ACSA Every Child Counts Symposium

Partnering with Parents and Staff, Even Through Disagreements

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SPEAKER

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➢ Education law attorney for 20 years
➢ Started as a teacher
➢ Speaker and trainer at state and national education conferences
➢ Hispanic Business Magazine’s 100 Most Influential Hispanic Leaders of 2009
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Executive Director, Norwalk-La Mirada USD.

- Special Education Director - 18 years
- ACSA Special Education Administrator of the Year - 2009
- Presenter at state and national conferences
- SELPA Director for the past five years
OVERVIEW

➢ IDEA Framework & Due Process

➢ Managing Disagreements

➢ Partnering with Staff and Parents
The Framework: IDEA
FAPE

Two Requirements

- Substantive
- Procedural
Educational Benefit

➢ Procedural

▪ Numerous (e.g., team members, timelines, written notice)

▪ PARENT PARTICIPATION
Due Process

➢ Due Process Hearing

▪ Adversarial System

▪ Impartial Decision
Collaboration

IDEA Mandates Collaboration

➢ Meaningful Participation (the “IDEA places a premium on parental participation…” D.A. & J.A. v. Meridian Joint Sch. Dist.)

➢ Even When Disagreements Arise
Managing Disagreements

➢ Avoidable
➢ Unavoidable
Managing Disagreements

Avoidable

- Not communicating with parents
- Not responding in a timely manner
- Negative comments
- Disagreements among personnel
- Failure to collaborate
Managing Disagreements

Avoidable – can create

- Lack of trust
- Advocate or attorney at IEP
- Unsigned IEP
- Unwillingness to meet with school staff
Managing Disagreements

➢ Unavoidable

➢ Genuine disagreement:
  ➢ Needs, Goals, Placement
  ➢ Methodology
# Managing Disagreements

<table>
<thead>
<tr>
<th>AVOIDABLE</th>
<th>UNAVOIDABLE</th>
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<tbody>
<tr>
<td>• Build trust</td>
<td>• Seek to understand basis for disagreement</td>
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<tr>
<td>• Create a culture of positive and professional communication</td>
<td>• Communicate reasons for IEP team’s recommendation</td>
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<tr>
<td>• Don’t ignore disagreements</td>
<td>• Support parent and district staff</td>
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Managing Disagreements

➢ Build Trust:
  ➢ Address negative relationships
  ➢ Ensure staff follow through
  ➢ Ensure parent participation throughout – check-in
Managing Disagreements

➢ Build a Positive Culture
  ➢ Parent communications: strengths and concerns
  ➢ Ensure positive information is part of the conversation
  ➢ Communicate professionally and respectfully
Managing Disagreements

➢ Address Disagreements:
  ➢ Administrators initiate communication with parents (don’t wait for them to contact you)
  ➢ Identify areas of agreement
  ➢ Be tough on the issues, not the people
Managing Disagreements

- **Build a Positive Culture - Staff**
  - Check-in with staff
  - Address disagreements early
  - Ensure all staff are present and they contribute
Managing Disagreements

Managing Unavoidable Disagreements

- Understand basis of parent disagreement
- Provide parent information, use objective data to inform the conversation
- Respectfully disagree – be kind
Managing Disagreements

➢ Failure to Cooperate
  ➢ LEA must document attempts to schedule IEP at a mutually agreeable time, e.g., correspondence, call logs and responses received
  ➢ LEA obligated to provide a FAPE, even when parents do not cooperate.
Managing Disagreements

➢ Failure to Cooperate
  ➢ Meeting may be conducted without parent attendance if LEA is unable to convince the parents they should attend. LEA must keep detailed record of attempts to convince the parents and of a mutually agreeable time. (34 CFR 300.322(d))
➢ Create a collaborative culture
➢ Ensure staff communicate effectively and consistently
➢ Initiate with parents when they disagree
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