

## **Dr. Beattie – Expectations and Legal Issues - Transcript**

### Beattie's Expectations and Legal Issues

With our consideration of normality and the potential impact that concept has on everybody who is involved with exceptional students, it is a significant factor and what happens as an extension of those issues with normality deals with expectations. We all have expectations for anything that goes on in our lives. We think if we do this then that will occur. And sometimes those expectations when they are applied to kids sometimes it can be a good thing and sometimes it can be a bad thing.

### Expectations

This isn't rocket science, it is a logical statement (Refer to slide). If you study for a test or a quiz you do so because you believe that behavior will lead to a better grade. The expectation is if I do this then this will occur. Apply that to anything in life. If I do this in class then this will occur, if I do this on a date then hopefully this will occur, and if I do this to prepare for a game then this will occur. We expect if we do something, something good will happen. We develop those expectations from stuff that has happened in our past. In the past when I studied I got a good grade, therefore I will study. All of that stuff is different conceivably for each of you in this room. Some people need to study for 5hrs, and some for 5min. Those expectations are built on your own previous experiences.

### Police officer picture

Just look at these pictures. If we look at the first picture and we see a young person in the back seat of the police car and we see the other person coming with a k-9. What do you think has occurred? Something bad. That person in the back seat has done something bad. Our expectation is when we see this result we think something bad has occurred. Is this always true? It may not always be what it seems. This person could have been robbed, or saved from a fire, he could be the victim. The expectation is that he is the criminal when he may not be. We do this all the time in life. When this happens we run the risk of doing all kinds of not so good things to people. We have the expectations, we expect things to occur based on what we think should occur. There is a whole body of psychology that I do not expect people to know and I do not know a lot about, but I know in consideration of attribution and so forth that what happens based on what we think should occur is we start to attribute behaviors based on what we think should occur. Why am I making this point (refer to slide)? Why is this important when dealing with exceptional students? Everyone is different, and what we think should occur because the person is male or female, black or white, young or older, simply because we think this should occur may not or do not have anything to do with the reality of the situation. What happens to the kid that we are attributing those expectations to? I have closed the door and said "oh you are one of whatever population it is." What a disservice to kids, and it happens all the time. We expect stuff because we think it should occur, and when the kid does the same thing everyone else does, but it is on

the edge of being inappropriate the kid gets the brunt of whatever my punishment method is. I think that kid is wrong while everyone else may not be so, because I attribute that bad stuff to that kid. Kids with behavior disorders get in trouble more than any other element of the population and a majority of the time they didn't do anything wrong. They were just in the wrong place at the wrong time, or they are there and therefore you must be guilty.

### Self-fulfilling prophecy

What this expectation and attribution leads to is the likelihood that stuff happens. Stuff happens because we think it will or it should happen. So what happens is we establish self-fulfilling prophecy. What is a self-fulfilling prophecy? If I think you guys will fail the first quiz, I will not do anything to change that for any kind of reason. The bad thing we do as human being is, not only do we not try to change it, we take little steps to ensure that outcome will occur. If I think you are all going to fail then it doesn't matter how hard I make the test, because you are all going to fail anyways, my justification might be I want to challenge you, but the reality of that is I am ensuring you will all fail to fulfill my self prophecy. So we do things to ensure the self fulfilling prophecy. Oh you are one of those your behavior is not good, so every other time your behavior comes close to bad I will assume your behavior will get worse because oh my self-fulfilling prophecy. People and kids themselves begin those things about themselves and they believe they are stupid or bad and they do not study for the test and fail and say "see why bother I am stupid." When we establish those self-fulfilling prophecy we are hurting kids. The expectations lead us to create these self-fulfilling prophecies and then we play those out to end the way we think they should.

### We form opinions

As these self-fulfilling prophecies occur we tend to form opinions (refer to slide). These opinions that form tend to not be all that positive. "I don't want that kid in my class, get him out of here, he is not going to screw up my testing or my curve." This happens more and more now because of end of course testing. So ultimately where we end up is we are in a position of making a judgment, which we often make in correctly. We do not think of this element of what we have talked about. (Refer to slide). Tell me something that makes you crazy. Bad driving. Define bad driving. Does that bother anybody else? Ok so it bothers some people. It is judged by some to be inappropriate and some to be ok. What is something else that drives you crazy? Prejudge someone. Does it happen? All the time. The people doing the prejudging does not see it as being an issue, while others of us are bothered greatly by it. I had a kid who saw his father shoot his mother, and I found it amazing this kid got up in the morning and came to school and do whatever else he did. If he did not perform all of this I would not view him as lazy but he had baggage. Let me balance this though, that is not an excuse but an explanation for his behavior. We need to be aware of the judgment we make on what kids do has a dramatic impact on how successful they will become. How many people think when you begin your professional careers,

you are going to be a strict disciplinary? A couple of people. It is ok to be either that or more laid back, but you have to be aware of this and know exactly what is and is not ok.

### This often happens...

All of this stuff we have talked about this morning, the expectations, the attributions, the self-fulfilling prophecy, and judgment all of this goes together with exceptional kids. "Oh you are an exceptional student, oh you have behavior problems." The tendency is to put those kids in circumstances where they cannot succeed. This is wrong!

