



ECKCE

Focus

*A newsletter for the employees of the
East Central Kansas Cooperative in
Education*



Students from all interlocal high schools participated in the annual mentoring day and luncheon on October 29.

November 2019
Epilepsy Awareness Month

Volume 4 Issue 4



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Questions fielded from you, by you,
for you, with answers that may
benefit you

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The Changing Face of Education in a Litigious World

We can all remember where we were when certain catastrophic events took place. The Challenger disaster, the Columbine shooting, and 9/11 are events that come to mind for me, and I remember distinctly thinking that something had changed, and that I would always remember where I was when it did.

Isn't it sad that the moments we remember are ones that are often rooted in catastrophe? I'd like to ask each of you, in this season of stress, to remember a different moment. Can you remember the moment that you decided you were going to become a teacher or a paraprofessional? I won't regale you with my own experience, because I'm certain I already have, many times. But the reason I want you to remember is so that you can hold onto that when the days come that you wonder why you ever decided to in the first place. Because we all have those days.

One of the reasons that many teachers and administrators question their career choices occasionally is that education today is a lot different than it used to be. The proliferation of the information age has not only changed the way students view the world and how they learn, it has also made their parents much more knowledgeable about their rights and aware of



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Frequently (Recently) Asked Questions

Every month I will include questions that you have asked – others probably need the answers

Q: We have a student in high school who is threatening to drop out of school because she is over the age of 16, but she is also on an IEP. Can she legally do this? How should we respond?

A: Even though Kansas allows students to drop out of school after they have reached the age of 16, compulsory education for students who have special needs goes from the time they are 3 until they are 21 or complete a program of study through graduation. K.S.A. 72-3421 assigns parents the responsibility of providing the student with their special education services as long as the child remains eligible if they drop out prior to revoking consent for those services. (Parents have the right to revoke special education at any time.) The school has to explain this to the parents and also explain that if the school does not believe they will be provided that they have an obligation to pursue truancy if the student is less than 18. . As the student nears the age of 18, the likelihood of the school pursuing truancy is lessened, but the school still has to explain the options. Documentation of the notification of the parents as to the compulsory nature of attendance while she remains eligible must be placed in her school file. If they do not revoke consent, we must send a ready willing and able letter saying that we will provide services to the student upon re-enrollment, and their IEP will be waiting for them when they return to school. If they revoke consent, and the student returns, they would have to go through initial eligibility.

Q: Is medical documentation required to find a student eligible under an other health impairment? Specifically ADHD—don't they have to have the medical diagnosis?

A: A medical diagnosis is not required, for any of the 14 eligibility criteria under both Kansas and federal statutes. We cannot require parents to obtain a diagnosis at the expense of not considering the educational impact. By Kansas statute a specific disability does not even need to be assigned on the evaluation report—only that the student qualifies as having a student disability under the Kansas eligibility indicators. With ADHD, like all of the other eligibility indicators, the criteria need to be applied to each individual situation to determine the existence of an educational disability, taking the 2nd prong of educational impact and the subsequent need for specialized instruction into account. Because schools are required to identify students with disabilities independently, the eligibility indicators were written to allow the schools to do so, which is why we cannot require a medical diagnosis from the parents, as they may not be inclined nor able to obtain one. The most common identification confusion comes in the areas of Autism and ADHD , but we have the ability to apply the criteria for each of these categories and come to an eligibility conclusion without diagnoses. The most important thing is to recognize when a student may have a disability and determine eligibility so that we can get the individual student the supports that they need to have access to the general education curricula, which is the sole mandate of the Individuals with Disabilities Education Act.



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situations with other families who have had bad experiences and want to pursue legal action. One of the problems is that there is a lot of misinformation available as well, which sometimes leads to parents threatening to sue the school, the district, or even the teacher.

We all got into this business for the same reason, hopefully, and that is to make the lives of children better through education. None of us were drawn to it for the financial rewards or the glamour of being someone the world would know about. We do what we do out of a desire to help kids learn and grow up to be satisfied, self-actualized individuals. But we are in *special* education, which I have referred to many times before as the industry of disappointment. I love working with and for kids with special needs, but no parent that I have ever met wouldn't trade the struggle for an easier path for their child, hence there is disappointment, and often anger. Sometimes that frustration can get aimed in the direction of those that care for the child for 35 hours a week and that's when we can start questioning our career choices.

