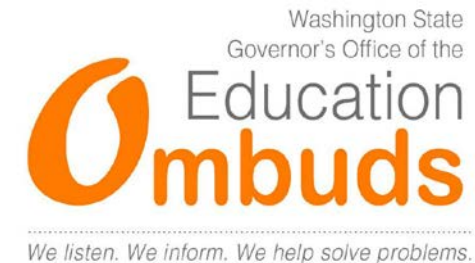


Strategies and Tools for Resolving Disagreements OEO and Fostering Together, Part 3

Presented by: Rose Spidell, Senior Education Ombuds,
Hosted by: Fostering Together
February 19, 2019, 6-7pm

www.oeo.wa.gov

1-866-297-2597



History of the OEO

Tackling the Opportunity Gap in k-12 Washington State Public Schools

Founded by the state legislature in 2006

OEO's Mission: We work with families, communities, and schools to navigate educational challenges and increase collaborative problem-solving so that every student can fully participate in and benefit from public education in Washington.



Today's Goals

Working through 3 hypotheticals, we will explore tools and strategies for resolving concerns relating to students in our state's k-12 public schools. We will consider whether options will keep us:

- Child centered
- Forward focused
- Open to creativity in resolution

Hypothetical 1

Jenna is a sophomore in high school. She hasn't been attending her 6th period math class for close to a month. For a while, she'd go to the library instead. Last week, the librarian asked what she was doing there, so Jenna started walking the hallway.

On Monday, she was intercepted by an assistant principal and brought to the office. The school called home.

She's facing discipline for being in the hall without permission and for arguing with the assistant principal when she was told to return to class.

What Next?

What happened?

What are the primary concerns? (Discipline? Attendance? Keeping up in math class? Communication between school and home?)

What can we do next to try to resolve the concerns?

Who will we need to work with to try to resolve them?

Getting to the Root

You have had a chance to talk with Jenna, and she shared that she's been avoiding math class because there is a small group of kids in that class that have been harassing her – in school and online.

Tools & Strategies

Student discipline rules:

- Check your district policy; and
- State student discipline regulations (WACs) at WAC 392-400: <https://apps.leg.wa.gov/WAC/default.aspx?cite=392-400&full=true>
- OEO's Learn About Page (and link to Guide): <https://oeo.wa.gov/education-issues-topics/suspensions-expulsions-and-discipline/>

Harassment, Intimidation & Bullying (HIB)/Discriminatory Harassment:

- Check your district's HIB policy & procedure; and
- Check your district's nondiscrimination policy and procedure;
- Look for your district's compliance officer: <http://www.k12.wa.us/Equity/ContactList.aspx>;
- Review OEO's Toolkits: on Safety Plans: <https://oeo.wa.gov/wp-content/uploads/Toolkit-Safety-Plan.pdf>; and Discrimination: <http://oeo.wa.gov/wp-content/uploads/Discrimination-Toolkit-06.27.17.pdf>.

Communicating Concerns and Requests

Subject: _____

I just learned from my Granddaughter Jenna that she has been harassed for months in her 6th period class and no one has done anything about it. Now she is in trouble for trying to avoid the situation.

Why didn't her teacher contact me when she was missing class? Why didn't the librarian contact someone about seeing Jenna there in the library? Who is responsible for contacting the family when things like this happen?

I want her moved to a different math class immediately and action taken to address the harassment.

What is the focus of this communication?

What parts might the reader focus on?

What next steps would be likely? What might not be addressed by this communication?

Communicating Concerns and Requests – Forward Focused, Open to Solutions

Subject: Request for Meeting

I would like to schedule a time to meet with you in person, as soon as possible, to discuss the recent discipline my Granddaughter Jenna received. In talking with her about the situation, I learned that she has been avoiding her 6th period class due to harassment from a group of students. I would like to meet with you and her 6th period teacher to talk about what has been happening and work on a plan together for moving forward.

I have attached an Incident Reporting form that Jenna and I filled out together with more detailed information about the harassment from her peers.

Please let me know if you can meet with me sometime before the end of this week.

What is the focus of this communication?

What topics could they address at the meeting?

How would you recommend they approach the meeting?

What would you recommend they do after the meeting?

Hypothetical Number 2

Ben is a 6th grader who has been suspended 5 times this school year; the first few suspensions were for one day, the fourth was for 3 days and the most recent one was for 5 days. Each time it has started with him getting in trouble for not paying attention, not doing his work, or disrupting class.

Ben has become increasingly frustrated and this last time, he got in trouble for arguing with his teacher. The assistant principal said that Ben's words could have been taken as a threat, and that if his behavior continues he may face more significant discipline and possible referral to law enforcement.

Ben begs every morning to stay home; he's complained a lot recently of headaches and stomachaches. When you talk to Ben about what is happening in class, he says his mind wanders and he can't remember what the teacher says and feels like now they think he's a trouble maker so when something happens in class, he gets the blame.

What Else?

What other information would we want to know?

--Does Ben have a 504 plan or IEP?

