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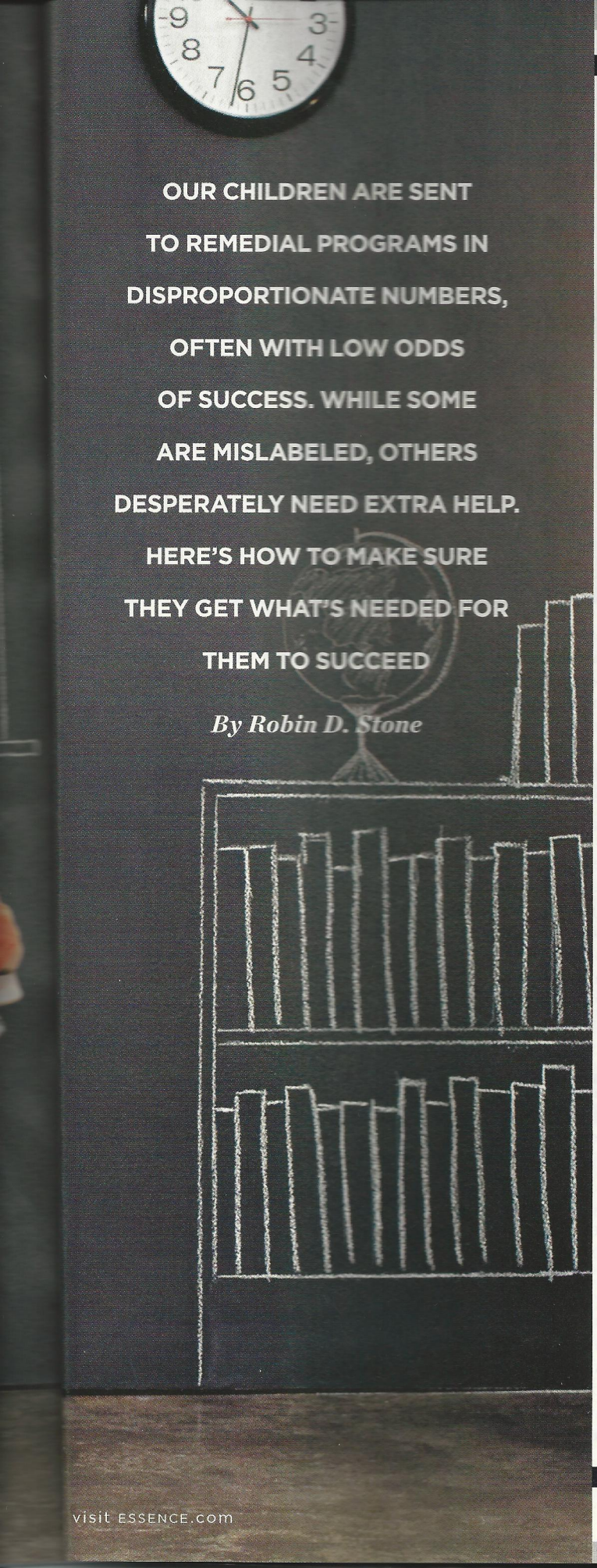


OUR CHILDREN ARE SENT TO REMEDIAL PROGRAMS IN DISPROPORTIONATE NUMBERS, OFTEN WITH LOW ODDS OF SUCCESS. WHILE SOME ARE MISLABELED, OTHERS DESPERATELY NEED EXTRA HELP. HERE'S HOW TO MAKE SURE THEY GET WHAT'S NEEDED FOR THEM TO SUCCEED

By Robin D. Stone

THE PHONE CALLS WERE THE FIRST SIGN OF trouble. Donata Joseph's boy, Dhmar Schomberg, a tall, bright, energetic 5-year-old with wide eyes and an inviting smile, was a kindergartner in a Montessori program at a Miami public school, which focuses on children learning more than just reading, language and math skills. "The school called daily with reports of Dhmar pushing someone, pulling something down, tearing something up. The routine was such that I knew by lunchtime to expect a call," Donata says.

After a move to a more structured classroom, Dhmar's behavior improved, but the calls still came. Then came suspensions. Donata couldn't imagine that the child she saw at home was the same child at school for whom "time out" was almost a daily ritual. "I thought the teachers were lying," she says. Until she hid outside the door of his classroom one day, observing Dhmar through the window: "I was shocked when I saw what he was doing—kicking, angry, he pushed over a desk."

