

Disabilities: "Fallen Through the Cracks"

CRITICAL INCIDENT

Background

The school district described is in a mid-sized mid-western city that is dominated by a large state university. The district has a good reputation in the state and prides itself on its ability to meet the needs of all students. The student in question, Michael, appeared in the counselor's office at the end of the ninth grade. He is a 15-year-old White male. His grade point average (GPA) was 2.2 at the end of the first semester of his freshman year.

A history of Michael's experiences in school is necessary to understand the context in which the incident

occurred. Michael had worked hard throughout the elementary grades but was only moderately successful. He completed his homework on time but did not seem interested or able to put much creative effort into it. While interacting well with his classmates and teachers, he reported a lack of interest and motivation in the classroom. He consistently read one grade below the expected level, consistently throughout elementary school and had poor writing skills. Michael received passing grades and, because he did not present behavior problems in the classroom, received little attention from teachers or specialists. His reading skills did not improve as he progressed through elementary school, and his writing continued to be immature for his age.

When Michael entered middle school, his parents became more concerned because he was becoming known as the class clown. In addition, Michael was not completing his assignments and was not utilizing his independent study time to his benefit. His homework was completed but was sloppily done. His three teachers were each approached by his parents, who felt there was something wrong with their son's ability to learn and process information. The teachers, however, uniformly stated they felt the drop in academic skills and his antics in the classroom were typical of a middle school boy who is trying to figure out how to fit in with his peers.

By the end of middle school, Michael was still receiving low grades (GPA was 2.1) but not low enough to attract the attention of the special education staff. Also, his reading and writing skills did not appear to improve with maturity. His parents continued to be concerned but were rebuffed whenever they brought up the possibility that their son had learning disabilities even though he was passing his classes.

Michael fell further behind and started skipping a few classes, upon entering the large high school of 2,000 students. Once again, Michael just seemed to be falling through the cracks. Again, he continued to pass and seemed well adjusted, so he did not receive much attention from student services personnel or from his teachers. His parents, however, decided to have Michael evaluated by a specialist outside of the school district. The specialist found that Michael had a learning disability that prevented him from process-

ing information in an efficient manner. The disability had a direct impact on his reading and writing skills. Michael's parents did finally get the school to agree to schedule him with the reading specialist despite the fact that he was not classified as a special education student.

Incident

Michael was taking a science course required of all freshmen that was very difficult for him. He was in a classroom with a teacher who, according to informal reports from the principal's office, attended more to the needs of the gifted students in the class rather than those who were having academic difficulties. The teacher seemed to have difficulty interacting with boys and tended to deal with them more harshly. Several complaints had been filed by parents but no action had been taken. Because the teacher had not been supportive the entire year, Michael went to several friends for help with his final class project. Upon learning this, the teacher became very angry and publicly accused Michael of cheating, copying from other students, and being a failure in his class. Michael was humiliated, frustrated, and incredibly angry, and he left school immediately. He refused to return to what he described as a very hostile environment. Michael did, however, agree to meet with the school counselor, who agreed to mediate the situation.

Both Michael and his parents felt they had received little support from the school. His parents were also reluctant to put Michael back into a situation that might lead to more humiliation, and they demanded a remedy. They were disturbed by the teacher's treatment of their son, but, more importantly, they wanted services for Michael that would help him meet the academic demands of high school.

Discussion

Even though his grades indicated Michael would not qualify as a special education student, he did have particular learning needs that are included in the 1990 Americans With Disabilities Act, Section 504. His parents were not sure what this legislation meant

but they knew they needed help in interpreting those regulations and then applying them to Michael's specific needs.

QUESTIONS

1. How could the incident with the science teacher be remedied so Michael would pass the class?
2. What did the 1990 American With Disabilities Act, Section 504, have to offer Michael?
3. How had Michael's learning needs fallen through the cracks for so many years?
4. How many other students were in the same situation and needed support before an explosive situation occurred?
5. What could be done systematically in the school to make teachers, staff, and administrators more aware of the support issues of those students, who might have learning disability and need help in succeeding?
6. How could the elementary, middle, and high school work more effectively with parents who have concerns about their son's or daughter's success in school?

