

Negotiation Skills for Parents

How to Get the Special Education your Child with Disabilities Needs



Disability Rights OHIO

We have the legal right of way.

Who we are



- Disability Rights Ohio (DRO) is a non-profit corporation
- Ohio's designated Protection and Advocacy System and Client Assistance Program
- To advocate for the human, civil and legal rights of people with disabilities in Ohio

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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

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