--How significant are Ben's challenges with focus? Is he understanding the material? Is he behind academically?

--Are the discipline incidents occurring in different classes? With different teachers? Or in the same class each time?

--Other?

Tools & Strategies

Student discipline rules:

- Short term suspensions, conditions and limitations:

<https://apps.leg.wa.gov/WAC/default.aspx?cite=392-400&full=true#392-400-245>

- OSPI's guidance on Section 504, Manifestation determination at p. 4,

<http://www.k12.wa.us/Equity/pubdocs/DisabilitySection504.pdf>

Requests for evaluations:

- Special Education rule re requests for initial evaluations:

<https://apps.leg.wa.gov/WAC/default.aspx?cite=392-172A&full=true#392-172A-03005>

Possible Pathways

We learn Ben has a 504 plan to address ADHD. He was recently placed in foster care and has been struggling to adjust. The discipline incidents are coming up mostly in his 5th and 6th grade classes that are taught as a block by a single teacher.

Which of the following steps should we consider? And why? What else would you want to know?

-request manifestation determination meeting with the 504 team;

-consider whether a functional behavior assessment is needed;

-talk with the team about trauma-informed strategies for engaging with Ben;

-review and update his accommodations on the 504 plan.

-make a written request for a special education evaluation.

-Other?

Thanks, and....

The team has met several times already and talked about trauma-informed approaches. The school developed a kind of informal behavior plan that Ben would ask for a break when he was feeling overwhelmed.

What else could we try?

- request a meeting with the teacher of the block class, together with Ben, to share more about what he's going through and how he's feeling about the continued discipline?
- request a change to a different block class?
- other?

Hypothetical Number 3

Sunny is in the 3rd grade and this is the third school she's attended since starting preschool. She has an IEP and spends most of her time in a special education "self-contained" classroom. Since the beginning of the year, she has been restrained 5 times and put in isolation 3 times. Last year, she was frequently sent home when her behavior became physically aggressive.

The IEP team has met multiple times already this year. In November they did a Functional Behavior Assessment (FBA) and developed a Behavior Intervention Plan (BIP). You have asked if they can add support and explained they already use the classroom para-educators to provide extra support to Sunny and they do not have any more staff available. The school recently proposed having her come in later in the day to see if that would reduce the frequency of the aggressive behaviors. You are tired, worried, frustrated and not sure what to do.

You appreciate that the school has not been sending her home so much this year, but you are worried about the impact of the restraint and isolation. You have had good communication with the team but you feel like it is getting more tense. You are feeling guilty for not doing more to help Sunny, but you are also not wanting to push too hard on the school.

Tools & Strategies

Reach Out

- District Special Education Director or Supervisor
- Education Ombuds
- Special Education Parent Liaison at OSPI
- Washington PAVE, ARC, Open Doors, or other Family Advocate/Support Organization
- IEP Meeting Facilitator
- Other support systems

Tools & Strategies

Dig In to the details:

- Review current evaluation information, recent progress, and nature of incidents:
 - Current IEP, including the FBA and BIP;
 - most recent evaluation report,
 - restraint and isolation reports,
 - IEP goal progress reports,
 - Other
- Consider whether the team has a current, comprehensive, and accurate understanding of the child's strengths, disabilities and needs;
- Make requests in writing, AND request “prior” written notices (PWNs) in response

Taking care of Relationships – Focusing on Child-Centered Solutions

How would you describe your primary concerns about the situation and your goals for Sunny?

Who will be critical partners in resolving concerns and reaching those goals?

What are ways that the team can try to maintain strong communication and collaboration while working through this situation?

What are things that help you stay engaged when you are feeling overwhelmed?

Taking care of Relationships – Focusing on Child-Centered Solutions

How might a shift to written advocacy change the dynamics of a team's engagement?

What might be some risks and benefits of asking for outside help?

What if you decide to do a formal complaint? What would happen in the meantime? How would you work to maintain communication and collaboration?

What helps teams work? What helps when we need to engage conflict?

Transparency

Assuming the best of each other

Listening to Understand

Openness to Creative Solutions

Respect for each others' role, time and effort

What else?

Share your Feedback, please:

[https://www.surveymonkey.com/r/Fostering Together Part 3](https://www.surveymonkey.com/r/Fostering_Together_Part_3)

Stay in Touch with OEO

Contact Us:

Online: www.oeo.wa.gov

Email: oeoinfo@gov.wa.gov

Toll free phone: 1-866-297-2597
(interpreter services available)

Find webinars, guides and toolkits:

<http://oeo.wa.gov/publications-reports/webinars/>

<http://oeo.wa.gov/publications-reports/publications/>

Receive Updates and News:

OEO Newsletter Sign Up:

https://public.govdelivery.com/accounts/WAGOV/s/subscribe/new?category_id=WAGOV_C5

Facebook:

<https://www.facebook.com/WAEducationOmbuds/>

Facebook en Español (Spanish):

<https://www.facebook.com/OmbudsdeEducacion/>

Twitter: @EdOmbuds