RESPONSES TO THE INCIDENT

Marilyn Brookwood

Michael's story reveals a profile typical of the realm of "shadow disability," that is, the presenting problems are easily and frequently mistaken for developmental issues and consequently do not send a critical signal to the professional. The expectation is that the student will catch up as his or her developmental process moves forward, and, in fact, that does happen in many cases. The shadow darkening Michael's performance was one to which a counselor would need to have been sensitized through training or experience. The model for what should have happened could start in elementary school or middle school. Counseling staff, along with consulting learning specialists and, most importantly, the classroom teacher need to always question the small failures in growth as well as the larger, more demanding ones. These difficulties, especially

Michael's written expressive language weakness as evident in his poor writing skills, his mild difficulty in written receptive language noted in his reading one grade below, and especially his failure to improve in middle school, suggest that a screening be done to explore what might have been inhibiting his growth into better performance. The demands of more clear-cut cases, or the desensitization of working with these problems over many years while not really understanding them, may account for such lapses.

When Michael's performance slipped further in middle school, the educational staff seems to have made an assumption along a stereotypical, familiar bias that middle school boys tend to be notably immature. At this point, the parents apparently shared with educational staff their concerns about the possibility of a learning disability. Many educators in middle school and beyond think about learning disability as something that is examined in elementary years and, if it is not found early, it is not there. This risks insufficient attention to the increased cognitive processing demands school presents in middle school and then, again, in high school, which contributed to the problem Michael had in science.

Acting as concerned advocates for their son, Michael's parents' efforts to get some attention for him extended to seeking a private evaluation when he was in ninth grade. While Michael was found to have a learning disability, for reasons that are not clear, he was not presented to the appropriate committee for development of an individual educational plan. A counseling intervention here would have been to inform teachers, confidentially, that this boy was struggling because of specific learning issues; to meet with the parents to focus on what interventions the school could provide, including ancillary services in reading and language skills; and to write a 504 accommodation plan in accordance with the Rehabilitation Act of 1973 if that seemed appropriate. Michael would have benefited from counseling service to examine his learning style and how it influenced his life in school and at home. The failure of these interventions to occur did not lead to the incident but would have provided support for Michael in his crisis.

The incident is a realistic portrayal of something that should never happen, no matter what, and that happens only rarely. The

humiliations to which students are subjected are usually more subtle and frequently involve sarcasm used in the name of "humor" or "for your own good." It was healthy, perhaps even healing, for Michael to have raised the level of the school's concern by refusing to return to the situation with this tormentor (the science teacher). The counselor is trusted enough to mediate the situation. She will need to join with Michael in his humiliation and anger, but she will also need to signal that the school is now able to listen and respond to the family's concerns about Michael's learning.

There is a paradox in this critical incident that raises a complex issue of the balance between the school's and the parents' responsibility. For many years, this family sensed something amiss in their child's learning, repeatedly suggesting to the school that this was the case. While it is clear the school underresponded to the family, it is also suggested here that the family was inconsistent in its pursuit of a remedy. Finally, the identified patient, Michael, raised enough concern, but only when he was in high school, when he was older and more mature. Did the attitude of the school personnel cause the parents' efforts at getting a remedy to be incomplete or did the not-too-sure, not-too-demanding style of the parents cause the school personnel not to take them seriously? And what do parents have to do to raise the ante enough to be taken seriously? Also, the outside specialist had an opportunity to advise the family how to proceed with the school, but if that happened, it does not seem the parents changed their behavior.

