MORE STUDENTS with special education needs are having those needs met in mainstream independent schools. That is a step in the right direction. With improved diagnostics and stronger education laws in place, more children are being identified as having learning disabilities. For many of these children, an independent school may offer the appropriate learning environment, particularly when public schools do not or are unable to meet their needs. What many independent school educators may not realize, however, is how instrumental they can be in helping parents of children with disabilities recover the cost of tuition and other related support services the students require.
Many parents of students with learning differences look to independent schools because of lower student-to-teacher ratios, supportive services, and nurturing environments, in addition to a challenging curriculum. Some independent schools have included in their mission statements a commitment to educate students with learning disabilities — e.g., Mary McDowell Center for Learning (New York), Eagle Hill School (Connecticut), and The Landmark School (Massachusetts). But there are independent schools that also educate students with learning disabilities without a specific mission to do so — and these schools have been successful in helping such students make meaningful progress, nurture their unique gifts and strengths, and build their confidence along the way. This certainly was the case at the independent school where I taught for several years.

During my experience as an independent school educator, my colleagues and I often wrestled with how to best meet students' special education needs. Some students came in with Individualized Education Plans (IEPs), while others only had an identified disability and no IEP, and still others were identified as having a learning disability for the first time.

As educators, our goal was to meet the individual needs of each student in a college preparatory setting. What I came to realize then, and what I now know in my current role as attorney and advocate for students with autism and other developmental disabilities, is that identifying and acknowledging a student's unique learning challenges is the necessary, if not critical, springboard to appropriately educate and service the student. Once a student's needs have been properly identified, assessed, and acknowledged by the school and the parents, educators can tool to help facilitate learning. That same student also may need help organizing his or her thoughts for writing essays. Another student may have "high functioning" autism or Asperger's Syndrome, and he or she needs support in reading social cues, or extra support when it comes to inferential thinking, comprehension, or other "reading between the lines" skills in and out of the classroom. Having specialists on staff, such as psychologists and teachers with degrees and experience in special education as part of the "learning center" support team, can go a long way in helping these students reach their potential and success. Independent schools that are dedicated to being emotionally supportive and that pay close attention to developing the emotional quotient of students, in addition to their intellectual quotient, provide for students with learning challenges and offer a safe and secure place to learn.

Because so many independent schools are dedicated to fostering diversity and supporting students' individual needs, while also providing a quality education, more and more parents are leaving their local public schools and looking to independent schools to fill these gaps.
responsible for paying the independent school tuition and other necessary related services. Independent school tuition, however, is not automatically reimbursable simply because the school district failed to offer an appropriate program and placement. The private school must have a legitimate special education component in its program that is appropriately meeting the needs of the student in question.

Students all over the United States are entitled to a free appropriate public education. When a public school district fails to provide an appropriate education to a student, parents may unilaterally place their child in a private school and look to the school district to reimburse them for the school tuition. The same is true for support services a student may need at school. For example, I represented a fifth-grade student with autism ("Stephen") who was attending a mainstream private school in New York City with the support of a Special Education Itinerant Teacher (SEIT). The case began after the New York City Department of Education had offered Stephen an inappropriate placement in a highly restrictive self-contained classroom. The private school that Stephen's parents chose served typically developing students. His parents placed him there because the curriculum was appropriate for his high intellect, the school had a low student/teacher ratio, and it provided an educational environment where their son would have a rich opportunity to learn alongside neurotypically developing peers who would serve as good language and social models for him.

Stephen's parents asked the New York City Department of Education's Committee on Special Education to put the private school as his school placement and the SEIT on Stephen's IEP — in effect, asking the city to pay for the private school tuition and the special education services of the SEIT. The committee refused and the parents requested a due process hearing. The school district (and in this case it was the New York City Department of Education) has the burden of prov-

**HOW INDEPENDENT SCHOOL ADMINISTRATORS AND TEACHERS CAN HELP STUDENTS SECURE TUITION REIMBURSEMENT**

1. **Establish a Learning Center.**
   Have a learning specialist(s) on staff to directly and indirectly support students. Learning specialists should collaborate with the classroom teachers.

2. **Coordinate and Collaborate.**
   Teachers, learning specialists, coaches, and others should work together to support the student outside the classroom as well as in the classroom. Collaborating and coordinating those efforts with coaches and drama teachers, for example, maintain consistency. This is especially true for children with an autism spectrum disorder who struggle to navigate socially. Sharing in-school strategies developed with coaches and others is a great way to help support the student, and helps make a case for tuition reimbursement.

3. **Advocate for the Student.**
   Individualized Education Plan (IEP) meetings are held at least annually to determine the student's current levels of performance and develop goals and objectives for the next school year. Be sure to advocate for the student at these meetings. Teachers' input is critical to developing an appropriate plan. Many committees on special education permit teachers to attend by telephone to minimize the disruption to the school day.

4. **Testify on Behalf of the Student at a Due Process Hearing.**
   Many states allow for telephonic testimony, and school personnel can testify to the appropriateness of the independent school and describe the progress the student is making. It is important that the independent school make available to testify at least one school person who is familiar with the student's academic and social deficits and progress. Particularly with the current national economic situation, independent schools must recognize that they have a role in offering supportive testimony.

