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Special Education Legal Alert

By Perry A. Zirkel

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This month's update concerns issues that were subject to recent, unpublished federal court decisions of general significance: (a) liability for money damages under the IDEA, and (b) the reverse effect of general education interventions on IDEA child find and eligibility. For further examination of both of these issues, see Publications section at **perryzirkel.com**.

In *Black v. Littleton* (2020), a federal district court addressed a parent's suit for money damages based on alleged bullying and physical abuse of her son, an elementary school student with a specific learning disability, by not only other students but also teachers. They allegedly engaged in name-calling, such as "retard" and "stupid," and violence, including punching and choking him. The parent told the principal, who allegedly took insufficient action to protect him and failed to report the abuse to the Department of Children and Family Services. Finally, her son came home from school, hung himself, and remains hospitalized with severe and permanent brain injuries from oxygen deprivation. The district defendants filed a motion for dismissal.	
For the parent's 14th Amendment equal protection claim, the court denied dismissal.	However, the court warned that the outcome may be different upon a better developed factual record at the summary judgment stage, which is after "discovery" (via depositions and other pretrial information disclosure).
For the parent's 14th Amendment substantive due process claim, the court also denied dismissal. The key difference from peer bullying cases was the alleged similar conduct of the teachers.	The court reserved the next essential element, whether the conduct was conscience-shocking, to summary judgment stage. Added to the individual defendants, the school district did not escape liability at this dismissal stage because the parent's allegations raised an inference of a "de facto policy and practice of failing to protect special education students against abuse."

For the parent's Sec. 504/ADA claim, the court denied dismissal with the exception of the failure-to-accommodate sub-claim.	However, the court reserved for likely at least temporary derailing of this claim at the summary judgment stage based on the defendants' assertion that the parent failed to exhaust via an IDEA due process hearing.
For the parent's state law claims of battery and intentional infliction of emotional distress (IIED), the court denied dismissal.	Again, a major contributing factor was the teachers' alleged direct actions, although the outrageousness element for IIED and the individual defendants' state law immunity each await the more developed factual record at the next pretrial stage.
Whether the parent's claims survive the subsequent successive stages of summary judgment and trial or the parties arrive at a settlement is an open question, but the parent's "spaghetti strategy" is likely to lead to some liability "sticking" in this case, because "bullying" is, contrary to the stereotype, not limited to students' conduct.	

In *Henrico County School Board v. Matthews* (2019), the school district sought sanctions against the parents and their non-attorney advocate for their purportedly bad faith conduct. More specifically, the district sought payment of its attorneys' fees based on (a) the parents' moving, upon advice of the advocate, to another district in the wake of winning compensatory education in a due process hearing, without informing the district or the court upon the district's appeal of the hearing officer's decision, and (b) the advocate's filing for a seventh hearing on behalf of their child with autism, again mis-identifying their district of residence and also publicly announcing that the purpose was to cost the school board money so as to get what they wanted. A federal court in Virginia recently issued an unpublished decision in this case.	
For the advocate's advice, the court concluded that it was not bad faith because there is significant judicial authority that a move to a different district does not necessarily nullify the original district's obligation to comply	Although the authority was from other circuits and, thus, not binding in this court's jurisdiction, it was sufficient to render the advice beyond the narrow confines of bad faith conduct.

with a compensatory education award.	
For the advocate's scorched earth litigation strategy of filing multiple due process claims for essentially the same claim, with the seventh one misidentifying the parents' residence as being in the district, the court again denied sanctions, concluding that the hearing officer's compensatory education award showed that the claims were not necessarily meritless.	Although finding the advocate's admitted scorched earth strategy to be "reprehensible," the court concluded that the district had not proven an entitlement to sanctions against the advocate for litigation abuse constituting bad faith conduct.
For the advocate's additional identified conduct, the court concluded that her three instances of false testimony in the proceedings and untruthful filing about the parent's residence qualified as the requisite bad faith conduct, but that charging the district's attorneys' fees to her was not a fair and reasonable sanction.	Instead, the court determined that the appropriate sanction under the circumstances, including her limited financial resources, was a fine of $1,000 and an injunction against his participation in any future IDEA proceedings in this court.
For the parents' misconduct, the court concluded that they "acted in some ways that were inappropriate and were not always fully truthful," but their actions did not reach the requisite bad-faith level for sanctions in the particular circumstances of this case.	The court reasoned that (a) the school district admitted that the parents' misconduct was less serious than the advocate's and (b) the parents relied on the advocate's non-sanctionable advice.

Although sanctions in IDEA cases extend in various jurisdictions to the authority of hearing officers and to the conduct of either party's attorneys, this particular case illustrates that (1) what school districts may regard as flagrantly improper conduct may well fall short of what is required for sanctions, and (2) the use of lay advocates to represent parents in due
process hearings varies widely among the states but generally lacks licensing and disciplinary controls.

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Buzz from the Hub

All articles below can be accessed through the following links:

https://www.parentcenterhub.org/coronavirus-resources/

Coronavirus Resources

Coronavirus. *COVID-19!* What to do, where to turn?

The amount of information that's constantly emerging is so staggering, it seems nearly impossible to keep up. At CPIR we thought you might find it helpful to have a ***brief*** list of resources to address key issues such as multilanguage materials to share, places parents can turn to as so many schools are closed for now, and telecommuting tips to help with maintaining social distancing practices. The list is nowhere near exhaustive, nor is it intended to be. We'll be continually updating what's here, and posting selective new info via our Facebook and Twitter feeds.

May these resources inform you without overwhelming and may you find them useful and timely to share with the families and the professionals you serve.

Guidance from the U.S. Department of Education (and Others)

From the Federal Government and Congress | **Coronavirus Relief Package**

Just passed by Congress and signed by the President, here's an early summary of what the legislation contains. This will no doubt be an unfolding story, so stay tuned as the legislation is enacted.

From DOE | **Q & A on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outreach**

(Also see *other-language infographics* created by Family Network on Disabilities in Florida that explain this guidance from DOE.)

From OCR at DOE | **Supplemental Fact Sheet: Addressing the Risk of COVID-19 in Preschool, Elementary and Secondary Schools While Serving Children with Disabilities**

(March 21, 2020) This fact sheet explains that as a school district takes necessary steps to address the health, safety, and well-being of all its students and staff, educators can use distance learning opportunities to serve all students.

From DOE | Broad Flexibilities for States to Cancel Testing During National Emergency

(March 20) DOE announces that students impacted by school closures due to the coronavirus (COVID-19) pandemic can bypass standardized testing for the 2019-2020 school year. Upon a proper request, the Department will grant a waiver to any state that is unable to assess its students due to the ongoing national emergency, providing relief from federally mandated testing requirements for this school year.

From DOE | COVID-19 Information and Resources for Schools and School Personnel
Resource list that includes links to the CDC, guidance from the Office for Civil Rights, the Office of Postsecondary Education, and more.

From DOE | Webinar on Online Education and Website Accessibility
7-minute video.

From OCR at DOE | Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students
4-page fact sheet, primarily aimed at education leaders.

Legal FAQs on Coronavirus, School Closings, and Special Education
Some basics on what most of us are worried and wondering about.

COVID-19 and Students with Disabilities
From the National Center for Special Education in Charter Schools.

Map: Coronavirus and School Closures
From EDWeek, this US map tracking school closures is updated twice daily.

State-by-State Coronavirus News
Want to see the latest goings-on in your state or another? What's closed? What's open? What orders have been put in place at the state or local level?

COVID-19 Info in Other Languages or Formats

The CDC, of course!
(Available in English, simplified Chinese, and Spanish)
Among the many dozen of resources on the coronavirus from the Centers for Disease Control and Prevention are two that Parent Centers may wish to share with families: (1) What you need to know; and (2) What to do if you are sick.

Talking to Children About COVID-19 | A Parent Resource
(Available in English, Spanish, Amharic, Chinese, and Korean)
Children look to adults for guidance on how to react to stressful events such as COVID-19. They need calmly delivered, factual information that's age appropriate, with concrete instruction about positive preventive measures. This guidance comes from the National Association of School Nurses and the National Association of School Psychologists.

Explaining in graphic form DOE's guidance on providing services to children with disabilities during the coronavirus outbreak
(Available in English, Spanish, Russian, and Haitian-Creole) | Thank you, Family Network on Disabilities, for this fine work!

4 from Understood.org
(Available in English and Spanish) | Check out these 4 resources available at understood.org: (1) How to talk about coronavirus with kids; (2) School closings and special education; (3) Activities to keep kids busy at home; and (4) Disability issues at work. The same tips and updates are available in Spanish.

From Washington State, fact sheets on the virus
(Available in English, Amharic, Arabic, simplified Chinese, traditional Chinese, Hindi, Japanese,

Khmer, Korean, Russian, Somali, Spanish, Tagalog, Thai, and Vietnamese)
Wow!

Plain language info about COVID-19, by and for people with disabilities
Simple wording, lots of graphics illustrating key points and important protective things to know.