Donata, a single mom with two older girls, agreed to the school's suggestion to have Dhmar evaluated by a doctor. His pediatrician determined the boy had attention deficit, oppositional-defiant and conduct disorders—each of which was based on teacher and parent reports of Dhmar's behavior. The diagnoses led to more evaluations by the School Board of Miami-Dade County, which led to placement in Miami's special education program, in a separate, smaller classroom of children with similar behavior challenges.

And with that, about a year and a half ago, Dhmar began a precarious journey, joining the ranks of thousands of African-American children in special education programs in the U.S. Some might argue that he doesn't belong there. While Black children make up 15 percent of public school students ages 6 to 21, they represent nearly 33 percent of those in special ed, according to the U.S. Commission on Civil Rights. Black students are three times more likely than all other racial and ethnic groups combined to be labeled mentally retarded (recently renamed "intellectually disabled") and 2.3 times more likely to be labeled emotionally disturbed.

Donata and Dhmar's story probably sounds familiar to families whose children learn differently, or have trouble focusing or following the rules. Along with the ▷

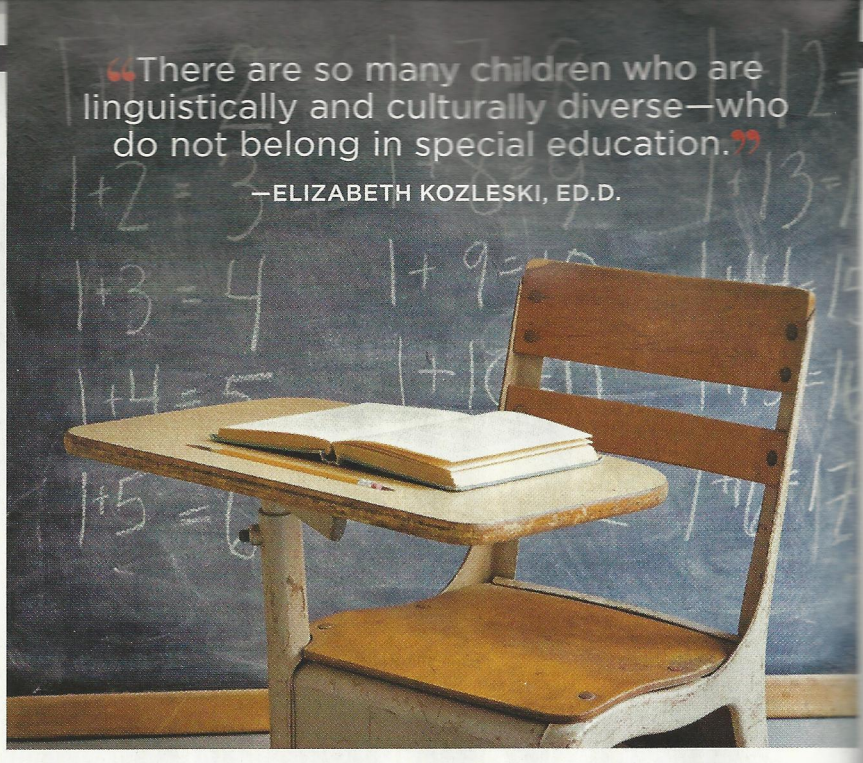
evaluations, labels, confusion and heartache over *Why can't he learn?* often comes frustrating and sometimes contentious meetings with special education panels where people who have never met the children in question decide their very future.

Our kids are not only disproportionately tracked into special education programs and separated into special rooms and schools, but studies show that for children in special education, the likelihood declines for everything from graduating from high school in four years to finding employment to avoiding run-ins with the law.

It's no wonder that many African-American parents resist placing their children in special ed. But on the other side of the coin, when a child needs extra help, the most important thing a parent can do is identify his or her needs as soon as possible, then pursue those services and support. In fact, children with special needs but no support or the wrong kind of support may become so discouraged that they give up and eventually drop out.

The Individuals with Disabilities Education Act (IDEA) of 2004 protects the rights of disabled youth ages 3 to 21 by mandating that every child receives a free, appropriate education. A child with physical disabilities has a clear need for special supports, such as books in Braille and wheelchair access. If she can't keep up with reading or math or has trouble communicating or understanding, the solutions are more complex. And if that child can't sit still, is distracted or is a distraction in the classroom, the level and nature of support can be very subjective. Factor in that 84 percent of teachers are White and of those, 84 percent are female, it is easy to see how race, culture, class and gender biases can lead to an "inappropriate" education for Black children.