A recent Harris survey found that 82% of educational professionals reported that the changing legal climate has significantly impacted the way they view their jobs. Over 60% of administrators say they have been threatened with legal action by parents over a variety of issues. The number of formal complaints received by KSDE, often the first step in the due process ladder, has increased by nearly 30% over the last 2 years, and it looks to be getting worse. School officials and teachers tend to err on the side of caution when dealing with parent conflict, often putting the students potential education benefit a distant second to protecting the district's interests. It's not a good atmosphere for teachers or students.

The problem is that many community members and parents don't view the schools as partners in the educational process, which creates an adversarial relationship. Sometimes this is because of a history of mistrust and missteps in the process, and sometimes it is born out of a current perception of poor practice on the schools part accompanied by a lack of communication. Whatever the reason, it can be dealt with appropriately and confidently, even if it often can't be avoided. The first step in the process is to build great relationships with your parents by communicating effectively on a regular basis. This way when disputes arise, they can be dealt with within the framework of trust and openness that you have already established. This can help you avoid pitfalls with 99% of your parents. For the outliers, sometimes the circumstances that have led to the threat of litigation cannot be addressed until the parents actually bring a formal complaint against the district. In those cases, don't despair—there is a process set up to protect the rights of all parties in place and the process can certainly work when it comes to that. When this happens, don't lose perspective on why you do what you do for the students you work with. Every situation provides us with an opportunity of how we can improve our processes and our communication to the betterment of the profession that we love and serve.



DOs & DON'Ts

Here are things to consider when dealing with parents who threaten legal action

DO always look for opportunities to improve your communication with your parents through consistent, objective methods.

DO stay positive with the students involved. They are more than likely unaware of the issues that exist and should remain so. Keep your focus on what matters—the relationship with your student and their progress.

DON'T get intimidated by the fact that a parent is so frustrated that they would seek legal remedy. Often parents feel it is the only way to get the results they are seeking. Keep your positive attitude and let the process run its course.

DON'T ignore the issues that are the focus of the complaint. Do what you can to encourage improvements in the methods or practices that parents are having issues with and continue to offer meetings to make adjustments.

SEAC to NOT Meet until December

Our Special Education Advisory Council, or parent advocacy group, will meet again in December, as there are so many activities for our kids that we are having to meet less often. To provide feedback to the group or to the Director, please visit our Facebook at <https://www.facebook.com/WEB-of-Compassion-711766132538996/>

Hope to see many of you involved this year!

Employee Assistance Program Now Available for All ECKCE Employees

Just another reminder that ECKCE is now providing a new benefit for its employees through a contract with New Directions Behavioral Health, LLC. It is called the Employee Assistance Program (EAP). It is designed to help employees and families deal with the wide range of personal problems that may disrupt lives and affect job performance. We recognize that almost any human problem can be resolved successfully with the right kind of support. The EAP is designed to help employees and members of their household get objective, professional assistance on a *confidential* basis without jeopardizing one's job, future, or reputation. You are encouraged to take advantage of the program by calling the EAP directly at **1-800-624-5544** for an appointment or more information, or accessing the website at **ndbh.com** and using the login code ECKSCE (had to be 6 characters, so take note of that). Additionally, all of the services that are available are listed in downloadable handouts available on our ECKCE.com website under the tab Employee Assistance Program on our home page. Please check out the information and access any services that you may find helpful. Thanks for all you do, especially with the busy holiday season rapidly approaching!

Para Corner

Please share this newsletter with your paras, just in case they did not receive it via email. If you have questions about paras as a group, don't hesitate to now contact Shelly McCart @ smccart@eckce.com.

Paraeducator Reminders

As we do every year in the first few weeks, we have added new folks to our para ranks. For all of you who are returning this fall, welcome back! For those of you who are new, welcome aboard! Regardless, I hope you are all finding a groove in your positions and are excited about helping our students with all the things they need to succeed!

Just a few reminders for paras this school year. Remember that when you are assigned to be working with children in the building, this is your focus. The use of cell phones in the classroom, unless by prior arrangement with your building principal for unique circumstances is prohibited. Please be mindful that principals will reinforce this expectation.

Please demonstrate regular attendance so that the students you are there to support can feel consistency in their programming. While you are given discretionary leave at the beginning of each semester, please use it judiciously.

Your inservice logs are due now. In order for us to keep track of the inservice hours requirement, we really need you to turn those in to Shelly McCart. Thanks for all you do for our students!

UPCOMING CPI TRAININGS

There will be a Crisis Prevention Intervention refresher training on December 6 from 9-12 at the West Resource Center in Eudora. If you need the full training, there will be one on December 13 from 9-3 at the same location. Please contact Shelly McCart to register.