

Collaborating with Parents with Disabilities to Create Accountability in the Special Education System

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PULLING IN PARENTS WITH DISABILITIES AS EQUAL PARTNERS.

Issue Statement

Minnesota is a state that prides itself on prioritizing education. As such, all school personnel must fulfill their obligation to ensure meaningful access for parents with a disability. As part of the [Individuals with Disabilities Education Improvement Act](#) (IDEA), the development of an [Individualized Education Program](#) (IEP) is required under both federal and state special education law. In the special education IEP process, parental involvement is mandated to ensure the child's best interest. [Research](#) shows parents' involvement in their children's education can lead to an improvement in grades, performance, literacy, attendance, and homework completion. Disabled parents must be engaged as equal partners in the education of their children. However, in order to do so, schools must eliminate access barriers by engaging in inclusive practices that accommodate the engagement needs of parents with disabilities across all disability types. When Minnesota pulls in parents with disabilities as equal partners, their children, like all other children will learn, grow, and thrive.

Disclaimer: This policy advocacy brief is written using a [disability justice](#) perspective and using both [person-first and identity-first](#) language to reflect the varying preferences of how individuals with disabilities choose to identify themselves

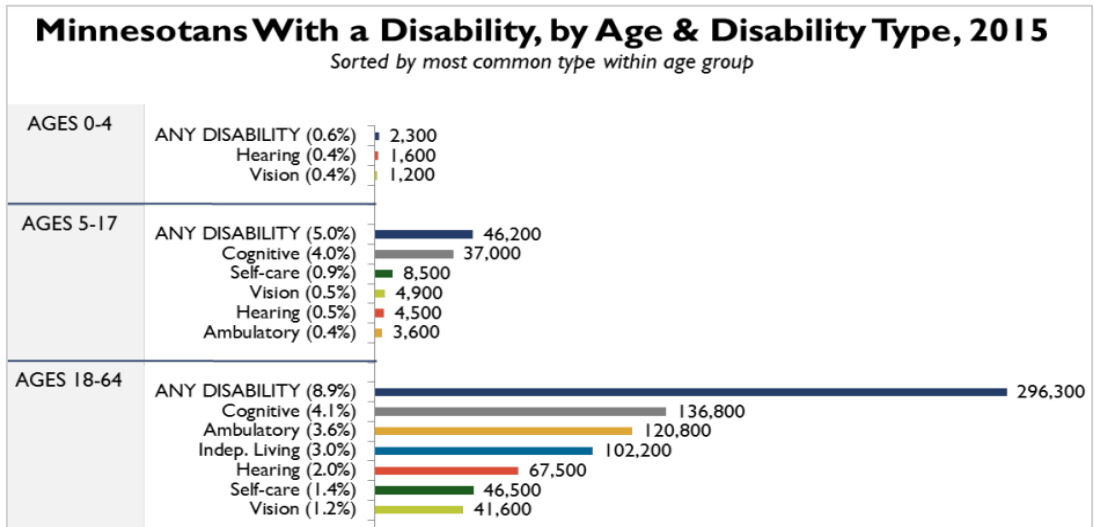
Understanding the Need

In Minnesota, there are approximately **593,700** people with one or more disabilities, which is about 10.9% of the state's population. Approximately 1 in 20 children ages 5-17 report at least one disability, while nearly 1 in 10 adults ages 18 – 64 report living with at least one disability.

People with disabilities face many barriers to participating in an ableist society. From inaccessible buildings to signs and documentation not written in plain language, to barriers to participation in their children's schooling. These barriers are not experienced because the person has a disability. They are experienced because *our communities* have not upheld the legal requirements for access and accommodations.

“**Ableism** is discrimination against people with disabilities. The discrimination can be intentional or unintentional and is based on the belief that there is a correct way for bodies and minds to function and that anyone who deviates from that is inferior.”

People with disabilities should be expected and welcomed in our Minnesotan communities. Instead, people with disabilities have been strategically and continually put into positions that are disempowering and deny them the same access that non-disabled people have. This is done by ignoring accommodations, making it difficult to obtain accommodations, and putting people with disabilities in a different “category” than non-disabled people. The [disability by age data](#) provides insight into student and parental accessibility needs within pre-K to 12 education (see figure on next page).



When a child needs an Individualized Education Program (IEP), the Minnesota Department of Education and school district must collaborate with parents to help create the plan. Parents have an essential role in their child’s education, and that role is amplified when a child needs an IEP. [Research](#) shows parents’ involvement in their children’s education can lead to an improvement in grades, performance, literacy, attendance, and homework completion. When a parent with a disability must fight for access, it makes advocating for their child unnecessarily more difficult. By not collaborating with parents with disabilities, schools and systems are losing out on the benefits of their strengths, resources, and lived experiences .

