

# I.D.E.A.

## The LAW vs. Reality

Revolutionary Common Sense by Kathie Snow, [www.disabilityisnatural.com](http://www.disabilityisnatural.com)

The places I go and the people I meet as a public speaker show me life outside my world. I am able to temporarily enter the worlds of educators, human service professionals, parents, and others, like a mythical time traveler. And these experiences reveal a giant disconnect between “the way things are supposed to be” according to the Individuals with Disabilities Education Act (IDEA) and “the ways things are.”

At one conference, an instructor of special ed at a large, respected state university argued about the information on some of my overheads—verbatim quotes from IDEA. “That’s against the law in our state!” she insisted. “This *is* the law—the federal law,” I replied. “Well, I’ve never heard of that before,” she said. When I asked if she had read IDEA herself—remember, she’s an instructor of special ed at a university—she gave the answer I feared: “No, actually I haven’t.”

At another presentation, the audience was composed of about 60 people: regular educators; special educators; supervisors; and physical, occupational, and speech therapists. I asked how many had read the law. Three people raised their hands.

There are probably more *parents* who have read and know the law than educators. No wonder parents and educators clash! *Dub!*

A student’s Individualized Education Program (IEP) is the *implementation* of the law. So how can educators implement the law, e.g., sit on the IEP team and help write the IEP, when they don’t know what the law says?

At another conference, several Early Childhood Education (ECE) teachers shared that they,

individually, write the IEPs of the preschool children with disabilities in their classes. Some were vaguely aware that, according to IDEA, parents are an integral part of the IEP team and should, therefore, be involved in writing their child’s IEP; others were clueless. They simply didn’t know the law. After I reviewed that part of the law, it didn’t seem to matter. No one said, “We better change our ways and include parents in the IEP process!”

Almost worse than their lack of interest in the law, however, was their lack of *common sense*. They wrote IEP goals without knowing the child or the parents! Curious, I asked *how* they could write specific, individualized goals for a 3-year-old if they never laid eyes on the child or talked to his family. “We look at the child’s assessments to see what he *can’t* do, then look at

the curriculum standards—what he’s supposed to do by age four—then write goals so he’ll meet the standards.” A child’s strengths, as well as the parents’ concerns, are important components when writing an IEP, but these educators didn’t take the time or make the effort to find out all they really needed to know. Furthermore, these educators—and millions of others—seem to routinely ignore the “I” (individualized) when constructing IEPs.

Questions about *why* these particular educators didn’t involve parents revealed more disturbing replies. Their combined answers were: “Parents are lazy, they don’t care about their kids, they want us to do all the work, we can’t get them to come to IEP meetings, and if we ask them what goals they have for their children, they don’t have a clue.” And, again, we wonder why parents and educators clash. *Dub!*

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I responded that there probably *were* some parents like they described, but that, under the circumstances (the exclusion of parents from the IEP process), many parents were probably unaware, afraid, or intimidated; made to feel stupid; and more. I asked the educators to consider what they could do (*in addition to following the law*) to ensure parents are equal partners in the IEP process. And I asked them to recognize that parents are the real experts about their children.

While flying home after another presentation, I chatted with my seatmate—a college student who was majoring in speech pathology. “Melissa” was enthusiastic about her future: “I want to be a speech therapist in an elementary school.”

Curious about what a college student was learning about the education of children with disabilities, I initially feigned ignorance about the subject and asked what that job would look like. “Well, I would take the stutterers and the articulation problems to my speech room and fix them,” she replied with sincerity and innocence. She never once said the word “children.”

In her college classes, Melissa was learning that children with disabilities are not children, but are, instead, labels or “problems.” And she’s learning how to practice pull-out and exclusion. Is it any wonder so many children are seen as “problems” and excluded? *Duh!*

I asked Melissa if she knew about IDEA and IEPs. She thought for a moment and said, “Yeah, I think I heard about that in one of my introductory classes.” I took the liberty of giving her a mini-lesson on IDEA and inclusion. I wondered if she would share our conversation with her professors, and what their reaction might be. Sadly, and with few exceptions,

most colleges and universities are still churning out graduates—people who will be on IEP teams—who don’t know about IDEA or inclusion.

In too many cases and in too many places, educators and parents aren’t on the same page. *They’re not even in the same book!*

Parents *can and should* continue to educate themselves and “educate the educators” about IDEA, inclusion, and more. Administrators, educators, therapists, and others *can and should* know the law they’re charged with implementing. (Everyone can learn the law; visit [www.ed.gov/policy/speced/guid/idea/idea2004.html](http://www.ed.gov/policy/speced/guid/idea/idea2004.html).)

In addition, parents can offer to be guest lecturers at colleges and universities. We can also investi-

gate what’s being taught in higher education, and then advocate for improvements with university administrators and our state legislators (who oversee state-funded colleges and universities).

But there’s another issue to consider—a question that can and should be asked by both parents and educators: who is responsible for ensuring members of an IEP team *know the law*? Common sense dictates that, in order to implement the law, team members need to know what the law—*not just school district policy*—says about IEPs. (Many schools operate primarily from district policy rather than IDEA.) How can we write appropriate IEPs without this vital information? IDEA is the law, but it’s also a wonderful tool that can help educators, parents, and students work together and succeed as a team.

What will it take to get us all on the same page? I hope you’ll ask some of the questions posed here, so parents, educators, and students can truly work together in effective teams. If you get some answers, let me know and I’ll share your news with others!

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