

## **On the Outside Looking In: An African American Family's Experience in an Individualized Education Plan Meeting**

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The current laws that mandate special education originated through the advocacy of families (Turnbull & Turnbull, 1990). Over the years, families have challenged the system to provide free and appropriate public educations for their children. We share, through qualitative measures, the experiences of one African American family and the educators who serve them trying to navigate the system as well as the obstacles they faced. Recommendations for P-12 practice, teacher education, and advocacy efforts are discussed.

The current laws that mandate special education originated through the advocacy of families (Turnbull & Turnbull, 1990). Over the years, families have challenged the system to provide free and appropriate public education (FAPE) for their children. One way to ensure that students receive FAPE is for schools to discuss and make decisions with families during Individual Educational Plan (IEP) meetings about the educational goals and objectives for their children. According to the current version of Individuals with Disabilities Education Act (IDEA), parents are to be given the opportunity to be active participants in IEP meetings (IDEA, 2008). Unfortunately, these opportunities are not always offered in an authentic way (Boyd & Correa, 2004; Harry & Klingner, 2006). Educators are professionally obligated to adhere to the spirit and intent of the law and do whatever it takes to implement it.

### **Theory and Policy in Practice**

Since the early 1980s, special educational literature has outlined a need for educators to more fully understand IEP meetings and the role they play in family experiences and educational decision making (Gilliam & Coleman, 1981; Harry, 2006; Lamorey, 2002; Smiley, 2007; Smith, 1990). The overall objective of an IEP meeting is to bring families and educators together with the common goal of developing an individualized education plan that best meets the individual needs of a student with disabilities. Although some research (e.g., Harry & Klingner, 2006) depicts IEP meetings as simply part of the special education process, we believe IEP meetings are extremely powerful places where significant decisions are made and critical resources are allocated.

Since its inception, special education legislation has been rights-based. This means that policies and procedures do not change until a lawsuit takes place and a decision is rendered (Palley, 2006). Although special education is federally mandated under IDEA (2004), these policies are interpreted at the state level and then implemented at the district and building levels.

Consequently, there are also several layers of judiciary procedures families must navigate to invoke their due process rights. This process became increasingly more difficult in 2004, when IDEA changed its stance on the financial burden of legal costs. Previously, school systems covered the legal costs of a court case and then compensation was considered retroactive.

Currently, families must carry the burden of legal costs until a final decision is rendered and then fees can be reimbursed (IDEA, 2004). This shift in the federal law has disproportionately impacted families that do not have the financial means to fund a case through the judiciary process, even in situations when they know their child has been wronged or the law has been broken. IEP meetings are the official place where legal mandates intersect with the people charged with meeting the needs of students with disabilities. Currently, there are little or no standards of best practice for conducting IEP meetings, and most general educators have very little formal special education training (Smiley, 2007).

As practitioners in the field of special education attempt to understand and ameliorate the overrepresentation of African American students in special education programs (Rausch & Skiba, 2006), a greater understanding of the impact of IEP meeting decisions as they relate to families, schools, and communities needs to be explored – especially in the case of African American families. Critical race theory asserts that equity issues must move from conversation to legal action (Gay, 2005). As African American families find their children increasingly placed in special education (Rausch & Skiba, 2004), the laws and policies of the special education experience have become increasingly more difficult for families to navigate. As a result, it is harder for African American families to ensure their children are receiving FAPE once placed in the special education system. Because African American families are members of the larger community in which schools operate, the services families receive from schools are often reflective of the overall experience they have from all services in that community, as well as the quality of services available in the community. An exploration of the experience African American families and students have as they negotiate the system of special education may allow educators, researchers, and policy makers the opportunity to understand how decisions are made that directly impact the educational experience of African American students and the communities in which they are a part.

### **Historical Information on African American Families Experiences with IEP Meetings**

A review of both recent and historical research reveals that African American families have had consistently low rates of participation in the IEP process (Lynch & Stein, 1987, Marion, 1981). According to Cassidy (1988) and Lowry (1983), there are three factors that can stifle the participation of African American families in IEP meetings: an intense feeling of alienation, lack of awareness of parental rights, and indecipherable procedural safeguards as they pertain to special education law. Other researchers have cited such factors as distrust in the nation's educational system as it relates to African American children (Harry, 1994), the belief that African American parents are apathetic to their children's educational experiences (Lynch & Stein, 1987), and logistical limitations (e.g., transportation issues, scheduling, and unfamiliarity

of the IEP process in general) in company with the dynamics of the home and work life of African American families who earn a below average income as being reasons for the lack of parental involvement in the IEP process (Cassidy, 1988).

