

What Virginia Principals Should Know and Be Able to Do to Minimize Special Education
Disputes Between Families and Schools: A Delphi Study

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ABSTRACT

Today's schools face a mounting number of court cases resulting from conflicts between parents of children with special needs and educators tasked with meeting those needs (Osborne, 2009). Principals have the enormous responsibility to ensure appropriate services to educate students with disabilities and, as special education leaders, require a skill set that includes knowledge of current laws, litigation, student learning needs, and how to support parents' decision making rights and responsibilities. A gap is evident between what principals know about special education leadership and case law and what principals are doing in the field.

The purpose of this study was to identify effective actions and behaviors that support Virginia principals' leadership in special education decision making. More specifically, the study examined what can be done to minimize special education disputes between parents and schools and identify principals' skill sets to minimize special education disputes. Two concurrent Delphi studies were conducted with 16 member panels; stakeholders with familial responsibilities to children with disabilities and professional experts with responsibility to special education compliance participated. A final round exchanged findings between the panels. The study identified a list of best practices for Virginia school principals to support special education leadership and decision making.

DEDICATION

For my dad, Doc Moody.

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CHAPTER 1 INTRODUCTION

Due process procedures impose multiple constraints on school divisions through attorney fees, expenses of dispute resolution, and the upset and interruption of administrative, instructional and familial activities (Zirkel & Gischlar, 2008). Annually reported trend data across the United States reveal a significant rise in requests for third party dispute resolution (Creasy, 2010). Costly and frequent special education litigation regarding student placement and educational methods continue to increase (Yocom, 2010). The rise in disputes gives reason to examine the gap between the knowledge of current school leaders, their practices, and the classroom practices they supervise (Katsiyannis & Herbst, 2004).

This chapter states the problem and provides background information on the obligations of principals' to provide leadership in special education decision making. The chapter also examines the need to study this problem, defines research questions, and provides a conceptual framework. An overview of assumptions and limitations of the research are also included. Chapter 1 provides an overview of methods, and definitions used in the study, leading to a collection of data pertaining to principals' best practices in leadership in special education decision making.

Statement of the Problem

Today's schools face a mounting number of court cases resulting from conflicts between parents of children with special needs and educators tasked with meeting those needs (Osborne, 2009). Student rights and expectations, as outlined in the Individuals with Disabilities Act and No Child Left Behind, must be met for each public school student with a disability. Principals have the enormous responsibility of ensuring appropriate services to educate students with

disabilities. As special education leaders, they require a skill set that includes a thorough knowledge of current special education laws, litigation and student learning needs. They also need to know how to support the rights and responsibilities of parents' decision-making regarding their child's education. Principals' actions can determine the success or failure of special education processes in their schools (Welsh, 2004).

Background of the Problem

The field of special education is complicated and becoming more litigious as courts are actively involved in many aspects of education (Alexander & Alexander, 2005). Given the development of legal and case law, schools must protect students' rights and ensure students receive substantive educational benefits that result in a quality education (Yell, Ryan, Rozalski & Katsiyannis, 2009; Shuran & Roblyer, 2012). Principals are under increasing pressure to know the laws relating to special education and how the law affects a principal's practice (Davidson & Gooden, 2001).

United States Secretary of Education Arne Duncan (2010) acknowledged in his speech on the 35th Anniversary of the Individuals with Disabilities Education Act:

We can all agree that we haven't completely fulfilled the promise of IDEA. Our children continue to face prejudices and lingering roadblocks. In order to remove these prejudices and roadblocks from our nation's schools, school leaders must be at the forefront, creating change and advocating for students with disabilities.

The current accountability environment tasks principals with instructional leadership that results in increased student learning (Horng & Loeb, 2010). IDEA requires that principals act to protect these rights and provide educational opportunities that ensure a quality education for all

children (Zirkel, 2011). Ultimately, the building principal is responsible to ensure the delivery of needed services (20 U.S.C. Sec.1400 et seq).

Shuran and Roblyer (2012) warn that, as long as parents are concerned about their children with special needs, schools cannot prevent all litigation in special education. Principals must understand the importance of parents, advocates, and educational professionals focusing on students' educational needs, the foundation of special education law. The substantial investment of school systems to train and support special education leaders may be considered small when compared with the dividends of avoiding costly litigation (Shuran & Roblyer, 2012).

Need for the Study

When school districts take the substantive and procedural rights of parents of children with disabilities seriously and make positive, proactive efforts to include parents in decision making, special education disputes decrease (Yell et al., 2009). Past studies focused on the legal and practical knowledge of school division- and building-level leaders. Much is written about professional development offerings, leadership training program needs, and parental expectations of principals regarding educational decisions of their children with special needs. A gap is evident between what principals know about special education leadership and case law and what principals are doing in the field. There exists a need to develop a set of best practices that define principals' actions and behaviors to arm principals with the tools to ensure parental rights and procedural safeguards are followed to, ultimately, minimize special education disputes.

Research Questions

This study addresses the question: "What can be done to minimize special education disputes, between parents and schools, and ensure mutually agreed upon decisions can be reached? The secondary question: "What should principals know and be able to do with this

knowledge to minimize special education disputes?” furthers the skill set for principals as special education leaders and decision makers.

Conceptual Framework

Best practices in special education leadership have evolved with each amendment of IDEA and national and state influence on school improvement and reform (Osbourne, 2009). Parent perspectives, informed by the IDEA and supported by advocates and legal counsel, are individually motivated while special education leadership is bounded by case law (Zirkel & Gishlar, 2008). The conceptual framework of this study is described in three sections: (a) due process and procedural safeguards, (b) case law and (c) parental input.

The principal’s obligatory role in the special education process is clearly outlined in IDEA, which guarantees procedural safeguards for parents of children with disabilities (34 C.F.R. § 300) and sets forth a regulatory basis for a formal set of policies and procedures implemented by schools and districts for children receiving special education services. Parents of children with disabilities have the right to challenge a decision at each step of the special education process and to receive, in writing, the school’s proposed or refused actions on each decision (34 C.F.R. § 322). A principal’s skills in communication and collaboration impact parents’ willingness to reach a mutually agreed upon decision for their child with a disability (Sheldon, Angell, Stoner, & Roseland, 2010). Best practices require that parents, advocates, and educational professionals understand the importance of focusing on a common goal that is the foundation of special education law (Shuran & Roblyer, 2012). In addition, best practices include maintaining trusting relationships with parents and staff (Zirkel & Girschlar, 2008). Influences on a school principal’s special education decision making are shown in Figure 1.

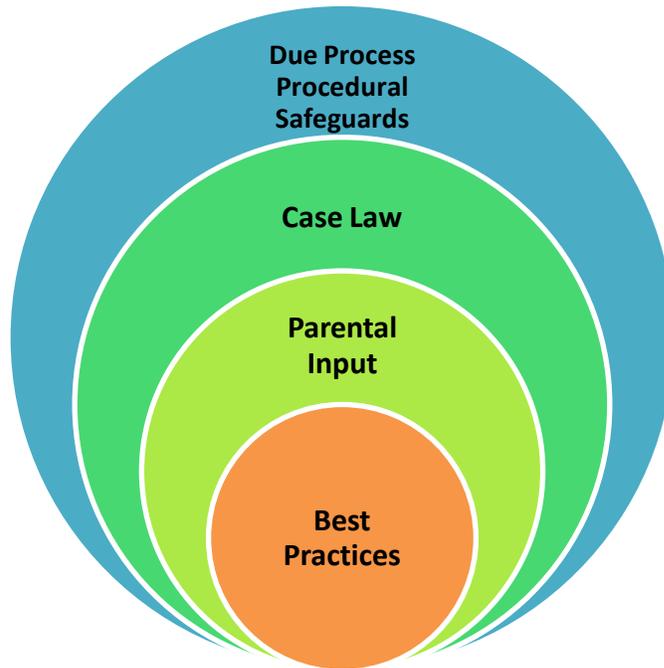


Figure 1. A conceptual framework for influences that impact a principal’s decision making pertaining to special education

Overview of Methods

This study focused on the development of best practices of building principals regarding leadership in special education decision making. The Delphi technique was used to build consensus of ideas leading to the best practices for principals in schools in the Commonwealth of Virginia. The input of leading researchers, experts in the field of special education, practitioners working in schools with students with disabilities, and parents of children with disabilities was used in the process.

Assumptions and Limitations

When conducting research, an assumption is “any important ‘fact’ presumed to be true but not actually verified,” (Gay & Airasian, 2000, p. 56). Assumptions of this study include:

- Participant responses accurately reflect their professional opinion (Roberts, 2010).
- The knowledge that safety exists in numbers, i.e., more people are less likely to produce inaccurate results than one individual (Hasson, Keeney, & McKenna, 2000).
- Principals are unsure of what to do to avoid disputes in special education decision-making; otherwise they would.

A Delphi is only as good as the panel members it includes (Keeney, Hasson & McKenna, 2011). A potential limitation of the Delphi is the pressure to conform whereas some participants might change potentially relevant views in response to different views from the rest of the panel (Keeney et al., 2011). A panel of experts with divergent views may conform to or abandon the process (Rowe & Wright, 1999) as a response to the feedback from previous rounds (Murphy et al., 1998). Therefore, the final consensus may not represent a correct answer, rather it may represent an agreed upon conclusion (Keeney, Hasson, & McKenna, 2010). While the goal of this Delphi study was to reach a consensus, survey iteration can actually conclude in a lack of agreement and consensus (Cole, Donohoe, & Stollefson, 2013).

Delimitations define the scope and boundaries of a study, and remain within the control of the researcher (Simon, 2011). Delimitations of this study include:

- This study was limited to a panel of experts in the field of special education including researchers, practitioners, and parents of children with disabilities.
- There was no control as to whether the respondents receive on-line assistance while completing the questionnaires.
- The study was limited to the time period of November 2013–February 2014 (Roberts, 2010)

Definitions

For the purpose of this study, the following definitions were used:

- *Change in placement*: For purposes of removal of the child with a disability from the educational placement, a change in placement occurs if (a) the removal is more than

- 10 consecutive school days, or (b) the child is subjected to a series of removals that constitutes a pattern of exclusion (Weber, Mawdsley, & Redfield, 2008).
- *Child with a disability*: The term means a child “(i) with mental retardation, hearing impairments, speech or language impairment, visual impairments, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and (ii) who, by reason thereof, needs special education and related services” [20 U.S.C.A. § 1401(3) (A) (i)].
 - *Delphi technique*: This is a multi-staged survey which ultimately attempts to achieve consensus on an important issue (McKenna, 1994).
 - *Dispute*: For the purpose of this study, dispute is defined as a disagreement between two parties pertaining to the educational program of a child with a disability or a child being considered for eligibility in a special education program.
 - *Due process*: This process, required under the IDEA, sets forth regulatory basis for a formal set of policies and procedures implemented by schools and districts for children receiving special education services. These policies and procedures are typically described in a school district's procedural safeguards statement and local policies (34CFR 300.121 and 34 CFR 300.507-518).
 - *Due process procedures*: These are commonly known as the safeguards. They create checks and balances. They are methods for assuring that the student benefits from being in school and that the school is providing the services and required placements. They also assure shared decision-making concerning the student's education (Turnbull, Wilcox, Turnbull, Sailor, & Wickham, 2001).
 - *Free, appropriate, public education (FAPE)*: This term refers to special education and related services that: (a) have been provided at public expense, under public supervision and direction, and without charge; (b) meet the standards of the state educational agency; (c) include an appropriate preschool, elementary school, or secondary school education in the state involved; and (d) are provided in conformity with the individualized education program required under this law [20 U.S.C.A § 1401 (9)].
 - *Individual Education Program (IEP)*: The IEP constitutes a written statement of each special education student's present level of performance, including how the disability

- affects the student's involvement and progress in the general curriculum, a statement of annual goals, and a statement of the special education and related services that will be provided to the student (Grzywacz et al, 2000).
- *Individuals with Disabilities Education Act (IDEA)*: This is the federal special education law codified at 20 U.S.C. § 1400 et seq.
 - *Least restrictive environment (LRE)*: To the maximum extent appropriate, children with disabilities, including children in private or public institutions or other care facilities, are educated with children not disabled. The removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in a regular classroom with the use of supplementary aids and services cannot be achieved satisfactorily. [20 U.S.C.A. § 1412(a)(5)(A)].
 - *Local education agencies (LEA)*: This term refers to a public board of education or other public authority legally responsible for administration of public and secondary schools (Elementary and Secondary Education Act, 1965).
 - *Mediation*: This term refers to the problem-solving process implemented to ensure the resolutions of disputes are voluntary, do not deny or delay parents' rights to a hearing, and are conducted by a qualified and impartial mediator. State education agencies must make mediation available whenever a request for a due process hearing is filed (34 C.F.R. 300.506).
 - *Prior written notice*: This consists of information received in writing whenever the school district proposes to begin or change the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education (FAPE). Also received when the school district refuses to begin or change the identification, evaluation, or educational placement, or the provision of FAPE (34 CFR §300.503(a, c)).
 - *Procedural safeguards*: These explain the specific rights and responsibilities of the parent in the special education process. Procedural Safeguards fulfills the current legal requirements for the federally prescribed content of this notice. It is presented in a format designed to clarify for parents their rights under the Individuals with Disabilities Education Act (IDEA). Procedural safeguards include the right to

- participate in all meetings, to examine all educational records, and to obtain an independent educational evaluation (IEE) of the child. Parents have the right to written notice when the school proposes to change or refuses to change the identification, evaluation or placement of a child (34 C.F.R. 300.501-520).
- *Related services*: This term refers to transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audio services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, which will only be used for diagnostic and evaluation purposes as may be required to assist a child with a disability to benefit from special education (20 U.S.C. § 1401, 1997).

Summary

Court cases resulting from conflicts between parents of children with disabilities and local education agencies continue to rise (Katsiyannis & Herbst, 2004; Osbourne, 2009; Creasy, 2010; Yocom, 2010). Principals have the enormous responsibility to ensure appropriate services are available to meet the needs of students with disabilities (20 U.S.C. § 1400 et seq). Principals, as special education leaders, require a skill set which includes a thorough knowledge of current special education laws and litigation, student learning needs, and strategies to support parents' decision-making rights and responsibilities regarding their child's education (Yell et al., 2009; Horng & Loeb, 2010; Shurayler, & Roblyer, 2012). The Delphi technique was used to further understand how best practices in special education leadership when used by principals in the Commonwealth of Virginia assists in the resolution of special education disputes.

Organization of the Study

Chapter 1 included the purpose of the research the background of the problem, of the research questions, and the conceptual framework of the study. Definitions were also provided.

Chapter 2 outlines the relevant history of special education, related research, and literature associated with the topic. Chapter 3 describes the research design, the data collection, and the statistical analysis. Chapter 4 presents study findings and Chapter 5 includes a discussion of the findings and recommendations for the study.

CHAPTER 2 LITERATURE REVIEW

During the more than 35 years since the passage of the Individuals with Disabilities Education Act (IDEA), each reauthorization and amendment has addressed procedural rights of parents further (Yell et al., 2009). Congress recognized that the litigious environment which grew out of the procedural safeguards within the Education for All Handicapped Children Act, followed by the IDEA, did little to improve the relationship between schools and parents. Based on positive reports from numerous states, congressional committees proposed the incorporation of alternative dispute resolution methods, specifically the use of mediation, within the reauthorization of the IDEA, 1997 (Welsh, 2004). The IDEA provides the use of mediation when either parents or local education agencies (LEA) disagree on matters pertaining to free appropriate public education (FAPE), an evaluation, or a placement of the student with an educational disability (Weber, 2010). The provision for dispute resolution provides families and LEAs avenues for legal negotiation of disagreements pertaining to these services (Creasy, 2010).

Procedural safeguards delineate the legal responsibilities for those involved with educating children with disabilities (Webster, 2010). Principals face challenges adhering to federal, state, and local special education mandates. Understanding policy and law presents an area of difficulty for school leaders as special education rules and regulations obligate a building principal (Davidson & Gooden, 2001). Although administrators participate in decision making routinely, the decisions are never routine for students and their parents. The responsibility for students' educational futures falls on the principal (Lashley, 2007). There is no reason to believe that schools do not want to comply with requirements of IDEA and other laws associated with insuring the rights of students with disabilities FAPE. Reasons for the increased litigation lie elsewhere (Shuran & Roblyer, 2012).

Chapter two provides a review of current literature focusing on the history of special education dispute resolution including the important laws leading to the development and amendments of the Individuals with Disability Education Act (IDEA), parental rights, special educational dispute resolution, principals' obligations in special education leadership, and the need for further research.

This literature review includes research related to dispute resolutions and the obligatory role of building principals to ensure that children with disabilities receive FAPE. The review includes an in-depth discussion of the legal foundation and the development of educational law before and since the Individuals with Disability Education Act (IDEA) and case law specific to IDEA. The review begins at the national level with the development of federally protected procedural safeguards and procedural rights of parents as described in IDEA, followed by data relating to special education disputes reported in the Commonwealth of Virginia. After the historical overview which includes landmark court cases and Supreme Court rulings significant to the history of special education policy in the United States, the Individuals with Disabilities Education Act as specifically related to the guarantee of due process rights will be examined. An explanation of parental rights, guaranteed by IDEA will follow and include steps to take to resolve special education disputes. Principals' need for knowledge of parental rights as outlined in procedural safeguards, and principals' actions and behaviors to arm themselves with tools to ensure parental rights and procedural safeguards are followed, will be provided. Finally, a need for further research will be clearly identified.

History of Special Education Dispute Resolution

Providing FAPE for students with disabilities persistently challenges school districts, principals, and parents alike (Wagner & Katsiyannis, 2010). Case law indicates that parents and

advocacy groups challenge school officials over the appropriateness of special education services; the number of special education cases in litigation is on the rise (Power, 2012; VDOE, 2013). Not only are these cases a costly and time-consuming drain on scarce school system resources, they are also unmistakable evidence of discord between schools and the families they serve. Disputes have become a source of negative public opinion at a time when public education most needs the support of its constituent communities (Shuran & Roblyer, 2012).

The IDEA provides for a due process hearing when either parents or the local education agency disagree on matters pertaining to FAPE, evaluation, or placement of the student with an educational disability (Weber et al., 2010). When a state hearing officer or judge convenes a hearing to settle disputes or differences between the two, local school boards experience financial burdens, low school morale, and loss of instructional time; ultimately, student learning is compromised (Garrison-Wade, Sober, & Fulmer, 2007).

Education Laws Prior to IDEA

Federal laws offered little protection for disabled students in the nation's public schools until the passage of the Education of Mentally Retarded Children Act, in 1958 which included provisions for the expansion of teaching of children with mental retardation (Yell, 1998). Prior to the enactment of federal laws addressing the educational needs of children with disabilities, public schools educated only one in five children with disabilities (National Council on Disability, 2000). An estimated one million children with disabilities received no education prior to 1975 and vastly disproportionate numbers of African American children were excluded from public education during this time (Worth, 1999). Many school-age children with disabilities received education in public residential institutions serving those with physical and / or mental disabilities (National Council on Disability, 2000).

The Elementary and Secondary Education Act (ESEA) of 1965, enacted during President Lyndon B. Johnson's presidency under the auspices of the War on Poverty, provided far reaching federal legislation emphasizing equal access to education (Martin, Martin & Terman, 1996). This act established high standards and accountability measures and awarded money to districts that complied with support of education for all children. Additionally, the ESEA set forth due process rights for parents (20 U.S.C. § 1400 et seq.). The Bureau of Education of the Handicapped, under Title VI of the ESEA, allocated funding for those school districts serving children with disabilities (Martin et al., 1996).

The 1970 amendments to ESEA, the Education of the Handicapped Act (EHA), codified these statutes and laid the foundations for awarding federal funding (EHA, 1970). States that ensured the provision of a free appropriate public education for students with disabilities received federal support (Walsh, Maniotis & Kemerer, 2005).

Case Law Development Prior to IDEA

Three cases heard before the Supreme Court during 1954–1972 provided the legal foundation for P.L. 94-142, the Individuals with Disabilities Education Act. The Supreme Court made it clear that schools owed students the equal protection of the law without discrimination in *Brown v. Board of Education*, 347 U.S. 483 (1954). This crucial message involving racial desegregation, added significant options for excluded groups including students with disabilities. The Supreme Court declared that the “separate but equal” education of Black children was not only unequal but was a violation of the equal protection clause of the Fourteenth Amendment, which ensures that all citizens must be afforded due process before being denied life, liberty, or property (Power, 2007).