5. **Offer Related Support Services.**
   A student may require a 1:1 aide or speech and language therapy during the school day. If service providers do come to your school to support the student, it is important that the school personnel communicate and collaborate with the service providers to help provide the student with consistent support.

6. **Provide Professional Development.**
   Ensure that school personnel pursue professional development in teaching students with disabilities.

7. **Offer Parents Counseling and Training.**
   Parents need as much support as they can get. Schools can help a great deal by offering parents counseling and training on how to work with their child at home.
partnering with independent schools for success

Schultz & Williams has a proud history of working with independent schools and helping them build strength and achieve long-term success.

Our client list includes: Abington Friends School; Academy of Notre Dame de Namur; The Baldwin School; Delaware Valley Friends School; Germantown Academy; Montgomery School; The School in Rose Valley; The Agnes Irwin School; and more.

We specialize in:
— Fundraising & Campaign Consulting
— Multi-channel Direct Marketing
— Business Development & Strategic Planning
— Marketing, Branding & Communications
— Interim, Project & Start-up Staffing

Schultz & Williams
development, management, marketing
325 Chestnut Street 215-625-9955
Suite 700 www.schult2williams.com
Philadelphia, PA 19105 mail@schult2williams.com

"Better than a thousand days of diligent study is one day with a great teacher."

Japanese Proverb

By thoroughly knowing our candidates and our schools, we’ve been matching great teachers/administrators with the right institutions for 36 years. In New York, Connecticut and beyond. Contact Lisa Lovering or Babs Johnson at 914-666-6323 or info@educatorsally.com.

Educator’s Ally
The right match lights the fire.

ing that the program and placement it offered provided the student with a free appropriate public education, and parents have the obligation of proving that the private school with the SEIT is reasonably calculated to provide the student with a meaningful educational benefit. We also have to show that the parents fully cooperated with the IEP development process and in no way impeded their school district from developing an appropriate IEP.

After hearing testimony and reviewing documentary evidence, the impartial hearing officer (akin to a judge in Stephen’s case) concluded that the DOE failed to offer the student a free appropriate public education. The hearing officer also found that the parents’ decision to place their son in a mainstream private school with the support of the 1:1 SEIT was reasonably calculated and did, in fact, provide the student with a meaningful educational benefit, and that the parents had fully cooperated with the IEP development process. Accordingly, the impartial hearing officer ordered the NYC DOE to reimburse the parents for the tuition for the private school and their out-of-pocket cost for providing the 1:1 SEIT. This victory provided the financial resources to allow Stephen to remain in an appropriate educational placement that was working for him. Stephen could not have won his case without the testimony of school personnel who were able to describe the school’s program, Stephen’s deficits, and the progress he had been making at the school.

With autism diagnoses on the rise (1 of 88 children are being diagnosed with autism and 1 in 54 boys), the demand for special education support services in mainstream schools will increase. Offering support services in independent schools will go a long way to helping prove that a school is appropriate for a student with special learning needs and may prove to be very helpful to parents. These efforts cannot be underestimated in the valuable assistance they offer parents in their rightful quest for reimbursement for independent school tuition.
Tracey Spencer Walsh is a partner at Mayerson & Associates, a New York law firm dedicated to representing children and adolescents on the autism spectrum and other developmental disabilities, and assisting families in accessing the education and related services necessary and appropriate for students. For six years, Walsh taught history and served as dean of students at an independent school in New York. During her time as an educator, she worked with and helped identify students with “special” learning needs and advocated for appropriate services and accommodations for them.

Notes

1. Each public school child who receives special education and related services must have an Individualized Education Program (IEP). Each IEP must be designed for one student and must be a truly individualized document. The IEP creates an opportunity for teachers, parents, school administrators, related services personnel, and students (when appropriate) to work together to improve educational results for children with disabilities. The IEP is the cornerstone of a quality education for each child with a disability. See U.S. Department of Education’s “My Child’s Special Needs — A Guide to the Individualized Education Plan” at www2.ed.gov/parents/needs/speced/iepguide/index.html.

2. Under the federal law, “Child Find,” public school districts are responsible for identifying students’ learning disabilities, even if the student attends a non-public school. If a learning disability is suspected, the teachers and/or administration should discuss the possibility with the parent, and let the parent know that the school district of their residence is obligated to conduct educational testing of the student with the suspected disability, free of charge.

3. Under the federal statute, Individuals with Disabilities Education Act (IDEA), the requirement to provide students with a free appropriate public education (FAPE) is mandated in all 50 states.

4. A due-process hearing is a right that parents have when they disagree with the recommendation of their local public school district. Parents can file for due process without a lawyer. However, these cases usually involve complex substantive and procedural issues, and parents are advised to consult with an attorney with specific knowledge about special education services before filing for due process.

5. The parents had been paying the SEIT $75 an hour and the SEIT supported the student full time at the private school — the full cost was ordered reimbursable.

6. NAIS publication on Reauthorization of IDEA www.nais.org/articlePrint.cfm?print=Y&ItemNumber=145616.