According to Harry (1992), the fundamental issue regarding African American families' participation in the IEP process is power. She employs Cherryholmes' (1988) definition of power: ". . . relations among individuals or groups based on social, political, and material asymmetries by which some people are indulged and rewarded and others negatively sanctioned and deprived" (p. 5). Cherryholmes argues that a restructuring of the communication that historically exists between African American families and educational professionals needs to be altered. She asserts that traditionally African American families have not been as active in IEP meetings as they should because they are not asked to give input regarding their children's education until it is too late. Historically, families are not asked to give input or share vital information regarding their children's academic strengths and weakness until they have been officially diagnosed with a disability. Harry (1992) shares that because of this tradition, African American families have often been disempowered before they even enter an IEP meeting.

In this article we explore the experiences of a group of special education practitioners and one African American family are explored to gain a better understanding of the complex dynamics that take place between these groups as they navigate the special education process and an IEP meeting. Working from the review of literature and the experiences of the researchers, we aim to provide a much-needed examination of current IEP meeting practices, as well as to illuminate the voices of the participants navigating them together, specifically the African American family. Our goal of this study is to develop a better understanding of the role power dynamics play in IEP meetings while providing insight into the reality of preserving the spirit and intent of legal compliance within IEP meetings. The findings are meant to better inform current IEP meeting practices across all levels of education and answer the research question, "How do families describe their experiences in IEP meetings?"

## **Methods**

A qualitative design, specifically a case study format, was utilized to examine IEP meeting dynamics between one African American family and the employees of a local education agency in which the family's child attends school. This research examines these interactions as a means to better understand the experience of IEP meetings from the perspective of families and provide recommendations for future practices. The case study format relies on the use of an emergent design to provide the flexibility needed to allow the research question addressed in the study to emerge as data are collected and analyzed (Brantlinger Jimenez, Klingner, Pugach, & Richardson, 2005; McMillan & Schumacher, 2001; Merriam, 1998). The case study approach provides the most promise to allow for a sound understanding of how earlier research and related findings connect the participants' experiences to theory with intentions of impacting future practice (Merriam, 1998; Stake, 1995).

Our work is intended to be part of a developmental process from which we respectfully present an alternative venue from the official IEP meeting for the voices of one family and school professionals navigating the special education process. As Stake (1995) pointed out, naturalistic

generalization, the process by which readers and researchers unconsciously connect their own experiences to those of the participants in a case study, often enables researchers to modify and reinforce their own understanding of experiences through multiple encounters with participants. Our intent is to communicate evidence about the nature of family and teacher behaviors at IEP meetings and perspectives gleaned from the interviews to inform the fields of special education and multicultural education so services can be improved (Brantlinger et al., 2005; Harry & Klingner, 2006).

## **Researcher Subjectivity**

The first author is a former public school special education teacher and current special education faculty member at a liberal arts institution and the second author is currently a special education teacher who works as a part-time special education faculty member at a university. We both hold doctorate degrees in special education. The first author is European American and the second author is African American. In addition, we both self-identify as Christian, heterosexual, and middle-class. Further, we are both married and mothers. We are currently engaged in teaching, research, and service activities at the university level. It is important to note the impact that we believe being a racially diverse research team plays in this process. We share many things in common as well as being different from each other. Our level of trust enables them to push each other's thinking and keeps them honest in their pursuit to impact the experiences of families of color and the field of special education in ways that a homogenous partnership would not allow. We are able to walk their talk and engage in conversations across race as we work within these contexts, providing a comprehensive layer of authenticity to our skill set.

Given that one of the researchers has a family member who has been diagnosed with disabilities and that both researchers chose careers within the field of special education, it is crucial that we address our own background, including privilege and power within the context of this study (Brizuela et al., 2000; Villenas, 2001). We found that we needed to pull from our experiences as family members, teachers, and citizens at different times to remain true to our goals to inform the field in a way we feel necessary. As Hooks (1994) noted, "It is not easy to name our pain, to theorize from that location" (p. 74). A rich understanding of the milieu of this work is needed to write about our experiences and the experiences of our participants.