COVID-19 Information in Different Languages, with Videos
(Available in Spanish, simplified Chinese, traditional Chinese, Vietnamese, and Arabic)
Brief info about the coronavirus, how it spreads, and how to protect yourself and find help. Includes videos!

Telecommuting Technology and Tips

Need to hold meetings virtually?
Here are some ways to do it.

Free Zoom Personal | Host up to 100 participants, Unlimited 1 to 1 meetings, 40 minute limit on group meetings, Unlimited number of meetings, online support, video conferencing, web conferencing

Free Microsoft Team | Microsoft Teams is a hub for teamwork in Office 365. Keep all your team's chats, meetings, files, and apps together in one place.

Free G Suites and Google Hangouts | advanced Hangouts Meet video-conferencing capabilities with up to 250 participants per call, Live streaming for up to 100,000 viewers within a domain, ability to record meetings and save them to Google Drive.

Free Slack for small businesses | Access to 10,000 of your team's most recent messages, 10 integrations with other apps like Google Drive, Office 365, 1:1 voice and video calls between teammates.

Comcast offering 'Internet Essentials' package free for low-income customers for 60 days
Tips for Working Remotely
How to work from home
Some good tips and practical advice here.

Remote work starter guide for employees: how to adjust to work-from-home
Thoughtful suggestions, especially for people who are working remotely for the first time.
Schooling at Home
School closure learning guide during Coronavirus (COVID-19)
If school has closed, these resources will help your child learn from home. Find out how to set up at-home learning and use Great Schools' grade-based resources to fill in the gaps.

Great Schools free worksheets in English and Spanish for different ages and grades
These actually look like fun for kids while emphasizing certain skills and addressing grade-appropriate information.
Free online learning resources during COVID-19 closures
From National Center for Families Learning: **Wonderopolis.org** is a free online learning resource visited by 13 million students, teachers, and parents annually. Also explore NCFL's **Out-of-School Time** free resources page.

Resources for Learning at Home When Schools Close

Links to resources for teaching reading/English language arts, math, writing, science, and social studies.

11 Tips for Parents Starting to Homeschool in a Hurry

A lot of us are in the same boat!

Handpicked recommendations for learning apps, games, and websites for kids

Common Sense Media offers this list of "best for learning." Topics range from skills essential to life and work in the 21st century, to traditional academic subjects, to recommendations for particular settings or types of kids. Organized by age of child.

Virtual Early Intervention Home Preparation Checklist for Families

A 1-page checklist of how to prepare for a virtual early intervention home visit.

Coping Tips and Other Useful Info

Tips For Social Distancing, Quarantine, And Isolation During An Infectious Disease Outbreak

From SAMHSA.

Daily tips (in video form) for parents

Every day, the Child Mind Institute publishes a video and social tile with a tip for supporting families through the coronavirus crisis. Sign up to get these tips, and tell the families you serve to do so, too.

How You and Your Kids Can De-Stress During Coronavirus

From PBS for Parents.

What To Do With Kids At Home On Coronavirus Break For Who Knows How Long (Without Losing It)

Interesting resources and good advice here.

12 World-Class Museums You Can Visit Online

The digital age has made it possible—easy, even—to visit some of the world's most famous museums from the comfort of your own home, including the Louvre, the National Gallery of Art, the British Museum, the Smithsonian National Museum of Natural History, and NASA.

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COVID-19 AND K-12 STUDENTS WITH DISABILITIES: INITIAL GUIDANCE

By Perry A. Zirkel

The COVID-19 pandemic and its legal implications for students with disabilities are subject to not only changes from day to day but variance among both the states and the school districts within them. Thus far the U.S. Department of Education (USDE) has issued various guidance documents (see https://www.ed.gov/coronavirus), which include the Office of Special Education Programs (OSEP) interpretations regarding the IDEA and the Office for Civil Rights (OCR) interpretations regarding § 504/ADA. In addition some state education agencies (SEAs) have issued their own guidance, which in some cases extends beyond the federal guidance for students with disabilities in elementary and secondary schools.[1]

In response to stakeholder requests for my feedback, I offer my following initial impressions from an outside and impartial perspective. For legal advice, however, interested individuals should consult with an attorney in their state.

First, the most recent guidance from USDE,[2] the more recent OCR guidance,[3] and any SEA guidance are all just that—guidance, or interpretations by the agencies responsible for administering the IDEA, § 504/ADA, and corollary state laws, respectively. None of these documents has the force of law; whether courts will find them persuasive is an "it depends" matter.[4]

Second, my impression is that the OCR guidance does not conflict with the USDE guidance, instead extending more broadly based on OCR's responsibility for not only §504/ADA (for discrimination based on disability) but other federal civil rights laws, such as Title VI (for discrimination based on race or national origin).

Third, the cumulative federal guidance understandably addresses three typical alternative situations:

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[1] E.g., Guidance for Iowa AEAs and School Districts for IDEA during COVID-19 Outbreak (Mar. 17, 2020), https://www.educateiowa.gov/article/2020/03/18/guidance-response-covid-19; Corona Virus (COVID-19) Frequently Asked Questions (FAQ)for Ohio Schools and Districts (Mar. 19, 2020), http://education.ohio.gov/Topics/Student-Supports/Coronavirus/Frequently-Asked-Questions-Governor-DeWine%e2%80%99s-Scho

[2] Questions and Answers on Providing Services to Children with Disabilities during the Corona Virus Disease 2019 Outbreak (March 12, 2020), https://sites.ed.gov/idea/idea-files/q-and-a-providing-services-to-children-with-disabilities-during-the-coronavirus-disease-2019-outbreak/ (and also at https://www.ed.gov/coronavirus).

[3] Fact Sheet: Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students (March 16, 2020), https://www2.ed.gov/about/offices/list/ocr/newsroom.html (and also at https://www.ed.gov/coronavirus).

[4] *E.g.*, Perry A. Zirkel, *The Courts' Use of OCR Policy Interpretations in Section 504/ADA K-12 Student Education Cases*, 349 EDUC. L. REP. 7 (2017); Perry A. Zirkel, *The Courts' Use of OSEP Policy Interpretations in IDEA Cases*, 344 EDUC. L. REP. 671 (2017), available as free downloads at https://perryzirkel.com

(a) schools are open but a student with an IEP or 504 plan is absent for an extended period of time per public health authorities or physician directive

(b) schools are closed but continue to offer services via remote technology

(c)   schools are closed with no services to students in the general population

For the first and last situations, the guidance is rather clear and persuasive as far as it goes: (a) FAPE follows the IDEA child, thus invoking the same sort of obligation that would apply to a student with an IEP who requires instruction in the home[5]; and (c) neither the child with an IEP nor the child with a 504 plan is entitled to FAPE. Although these two situations raise more limited and nuanced questions, including the extent of any compensatory education obligation, they are not the major issue right now.

To me, the priority issue at present is situation (b), especially in light of the current focus of many school systems on providing online instruction. For this situation, USDE's interpretation is as follows:

If an LEA continues to provide educational opportunities to the general student population during a school closure, the school must ensure that students with disabilities also have equal access to the same opportunities, including the provision of FAPE.[6]

This interpretation is based primarily on § 504/ADA and it adds the subsequent and significant qualifier - "to the greatest extent possible."[7] Even with this feasibility-based qualifier, practical implementation is bound to be a daunting challenge particularly in relation to students with disabilities that are severe, those with particular communication needs, and/or those requiring related services, such as physical or occupational therapy. However, as a legal matter, despite OCR interpretations, the courts have generally adopted the standard of *reasonable* accommodations, with the prevailing ultimate prerequisite for denial of FAPE being gross misjudgment, bad faith, or deliberate indifference.[8] Correspondingly, under the IDEA the ultimate FAPE standard is being "*reasonably calculated* to enable [the] child to make progress appropriate *in light of the child's circumstances*."[9]

Finally, in light of a declared national emergency with public health/safety being the overriding priority, more USDE guidance is imminent, Congressional action is being considered, and courts

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[5] *E.g.,* 34 C.F.R. § 300.115(b)(1) ("home instruction" - cross referring to the IDEA regulation defining special education as including "instruction … in the home"). This IDEA placement is not to be confused with home schooling or homebound instruction under state law.

[6] *Supra* note 1, at item A-1.