"There are so many children who are linguistically and culturally diverse—who do not belong in special education," says Elizabeth Kozleski, Ed.D., principal investigator of the Equity Alliance, an initiative funded by the Office of Special Education Programs in the U.S. Department of Education that works to reduce inappropriate referrals to special education and to close the achievement gap between students from diverse backgrounds and their peers. "If they go in there, they're not coming out. As a whole, it's a pipeline that pushes kids into juvenile justice, into adult prison. That's a serious path to acquiesce to."



Of course, not all children who go into special education end up jobless or in jail; not all teachers misjudge our kids; and not all special ed programs are notorious dropout factories, losing students long before graduation day. The key is understanding your child's needs and finding the right support. That's why knowing how to navigate the system can make a real difference.

After doing her own research, Donata agreed to Dhmar's placement, found a tutor and a therapist and put him on medication to help him focus and reduce impulsive behavior. "He was behind in his reading—I didn't want him to struggle," she says. By the time he finished second grade last May, Donata says, Dhmar, once a year and a half below grade level, was six months behind. She added that he had more confidence and behaved more appropriately, and the constant phone calls have stopped.

What's encouraging: The federal government is funding research into addressing mislabeling and disproportionate placement. One new approach, Response to Intervention, provides support at the earliest signs of trouble for all children—not just those in special ed. But as experts, educators, parents and policymakers work to fix a system that is clearly broken, the reality is that for now, thousands of parents must negotiate the system as it is. If that's your experience, or the experience of someone you know, consider this your road map.

WHAT TO DO EARLY ON

WATCH FOR MILESTONES

"No parents want their kids tracked or labeled negatively," says Denise Sanders, M.S.Ed., a special education consultant based in New York. "If the child is, say, 18 months and not speaking, a parent should ask 'Why isn't that happening?' instead of saying she'll be able to when she gets ready." If a child is born prematurely or has had difficulty in delivery, ask the pediatrician about early occupational, speech or physical therapy, says Sanders. "That usually gives the child an advantage."

DON'T ASSUME YOUR CHILD IS FLAWED

Consider the source and context of a teacher's red flag, says Kozleski, who is incoming chair of the special education division at the University of Kansas.

She adds that some children's experiences are shaped by poverty, lack of access to early resources and even parents' suspicions that the system won't be fair to their child. "If the ideal is 'Let's get all kindergartners reading by the end of kindergarten' and the children haven't had the prelearning opportunities that gear toward reading, they'll look like they don't have the ability when they just weren't prepared."

KNOW THE LAWS

While IDEA is intended to ensure that every child receives a free, appropriate education, your idea of "appropriate" may differ from the school's idea of, say, segregating hyperactive children to minimize distractions in classrooms. Know that special education can include modifying teaching methods in the general ed curriculum, individual or small group instruction, technological assistance and other services such as speech therapy. "The law isn't about saying your child can't be with other kids," Kozleski says. "The law is about saying your child needs additional support to be a successful learner." To be eligible for special ed services, a student must have a disability under one of 13 federally mandated categories. Disabled students who don't qualify for services under IDEA are covered by a 504 Plan, which falls under a civil rights law that is intended to prohibit disability discrimination.

UNDERSTAND TESTS AND RESULTS

Special educational services are identified through an Individualized Education Program (IEP). The IEP should be reviewed and renewed every three years, but you can ask for a review at any time. Disabilities are determined by a medical provider and through psychological and educational evaluations, which are to be provided at no cost to the parent. However, some parents arrange to have their children tested by professionals outside the school system. Some pay for the testing; others get their health insurance to cover some of the cost.

SHIFT YOUR THINKING

"Parents see their children as trapped in special education settings," says Sheldon Horowitz, Ed.D., director of learning disabilities resources at the National Center for Learning Disabilities. "Special education is not a thing, it's not a place; it's a process through which children get services they need to succeed at grade level." And don't think of intervention as "let's find out if something is wrong with my kid," Kozleski says, but as "what's going on, what services will help my child get caught up, and how long will it take to get caught up?" That shifts the power to the family instead of the people delivering the news. A parent with a more powerful perspective might think and say: "There is something wrong, but that doesn't mean it's with my ▷

Questions to Ask

3 SIGNS YOUR CHILD MIGHT NEED EXTRA SUPPORT

1 Is he struggling to learn? A school should be able to cite and explain three to four specific, documented reasons a child should be evaluated for special education services. Reasons can range from trouble focusing and making transitions to trouble reading and speech delays. "He won't sit still" is not enough.