## **Setting**

This study was conducted in an urban school district that is located in a large Mid-western city. The district serves over 38,000 students and employs almost 6,500 certified staff members. The school district provides special education services for slightly less than 20% of its student population, or approximately 7,500 students. The district student population is approximately 58% African American, 28% White, 10% Latino, and 3% identify themselves as Multiracial. Currently, 21.6% of the certified staff employed by the district identified themselves as "minorities." Approximately 77% of families in the district receive free lunch services for their children, and another 12% qualify for reduced-price lunch. Of the families living within the district, 24% live below the poverty line, with slightly more than 55% of its students living in single-parent homes. The average salary for a teacher working in the district is \$50,400 although the average income per capita for the population it serves is \$16,992. Of the teachers employed

by the district, 98.8% have the distinction of being “highly qualified” under the No Child Left Behind Act, whereas 28% of the families in the district report attaining less than a high school education.

The first author had previous experience working with the families and staff members engaged in the USD Family-School Liaison Program (Howland et al., 2006) and she intentionally selected the participants for this case study from the larger sample of parents and staff with whom she had worked. She specifically chose this subset because they were members of the school system in her community, she was familiar with the school system’s procedures, and she had a relationship with some of the school staff. Given her level of familiarity with some of the participants and the school system, she was able to gain access to protected spaces and closed-door conversations. This level of access was essential in the ability of the researchers to provide data that was authentic.

### **Recruitment of Participants**

Prior to approaching possible participants, the mandatory procedures to safeguard human subjects were completed at both the university and school district levels. Upon approval from Human Subjects, we began the recruitment process. We asked the special education family liaisons at the district level to approach families they thought might enjoy taking part in this research. Given the sensitive and unique nature of the research, we employed intentional sampling. Once a family was identified, the local school staff that worked with the identified family were approached and provided the details of the study. After securing permission for participation and informed consent from both family members and school personnel, we began first phase of data collection. Additionally, at the start of the IEP meeting, we notified all of the meeting participants (included in this study by pseudonym or generic label) of the study, introduced ourselves, and offered the option to resume the conference without the presence of us. All participants agreed to continue with the IEP meeting and the study.

### **Participants**

Self-descriptions of each participant are shared to allow readers to build context for the case study (Creswell, 1998). Given the personal and legal data provided, pseudonyms have been given to each participant and the school system to ensure confidentiality. It is important to note that all other IEP meeting participants included in the narrative were not included in the interview process, so they are referenced generically by title.

**Wilma.** Wilma is an African-American mother who lives with her husband and three children. Her oldest son was diagnosed in middle school with a learning disability. Wilma reports no unpleasant interactions with the school prior to working with special education service providers. She and her husband both attended the school that their son currently attends and neither reported having had a bad school experience. In several instances Wilma compared her interactions with school personnel when she was a student to the interactions her son has with the exact same people. She expressed very strong feelings about the perceptions the service providers held of her son, stating, “They are just out to get him at that school.”

**Susan.** Susan is a European American regional supervisor of special education services for the schools located in the northeast region of the district. She had previously been a teacher and administrator in the district before accepting her current position. Susan has worked in special education for more than 20 years and has earned an Ed.D.

**Denise.** Denise is a European American high school special education teacher. She has been teaching students with special needs for more than 20 years in various parts of the country. She has experience teaching at all levels, preschool through higher education. She admittedly struggles with meeting the intense needs of her students, collaborating with other teachers and administrators, and fulfilling what she perceives as the overwhelming paperwork requirements of her position.

**Donna.** Donna is an African American family/school liaison who was hired through a grant two years ago to promote cultural responsiveness within the district and to meet the needs of families of students with special needs, primarily African-American children and families. Prior to accepting this position she had been a general education teacher in a parochial school as well as a probation officer in a large urban city located in the Southwest.

## **Data Collection Phases**

To capture the complexity of issues surrounding relationships in the IEP meetings, specific information was targeted for collection, which would allow insight into participants' behaviors as well as perceptions of one another during the meetings. Multiple data collection procedures were utilized including pre- and post-conference interviews (Appendix A & B), as well as observations at the IEP meeting. The range of data collection procedures were designed to provide this study with a rich depiction of the context of each participant in the study as well as to ensure that disparate views were adequately represented (Creswell, 1998). All data were transcribed and then member checked by the study participants prior to being analyzed.