[7] *Id.*

[8] *E.g.*, Perry A. Zirkel, *Do Courts Require a Heightened, Intent Standard for Students' Section 504 and ADA Claims Against School Districts?* 47 J.L. & EDUC. 109 (2018),), available as a free download at https://perryzirkel.com

[9] Endrew F. v. Douglas Cty. Sch. Dist. RE-1, 137 S. Ct. 988, 999 & 1001 (2017) (emphasis added).

ultimately will take into account the practical limits of compliance with the IDEA and §504/ADA. The imminent guidance will address many other questions, such as the timelines for evaluation, the procedures for IEP reviews, and the implementation of alternate ESSA assessments. Congressional action may extend to adjustments or waivers of the regulatory requirement. And courts will continue to formulate and apply standards that consider the applicable circumstances and that are generally lower than professional norms, such as the prevailing judicial standard for FAPE implementation, which is already notably less than 100%.[10]

In these trying times, school district special education leaders need to apply common-sense proactive measures, as is their admirable norm and as our government is advocating for dealing more generally with COVID-19. Rather than fixating on perceived mixed messages, focusing on overly nuanced questions, or confusing well-intended guidance with binding legal requirements, local special education leaders should continue to use their particular forte in being creative, constructive, and collaborative, with due consultation with local legal counsel where needed.[11]

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[10] *E.g.,* Perry A. Zirkel & Edward T. Bauer, *The Third Dimension of FAPE under the IDEA: IEP Implementation*, 36 J. Nat'l Ass'n Admin. L. Judiciary 409 (2016); *see also* Perry A. Zirkel, *An Adjudicative Checklist of the Four Criteria for FAPE under the IDEA*, 346 Educ. L. Rep. 18 (2017), available as free downloads at https://perryzirkel.com

[11] The applicable factors during this unusual crisis start with health/safety and, within this overriding consideration, what is essential and what is practicable.

Factors Affect Transition to Postsecondary Education for Minority Students Who Are Deaf and Hard of Hearing

By Anwar Alsalamah

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Abstract

The current literature review was conducted to identify the common factors that affect the success of minority students who are deaf and hard-of-hearing (DHH) in their transition to post-secondary education. The result shows that inadequate academic preparation is one of the factors that prevent these students from successfully meeting the requirements of post-secondary education. In addition, parental involvement in the transitional planning of these students is not as effective as a result of the many challenges parents face. The results also show the lack of appropriate opportunities to develop non-academic skills, especially those related to self-determination and self-advocacy, despite their importance in supporting minority students who are DHH in achieving a successful transition to post-secondary education. Suggestions to improve the current situation as well as recommendations for implications and future research are discussed.

Keywords: Transition, deaf, hard of hearing, minority, postsecondary education.

Factors Affect Transition to Postsecondary Education for Minority Students Who Are Deaf and Hard of Hearing

In 2017, 83.7% of students who are deaf and hard-of-hearing (DHH) in the United States completed high school successfully (Garberoglio, Palmer, Cawthon, & Sales, 2019). Those students are increasingly enrolled in post-secondary education with their hearing peers (Richardson, Marschark, Sarchet, & Sapere, 2010). Data from the National Longitudinal Transition Study-2 (NLTS2) indicated that the enrollment rate of students who are DHH in any type of post-secondary education is 75% (Newman et al., 2011). Yet, the attainment rates among students who are DHH of different ethnicities and races are lower than those of their hearing peers (Garberoglio et al., 2019). Only 18.8% of students who are DHH completed their bachelor's degrees (Garberoglio et al., 2019). The low completion rates among post-secondary students who are DHH may be due to the ineffective preparation of these students in K-12 settings and to the ineffectiveness of higher education institutions in meeting the needs of these students (Coyle, Morrison, & Thomas, 2017). Luft (2014) has pointed out the importance of providing students who are DHH with more in-depth specialized transition programs to support their unique transition needs and assist them in achieving academic success in post-secondary education.

Transition to post-secondary education is a challenge for students with disabilities, and to facilitate it, these students need to prepare in advance (Gil, 2007). Prior planning for the transition of students with disabilities to post-secondary education would enable them to meet the admission requirements and succeed at that stage (Stodden, Abhari, & Kong, 2015). Providing students with disabilities with transition services is mandated under the Individuals with Disabilities Education Act (2004) as part of the individualized education program (IEP) for each student with a disability (Prince, Plotner, Yell, & Mazzotti, 2014). Under IDEA, transitional planning for a student with a disability must begin no later than age sixteen (Prince, Katsiyannis, & Farmer, 2013). The transition planning team should consider the individual capabilities and needs of students with disabilities, as well as their access to available services (U.S. Department of Education, 2017). However, students who are DHH have unique transitional needs that differ from those of their peers in general and those in special education, who require specialized preparation to overcome the obstacles faced by these students in transitioning beyond secondary school (Luft, 2016), with consideration to the diversity within this group (Higgins, & Lieberman, 2016).

Students who are DHH are a heterogeneous group. They differ in the age when their hearing loss occurred, their modes of communication, and their educational backgrounds (Wheeler-Scruggs, 2003). Students who are DHH show diversity at many levels. They come from diverse ethnic and socioeconomic backgrounds that reflect the same diversity in American society (Higgins, & Lieberman, 2016). The demographic characteristics of students who are DHH who join post-secondary education show that the high percentage of them are minorities from different racial and ethnic backgrounds (Allen, 1994). The percentage of minority students among students who are DHH is estimated at 44% (Garay, 2003). However, transition to post-secondary is a challenge for minority students who are DHH, as there is a lack of organization and coordination of transition planning for these students, which may prevent them from completing post-secondary programs successfully (Luft, 2016). Compared to their peers with disabilities, minority students with disabilities face more complex obstacles to achieving successful access and completion postsecondary education (Avoke, & Simon-Burroughs, 2007; Leake & Cholymay, 2004). The most common challenges facing minority students with disabilities in their transition to post-secondary are related to social inclusion, self-advocacy, self-determination, family involvement, limited English proficiency, and lack of academic preparation, especially with the under-representation of these students in university preparation courses (Leake, & Black, 2005; Leake, & Cholymay, 2004; Oesterreich, & Knight, 2008). Although the increased proportion of minority students who are DHH could create a unique challenge for post-secondary transition (Schildroth, Rawlings, & Allen, 1991), there is little research addressing the challenges of post-secondary transitions faced by minority students with disabilities or the most effective practices to support their success in transition (Halley, & Trujillo, 2013; Leake, Burgstahler, & Izzo, 2011; Thoma, Agran, & Scott, 2016). Therefore, the purpose of this literature review is to identify common transition-related factors that affect the

success of minority students who are DHH in their transition to post-secondary education, as well as some suggestions to improve the current situation.

Research Method

In order to examine the factors related to transition that may prevent minority students who are DHH from achieving successful post-secondary education outcomes, a review of empirical research articles published between 1990 and 2019 was conducted. The methods employed included searching for relevant empirical research articles using four electronic databases: Google Scholar, the Elton B. Stephens Company (EBSCO), Sara and George (SAGE), and the Education Resources Information Center (ERIC). Searches in these databases were conducted using the following search terms: "transition," "high school," "secondary school," "post-secondary," "culturally and linguistically diverse," "minority," and "diversity." To identify the relevant population, these terms were used in combination with the following terms: "deaf," "hard of hearing," "hearing loss," and "students with disabilities." These searches returned over 2,000 potential articles. From this list, 229 articles that seemed directly connected to the topic were identified. Fifteen out of 50 studies were selected after analysis of titles, abstracts, main headings, and subheadings. The twelve studies that were directly related to the topic were examined in depth, taking into account sample characteristics. The information from these articles was organized into three categories: factors related to academic preparation, factors related to family involvement, and factors related to nonacademic skills. The discussion in this study synthesized the claims, evidence, and information about similar and different aspects of the results of the reviewed studies. The sources of evidence in this literature review were survey data, parents' reports, student interview, and data from the NLTS2.

Factors Related to Academic Preparation

Given the role of legislation, as well as the role that post-secondary education plays in improving career opportunities for individuals who are DHH, the proportion of students who are DHH joining various higher education institutions has increased (Garberoglio et al., 2019). As it is for other students, transitioning to post-secondary education is difficult for many students with disabilities, but those students face further challenges due to the difference between high school and university settings (Belch, 2004). This especially true for minority students with disabilities, who face unique difficulties in education that may prevent them from achieving successful transition outcomes (Banks, 2014; Leake, & Cholymay, 2004). Recent statistics show that educational attainment rates in the United States among students who are DHH of different races are lower than those of their hearing peers. Only 18.8% of them have completed their bachelor's degrees (Garberoglio et al., 2019).

The inadequate preparation of students who are DHH to meet post-secondary institutions' academic requirements is one of the factors leading to the withdrawal of such students from these institutions without obtaining a degree (Saunders, 2012). Many students who are DHH enroll in postsecondary education with insufficient academic background knowledge in reading, math, and science (Nagle, Newman, Shaver, & Marschark, 2016). A report based on the NLTS2's data on the academic performance and secondary school experiences of students who are DHH indicated that there is a gap in the academic performance between students who are DHH and their hearing peers. Students who are DHH perform below average in mathematics, science, reading, and social studies (Shaver, Newman, Huang, Yu, & Knokey, 2011). Indeed, this may be because the curriculum offered to students with disabilities in secondary education is not rigorous enough to prepare them for undergraduate requirements (Brand, Valent, & Danielson, 2013).

