

Tips for Parents: Educational Advocacy (2005)

Sinclair, E.

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Dr. Esther Sinclair (UCLA educational psychologist) specializes in advocating for appropriate education for children with special needs, including exceptionally and profoundly gifted children. In this article, Sinclair shares 10 tips regarding how to advocate for the educational needs of profoundly gifted students.

1. Educational programs for Gifted and Talented students are not protected by IDEA or covered by Gifted IEP's (in most states). If your child has learning differences, it can be helpful to identify a Special Education Administrator, in addition to the Gifted Coordinator, to address your concerns. Special Education people are sensitive to issues involving a Free and Appropriate Public Education (FAPE), procedural safeguards (due process), Present Levels of Performance (PLOP), and access to the core curriculum.
2. When you advocate on behalf of your child, try to frame your programmatic and/or curriculum interventions in the form of FAPE. All children are entitled to FAPE and you need to show that your child is not currently receiving FAPE and thus, unable to access the core curriculum. You then need to provide the rationale showing that if your proposed programmatic requests are implemented, then FAPE will be provided.
3. The concept of FAPE is purposefully ambiguous. Most individuals agree on the concept of "free" education. This is clear cut. Education either costs money or is free. What is "appropriate?" Think of this ambiguity as an opportunity, rather than a limitation. The Rowley case (1993) forms the skeletal framework for a discussion of what is appropriate. Rowley was a Hearing Impaired student in Texas. Her mother requested that the local school district provide and pay for bilateral hearing aids. If she had adequate hearing amplification, her academic performance would be further enhanced and she could make more progress. The courts ruled that schools are not required to optimize the learning experience. Any academic progress, as long as it is not trivial, is satisfactory. The court ruled that she was not entitled to hearing aides because she was making progress without them.

Schools have used the Rowley case as demonstrated that they need only provide a minimum threshold of progress. Therefore, if you advocate that your child has not received FAPE, you are stating that your child has not progressed academically. State that the progress has been trivial, not meaningful.

4. Keep detailed notes of all interactions with school district staff. If you write letters, keep copies. It is a good idea to fax letters because you have a record of when the fax was received. If you have verbal interactions, summarize your discussions in a letter and send the letter to the school district personnel.

5. Ask for specific interventions/programs. If appropriate, request single subject acceleration, multiple subject acceleration, radical acceleration, curriculum compacting, mentoring, etc. Request specific programs such as EPGY, Odyssey of the Mind, etc.
6. If you are asking for acceleration (radical or otherwise), suggest evaluating the intervention in several months time. Discuss how the acceleration will be evaluated and by whom. If you are concerned with bias, do not agree to "teacher observation." Many educators are reluctant to try long-term programs but would be more willing if they viewed programmatic support as non-permanent and tentative. Support their leadership and suggest that all issues be reviewed in a reasonable period of time so modifications and changes can be addressed, if needed.
7. If possible, try and get an IEP. Some states offer an Individual Learning Plan (ILP) for gifted students. The IEP is a road map for a child's educational future. The IEP explains where a child is performing educationally, where a child should be performing at various times (3 mo, 6 mo, 9 mo, 12 mo), and the direction the school and parent will take to ensure a child's educational performance. Goals and objectives need to be comprehensive enough to address all of your concerns.
8. If you have outside psychological/educational testing, do NOT wave high IQ scores at school district personnel. They tend to be impressed with demonstrated achievement and functionality. High IQ scores need to be presented in the context of a comprehensive evaluation. For example, there are children with extremely high IQ scores and extremely high academic achievement scores who refuse to do classroom work on a consistent basis. They do not meet minimum teacher expectations.

It is a good idea to ask school faculty if they would like to see a copy of the psychological/educational testing report. Most individuals will answer in the affirmative. Then send the report with a cover letter stating that you are enclosing the information that the school requested. Do not send "parts" of the evaluation because the reader will wonder what you left out. If you feel that the entire evaluation contains confidential information or other information you are uncomfortable sharing with the school, request that the evaluator produce a school version of the evaluation. Do not send bits and pieces.

9. If in doubt about what to share, remember that you can always share more information at a later date. If you are unsuccessful in your advocacy attempt, you can share more information incrementally.

10. Be reasonable. Try to imagine how a third person or disinterested party would view your transactions and/or communications with the school district. It is very helpful to audiotape important meetings, especially IEP meetings. Most school districts require advance notice of the parents' desire to tape an IEP meeting (usually 24-48 hrs).

Practice your communication skills. Educational advocacy requires negotiation. This is an art as much as it is a science.

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