The court wrote:

Today, education is perhaps the most important function of state and local compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today, it is a principle instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is a doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right that must be made available to all on equal terms. (*Brown v Board of Education*, 1954, p. 7)

Inspired by this ruling, families of school-aged children with disabilities across America organized against exclusions from a public school education (Weber et al., 2010).

The seminal 1971 case, *Pennsylvania Association for the Retarded Children (PARC) v. Commonwealth of Pennsylvania* 343 F. Supp. 279 (1972), established the standard of appropriateness in special education. The case involved a child's exclusion from school due to his classification of mental retardation. The court ruled that children of school age (between the ages of 6 and 21 years) were entitled to an education appropriate to their learning capabilities, and it established the clear preference that such education be provided in the least restrictive environment (Martin et al., 1996). The court held in *PARC*:

All mentally retarded persons are capable of benefitting from a program of education and training; that the greatest number of retarded persons, given such training, are capable of achieving self-sufficiency, and the remaining few, with

such education and training are capable of achieving some degree of self-care (p. 1257).

Pennsylvania, under consent decree, agreed to provide full access to a free appropriate public education to children with mental retardation up to age 21 (Martin et al., 1996). The right to education articulated in *PARC* was premised on the view that students were different in both how they learned and what they needed to learn in contrast to the accepted view that the purpose of education was to provide students access to the same outcomes (Weintraub, 2005).

In *Mills v. Board of Education of the District of Columbia* 348 F. Supp. 866, (D. DC 1972), the court ruled that schools must ensure due process safeguards and conduct periodic reviews of the appropriateness of the educational placements of children. Seven school age children, identified with mental retardation, emotional disturbance, or behavioral problems, were denied publicly supported education and placed on waiting lists for tuition grants. Families of the seven children based their class action suit on the Fourteenth Amendment as interpreted to give parents specific rights to prior notice, to discuss changes in a child's education plan before they occurred, and to appeal decisions made by the District of Columbia Government's school district to suspend, expel, exclude, reassign and transfer children from regular classroom instructions without due process (Martin et al., 1996; Heward, 2003).

Mills established that children with disabilities had an equal right to public education that provided educational offerings in a form that was meaningful for each student (Martin et al., 1996; Weber et al., 2010). When schools considered a change in a student's status (i.e., suspension, expulsion, reassignment, or transfer out of a public school program), *Mills* set forth a child's entitlement to full procedural safeguards, including notice of proposed changes, access to school records, a right to be heard and to be represented by counsel at hearings to determine

changes in individual programs. Lastly, *Mills* set the precedent for regularly scheduled status reviews (Marti et al., 1996).

Procedural safeguards under *Mills* included the right to appeal; the right to have access to records; and the requirement of written notice at all stages of the process. These safeguards became the framework for the due process component of the Education for All Handicapped Children Act (Zettle & Ballard, 1982). The drafters of EAHCA, now the Individuals with Disabilities Education Act, provided elaborate notice and hearing provisions (Romberg, 2011), adopting the processes imposed on the District of Columbia school system in *Mills* (Weber, et al., 2010).

The Development and Authorization of IDEA

In 1975, President Gerald Ford signed Public Law 94-142, the Education of All Handicapped Children's Act, to:

Ensure that all children with disabilities have available to them a free appropriate public education that emphasized special education and related services designed to meet their unique needs and to ensure that the rights of children with disabilities and their parents are protected. (IDEA, 34 C.F.R. 300.1)

The Education for all Handicapped Children Act (EHA), codified as IDEA in 1990, granted public school students with disabilities certain basic educational rights including: (a) a free appropriate education; (b) an individualized education plan (IEP); (c) related services; (d) due process procedures; and (e) education in the least restrictive environment (LRE) (20 U.S.C.A. § 1415).

Reauthorizations of IDEA

Key amendments to the EHA and IDEA between 1975 and 1997 supported the achievement of national goals for access to education for all children with disabilities. Amendments in the 21st century challenged the United States to improve educational results for children with disabilities and their families (USDOE, 2011). Congress amended, reauthorized, and renamed EHA, with Individuals with Disabilities Education Act in 1990 and Individuals with Disabilities Education Improvement Act in 2004 (Rock & Bateman, 2009). Amendments and reauthorizations set additional standards for the education of children with handicaps (Pardini, 2002) with provisions for reauthorizations every five years (IDEA, 1997). Although scheduled for reauthorization in 2011, Congress sought to first reauthorize the ESEA. In 2011, President Barack Obama supported ESEA's reauthorization giving states and districts authority to improve schools at the state and district level, but not to give states a reprieve from No Child Left Behind. The IDEA reauthorization may occur in 2014 or later (National School Boards Association, 2013).

1990 and 1997 Reauthorizations

The 1990 reauthorization and amendments provided the opportunity for voluntary mediation between parents and the LEA prior to a due process hearing (20 U.S.C.A. § 1415).

The reauthorization of 1997 provided the following changes:

- Students with disabilities would be included in state and district wide assessments;
- IEPs must have measurable goals with objectives outlined;
- Mediation must be offered to parents and educators for dispute resolution;
- Functional behavior assessments (FBA) would be included on IEPs for students; and
- the Child Find efforts continue to be extended to private school students in need of special educational and related services (20 U.S.C. § 1414(e)).

This reauthorization shifted attention from substantive to procedural policy, allowing schools to make decisions based on a child's individual needs, not based on classes or groups of individuals (Crockett, 1999).

IDEIA 2004

Prior to the 2004 reauthorization of IDEA, two national reports, *Rethinking Special Education for a New Century* (Finn, Ritherham, & Hokanson, 2001) and *A New Era: Revitalizing Special Education for Children and Their Families*, by the President's Commission on Excellence in Special Education, (U.S. Department of Education, 2002) criticized IDEA's focus on procedural compliance at the expense of student outcomes (Yell, Shriver, & Katsiyannis, 2006). With the No Child Left Behind Act of 2001, IDEA added the requirement of parental notification about the highly qualified status of staff teaching students with special needs (NCLB, 2001). While NCLB placed greater emphasis on the improved performance of children with disabilities, the IDEA 2004 amendment mandated that IEPs provide measureable annual goals for academics and functional skills (34 C.F.R. 300.324) and required LEAs to maintain regular communication to inform parents of their child's progress toward meeting the IEP goals (Romberg, 2011). Due process provisions that were reauthorized and amended in 2004 intended to protect the educational rights of students with disabilities and their families (Rock & Bateman, 2009).

IDEA 2004 provided procedural safeguards specifying the following sections of the law:

- Written consent prior to evaluation or placement;
- Prior written notice of proposed changes;
- Right to obtain an independent educational evaluation;
- Right to inspect and review educational records;
- Parents may or may not consent to an initial evaluation or placement; and

- Students may remain in current placement until decisions are made about changes [20 U.S.C. §1400 et. seq. (2005)].

In the 2004 amendment, Congress focused on: (a) over-identification of children from minority groupings, (b) mislabeling of children with disabilities, and (c) high dropout rates of children with disabilities (20 U.S.C. § 1400). The amendment addressed a more stringent response to intervention by requiring continuous data monitoring and a focus on the least restrictive environment (Zirkel, 2007). Because of the increased alignment of NCLB and IDEA 2004, principals' responsibilities for the educational performance of students with disabilities including providing the procedural safeguards that special education law requires becomes increasingly refined (Lashley, 2007). Zirkel (2005) delineated the 2004 changes as follows:

- Use of a response to intervention (RTI) model for identification of students;
- Limits a district's liability in refusal to consent issues;
- Streamlining the manifestation determination process,
- Allows IDEA funds for prereferral strategies; and,
- Enacts a statute of limitations on filing for a due process hearing.

Congress renamed IDEA, the Individuals with Disabilities Education Improvement Act 2004 (IDEIA), reflecting the emphasis that NCLB placed on the improved performance of students with disabilities (Rock & Bateman, 2009). Generally, lawmakers and the public continue to refer to IDEIA as IDEA 2004 or simply IDEA (NHedLaw, 2009). Unless specifically addressing the amendments in IDEIA or IDEA 2004, the term, IDEA represents the law (20 U.S.C.A. § 1415) from its conception to present.

Parental Rights

Due Process Guarantees

IDEA guarantees procedural safeguards for parents of children with disabilities (20 U.S.C. § 1415 (e)). Safeguards must be provided at least annually and should be provided in a

language understood by parents. *Prior written notice* explains actions proposed or refused by the committee and delivered to parents at the conclusion of each educational decision. When a school district or parents propose or refuse to initiate or change a child's identification, evaluation, educational placement, or provision of FAPE, the school provides notice consistent with parent participation (34 C.F.R. § 322; Weber et al., 2010). Prior written notice includes: (a) a description and explanation of the action proposed or refused by the school; (b) a description of any other options the school considered and the reason(s) for rejecting those options; and (c) a description of other factors important to the school's proposal or refusal. Written notice also includes a description of each evaluation procedure, test, record, or report the school used as a basis for the action and the statement of parental protection under the procedural safeguards (20 USC § 1400 et seq). Notice is to be provided in language understandable to the general public and in the native language or other communication mode of the parent. School districts gain parental written acknowledgment of prior written notice (34 C.F.R. 300.503).

IDEA clearly articulates a requirement for providing parents with a notice of their rights that includes a full explanation of all procedural safeguards relating to:

- prior written notice,
- independent educational evaluations,
- parental consent,
- access to a child's school records,;
- opportunities to present and resolve a complaint
- the difference between due process and complaint procedures
- student placement during a due process hearing
- procedures for students who are subject to placement in an interim alternative educational setting, and
- requirements for unilateral placement of a child in a private school at public expense protected.

Additionally, parents are to be notified of the availability of mediation, due process hearings (including disclosure of evaluation results and recommendations), civil actions (including the time period to file an action), attorneys' fees; and state complaint procedures (including timelines and a description of how to file a complaint with the state) (34 C.F.R. 300.500-515).

Congress states:

the education of children with disabilities can be made more effective by...strengthening the role and responsibility of parents and ensuring that families of such children have meaningful opportunity to participate in the education of their children at home and at school. (20 U.S.C. Sec. 1400 (c) (5))

The Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions for their children. In *Troxel v. Granville*, 530 U.S. 57, 66 (2000), the Supreme Court recognized "the best interest of parents in the care, custody, and control of their children" (p. 2060). The due process clauses of the fifth and fourteenth amendments of the U.S. Constitution provided the framework to enforce the IDEA provisions and offer substantive and procedural due process (Brown, 2003).

Legal Proceedings

The court cases discussed in this section set the precedence for parental rights to challenge a school district's decisions, the school district's obligation to work collaboratively with parents of children with disabilities, and parental entitlement to prosecute IDEA claims on their own behalf without counsel. Substantive and procedural rights for parents of children with disabilities are addressed with substantive due process regarding the subject matter of the decision. Parents may argue that the school district's action is unfair because of the substance of

the decision (Wayne, 2004). Procedural due process ensures that school administrators provide parents with notice before taking action, regardless of parental acceptance or distain of the decision, and that the notice consists of ample notice, the right to be heard, and reasonable fairness (Wayne, 2004).

Board of Education of Hendrick Hudson Central School District v. Rowley

The Supreme Court interpreted students' rights to a free appropriate public education, as documented by the IDEA in *Board of Education of Hendrick Hudson Central School District v. Rowley* 458 U.S. 176 (1982). Parents enjoy the substantive and procedural rights in IDEA that ensure informed consent and guarantee the right to challenge a school district pertaining to a FAPE (Wagner & Katsiyannis, 2010). Amy Rowley's parents insisted she needed the services of a qualified sign language interpreter in all of her academic classes in lieu of the assistance proposed by her IEP team members.

After reviewing the Education of All Handicapped Children Act (now IDEA), the court held:

the intent of the Act was more to open the door of public education to handicapped children on appropriate terms than to guarantee any particular level of education once inside... We conclude that the "basic floor of opportunity" provided by the Act consists of access to specialized instruction and related services which are individually designed to provide educational benefits to the child. (p. 205)

Rowley, the first case heard by the Supreme Court after the inception of IDEA (Yell et al., 2009), clarified that an appropriate education need not maximize the potential of students. Appropriate education, in the least restrictive environment, must accommodate students with

disabilities in a way that is commensurate with the educational opportunities provided to students without disabilities (Huefner, 2002).

Rowley established a two-part test for assessing when the local education agency violates the IDEA such that liability becomes attached. First, has the state complied with the procedures set forth in the act when developing the IEP? Second, are the IEP procedures reasonably calculated to enable the child to receive educational benefits (Romberg, 2011)? Substantive due process prevents school districts, as state agencies, from exceeding their authority in depriving a student with disability under IDEA from receiving FAPE.

Winkleman v. Parma City School District

In contrast to vague substantive guarantees in IDEA, IDEA 2004 amendments shifted concentration to the detailed procedural requirements outlined in *Mills* and discussed in *Winkleman v. Parma City School District* 550 U.S. 516, 523-26 (2007) (Romberg, 2011). In *Winkleman*, parents of Jacob Winkleman, a child with a disability, were allowed to present their IDEA claim without counsel (Kerr, 2009; Romberg, 2011). IDEA ensures that all children with disabilities have available to them a FAPE and ensures that the rights of children with disabilities and parents of such children are protected [20 U. S. C. §1400(d)(1)(A)–(B) (2000 ed., Supp. IV)]. Justice Kennedy wrote:

The IDEA creates independent, enforceable rights for parents in the special education of their children. Although the IDEA does not explicitly state that parents can proceed on IDEA claims in federal court without an attorney, the Court found that the “interlocking statutory provisions” reveal a Congressional intent to give independently enforceable rights to parents. The statute’s purpose includes ensuring that “the rights of children with disabilities and parents of such

children are protected.” The statute expressly allows parents to proceed on their own throughout the administrative process to protect their child’s right to appropriate special education services, as well as their rights to participation in the decision-making with regard to their child and reimbursement for private services. (p. 920)

The Solicitor General, invited to submit a brief by the high court, asserted in *Winkelman* that IDEA sought to protect rights of students with disabilities and their parents. The Solicitor General further reminded the high court of the need to ensure that IDEA was applied in a uniform manner (Yell et al., 2009).

Roland M. v. Concord School Community

In *Roland M. v. Concord School Community*, 910 F.2d 983, 994 (1st Cir. 2009), the court discussed substantive and procedural errors that violate IDEA. The court wrote:

Courts must strictly scrutinize IEPs to ensure their procedural integrity ... [but] before an IEP is set aside, there must be some rational basis to believe that procedural inadequacies compromised the pupil's right to an appropriate education, seriously hampered the educational benefits. Not every procedural violation ... is sufficient to support a finding that the child in question was denied a FAPE. Technical deviations, for example, "will not render an IEP invalid." On the other hand, "procedural inadequacies that result in the loss of educational opportunity," or seriously infringe the parents' opportunity to participate in the IEP formulation process, or that "caused a deprivation of educational benefits," clearly result in the denial of a FAPE. (p. 5).

In summary, *Rowley* set the precedence for parents' rights to challenge a school district's decisions. Local school divisions must comply with procedures set forth in the IDEA when developing IEPs, which are required to be reasonably calculated to enable the child to receive educational benefits (Romberg, 2011). Furthered in *Roland M.*, procedural inadequacies that result in the loss of educational benefits, and / or seriously infringe parents' opportunity to participate in the IEP formulation process, deny FAPE. *Winkleman* allowed parents to proceed to court without representation.

Dispute Resolution Processes

Special education under IDEA is generally the largest legal expenditure for most school districts (Romberg, 2011). Special education disputes are marked by strong emotions and complex regulations and they consume considerable time and expense for all involved (Moses & Heden, 2012). Principals hold the key to school-level compliance regarding administrative decision-making regarding special education services. To stay in compliance, school administrators must implement IDEA with integrity (DiPaola et al., 2003; Crockett, 2007).

In order to stem the escalation of litigation and reduce the tension and mistrust that exists between families and schools, the 2004 reauthorization of IDEA strongly encourages alternative dispute resolution processes (Blau, 2007). Congress indicated its strong preference for more collaborative methods of mediation and facilitation of special education disputes, rather than due process hearings and written state complaints (Moses & Heden, 2012.) Parents and school districts needed options to increase their understanding of special education law, gain insight into another's position, and resolve their differences before engaging in drawn-out and expensive court proceedings (Romberg, 2011). The school level principal is a crucial in the resolution

processes (Blau, 2007). This section explores decision-making options provided in IDEA and procedures to follow when parents and the school division disagree.

Special Education Disputes

The current system for addressing special education disputes between parents and school systems seems designed to avoid litigation by providing several steps between the appearance of a dispute and a due process hearing (Shauran & Roblyer, 2012). Current Supreme Court rulings require that school districts include parents in all aspects of their children's special education programming (Yell et al., 2009).

Procedural Safeguards

IDEA Title 34. Education: Subpart E of IDEA provides safeguards and due process procedures involving parents and the State Education Agency. The adoption of elaborate notice and hearing provisions reflect the processes imposed on the District of Columbia in *Mills v. Board of Education*, 348 F. Supp. 866 (D. DC. 1972). The Act provides due process hearing procedures that are sufficient and perhaps necessary, in the context of special education disputes, to satisfy the requirements of the Fourteenth Amendment due process clause (Weber, 2010). Under IDEA procedural due process doctrine, the federal government provides the mandate for notice, an opportunity to be heard, and others measures to insure fairness and accuracy in making individual determinations that will result in the loss of a person's life, liberty, or property (Weber et al., 2010). Whereas the core of the statues supports the cooperative process established between parents and schools, under *Rowley* Congress placed equal emphasis on compliance and procedures.

Individual Education Plan

The IEP meeting serves families and school districts as the first step in dispute resolution (McNeal, 2010). If parties determine the IEP to be unsatisfactory, IDEA gives parents the specific rights to challenge the appropriateness of the IEP [20 U.S.C. §1415(i)(3)(B)].

Alternative dispute resolution remedies, such as mediation (as opposed to lengthy, costly, and divisive adversarial proceedings) are a win-win situation (Hazelkorn, Pakard, & Douvanis, 2008).

Mediation

Congress turned to mediation as studies showed that mediation could resolve IDEA disputes more quickly and more cheaply than due process hearings; additionally, the informal nature of mediation appeared to offer greater opportunity for participation by parents, guardians, and school officials (Beyer, 1999). Mediation has been promoted by Congress as an alternative means for resolving parent-school conflict while still protecting these important relationships (Symington, 1995). Within the original procedural framework of *Mills*, mediation is based on voluntary processes (Weber, 2010).

Mediation does not occur as an attempt to delay or deny a parent's right to a due process hearing and must be scheduled in a timely manner and at a location convenient for both parties. Decisions made during mediation may be treated confidentially should a due process hearing or civil proceeding follow [20 U.S.C. § 1400(d)(1)(A)]. Basic rules with regard to mediation include the following:

- It must be voluntary;
- It must not be used to delay or deny a parent's right to a hearing or any other rights;
- It must be conducted by a qualified, trained, and impartial mediator;
- The state has to bear the cost;

- Scheduling must be timely and convenient to the parties;
- A written agreement reached at mediation must be signed by both the parent and a school district representative who has binding authority, and it is enforceable in court; and
- Mediation discussions, even if an agreement is not reached, are confidential and may not be used as evidence in a due process proceeding or civil litigation. (20 U.S.C. § 1415)

As reauthorized and refined in the current IDEA 2004, mediation processes are available to both parents and schools for resolving disputes arising either prior to or concurrent with a due process request and are not limited to disputes involving the IEP (Blau, 2007). Should mediation fail to deliver desired results, families may opt to file a formal written complaint (20 U.S.C. § 1415).

Formal Written Complaint

IDEA 2004 offers families the opportunity to file a formal written complaint. States operate a complaint system that provides for the investigation and issuance of findings regarding violations of the rights of children with disabilities or their parents (34 CFR 300.151, 152). Parents may submit a signed written statement alleging the LEA is not following special education law and regulations found in IDEI 2004. Once filed, the states investigate the allegation(s) of noncompliance (34 CFR 300.153).

Due Process Hearings

IDEA guarantees the parent or the LEA the right to file a due process complaint on any matter relating to the identification, evaluation, or educational placement of a child with a disability, or the provision of FAPE to the child (20 U.S. §300.507). Filing a complaint must occur within two years of the date the parent or public agency knew or should have known about the alleged violation (20 U.S. §300.508). Under typical civil rights and social welfare

legislation, the complaining party must allege and prove discrimination or qualification for statutory benefits. The IDEA casts an affirmative, beneficiary-specific obligation on providers of public education (Weber, et al., 2010).