To identify opportunities for high school students who are DHH to acquire academic and career skills that would enable them to achieve success beyond secondary school, Nagle et al. (2016) conducted a study to examine the courses that these students were taking in secondary school, using the NLTS2 databases. The results showed that most courses offered to students who are DHH were vocational and non-academic courses, though these students were also taking a few courses related to science, social sciences, and foreign languages. The researchers also noted that despite the importance for post-secondary success of students who are DHH having rigorous courses in mathematics, the math courses offered to them were basic and not as rigorous as those offered to their hearing peers. Likewise, minority students with disabilities are not provided with rigorous courses or curricula that would prepare them well for post-secondary education (Torres, 2019). By interviewing 11 Latino students who are deaf who had attended some institutions of higher education over the past seven years (one group that had graduated and one group that had not graduated yet), Torres (2019) found that one of the differences between the experiences of these two groups that influenced their willingness to face the difficulty of post-secondary education was related to the type of courses they attended when they were in secondary school. Many of the Latino students who are deaf who had not yet graduated indicated that they were not prepared in advance to meet the level of difficulty in post-secondary education.

Although the secondary-level academic achievement of students who are DHH plays an important role in their obtaining academic acceptance for post-secondary education and in their achieving retention and graduation, it is only one of the challenges facing these students (Luft, 2014). The racial and ethnic background of students who are DHH is another factor that has been negatively associated with their academic achievement (Marschark, Shaver, Nagle, & Newman, 2015). Researchers who examined the academic performances of high school students who are DHH found that the performances of white students who are DHH on science, social sciences, and passage comprehension subtests was better than that of Hispanic and African American students who are DHH (Marschark et al., 2015).

According to Leake and Black (2005), proficiency in English is one of the common transition challenges facing minority students with disabilities, and particularly those who are DHH. Therefore, to ensure the successful transition of minority students with disabilities, transition personnel are required to work to meet the English language needs of these students (Leake, & Black, 2005). Students who are DHH may find it difficult to meet the academic language requirements of post-secondary education courses, which underlines the importance of improving English language skills before entering post-secondary education (Saunders, 2012). In their study, Convertino, Marschark, Sapere, Sarchet, and Zupan (2009) identified the variables that predict these students' willingness to go to college and to learn in college classrooms by analyzing the results of 10 previous experiments conducted with a sample of 568 students who are DHH who enrolled at the Rochester Institute of Technology. The results showed that the English language abilities among students who are DHH were an important predictor of the performance of students who are DHH on the American College Test and of their obtaining college admission. However, the scores that those students obtained in English did not predict their learning in the classroom. This finding is consistent with the findings of Garberoglio, Cawthon, and Bond (2014), who noted that that English literacy was an indicator of enrollment of students who are DHH in post-secondary education, but it did not predict their post-secondary education completion rates.

Indeed, English language learners (ELs) with disabilities may differ from other students with disabilities in terms of economic and family conditions, race/ethnicity, language, and immigration, which may make them vulnerable to marginalization (Trainor et al., 2019). These additional challenges facing these students underline the importance of transitional planning for these students to support them in achieving success in post-secondary education (Trainor et al., 2019). However, in their study, Trainor et al. (2019) indicated that compared to other students with disabilities, ELs with disabilities and their families may face additional challenges in obtaining transitional services. One third of ELs with disabilities indicated that their secondary schools provided them with some transitional support for post-secondary education, which was related to registration for college admission tests and assistance regarding forms of financial assistance aid. While they did not receive support in reviewing the results they received on entrance exams, the results also showed that few ELs with disabilities had taken these exams. In sum, due to the low academic level achieved by students who are DHH in general and those who are minorities in particular, an appropriate academic preparation that prepares them to meet the requirements for enrollment and to achieve success in post-secondary institutions should be taken into account.

Factors Related to Family Involvement

Parental involvement in the transitional planning of students who are DHH is effective (Polat, Kalambouka, & Boyle, 2004). Under IDEA (2004), parents of students with disabilities have the right to being involved in their children's IEP meetings and to be a part of the transitional planning

for their children (§300.322). Establishing cooperative relationships with parents of minority students with disabilities enables schools to meet the needs of those students in an effective manner (Geenen, Powers, & Lopez-Vasquez, 2005). According to Geenen et al. (2001), when parents of minority students with disabilities are involved in the transitional planning for their children, educators receive useful information that will enable them to meet different students' needs and promote their successful transitions. Such participatory work between schools and parents in transitional planning will enable parents of students who are DHH to receive accurate information they need about their children's post-secondary opportunities so they can develop realistic expectations and make careful transition plans that, in turn, enable these students to succeed in their transition to post-secondary education and to achieve their desired goals (Danek & Busby, 1999).

Despite the importance of parental participation in the transitional planning of students with disabilities, parents of minority students with disabilities may face complicated challenges that prevent them from participating effectively and adequately in planning their children's transition to postsecondary life (Landmark, Zhang, & Montoya, 2007). To identify those challenges, Geenen et al. (2005) conducted interviews and focus groups with ten professionals who were part of transitional planning, as well as 31 parents from different racial/ethnic backgrounds that included Hispanics, Native Americans, and African Americans. Children of these parents had various disabilities, including DHH. The parents pointed to various issues. They indicated that decisions about their children were made by professionals, without involving them. The results also showed that parents might not have sufficient information about transition and educational procedures and their related rights, as many of them indicated that they signed educational documents for their children without understanding them. Further, the lack of professionals who spoke the native language of these parents was one of the barriers that parents faced in communicating with professionals. Similar findings were also yielded by Povenmire-Kirk, Lindstrom and Bullis' (2010) study of the barriers that prevent parents of minority students with disabilities from attending and participating in their children's transition planning. Latino parents of high school students with disabilities indicated that, due to language barriers and cultural differences, they did not have sufficient understanding of the transition planning process and related roles they might have.

It is essential to highlight that language differences have been shown to be one of the common challenges that hinder the participation of minority students' parents in their children's transition planning (Geenen et al., 2001; Geenen et al., 2005; Povenmire-Kirk et al., 2010; Trainor et al., 2019). To overcome this challenge, parents should be provided with interpreters in their first language during IEP meetings, along with copies of their children's IEPs (Landmark et al., 2007). Another challenge facing these parents, which may be related to the language barrier, is the lack of information available to them (Landmark et al., 2007; Trainor et al., 2019). Parents of minority students with disabilities indicated that there is a lack of sufficient information about options available to their children after high school (Trainor et al., 2019). Some parents also pointed out that

most of the information they got about these opportunities was in English (Landmark et al., 2007). Providing these parents with the necessary supports, such as translation services and information related to the transition, can contribute to increasing their participation in planning and setting the transition goals for their children, which will in turn be reflected in their expectations about post-secondary education for their children (Trainor et al., 2019). The results of the NLTS2 analysis showed that parents' expectations for the post-secondary futures of their children and their participation in transitional planning are related to the achievement of these students (Newman, 2005). Compared to students who lacked their parents' involvement, students whose parents were involved showed better performance in reading, and students whose parents had positive expectations about their post-secondary education showed better performance in mathematics, reading, and class participation (Newman, 2005). Thus, it is important to address the challenges facing parents of minority students who are DHH that prevent them from actively participating in transition planning for their children, as it is evident that parents' involvement plays an active role in the success of such planning.

Factors Related to Non-academic Skills

The preparation of students with disabilities to transition to post-secondary should not be limited to academic skills only. There are many non-academic skills that have proven important to these students' achievement of post-secondary success (Morningstar & Shoemaker, 2018). To provide support concerning non-academic skills to students with disabilities at the secondary level, educators should identify the non-academic skills that students need to transition to post-secondary successfully, and identify goals that will enable them to achieve the required levels in those skills (Gothberg, Peterson, Peak, & Sedaghat, 2015). An important skill that students with disabilities need to transition to post-secondary education is self-determination (Madaus, 2011; Morningstar et al., 2010). According to Wehmeyer (1992), self-determination "refers to the attitudes and abilities required to act as the primary causal agent in one's life and to make choices regarding one's actions free from undue external influence or interference" (p. 305). Self-determination consists of a set of components whose development and acquisition contribute to the emergence of self-determined behavior (Wehmeyer, 1999). The components of self-determination include, but are not limited to, choice-making, decision-making, self-advocacy, problem-solving, goal-setting, and self-awareness (Wehmeyer, 1996).

Promoting self-determination among students with disabilities is especially important, as it is one of the factors associated with success in academics and transition to post-secondary (Ju, Zeng, & Landmark, 2017). Studies have shown that it is one of the factors contributing to the academic and social success of students who are DHH (Ayantoye, & Luckner, 2016; Cheng, & Sin, 2018; Luckner, & Stewart, 2003). Cheng and Sin (2018) have found that there is a relationship between self-determination and academic and social integration in higher education setting among students who are DHH. The results indicated that students who were more integrated into higher education setting

had high levels of self-determination, while students who had low levels of self-determination scored lower on the integration scale. In another study, Ayantoye and Luckner (2016) tried to identify factors that contribute to the success of minority secondary students who are DHH in inclusive settings. The study sample consisted of minority students who are DHH, parents, teachers, and interpreters. Researchers collected data through interviews, observations, and raw field notes. The results showed that students' self-determination was one of the factors that contributed to their success in general education classes.

