

Mistakes Independent Experts Make by Pete Wright, Esq.

It is good to have an expert in your corner during the IEP process. Experts provide valuable assistance. But sometimes experts make mistakes that can turn a positive situation into a negative.

A psychologist wrote that she had advocated for a family for over a year. During that year she developed a positive working relationship and worked well with school staff. Now, she is at odds with the school. The principal has limited her ability to visit the school to observe students.

The principal informed the mother that in the future I would need to provide TWO WEEKS notice of my plans to conduct any classroom observations.

The principal took this action **after** the psychologist filed two complaints against the school with the state Department of Education.

Why? The psychologist wonders. She doesn't seem to understand the impact her actions had on school personnel. School staff felt betrayed by her when she filed two complaints.

Betrayal and Retaliation

The response from the principal is normal human behavior. It should not come as a surprise.

The psychologist explained, "Historically . . . the teachers and I have regularly worked together to address problems as they arise." However, she filed a complaint on behalf of a parent last year. She filed another complaint this year.

How did the principal and other school personnel view these complaints? In a word, betrayal.

The cooperative relationship she had with the school in the past survived one complaint. When the psychologist filed a second complaint, the positive relationship ended.

When people feel betrayed, they usually look for a way to retaliate.

Who Should File Complaints - Parent or Expert?

It is doubtful this problem would have happened if the parent, rather than the psychologist, filed the complaint.

In most situations, school personnel do not typically feel betrayed when a parent files a complaint. They feel anger.

When the school works cooperatively with an independent expert, or has an extremely cooperative relationship with a parent, a complaint coming in out of the blue catches them by surprise.

When people feel betrayed they seek vengeance and think retaliatory thoughts.

Pete Wright describes how he feels when someone wrongs him and he feels betrayed.

Do I think through how to retaliate an eye for an eye? Never.

Do I think through how to turn the other cheek? Nope.

I try to settle the score with one eye for an eye. Then a second eye to serve as

- *an additional punishment and*
- *a deterrent for future behavior.*

Special Education Disputes

The principal's initial reaction could have been closing the door absolutely. He chose to permit observations, but with advance notice.

Special education disputes, and special education dispute resolution procedures are akin to messy divorce / custody domestic relations struggles. Both sides experience feelings of betrayal and anger. They seek vengeance.

Typically, aggrieved wronged spouses, just as special ed parents, use the word "justice" in lieu of vengeance. But the emotional feelings and motivators are the same.

Parent as Complainant

Parents should take complaints, not someone on their behalf.

Parents need to be taught and must learn the skills for effective advocacy. Their struggles will not just end when the youngster ages out of special education. The struggles will repeat themselves with other individuals, other agencies, and other issues.