Disputes in the Commonwealth of Virginia

The Virginia Department of Education Office of Dispute Resolution and Administrative Services (VDOEODRAS) provides options for parents and school divisions to resolve special education disputes through systems of complaints, mediation, and due process. The office manages the annual plan process for local school divisions and state-operated programs to comport with federal and state special education requirements. The *Part B Annual Performance Report* details Virginia's provisions for special education services to students with disabilities residing within the state and demonstrates its funding eligibility (VDOE, 2013).

Trend data in the Commonwealth of Virginia show an increase of statewide dispute resolution activities by the local education agencies. In 2011-2012, Virginia LEAs reported 404 issues, 356 in 2010-2011, and 251 in 2009-2010 (VDOE, 2013). A five-year downward trend in due process hearing requests could be attributed to the effective mediation and school division efforts in early dispute resolution. Data for 2011-2012 and 2010-2011 reveal that parents are more likely to initiate a dispute, and LEAs are more often the prevailing party.

VDOE reports lawyer fees alone average between \$1,500 and \$5,000 per day (VDOE, 2010). Zaretsky, Moreau, and Faircloth (2008) predicted discord will increase as educational reform intensifies. Significant components of special education supervision require each principal to have a thorough knowledge of instructional and procedural outcomes. Table 1 lists issues reported in Virginia special education disputes during the 2011-2012 school year.

Table 1

Virginia Special Education Dispute Issues Summary, 2011-12

Compliance Issues in Virginia	Number of Issues	LEA Found Compliant	LEA found Non Compliant
IEP	221	159	66
IEP Meetings	35	27	8
FAPE	22	18	4
Procedural Safeguards	25	18	4
Least Restrictive Environment	3	3	0
Discipline	15	8	7
Eligibility/Evaluation/Reevaluation	33	25	8
Child Find	3	3	0
Placement	13	9	4
Records	19	13	6
Program Standards	9	7	2
Other	6	3	3
Total	404	293	111

Principals' Obligations in Special Education Leadership

This section explores instructional leadership requirements for professional development and student accountability and examines the principal's roles in building and maintaining school-parent relationships. Lastly, the section provides a review of the responsibility of the principal to understand and ensure the due process rights of families of children with disabilities.

IDEA mandates shared decision making and requires partnerships between parents and school officials (Dagley, 1995; Newcomer & Zirkel, 1999). Ensuring quality instruction while monitoring legal compliance involves a balancing act for principals (Bays & Crocket, 2007). The emphasis on improving the educational outcome of all students has led to an increased scrutiny of the nature and outcomes of school leadership in special education (Zaretsky et al., 2008).

Special education supervision requires principals, as instructional leaders, to develop a skill set

that includes:

- an instructional vision that addresses improved conditions in special education teaching and learning,
- trusting relationships with parents and staff, and
- a working knowledge of legal procedures (Zirkel & Girschlar, 2008).

Educational Leadership

Educational leadership, a key variable associated with effective schools, results in student achievement (Cooner, Tochtermann, Garrison-Wade, 2005). In the current policy context, NCLB requires most students who have disabilities to learn the same academic content as students without disabilities. The IDEA 2004, although aligned with No Child Left Behind, requires educators to teach special education students differently, and to sometimes teach them different things, and to teach them in ways that are specified through the personalized planning of an IEP (Bays & Crockett, 2007). Provisions in IDEA 2004 place a premium on the leadership of interdisciplinary, problem-solving teams prior to and during evaluations to determine a student's eligibility for special education. Educational reform, aimed at instructional improvement and student achievement, contributes to the heightened complexities of administering special education.

Significant components to special education supervision require each principal to have a thorough knowledge of instructional and procedural outcomes (Zaretsky et al., 2008). School reform and recent federal policies reshaped the special education director's role as an instructional leader in the school system and enhanced the principal's accountability for ensuring quality instruction (Bays & Crockett, 2007). Bays and Crockett (2007) described principals as negotiators of competing priorities and the outcome of this negotiation is often the dispersal of responsibility for special education among administrative and teaching personnel. Bays and

Crockett (2007) encouraged principals to distribute, not disperse, responsibilities for special education tasks carefully with a solid plan for procedural follow up. Dispersion, described as scattering things in a way that causes them to vanish, threatens the quality of specialized instruction while the distribution of special education tasks requires principals to intentionally arrange responsibilities to ensure norms of trust, collaboration, and academic focus across all staff and community members (Bays & Crockett, 2007). Effective principals: (a) collaborate with the special education directors, (b) trust teachers as instructional experts, and (c) engage in practices of open communication, formal evaluations, and informal observations in supporting the delivery of special education. These findings of Bays and Crockett align with existing practices reported in the literature (Blasé & Blasé, 2002; Franks-Randall, 1998; Walther-Thomas & DiPaola, 2003).

In the current era of accountability, Bays and Crockett (2007) encouraged school leaders to aggressively press teachers to target the learning of students with diverse educational needs. Successful programs that support the achievement of students with disabilities require skilled and competent leaders (Bays & Crockett, 2007). Improving skills of school leaders can influence the outcomes of students in their charge, specifically those with disabilities (Crockett, 2007; Crockett, Becker, & Quinn, 2009; DiPaola & Walther-Thomas, 2003; Lasky & Karge, 2009).

School–Parent Relationships

IDEA obligates school districts to provide students with a free appropriate public education and it is ultimately the building principal’s responsibility to ensure the delivery of services (VDOE, 2012). Families are more trustful of principals who are personally involved in the special education programs within their children’s schools (Shelden, Angell, Stoner, & Roseland, 2010). A trusting school–parent relationship indicates an ability to share a high degree

of mutual understanding built upon a common appreciation of a shared social and cultural context. Knowledge and understanding concerning individual educational practices at home and at school must exist between parents and teachers and between parents and administrators.

Relationships described as home–school partnerships have within them the potential to address and overcome problems which undermine many professional–lay relationships (Laluvein, 2010). Implications for building trust within school leadership include principals, accessibility, and principals’ knowledge or lack of knowledge of disabilities (Shelden et al., 2010). Shelden et al. also explored issues of trust in family–professional relationships by focusing on the trust between mothers of children with disabilities and school principals. Analysis of the mothers’ responses to face-to-face interview questions yielded two primary categories related to their perspectives regarding principals: (a) personal and professional principal attributes, and (b) principal actions within the education system, with students, and with students’ families. The researchers addressed implications for school leadership and the establishment of trustworthy family-professional relationships that impact the lives of students and families in need of special education support (Shelden et al., 2010).

Mothers of children with disabilities identified attributes and actions of school leaders that included facets of benevolence, openness, and competence when relating to families of children with disabilities. Sheldon, Angell, Stoner, and Roseland recommended that school principals who desire more effective collaboration between school and families of children with disabilities:

- become more personally involved with the special education programs within their schools,
- have direct involvement in IEP meetings and other educational decision making,
- demonstrate caring and acceptance of children with disabilities,

- demonstrate a willingness to learn more about students with disabilities,
- demonstrate leadership in educational climate and decision making related to students with disabilities, and
- support mothers' desires to trust school administrators. (2010)

Statutory changes also pose higher expectations for administrators to build trust and negotiate conflicts as they participate with parents and other professionals in the delivery of special education (Crockett, 2007).

Legal Understanding

Principals must have a working knowledge of IDEA to support teachers and provide a FAPE to each child with disabilities (Cruzeiro & Morgan, 2002). Administrators' knowledge of legal principles significantly impacts the operation of school programs and personnel when involved in conflict with parents (Zirkel & Girschlar, 2008). Lashley (2007) found special education leaders must know special education procedures not only to act correctly under IDEA 2004, but as their ethical, if not moral, obligation as educators. Knowledge of special education laws and practices does not enhance leaders' abilities to comply with special education laws, but it reaffirms an ethical responsibility to support educational equity in meeting the needs of all student populations (Lashley, 2007; Zirkel & Girschlar, 2008).

When principals understand due process procedures, the district can save time and money (Zirkel & Gishlar, 2008). Scheffel, Rude, and Bole (2005) concluded that school divisions must commit to maintaining knowledge of current laws and regulations and must be open to utilizing outside expertise if needed. Additionally, researchers found that principals must be thought of as fair minded and genuinely invested in the success of all children (Ivey, 2008; Scheffel et al., 2005). In a study of district special education directors or designees in the Commonwealth of Virginia, Ivey (2008) reported that previous special education experience, number of years as a

special education director or division designee, highest degree attained, percentage of time devoted to special education responsibilities, and attendance in special education law workshops revealed no significant relationship to respondents' knowledge of special education law.

However, membership in professional organizations was significantly related to the directors' or division designees' knowledge of special education. Power (2007) surveyed Virginia principals on their knowledge of special education law and identified two significant areas of weakness: principals' understanding of related services, and the delivery of a FAPE. Principals reported their insufficient knowledge of special education regulations and case law failed to safeguard them against errors in policy and the provision of special education services.

Wakeman, Browder, Flowers, and Ahlgrim-Delzell (2006) found that administrators who described themselves as knowledgeable of special education were typically:

- involved in more aspects of their special education programs,
- reflected on their experiences and practices,
- met regularly with their special education teachers,
- provided more resource support for their special education teachers, and
- more knowledgeable about the programs and services provided to students with disabilities.

Welsh (2004) studied special education disputes that utilized IDEA's mediation process involving parents' passionate aspirations and profound fears for the education of their children. Special education cases encompassed significant personal impacts and difficult legal, medical, and psychological determinations. The mediation process provided the opportunity to express views and assured views were heard and considered. School officials focused on their need to hear and understand parents' concerns and for the parents to hear and understand (or at least

accept) the norms that the school officials apply. Parents and school officials appreciated the opportunity to speak and be heard in a setting described as evenhanded and dignified (2004).

Congress took pains in the procedural safeguards of the IDEA to make parents meaningful participants in the decision making regarding their children's education (Welsh, 2004). As addressed in *Rowley*, school officials' ultimate responsibility is to provide a "meaningful educational benefit" to children served under the IDEA. School officials are not required to maximize the potential of children with disabilities (458 U.S. at 181). Principals' knowledge about the law and special education require each to be fully aware of administrator and teacher responsibilities under IDEA and NCLB (Yell et al., 2006). The lack of understanding and involvement of a principal can result in legal entanglements otherwise avoided had the principal remain knowledgeable and follow proper procedures (Anderson & Decker, 1993).

The Delphi Technique

The challenge to decrease the number of disputes in special education cases begins with the school principal (Bays & Crocket, 2007). The Delphi technique was originally developed by Dalkey and Helmer (1968) at the Rand Corporation in the 1950s. The technique provides opportunity for a panel of experts and practitioners to examine principals' special education leadership skills and delve into what types of actions and behaviors support mutual decision making. Delphi studies contribute to both theory and practice by providing lists of critical components, generated by experts, for use in specific situations (Okoli & Pawlowski, 2004). The process allows the blending of opinions and ideas (Keeney, Hasson & McKenna, 2000) from experts and practitioners with knowledgeable of a topic. State and local education agencies and school principals have attempted to decrease the number of disputes through a variety of

methods, over many years of federal regulations (Bays & Crocket, 2007), yet the problem still exists without definitive answers as to best practices that ensure mutual decision making. The Delphi technique provided an opportunity for accurate assessments of best practices of principals in Virginia that are supported by research and practical judgments of those closely involved with the decisions being made (Rowe & Wright, 1999).

Turoff and Hiltz (1996) described the design of the Delphi technique as a group communication process conducting detailed examinations and discussions of a specific issue for the purpose of predicting the occurrence of future events. The Delphi technique attempts to address what could or should be (Miller, 2006). Delphi studies can contribute directly to both theory and practice as “practitioners will immediately have available to them lists of prioritized critical factors, generated by experts, which they could apply to their individual situations” (Okoli & Pawlowski, 2004, p. 27).

Additionally, Turnoff and Hiltz (1996) indicate the most important criterion in the design of a Delphi study is allowing each individual to choose the sequence in which to examine and contribute to the problem solving process. Additionally important, this process allows individuals with the appropriate knowledge in a content area to have differing perspectives and differing cognitive abilities but still contribute to parts of a complex problem. Adler and Ziglio (1996) describe the Delphi technique as a communication process that is structured to produce a detailed examination of a topic/problem that includes discussion within the participating group without forcing a quick compromise. Structuring group communication produces a group perspective not otherwise obtainable (Turoff & Hiltz, 1996). Mitroff and Turoff (1975) explain that an empirical generalization or communication is judged objectively, true or false, if there is sufficient widespread agreement about it by a group of experts.

Key characteristics of the Delphi technique, which include anonymity, use of experts, and controlled feedback, are seen as advantages by researchers (Keeney, Hasson, & McKenna, 2011). Anonymity provides an equal chance for each panel member to present and react to ideas unbiased by other participants and facilitates openness and truthfulness (Goodman, 1987).

Helmer (1967) recognizes the validity and reliability of the Delphi technique as an agreeable method for data collection from a group and is reliable when used for gathering consensus from a group of experts (Helmer, 1986). Reliability refers to the stability and equivalence of research conditions and procedures. According to Keeney et al. (2011), the Delphi technique assumes reliability as it avoids group bias and is delivered to each panelist with identical direction and information. The reliability of the respondent group increases as the size of the panel increases. Validity of the Delphi technique can be measured by content and criterion-related validity. An underlying assumption of content validity is that panelists are representative of the expert group and knowledge area under study. How the opinions are demonstrably related to real world experiences or through comparison to another procedure support criterion-related validity (Keeney et al., 2011).

There are challenges to the validity of the Delphi technique, such as the dangers and pressures associated with a convergence of predictions (Hill & Fowles, 1975). The selection and use of participants who are considered experts or very knowledgeable in the area studied increases the content validity of the Delphi Technique (Goodman, 1987). The use of successive rounds of questionnaires helps to increase the validity (Hassan et al., 2000). Three rounds is the most commonly accepted number and has “proved sufficient to attain stability in the responses; further rounds tended to show very little change and excessive repetition was unacceptable to participants” (Linstone & Turoff, 1975, p.223).

Conclusion

A litigious environment grew out of the procedural safeguards within the EAHCA, and IDEA did little to improve the relationship between schools and parents (Weber, 2006). As reauthorized and refined within the current IDEA 2004, mediation processes became available to both parents and schools for resolving disputes arising either prior to or concurrent with a due process request and are not limited to disputes involving the IEP (Chapman, 2005). Government must provide notice, an opportunity to be heard, or others measures to insure fairness and accuracy in making individual determinations that will result in the loss of a person's life, liberty, or property (Weber et al., 2010). The elaborate notice and hearing provisions imposed on the District of Columbia in *Mills v. Board of Education* (1972) were adopted, revised, and amended throughout the IDEA to ensure parents' rights and responsibilities in the education of their child with a disability.

While the basics of the Individuals With Disabilities Act have not changed, each reenactment refined or reflected: (a) the growing sophistication in identifying and assessing students with disabilities; (b) the accountability and measurement of educational benefits, service provisions, discipline management protocols, students' rights, teacher qualifications, and parent participation within the IEP process; and (c) the due process and conflict resolution procedures available to both parents and schools (Blau, 2007). In the context of special education disputes, IDEA provides "due process hearing" procedures that are sufficient and perhaps necessary to satisfy the requirements of the Fourteenth Amendment due process clause (Weber et al., 2010).

Rowley furthered access to specialized instruction and related services by specifying they needed to be individually designed to provide education benefit. Case law indicates parents and advocacy groups challenge school officials over the appropriateness of special education services

and the number of special education cases in litigation are on the rise (Power, 2012). As Justice Kennedy noted in the ruling in *Winkelman v. Parma City* (2007), “The IDEA takes pain to ensure that the rights of children with disabilities and parents of such children are protected” (p. 2006). School districts must take their obligations to parents very seriously and must make positive and proactive efforts to include parents in decision making. (Yell et al., 2009).

Federal regulations are comprehensive on the responsibility of school principals to provide children with their education in the least restrictive environment. Responsibilities for assuring implementation this IDEA regulation are clear. Ignorance or lack of knowledge of the law is not an acceptable defense in a court of law as educational leadership is a key variable associated with effective schools (Cooner et al., 2005). As stakes continue to get higher, principals’ procedural understanding becomes more important (Zaretsky et al., 2008).

For the past 38 years, special education services evolved from guaranteeing access to a public education, to ensuring students receive a free appropriate public education in the least restrictive environment with access to general education curriculum. With the 2001 passage of the No Child Left Behind Act and the 2004 amendments to IDEA, student achievement moved to the forefront for all children in schools, including those with disabilities (Frost & Kersten, 2011). As school districts set expectations for instructional leadership (Frost & Kersten, 2011), accountability for student achievement impacts principal evaluations and expectations (VDOE, 2013).

Need for Further Research

The literature supplies ample evidence that special education litigation is a pervasive and growing problem and that certain kinds of conditions provide fertile ground for disagreements between school systems and parents that result in disputes. However, the literature provides little

guidance on what educators and administrators can do to minimize the occurrence of disputes. Finding ways to prevent disagreements from becoming lawsuits demand our immediate attention (Shuran & Roblyer, 2012). Future research to support the supposition that the instructional leader is well informed about special education policy, and intentionally distributes this knowledge among assistant principals, teachers, and special education administrators, has the potential to ensure that high-quality educational programs really are accessible to all students (Bays & Crockett, 2007). Most articles about educational leadership and student achievement end the same way: leadership affects student outcomes (Coelli & Green, 2012). Generally, principals report that the education of all students is ultimately their responsibility as is learning about special education through personal and professional experiences (Wakeman et al., 2006). The need exists to develop a set of best practices to support principals as they engage in special education decision making that positively impacts the students in their care and their parents.

CHAPTER 3 METHODOLOGY

This chapter describes the structure of the study, the rationale for the research, and a review of the research questions. Additional information includes the reason for choosing this research method and details regarding the proposed research study. The researcher's passion to ensure a free, appropriate, public education for all children directed this research. The topic evolved through a review of the literature, discussions with people knowledgeable in the field of special education, legal counsel, parents, and colleagues, as well as my personal experiences. The Delphi technique was used to gain group consensus among practitioners, experts, and stakeholders regarding ways to support Virginia principals as they strive to minimize disputes in special education.

Purpose of the Study

The purpose of this study is to identify effective actions and behaviors that support the leadership in special education decision making of principals in the Commonwealth of Virginia. The literature and research provide common understanding and skill sets for instructional leadership in special education, necessary legal and case law knowledge, professional development needs, and principal training programs. Current research lacks direction for educational leaders charged with special education decision making. This study simultaneously surveyed educational leaders in charge of special education and stakeholders who are parents of children with disabilities or those who support children with disabilities for a fee. The opportunity to determine a set of best practices, among two groups faced with decision making, may result in principals experiencing fewer disputes when making special education decisions.

Research Questions

To identify opinions, actions, and behaviors that contribute to principal's abilities to conduct special education meetings that result in resolution, this study addresses the question: *What can be done to minimize special education disputes between parents and schools, and ensure mutually agreed upon decision can be reached?* The secondary question is: *What should principals know and be able to do with this knowledge to minimize special education disputes?"*

Answers from primary and secondary questions provided ideas, grouped by themes, for consideration. Blending research-based solutions from experts in the field of special education, practitioners' validation of skills and actions, and the familial expectations from parents of children with disabilities provided critical input to guide principals' leadership practices in special education decision making. Consensus was sought among panels, for best practices of principal leadership in special education decision making.

Study Design and Rationale

This quantitative study used the Delphi technique, originally developed by Dalkey and Helmer (1968) at the Rand Corporation in the 1950s. Conceived as a way to obtain the opinion of experts without necessarily bringing them together face to face (Nworie, 2011), the Delphi technique is well suited as a method for consensus building. The Delphi technique uses a series of questionnaires delivered using multiple iterations to collect data from a panel of selected subjects (Hsu & Sanford, 2007). The Delphi technique structures group communication processes to allow the group, as a whole, to deal effectively with a complex problem (Hsu & Sanford, 2007).

The challenge to decrease the number of disputes in special education cases begins with the school principal (Bays & Crocket, 2007). The Delphi technique provides opportunity for a

panel of experts and practitioners to delve into the skill set needed by principals in charge of special education. Delphi studies contribute to both theory and practice by providing lists of critical components, generated by experts, for use in specific situations (Okoli & Pawlowski, 2004). The process allows the blending of opinions and ideas (Keeney et al., 2000) from experts and practitioners with knowledge of a topic. State and local education agencies and school principals have attempted to decrease the number of disputes through a variety of methods over many years of federal regulations (Bays & Crocket, 2007), yet the problem still exists without definitive answers on how to reach mutually agreed upon decisions. The Delphi technique provided an opportunity for accurate assessments of best practices of principals in Virginia that are supported by research and the practical judgments of those closely involved with the decisions being made (Rowe & Wright, 1999).

