

## Solving problems at school

For many parents of children who receive special education services, the first indication that their child is having problems at school may be a change in behavior or a call from the teacher or principal.

The Individuals with Disabilities Education Act (IDEA) has built in methods for problem solving. By knowing their rights under IDEA and by following certain steps, parents can usually work with teachers and schools to prevent problems from becoming crises.

### Identify the problem

1. If your child is able to verbalize the problem, discuss it. Ask your child if he/she has any ideas about how to solve it.
2. Talk to your child's teachers about your concern (both general and special education and or the teacher with whom your child has the problem.)
  - a. Be as specific as you can
  - b. If the concern is behavior related, ask what specific behavior is causing the problem.
  - c. Has the behavior just started? Has your child been sick? Is your child taking medication? Has something happened in your child's life that might have caused this behavior i.e. divorce, death, moving.

### Identify solutions

Discuss and implement possible solutions for the problem -- at school and at home. Be willing to listen, and take a role in the resolution, as well as to share your information and feelings.

Keep notes about conversations with teachers and other professionals -- dates, times and a brief description of the discussion, including any actions agreed upon and taken.

If the problem has not been solved, request an IEP meeting to discuss concerns and solutions.

Prior to the meeting gather information about the

problem your child is having, think about ways the IEP is working or not working, and write down the points you feel are important. The IEP team can address the concerns, review the IEP, and come up with solutions.

Parents should ask:

1. Is the IEP still appropriate for our child?
2. Is the IEP being implemented as written?
3. If there is a behavior plan written into the IEP, is it working?
4. If the IEP is no longer appropriate, or if it not working, what changes need to be made?

Parents should take a support person to an IEP meeting. This is particularly true if there is a problem. The support person can be a friend, a neighbor or a relative. If parents do not feel they know someone they would like to have accompany them to an IEP meeting, they can call the Parent Information Center at 1-800-660-9742 or (307) 684-2277 (v/tdd) for assistance and information, or to request a staff person attend the meeting to help them advocate for their child.

The support person is not there in any adversarial capacity, but to help the parent listen, perhaps provide a calming influence if someone is getting upset, to remind the parent of issues the parent wanted to have addressed, and to help brainstorm and advocate for solutions.

### If you still have concerns

If problems are still not adequately addressed after the above steps have been followed, the IEP is being implemented, and enough time has passed so that new measures have been tested, parents should contact the Director of Special Education to arrange a meeting to discuss the concerns.

- Be specific -- have your concerns in writing so you can leave a copy with the Special Education Director and to assure you cover all the points.
- Explain the steps you have already taken -- you have discussed the situation with your child, with your child's teachers, and the IEP team has met.

- Tell the Director of Special Education what you feel is necessary to solve the problem.
- Ask what you can expect to happen.
- An advocacy organization such as PIC or WY Protection and Advocacy (P&A) can be called in if parents are not able to reach agreement with the school system. A representative of PIC or P & A will meet with parents and school district personnel to work out a solution to the problem.

Most of the time, these steps will provide a resolution. However, there are times when the problem will not be solved.

If agreement cannot be reached, parents and school districts have the right to file a formal complaint and request for hearing with the:

Superintendent of Public Instruction  
Wyoming Department of Education  
Hathaway Bldg., 2nd Floor  
2300 Capitol Avenue  
Cheyenne, WY 82002.

The written request must include a brief statement of all unresolved issues and a copy of the complaint must be provided to the other party.

### Know your rights . . . and follow the steps

- Talk to your child's teachers (general and special education)
- Talk with the case manager
- Talk to the principal
- Put your complaint in writing, with copies going to all involved (still at the school level)
- Request an IEP meeting
- Go to the Special Education Director
- Call in an advocacy group
- File a formal request for hearing with the Wyoming Department of Education

## What happens next?

Upon receipt of a request for hearing the Wyoming Department of Education will encourage both parties to exhaust local administrative remedies, inform both parties of mediation procedure and their right to waive mediation and provide written information to the person requesting the hearing regarding low-cost legal services, as well as other services relevant to mediation or a due process hearing.

Within five work days of receiving a written request for a due process hearing, the Wyoming Department of Education initiates steps to conduct a mediation conference, unless either party refuses to participate mediation.

The mediation conference is an informal process conducted in a non-adversarial atmosphere, and will be completed within 15 calendar days of WDE receiving a request for the hearing.

If either party refuses to participate in mediation, or if mediation fails, the Superintendent of Public Instruction appoints an independent hearing officer who will provide both parties written notice of the date, time and place of the due process hearing, direct pre-hearing activities, and conduct the hearing.

Parties involved in hearings are each responsible for any legal fees or other expenses they incur. Each party is responsible for their own attorney's fees unless the parent prevail in a hearing and obtains a court order stating that the agency must pay attorney's fees.

Within 45 calendar days after the WDE receives the written request for hearing, the independent hearing officer gives a written decision which is binding on all parties unless it is appealed (to the district court of the State of Wyoming).

During mediation, due process hearing or judicial proceedings, the child involved remains in the child's present educational placement, unless the school district and the parents agree otherwise.

## For more information about SOLVING PROBLEMS AT SCHOOL

### CONTACT:



## Parent Information Center

2232 Dell Range Blvd Suite 204  
Cheyenne WY 82009  
(307) 684-2277  
(888) 389-6542 (fax)  
E-mail: [info@wpic.org](mailto:info@wpic.org)  
Website: [www.wpic.org](http://www.wpic.org)

PHP of WY is a non-profit, 501(c) 3 organization; therefore, your donation is tax deductible. We welcome all donations. Every donation helps us strengthen our network of support for families.

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*Disability Brochure #19*



## Steps for Parents of Children Receiving Supports in Special Education

### Parent Information Center

1-307-684-2277

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