(Refer to slide) At some level this is ok as long as we do not carry this forward, and that is where it breaks down. I do not know if anyone in this room was the topic of conversation in a teachers' lounge, but that is the worst place to be. A lot of schools do not have these lounges anymore because a teacher plants these thoughts about a student into another teachers head and it leaves the kid with no chance.

Another example, and to me this is huge. I had a young man that I worked with who stunk horribly. It was to the point where no one could physically be near him because the odor was so significant the other kids could not be near him. So, I talked to the kid to figure out what was going on in the kid's life to have to experience this. He was one of 13 kids who lived in a tiny house. They had no indoor plumbing and the child had two changes of clothes. He slept in one set and slept on top of the other set so his siblings would not take his clothes. Now it makes sense why he did not smell very good. I had access to the locker room with washer and dryers and showers. So everyday he would meet me in the locker room so he could shower and I would wash his clothes. All of a sudden people began to approach him and he started making friends and excel. Sometimes all you have to do is make the step to get to know what is going on in a kid's life to see if you can help, and you will not always be able to but you can try.

### How teachers react/respond...

To me this is an obvious statement, and it is appropriate in any circumstances (refer to slide). Sometimes being aware of what you know can make a big difference with what happens with your interaction with a kid or group of kids. (Refer to slide). I do not want those of you who believe you will be disciplinarians to think that should change what it is you do, but you need to be aware of your tolerance for whatever it is a student may do. If you are in a classroom and you are teaching in a middle school and somebody says a curse word at whatever level. How many of you would be offended? What would you do? You would deal with it even though it makes you angry and you do not like it, stuff happens and you have to handle it. You need to make sure those kids are aware of your expectations and tolerance. Kids in general but especially those who have disabilities do not always understand why they have to talk differently in different situations, and they have to learn that. Your tolerance, whatever it may be is fine, I am not saying to change it but be aware of the reality of something like this happening and how you will handle it.

## Legal Issues

This is very important for you to be aware of the impact the law has on our schools and especially kids with special needs.

Special ed has been in the consciousness of schools for a long time, but what happened a whole lot before 1973 and sometimes still to this day, kids with disabilities were pushed aside. In 1973 section 504 of the rehabilitation act came about (refer to slide). In a school we can't sorry you cannot participate in our school no matter what your disability may be. This was really the first legal attention to this kind of thing. (Refer to slide) Equal access means you can have access to anything that someone who does not have a disability has access to. Everyone has access to a city bus even if accommodations have to be made. Section 504 in 1973 continues to be an important part of what happens in our schools. Many kids with ADHD are covered under 504. There are plans setup (called the 504 plans) that provide the modification that individuals with ADHD are entitled to.

## Individuals with Disabilities Education Act

Before this in 1975 there was a law passed that was the beginning stages of this, Public law 94142 is what it was. It established services for special education as a very important part of what happened in the public schools. In 1990 IDEA was passed reauthorizing all the legal stuff and extending it. It included some additional categories (refer to slide). Up to this point TBI and autism were not included in exceptional students. Autism is the fastest growing category of exceptionality. (Refer to slide). To be handicapped is not a good thing, not that disabled is not. In NC we called kids with mental retardation, mentally handicapped, and after this we referred to them as having a mental disability. This is going to be a question on your quiz so be aware of it. The IDEA of 1990 is referred to as the transition law, because it was the first legal mandate that considered transition. What are transition services all about? Transition services increase the likelihood of kids functioning in the real world. (Refer to slide). "Person first" language, for a long time people referred to exceptional students as mentally retarded student or learning disabled student, and what happened to the individuals was there was a significant impact because the child was disabled and then a student. Now we say they are a student with a disability. This may not seem significant but it is HUGE if you are the receiver of this description.

IDEA of 1990 gives 6 principles that guide what is going on to this day because we have reauthorized IDEA 1990 a few times since then.

## Principles of IDEA

(Refer to slides)

Zero reject does not mean all kids with disabilities will be served in general education, just the fact that it is a public education

Nondiscriminatory identification and evaluation is pretty simple to understand. Let's say for your test, I give it to you in a language none of you know. How are you going to do? Pretty bad! Would that reflect fairly your knowledge of the material? Of course not! That is a very biased way to test you.

Free means no cost to the kid. Appropriate means it meets the needs of the kids. Public education means involved with kids in that public setting. You will be in a meeting and someone will talk about the FAPE so this is what it is.

Least restrictive environment (LRE) is one of the most misunderstood law. (Refer to slide). If the general classroom is the most appropriate placement for that kid then that is where they should be, if it is a self contained setting then that is where they should be. If the general classroom is determined to be the most appropriate placement then the student would be expected to take the EOG, and in some circumstances that is not expected, but typically that would be a factor.

A due process safeguard is for the protection of the kids and parents. If parents want to look at the battery of tests that were involved they have those rights and they can sue if they feel their child was not tested fairly.

Parent and student participation and shared decision making means they must have some input in what will happen with the kid. The parents need to agree with the placement of the child or the child legally cannot be placed.