## **Context**

Given the complex nature of the federally mandated guidelines that drive individual state interpretations and funding procedures for special education (e.g., Indiana Law, 2002), an understanding of the state's special education law is warranted to fully depict the context of this study. Federal mandates outline that IEP team meetings are held annually between the family of the student with a disability and the local education agency (LEA) to develop an IEP (IDEA, 2004). This state translates the term *IEP Team Meeting* into *Case Conference Committee Meeting* (Indiana Law, 2002). Thus throughout the narrative, the term case conference committee meeting is used interchangeably with the term IEP meeting. Additionally, participants often refer to district-specific programs and terminology. These terms are defined when necessary for readability.

## **Data Analysis**

Data analysis for this study occurred throughout all phases of data collection. Transcriptions of interviews and field notes were reread several times. Evidence of power differentials,

stereotyping as well as concern for personal status and methods of decision making were factors that were examined. Employing data analysis procedures throughout data collection allowed for previously collected data to inform new data as it was gathered (Merriam, 1998). As recommended by Gee (2005), data were analyzed looking especially for participants' sense of status and expectation, as well as impressions of earlier interactions. Each individual participant was interviewed prior to the case conference meeting observation to "set the analysis of this narrative in the larger context of the whole" (Gee, 2005, p. 153).

To increase the trustworthiness of findings, three distinct sources of data (i.e., initial interviews, field observations, and retrospective interviews) were gathered. Triangulation of these various types of data include a cross validation of the data sources to find regularities and patterns (Denzin & Lincoln, 2000; McMillan & Schumacher, 1997). Discursive data were used to explore five factors: participant's avoidance of discussions with each other, participant's decision-making about services, participant's perceptions of each other, participant's opinions of the process, and participant's personal turmoil felt throughout the process. Additionally, a section of researcher field notes is provided to share the perception and experiences of the researchers as data were collected and analyzed (Lather & Smithies, 1997).

## **Findings**

Results for this study have been divided into three sections for coherence and clarity. The first section is a narrative of the IEP meeting based on observational field notes and member checking feedback. We include a second section titled "Researcher Field Notes," which document interactions and experiences of the participants. The third section includes interview data from each of the IEP meeting participants. Additionally, data are included in the implication section to directly link the voice of participants to relevant literature and support findings.

### **IEP Meeting Narrative**

The case conference was held at 1:30 p.m. in a glass-walled room located in the main entrance of the school. One of the special education teachers had gone to Wilma's (the mother's) house to bring her to the conference because she could not arrange transportation to the conference. By 1:50 p.m. all main participants (Denise - special education teacher, Susan - area special education supervisor, Donna - the family-school advocate, and Wilma) were in attendance. Other participants included a person from a community mental health service, a medical student, a representative from a community mentoring program, two additional special education teachers, a dean, and the student (Appendix E).

When the conference began, Denise informed the group that there had been several behavioral and attendance issues that needed to be addressed and that given these circumstances, the conference was going to be a manifestation determination (expulsion) conference rather than an annual case review. She asked if anyone objected and no one responded. She then gave Wilma a copy of her legal rights without offering an explanation, stating, "You probably already know these by heart, but I'm required to give them to you anyway." As Denise began to verbally read through the IEP paperwork she stopped and asked everyone to introduce to Wilma.

One by one, each person in the room introduced himself or herself to Wilma and then described the agency they represented. When it was the student's turn to speak, Denise, his teacher, asked him to remove his hat on school grounds. The student reminded Denise that hats were allowed after school hours and that by this time the school day was officially over. Denise replied that hats were not permissible and if he did not remove the hat she would call the police officer to remove him. The student refused, citing the same school rule. Denise then asked the dean to get the police officer to remove the student from the case conference because he openly refused to be compliant with a school rule. Wilma hung her head, shook it from side to side and laughed quietly as she scooted her chair away from the table and the rest of the group. A few minutes later the police officer arrived and removed the student from the room while his mother sat watching. The entire room remained silent during these interactions.

