

Role Play: Taylor Wilson/Truman School District Mediation

Intake Information for the Mediator:

Conversation with Ms. Wilson, parent:

- Taylor is a 15-year-old 9th grader. He is eligible for special education and related services under the disability category of OHI (Other Health Impaired), specifically for Attention Deficit Hyperactivity Disorder (ADHD). He has been receiving services since kindergarten. Ms. Wilson says that Taylor also has a medical diagnosis of Autism Spectrum Disorder (ASD).
- This is a mediation resulting from the outcome of a Manifestation Determination Review (MDR) meeting held two weeks ago, where the district decided that Taylor's behavior was not related to his disability.
- Ms. Wilson has filed a State Complaint contesting the MDR Team's determination that the behavior was not a manifestation of Taylor's disability, that his IEP was not being followed and that they did not consider his ASD diagnosis.
- Taylor was recommended for an expulsion hearing for allegedly threatening to "put another student in the hospital."
- Ms. Wilson feels the school is constantly targeting Taylor and looking for ways to suspend him. He has been suspended two times before, once for 1 day and once for 3 days for disrupting the class and insubordination.
- She shared that the school is not providing the support that Taylor needs in his regular classroom. He can't do the work and the school is not helping him.
- She said that he has a diagnosis of ADHD and ASD and takes medication.
- She also shared that she provided a copy of the ASD diagnosis to the school at the MDR, but the school wouldn't consider it. The doctor's diagnosis says that Taylor will say things when he feels confronted or cornered. He also will try to escape to get out of the situation if he feels threatened or is trying to avoid something or someone.
- The parent thinks the school is not following Taylor's BIP. He is supposed to be able to leave class when he gets upset or frustrated.
- Ms. Wilson shared that she thinks that Taylor felt threatened and may have said something but not what the school accused him of.
- Taylor is supposed to have a paraprofessional with him all day every day. Mom believes that the para doesn't know how

to deal with Taylor's behaviors and mom does not even think the para was with Taylor when this happened.

- Also, there have been 2 students who have been bullying him all year and he doesn't want to be in that classroom. The school has done nothing about this.
- At the MDR, Taylor's teacher and the social worker agreed that this was related to his disability. But the Superintendent overruled them and said it is not related. So that's what they wrote.
- They also told her Taylor couldn't come back to school. They did not tell her for how long. He has been out of school now for 3 weeks. They did not tell her that he would get any services. She is afraid that he is not going to be able to earn class credits.

Conversation with Ms. Thomas, Special Education Director:

- The school is happy to participate in mediation. The district has been having tremendous difficulty communicating with Ms. Wilson. She is not responsive to phone calls and is not open to sharing information, especially from Taylor's doctor.
- During the MDR, Ms. Wilson did not appear to understand what happened in the incident, or to accept the severity of her son's behavior.
- She explained to Ms. Wilson the MDR process and what needed to happen after the meeting, but Ms. Wilson did not seem to understand what was happening. Mom was focused on denying the behavior occurred and being related to bullying that she believes is happening.
- The school has had 2 restorative conferences with the students to address their relationship issues. The content of the 2 conversations is confidential.
- The incident that led to the MDR and expulsion referral occurred because Taylor and two other boys were talking in the back of the classroom. As the teacher approached, one of the boys pushed Taylor, who then wheeled around and began shouting profanities.
- The school interviewed the other boys involved and one reported that Taylor threatened to put him in the hospital.
- She confirmed that the district administration is recommending an expulsion.
- She stated that Taylor's disability is OHI. He has a BIP. His most recent triennial IEP was 2 years ago. He had an IEP last done in late October.

- When Taylor was last evaluated, he did not meet the criteria for Autism Spectrum Disorder (ASD). The evaluation report indicates that Taylor has ADHD and a history of impulsive behavior.
- The evaluation report also documents an ADHD (combined Type) diagnosis from Children's Hospital.
- Taylor does not meet the IDEA criteria for Autism.
- The evaluation report indicates that Taylor struggles with defiant behavior in response to not getting his way, being reprimanded or corrected, or when he is frustrated, or feels confronted and defensive. He can also be impulsive and respond inappropriately to normal circumstances.
- An FBA was conducted to gather data in November, which was then used to create the BIP in late November. The FBA process began by defining the behavior and where/when it is occurring. The antecedents and consequences are examined in relation to the behavior. Staff then use the information to identify the trigger and function of the behavior.
- One of Taylor's behavioral triggers is when he feels threatened or teased. He also will leave class to avoid work or if he wants to get away from a situation.
- His BIP includes taking a break and going to the office when he feels frustrated or agitated.
- On the day of the incident, the teacher was present in the classroom, but was setting up for class at the time.
- The school needs to figure out with the parent what services the student needs if he is removed.
- The school also just found out that the parent is working with an advocate who the district has had difficulty working with in the past. Their understanding is that the advocate will be attending the mediation, but the school will not be bringing their attorney.