Students with disabilities enrolled in institutions of higher education believe that the acquisition of skills necessary for success as self-determination skills should start early, to help them achieve the desired outcomes of the services provided to facilitate the transition to post-secondary education (Getzel & Thoma, 2008). This is also confirmed by the results of Thoma and Getzel's (2005) study, which investigated the importance of self-determination skills in the success of students with disabilities in higher education settings through interviews with 34 university minority students who had various disabilities, including deafness, and who had been selected because they had some self-determination skills. Students pointed to many key self-determination skills that they considered essential in transitioning to and succeeding in post-secondary education. These skills included goal-setting, problem-solving, self-management, and learning about oneself. Most importantly, most participants stressed the importance of learning self-determination skills early.

Despite the importance of acquiring and practicing self-determination skills for minority students with disabilities, it is one of the challenges that these students commonly face in transition (Garraway & Robinson, 2017). Minority students with disabilities may not have the adequate opportunities to develop their self-determination skills (Leake, & Black, 2005). In addition, the curricula and programs available to support these skills may not be commensurate with the cultures and values of these students (Leake, & Black, 2005). When working to build self-determination skills among minority students who are DHH, transition planning teams should take into account the different expectations of some cultures and develop options that are appropriate to the students' cultures (Luft, 2016).

In a study conducted by Luckner and Stewart (2003) with a group of adult individuals who are DHH to obtain information regarding their success in various areas of life, including education, self-determination was one the skills that participants perceived as important. They often pointed to the importance of self-advocacy, which is one of the crucial elements of self-determination through which they could participate effectively in identifying different needs and meeting them. The importance of the development of self-advocacy skills among students with disabilities is due to their role in enabling those students to overcome the challenges they may face in the post-secondary transition, which may relate to the change in the pattern of providing accommodation and services between secondary and post-secondary institutions (Leake & Cholymay, 2004). Possessing self-

advocacy skills enables students who are DHH in post-secondary education to identify the support they need, as well as to effectively communicate information about their needs to those concerned (Luckner & Sebald, 2013). Despite the positive role of self-advocacy skills in post-secondary outcomes, students who are DHH may not have the self-advocacy skills necessary to deal with post-secondary conditions (Schoffstall, Cawthon, Tarantolo-Leppo, & Wendel, 2015). This may be due to a lack of adequate opportunities and programs to develop these skills among students who are DHH (Schoffstall et al, 2015).

For minority students with disabilities, it may be difficult to advocate for themselves in post-secondary settings. Culture-related factors may make self-advocacy a challenge for these students (Leake & Black, 2005). Such challenge may be related to a lack of trust and experience in dealing with others, which leads these students to refrain from disclosing their difficulties and from seeking help (Leake & Cholymay, 2004).

Therefore, these students should be supported in developing self-advocacy skills during secondary school (Johnson et al, 2002). According to Cote, Jones, Sparks, and Aldridge (2012), the self-advocacy skills of minority students with disabilities can be developed by enabling them to self-direct their IEPs. Through this, the students will be the leaders of their transitional planning, keeping it in line with their cultures and the preferences of their families. In fact, inviting students with disabilities to attend their IEP meetings and supporting them in participating actively in making decisions and setting goals that suit their needs and preferences is mandated by IDEA (Hengen & Weaver, 2018; Sands & Wehmeyer, 1996). Nonetheless, there is still a need to improve transition outcomes for minority students with disabilities by supporting skills related to transition planning (Thoma et al., 2016). The importance of developing these skills among minority students with disabilities, including those who are DHH, is due to the challenges that these students and their families may face during transition planning.

One of these challenges was demonstrated by the results of the Trainor et al.'s (2019) study, which examined the experience of English language learners with disabilities with transitional planning. The researchers relied on the NLTS2 sample that included students from various disability groups, including students who are DHH, and from different racial/ethnic backgrounds. The results showed that minority students with disabilities and their families were less involved in transitional planning. Goals related to transition components were usually set by the school staff with little participation from minority students and their families, which was not the case for non-minority students with disabilities and their families. Therefore, it is important to note that transitional planning alone does not guarantee the successful transition of students with disabilities to higher education (Belch, 2004). These students may leave high school with transitional plans that do not take into account the needs and interests of these students, which may lead to their failure to join higher education or achieve success in it (Brand et al., 2013).

Overcoming Transition Challenges Encountered by Minority Students Who are DHH

There are many effective practices for overcoming transition challenges that minority students who are DHH may encounter. In order to overcome the academic challenges facing such students, Torres (2019) suggested that secondary schools prepare these students to meet the requirements of higher education institutions by providing them with challenging academic courses, in addition to providing them with the information they need to succeed in college, such as that related to planning, applying to college, financial assistance, as well as entrance exams. Since many students who are DHH graduate from high school without achieving the required level to meet the requirements of postsecondary education, which may be due to the lack of opportunities to attend advanced courses at the college level, higher education institutions can respond to these students' needs by offering programs that provide them the required support (National Deaf Center on Postsecondary Outcomes, 2019). Institutions of higher education can offer many programs for minority students who are DHH in their first year; such programs may include mentoring, tutoring, academic advising programs, and those relating to some cultural organizations (Torres, 2019). As a result of Torres's (2019) study, Latino students who are deaf who had achieved success in college indicated that such programs were useful to them.

Furthermore, the challenges that minority families face in order to be effectively involved in the transition planning for their children are another factor that may affect the successful transition of minority students with disabilities (Geenen et al., 2005; Povenmire-Kirk et al., 2010; Trainor et al., 2019). However, many practices may increase such families' active participation in the transition planning for their children, including those who are DHH. Given the diversity of minority students with disabilities and their families, transitional planning should take into account the cultural assumptions of these students and their families through the use of culturally competent strategies to determine transition goals commensurate with the orientations of these students and their families (Leake, & Black, 2005). The person–family interdependent approach is one of the ways in which the transition for minority students with disabilities can be planned in a manner that emphasizes family empowerment (Achola & Greene, 2016). This approach takes into account the relationship between family life and the future lives of students with disabilities; in this approach, professionals should make sure that the transition goals are in line with family's cultural expectations as well as identify transition activities in line with family needs (Achola & Greene, 2016).

In the same context, self-determination skills should be developed, taking into account the preferences of minority students and their families during transition planning, which should be determined based on their culture. Different cultures have different expectations to consider when working with minority students who are DHH and their families to develop these students' self-determination skills (Luft, 2016). However, without a culturally sensitive curriculum to develop self-

determination and self-advocacy skills among minority students with disabilities, these skills can be developed by adapting the available curricula to be culturally sensitive (Leake, & Black, 2005).

Finally, the challenges facing minority students who are DHH in their transition to postsecondary education might be overcome by using Universal Design for Transition (UDT). UDT is a framework proposed by Thoma, Bartholomew, and Scott (2009) based on implementation of the Universal Design for Learning principles to facilitate the postsecondary transitions of students with disabilities without hindrance (Scott & Bruno, 2018). Besides including the use of multiple means of representation, participation, and expression, the UDT framework extends to include multiple life domains, multiple means of assessment, self-determination, and multiple resources and perspectives (Thoma et al., 2009). The UDT framework has its role in creating a link between academic content and transition goals (Thoma et al., 2009). Despite the positive results achieved by some high school students with disabilities when the UDT framework was implemented, more studies are still needed to verify that the improvement achieved by students was the result of the implementation of UDT (Scott, 2011). In addition, UDT is still considered under development, so it may not be able to meet the needs of all students (Thoma et al., 2009). Further, the UDT framework may not include all transition strategies and practices that should be available to meet students' different needs (Scott & Bruno, 2018).

Conclusion

Minority students who are DHH face many challenges when transitioning to post-secondary education, which may limit their success in post-secondary programs (Luft, 2016). Indeed, there are many factors that affect these students' transitions, one of which is the low academic achievement of DHH students who are leaving secondary school in general and those from certain sub-groups in particular, such as those who are Hispanic or African American (Marschark et al., 2015). Further, another factor is related to the lack of active involvement of the parents of minority students with disabilities in the transition planning for their children, which is due to the many challenges that prevent them from participating effectively (Geenen et al., 2005; Povenmire-Kirk et al., 2010; Trainor et al., 2019). Non-academic factors have proved their importance in achieving post-secondary success (Morningstar & Shoemaker, 2018), especially those related to self-determination and self-advocacy (Ju et al., 2017). However, there are many practices for overcoming the transition challenges that minority students who are DHH may encounter. These practices include offering courses at an academic level appropriate for rigorous higher education courses as well as providing them with the necessary information and programs to successfully transition to postsecondary education (Torres, 2019). A way to activate the participation of the families of minority students who are DHH in the transition planning of their children is the adoption of the person–family interdependent approach. This approach allows for transition planning in accordance with the family's cultural expectations and needs (Achola & Greene, 2016). Finally, practices related to self-

determination and self-advocacy skills may include adapting existing curricula that support these skills and making them culturally sensitive to suit the needs of these students (Leake, & Black, 2005).

