

Delegate Coyner Listening Session Summary

PARENTS' ASSESSMENT OF WEAKNESSES AND THREATS

Schools/School Board/VDOE

Creates and/or participates in creating an adversarial relationship with Parents and Advocates.

Automatic denial of services and opposition at onset when the services required are costly and/or excessive.

Utilizing federal funding to fight against parents and students access to FAPE.

Strong perception that there is a misappropriation of federal funds and fraud within the due process and dispute resolution systems.

Break lines of communication when parents advocate for the student.

Failure to comply with rulings and recommendations.

Violate Constitutional, Human and rights under IDEA.

School Divisions criminalize parents and students and weaponize law enforcement, state agencies, and judicial process as retaliation against parents.

Exploitation of big law (Lawfair) and access to financial and economic resources that are utilized to file criminal and civil suits against parents for the purpose of engaging parents in costly litigation that cannot be sustained.

Parents lack access to legal assistance and funds. ProBono is not Probono and there are not enough SPED attorneys to represent the vast numbers of parents who require legal assistance.

Criminalizing and vilifying Advocates.

LEA's abusing and creating hostile environments for SPED students in retaliation for parental advocacy and challenge.

The excessive psychological, physical, mental/emotional, and economic burden that "fighting for your children" places on parents and caretakers-especially single parent caretakers.

Systemic and structural racism that impacts perceptions of mothers at the intersection of race and class.

PARENTS' RECOMMENDATIONS FOR IMPROVEMENT

Training teachers, school staff, administrators, school divisions, and hearing officers/adjudicators on IDEA, Guardrails, and all policies "because most don't know it."

Putting children and parents first.

Utilizing the resources to ensure students have access to FAPE instead of using the resources to fight parents and students.

Addressing the ways in which racial, class and gendered biases impact the distribution and denial of resources and access to FAPE.

Create a system of checks and balances that ensures transparency and compliance laws, policies, and rulings.

Apply the 10/10/10 rule and remove the school divisions access and exploitation of big law firms.

Investigate school divisions for fraud and other violations.

ADVOCATES' ASSESSMENT OF WEAKNESSES AND THREATS

Virginia Commission on Youth Workgroup

The Survey design (that some received) did not aim to uncover problems and concerns.

The Survey and Workgroup lack racial representation.

Schools/School Board/VDOE

The presence of structural racism is unaddressed and when raised triggers defensiveness and the creation of adversarial interactions.

Strategies do not account for the neuro-divergent needs of Black children

Disparate treatment of Black children, discipline and access to TAG.

No demonstrative care/regard for Black children.

Retaliation against Advocates, weaponizing law enforcement, state agencies, and judicial process to intervene and negate effective/threatening advocacy.

Unfairness and complete lack of partiality in due process hearings.

All agencies lack of knowledge and regard for the IDEA, VDOE and other relevant laws and policies that guide access to FAPE.

Criminalization of representation to facilitate violations of students' rights to FAPE.

Strong perception that parties are falsifying records and committing acts of fraud.

ADVOCATES' RECOMMENDATIONS FOR IMPROVEMENT

Implement the 10/10/10 rule.

VDOE should require quarterly reports about the fairness, impartiality, and outcome of due process hearings, utilizing a checklist to be completed by all parties. Should be subject to review.

Hearing officers and mediators must be trained and held to objective measures of accountability for following procedural safeguards, upholding the law and IDEA.

Parents must be able to access resource centers to participate in the advocacy of their children/students, i.e. library, copy space.

Create a Tiered "Resolution Ladder" for IDEA Disputes.

Uniform Tracking Systems & Family Support Integration.

Statewide Expansion of Facilitated IEP Access.