A few minutes later the student, holding his hat, was escorted back in the conference by the police officer. As the student sat down he said, "I don't know why you need me here, you're not listening to me or my mom." Once the hat issue had been settled, Denise described this as a common display of the student's daily behavior. Susan used this turn in the conversation as a segue to discuss behavior plan options. She asked if the student could call home when a conflict arises. Denise responded, "We can try that, but he doesn't listen to her either." She continued, without looking up from the paperwork, to explain that Wilma's inability to provide consistent transportation had been a hindrance to any behavior plan they had attempted to implement thus far.

Denise continued to read through the manifestation determination paperwork out loud, word for word, without looking up or asking if anyone needed clarification. At this point, several side conversations began among some committee members and other committee members were having unrelated conversations on cell phones. The legal portion of the paperwork moved away from behavior to attendance. After 30 minutes without making eye contact or speaking, Wilma stated that she was upset about getting so many calls from school saying her son was not in attendance when she puts him in the taxi cab in the morning.

Denise pulled out the student's attendance records and report card and passed them around the group. According to the attendance sheet, the student had missed the majority of school days listed and was failing all of his classes. When the student and one of his other content area teachers looked at his records they both pointed out that this was his previous schedule before he was put on a half-day schedule and was enrolled in a different small school on campus. It became apparent that the computer system was not updated when his schedule was changed, so it appeared on paper that the student had been skipping school when he was, according to his current IEP, supposed to be meeting with a mentor in the afternoon. According to the representative from mentor services, the student had been in attendance at all sessions. Wilma then stated that she had been summoned to truancy court due to the clerical error and asked if the school could help sort out that situation. At this point one of the other special education teachers voiced a concern that communication between professionals within the differing small schools was an ongoing struggle in this situation, but this comment was left unaddressed by the committee. Denise responded to Wilma's question about truancy court by saying that Wilma



would have to appear in court to straighten this out legally. Donna later called (after the meeting) and offered to attend the court session with Wilma to help.

As the conference proceeded, a homebound plan was developed. Wilma asked how her son will be able to graduate when he will only be working with a tutor a few hours a day. Denise responded by saying that these are the best services they can provide with the resources available. After the paperwork was passed around and signed, Donna asked Wilma if she understood and agreed with everything that was just discussed. Wilma became visibly upset and hung her head once again. The student responded to Donna's question by saying, "No she's not okay with it, but she will sign because she that's what you want her to do." As everyone filed out of the conference Wilma was crying, the student was upset, and Denise told Donna and Susan that the attendance situation was the other special education teacher's fault—that he does not update records, or turn in mandated paperwork. As everyone left, all legal paperwork was signed, dated, and filled out using appropriate legal terminology to meet mandated requirements.

### **Researcher Field Notes**

The interactions of the participants in this case conference committee meeting brought to light a multitude of questions about best practice. First, the sheer number of people who attended this case conference was unusual. Many of the participants did not even know the student being discussed. One might question the logic of having so many people involved. It became apparent, due to lack of communication and coordination among the various service providers that a variety of accommodations were being duplicated and were in contradiction of each other.

The experience of Denise in relation to the other participants was interesting. Denise found herself in conflict with administrators, other teachers, and the family at differing points in the meeting. It took Denise several weeks to return calls and agree to meet with the researcher. At the meeting, Denise appeared to respond more favorably when she realized that the researcher had been a public school special education teacher stating, "You know how things really go." She complained about her colleagues (administrators and other teachers) trying to undermine her work. Additionally, she openly complained about Wilma, pointing to a broken steel filing cabinet drawer where she kept her son's file. According to Denise it was broken because Wilma's son's IEP and behavior files were so big. She implied that this case was more involved and time-consuming because Wilma was nonresponsive and not a good parent. She wished the researcher luck in her attempts to set up an interview with Wilma.

Wilma answered her telephone the first time the researcher attempted to contact her for an interview. The meeting was held at Wilma's home after she had dropped all of her children off at school on a Tuesday morning. She was very inviting and spoke freely about her experiences with the school. She shared her frustration with the system and a desire to move out of the district because of the legal issues that had come up over the supposed truancy. Wilma sat next to the researcher during the case conference and asked if they (the researchers) could join her at the upcoming truancy court date. She wanted another witness because none of the school personnel had agreed to go with her and speak on her behalf to help explain to the judge that this was the school's paperwork mistake.