Implications and Future Research

There are many challenges facing minority students who are DHH that may, in turn, prevent them from successfully transitioning to post-secondary education. To overcome these challenges, current transitional practices that may prevent these students from achieving successful transition should be considered. In terms of their academic preparation, the level of courses offered to these students should be verified for their suitability to prepare them for post-secondary education. There is a critical need to identify current practices to develop these students' non-academic skills, such as self-determination and self-advocacy, and the appropriateness of existing curricula and practices for these students' cultures. Further, given the importance of the role of parents in the success of their children's transition to post-secondary education, there is a need to facilitate and activate their role in the transitional planning of their children, taking into account the cultural diversity among these families. More research is needed to identify factors that may prevent the successful transition of students who are DHH in general and minority students in particular. Researchers should investigate the effectiveness of current practices in the transition planning of these students and consider ways to develop them to suit their unique needs. Such research may address the role of minority students who are DHH and their families in transitional planning during IEP meetings as well as the programs available to develop academic and non-academic skills and their role in supporting these students in achieving successful transitions.

Limitations

This review focused on the factors that affect the transition to postsecondary education for minority students who are DHH, with emphasis placed on common factors that frequently appeared in research. However, in most of the included studies, minority students who were DHH were not the main sample of the research but a small part of a large sample that included different categories of disability. In addition, all articles included in the current review were written in English. Some of the factors that may affect these students' success were discussed in studies in which these topics were not the main focus. Further studies are therefore needed to discuss these factors in greater depth.

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Hacking Leadership: 10 Ways Great Leaders Inspire Learning That Teachers, Students, and Parents Love

By Melissa A. Johnson

It can be assumed that every leader aspires to be a great one, but what exactly does a "great leader" exemplify? More specifically, what would a great leader look like within the context of education? Authors Joe Sanfelippo and Tony Sinanis coauthored *"Hacking Leadership: 10 Ways Great Leaders Inspire Learning That Teachers, Students, and Parents Love"*. The two authors who are well versed in education (both working as educators, administrators, and later as superintendents) address some of the common issues today's school leaders face, and provide "hacks", or unique solutions to these issues in practical and easy to implement ways. A main recurring theme is for educational leaders is to remain visible, present, and engaged-this hack is an essential part of the book and critical for any aspiring leader. To start, the authors suggest leaders "Make one consistent change at a time until it becomes a habit in your practice" (p. 20).

Section by section, Sanfelippo and Sinanis point out answers which address many of the issues educational leaders face today. The book starts off by introducing the section "A Better Way". The introduction highlights the need for (and impact of) leading with a "hacker's" mindset. Hackers are engaged, visionary leaders who empower others. "The daily work of a school leader is no longer just being an administrator or manager or even a boss; instead, a school leader needs to model transformative practices so that innovating becomes a norm and working with common principles becomes a collective goal for community members" (p. 13).

Following the introduction, the book is divided into 10 sections, each detailing: a common problem, a "hack", a "right-away" solution, a long-term blueprint, a list of possible objections with ways to overcome them, and an example of the hack being used by an educator or educators. Sections in the book cover topics like: leading versus managing, a leader's impact on school culture, relationship building, how to break down divides, creating schools that function for children, developing exceptional educators, empowering teachers, and eradicating deficit mind-sets. The first hack "Be Present and Engaged" sets the tone for the rest of the book. Without being present and engaged in meaningful ways, leaders are unable to successfully implement any of the other hacks. Simply put, being present and engaged paves the way for leaders to lead and engage in more meaningful ways. "Decisions should rarely be made in isolation; instead, all members of the school community should have some voice, and it is your responsibility to listen to others—to be present—in order to broaden your perspective and make the best decisions possible" (p.19).

Throughout the book, there is a common emphasis placed upon the importance of collaboration, communication, and the fostering relationships with staff, families, and within the community. The authors point out that the nurturing of these relationships, as well as leading with heart, can have a

positive impact on leadership potential, school culture, and outcomes. "Because a school's culture extends to all of its stakeholders, effective interactions are the single most important non-negotiable in creating flourishing schools" (p. 15). The authors also make a strong point in noting the importance of authenticity when building relationships by stating "If your attempts to build relationships are superficial or insincere, there is simply no book that can help" (p. 49).

As with Sanfelippo and Sinanis, Fullan (2001) also echoes the importance of building relationships in his book *"Leading in a Culture of Change"*. Fullan notes the close interrelation between moral purpose, relationships, and organizational success and provides examples of the positive outcomes companies, schools, and others have encountered when leaders focus on building relationships (p. 51-52). Additionally, Fullan (2001) reiterates the importance of engagement within the context of leadership, and the importance of modeling. "Leaders should be doing, and should be seen to be doing, that which they expect or require others to do" (p. 130). A point which Sanfelippo and Sinanis drive home throughout their book as well.

While the book by Sanfelippo and Sinanis has many strong points, I do wish it would have touched further upon collaborative efforts among school leaders. The section titled "Collaborate and Learn" details many useful tips on how to create meaningful professional development opportunities for educators and mentions professional learning communities. However, I feel that readers would have equally benefitted from a deeper look into inter-administrative collaborative practices in action. In his book, Fullan (2001) notes the many benefits of the different practices which support, broaden, and deepen the strategies, supports, and skills demonstrated by leaders (p. 127).

What I enjoyed most about Sanfelippo and Sinanis' book is its readability and practicality. With such great ideas, any leader (or aspiring one) should be able to read this book and immediately implement at least one "hack". The authors also present blueprints for long-term implementation, which can be tailored to address the specific needs of a school. The book takes on a more transformative and introspective approach to leadership which I think many readers will find inspiring. The advice I found most inspiring of all was to "be like water"-where too much or too little can be equally detrimental, but just the right amount can help those around you flourish.

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Book Review: Who Moved My Cheese?

By Kiran Khan Paracha

Abstract

This is a book review that focuses on some of the primary themes running through one of the classic books on change titled Who Moved My Cheese by Spencer Johnson. The author has mentioned change in the context of business or employment but can also be seen in the context of other aspects of life. Book review also studies the book in the light of leadership and change theories mentioned in other popular books on the subject. However apart from the strengths, weaknesses are also highlighted to show that while it is a great book on the subject, its not perfect because regardless of how hard a writer tries, its impossible to capture every scenario and discuss an issue from every possible angle. Suffice it to say that this book is close enough to perfection even though it has its weaknesses. It pays to read the book more than once to get a good idea of the underlying themes and messages which may not be apparent right away.

Change is usually the most predictable thing in life and business. It will happen when we allow it in our lives or not. Kids will grow up and you will be faced with an empty nest, partners will move on, businesses will have ups and downs and jobs will change. It is the ability to face change and accept it in a positive way that makes life so worth living. These are some of the themes we find in Spencer Johnson's all time classic called "Who moved my Cheese ". In most courses on leadership, we come across the idea of change and how it causes conflict and resistance. The book deals with this idea. It explains why some people respond better to change than others and how some people do better by accepting change and flowing with it. Change may cause some people to freeze in their place, some to accept and quickly move with it and some to grief over the loss for some time and then make a move. The book upholds the beliefs that the sooner one lets go of the old, the faster they can find something new and possibly better. In all cases, change is inevitable but when it happens, those who smile and embrace it are the ones who are most likely to be successful at life, work and relationships.

"The quicker you let go of old cheese, the sooner you find new cheese."

Several important themes run across the book such as adapting to change, getting out of the rut, moving on after massive change and coming out of the situation with a brave and positive spirit. The chapters are chockfull of information and practical advice, wisdom and metaphors, and strategies that can help a person put their situation in the right perspective and then resolve the problems arising in their lives because of change. Leadership is all about one's ability to not only manage change but also help staff handle change effectively. This is why I found this book so helpful. This is not the first book on change, and it won't be the last but it is definitely very effective in getting the message across using simple characterization and an interesting storyline.

If you are like me, you probably are done reading those books that come up with big complicated vocabulary and long winding sentences. I found the succinct style of this book very effective and

made for a very easy read. Themes of the books can be gauged from some powerful quotes mentioned below:

Those who cannot move on but instead focus on injustice of it all tend to lose out in the end:
While Sniff and Scurry had quickly moved on, Hem and Haw continued to hem and haw. They ranted and raved at the injustice of it all. Haw started to get depressed. (pg 16)

The idea of New Cheese gets us there faster and gives us the courage to make it happen:
Then he thought about finding New Cheese and all the good things that came with it and gathered his courage. (pg. 21)

Things should be monitored closely and regularly to see when they are getting old and not working anymore.
Haw now realized that the change probably would not have taken him by surprise if he had been watching what was happening all along and if he had anticipated change. (p.25)
Some of the main themes could be gauged from what has been summarized above. Some key points of the book include the following which has been called the writing on the wall.
1. See change coming
2. Monitor change
3. Move fluently with change
4. Enjoy the process of change

Theories that we find in the book also correlate with theories found in some major leadership books including Michael Fullan's Leading in a culture of change. Understanding the change process is clearly explained by Fullan when he says, "Re-culturing is the name of the game" which is the same idea presented by Johnson in a slightly different manner. We have to change ourselves and our culture to best adapt to change and to accept it.