Role of the Researcher

Currently an elementary school principal, I am employed by Prince William County Public Schools, the second largest school division in Virginia and the 39th largest school division in the country. For the past 33 years, I served families of children with disabilities. I previously worked as a group home manager for children with intellectual delays and autism in Roanoke, Virginia, then taught preschoolers with disabilities in the public school classroom and in their homes. I have been a school social worker and an assistant principal. I serve on the Board of Directors of Didlake, Inc., an Ability One contractor that creates and manages employment opportunities across Virginia, Maryland, and the District of Columbia. Didlake, Inc. provides jobs for approximately 2,000 people with disabilities and manages individual service plans for each worker and his/her family/caregivers.

My commitment to the learning and success of people with disabilities and their families is the foundation of my practice. Although I have represented public school children in a variety of jobs, I am most comfortable working with families. Mothers and grandmothers of preschool children with special needs allowed me into their homes each week. Often during visits, I listened to parental needs and personal concerns instead of working directly with their children. Serving as a school social worker, I armed myself with tools needed to ensure that families and the school district worked together to enable student growth and, ultimately, the employability of each individual with a disability.

Fourteen years as a principal provided me a more thorough understanding of the special education process, the ability to match specific and rigorous academics with individual and familial needs and desires that may or may not align with educational standards. Using professional literature, research, and practical experiences, I developed a set of personal best practices and learned long ago of the need to tweak these practices to meet individual and situational needs of families, teachers, and school divisions. No two situations have been the same, but each depended on my understanding and respect of the individual needs of the student. Always taking into consideration procedural due process and parents' abilities to make decisions based on what they feel their child needs, I have made decisions that were mutually agreeable as well as decisions that eventually ended up in court.

Setting

Participant selection focused on individuals, organizations, and agencies in Virginia and the metropolitan Washington, D.C. area. Panelists were selected for their knowledge of special education practices across the Commonwealth of Virginia.

The Delphi Panels

Two concurrent Delphi studies were conducted to provide an opportunity for separate homogenous groups to gain consensus of their common perspectives of principals' actions and behaviors in special education decision making. One panel, representing individuals with familial ties to children with disabilities included advocates, legal counsel, parents, and private practitioners. The second panel, representing those with responsibilities for compliance to special education law, included lawyers representing school districts as well as local and state level special education administrators. "Participants are not selected randomly, so representativeness is not assured. Rather, they are selected for a purpose, i.e., to apply their knowledge to a certain problem..." (Hasson et al., 2000, p. 1010). Linstone & Turoff (1975) maintain that the number of panelists for a standard Delphi study range from 10 to 15 people depending on the nature and specifics of the topic, with varying opinions regarding the appropriate size (Nworie, 2011). Selecting a variety of experts needed to ensure all relevant perspectives were included is as crucial as the number of participants chosen (Turnoff, 2006). Researchers debate the definition of experts and how to identify them (Hasson et al., 2000; Keeney et al., 2006). Essentially, panelists should be experienced and knowledgeable professionals who can provide informed feedback regarding the specific area of study (Nworie, 2011). Using guidelines in the literature (Keeney et al., 2010; Zigler, 1996) and based on the aim of the study, two panels with 16 members each and grouped homogeneously were identified. As indicated by Kenney, Hasson, and McKenna (2011), potential for insightful data collection was high as panel members were sought from parties representing Local Education Agencies and families in making special education decisions.

For selection of individual panel members, snowball sampling or chain sampling (Nworie, 2011, Patton, 2002), was utilized to identify representatives from relevant associations dealing in special education decision making. I contacted research institutions, law offices representing local school districts and parents involved in special education litigation in the Commonwealth of Virginia. Additionally, the VDOE Office of Dispute Resolution and Administrative Services was contacted for recommendations of VDOE members and affiliates, consultants working in the field of public school special education, and advocates representing families of children receiving special education. Virginia school districts were also asked for recommendations of principals and parents of children with disabilities for participation in the study.

Scheele (1975) believes that three types of panelists are necessary for the Delphi technique: stakeholders, people who are experts and/or have related experience in the area of study, and a facilitator. For the purposes of this study, the following distinctions were made:

- *experts* were described as those with responsibility to special education compliance including hearing officers, legal counselors representing school divisions, local and state level special education administrators, and researchers in the field of special education administration.
- *stakeholders* were described as those with familial responsibilities to children with disabilities including advocates, college professors, legal counselors, parents of children with disabilities, private practitioners, and special educators.

Panel Selection

Authors of research reviewed in Chapter 2, as well as professors in universities with graduate programs in special education leadership, were contact and invited to participate. Lawyers who represented school boards and families as well as advocates supporting families during the dispute process were also contacted. Additionally, the *Referral Directory for the*

Council of Parents, Advocates and Attorneys (COPAA, 2013) was used to gather additional names of potential panel members. Professions associated with the Virginia Council of Administrators for Special Education and members of the Virginia Special Education Advisory Committee were also contacted. Members were asked to participate and asked to recommend a potential stakeholder. Virginia Public School Administrators representing four regions of the Commonwealth of Virginia were contacted for potential membership and asked to recommend other stakeholders. Once a pool of panelists was developed, selection was made to include appropriate representation of race, ethnicity, and geographic location. Panelists with experience with students identified with a variety of disabilities were also considered. The sample size of approximately 15 per panel reasonably captured a wide scope of views (Keeney et al., 2006; Hasson et al., 2000), generated ideas, and allowed panelists freedom in their responses (Hasson et al., 2000, Okoli & Pawlowski, 2004).

Stakeholder Panel

A total of 16 persons participated on the stakeholder panel. Stakeholders were identified because they had a familial responsibility to a child with a disability or a professional responsibility through an exchange of fees to that family. Stakeholders represented each geographic region of the Commonwealth of Virginia and included three parents of children with disabilities, three advocates, three child services representatives, and three university faculty in special education, child services, and education and counseling. Two private practitioners and two special educators were also on this panel.

Expert Panel

A total of 16 persons participated on the expert panel. Experts were described as professionals with a direct responsibility to the system or a program that supports or provides

special education services. Experts included: an educational law attorney and a Virginia Supreme Court hearing officer; a national certified and licensed school psychologist; three faculty in special education leadership, human services, school psychology, and early childhood studies; and one association director. One superintendent, two associate superintendents, three principals, and three central office supervisors from across the Commonwealth were also members of the expert panel.

Issues of Entry and Ethics

True anonymity in a Delphi study only occurs when no one in the process, including the researcher, can connect a response to a participant (Polit & Hunger, 1995). Only the researcher had access to answers throughout the Delphi rounds and, since participants did not identify themselves on any round of the research, no specific data could be attributed to any individual.

Participation in this study was voluntary; participants were contacted via telephone, U. S. mail, and/or e-mail and provided a brief description of the study. Follow-up conversations between the researcher and panel members were held as requested by the panelists. Participants gave the researcher permission to publish their names and a brief description of their work as part of the finished study.

Research was conducted in accordance with the human subjects protocol approved by the Virginia Tech Institutional Review Board (IRB) (see Appendix A). Participation was voluntary and panelists were informed of their right to terminate involvement at any time. Before individuals were asked to commit to the study, the researcher received assurance that they fully understood the goals of the research, the Delphi process, their participation in the research, and how the information deduced from the study would be used (Hasson et al., 2000).

Consensus

As indicated earlier, this study aimed to reach consensus among panel participants regarding what can be done to minimize special education disputes between parents and schools. Therefore, deliberate consideration was given to the acceptable level of consensus for each panel as recommended by Keeney, Hassan, & McKenna (2004). Researchers have argued that consensus occurs anywhere from at least 51% agreement (Loughlin & Moore, 1979) up to and including 100% agreement for crucial or very important topics (Keeney et al., 2006). Most researchers state that consensus is reached when most of the respondents agree (Butterworth & Bishop, 1995). Originally, consensus in Round One was defined as a minimum of 60% before items were moved to Round two and 80% for items to move to Round Three.

Procedures

The Delphi approach sets the foundation for decision making of an idea-generated strategy to uncover the issues pertaining to the topic under study (Keeney et al., 2011). Brooks (1979) identified the following steps in using the Delphi technique:

- Identify a panel of experts
- Determine willingness of individuals to participate.
- Gather individual input on the issue being studied.
- Analyze initial data from the panel.
- Compile information and develop a new questionnaire for a second round of input.
- Analyze a second round input and return to panel members.
- Request that all panel members evaluate their responses relative to responses from the group.
- Analyze input and conduct a third and final round of questions (Brooks, p.379).

This format was followed throughout the collection of data.

The e-Delphi utilizes the internet for communications and data collection (Cole et al., 2013; Gill, Leslie, Grech, & Latour, 2013). This study included two panels participating in concurrent three-round Delphi studies via email. The purpose was to gain consensus on best practices for building principals as they engage families in the special education process and decision-making. Two panels were convened based on members' affiliations with special education decision making. One panel was labeled *Experts* and the other *Stakeholders*. A final round of the study occurred where the top scoring items from each panel were exchanged. The panel of experts rated the effectiveness of stakeholders' ideas for principals' actions and behaviors, and stakeholders rated the experts' ideas.

The Virginia Tech IRB approved each round of surveys prior to distribution (Appendix A). Each round of questions was reviewed (Gill et al., 2013) to ensure that the instrument was technically unchallenging, clear and concise, and contained unambiguous instructions for the panelists (Cole et al., 2013). At least one attorney, a member of a local Office of Special Education, parent of a child with disabilities, and a school administrator participated in each review.

Communication with panelists took place via e-mail. The researcher administered the questionnaires using the *survey.VT.edu* survey platform. Electronic communications is considered convenient, timely, and secure (Cole et al., 2013). It has been suggested that attrition may decrease using the Internet by shortening the potentially lengthy, and perhaps frustrating, timeframe in between rounds (Donohoe and Needham 2009). The e-Delphi also allows accessibility to a geographically diverse panel.

The first three Delphi rounds were scheduled approximately four weeks apart which allowed time for the researcher to analyze the data collected in each round without having undue length of time between rounds. Table 2 displays the overall timeline for the study.

Table 2

Timeline for Study Completion

Date	Time
October 2013	Identify professional contacts
October 2013 to February 2014	Attain IRB approval for each round Invite and confirm expert panel Create VT survey site Develop and review Delphi Round instruments
November 2013	Send, return, and analyze Delphi Round 1 instrument
December 2013	Send, return, and analyze Delphi Round 2 instrument
January 2014	Send, return, and analyze Delphi Round 3 instrument
February 2014	Send, return, and analyze Final Round instrument

Correspondence was completed via e-mail, and a second invitation to participate was sent to all participants after two weeks. (Appendix B). Both panels received a hyper-link which connected participants directly to *Survey.VT.edu*, Virginia Tech's secure survey site. As the survey was anonymous, no participation/completion list was available.

Delphi Round One

To begin the first round of the Delphi studies, both panels answered identical open-ended questions. A cover letter and information packet, with specific instructions, accompanied the research questions (Appendix C). The packet included the intent of the questions and expectations that panelists respond freely about their beliefs concerning the leadership of principals in special education decision making. Panelists were directed to treat the first round as a brainstorming session and not a list of priorities (Cole et al., 2013).

Responses from the expert and stakeholder groups remained independent throughout the analysis of round one. Data from questions one and two were treated separately and entered in a spreadsheet format, stored on a secure site, and analyzed using content analysis (Bernard & Ryan, 2010). Items were first clustered by like traits. Emerging themes were identified and then similar items were grouped by themes (Bernard & Ryan, 2010). Items were edited into a manageable summary of items while maintaining the meaning of the statements (Yousuf, 2007; Bernard & Ryan, 2010). The frequency of responses was documented for each idea by themes without regards to question number (Hasson & Kenney, 2011; Okoli & Pawlowski, 2004). Similar ideas were offered as suggestions of ideas for both questions. The list of statements was consolidated by combining themes from research both questions. Statements generated from each panel were incorporated into questionnaires for Delphi round two.

Delphi Round Two

The purpose of the second round of the Delphi was to analyze and identify the convergence and change of panelists' judgment (Keeney et al., 2011). Data analyzed in round one were used to construct the specifics of the questionnaire. Answers given to the two open ended questions in round one were deconstructed by concept and returned to all panel members for them to rate the effectiveness of ideas. A Likert scale was used for the rating and included four options: *minimally* effective, *somewhat* effective, *usually* effective, and *almost always* effective. Panelists were invited to resubmit an idea not included in the analysis and presentation of items in round two and to clarify any responses they felt were misinterpreted (Keeney et al., 2011).

All correspondence was completed via e-mail. Participants received greetings and specific directions for each panel via a hyper-link *to survey.VT.edu*. As the survey was

anonymous, no participation/completion list was available to track panel members who responded. A second invitation to complete surveys was e-mailed to all participants two weeks after the initial email. This e-mail also contained the hyperlink for each panel (see Appendix B). Panel members did not need to participate in round one to complete round two.

Responses from the expert and stakeholder panels remained independent throughout the analysis of round two. The original criterion for agreement of at least 60% (Keeney et al., 2011; Okoli & Pawlowski, 2004) was tightened as most items met the original criterion. For an item to move to round three, at least 50% of respondents rated the item *almost always* effective; 77% or more rated an item *almost always* or *usually* effective, and no more than two respondents rated the item *somewhat* or *minimally* effective.

Delphi Round Three

Each panel member re-rated the statements meeting criteria (Pfeiffer, 1968). With effectiveness ratings indicated from the second round, panelists were given the opportunity to re-evaluate their answers as compared to the thinking of the group (Dalkey, 1967). Once again in round three, participants received greetings and specific directions for each panel with a hyperlink to their panel information. Panel members were not required to contribute to round one or two to participate in Delphi round three. For round three and the final round, forced choices were altered; *sometimes* effective replaced *somewhat* effective so as to align with choices defined by levels of frequency (see Appendices G and I).

Data were individually analyzed by panel, using adjusted criteria. Originally, items were slated to move to the final round of the study if rated *almost always* and *usually* effective by 80% of the participants. The expert panel rated 21 out of 25 statements as *almost always* or *usually* effective at 100% agreement. For the expert panel, analysis revealed 11 items rated almost

always effective by 88%-100% of the panel. Stakeholder panelists rated 17 out of 27 statements as *almost always* or *usually* effective at 100% agreement. Analysis revealed 10 items rated almost always effective at least 73% of the stakeholder panel on Delphi round three. The 10 highest scoring items from each panel were forwarded to the final round. Eleven items were exchanged with stakeholders due to a 10th place tie on the expert panel's round three questionnaires.

Final Round

The final round differed from the first three rounds in that it was used to evaluate the thinking of each panel as compared to the thinking of the other panel. Experts and stakeholders exchanged lists of the top identified effective practices. The final round provided principals an understanding of best practices determined by parties with similar mind sets to themselves and as compared to the thinking of those personally affected by a principal's decisions about the education of a child with a disability.

The list of principals' actions and behaviors rated *almost always* effective by the expert and stakeholder panels demonstrated meaningful application of essential knowledge and skills as determined by a heterogeneous group of people who are impacted by principals' leadership in special education decision making (Mueller, 2004). A subset of these data represent the set of best practices that define principals' actions and behaviors and arm them with tools to minimize special education disputes.

Summary

This chapter delineated the study methodology and procedures as well as the participants included in the two Delphi panels. Chapter 4 presents the findings followed by Chapter 5 which includes a discussion of the findings and recommendations for further research.

CHAPTER 4 ANALYSIS OF DATA

The findings delineated in this chapter are organized according to the three rounds of the Delphi process, ending with a final round to extract best practices suggestions. To identify what Virginia principals should know and be able to do to minimize special education disputes between parents and schools, 32 participants shared ideas and then rated the effectiveness of each theme. The suggestions focused on actions and behaviors that encourage mutually agreed upon decision making.

Two concurrent Delphi studies were conducted with homogenously grouped panels. Two panels of 16 members each responded to four survey rounds. The members first developed a list of actions and behaviors and then rated the effectiveness of themes that emerged from the first round. The two panels' data were analyzed independent of each other in Delphi rounds one, two, and three. A final round was conducted in which ideas generated by each panel were exchanged with members of the other panel. A list of best practices was determined from items rated *almost always* effective by the combined panels.

The expert panel of 16 professions included special education directors in Virginia public schools, hearing officers, principals, special education lawyers serving school districts, state level compliance consultants, superintendents, and university professors/researchers instructing special education leadership programs. The 16-member stakeholder panel included advocates, parents of children with disabilities, practitioners serving children with disabilities, special education lawyers representing families of children with disabilities. Also participating

were a special education teacher, and university professor who supervises students seeking masters-level degrees in special education. Respondents completing the questionnaire remained anonymous. Data sets for each round were recorded based on the sequence of completion for that particular survey. Panel members did not need to complete a prior round to be eligible for participation in the later rounds.

Delphi Round One

The round one questionnaire (see Appendix D) invited each expert and stakeholder panel member to brainstorm ideas to the following research questions:

- What can be done to minimize special education disputes between parents and schools and ensure mutually agreed decision making? and
- What should principals know and be able to do to minimize special education disputes?

Participants included 14 experts and 13 stakeholders. Respondents were instructed to brainstorm ideas for each question. Individual participants contributed between one and 21 ideas for each question in round one. Panelists placed similar ideas under research questions one and two. No distinction was made between the lists of ideas offered to support parents and/or principals mutually agree and minimize special education conflicts. Statements were clustered by like ideas, and then labeled based on content of ideas (Byrnes & Baxter, 2006). The labels became themes show in tables 5 through 12. Data analysis remained separate during the third round.

Expert Panel

Each expert panel member commented on the topic of fulfilling procedural obligations in the IEP process. Together they provided a total of 53 ideas and each added various ways to communicate in special education meetings including active listening, understanding, and respect

for each committee member. Each expert panel member provided two or more ideas on IEP compliance and monitoring and offered suggestions for principals' training regarding special education law, and recognized the need to limit educational jargon.

Ideas suggesting facilitation of group decision-making, negotiations, and conflict resolutions were presented by 13 experts. Twelve experts also recommended that principals review annual goals and other components of the IEP before meeting with parents. Twelve panelists also urged principals to attend IEP meetings and monitor IEP goals.

Experts provided 30 suggestions that demonstrate concern for the child and family as well as familial need for validation of concerns and desires. Experts recommended 22 ideas pertaining to instructional leadership, recognizing principal's knowledge of staff abilities, the need to support students by understanding disabilities, and promoting a culture of inclusion in all aspects of the school setting. Seventeen comments acknowledged high standards of student achievement; 14 suggestions described individual student progress monitoring. Building relationships with families of children with disabilities encompassed 10 different ideas. Seven comments centered on inclusive practices in school, and the need for schools to include children in all aspects of school programs.