Tommy Radd

I would like to start this response with the addition and answer of another question. How could a K-12 developmental guidance and counseling program support the student and prevent this incident? I agree with the points made by the first respondent. In addition, I have found that K-12 developmental guidance systems in the school can do much to prevent incidents such as this. The social, emotional, academic, and behavior activity experiences taught by the counselor through developmental guidance provide the skills needed for Michael to communicate concerns. The classroom teacher, with the

support of the school counselor, follows through on the skills taught so that Michael and the other students understand the skill and practice it. These skills become a part of student life skills.

A positive behavior plan that includes class meetings and a democratic environment would provide Michael and others with a safe environment to explain frustrations. Skills learned in the guidance activities would be practiced during the day-to-day activities of the class. An opportunity for ongoing communication and care could be established. Michael would not need to experience little support in elementary school, escalating to "clowning around" in middle school and moving to exploding in high school. Self-talk and self-pictures could be taught in this process. Michael and the other students could learn to use their thoughts and perceptions of self to support learning.

The developmental guidance activities would include this important information beginning in kindergarten and continue throughout Michael's school years. These activities are taught by the counselor and integrated into the classroom and school by the teacher and other professionals. Because Michael is in such a large high school, organizations such as "a school within a school" or extended "family homeroom classrooms" are important considerations. Throughout all of this, Michael's awareness of self and his ability to communicate his needs would have clarified that his behaviors, such as lack of motivation and interest, were not the result of behavior but a learning disability.

After learning concerns were identified by Michael and his family, the counselor would have already known Michael from visits to the classroom. An individual counseling session would have provided a way to gain a clear picture of what Michael was "living" daily. The counselor could become an advocate to help Michael through small-group counseling, a referral to the school psychologist for a complete assessment, peer support with collaboration and cooperative learning opportunities, tutoring, family suggestions for the home and in the community, and additional academic help from the teacher.

Michael's parents entrusted their son to the school because the staff are professional educators. When they asked for help for

Michael but were informed that Michael was fine, they believed the school. If we, as part of the school system, want the confidence of our public, we need to take the extra time needed to provide students like Michael with every opportunity to succeed. His academic pattern needed to be assessed after his parents called this problem to the attention of the teachers. The school counselor could have become involved at this point. A family history could have been taken to determine if learning difficulties were a pattern in the family. We know that each student will have different challenges. As professionals, we have a responsibility to integrate guidance and counseling into the heart of the school. All students deserve support, including students like Michael who "fall through the cracks."

It is a sad day for public education when a family goes outside of the school to assess their child after 9 years of being told that his is fine. Equally sad is the fact that Michael needed to "blow up" because of unfair treatment from his teacher to get the attention of the staff and to involve the counselor. Michael's incident is an example of how professionals can blame students for difficulties that develop but not assume their responsibility as a part of the problem. There had been numerous complaints about the student-teacher relationships in this class, yet the teacher was permitted to continue teaching in a way that greatly contributed to this problem. Michael was cited as the problem when the student-teacher relationship was one of the main contributors. Through mediation, it is my hope that suggestions can be made to assist the teacher in understanding what role the teacher plays in such incidents. All staff members need support with professional and personal growth plans that require teacher improvements in a safe, nonthreatening way. Classroom climate surveys can provide important insight into the relationships between staff and students. Staff development opportunities can be designed with those findings. Approaches such as invitational education can be valuable. The counselor has an opportunity to mediate, advocate, and educate.

Michael's story is a classic example of a student who "falls through the cracks." The system and the student-teacher relationship let Michael and his family down. He was frustrated throughout his school years and achieved under his ability level. What if

Michael was in a family situation without parents who care and who never contacted the school? What if Michael did not get the private learning assessment that defined his limitations? What if Michael did not have parents who could afford to pursue the private assessment? What sociological ramifications do we face as a result of students who fall through the cracks? How do these schooling errors impact our courts, juvenile justice system, and prisons? What is the cost of "missing" Michael?

REFERENCES

Americans With Disabilities Act of 1990, 42 U.S.C.A. § 12101 *et seq.* (West 1993).