Most leadership books accept that change is inevitable, and resistance is often seen. Johnson explains the reasons behind resistance which is what Fullan does too and some other theorists have mentioned as well.

The book is not perfect. By most standards, it is still a very good book on the subject of change. But no matter how hard a writer tries; it is not easy to come up with every possible scenario and give a strategy to handle that particular situation. The author like most other authors has focused on the most common issues and most common forms of resistance.

The author could have used Cheese as a metaphor for different kind of changes and not just changes in employment. It refers to changes in business mostly and life as well but kinds of give the impression that one must always chase CHEESE. What if someone feels that they have followed and chased enough and now they will find a way to cultivate their own cheese. There are numerous

examples of people who have left employment to start their own businesses and the same with people who have left old relationships to live happily on their own. So that could have been done and I see it as a missed opportunity but then again, its hard to find a perfect book. But this one was pretty close.

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Book Review: School Leadership that Works: From Research to Results

By Coral Saban

Purpose and Thesis

"Leadership is vital to the effectiveness of a school." Robert J. Marzano, Timothy Waters, and Brian A. McNulty examine the correlation between leadership and student achievement in *School Leadership that Works*. The authors of this book used their shared expertise of education, quantitative data from 69 studies, and various questionnaires completed by teachers regarding their perceptions of leadership practices to answer the following questions: What does research inform us about the impact of educational leadership on student achievement? Which leadership practices contribute to the school's effectiveness? And how can leaders implement these practices in their own schools to increase student achievement? (Marzano, Waters, & McNulty, 2005).

Statement about the Authors

It is imperative to highlight the professional backgrounds of these authors as their collective knowledge greatly contributes to the concepts argued in this book. Robert J. Marzano an educational researcher who has completed a vast amount of research around topics such as educational leadership, instructional strategies that develop higher order thinking, and standard-based assessment. Marzano has also utilized his research to develop programs and instructional practices that are currently being used in schools around the country. Timothy Waters, a former superintendent of the Greeley, Colorado, school district is currently serving on the Board of Directors of the National Education Knowledge Industry Association and has 23 years of experience working in public education. Finally, Brian A. McNulty who has more than 30 years of experience in education and has focused his research and teachings in the areas of school effectiveness, early childhood education, leadership development, and special education.

Main Themes

School Leadership that Works is divided into two main themes: The research base and practical applications.

The Research Base

The research base component of this book discusses the use of meta-analysis as the primary research methodology and the results this research produced. Meta-analysis is defined as "an array of techniques for synthesizing a vast amount of research quantitatively" (Marzano et al., 2005, p.7). The authors use this specific research methodology to examine and synthesize previously completed studies to answer the following question: "what does the research tell us about school leadership?"

(Marzano et al., 2005, p.9). They continue to support their decision to use meta-analysis by quoting Glass (2000) who states that "we need to stop thinking of ourselves as scientists listing grand theories, and face the fact that we are technicians collecting and collating information" (as cited in Marzano et al., 2005, p.11). The authors begin their meta-analysis research by investigating 69 studies from the 1970's to present times that meet their specific requirements, for instance, the studies had to involve k-12 students, the studies had to contain some examination of the relationship between leadership and student academic achievement, and so on. Their research indicates that there is in fact a .25 correlation between the leadership behaviors of principals and the academic achievement of students.

Marzano et al. (2005) interpret their findings by stating that:

> "This correlation indicates that an increase in principal leadership behavior from the 50th percentile to the 84th percentile is associated with a gain in the overall achievement of the school from the 50th percentile to the 60th percentile. Additionally, an increase in leadership behavior from the 50th percentile to the 99th percentile is associated with an increase in student achievement from the 50th percentile to the 72nd percentile" (p.30).

Further, in the research base component of their book the authors include various theories that they claim are critical to their analysis of the research. The authors mention theories such as transformational and transactional leadership, Total Quality Management (TQM), servant leadership, situational leadership, and instructional leadership. They also discuss work of theorists such as Michael Fullan, Ronald Heifetz and Marty Linsky, and James Spellane to review the research from a universal groundwork. Finally, the authors of this book transform their findings into practice and include the following portion of this book, practical applications.

Practical Applications

The practical applications component of this book uses the research to explain ways in which leaders can effectively impact student achievement. The authors begin this component by discussing the 21 responsibilities or behaviors related to effective principal leadership that have a statistically significant relationship to student achievement. Wimpleberg, Teddlie, and Stringfield (1989) found that "research on principal leadership not only must attend to general characteristics of behavior such as "has a vision", but also must identify specific actions that affect student achievement" (as cited in Marzano et al., 2005, p.41). The authors continue by describing two types of change from their factor analysis findings that impact the 21 responsibilities mentioned earlier. These types of change occur during the implementation of new innovations and practices and are known as, first- and second-order change. Nonetheless, the authors claim that leaders must learn to use all or some of the 21 behaviors as they lead their schools. The book also discusses the importance of designing and focusing on a site-specific approach that meets the specific needs of the school. Elmore (2003) found that "the downfall of low-performing schools is not their lack of effort and motivation; rather it

is poor decisions regarding what to work on" (as cited in Marzano et al., 2005, p.76). Finally, Marzano et al. conclude this component by proposing a plan of action that is based on their research in order to assist "any school leader articulate and realize a powerful vision for enhanced achievement of students" (p.98). Their action plan is composed of the following steps:

> "(1) Develop a strong school leadership team. (2) Distribute some responsibilities throughout the leadership team. (3) Select the right work. (4) Identify the order of magnitude implied by the selected work. (5) Match the management style to the order of magnitude of the change" (Marzano et al., 2005, p.98).

The authors continue to support their action plan by going into detail of each step and how each step relates to student achievement. Marzano et al. (2005) express that "it is our hope that information presented in this book will help principals and other translate their vision and aspirations into plans and their plans into actions that will change not only our schools, but potentially, the world" (p.123).

Strengths and Weaknesses

Throughout *School Leadership that Works,* the authors consistently support their main claim that there is indeed a correlation between school leadership and student achievement. This is one of the strongest arguments made in this book as the authors continuously provide evidence-based information to defend this claim. The authors make a strong case for their thesis by conducting a meta-analysis research, sharing their findings, and developing an action plan. These three points are the strengths of this book as the authors provide clear reasoning on how each point relates or contributes to student achievement. For instance, Marzano et al., discuss their reasoning for choosing a meta-analytic approach to synthesize research on leadership because it "provided the most objective means to answer the question, what does the research tell us about school leadership?" (p.9). They continue to justify their choice by explaining that "any study we would have conducted, no matter how well constructed, would have contained "uncontrolled error" influencing its outcome" (p.8). The authors then precede to share the results of their findings as well as specific principal behaviors that they found directly correlate to student achievement. For example, Marzano et al. claim that affirmation, which is one of the 21 responsibilities of principals and is defined as "the extent to which the principal recognizes and celebrates accomplishments and acknowledges failures" (p.42) has an average correlation of .19 to student achievement. Moreover, the authors continue to support their claims by including a plan in which their findings could be implemented to increase student achievement. However, this aspect brings us to one of the weaknesses of this book. Marzano et al. propose an elaborate plan but fail to show evidence to support the effectiveness of this plan on student achievement. It would have been beneficial to the validity of this action plan if the authors provided data that presented the implementation of this plan in various schools and if it produced successful results. The final weakness *School Leadership that Works* has is the time frame in which the studies were conducted. Marzano et al. collected research that dates from the 1970's which could

result in the collection of irrelevant and archaic information. In the field of education, change is constant, therefore the way in which individuals viewed effective leadership in the 1970's could be extremely different from the way people viewed it in 2005 which is when the book was published. It is understandable that the authors wanted to collect as much information as possible to support their thesis, however, the time frame in which these studies were conducted brings up the question, what if the authors used research explicitly from recent years? Would have the research produced similar outcomes?

