# #1 Build a Culture of Ignorance, Rev. 06.02.11

**justoutsidethelines** | April 27, 2011 at 9:12 pm | Tags: 504 Plan, Department of Education Civil Rights, just outside the lines, OCR Investigations, Office for Civil Rights, Students with Disabilities, United States Department of Education, United States Department of Education Office for Civil Rights Region VII | Categories: 10 Ways to Feed School Attorneys | URL: http://wp.me/p12dce-ff

Ten Ways to Feed School Attorneys – Began as 50 Ways to Leave Your Law-yers, Revised June 7, 2011

#1 Way to Feed an attorney

BUILD AN "educational" CULTURE OF IGNORANCE:

*Second Thread:* Reliance on Ignorance as a Means of Remaining Blind to Physical Disabilities

1. State refuses to train hearing officers in ADA/Section 504 forcing us into an IDEA/Special Education hearing unlikely to address the health and safety needs of a "good" student.
2. District relies solely on a Research Based Intervention Model, Multi-Tiered System of Supports – an RTI model for students struggling with learning in the general education environment; but will not allow research to be conducted in their District by third/neutral parties, will not access research on their own, will not read or allow me to present/enter research-based exhibits (District Special Education Director Email need hyperlink);
3. District refuses to allow me to enter research-based exhibits;

*First Thread*: Ensure there is district-wide ignorance, insecurity, fear, and confusion about what the law requires of:

a. School Board Members
b. Building Administrators
c. District Administrators

Because knowledge is Power, it is understandable that school attorneys do what they can to keep their communal client:
Ignorant,
Asleep at the wheel,
Looking the wrong way
AND…Running to the attorneys!

(Who are rewarded financially?)

In contrast, educating school personnel poses the threat of fewer billable hours and the potential of attorney mal-nutrition.

My experience with our school district is that no one at the building or district level, including principals, superintendents, and the legal department/school attorneys, have even a working knowledge of the differences between physical/medical disabilities (students' rights protected by ADA

and Section 504) and learning disabilities (students' rights primarily protected by IDEA, NCLB). [Acronym glossary in tab]

In fact, when the first school attorney approached me, with the Deputy Superintendent and School Principal in tow, he wanted to engage me in a long-winded, months'-long debate from which I withdrew after he sent me a formal (billable hours) letter (for which he billed the District) stating: "You still haven't convinced me…" (December 2007).

I wasn't trying to convince him. He should know legal standards and he should be able to apply them to our situation.

Debate is neither my area of interest or professional expertise. I simply wanted to ensure our daughter had a reasonably safe school environment in light of known medical differences.

The school attorney believed, or said he believed, that "… the law does not require [accommodations to safely participate in extracurricular activities]" (OCR # 07-08-1120, under appeal).
He failed to mention which law he was making reference to and also failed to state how he had come to this conclusion since case law supported my position and he knew it, or should have known it, or shouldn't have been billing the school district for pretending to be an expert or practice law.

Speed limits are laws.

He might have been implying, "The [speed limit] law does not require accommodations for extracurricular activities." He would have been right, of course. But, ADA and Section 504 do require this. Further, my understanding currently is that IDEA also requires equal access to educational benefits and opportunities to learn during extracurricular activities within an equally safe environment.

It seems obvious that it would just be prudent to attempt to create a safe environment for athletes of all abilities to compete. But, I keep concluding that our school attorneys profit by creating situations within our schools that keep the schools more than a bit "accident" prone.

It seems to me that our school attorneys and their in-district cohorts and our Board of Education, have reaped great perks, favors and benefits from our tax money by ensuring "accident prone" environments.

Because we have fought their discriminatory practice of not allowing students with even minor disabilities the equal opportunity to participate in athletics and extracurricular activities, the school political machine has had increased opportunities to reinforce their team through billable attorneys' hours (unlimited, no-cap, no-bid contract, without prior Board approval) and believably the Law Firms' award of "perks" to district employees and BOE members (campaign contributions, use of Firm's resources, etc.).

The question posed then: Is it really an "accident" when it is foreseeable and preventable?

VIDEO: Humorous look at an individual who also appears "accident prone",
In other words: Ignorant, Asleep at the wheel, Looking the wrong way, Self-Centered…
AND…Running to the attorneys!
Running Time: 2:06
Woman Suing for Fall

http://www.youtube.com/watch?v=jBEGwTSPfqg

***OCR VII is under the Administrative Authority*** of

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Bill Dittmeier, and

Steve Stratton

(Director, Lead Attorney, and Program Manager, respectively)

***This information is true to the best of my knowledge.*** I have posted a link to the Freedom of Information Act in the tab at the top of my blog which is made available for those who wish to compare my truth with the Office for Civil Rights "truth".