify effective conflict resolution strategies that are contextualized to the individual needs of their education agency. These contextualized resolution strategies would be voluntary for parents and would supersede parental rights to due process.

Parent Centers

The results of the ALLIANCE Parent Technical Assistance Center (2011) outcome evaluation indicated the parent centers were successful in educating parents about special education. However, an evaluation of the parent centers should be conducted by an objective third-party based and should be extended to include a more representative sample and more detail as recommended in the program evaluation section above. Using Zirkel & Gischlar (2008) if the evaluation data reveals that parents who are experiencing conflicts with schools are using the centers, parents are using alternative conflict resolution techniques, and the overall number of due process complaints being heard are decreasing from the number reported by Zirkel & Gischlar (2008) then the centers are effective. Parents reporting use of the centers in conjunction with a perception of collaboration and an understanding of special education rights and services would also indicate the parent centers are effective. If the parent centers are deemed effective then they should continue to operate under the current level of funding.

Comment [u3]: Do you mean using their research on conflict resolution? Or using their data as base line?

Conversely, if the parents using the centers are not reporting a stronger feeling of collaboration or knowledge of special education rights and services, are not using alternative conflict resolution techniques, and the number of due process complaints is greater than or equal to those reported in Zirkel & Gischlar (2008) then the parent centers are not being effective. The parent centers may be ineffective due to insufficient funding or a dysfunctional organizational model. Additional funding or an amendment of IDEA to develop an alternative model would be necessary to make the parent centers effective.

Evaluation data indicating a lack of awareness of the centers and a number of due process complaints being heard that is greater than or equal to the number reported by Zirkel & Gischlar (2008) then the parent centers are not being effective. Being ineffective due to lack of awareness may be resolved through allocating parent center resources towards marketing to increase their visibility in the special education community. Additional funds should be allocated from the U.S. Congress to increase general awareness. Finally, if the evaluation data reveals a lack of awareness of the centers in conjunction with a perception of collaboration and greater knowledge of special education processes, utilization of alternative conflict resolution techniques, and a decrease in the amount of due process complaints being heard compared to Zirkel & Gischlar (2008), then parents may be receiving information from other sources. Parents receiving information from other sources may mean the number of parent centers may not be necessary and some should be closed resulting in a decrease in the funding for them.

Collaboration Enhancement

Given the plateau in the number of due process hearings and the rise in the number of complaints (Ahearn, 2002, Zirkel & Gischlar, 2008) a collaboration enhancement program should be added to IDEA for special education personnel to share the perspective of parents of

students with disabilities. The collaboration enhancement program would run through the existing parent centers. Special educators would go the centers one evening, twice a year to help parents better understand special education services and to share the experiences the parents have to offer regarding raising a child with a disability and the interactions with the schools. The goal of the program would be to increase collaboration between parents and schools thus decreasing conflict and the number of due process complaints being filed and heard. The program is outside of the existing functions of the parent centers and would therefore require additional funding for the parent centers to run the collaboration enhancement program.

Inducements

Finally, to motivate state and local education agencies, and school administrators to collaborate with parents, IDEA should be amended to allow inducements for due process complaints being filed and heard. The number of due process complaints either filed or heard will never reach zero. However, given the amount of funding allocated to educating parents to collaborate, the special education personnel with whom they interact should also approach parents in the spirit of collaboration. An average number of due process complaints filed and heard should be calculated by the total number filed and heard in 2010 divided by the total number of students receiving special education services in 2010. The number of expected due process complaints and hearings can be calculated by multiplying the number of students at the state and local level receiving services by the average number of complaints and hearings per student receiving services. State or local education agencies that exceed their expected number of complaints by 20 percent or hearings by 10 percent will be required to allocate the equivalent of one percent of their IDEA funds to the parent centers to expand the collaboration enhancement programs described above. If a state or local education agency's number of

complaints is 20 percent or hearings is 10 percent less than expected, then the agency will receive an additional amount of funding equivalent to one percent of their IDEA funds. The reward program would require additional federal funding to distribute to state or local education agencies eligible for the reward. The inducement program will also help identify state and local education agencies that chronically struggle with collaborative relationships which can lead to targeted interventions in the future.

The parent centers, alternate resolution strategies, collaboration enhancement program and inducements are designed to develop a culture of collaboration between parents and schools regarding special education decision making. The culture of collaboration will decrease the tension resulting in increased communication and improved relationships. The improved relationships between parents and schools regarding special education will greatly benefit students with disabilities receiving appropriate services with parental support and positive interaction between home and school.

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