After checking with the human subjects committee the researchers discovered they could not support Wilma as witnesses during the truancy case as the human subjects committee would not permit it. Donna agreed to support Wilma by going to court with her. During the final interview Wilma explained that the court resolved the truancy issue and that she and her family had decided to move to a neighboring district. She had decided to move her family from the neighborhood where she grew up in large part because of the issues she had experienced with the special education service providers at the school.

## **Interviews**

When Wilma was interviewed prior to the conference she said that case conferences were “weird.” She described sitting in a room with a bunch of people she did not know telling her about her child. As she put it, “nobody knows my baby like I know my baby.” She said she had always had good conferences until moving to this high school. Then she shared, “I don’t think they like him up in that school. That’s what I believe.” She had very few expectations walking into the conference. She did share that she wanted to get his attendance issues resolved before she had to appear in court on truancy charges.

Susan and Donna both sensed Wilma’s displeasure with the school and felt a need to help her negotiate the high school environment. As Donna explained,

Central (the high school) in itself is always a delightful place to have a conference and I’m being sarcastic when I say that. Mom feels defeated. She’s always felt defeated. She has to go to battle with the powers that be at Central at every conference. They resent her because she does challenge them.

Susan shared similar feelings about the specific high school and her views on how Wilma feels.

I feel the same way Wilma does. That’s not an easy place to have a conference. She’s not very empowered as a person. I guess that’s why she asked Donna to come. I think if we [Donna and Susan] were not there she would have been, or felt, totally powerless. I think she’s intimidated. I think she feels more comfortable questioning the school when there are people there that are not aligned with the school.

Susan very clearly begins to articulate her belief that she can empower Wilma in her fight for services. She very clearly views herself as more powerful than Wilma and articulates her belief that Wilma would have been taken advantage of if Susan had not been there to save her. Wilma still believes she was not heard in the case conference. In her interview after the case conference, Wilma shared her feelings about the productivity of this conference.

They never got to the main issue, which was his attendance. They always give me the run around. They should have gotten everything straightened out, but they didn’t. They think I’m stupid and crazy. Up at that school they try to out-talk you. That’s what they do. They use those words from the school. That’s when Donna and Susan have to get back on ‘em.

Although Wilma did not get the information or services she desired, she still believed that Donna and Susan were her only allies in the process. Based on previous conversations, Wilma knows that Donna and Susan do not get along with Denise and believes they support her in her struggles with Denise because of their strained professional relationships. Wilma has often felt frustrated with the language of the system. She says,

They call me up to that school every other month and I never know what they are saying. They start talkin' smart and talkin' down to me. I don't know what they want me to do—I don't know what they're saying.

She believes that because of where she lives and her financial situation she does not have equal say in her son's education. She shared,

They say the same thing every time I go up to that school. I know what they see. They think I'm a poor, Black mom. They don't care about me or my son. They just do what they want.

When asked if she felt like a valued member of the case conference, she replied, "Sometimes they listen, sometimes they don't. They only ask me to cover their own ass. They just do what they wanna do." Wilma feels powerless when interacting with the school, which is why she relies on Susan and Donna from the administrative office to help her.

### **Discussion**

In a 2001 study of the experience of "violent" students, Casella found that the urban school district she had chosen as a research site was using screening meetings to change students' educational placements. The sample for the study consisted of students without disabilities who had been deemed violent and a danger to their fellow students. According to Casella's case studies, the screening meetings were often unjust in their means to control the school environment and meeting outcomes were often decided arbitrarily prior to the actual meeting. Some of the interactions in this study mirror those of Casella's. In many ways, decisions had already been made regarding Wilma's son before the meeting began and the interactions were perfunctory. P-12 schools must reexamine the reality of the implementation of the services they provide to make sure they are not only compliant, but also acting in the spirit and intent of the law to serve children and families – not only the process.

In a recent study of the overrepresentation of African American students in special education programs, Harry and Klingner (2006) found that teachers' stereotypical views and their preconceived notions about families impacted their behavior in case conferences. The experiences of Wilma support Harry and Klingner's findings. Many of the service providers taking part in this study, including Donna and Denise, believed themselves to be open minded and yet their actions within the case conference often show otherwise. Denise very openly exhibits a deficit perspective of Wilma and her family. She also reveals a deficit perspective of

fellow service providers while trying to handle the ever-growing pile of paperwork before her. Denise represents, in many ways, the voice of many over-burdened and under-prepared professionals in the schools. It is the exploration of unconscious biases that service providers need support in addressing. Decision-making practices, like those depicted in this study, undermine the intent of special education law and reflect the lived reality of the participants. As schools try to meet the needs of growing student populations with dwindling budgets, students suffer – especially those with needs beyond typical students. In a 2004 study of educational policy implementation, Stein notes that often the floor becomes the ceiling, meaning compliance becomes the goal of services, not the starting point.

