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Case Study: #31 “What Next for Billy?”

This case study is based on a situation involving a student named “Billy” who is emotionally disturbed. Billy has taken medication for his hyperactivity but it appears as of late to have diminishing effects. Billy is unable to get along with his fellow students and acts out by kicking, biting, and fighting with other students and yelling at his teachers. Billy currently spends time in the self-contained classroom but is mixed in with the other students for specials and lunch. The assistant principal is recommending Billy for placement in the district’s centrally housed unit for the emotionally disturbed but Billy’s parents are objecting strongly and threatening a lawsuit. Billy’s parents are insisting that he be mainstreamed into the regular program. What legal actions can be taken by the school, and what legal bases will be used as guidelines?

**Standard 1:** A school administrator is an educational leader who promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.

According to the U.S constitution, all students are afforded the right to a free public education, in addition the Individuals with Disabilities Act states that students with disabilities must be afforded a free and appropriate education (FAPE) in the least restrictive environment. However, the courts have also upheld that schools have the duty and right to ensure that the work of the school and the rights of all students are not disrupted. In this case study, Billy is protected by IDEA as he has a disability and is on an IEP, however his behavior as of late has impinged on the rights of the other students to their education.

**Standard 4**: A school administrator is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.

The school has suggested placement for Billy in the centrally housed ED unit. Billy’s parents object to the school’s suggestion. At this point Billy’s behavior is a detriment and danger to the other students. Offering him an alternative placement in which he will receive all his accommodations is within the legal rights of the school. This could be a temporary placement which may not require any adjustments to his IEP, or could be considered a long-term change that would require an IEP rewrite.

I think it is best in this instance to try to mediate with the parents, the school psychologist, the Director of Special Education, and the IEP team in a non-confrontational manner in order to determine the best placement possible for Billy so that he have the best educational environment possible while not causing a disruption of the education of his fellow students. Respectfully discussing and weighing the options for Billy in a non-threatening manner, making every effort to accommodate Billy’s needs and his parents’ wishes without infringing on the rights of the other students would be the approach I would take with this case.