2 Does testing point to specific challenges that can be addressed by accommodations? Donata feels smaller class size and specialized instruction helped Dhmar improve, but soon learned that in the fall, Dhmar's school would combine his grade 3-5 section with K-2. Thinking that's too much, she requested an IEP review.

3 Have previous accommodations failed? If a teacher has been unsuccessful in teaching to a child's learning style, you should consider other approaches. It might require changing teachers, looking for alternative options within the school, or doing your research to find choices outside the school that could help.

3 SIGNS YOUR CHILD MIGHT BE MISLABELED

1 Is disciplinary action the primary focus? If a school only points to the number of time-outs a child has received as a measurement of his or her behavior, you should ask for a functional behavior assessment, which helps explain why a child may misbehave. She may be smart but uninterested in or unchallenged by the instruction, Sanders says. "A child who's acting out is often doing so for a reason. It's up to the professionals to identify why."

2 Does the school lack clear, concrete solutions? "It's not enough to say 'Hakim never wants to focus' or 'Hakim finds it hard to sit down,' " Sanders says. Teachers must be able to outline for you the specific ways they've tried to help a child be successful, such as redirection. Ask the school to describe in detail what strategies they've employed to help set up your child for success, as well as suggestions for alternative solutions that might work.

3 Does the environment favor tracking and "warehousing"? Observe and talk to parents about the racial history of your school and district, and whether the rules tend to be more lenient for children of other races or ethnicities. Some statistics have shown that predominantly White schools label minority students as special ed at higher percentages while the number of White students in special ed at these schools have sharply declined.

child," Kozleski says. Questions from that perspective: "What is the curriculum? How effective is the teacher in teaching a range of children? What is the norm and how is my child supposed to conform to it?"

THROUGH THE YEARS

KNOW THE IEP PROCESS

A multidisciplinary team considers a child's challenges to determine how to shape the IEP. The team includes parents or caregivers, the child (if appropriate), a special educator, a psychologist and a general education teacher. Teams can include another parent familiar with the IEP process and a representative of your child's school. You are entitled to bring another person to the meeting to help raise questions and clarify what's discussed. Donata now takes her brother or sister-in-law. "The IEP can be very intimidating," she says. "You're sitting at a table with ten different people, and if a parent thinks they have no power, they can get lost in the system." You are a critical member of the team and you have a voice. Make suggestions and object if you feel a goal or accommodation isn't adequate. Ask questions so you understand the process and how the IEP should help your child. Don't sign an IEP unless you agree with it.

COMMUNICATE WITH TEACHERS AND THE SCHOOL

Find a way to communicate regularly with your child's teacher, whether by e-mail, a conversation every few days or a notebook that comes home from school each day. Donata and Dhmar's teacher were in touch consistently throughout the year. "Any problems, she would text or call," she says. Raise concerns and be open to solutions, and ask how you could support the school plan at home. Ask for meetings with the teacher or principal if necessary to ensure you are all on the same page.

STAY ORGANIZED

Document everything. Ask teachers and other professionals to document any academic or behavioral concerns about your child. When communicating with your special education team, save copies of everything, including fax confirmation reports. Your files can and do get lost in the shuffle.

KNOW WHERE TO GO FOR HELP

Through researching Dhmar's challenges, Donata learned she has ADHD herself. She started an organization, Adding Doses of Hope Daily Foundation (adhdfdn.org), to provide information and resources to families of people with ADHD and other mental disabilities. "I realized Dhmar has this problem for a reason," she says.

Nancy Tidwell founded the National Association for the Education of African American Children With Learning Disabilities (AACLD; aacld.org) to address needs in Black families. "We recognized that although there is good work being done on kids with disabilities, it's not being done in African-American communities," she says. "Often the cultural sensitivity isn't there." The AACLD is training parents throughout the country to help guide other parents through the special education process. In August at Ohio State University, in Columbus, the organization held its first major symposium, training 42 people from 19 states to work as parent advocates.

The Parent Technical Assistance Center Network (parentcenternetwork.org) includes a state-by-state listing of Parent Centers, which provide training and assistance to families of children with disabilities.

ENCOURAGE OUTSIDE ACTIVITIES

If focusing is an issue, find something your child likes to focus on, other than TV. If hyperactivity is the challenge, Sanders says, cultivate interest in a sport that gets them moving, burning energy. "Identify something that can empower rather than defeat your kid," says Sanders, adding that parents should look beyond school to serve their child's emotional, social and educational needs.