Table 3

Results of Round One: Expert Panel Responses (n=14)

No. of Respondents	Themes
14	<ul style="list-style-type: none"> • Attend conferences / workshops regarding special education law. • Review and be knowledgeable regarding procedural safeguards for parents including consent, prior written notice, independent education evaluations, FAPE, behavioral interventions, and discipline.
13	<ul style="list-style-type: none"> • Use skills in facilitating group decision-making, negotiation, and conflict resolution.
12	<ul style="list-style-type: none"> • Review annual goals and objectives, present level of performance, academic, behavior, functional goals, medical information; all state testing accommodations.
10	<ul style="list-style-type: none"> • Respect each other during the meeting.
9	<ul style="list-style-type: none"> • Understand conflict, conflict indicators, and how to manage conflict. • Use student progress data to support decision making. • Share information with parents in a timely manner. • Promote effective, respectful communication practices between staff and parents.
8	<ul style="list-style-type: none"> • Build an alliance with shared goals. Build on small agreements as necessary. • Elicit a clear understanding of parent concerns. • Assist the parent in understanding how their concerns can or cannot be addressed in accordance with the law and regulations. • Ensure the IEP is implemented correctly. • Help families understand the paperwork.
7	<ul style="list-style-type: none"> • Allow parents the opportunity to have their concerns and information heard / considered. • Ensure team uses effective listening, positive behavior body language. • Provide specific statements about the progress of the student.
5	<ul style="list-style-type: none"> • Hold staff accountable to collect, maintain student progress data. • Speak with authority and speak from the heart.
4	<ul style="list-style-type: none"> • Communication with parents when their child is doing well. • Inquire as to what resolution the parent seeks. • Provide leadership for strong instructional practices of special and general educators. • Know strengths and weaknesses of staff. • Ensure teachers match instruction to student's individual learning characteristics. • Take immediate action if school is not meeting obligations • Assure that everyone has a voice and is heard. • Do not use educational jargon. • Articulate an understanding of the parent's perspective and specific issues

No. of Respondents	Themes
3	<ul style="list-style-type: none"> • Include parents of children with disabilities on school advisory / leadership teams. • Allow parents to vent before responding. • Learn how to say “no” professionally ad positively. • Promote a culture of inclusion and differentiated instructional practices in the school. • Provide educators adequate time to complete paperwork and provide coverage for classes during meetings. • Call IEP meeting when the student does not make adequate progress. • Empower staff to be confident. • Agree to disagree, when needed. • Explain reasons for refusing a parent’s request. • Explain each step for the IEP team. • Address issues not emotions.
2	<ul style="list-style-type: none"> • Meet face to face to resolve disputes. • Include students with disabilities in all aspects of school programs (activities, assessments, individual opportunities). • Know (figure out) what students with disabilities need to progress in the acquisition of literacy or emotional/behavioral skills deficits. • Ensure the teacher provides regular feedback to the parent (75% positive). • Invite school team members to meet prior to a complicated or contentious IEP meeting to organize information for discussion and presentation at the IEP meeting. • Review meeting agenda and the role that each team member has in the meeting. • Negotiate minor issues. • Pick your battles. • Deal with solutions to identified issues and be prepared to offer alternatives. • Maintain sufficient emotional distance to listen to parent concerns.
1	<ul style="list-style-type: none"> • Know when to ask for help from the central office. • Teach staff how to have difficult conversations with parents. • Don’t take parent’s dissatisfaction personally. • Never permit a parent to become abusive to staff. • Do not allow one disagreement to hold up a meeting, sum up the point, acknowledge the disagreement, and move on.

Stakeholder Panel

Each stakeholder addressed IDEA compliance while 12 to 13 recognized adequate staff training and the use of problem solving techniques to support mutually agreed upon decision making. Forty comments by stakeholders centered on the partnership/relationship with the principal and school staff, with stakeholders asking for the opportunity to be a part of decision making in a collaborative atmosphere. Suggestions asked principals to be aware of the student

and his/her disabilities before coming to a meeting, to be familiar with the child's academic file, and to observe the child. They offered 43 recommendations for various ways to communicate in special education meetings including active listening, understanding and respect for each committee member, and demonstrating concern for the child and the child's the family.

Stakeholders reported principal leadership should include building school culture, encouraging strong collaboration between special and general educators, and knowing the staff's capabilities and limitations as well as their strengths and weaknesses. Two stakeholders requested the IEP team bring in outside help, as needed, and two others encouraged principals to understand the socio-cultural underpinnings of raising children with disabilities and that parents may feel vulnerable and overwhelmed and. Table 4 displays items by number of stakeholder responses during round one.

Table 4

Results of Round One: Stakeholder Panel Responses (n=13)

No. of Respondents	Themes
13	<ul style="list-style-type: none"> • Ensure compliance of the IEP / accommodations. • Ensure IEP is delivered appropriately. • Read the student file before meeting with a family.
12	<ul style="list-style-type: none"> • Ensure adequate training for school staff.
11	<ul style="list-style-type: none"> • Monitor academic and behavioral interventions. • Keep up to date on all special education laws. Policies, district mandates. • Ensure parents' understanding of information shared. • Monitor, ensure LRE.
10	<ul style="list-style-type: none"> • Survey IEP team, in advance, regarding student's strengths and capabilities, primary concerns to be addressed, and factors to be considered (assistive technology, behavior, transitions). • Provide an opportunity for parents to provide feedback / suggestions on what services / accommodations they believe would benefit their child.
9	<ul style="list-style-type: none"> • Invite all families to connect and have a relationship with the principal and teachers.
8	<ul style="list-style-type: none"> • Engage in active listening with all parents. • Collaborate with school staff, community agencies, and parents, t develop appropriate academic and social / emotional goals for students. • Encourage a strong special education / general education collaboration including co-

No. of Respondents	Themes
7	<p>planning, co-teaching, and co-assessing.</p> <ul style="list-style-type: none"> • Share positive aspects of the child’s learning. • Know staff’s capabilities and limitations; strengths and weaknesses.
6	<ul style="list-style-type: none"> • Treat parents as equal members of the IEP team. • Provide positive information regarding the child (teacher, principal, staff). • Limit, then explain special education jargon. • Understand behavior needs and how these impact discipline needs.
5	<ul style="list-style-type: none"> • Provide a strong community-building agenda. • Discuss current status before the eligibility /IEP meeting and share with parents what is being proposed and why it is being proposed. • Review outcomes for the coming year (academics, behaviors, self-direction, relationships, citizenship). • Know the student’s unique needs / strengths. • Support decisions made by IEP teams. • Problem solve when students who are not making adequate progress, and call for an IEP meeting.
4	<ul style="list-style-type: none"> • Partner with parents. • Establish rapport with the family in whatever mode works best with that family. • Communicate openly before the IEP is written. • Send home and IEP draft for parent’s input. • Inform parents of their rights so their rights are understood. • Observe the child.
3	<ul style="list-style-type: none"> • Discuss available resources with parents. • Allow families to feel a part of the school community. • Prepare for known / potential problems; make sure appropriate staff think about possible solutions. • Respect that information shared in reported findings may be difficult to hear • Engage families in discussion – do not “give” objective test scores and lists of academic challenges. • Respect parents as “experts” about their child. • Never argue with parents. • Remain child centered.
2	<ul style="list-style-type: none"> • Convey a professional school team. • Ensure everyone belongs, everyone had value, everyone can contribute. • Understand the socio-cultural underpinnings of how disability is constructed and maintained. • Respect that parents may feel vulnerable and overwhelmed by the fact that their child is not “typically developing”. • Ask parents for their vision of an appropriate program for their child and meets the parents’ expectations. • Develop IEP goals that are aligned with school system benchmarks and curriculum

No. of Respondents	Themes
1	<p>expectations.</p> <ul style="list-style-type: none"> • Bring in outside help / consultation as needed. • Paraphrase and restate what is being heard so that parents are validated. • Ask parents what are their hopes and expectations for their child. • Understand that special education is a tool to ensure that the child is supported with general education curriculum or with aligned curriculum. • Understand all disabilities. • Know resources available within the district. <hr/> <ul style="list-style-type: none"> • Approach parents from their own cultural perspective on disability, school involvement, child rearing principles. • Demonstrate that each student is viewed as a “whole” person. • Never allow a family to feel like their child is a bother, a danger, or one who has no value. • Understand struggles of the family and child. • Recognize the importance of each child’s quality of life. • Attend training and demonstrate “sensitivity” and “awareness”. • Understand parents may be scared / fearful of their child’s special education label. • Prepare options that can be granted, compromised, that are non-negotiable, and that are not an option. • Assume parents are doing the best they can. • Listen to parents, views, even if their recommendations are not accepted. • Share the impact of a child taking VAAPs over SOLs. • Help parents understand that special education students are handicapped. • Follow-up with parents a few days after the meeting to address any additional questions and /or concerns.

Delphi Round Two

Instruments used in Delphi Round Two were developed using themes and collapsed statements assembled from suggestions offered on how to minimize conflicts and allow parents and the school to mutually agree (see Appendix E). Ideas generated in both questions overlapped, thus Delphi round two questionnaires were clustered by like themes, not question number. Respondents rated actions and behaviors from suggestions their panel brainstormed in Round one. Expert and stakeholder panels followed identical directions for round two.

Expert Panel

The Expert Round Two questionnaire included 54 statements; 13 panelists participated. Experts responded to the list of actions and behaviors they generated in round one. Twenty-four strategies were rated *almost always* or *usually* effective by 100% of the respondents, and 34 statements were rated *almost always* effective by at least 50% of the panel (see Appendix E).

All but one respondent acknowledged that principals' understanding of a child's disability and individual needs is *almost always* effective to ensure mutual decision making. A majority of experts (77–85%) acknowledged the effectiveness of strong instructional practices in special and general education including holding staff accountable by collecting and maintaining student progress data, and taking immediate action if the school is not meeting its obligations. Additionally, 69–77% supported actions associated with respectful meeting conduct as *almost always* effective practices.

Communication practices rated *almost always* effective practices by 62–69% of the panel included 12 statements addressing the opportunities to share specific information, face to face, using skills to facilitate group decision making, negotiation, and conflict resolution. Panelists also acknowledged the importance of communicating with parents when their child does well through specific statements about his or her individual progress, and ensuring everyone has a voice and is heard. Additionally, 62–69% acknowledged the effectiveness of promoting respectful communication between staff and parent, adding, never permit a parent to become abusive. Dealing with solutions to identified problems and alternatives was supported by 62% of the panel. Also, 62% indicated principals should not take parent dissatisfaction personally.

Finally, 54% or more expert panel members recognized *almost always* effective practices as (a) at reaching mutually agreed upon decisions run meetings where parties respect each other

during the meeting, (b) elicit a clear understanding of parent concerns, (c) help parents understand special education paperwork, and (d) build a culture of inclusion in all aspects of the school community.

Whereas each panelist remarked on the need for principals' to attend conferences and workshops and to be knowledgeable about procedural safeguards in Delphi round one, 46% rated these as *usually* effective practices to minimize special education disputes and reach mutually agreed upon decisions. Actions and behaviors that were rated *almost* or *usually* effective by less than 50% of the panel included:

- speaking with authority;
- addressing issues, not emotions;
- negotiation of minor issues and;
- assisting parents in understanding how their concerns can or cannot be addressed in accordance with the law and regulations pertaining to instructional leadership with the need to support students by understanding disabilities; and
- promoting a culture of inclusion in all aspects of the school setting.

Each item on the questionnaire was rated *almost always* effective by at least one expert panel member.

Lastly, the survey asked panelists to restate or clarify statements or questions. Two comments were added, one called for standards-based alignment of IEP goals, and another for the provision of leadership in making program and placement decisions. These statements were included in Delphi round three.

Criteria for items to move from round two to round three included:

- at least 50% of respondents rated the item *almost always* effective;
- 77% or more the panel rated an item *almost always* or *usually* effective.
- no more than two respondents rated the item *somewhat* or *minimally* effective.

Table 5 displays round two themes by effectiveness ratings of expert panel responses. A complete list of round two themes with effectiveness ratings is included in Appendices E and F.

Table 5

Results of Round Two: Expert Panel Data Analysis by Effectiveness (n=13)

Themes	Almost Always	Usually
• Provide leadership for strong instructional practices of special and general educators.	85%	15%
• Hold staff accountable to collect, maintain student progress data.	77%	23%
• Respect each other during the meeting.	77%	23%
• Take immediate action if school is not meeting obligations	77%	15%
• Communication with parents when their child is doing well.	69%	31%
• Never permit a parent to become abusive to staff.	69%	31%
• Share information with parents in a timely manner.	69%	31%
• Promote a culture of inclusion and differentiated instructional practices in the school.	69%	23%
• Understand student's disability and student's needs.	69%	23%
• Allow parents the opportunity to have their concerns and information heard / considered.	62%	38%
• Deal with solutions to identified issues and be prepared to offer alternatives.	62%	38%
• Don't take parent's dissatisfaction personally.	62%	38%
• Elicit a clear understanding of parent concerns.	62%	38%
• Ensure teachers match instruction to student's individual learning characteristics.	62%	38%
• Meet face to face to resolve disputes.	62%	38%
• Promote effective, respectful communication practices between staff and parents.	62%	38%
• Provide specific statements about the progress of the student.	62%	38%
• Use skills in facilitating group decision-making, negotiation, and conflict resolution.	62%	38%
• Ensure team uses effective listening, positive behavior body language.	62%	31%
• Include students with disabilities in all aspects of school programs (activities, assessments, individual opportunities).	62%	23%
• Assure that everyone has a voice and is heard.	54%	46%
• Build an alliance with shared goals. Build on small agreements as necessary.	54%	46%
• Ensure the IEP is implemented correctly.	54%	46%
• Use student progress data to support decision making.	54%	46%
• Do not allow one disagreement to hold up a meeting, sum up the point, acknowledge the disagreement, and move on.	54%	38%
• Help families understand the paperwork.	54%	38%

Stakeholder Panel

The stakeholder round two questionnaire included 65 statements and 12 out of 16 panel members contributed. Stakeholders generated a list of actions and behaviors clustered by themes. Nineteen strategies rated *almost always* or *usually* effective by 100% of the respondents, and 32 statements rated *almost always* effective by 50% or more of the panel. Eighty three percent of stakeholders called for IEP compliance and 75% recognized training for the school staff, allowing parents to be equal partners of the IEP team, and knowing the strengths and weaknesses of the staff as *almost always* effective means to reach mutually agreed upon decision in special education meetings. Nine out of 12 stakeholders supported strong collaborative teams, acknowledged sharing positive aspects of the child's learning, and endorsed remaining child centered as *almost always* effective practices.

Stakeholders endorsed communication strategies with parents as *almost always* effective practices including giving parents the opportunity to have their desires understood, inviting parents to participate equally in discussions pertaining to special education processes where the committee knows and understands the child, and validating what parents say by paraphrasing and restating what the principal / committee hears. At least half of the stakeholder panel recognized effective actions and behaviors that encourage participation, feedback, and suggestions from parents and they validate what parents think and feel. Compliance with laws, policy, and regulations were considered *almost always* effective practices by more than half of the stakeholders.

Stakeholders acknowledged effectiveness in recognizing the wellbeing of the child with a disability. Nine stakeholders reported that sharing positive information about the child with his/her family was *almost always* effective, 8 out of 12 panelists requested principals never

allow a family to feel like their child is a bother, danger, or one with no value and that principals understand behavior needs and how these impact discipline needs. Additionally, eight out of twelve stakeholders believed principals should remain child centered and share positive aspects of the child's learning, as well as to offer an opportunity for parents to provide feedback or suggestions about what services would benefit their child. Ideas that did not meet the criteria to advance to round three included:

- problem solving when students are not making adequate progress,
- known resources available in the school district,
- asking parents for their vision of appropriate educational programs; and
- collaborating with school and community to develop academic and social/emotional goals.

Finally, the questionnaire invited panelists to restate or clarify statements or questions. One comment was added for reconsideration in round three. A panelist recommended the principal should read, understand, and implement IDEA, and attend training to ensure appropriate implementation.

Criteria for items to move from round two to round three included:

- at least 50% of respondents rated the item *almost always* effective;
- 77% or more the panel rated an item *almost always* or *usually* effective.
- no more than two respondents rated the item *somewhat* or *minimally* effective.

Table 6 displays themes by effectiveness ratings of stakeholder panel member responses. A complete list of round two themes with effectiveness ratings can be found in Appendices E and F.

Table 6

Results of Round Two: Stakeholder Panel Data Analysis by Effectiveness (n=12)

Themes	Almost Always	Usually
• Ensure IEP is delivered appropriately.	83%	17%
• Ensure adequate training for school staff.	75%	25%
• Treat parents as equal members of the IEP team.	75%	25%
• Know staff's capabilities and limitations; strengths and weaknesses.	75%	17%
• Never allow a family to feel like their child is a bother, a danger, or one who has no value.	67%	33%
• Provide an opportunity for parents to provide feedback / suggestions on what services / accommodations they believe would benefit their child.	67%	33%
• Remain child centered.	67%	33%
• Share positive aspects of the child's learning.	67%	33%
• Understand behavior needs and how these impact discipline needs.	67%	33%
• Encourage a strong special education / general education collaboration including co-planning, co-teaching, and co-assessing.	67%	25%
• Paraphrase and restate what is being heard so that parents feel validated.	67%	25%
• Ensure everyone belongs, everyone had value, everyone can contribute.	58%	42%
• Limit, then explain special education jargon.	58%	42%
• Engage families in discussion – do not “give” objective test scores and lists of academic challenges.	58%	33%
• Ensure parents' understanding of information shared.	58%	33%
• Follow-up with parents a few days after the meeting to address any additional questions and /or concerns.	58%	33%
• Respect that parents may feel vulnerable and overwhelmed by the fact that their child is not “typically developing”.	58%	33%
• Observe the child.	58%	25%
• Ensure compliance of the IEP / accommodations.	50%	50%
• Monitor academic and behavioral interventions.	50%	50%
• Monitor, ensure LRE.	50%	50%
• Read the student file before meeting with a family.	50%	50%
• Communicate openly before the IEP is written.	50%	42%
• Demonstrate that each student is viewed as a “whole” person.	50%	42%
• Establish rapport with the family in whatever mode works best with that family.	50%	42%
• Recognize the importance of each child's quality of life.	50%	33%

Delphi Round Three

Twenty-nine items on the expert questionnaire and 26 on the stakeholder questionnaire advanced to Delphi round three. Stakeholders were as likely as the expert panel to define an action or behavior as *almost always* effective, which resulted in identical criteria for both panels for an item to move from Delphi round two to Delphi round three. Second round effectiveness ratings were indicated on the third round questionnaire, giving panelists the opportunity to re-evaluate their answers as compared to the thinking of the group (Dalkey, 1967). Delphi round three included respondents regardless of their participation in rounds one or two.

Participants rated ideas using a four-point Likert scale: *almost always* effective, *usually* effective, *sometimes* effective and *minimally* effective. Three panelists, one from the expert panel and two stakeholders, questioned their assumption that *almost always* was the highest ranking and should be first on the list of choices. Thus, the Likert Scale choice layout was reversed for rounds three and four. Additionally, wording for the choices was changed. *Sometimes* effective replaced *somewhat* effective, as it denotes a rate, as do *almost always* and *usually* (see Appendices G and H).

Expert Panel

Round three was delivered to participants in two parts. Four themes were omitted on the first questionnaire; thus an addendum was sent to the expert panel at a later date. Sixteen experts completed the questionnaire for round three and 13 panel members responded to the addendum. With effectiveness ratings indicated from the second round, the percentage of experts who rated items *almost always* effective increased on 24 items, remained the same on three items, and decreased on two items. Sixteen items were rated *almost always* effective by 80–100% of the expert panel.

The entire expert panel rated two items *almost always* effective in minimizing special education disputes: respect for each other during the meeting, and the need to share information with parents in a timely manner. More than 90% of the expert panel acknowledged *almost always* effective practices and behaviors included:

- understanding the child’s needs and disability
- communicating and complying with the law
- parent–staff communications within appropriate norms,
- attention to timelines, and
- strong instructional leadership

Eighty-eight percent of the experts rated facilitation, decision-making, negotiation, and conflict resolution as *almost always* effective ways to minimize disputes. The same percentage of experts believed addressing student progress, and matching instruction to individual learning characteristics were *almost always* effective practices of principals.

Effectiveness ratings decreased for two statements: holding staff accountable to collect and maintain student progress data, and providing educators adequate time and coverage to complete special education paper work. Statements that received less than 88% *almost always* effective ratings did not move on to the final round. Table 7 displays items by effectiveness ratings of expert panel members during round three. A complete list of round three themes with effectiveness ratings can be found in Appendices G and H.

Table 7

Results of Round Three: Expert Panel with Data Analysis by Effectiveness (n=16)

Themes	Almost Always	Usually
• Respect each other during the meeting.	100%	0%
• Share information with parents in a timely manner.	100%	0%
• Deal with solutions to identified issues and be prepared to offer alternatives.	94%	6%
• Never permit a parent to become abusive to staff.	94%	6%
• Promote a culture of inclusion and differentiated instructional practices in the school.	94%	6%
• Provide leadership for strong instructional practices of special and general educators.	94%	6%
• Take immediate action if school is not meeting obligations	94%	6%
• Promote effective, respectful communication practices between staff and parents.	94%	0%
• Understand student's disability and student's needs.	92%	8%
• Ensure teachers match instruction to student's individual learning characteristics.	88%	13%
• Provide specific statements about the progress of the student.	88%	13%
• Use skills in facilitating group decision-making, negotiation, and conflict resolution.	88%	13%

Stakeholder Panel

Participation in the Delphi round three stakeholder panel was less than expected with 11 of the 16 panel members sharing their opinions. Eight items were rated *almost always* effective by 80 to 100% of the expert panel. The percentage of stakeholders who rated items *almost always* effective increased on 14 items and decreased on 12. The convergence rate was lower than expected. Perhaps the low stakeholder participation rate and / or the variety of stakeholder responsibilities affected the convergence of ideas.

