

Excerpt from a letter written by a parent/member of the Montgomery Area Down Syndrome Outreach Group who attended the Hearing in Montgomery.

I was able to attend the meeting held in Montgomery and would [like to share my perspective]. The State Board of Education said that they advertised the meeting by posting it on their website and Facebook page. They either did not want us [parents & advocates] to attend or do not understand parents of children with disabilities as I do not know of anyone who checks the State Board of Education website on a regular basis. Some of us suggested that they use the school phone message system or letters home with our students.

Their rationale for the changes seemed to be that it was too time consuming to prepare for and defend against the cases being brought against them and that it took time away from instruction to our children. I only know of one time that [my son's] teacher was involved in a legal case. I do not know how much time she spent out of classroom time preparing but I do know that the school system has an attorney that handles most of the prep. Also, in this case, we were having the same problem that the case was about so when the parent won, our issues which I had not filed a case about were also resolved. The school personnel get paid for their time to prepare for a case but parents are doing their preparations after working all day, preparing meals and taking care of their children with special needs and other children. I have much better things to do with my time and would only pursue a lawsuit after contacting school personnel at all levels.

They also said that parents were going to lawyers and trial instead of contacting teachers and administrators to work things out. I worked for the school system and I have worked with the school system on [my son's] IEPs for the last 13 years and I have not found this to be true. I have talked with at least four different attorneys during my 13 years of IEPs to help me understand if my complaint was valid, if I was reading the law correctly and [only] when they confirmed the validity of my issue to [then] get advice on how to resolve it.

They all offered advice free of charge, even when I offered to pay. They gave me advice, they did not push me into entering litigation [and] they [even] helped me solve the problem without litigation. However, I find great peace of mind in knowing that they are there to help in the event that I could not solve the problem.

Just reading the proposed rule changes made me realize how much you need the help of a trained lawyer to understand the intricacy of special education law. I wish the state school board would spend time trying to fix the problems brought up by valid litigation instead of trying to limit our rights to litigate.

These are my own thoughts and experiences and I know not everyone may agree but since it does involve our kids, I wanted to make sure you were aware of the proposed changes.