Additionally, service providers require assistance from the federal and state levels negotiating the ever-changing legalities of special education. In a recent study of the readability of procedural safeguards given to parents at case conferences, this state's parent right packets had a readability of 13.8, or college level (Fitzgerald & Watkins, 2006). The study goes on to note that this piece of informative literature is 18 pages long when written in 9 point font, includes no table of contents, no illustrations or charts, and offers no examples for parents or teachers to reference. The results of this study reveal service providers navigating these waters with little support and even fewer answers for the families. For families to be empowered within the system of special education, educators and policy makers must find a way to translate the legal discourse of special education in a way that is understandable, meaningful, and comprehensive.

For all practical purposes, Wilma was “stuck.” She was given procedural safeguards written at much higher reading level than her own with no authentic explanation for clarity. She was forced to work with practitioners who know the procedures and use her lack of knowledge of the system against her. Even though she did her part as a parent, she could not access the judiciary system because of her financial means. She knows her son is not receiving adequate services at the school, but she has to continue to send him or she will be put in jail for his “truancy.” She was in fact forced to send her son to a school where she believed that personnel did not treat him fairly and degraded her publically. In reality her only viable option was to move.

### **Implications for Future Practices**

Special education, on a national level, is currently plagued by practices that have resulted in the disproportionate placement of African American males in special education programs leading to the overrepresentation of African American males in high incident disability categories and restrictive class placements (Skiba, 2003). The data in this study name IEP meetings as a primary place and space where disproportionality happens. IDEA (2004) and IEP meetings have become the vehicles for institutional racism within our current special education system. Given the legal environment families and practitioners must navigate in order to ensure free and appropriate services for students with special needs, Grossberg's emphasis on context is essential to gain a deeper understanding of the complexities of the relationships between practitioners and families. Grossberg (1992) cautions that people can be oppressed by the practices that were put in place to empower them. This facet of his work is applicable to the experience of families in this context because families were the primary advocates for special education mandates and now express distress in negotiating the system of mandates created in response to their advocacy. As special education struggles to balance legal mandates, address overrepresentation issues,

prepare highly qualified teachers, and provide equitable services to students of color, critical theorists who focus on power can offer a layer of understanding that must be explored to give context to current relationships between practitioners and families. The results of this study support the notion that IEP meetings are essentially the “ground zero” for the disproportionality crisis where students with exceptionalities are concerned. Every student inappropriately labeled with a disability and placed in special education had an IEP meeting. Every student who was placed in an overly restrictive special education classroom or showed little to no growth had an IEP meeting. We agree with Turnbull et al. (2010) that as a field we must preserve and improve the existing law and enact new legislation. Culturally responsive family engagement and follow-through accountability measures must become the focus for future IDEA (2004) revisions. Additionally, the fields of teacher education and P-12 education must begin to address best practice and teacher preparation regarding IEP meeting procedures.

A deeper understanding of the knowledge levels of special and general educators of the current system is warranted. Smiley (2007) found that special educators often learned how to write IEPs and facilitate IEP meetings from other special education teachers. This phenomenon leaves the field of special education with several issues surrounding quality control and a need for standards of best practice. Additionally, Brownell and her colleagues (2005) found that many teacher education programs included collaboration with families in their course work, but were not specific about the pedagogy they used to develop these skills. Preparation programs should intentionally and deliberately prepare educators for this aspect of their profession. It is imperative that the field of special education set standards for best practice when conducting IEP meetings, and P-12 schools must provide more opportunities for their teachers to attend professional development or in-services opportunities for practicing teachers and administrators that focus on conducting IEP meetings. Although educators cannot legislate intentionality, they can set standards of best practice to ensure that practitioners at all levels understand the difference between legal compliance and best practice.