The highest rated effective practice called for principals to recognize the importance of each child's quality of life. IDEA compliance was acknowledged in three themes to include: the principal's assurance of IEP implementation rated as an *almost* effective practice by 91% of the panel, and 82% of the panel rated having *almost always* effective practices as having

knowledge of the student’s history as depicted in the special education file, and the child’s behavior and discipline needs. Instructional leadership practices to include ensuring staff is well trained was rated similarly. Two additional items were considered for advancement to the final round because 73% rated the practices *almost always* effective and 27% rating the practice *usually* effective. Stakeholders supported the principal’s willingness to develop rapport with families as well as his / her knowledge of staff’s capabilities and limitations. Table 8 displays items by effectiveness ratings of stakeholder panel member responses during round three.

Table 8

Results of Round Three: Stakeholder Panel with Data Analysis by Effectiveness (n=11)

Themes	Almost Always	Usually
• Recognize the importance of each child’s quality of life.	91%	9%
• Ensure IEP is delivered appropriately.	91%	0%
• Communicate openly before the IEP is written.	82%	18%
• Ensure adequate training for school staff.	82%	18%
• Read the student file before meeting with a family.	82%	18%
• Understand behavior needs and how these impact discipline needs.	82%	18%
• Ensure everyone belongs, everyone had value, everyone can contribute.	82%	9%
• Monitor academic and behavioral interventions.	82%	9%
• Establish rapport with the family in whatever mode works best with that family.	73%	27%
• Know staff’s capabilities and limitations; strengths and weaknesses.	73%	27%

Final Round

In order to develop a set of best practices for principals wishing to minimize disputes and reach mutually agreed upon decisions, a list of the top scoring items from expert and stakeholder panels were exchanged in the final round. Items rated *almost always* effective by 80% of both panels became the list of effective practices. Three items generated by each panel met criteria. The item rated almost always effective by 100% of the expert panel and 55% of the stakeholder panel, and the item rated almost always effective by 91% of stakeholders and 69% of

stakeholders were also included. This rendered a list with eight best practices. Thirteen experts and 13 stakeholders completed the final round.

Expert Panel

When asked to rate the stakeholders' top suggestions to minimize special education disputes and reach mutually agreed upon decisions, only three items were rated *almost always* effective by 80% or more of the experts. All items were related in compliance within IDEA. One hundred percent of experts acknowledged that sharing information with parents in a timely manner is an effective way to minimize disputes. Table 9 includes the results of the analysis by effectiveness of the expert panel during the final round. Items with the strikeout did not meet criteria and were eliminated from the set of best practices. The theme in italics is a top ranked idea by stakeholder panel. A complete list of final-round themes and effectiveness ratings can be found in Appendices I and J.

Table 9

Results of Final Round: Stakeholders' List of Top Findings with Data Analysis by Effectiveness

Theme	Almost Always		Usually	
	E*	S**	E	S
Ensure adequate training for school staff.	85%	82%	15%	18%
Ensure IEP is delivered appropriately.	85%	91%	15%	0%
Monitor academic and behavioral interventions.	85%	82%	15%	9%
<i>Recognize the importance of each child's quality of life.***</i>	69%	91%	23%	9%

*E= Expert panel (n=13); ** S=Stakeholder panel (n=11); ***a top ranked idea by stakeholder panel

Stakeholder Panel

Stakeholders encountered a road block on the final round. Only three stakeholders were able to complete the survey using the original web address. A second notification was mailed with a new address after several respondents alerted the researcher of the problem. When asked

to rate the experts' top suggestions to minimize special education disputes and reach mutually agreed upon decisions, 80% or more stakeholders rated three items *almost always* effective.

Two recommendations were related to compliance within IDEA, asking principals ensure the IEP is delivered appropriately, and that academic and behavioral interventions are monitored.

They also called for adequate training for school staffs. Lastly, stakeholders shared their desire for the principal to recognize each child's quality of life. Table 10 lists the top findings resulting from the analysis by effectiveness. Theme in italics is a top ranked idea by stakeholder panel. A complete list of final-round themes and effectiveness ratings can be found in Appendices I and J.

Table 10

Results of Final Round: Experts Panel Top Findings Data Analysis by Effectiveness

Themes	Almost Always		Usually	
	E*	S**	E	S
Respect each other during the meeting.	100%	82%	0%	18%
<i>Share information with parents in a timely manner.</i> ***	100%	55%	0%	36%
Promote effective, respectful communication practices between staff and parents.	94%	91%	0%	9%
Take immediate action if school is not meeting obligations.	94%	82%	6%	18%

*E= Expert panel (n=13); ** S=Stakeholder panel (n=11); ***a top ranked idea by expert panel

Summary of Findings

A panel of 32 participated in the concurrent three-round Delphi study. Experts with a program or school division responsibility for compliance, and stakeholders with responsibility to a child receiving special education services participated in the following process: (a) answered two open ended questions, (b) completed two questionnaires generated from ideas offered in round one. Top ideas generated by the expert and stakeholder panels were exchanged in the final round. Each panelist was asked to rate effectiveness of suggestions for best practices to minimize special education conflicts between parents and schools and ensure mutually agreed decisions are reached. Items from each list rated *almost always* effective by at least 80% of both

panels were forwarded, as well one item from each list that was rated *almost always* effective by panelists but did not receive 80% agreement from the other panel.

Effective practices that support Virginia principals' leadership in special education decision making include:

- Ensuring adequate training for school staff involved in educating children.
- Ensuring the Individual Education Plan is delivered appropriately.
- Monitoring academic and behavioral interventions that support student learning.
- Promoting effective, respectful communication practices between school staff and parents.
- Recognizing the importance of each child's quality of life.
- Respecting each other during meetings.
- Sharing information with parents in a timely manner.
- Taking immediate action if the school is not meeting its obligations for the education of the child.

CHAPTER 5 DISCUSSION

This chapter contains a summary of critical findings from two concurrent Delphi studies related to existing literature. Key findings were developed when panels exchanged and then rated each other's list of effective practices for ensuring mutually agreed upon special education decisions. This chapter includes a discussion of the findings as they related to key aspects of the literature and other outcomes. Additionally, implications for action and recommendations for further research are discussed.

Overview of the Study

IDEA tasks principals to protect the rights of families and provide educational opportunities that ensure a quality education for children. The foundation of special law calls for parents, advocates, and educational professionals to focus on student educational needs; there is no reason to believe that schools do not want to comply with the law (Zirkel, 2007). While schools cannot prevent all litigation in special education (Shuran & Roblyer, 2012), principals and families can and do work together effectively in many situations. This study developed a set of effective principal practices to minimize disputes that were mutually agreed upon by parents, advocates, educators, and other professionals.

The study was conducted using the Delphi method. Concurrent panels of 16 members each participated. Experts (with responsibilities to a school district or program) and stakeholders (with responsibilities for a student with disabilities) contributed ideas in a three-round process. In a final round, the two panels exchanged top suggestions and experts and stakeholders rated the effectiveness of ideas determined by the other party. The study concluded with a set of actions

and behaviors regarding principals' leadership practices that encourage mutually agreed upon decision making.

Throughout the process, panels suggested actions and behaviors that emerged as critical findings. Panel results remained independent of each other until the final round when panels exchanged top rated suggestions. Critical findings were determined when at least 80% of all respondents rated an idea almost always effective. Consensus was reached on a total of six items—three from each panel. Additionally, each panel's highest rated item, which the other panel did not select, was also considered a key finding. Critical findings pertained to staff training and IDEA compliance. IEP delivery and interventions that support student learning are considered critical actions. Principals were also called to take prompt action and to recognize children's quality of life.

Key findings included ensuring adequate training for school staff involved in educating children. Principals were called to ensure the appropriate delivery of the IEP, to monitor academic and behavioral interventions that support student learning, to share information with parents in a timely manner, and to take immediate action if the school is not meeting its obligations for the education of the child. Parties should respect each other during meetings, and principals must promote effective, respectful communication practices between school staff and parents. Lastly, stakeholders desired that principals recognize the importance of each child's quality of life.

Findings Related to the Literature

Key findings of this study are mentioned regularly in the literature. Although findings are not linked directly to litigation, each has an impact on cooperation and communication between parents and school officials (Zirkel, 2007). Experts and stakeholders called for the

principal to ensure adequate training for the school staff. Special education law is difficult even for trained personnel to understand (Shuran & Roblyer, 2012); thus skilled training for school personnel is crucial. Training staff to have knowledgeable and effective communication with parents, specific to the individual needs of the child and training staff to understand their responsibility to implement a free appropriate public education in the least restrictive environment is a combination that seems to work in minimizing disputes (Shuran & Roblyer, 2012).

Interpreting requirements for IDEA can confuse parents and school staffs (Appelquist, 2009). Appropriate delivery of an IEP requires a thorough knowledge of the law. Additionally, an understanding of program or strategic implementation practices to meet a child's needs is called for if the principal is to monitor academic and behavioral interventions that support student learning. The two-part test established in *Board of Education of Henrick Hudson Central School District v. Rowley* (1982) defines school districts' legal obligation to comply with the procedures set forth in IDEA and to develop an IEP reasonably calculated to enable the child to receive educational benefits (Romberg, 2011). Taking immediate action, if the school is not meeting its obligations for the education of the child, is key.

Supportive relationships, with continuous communication between parents and school districts, are essential in minimizing litigation (Shuran & Roblyer, 2012). Sharing information with parents in a timely manner can promote effective, respectful communications between parents and school staff. Respectful communication and IDEA compliance, led by the principal, facilitates parent and school responsibility in the education of a child with a disability, and sets the tone for collaboration.

Keeney et al. (2011) remind researchers that consensus about a response does not mean it is the correct answer; it simply means that consensus has been reached among a panel of participants. Statements that did not emerge as critical findings are not necessarily ineffective or invalid. At least one respondent in rounds two, three, and final rated each theme as an *almost always* effective practice that supports special education decision making.

Additional Outcomes

In the current era of accountability, significant components of special education supervision require each principal to have a thorough knowledge of instructional and procedural outcomes for increased student learning (Horng & Loeb, 2011; Zaretsky, Moreau, & Faircloth, 2008). I was surprised consensus pertaining to instructional alignment and student outcomes in the least restrictive environment was not a critical finding. Several items failed to reach consensus by both panels, with fewer than 45% of panelists rating the following items *almost always* effective: (a) figuring out why children are not making progress, (b) understanding students' disabilities, and (c) seeking support to develop appropriate social and emotional goals. School leaders influence the outcomes of students in their charge, specifically those with disabilities (Crockett, 2002; Crockett, Becker, & Quinn, 2009; DiPaola & Walther-Thomas, 2003; Lasky & Karge, 2006), and parents want their children to succeed, as indicated by the special education complaints filed annually as a result of concerns with students' IEPs. In Virginia alone, 283 of 404 complaints filed during the 2011-12 school year pertained to student progress.

Best practices suggest an understanding of the importance of the focus and opinions of parents, advocates, and educational professionals on a common goal and on open and respectful communication throughout the process (Shuran & Roblyer, 2012). It was expected that experts

and stakeholders would agree more closely that actions and behaviors suggesting the importance of school culture, finding alternatives to solutions, and understanding that behavioral needs impact discipline decisions are almost always effective in minimizing disputes.

Implications for Action

Findings from this study validate existing research and provide principals with a set of best practices mutually designated as effective actions and behaviors that minimize special education disputes. While practices in special education leadership evolved with each amendment of IDEA and national and state influences on school improvement and reform, parent perspectives informed by the IDEA and supported by advocates and legal counsel, are individually motivated, as demonstrated throughout the study (Zirkel & Gishlar, 2008). Principals will not go wrong if they align their actions with these critical findings.

The results of this study add to the complex understanding of effective leadership skills. The principal's obligatory role in meeting the IDEA is governed by a formal set of policies and procedures implemented by school districts for children receiving special education services. Parental agreement is a key component. Principals must strive for mutually agreed upon decision making because allowing disputes to move beyond the IEP meeting impacts school finances, morale, instructional time, and ultimately student learning (Garrison-Wade et al., 2007).

The set of best practices identified in this study may be incorporated by school districts and other organizations into professional development opportunities for school leaders. The critical findings provide parties involved in special education decision making with guidance in understanding what the other side thinks is effective in reaching mutually agreed upon decisions.

Expectations of actions and behaviors that minimize special education disputes were ultimately shared or validated by both experts and stakeholders.

Recommendations for Further Research

Avoiding litigation is a necessary goal of local districts as well as local and statewide offices of special education. Providing principals with a set of best practices that support mutually agreed upon decision making is a welcomed list. Sharing both panels' round three results with other groups of professionals may result in research that invites different groups of respondents, organized by job descriptions or by responsibilities to families of children with disabilities, that may yield useful results. Also, contrasting districts that implement these practices and have low rates of complaints and litigation with those implementing these practices but have a high rate of complaints and litigation may offer different connections to best practices. Replicating this study with different parties involved in special education decision making could validate and/or add to the critical findings of this study.

Concluding Remarks

Principals hold the key to school-level compliance regarding administrative decision-making, so they must implement IDEA with integrity (Crockett, 2002; DiPaola & Wade-Thomas, 2003). Parents of children with disabilities appreciate principals who demonstrate facets of benevolence, openness, and competence when relating to families of children with disabilities (Sheldon et al., 2010). Key findings of this research demonstrated that both panels concurred on the importance of staff training, compliance with IDEA, and respectful communication. Whereas critical findings of this research are thoughtful and doable, each decision made by an IEP team, central office administrator, state mediator, hearing officer, or judge impacts a child. Recognizing the importance of a child's quality of life may be the most

critical of these findings. This key finding leaves special education leaders across schools, districts, and states, with something to consider.

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APPENDICES

- A Virginia Tech IRB Informed Consent and Approvals
- B E-mail Communication with the Expert and Stakeholders Panels
- C Cover Letter
- D Delphi Round One: Expert and Stakeholder Questionnaire
- E Delphi Round Two: Expert and Stakeholder Questionnaire
- F Delphi Round Two: Panel Data Analysis by Effectiveness
- G Delphi Round Three: Expert and Stakeholder Questionnaire
- H Delphi Round Three: Panel Data Analysis by Effectiveness
- I Final Round: Expert and Stakeholder Questionnaire
- J Final Round: Panel Data Analysis by Effectiveness

Appendix A Virginia Tech IRB Informed Consent and Approvals

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

Informed Consent for Participants

in Research Projects Involving Human Subjects

Title of Project: AN ANALYSIS OF WHAT VIRGINIA PRINCIPALS SHOULD KNOW AND BE ABLE TO DO TO MINIMIZE SPECIAL EDUCATION DISPUTES

Investigator:	Pamela N. Moody	moodypn@vt.edu
	Name / Phone number	E-mail

I. Purpose of this Research Project

The purpose of this study is to identify effective behaviors that support Virginia principals' leadership in special education decision making. There exists a need to develop a list of best practices that define principals' actions and behaviors. Anticipated findings include the potential for principals, as special education leaders, to access a set of effective practices they may use when participating in decision making situations regarding special education.

II. Procedures

Should you agree to participate in the four round e-delphi study; all correspondence will be conducted via email, and through the Virginia Tech survey site, www.survey.vt.edu, utilized to access Delphi rounds.

Each panelist will be assigned to one of two groups: parents of children with disabilities, advocates, researchers, and private practitioners; or school personnel, professors, and lawyers, depending on your affiliation.

Round one involves brainstorming ideas pertaining to two open ended questions. Brainstorming activities should take 15 – 30 minutes. In round two, you will rate effectiveness of all ideas offered by panelists in round one. Should you have other ideas, or desire further clarification, you may add ideas and questions to the list. For round three, you will rate the effectiveness of any new ideas and ideas supported by 60% of panelists. For round four, you will rate the round three list of effective practices offered by the other group. Time commitment per round may be five to fifteen minutes. The study will begin in November 2013 and end February 2014.

III. Risks

Should you agree to participate in the four round e-delphi study, no risks are intended and potential risks are minimal.

IV. Benefits

No promise or guarantee of benefits has been made to encourage you to participate.

Participants will receive no tangible or intangible benefits. Anticipated benefits include the potential for principals, as special education leaders, to access a set of effective practices when making decisions regarding special education situations.

V. Extent of Anonymity and Confidentiality

Your individual responses are known only to the researcher throughout all rounds of the Delphi. If you agree, your names and a brief description of your area of expertise will be published as part of the study. No identifying data will be attached to your responses. Data will be coded and known only to the researcher.

The Virginia Tech (VT) Institutional Review Board (IRB) may view the study's data for auditing purposes. The IRB is responsible for the oversight of the protection of human subjects involved in research.

VI. Compensation

You will receive no compensation for participating in this study.

VII. Subject's Consent

I have read the Consent Form and conditions of this project. I have had all my questions answered. I hereby acknowledge the above and give my voluntary consent:

_____ Date _____

Subject signature _____

Subject printed name

Please check YES or NO below:

YES. I give permission for my name and biography to be published in this dissertation.

NO, I do not give permission for my name and biography to be published in this dissertation.

VIII. Freedom to Withdraw

It is important for you to know that you are free to withdraw from this study at any time without penalty. You are free not to answer any questions that you choose or respond to what is being asked of you without penalty.

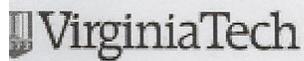
Please note that there may be circumstances under which the investigator may determine that a subject should not continue as a subject.

Should you withdraw or otherwise discontinue participation, you will be compensated for the portion of the project completed in accordance with the Compensation section of this document.

IX. Questions or Concerns

Should you have any questions about this study, you may contact one of the research investigators whose contact information is included at the beginning of this document.

Should you have any questions or concerns about the study's conduct or your rights as a research subject, or need to report a research-related injury or event, you may contact the VT IRB Chair, Dr. David M. Moore at moored@vt.edu.



Office of Research Compliance
 Institutional Review Board
 North End Center, Suite 4120, Virginia Tech
 300 Turner Street NW
 Blacksburg, Virginia 24061
 540/231-4606 Fax 540/231-0959
 email irb@vt.edu
 website <http://www.irb.vt.edu>

MEMORANDUM

DATE: October 31, 2013
TO: Walt Mallory, William Joseph Glenn, Pamela Moody
FROM: Virginia Tech Institutional Review Board (FWA00000572, expires April 25, 2018)
PROTOCOL TITLE: AN ANALYSIS OF WHAT VIRGINIA PRINCIPALS SHOULD KNOW AND BE ABLE TO DO TO AVOID SPECIAL EDUCATION DISPUTES
IRB NUMBER: 13-949

Effective October 31, 2013, the Virginia Tech Institutional Review Board (IRB) Administrator, Carmen T Papefuss, approved the New Application request for the above-mentioned research protocol.

This approval provides permission to begin the human subject activities outlined in the IRB-approved protocol and supporting documents.

Plans to deviate from the approved protocol and/or supporting documents must be submitted to the IRB as an amendment request and approved by the IRB prior to the implementation of any changes, regardless of how minor, except where necessary to eliminate apparent immediate hazards to the subjects. Report within 5 business days to the IRB any injuries or other unanticipated or adverse events involving risks or harms to human research subjects or others.

All investigators (listed above) are required to comply with the researcher requirements outlined at:

<http://www.irb.vt.edu/pages/responsibilities.htm>

(Please review responsibilities before the commencement of your research.)

PROTOCOL INFORMATION:

Approved As: **Exempt, under 45 CFR 46.110 category(ies) 2**
 Protocol Approval Date: **October 31, 2013**
 Protocol Expiration Date: **N/A**
 Continuing Review Due Date*: **N/A**

*Date a Continuing Review application is due to the IRB office if human subject activities covered under this protocol, including data analysis, are to continue beyond the Protocol Expiration Date.

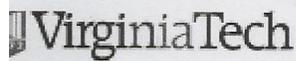
FEDERALLY FUNDED RESEARCH REQUIREMENTS:

Per federal regulations, 45 CFR 46.103(f), the IRB is required to compare all federally funded grant proposals/work statements to the IRB protocol(s) which cover the human research activities included in the proposal / work statement before funds are released. Note that this requirement does not apply to Exempt and Interim IRB protocols, or grants for which VT is not the primary awardee.

The table on the following page indicates whether grant proposals are related to this IRB protocol, and which of the listed proposals, if any, have been compared to this IRB protocol, if required.