Riley’s Story of Fighting for Equitable Education

Riley’s story is not isolated; many parents with disabilities struggle to navigate the system. Here is the reality of one Minnesotan family:

Riley is a parent of two Afro-Indigenous children, all of whom, Riley included, live with one or more disabilities. Riley fought – correction, continues to fight, tirelessly for the accommodations needed to be an active participant in their children’s education. Riley describes IEPs as “contracts – legal documents.” A couple of the accommodations Riley has requested are early/extended access to paperwork/documentation and meeting times outside of busy school times (i.e., not first thing in the day, over lunch, or when school gets out) to accommodate their neurodevelopmental disability. Many of Riley’s requests were denied. When seeking to file a grievance in the matter, Riley found there was no process in place and no one to consult for guidance for a process to follow. Riley was ultimately denied the accommodation requested and told they did not “follow the proper process.” This left both Riley and their children feeling unsupported and unwelcomed, and lead to their departure to a new school district. Riley referred to this phenomenon as the “push-out.” By providing inadequate access and accommodations for children and parents with disabilities, the school system creates a situation where families must leave certain districts or choose to home school. (R. Doe, interview, February 12, 2022. Details have been changed to provide anonymity).

[The National Research Center for Parents with Disabilities](#) webinars and articles, such as this [parent’s story](#) or this [collection of stories](#), demonstrates the need for expanded education of school-based stakeholders and greater collaboration with parents with lived experience.

Current Rights: The ADA, Rehabilitation Act, and IDEA

There are three major policies that guide access and accommodations for students and parents with disabilities.

The Americans with Disabilities Act (ADA) describes the legal requirements of state and local government entities to avoid discrimination against individuals with disabilities. However, there are numerous stories of parents with disabilities having their legal rights denied or misunderstood.

The Rehabilitation Act of 1973 protects the rights of people with disabilities using programs or activities that receive federal funding, including students with disabilities in public schools.

The Individuals with Disabilities Education Improvement Act (IDEA) provides the framework to ensure students with a disability are provided with a free, appropriate public education that is tailored to their individual needs. Parental involvement is built into the language of the law.

- Strengthening the role and responsibility of parents and ensuring that families of such children have **meaningful opportunities** to participate in the education of their children.
- Providing parents and schools **expanded opportunities** to resolve their disagreements in positive and constructive ways.
- Ensuring that educators and **parents have the necessary tools** to improve educational results for children with disabilities.

Advancing the Rights of Parents: Collaboration, Education, Accountability

All school personnel need to have a clear understanding of their legal obligation to ensure all special education processes are readily accessible. An improved process must be informed by current laws and regulations, supported by collaboration and education, and ensure accountability.

In Minnesota, Special Education Advisory Councils (SEACs) are required by law in every school district and authorized under Minn. Stat. § 124A.24 Parent Advisory Councils. The purpose of SEACs are to “increase the involvement of parents of children with disabilities in district policy making and decision making”. The SEACs must be incorporated into every district’s special education system plan and comply with the following three guidelines:

1. May be established either for individual districts or in cooperation with other districts who are members of the same special education cooperative.
2. May set up this council as a subgroup of an existing board, council, or committee.
3. At least half of the designated council members must be parents of students with a disability. [...] Each local council must meet no less than once each year. The number of members, frequency of meetings, and operational procedures are to be locally determined.

Strengthening the rules governing SEACs is one way that Minnesota could better engage parents with disabilities as equal partners in the education of their children. Parents like Riley know best the kinds of inclusive practices, including those reasonable accessibility accommodations under the ADA, that should be in place in all schools and on all SEACs.

Revisiting Riley’s Story: Pulling-In instead of Pushing-Out

Imagine if Riley had been a part of a Special Education Advisory Council that worked with disabled parents in creating policies and procedures that supported Riley’s meaningful engagement in the creation of inclusive practices that accommodate the engagement needs of all parents. In this scenario, Riley would have been encouraged to be part of her local SEAC. They would have been engaged as a partner to **educate** and co-create the ways the special education program could be more accessible for all parents. Instead of feeling “pushed-out” by the school system, Riley and their children would feel the school system wrap their arms around them and pull them into the supports they need to be successful. Parents and district personnel would **collaborate** to co-create workable solutions to access barriers. District staff would share information about how the education system works, with parents sharing new ideas and solutions to meet their engagement needs and to support the education of their children. Disabled parents would have a way to hold schools **accountable**. In this scenario, because Riley felt encouraged supported they would remain in their current school district and work towards greater success for all their children.

Policy Position Statement

Rather than pushing out, disabled parents must be pulled in as equal partners in the education of their children. However, in order to do so, Minnesota’s schools must eliminate access barriers by engaging in inclusive practices that accommodate the engagement needs of parents with disabilities across all disability types.

For these reasons, we recommend Minnesota:

- **Strength rules governing SEACs** to ensure disabled parents can fully engage as equal partners in the education of their children.
- Minnesota school personnel in each district must receive an **expansive annual training developed by SEAC participants** and the [Minnesota Department of Education Division](#), explaining legal requirements for access and tools for meeting these requirements.
- Training materials must include **tools and technology for providing accommodations** to parents with disabilities. Specific attention should be given to developing an accessible IEP planning process.
- Funding is needed to support parents with disabilities with access and accommodation supports and services.
- A **school-based point person** is needed to support parents in understanding their rights, the process to request accommodations, and the process for filing a grievance.
 - The school social worker may be appropriate for this role. The social worker is employed by the school and their profession [dictates ethics and values](#) that support collaboration, education, and accountability. In this way, parents have a partner as they navigate accessibility in the schools.
- A **system-based point person** is needed to monitor, receive, and resolve complaints not successfully settled at the school district level.

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