**STOP AND THINK FIRST…TEN EASY WAYS TO GET SUED**

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Why are some parents willing to work with school districts to resolve problems, and why do others file due process hearings or lawsuits?

Districts are far more likely to get sued if they focus only on the substance and pay insufficient attention to the ongoing intertwined relationship required by the special education process.

Districts fail to avoid litigation in four major ways:

1. Failures of respect
2. Failures of knowledge
3. Failures of communication
4. Failures of accountability.

1. FAILURES OF RESPECT

* Learn their names. The names are right in front of you on the IEP draft, or the evaluation report. Unless she is *your* mother, don’t call her “mom”. Know her child’s name as well.

Don’t call them by their first names unless you know them well enough for them to call you by yours.

* Respect their expertise about their own child. You have the degrees. They live with him.
* Don’t roll your eyes and sigh.
* Don’t tell them that they have no idea what their son is like in school. Validate their experience at home; then tell them what is happening in school as factually as possible.
* Don’t tell them it’s their fault. Don’t tell them they help her too much. Or not enough.

* Invest enough time. It doesn’t matter how many IEP conferences you need to get through in a day. The only one that is important at that moment is the one that you are in. Don’t text or check your email.
* **Let the parents speak**. People who know that they are being heard, even if they are not being agreed with, are far more likely to continue to work through a process.

1. FAILURES OF KNOWLEDGE

* Know what you mean by your IEP language.
* Know and be able to describe and explain the programs and services you are offering.
* Know how to get your IEP-writing program to do what you need it to do. “Our program doesn’t let us do that” is never the correct answer.

1. FAILURES OF COMMUNICATION

* Listen.
* Repeat.
* Respond.

1. FAILURES OF ACCOUNTABILITY

* Deliver on what you promised.
* If you can’t, ‘fess up and offer remediation.
* Don’t deny problems; solve them.

REMEMBER:

* Parents are full and equal members of the IEP team, not a nuisance or imposition on the process.

* They have important information to give to you, and to receive from you.
* Questions are not attacks on you or your program.

* Actual attacks on you or your program should be met with calm professionalism.

Above all,

keep the process child-centered, and keep it collaborative.