Invent the Future

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY
 An equal opportunity, affirmative action institution



Office of Research Compliance
 Institutional Review Board
 North End Center, Suite 4120, Virginia Tech
 300 Turner Street NW
 Blacksburg, Virginia 24061
 540/231-4606 Fax 540/231-0959
 email irb@vt.edu
 website <http://www.irb.vt.edu>

MEMORANDUM

DATE: January 15, 2014
TO: Walt Mallory, William Joseph Glenn, Pamela Moody
FROM: Virginia Tech Institutional Review Board (FWA00000572, expires April 25, 2018)
PROTOCOL TITLE: AN ANALYSIS OF WHAT VIRGINIA PRINCIPALS SHOULD KNOW AND BE ABLE TO DO TO AVOID SPECIAL EDUCATION DISPUTES
IRB NUMBER: 13-949

Effective January 15, 2014, the Virginia Tech Institutional Review Board (IRB) Chair, David M Moore, approved the Amendment request for the above-mentioned research protocol.

This approval provides permission to begin the human subject activities outlined in the IRB-approved protocol and supporting documents.

Plans to deviate from the approved protocol and/or supporting documents must be submitted to the IRB as an amendment request and approved by the IRB prior to the implementation of any changes, regardless of how minor, except where necessary to eliminate apparent immediate hazards to the subjects. Report within 5 business days to the IRB any injuries or other unanticipated or adverse events involving risks or harms to human research subjects or others.

All investigators (listed above) are required to comply with the researcher requirements outlined at:

<http://www.irb.vt.edu/pages/responsibilities.htm>

(Please review responsibilities before the commencement of your research.)

PROTOCOL INFORMATION:

Approved As: **Exempt, under 45 CFR 46.110 category(ies) 2**
 Protocol Approval Date: **October 31, 2013**
 Protocol Expiration Date: **N/A**
 Continuing Review Due Date*: **N/A**

*Date a Continuing Review application is due to the IRB office if human subject activities covered under this protocol, including data analysis, are to continue beyond the Protocol Expiration Date.

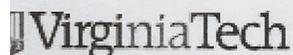
FEDERALLY FUNDED RESEARCH REQUIREMENTS:

Per federal regulations, 45 CFR 46.103(f), the IRB is required to compare all federally funded grant proposals/work statements to the IRB protocol(s) which cover the human research activities included in the proposal / work statement before funds are released. Note that this requirement does not apply to Exempt and Interim IRB protocols, or grants for which VT is not the primary awardee.

The table on the following page indicates whether grant proposals are related to this IRB protocol, and which of the listed proposals, if any, have been compared to this IRB protocol, if required.

Invent the Future

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY
 An equal opportunity, affirmative action institution



Office of Research Compliance
 Institutional Review Board
 North End Center, Suite 4120, Virginia Tech
 300 Turner Street NW
 Blacksburg, Virginia 24061
 540/231-4606 Fax 540/231-0959
 email irb@vt.edu
 website <http://www.irb.vt.edu>

MEMORANDUM

DATE: December 3, 2013
TO: Walt Mallory, William Joseph Glenn, Pamela Moody
FROM: Virginia Tech Institutional Review Board (FWA00000572, expires April 25, 2018)
PROTOCOL TITLE: AN ANALYSIS OF WHAT VIRGINIA PRINCIPALS SHOULD KNOW AND BE ABLE TO DO TO AVOID SPECIAL EDUCATION DISPUTES
IRB NUMBER: 13-949

Effective December 3, 2013, the Virginia Tech Institutional Review Board (IRB) Chair, David M Moore, approved the Amendment request for the above-mentioned research protocol.

This approval provides permission to begin the human subject activities outlined in the IRB-approved protocol and supporting documents.

Plans to deviate from the approved protocol and/or supporting documents must be submitted to the IRB as an amendment request and approved by the IRB prior to the implementation of any changes, regardless of how minor, except where necessary to eliminate apparent immediate hazards to the subjects. Report within 5 business days to the IRB any injuries or other unanticipated or adverse events involving risks or harms to human research subjects or others.

All investigators (listed above) are required to comply with the researcher requirements outlined at:

<http://www.irb.vt.edu/pages/responsibilities.htm>

(Please review responsibilities before the commencement of your research.)

PROTOCOL INFORMATION:

Approved As: **Exempt, under 45 CFR 46.110 category(ies) 2**
 Protocol Approval Date: **October 31, 2013**
 Protocol Expiration Date: **N/A**
 Continuing Review Due Date*: **N/A**

*Date a Continuing Review application is due to the IRB office if human subject activities covered under this protocol, including data analysis, are to continue beyond the Protocol Expiration Date.

FEDERALLY FUNDED RESEARCH REQUIREMENTS:

Per federal regulations, 45 CFR 46.103(f), the IRB is required to compare all federally funded grant proposals/work statements to the IRB protocol(s) which cover the human research activities included in the proposal / work statement before funds are released. Note that this requirement does not apply to Exempt and Interim IRB protocols, or grants for which VT is not the primary awardee.

The table on the following page indicates whether grant proposals are related to this IRB protocol, and which of the listed proposals, if any, have been compared to this IRB protocol, if required.

Invent the Future

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY
An equal opportunity, affirmative action institution

Appendix B E-mail Communications with the Expert and Stakeholder Panels

Communications with Expert Panel

11-20-2013

Good evening,

I am grateful for your participation, and appreciate the time you will take to share your opinions and expertise. This study will utilize the Delphi method of forecasting which relies upon expert opinion to reach consensus. Round ONE of Four conducted via www.survey.vt.edu is now open. Time commitment for Round ONE may be between fifteen to twenty minutes. If additional room is needed for either question (1.) or question (2.), you may continue your ideas in an email to me. I will enter your ideas onto the www.survey.vt.edu site, all correspondence will be identified only by group (expert / stakeholder).

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu

Warm regards,
Pam

To access the survey, please click, or copy and paste to your browser, the link:
<https://survey.vt.edu/survey/entry.jsp?id=1382810167488>

++++
11-27-2013

Good morning,

I am grateful for your participation, and appreciate the time you will take - or - have taken to share your opinions and expertise. The survey is confidential and anonymous thus I have no idea who completed the brainstorming session and who has not. Thank you for your willingness to support the research study.

This study will utilize the Delphi method of forecasting which relies upon expert opinion to reach consensus. Round ONE of Four conducted via www.survey.vt.edu is now open. Time commitment for Round ONE may be between fifteen to twenty minutes. If additional room is needed for either question (1.) or question (2.), you may continue your ideas in an email to me. I will enter your ideas onto the www.survey.vt.edu site, all correspondence will be identified only by group (expert / stakeholder).

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu

Warm regards,
Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1382810167488>

+++++
12-11-2013

Good morning,

I am grateful for your participation in Round Two of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to rate the effectiveness of the ideas and opinions you shared in Round One. Using a four point Lickert Scale, please rate each item. You will have an opportunity to add any thoughts for reconsideration of the pane at the end of the survey. All responses were generated by your panel and cluster around themes addressing what can be done to minimize disputes in special education making, between parents and schools, to ensure mutually agreed upon decisions. Additionally, themes address what principals can do to avoid special education disputes.

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu

Warm regards,

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1386196702353>

+++++
12-16-2013

Good afternoon,

Thank you for participating in the Virginia Tech study "What Principal Should Know and Be Able to Do To Minimize Special Education Disputes".

Many thanks to those who had time to complete **Round Two** of the Delphi process. If you have not completed the survey, please take a few minutes to rate the effectiveness of ideas offered by your panel.

Round Three of the process is slated to arrive during the second week of January, 2014.

As the survey is anonymous, please accept my apology for this email if you have completed Round Two.

If you have any questions, contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at

moodypn@vt.edu

I am grateful for your support, blessing for your holidays.

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1386196702353>

++++
01-17-2014

Happy New Year,

I am grateful for your participation in **Round Three** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to address the ideas that your colleagues rated Almost Always and Usually effective.

Ideas rated Almost Always effective by at least 50% of the panel, and, Almost Always or Usually effective by more than 77% of the panel, the idea is forwarded for your reconsideration.

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1389493119566>

++++
01-30-2014

Hope you are staying warm and wishing for our schools to get back on schedule, like I am!

Thank you to those of you who have already completed Round Three, and thanks for those who will complete the survey in the next few days. All responses are anonymous.

I am grateful for your participation in **Round Three** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to address the ideas that your colleagues rated Almost Always and Usually effective.

Ideas rated *Almost Always* effective by at least 50% of the panel, and, *Almost Always* or *Usually* effective by more than 75% of the panel, are forwarded for your reconsideration.

The final round, Round Four, will be sent during the second week of February. I am grateful for your support.

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1389493119566>

++++
02-10-2014

Dear Panel members,

I am grateful for your participation in this **FINAL Round Four** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". You will rate the effectiveness of the top ten ideas generated by the panel of Stakeholders, which included advocates, legal council, parents, private practitioners. They, in turn, will rate the top ten ideas your panel generated.

Thank you for taking time to rate the ideas of your colleagues.

Your participation in this FINAL Round and in Rounds One, Two, and Three, will allow me to defend in March, 2014.

With appreciation and respect for your commitment to Special Education,
Pam Moody

Please click the link below and rate the effectiveness of ideas listed:

<https://survey.vt.edu/survey/entry.jsp?id=1391898325463>

++++
02-20-2014

Dear Panel members,

Thank you for reading this reminder to participate in the final round of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". You will rate the effectiveness of the top ten ideas generated by the panel of stakeholders. It should take you five minutes to complete.

Thank you for taking time to rate the ideas of your colleagues. I appreciate those who have already completed the survey, disregard this message and accept my gratitude.

Thank you for taking time to rate the ideas of your colleagues.

Your participation in this FINAL Round and in Rounds One, Two, and Three, will allow me to defend in March, 2014.

With appreciation and respect for your commitment to Special Education,
Pam Moody

Please click the link below and rate the effectiveness of ideas listed:

<https://survey.vt.edu/survey/entry.jsp?id=1391898325463>

++++
03-05-2014

Dear Panel members,

Thank you for reading this last email, I need your help for one more round of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education".

Four items meeting criteria to move from Round Two to Round Three were left off of the questionnaire. Thank you for taking time to rate the four ideas, and accepting my apology for this inconvenience.

With appreciation and respect for your commitment to Special Education,
Pam Moody

Please click the link below and rate the effectiveness of ideas listed:

<https://survey.vt.edu/survey/entry.jsp?id=1394066612322>

+++++
04-01-2014

Dear Panel members,

Good evening, I am grateful for your support and expertise, and because of your willingness to help, I successfully defended my dissertation on March 31, 2014. Your input revealed the importance of staff training, compliance with IDEA, and respectful communication. Key findings included ensuring adequate training for school staff involved in educating children. Principals were called to ensure the appropriate delivery of the Individual Education Plan, and to monitor academic and behavioral interventions that support student learning, as well as sharing information with parents in a timely manner, and taking immediate action if the school is not meeting its obligations for the education of the child. Parties should respect each other during meetings, and principals must promote effective, respectful communication practices between school staff and parents. Lastly, stakeholders desire for principals to recognize the importance of each child's quality of life. Principals will find your suggestions are thoughtful and doable. In my summary, I asked each of us to consider the impact our decisions have on children, and recognizing the importance of a child's quality of life may be the most of my critical findings.

Stakeholders' List of Top Findings Data Analysis by Effectiveness

Theme	Almost Always		Usually	
	E*	S**	E	S
Ensure adequate training for school staff.	85%	82%	15%	18%
Ensure IEP is delivered appropriately.	85%	91%	15%	0%
Monitor academic and behavioral interventions.	85%	82%	15%	9%
<i>Recognize the importance of each child's quality of life.***</i>	69%	91%	23%	9%

E* - Expert panel, n=13 S**-Stakeholder panel, n=11 ***a top ranked idea by stakeholder panel

Experts Panel Top Findings Data Analysis by Effectiveness

Themes	Almost Always		Usually	
	E*	S**	E	S
Respect each other during the meeting.	100%	82%	0%	18%
<i>Share information with parents in a timely manner.***</i>	100%	55%	0%	36%
Promote effective, respectful communication practices between staff and parents.	94%	91%	0%	9%
Take immediate action if school is not meeting obligations.	94%	82%	6%	18%

E* - Expert panel, n=16; S**-Stakeholder panel, n=13; ***a top ranked idea by expert panel

Please let me know if I can ever repay you by supporting a project of yours!

Communications with Stakeholder Panel

11-20-2013

Good evening,

I am grateful for your participation, and appreciate the time you will take to share your opinions and expertise. This study will utilize the Delphi method of forecasting which relies upon expert opinion to reach consensus. Round ONE of Four conducted via www.survey.vt.edu is now open. Time commitment for Round ONE may be between fifteen to twenty minutes. If additional room is needed for either question (1.) or question (2.), you may continue your ideas in an email to me. I will enter your ideas onto the www.survey.vt.edu site, all correspondence will be identified only by group (expert / stakeholder).

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu or moodypn@pwcs.edu

Warm regards,

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1384985124546>

++++
11-27-2013

Good morning,

I am grateful for your participation, and appreciate the time you will take - or - have taken to share your opinions and expertise. The survey is confidential thus I have no idea who completed the brainstorming session and who has not. Thank you for your willingness to support the research study.

This study will utilize the Delphi method of forecasting which relies upon expert opinion to reach consensus. Round ONE of Four conducted via www.survey.vt.edu is now open. Time commitment for Round ONE may be between fifteen to twenty minutes. If additional room is needed for either question (1.) or question (2.), you may continue your ideas in an email to me. I will enter your ideas onto the www.survey.vt.edu site, all correspondence will be identified only by group (expert / stakeholder).

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu or moodypn@pwcs.edu

Warm regards,

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1384985124546>

++++
12-11-2013

Good morning,

I am grateful for your participation in Round Two of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to rate the effectiveness of the ideas and opinions you shared in Round One. Using a four point Lickert Scale, please rate each item. You will have an opportunity to add any thoughts for reconsideration of the panel, at the end of the survey. All responses were generated by your panel and cluster around themes addressing what can be done to minimize disputes in special education making, between parents and schools, to

ensure mutually agreed upon decisions. Additionally, themes address what principals can do to avoid special education disputes

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu or moodypn@pwcs.edu

Warm regards,

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1386196661193>

++++
12-16-2013

Good afternoon,

Thank you for participating in the Virginia Tech study "What Principal Should Know and Be Able to Do To Minimize Special Education Disputes".

Many thanks to those who had time to complete **Round Two** of the Delphi process. If you have not completed the survey yet, please take a few minutes to rate the effectiveness of the ideas offered by your panel.

Round Three of the process is slated to arrive during the second week of January, 2014.

As the survey is anonymous, please accept my apology for this email if you have completed Round Two.

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu or moodypn@pwcs.edu

I am grateful for your support, blessing for your holidays.

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1386196661193>

++++
01-17-2014

Happy New Year,

I am grateful for your participation in **Round Three** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to address the ideas that your colleagues rated Almost Always and Usually effective.

Ideas rated *Almost Always* effective by at least 50% of the panel, and, *Almost Always* or *Usually* effective by more than 77% of the panel, the idea is forwarded for your reconsideration.

If you have any questions, please contact me at (703) 973-9306 (cell) or (703) 361-3444 (work) or by email at moodypn@vt.edu or moodypn@pwcs.edu

Warm regards,

Pam

To access the survey, please click, or copy and paste to your browser, the link:

<https://survey.vt.edu/survey/entry.jsp?id=1389498896432>

++++
01-17-2014

Happy New Year,

I am grateful for your participation in **Round Three** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to address the ideas that your colleagues rated Almost Always and Usually effective.

Ideas rated *Almost Always* effective by at least 50% of the panel, and, *Almost Always* or *Usually* effective by more than 77% of the panel, the idea is forwarded for your reconsideration.

If you have any questions, please contact me by email at moodypn@vt.edu

Warm regards,
Pam

To access the survey, please click, or copy and paste to your browser, the link:
<https://survey.vt.edu/survey/entry.jsp?id=1389498896432>

++++
01-30-2014

Hope you are staying warm and wishing for our schools to get back on schedule, like I am!

The survey is anonymous, thank you to those of you who have already completed Round Three, and thanks for those who will complete the survey in the next few days.

I am grateful for your participation in **Round Three** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". I appreciate the time you will take to address the ideas that your colleagues rated Almost Always and Usually effective.

Ideas rated *Almost Always* effective by at least 50% of the panel, and, *Almost Always* or *Usually* effective by more than 77% of the panel, the idea is forwarded for your reconsideration.

The final round, Round Four, will be sent during the second week of February. I am grateful for your support.

If you have any questions, please contact me by email at moodypn@vt.edu

Warm regards,
Pam

To access the survey, please click, or copy and paste to your browser, the link:
<https://survey.vt.edu/survey/entry.jsp?id=1389498896432>

01-30-2014

Good afternoon, I am grateful for your support. i promise we are almost finished!

Thank you for completing Round Three. I am grateful for those who have responded already. The survey is anonymous; I apologize to those who had time to complete the survey, already.

Ideas rated *Almost Always* effective by at least 50% of the panel, and, *Almost Always* or *Usually* effective by more than 77% of the panel, the idea is forwarded for your reconsideration.

The final round, Round Four, will be sent during the second week of February. I am grateful for your support.

If you have any questions, please contact me by email at moodypn@vt.edu

Warm regards,
Pam

To access the survey, please click, or copy and paste to your browser, the link:
<https://survey.vt.edu/survey/entry.jsp?id=1389498896432>

+++++
02-10-2014

Dear Panel members,

I am grateful for your participation in this **FINAL Round Four** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". You will rate the effectiveness of the top ten ideas generated by the panel of professional Experts, which included legal counsel, members of Offices of Special Education, principals, and superintendents They, in turn, will rate the top ten ideas your panel generated.

Thank you for taking time to rate the ideas of your colleagues.

Your participation in this FINAL Round and in Rounds One, Two, and Three, will allow me to defend in March, 2014.

With appreciation and respect for your commitment to Special Education,
Pam Moody

please click the link below and rate the effectiveness of ideas listed:
<https://survey.vt.edu/survey/entry.jsp?id=1391310054536>

+++++
02-15-2014

Dear Panel members,

Thank you for your patience, there is a glitch in the survey tool and you are unable to submit your ratings at this time. Virginia Tech's Help Desk hopes to have the problem fixed by Monday. I will send out a new notification at that time.

I am grateful for your participation in this **FINAL Round Four** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". With appreciation and respect for your commitment to Special Education,

Pam Moody

+++++

02-15-2014

Dear Panel members,

The computer glitch is fixed (I hope)!

I am grateful for your participation in this **FINAL Round Four** of the study "What Should Principals Know and Be Able To Do To Minimize Disputes in Special Education". You will rate the effectiveness of the top ten ideas generated by the panel of professional experts, which included legal counsel, members of Offices of Special Education, principals, researchers, and superintendents. They, in turn, will rate the top ten ideas your panel generated.

Thank you for taking time to rate the ideas of your colleagues. Your participation in this FINAL Round and in Rounds One, Two, and Three, will allow me to defend in March, 2014.

With appreciation and respect for your commitment to Special Education,
Pam Moody

Please click the link below and rate the effectiveness of ideas listed:

<https://survey.vt.edu/survey/entry.jsp?id=1392480468807>

+++++

02-20-2014

Dear Panel members,

Thank you for reading this last reminder to participate in the final round of the study "What Should Principals Know and Be Able To Do To Avoid Disputes in Special Education". You will rate the effectiveness of the top ten ideas generated by the panel of professional experts. It should take you five minutes to complete.

Thank you for taking time to rate the ideas of your colleagues. I appreciate those who have already completed the survey, disregard this message and accept my gratitude. Your participation in this FINAL Round and in Rounds One, Two, and Three, will allow me to defend in March, 2014.

With appreciation and respect for your commitment to Special Education,
Pam Moody

Please click the link below and rate the effectiveness of ideas listed:

<https://survey.vt.edu/survey/entry.jsp?id=1392480468807>

04-01-2014

Dear Panel members,

Good evening, I am grateful for your support and expertise, and because of your willingness to help, I successfully defended my dissertation on March 31, 2014. Your input revealed the importance of staff training, compliance with IDEA, and respectful communication. Key findings included ensuring adequate training for school staff involved in educating children. Principals were called to ensure the appropriate delivery of the Individual Education Plan, and to monitor academic and behavioral interventions that support student learning, as well as sharing information with parents in a timely manner, and taking immediate action if the school is not meeting its obligations for the education of the child. Parties should respect each other during meetings, and principals must promote effective, respectful communication practices between school staff and parents. Lastly, stakeholders desire for principals to recognize the importance of each child's quality of life. Principals will find your suggestions are thoughtful and doable. In my summary, I asked each of us to consider the impact our decisions have on children, and recognizing the importance of a child's quality of life may be the most of my critical findings.