The need for all parents, perhaps especially African American parents, to be active participants in IEP meetings is critical. Because the IEP meeting allows parents to employ their parental rights regarding their child’s education, it is imperative that their presence be made known during these meetings. Researchers who have been concerned about this issue report that changes can be made to enhance parent participation in IEP meetings (Dabkowski, 2006; Trotman, 2001). Three changes that could be beneficial in ensuring that African American parents are more involved in IEP meetings are: (a) altering the physical environment in which the IEP meetings take place (Dabkowski, 2004), (b) empowering parents in the decision making process, and (c) establishing an appropriate rapport with parents (Trotman, 2001). According to Dabkowski (2004), the physical environment in which an IEP meeting takes place can have an impact on the level of participation by parents. Barbour and Barbour (2001) have recommended that IEP team members use the arrangements of the seats to establish equity among participants. One favorable arrangement is the use of round conference tables to remove the sense of hierarchy that rectangular tables emit.

The need is imperative for educators and policy makers to empower families in the educational process and establish a rapport with them that is more positive (Trotman, 2001). Every IEP meeting is a chance for an educator to build a relationship and strengthen a student’s educational

experience. Educators need to embrace IEP meetings as opportunities to utilize their power in ways that help families navigate the system, not hinder their children from succeeding.

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## Appendix A

### Initial Interview Questions

#### Family Questions

1. Tell me about your experiences with special education.
2. How long have you been working with special education professionals?
3. Do you remember your first special education meeting? What was it like?
4. How have your experiences with special education affected your day-to-day life?
5. Have your experiences with special education affected your whole family?
6. Do you ever talk to other parents about their experiences with special education?
7. What do you understand your role to be in the special education process?
8. Have you ever utilized an advocate for a case conference?
9. Do you believe the special education staff listens to your concerns about your child?
10. Do you believe the special education staff sees you as a valued partner in the education of your child?
11. Tell me about your best experience with a school staff member or in a case conference.
12. How do you feel your current relationship with school staff compares to relationships you have had in the past?
13. If you could give advice to families just starting the special education process what would it be?
14. If you could give advice to special education staff about working with families what would it be?
15. Do you think there should be rules/guidelines for case conferences, if so what should those be?

#### Special Education Staff Questions

1. How did you decide to pursue special education as a career?
2. How long have you been teaching special education?
3. Have you always taught in urban settings?
4. What kind of professional preparation do you have for working with families of children with special needs?
5. What kind of professional preparation do you have in regards to cultural competency?
6. Do you ever talk to other teachers about interactions with families?
7. What do you understand the role of families to be in the special education process?
8. How do you include families in the education of their children?
9. Do you believe you listen to families concerns about their children with special needs?
10. Do you believe that you include families as a valued partner in the special education process?
11. Tell me about your best experience working with a family member in case conference situation.
12. Tell me about your current relationship with families and how these compare to relationships you have had with families in the past.
13. If you could give advice to families just starting the special education process what would it be?
14. If you could give advice to special education staff about working with families what would it be?
15. Do you think there should be rules/guidelines for case conferences, if so what should those be?

## **Appendix B**

### **Second Interview Questions**

#### Family Questions

1. How do you feel about the case conference after it took place?
2. Do you feel the conference was productive for the growth of your child?
3. How do you feel about the services you received from the special education staff members?
4. Has your understanding of your role as a parent in the special education process changed since the case conference?

#### Special Education Staff Questions

1. How do you feel about the case conference after it took place?
2. Do you feel the conference was productive for the growth of the child?
3. How do you feel about the services you provided to the parents during the case conference?
4. Has your understanding of the role of families in the special education process changed since the case conference?

## **Appendix C**

### **Case Conference Observational Protocol**

1. Description of the physical environment and seating choices made by participants.
2. Who spoke the most?
3. Who spoke the least?
4. What types of body language are used?
5. Were special education mandates followed?
6. Who asked questions and what were the questions?
7. Impressions of the atmosphere.

## Appendix D

### Case Study Participants

Participant	Role in Conference	Race	View of Conference Productivity	Satisfaction with Conference Decision
Wilma	Mother	African American	Dislike	Dissatisfied
Susan	Area Supervisor (Administrator)	European American	Dislike	Satisfied
Denise	Teacher	European American	Like	Dissatisfied
Donna	Family Liaison	African American	Dislike	Satisfied

## Appendix E

### IEP Meeting Seating Chart