Comparison to other Literature and Theories on Leadership

Compared to Fullan's work, *Leading in a Culture of Change*, Marzano et al. touch on many similar concepts and mention Fullan's theories various times throughout their book. For instance, the authors bring forth the concept of change as a part of the 21 responsibilities of a leader. They found that "the extent in which the principal is willing to challenge and actively challenges the status quo" (Marzano et al., 2005, p.42) has an average of .25 correlation to student achievement. Adopting this behavior means that the principal is acting as a Change Agent and is willing "to temporarily upset a school's equilibrium" (Marzano et al., 2005, p.44). They continue to explain that some specific Change Agent behaviors that their meta-analysis presented were that leaders must be "willing to lead change initiatives with uncertain outcomes, systematically considering new and better ways od doing other things, and consistently attempting to operate at the edge versus the center of the school's competence" (Marzano et al., 2005, p.45). Similarly, in his work, Fullan (2001) designates the term "disturbances" for this concept and states that "creative ideas and novel solutions are often generated when the status quo is disrupted" (p.107). He claims that a disturbance is a natural occurrence in a culture of change and leaders must utilize it to improve the organization by guiding individuals through differences and by helping others confront complex problems. Another similar concept that Fullan and Marzano et al. share in their work is the way in which leaders adapt to different situations. Merzano et al. explain that "flexibility refers to the extent to which leaders adapt their leadership behavior to the needs of the current situation and are comfortable with dissent" (p.49). The meta-analysis research conducted by the authors suggests that flexibility has an average of .28 correlation to student achievement. Lashway (2001) claims that effective leaders "encourage and nurture individual initiative... leaders must protect and encourage the voices of participants who offer differing points of view" (as cited in Marzano et al., 2005, p.49). Likewise, Fullan found that effective leaders acknowledge that listening to different opinions and accepting new ideas is imperative during a time of change and when dealing with complex issues. Fullan (2001) notes that those who resist "sometimes have ideas that we might have missed, especially in situations of diversity or complexity or in the tackling of problems for which the answer is unknown" (p. 42). He considers adaptive leaders to be problem solvers and states that leaders address problems with a set goal in mind. They recognize that in a culture of frequent change, problems occur constantly, and individuals look up to leaders to assist them with solving the most complex problems (Fullan, 2001, p.7).

It is evident that both books share multiple similarities regarding which behaviors create effective leaders, however, they do differ when it comes to their general purpose. For instance, the purpose of *Leading in a Culture of Change* by Michael Fullan is to provide leaders with effective ways to address and deal with the change that occurs in schools and businesses. On the other hand, the purpose of *School Leadership that Works* by Marzano et al. is to provide the reader with specific behaviors that contribute to the school's effectiveness and student achievement. Fullan explicitly uses his experience, theory, and some data to come up with those ideas, while Marzano et al. use a meta-analysis approach in which they synthesized previously conducted studies to identify the specific responsibilities of a principal. Another way in which the books differ, is the fact that *School Leadership that Works* goes into depth on the types of change while Fullan's book mostly addresses the general concept of change that occurs when new innovations and practices are being implemented. For example, Marzano et al. note that there are two types of change:

> "First-order change is incremental. It can be thought of as the next most obvious step to take in a school or a district. Second-order change is anything but incremental. It involved dramatic departures from the expected, both in defining a given problem and in finding a solution" (p.66).

In contrast, Fullan does not claim that there are different types of change but rather discusses the concept of change as a whole and what leaders could do to guide others through this change.

Conclusion

In conclusion, *School Leadership that Works* presents the reader with useful and data-driven information on school leadership, specific responsibilities of principals, and an elaborate action plan that utilizes these responsibilities to make a genuine impact on student achievement. This book addresses many critical leadership concepts that could assist principals and administrators in finding their leadership style and ways to become an effective leader. The authors manage to do this extremely well as they structure the book in a simplistic manner where the reader is provided with data, theories, and an action plan.

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Book Review: A Framework for Understanding Poverty

By Natasha C. Quesada

Abstract

The author of *A Framework for Understanding Poverty,* Ruby K. Payne, is a former educator, principal and administrator. She began lecturing on educational topics in the early nineteen nineties, and quickly became a national and international educational speaker and author. This particular book cover describes her as "the leading U.S. expert on the mindsets of poverty, middle class, and wealth." While this book is primarily geared towards educators serving children living in poverty, it can also be beneficial to employers, policymakers, and service providers that work with children and adults affected by poverty in any capacity.

Themes

The main theme of the book focuses on the impact of poverty on students' educational achievement and success. The author claims that there are a set of "hidden rules" that are embedded in the social interactions and cultural norms of students in poverty, middle, and wealthy classes. The behavioral norms and expectations of the culture impede student academic achievement and success. The author claims that by reducing the barriers into middle class society, students in poverty can change their behavior and receive an equitable education. The author describes a series of instructional strategies that can be implemented to reduce these barriers.

Weak and Strong Points

Payne's argument that poverty impacts education has been widely agreed upon. However, in some areas of this book her approach appears to project classism. While it is important for educators to understand the culture, background, and values of students, it is imperative to maintain a respectful stance when projecting the differences without looking down upon them. Elements of this book tend to separate the value of the classes and emphasize the need for those in poverty to change to join the middle class. Educators must meet the needs of students where they are without changing their culture, but rather inspiring social and academic achievement. It should also be put into consideration that this book was published over two decades ago. Since then, conversations, social norms, and discourse has changed drastically.

This book has a valuable foundation but the emphasis on poverty could be diverted to a broader focus on underachieving students rather than poverty and the apparent classism that is demonstrated throughout the book. This book provides educators with useful instructional and teaching strategies that can be used to increase behavior and academic achievement for all students,

including low achieving students or struggling learners, and also including students with disabilities. The format of the book makes it easy to read and the surveys and interactive portions help the reader to relate to the content and understand where their biases and differences may fall.

The most predominant weak point of this book is that the "data" that the author claims to have collected is based on her personal experiences and is not actual quantitative or qualitative data. She has merely taken what she has learned through her professional teaching experiences and credited it as data. Though her experience is valuable, it does not qualify as an evidence based research method.

The strong points of the book are the instructional strategies that educators can find useful when teaching all types of students, regardless of socioeconomic status. Some of the strategies that the author delineates are providing choices (pg. 82), teaching appropriate language to express thoughts and feelings (pg. 83), teach "hidden rules" (pg. 86), teaching accountability for behavior, using metaphor stories (similar to social stories), cognitive strategies (mediation), using multimodalities of learning (kinesthetic, visual, suditory, tactile), and teaching coping strategies.   These strategies have all been researched and proven to be effective, however, not specifically by the author.

Compare and Contrast

In Chapter 9 of *A Framework,* Payne extensively focuses on the importance of creating relationships with students. She states "Teachers and administrators have always known that relationships, often referred to as 'politics', make a great deal of difference- sometimes all of the difference- in what could or could not happen in a building." Similarly, in the book *Leading in a Culture of Change,* the author Michael Fullan fully describes the importance of relationships in Chapter 4. While both texts agree that the formation of meaningful relationships is vital to the success of students and organizations, the types of relationships that are discussed differ. Payne's focus is on the "deposits" that teacher make toward developing respectful relationships with students that will in turn promote student achievement. She states that "The key to achievement for students from poverty is in creating relationships with them." and claims that "...the most significant motivator for these students is relationships." Meanwhile, Fullan states that good leaders "really care about the people they lead." Fullan also emphasises the importance of professional relationships amongst educators to help achieve overall results of the organization. These relationships that are formed motivate educators and instill the value of teacher communities. Likewise, Payne claims that the relationships that are built with students are often the determining factor of student success when students bridge the barrier between poverty to middle class. When students develop relationships with teachers, they are more likely to become motivated, and, combined with effective teaching practices, have a higher likelihood of achieving academic success. Both authors emphasize respect and healthy relationships to gain a result in their own leadership role. Similar to Fullen's emphasis placed on the respect and relationships that leaders must give to employees and staff members to create relationships that make an impact on the future success and achievement of the student.

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* Special Education Teacher - The Moffat County School District is looking for a motivated, caring, and enthusiastic persons to fill Special Education Teacher positions on the Elementary and Secondary level for the 2020-2021 School Year. Along with parents and classroom teachers the Special Education teacher will assess students' skills to determine their needs to develop and implement Individualized Education Programs for each student based on their specific needs and abilities.To learn more - [Click here](#)

* Special Education Teacher - Ascend is a network of K-12 public charter schools serving 5,500 students in 15 schools across Brooklyn—New York's most populous borough. Our undertaking is to lead all students on a great intellectual adventure, provide them with an exceptional college preparatory education, and place them firmly on the path to success in college and beyond. To learn more - [Click here](#)

* 2020-2021 Classroom Teachers (PreK-12th) - Founded in 2013, *InspireNOLA Charter Schools* is currently the highest performing charter school management organization in New Orleans. InspireNOLA operates seven public charter schools and serves more than 5,000 students in Pre-Kindergarten through 12th grade. To leern more - [Click here](#)

* Teacher (10-month) SY 2020-21 - As part of a comprehensive reform e?ort to become the preeminent urban school system in America, DCPS intends to have the highest-performing, best paid, most satis?ed, and most honored educator force in the nation and a distinctive central o?ce sta? whose work supports and drives instructional excellence and signi?cant achievement gains for DCPS students. To learn more - [Click here](#)

* Special Education Teacher - Stars is seeking Special Education Teachers in Arizona (Phoenix and surrounding cities). With a proven track record, STARS is able to offer you an unbeatable

support system and resources. We are hiring for the 2020-2021 school year. STARS places Special Education Teachers throughout the Phoenix, Tucson and the surrounding area public schools. to learn more - Click here

* 2020 Arizona Education Job Fairs - The Arizona Department of Education will be hosting the 2020 Arizona Education Job Fairs. Arizona public schools will be looking for administrators, teachers, related service providers, and support staff. To learn more - Click here

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