Negotiation Skills for Parents

How to Get the Special Education Your Child with Disabilities Needs
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The Booklet

• A publication of Disability Rights Ohio, available at: http://www.disabilityrightsohio.org/negotiation-skills-for-parents
What we’ll cover

• Getting prepared
• Effective communication
• Getting good results at meetings
• Identifying barriers to success
• Responding to problems
• Remedies
Getting prepared

• Being prepared is important at any stage of the special education process.
• Prepared parents are more likely to get what they want.
• The school will take you more seriously if you have identified the problem and have a proposed solution.
Getting prepared

• We will review the 4 steps to preparing to negotiate:
  • Identify the problem
  • Identify a resolution (what you want)
  • Communicate with the right person
  • Determine who has the information you need
Identify the problem/solution

• Clearly define the problem from the perspective of both sides
• Identify possible solutions—there are almost always more than one
• A consensus solution is usually easier to implement and more likely to be effective
Communicate with the right person

- Find the person who has the authority to fix the problem
- Find a person with whom you have established a good relationship
- Ensure that there will be follow up to your request and compliance with timelines for resolution
Communicate with the right person

- **Teacher**: classroom based information
- **Principal**: building level information
- **Special education administrator**: district-wide information
- **Superintendent**: ultimate decision-maker
Effective communication

• Resolve problems at the lowest level
• Work your way up the chain if you don’t get results
• Ask people how they prefer to communicate
• Consider establishing a method of regular communication
Effective communication

- Personal contact
  - Know when to use it
  - Establish rapport with staff so that personal communication is more effective
  - Allows you to gauge a person’s reaction to your request through body language, and demeanor
Effective communication

• Telephone contact
  – Can be effective if the issue to resolve is simple
  – Useful if time is limited and you don’t have time to write a letter
Effective communication

• Written communication
  – Good for making specific requests when you need to establish a record and timeline
  – May make it more likely a response will be received
  – Look for sample letters if you need a template
Effective communication

• Document all communications
• Keep a notebook or other written log of discussions including date, person, subject, and summary of discussion
• Keep a copy of all correspondence sent or received
Effective communication

• Don’t communicate when you are angry
• Take time to cool off before making a phone call, writing an email, or sending a letter
• Angry communications can be used against the writer
Effective meetings

• Being prepared is the best way to get good results at meetings

• You should:
  – Know the strength of your position
  – Understand the law/standards that apply
  – Know what you want
  – Know the strength of your team
  – Think outside the box
Effective meetings

- Know the strength of your position
  - Seek the assistance of an expert
  - Have the expert participate in your meeting, if possible
  - Seek an expert at the school’s expense if appropriate
Effective meetings

• Know the legal standards that apply
  – Advocate for what your child is entitled to under the law
  – Use the appropriate language
  – Understand and use the correct standard for special education, related services and other services available under the law
Effective meetings

• Know what you want
  – Determine what you want before the meeting
  – Draft a proposal to share with the team, if appropriate
  – Know what you can give up and what is a deal breaker
  – Be prepared to support your request with research/experts/law
Effective meetings

• Prepare for the meeting
  – Understand the purpose of the meeting
  – Ensure the necessary people will be in attendance
  – Request notice from school about its position on your request
  – Create an outline/agenda/bullet points of your requests (may be provide to team before meeting if appropriate)
Effective meetings

• At the meeting
  – Stay on track by following the outline
  – Focus on current issues, not the past
  – Stay away from yes or no questions
  – Stay calm
  – Document any agreements/changes
Effective meetings

• After the meeting
  – Ensure that the IEP reflects any agreements/changes
  – Thank people
  – Follow-up periodically to ensure that there is follow through
Troubleshooting

- Keep the focus on your child
- Recording meetings
- Comparing your child to other children
- Insufficient time for a meeting
- Union issues
- Budget issues
- Talking about the past
- Attorneys at meetings
- Meeting location
Teamwork

• Consider the team’s strengths and needs
  – Thinking outside the box
  – Educating the team
  – Experience of team members
  – Supports and resources
More formal options

• Know when more formal action is needed
  – Know your options
  – Try to start with the least formal option
  – Seek the support of an advocate
  – Understand the risks and benefits
• Questions