TEACH YOUR CHILD TO SELF-ADVOCATE

"Teaching a child that he or she struggles because of a disability doesn't mean he or she can't do it; it means it will take longer or that he or she will need support to get there," Horowitz says. You can boost children's self-esteem and social and emotional development by highlighting strengths and what they do well. If a child is a slow reader, "you don't want to say, 'You don't have to read it,' but 'Let's read it out loud with a buddy,' or 'Let's put it on tape,' " Horowitz says. "Over time, children will begin to know themselves as learners. They will be able to say, 'I just need more time' or 'I need

EXERCISE YOUR OPTIONS

If your child is not meeting IEP performance goals, you can find another school to serve her or his needs, including a private school or one outside your service area. You can secure funding to place your child in certain nonpublic schools if you prove that a particular school is more appropriate than what the public school system has to offer. The process, which may involve suing the school board to get the funding, is not easy or cheap, but it can be done. Often it involves hiring a lawyer who specializes in special education. Once you identify a school you feel is more appropriate to meet your child's needs, follow the application procedures and contact your local parent resource center (parentcenternetwork.org) to find out how to pursue the funding to pay. Don't sign any letters of financial commitment with your school of choice until you have been advised to do so.

ON CAMPUS AND ADJUSTING

If you had met Shariah Price six years ago, you never would have imagined she'd be aiming for a degree in health administration. But last year she attended Ohio's Shawnee State University, a world away from the hard life she knew in Cincinnati. Orphaned at 12, homeless by 17, truant and "angry," as she describes her younger self, Shariah has struggled with focusing and reading since grade school. At her alma mater, Woodward Career Technical High School, she was among the 33 percent of students in the school's special ed program. Leslie Hattemar, a counselor at Woodward High, acknowledges that special education students are more likely to go into a trade or technical school than a four-year college. But the Woodward staff saw a drive in Shariah that told them she could make it. "My gut was that her survival skills and the way she viewed the world are far advanced compared with a regular 20-year-old's," Hattemar says.

Hattemar, who helped Shariah apply for financial assistance, says it's better for some students to go away to college: "They aren't getting a lot of family support at home, and it gives them stable housing for at least nine months a year."

Although Shariah ended her first year with a 1.63 GPA, she isn't daunted. "I'm the first one to graduate from high school and go to college," she says. "There were a lot of people who told me I wasn't going to make it."

For now, Shariah is back at home, working to pay off her year at Shawnee. She hopes to enroll in Chatfield, a small, private two-year college in Cincinnati, until she can return to Shawnee. Clearly her success will depend on harnessing the drive her high school teachers saw, as well as campus resources. "I want to keep going," she says.

someone to highlight specific words.' The more they do that, the better they get at advocating for themselves."

HIGH SCHOOL AND BEYOND

PLAN FOR TRANSITION

Starting at around age 14, students should be a part of their IEP meetings to help determine the next steps after high school is completed. These discussions should center on the students' likes and skills and how they see themselves living self-sufficiently. Some students may seek employment, while others seek vocational programs or set their sights on two- or four-year colleges. The IEP meeting helps identify how to help your child successfully transition postgraduation.

DON'T REMOVE SUPPORTS TOO SOON

"Some people think, *I don't want my kid to have an IEP by the time he leaves high school*," Sanders says. "I see that a lot in Black communities." Colleges aren't obligated to follow IEPs, and students aren't obligated to disclose them. But schools do consider them as a demonstrated need for accommodations like extra time on tests. In fact, update your child's IEP heading into junior or senior year so it's considered current. "In other communities parents fight to keep an IEP loaded so by the time their child is in the twelfth grade, that student can have a test read to them," Sanders says. "We need to be aware of advantages and disadvantages of eliminating these resources."

CHOOSE SCHOOLS BY MAJOR, NOT ACCOMMODATION

The National Center for Learning Disabilities (ncld.org) offers a free guide to planning for college. By law, every school has an office of disability services; some schools are more accommodating than others. But while students may choose a school that has a great learning disabilities support program (see full list at college-scholarships.com/learning_disabilities.htm), they may realize the school doesn't offer the classes they want. "Pick a school that offers what you want to study," Horowitz says. "A student who has experience negotiating for himself or herself should be more than able to articulate their learning disability and request services they need."

GET HELP EARLY

As soon as possible, have your child visit the school's office of disability services and ask for help identifying professors whose teaching style best fits her learning style, as well as those classes that best suit his needs, Horowitz advises. One study revealed that only 25 percent of students take advantage of accommodations on campus. Oftentimes, students who try to "make it" without support show an urgent need for help by mid-semester. Know that it might take weeks before support is in place, so get it up front. □

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