Stakeholders' List of Top Findings Data Analysis by Effectiveness

Theme	Almost Always		Usually	
	E*	S**	E	S
Ensure adequate training for school staff.	85%	82%	15%	18%
Ensure IEP is delivered appropriately.	85%	91%	15%	0%
Monitor academic and behavioral interventions.	85%	82%	15%	9%
<i>Recognize the importance of each child's quality of life.***</i>	69%	91%	23%	9%

E* - Expert panel, n=13 S*-Stakeholder panel, n=11 ***a top ranked idea by stakeholder panel

Experts Panel Top Findings Data Analysis by Effectiveness

Themes	Almost Always		Usually	
	E*	S*	E	S
Respect each other during the meeting.	100%	82%	0%	18%
<i>Share information with parents in a timely manner.***</i>	100%	55%	0%	36%
Promote effective, respectful communication practices between staff and parents.	94%	91%	0%	9%
Take immediate action if school is not meeting obligations.	94%	82%	6%	18%

E* - Expert panel, n=16; S*-Stakeholder panel, n=13; ***a top ranked idea by expert panel

Please let me know if I can ever repay you by supporting a project of yours!

Appendix C Cover Letter

RECRUITMENT Letter

October–November, 2013

Dear Volunteer,

I would like to invite you to participate in a research study that may benefit special education leadership of school principals. Your participation is voluntary. I am asking you to be a member of an expert panel because you have experience in the field of special education decision making, either as a stakeholder or as an expert. The study will be conducted with two panels simultaneously, and include approximately 30 individuals who are practitioners, attorneys, researchers, parents of children with disabilities, advocates, and leaders in the field. You will be assigned a group based on your affiliation with children and their parents, or by your responsibilities for compliance of Special Education procedures. The study is part of my doctoral dissertation in Educational Leadership and Policy Studies at Virginia Polytechnic Institute and State University. The project is being supervised by Dr. Walter Mallory, Clinical Assistant Professor in the Education Leadership and Policy Studies program, School of Education.

The study will utilize the Delphi method of forecasting which relies upon expert opinion to reach consensus. There will be four rounds. In the first round, you will be asked to brainstorm answers to the following questions: (1.) What should be done to minimize Special Education conflicts between parents and schools and ensure mutually agreed upon decisions can be reached. (2.) What should principals know and be able to do to minimize special education disputes? You will be provided with a list of all first round responses in the second round. You will be asked to rate the effectiveness of the themes or ideas and have the opportunity to add or question ideas on the list, or those left off the list. In the third round, all second round responses will be reexamined. In an attempt of achieve consensus, you will be asked rate the ideas found highly effective by 60% of the panelists. In round four, lists generated by each group will be exchanged. Group one will rate the effectiveness of group two's ideas and group two will rate the effectiveness of groups one's ideas.

Your identity as a panel member will be held in strict confidence. Correspondence will be identified only by a number. A copy of the final summary report will be provided to each panel member. Thank you for considering my study. I will follow up with an email during the week of November 17th to confirm your decision to participate. Time commitment per round may be five to fifteen minutes. The study will begin in November 2013 and end March 2014. If you have any questions, please feel free to contact me at (703)973-9306 or (703)368-8964 by email at moodypn@vt.edu. I look forward to your positive response.

Sincerely,

Pamela N. Moody

Doctoral Candidate

Virginia Polytechnic Institute and State University

Appendix D Delphi Round One: Expert and Stakeholder Questionnaire

Round One Expert and Stakeholder Questionnaire

DELPHI Study - What Should Virginia Principals Know and Be Able To Do To Minimize Special Education Disputes?

ROUND ONE of Four

For each question, list ideas you believe to be effective ways to support parties involved in special education decision making.

Question One

example: principals should read the student file before meeting with a family

Question Two,

example: principals should attend all IEP meetings

(1.) What can be done to minimize disputes in special education decisions between parents and schools, and ensure mutually agreed upon decisions can be reached?

(2.) What should principals know and be able to do to avoid special education disputes?

Once you complete the brainstorming session, please submit your ideas. If you need additional space, you may continue your comments in an email to me, moodypn@pwcs.edu

I expect to send ROUND TWO by the second week of December, 2013.

Thank you for your time and expertise.

Appendix E Delphi Round Two: Expert and Stakeholder Questionnaire

Round Two Stakeholder Panel

Directions: Ideas are clustered around central themes from contributions in Round One. Rate the effectiveness of each idea using the four point Likert Scale.

1. Engage in active listening with all parents.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

2. Approach parents from their own cultural perspective on disability, school involvement, child-rearing principles.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

3. Convey a professional school team.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

4. Discuss available resources with parents.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

5. Allow families to feel a part of the school community.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

6. Demonstrate that each student is viewed as a "whole" person.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

7. Ensure everyone belongs, everyone has value, everyone can contribute.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

8. Never allow a family to feel like their child is a bother, a danger, or one who has no value.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

9. Understand the socio-cultural underpinnings of how disability is constructed and maintained.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

10. Respect that parents may feel vulnerable and overwhelmed by the fact that their child is not "typically developing".

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

11. Partner with parents.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

12. Establish rapport with the family in whatever mode works best with that family.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

13. Understand struggles of family and child.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

14. Recognize the importance of each child's quality of life.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

15. Provide a strong community-building agenda.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

16. Invite all families to connect and have a relationship with the principal and teachers.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

17. Collaborate with school staff, community agencies, and parents to develop appropriate academic and social/emotional goals for students.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

18. Encourage a strong special education/general education collaboration including co-planning, co-teaching and co-assessing.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

19. Read the student file before meeting with a family.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

20. Discuss current status before the eligibility/IEP meeting and share with parents what is being proposed and why it is being proposed.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

21. Communicate openly before the IEP is written.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

22. Provide positive information regarding the child(teacher, principal, staff).

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

23. Send home an IEP draft for parent's input.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

24. Prepare for known/ potential problems, make sure appropriate staff think about possible solutions.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

25. Attend training and demonstrate "sensitivity" and "awareness".

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

26. Respect that information shared in reported findings may be difficult for parents to hear.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

27. Inform parents of their rights so rights are understood.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

28. Survey IEP team, in advance, regarding student's strengths and capacities, primary concerns to be addressed, and factors to be considered (assistive technology, behavior, transitions).

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

29. Review outcomes for the coming year (academics, behaviors, self-direction, relationships, citizenship).

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

30. Ensure compliance of the IEP/accommodations.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

31. Know the student's unique needs/strengths.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

32. Understand parents may be scared/fearful of their child's special education label.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

33. Prepare options that can be granted, compromised, that are non-negotiable, and that are not an option.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

34. Monitor academic and behavioral interventions.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

35. Support decisions made by IEP teams.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

36. Keep up-to-date on all special education laws, policies, district mandates.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

37. Ask parents for their vision of an appropriate program for their meet the parents' expectations.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

38. Assume parents are doing the best they can.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

39. Problem solve when students who are not making adequate progress, can call for an IEP meeting.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

40. Listen to parents' views, even if their recommendations are not accepted.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

41. Engage families in the discussion – do not "give" objective test scores and lists of academic challenges.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

42. Develop IEP goals that are aligned with school system benchmarks and curriculum expectations.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

43. Ensure parents' understanding of information shared.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

44. Limit, then explain special education jargon.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

45. Respect parents as "experts" about their child.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

46. Share positive aspects of the child's learning.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

47. Provide an opportunity for parents to provide feedback/suggestions on what services/accommodations they believe would benefit their child.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

48. Bring in outside help/consultation as needed.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

49. Share the impact of a child taking the VAAP over the SOLs.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

50. Treat parents as equal members of the IEP team.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

51. Paraphrase and restate what is being heard so that parents feel validated.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

52. Ask parents what their hopes and expectations are for their child.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

53. Help parents understand that special education students are handicapped.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

54. Understand that Special Education is a tool to ensure that the child is supported in general education curriculum; or with aligned curriculum.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

55. Never argue with parents.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

56. Follow-up with parents a few days after the meeting to address any additional questions and/or concerns.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

57. Ensure IEP is delivered appropriately.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

58. Monitor, ensure LRE.

Minimally Effective Somewhat Effective Usually Effective Almost Always Effective No Answer

59. Understand behavior needs and how these impact discipline needs.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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60. Understand of the all disabilities.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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61. Know resources available within the district.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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62. Observe the child.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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63. Ensure adequate training for school staff.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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64. Know staff's capabilities and limitations; strengths and weaknesses.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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65. Remain child centered.

Minimally Effective	Somewhat Effective	Usually Effective	Almost Always Effective	No Answer
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Appendix F Delphi Round Two: Panel Data Analysis by Effectiveness

Results of Round Two: Expert Panel Data Analysis by Effectiveness

Themes	Almost Always	Usually
• Provide leadership for strong instructional practices of special and general educators.	85%	15%
• Hold staff accountable to collect, maintain student progress data.	77%	23%
• Respect each other during the meeting.	77%	23%
• Take immediate action if school is not meeting obligations	77%	15%
• Communication with parents when their child is doing well.	69%	31%
• Never permit a parent to become abusive to staff.	69%	31%
• Share information with parents in a timely manner.	69%	31%
• Promote a culture of inclusion and differentiated instructional practices in the school.	69%	23%
• Understand student’s disability and student’s needs.	69%	23%
• Allow parents the opportunity to have their concerns and information heard / considered.	62%	38%
• Deal with solutions to identified issues and be prepared to offer alternatives.	62%	38%
• Don’t take parent’s dissatisfaction personally.	62%	38%
• Elicit a clear understanding of parent concerns.	62%	38%
• Ensure teachers match instruction to student’s individual learning characteristics.	62%	38%
• Meet face to face to resolve disputes.	62%	38%
• Promote effective, respectful communication practices between staff and parents.	62%	38%
• Provide specific statements about the progress of the student.	62%	38%
• Use skills in facilitating group decision-making, negotiation, and conflict resolution.	62%	38%
• Ensure team uses effective listening, positive behavior body language.	62%	31%
• Include students with disabilities in all aspects of school programs (activities, assessments, individual opportunities).	62%	23%
• Assure that everyone has a voice and is heard.	54%	46%
• Build an alliance with shared goals. Build on small agreements as necessary.	54%	46%
• Ensure the IEP is implemented correctly.	54%	46%
• Use student progress data to support decision making.	54%	46%
• Do not allow one disagreement to hold up a meeting, sum up the point, acknowledge the disagreement, and move on.	54%	38%
• Help families understand the paperwork.	54%	38%
Know strengths and weaknesses of staff.	54%	23%
Provide educators adequate time to complete paperwork and provide coverage for classes during meetings.	54%	23%

Understand conflict, conflict indicators, and how to manage conflict.	54%	23%
Know (figure out) what students with disabilities need to progress in the acquisition of literacy or emotional / behavioral skills deficits.	46%	54%
Speak with authority and speak from the heart.	46%	46%
Learn how to say “no” professionally and positively.	46%	38%
Invite school team members to meet prior to a complicated or contentious IEP meeting to organize information for discussion and presentation at the IEP meeting.	46%	36%
Review meeting agenda and the role that each team member has in the meeting.	46%	31%
Teach staff how to have difficult conversations with parents.	46%	31%
Pick your battles.	38%	54%
Articulate an understanding of the parent’s perspective and specific issues	38%	46%
Attend IEP meeting when possible, especially if there is knowledge or anticipation parent concerns.	38%	46%
Do not use educational jargon.	38%	46%
Review annual goals and objectives, present level of performance; academic, behavioral, functional goals, medical information; all state testing accommodations.	38%	46%
Empower staff to be confident.	38%	38%
Maintain sufficient emotional distance to listen to parent concerns.	31%	69%
Agree to disagree, when needed.	31%	62%
Know when to ask for help from the central office.	31%	61%
Address issues not emotions.	31%	54%
Explain reasons for refusing a parent’s request.	31%	54%
Explain each step for the IEP team.	31%	38%
Call IEP meeting when the student does not make adequate progress.	23%	69%
Inquire as to what resolution the parent seeks.	23%	62%
Negotiate minor issues.	23%	62%
Attend conferences / workshops regarding special education law.	23%	46%
Assist the parent in understanding how their concerns can or cannot be addressed in accordance with the law and regulations.	23%	38%
Include parents of children with disabilities on school advisory / leadership teams.	23%	38%
Allow parents to vent before responding.	8%	62%

Bulleted themes advanced to Expert Panel: Round Three Questionnaire

Results of Round Two: Stakeholder Panel Data Analysis by Effectiveness

Themes	Almost Always	Usually
• Ensure IEP is delivered appropriately.	83%	17%
• Ensure adequate training for school staff.	75%	25%
• Treat parents as equal members of the IEP team.	75%	25%
• Know staff's capabilities and limitations; strengths and weaknesses.	75%	17%
• Never allow a family to feel like their child is a bother, a danger, or one who has no value.	67%	33%
• Provide an opportunity for parents to provide feedback / suggestions on what services / accommodations they believe would benefit their child.	67%	33%
• Remain child centered.	67%	33%
• Share positive aspects of the child's learning.	67%	33%
• Understand behavior needs and how these impact discipline needs.	67%	33%
• Encourage a strong special education / general education collaboration including co-planning, co-teaching, and co-assessing.	67%	25%
• Paraphrase and restate what is being heard so that parents feel validated.	67%	25%
• Ensure everyone belongs, everyone had value, everyone can contribute.	58%	42%
• Limit, then explain special education jargon.	58%	42%
• Engage families in discussion – do not “give” objective test scores and lists of academic challenges.	58%	33%
• Ensure parents' understanding of information shared.	58%	33%
• Follow-up with parents a few days after the meeting to address any additional questions and /or concerns.	58%	33%
• Respect that parents may feel vulnerable and overwhelmed by the fact that their child is not “typically developing”.	58%	33%
• Observe the child.	58%	25%
Respect parents as “experts” about their child.	58%	17%
• Ensure compliance of the IEP / accommodations.	50%	50%
• Monitor academic and behavioral interventions.	50%	50%
• Monitor, ensure LRE.	50%	50%
• Read the student file before meeting with a family.	50%	50%
• Communicate openly before the IEP is written.	50%	42%
• Demonstrate that each student is viewed as a “whole” person.	50%	42%
• Establish rapport with the family in whatever mode works best with that family.	50%	42%
• Recognize the importance of each child's quality of life.	50%	33%
Allow families to feel a part of the school community.	50%	25%
Keep up-to-date on all special education laws, policies, district mandates.	50%	25%
Survey IEP team, in advance, regarding student's strengths and capabilities, primary concerns to be addressed, and factors to be considered (assistive technology, behavior, transitions).	50%	25%
Assume parents are doing the best they can.	50%	17%
Inform parents of their rights so their rights are understood.	50%	17%
Collaborate with school staff, community agencies, and parents, to develop	42%	58%

Themes	Almost Always	Usually
appropriate academic and social / emotional goals for students.		
Know resources available within the district.	42%	58%
Know the student's unique needs / strengths.	42%	50%
Partner with parents.	42%	50%
Ask parents what are their hopes and expectations for their child.	42%	42%
Never argue with parents.	42%	42%
Problem solve when students who are not making adequate progress, and call for an IEP meeting.	42%	42%
Provide positive information regarding the child (teacher, principal, staff).	42%	42%
Support decisions made by IEP teams.	42%	42%
Prepare for known / potential problems; make sure appropriate staff think about possible solutions.	42%	33%
Provide a strong community-building agenda.	42%	33%
Understand parents may be scared / fearful of their child's special education label.	42%	33%
Understand struggles of the family and child.	42%	33%
Discuss current status before the eligibility /IEP meeting and share with parents what is being proposed and why it is being proposed.	42%	25%
Understand the socio-cultural underpinnings of how a disability is construed and maintained	42%	25%
Engage in active listening with all parents.	33%	67%
Listen to parents, views, even if their recommendations are not accepted.	33%	58%
Respect that information shared in reported findings may be difficult to hear.	33%	58%
Understand that special education is a tool to ensure that the child is supported with general education curriculum or with aligned curriculum.	33%	58%
Ask parents for their vision of an appropriate program for their child and meets the parents' expectations.	33%	50%
Approach parents from their own cultural perspective on disability, school involvement, child rearing principles.	33%	33%
Discuss available resources with parents.	33%	33%
Review outcomes for the coming year (academics, behaviors, self-direction, relationships, citizenship).	33%	33%
Bring in outside help / consultation as needed.	25%	67%
Convey a professional school team.	25%	58%
Share the impact of a child taking VAAPs over SOLs.	25%	58%
Prepare options that can be granted, compromised, that are non-negotiable, and that are not an option.	25%	25%
Develop IEP goals that are aligned with school system benchmarks and curriculum expectations.	17%	58%
Send home and IEP draft for parent's input.	17%	58%
Invite all families to connect and have a relationship with the principal and teachers.	17%	42%
Attend training and demonstrate "sensitivity" and "awareness".	17%	25%
Help parents understand that special education students are handicapped.	8%	17%

Bulleted themes advanced to Stakeholder Panel: Round Three Questionnaire

Appendix G Delphi Round Three: Expert and Stakeholder Questionnaire

Round Three Expert Panel

CRITERIA: Items forwarded to Round Three when

- 1.) 50% or more panel members rated the item Almost Always Effective and
- 2.) 76% or more panel members rated the item Almost Always or Usually Effective.

Effectiveness percentages are listed after each statement.

DIRECTIONS: Rate the effectiveness of each idea, using the four point Likert Scale. Notice the scale was inverted from Round Two. *Sometimes* effective replaces *somewhat* effective.

1. Meet face to face to resolve disputes.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 62% Almost Always and 38% Usually

2. Include students with disabilities in all aspects of school's programs (activities, assessments, opportunities).

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 62% Almost Always and 23% Usually

3. Promote a culture of inclusion and differentiated instructional practices in the school.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 69% Almost Always and 23% Usually

4. Provide educators adequate time to complete paperwork, provide coverage for classes.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 54% Almost Always and 23% Usually

5. Ensure the IEP is implemented correctly.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 54% Almost Always and 46% Usually

6. Provide leadership for strong instructional practices of special and general educators.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 85% Almost Always and 15% Usually

7. Ensure teachers match instruction to student's individual learning characteristics.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 62% Almost Always and 38% Usually

8. Hold staff accountable to collect, maintain student progress data.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 77% Almost Always and 23% Usually

9. Use student progress data to support decision-making.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 54% Almost Always and 46% Usually

10. Take immediate action if school is not meeting obligations.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 77% Almost Always and 15% Usually

11. Ensure team uses effective listening, positive behavior body language.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 62% Almost Always and 31% Usually

12. Assure that everyone has a voice and is heard.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 54% Almost Always and 46% Usually

13. Share information with parents in a timely manner.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 69% Almost Always and 31% Usually

14. Respect each other during the meeting and ensure everyone has a voice.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 77% Almost Always and 23% Usually

15. Provide specific statements about the progress of the student.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 62% Almost Always and 38% Usually

16. Use skills in facilitating group decision-making, negotiation, and conflict resolution.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 62% Almost Always and 38% Usually

17. Help families understand the paperwork.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 54% Almost Always and 38% Usually

18. Promote effective, respectful communication practices between staff and parents.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 62% Almost Always and 38% Usually

19. Deal with solutions to identified issues and be prepared to offer alternatives.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 62% Almost Always and 38% Usually

20. Don't take parents' dissatisfaction personally.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 62% Almost Always and 38% Usually

21. Never permit a parent to become abusive to staff.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: : 69% Almost Always and 31% Usually

22. Do not allow one disagreement to hold up a meeting, sum up the point, and acknowledge the disagreement, and move on.

Almost Always Usually Sometimes Minimally No Answer

Round Two Effectiveness rating: 54% Almost Always and 38% Usually

Panelists requested you rate the following ideas, not shared in Round Two:

23. Ensure IEP goals are standards-based and aligned to learning outcomes predicated by curricular standards.

Almost Always Usually Sometimes Minimally No Answer

24. Avoid rigid, predetermined programming decisions.

Almost Always Usually Sometimes Minimally No Answer

25. Lead staff in making decisions based on individual needs of each student

Almost Always Usually Sometimes Minimally No Answer

Almost Always Usually Sometimes Minimally No Answer

Appendix H Delphi Round Three: Panel Data Analysis by Effectiveness

Results of Round Three: Expert Panel Data Analysis by Effectiveness

Themes	Almost Always	Usually
• Respect each other during the meeting.	100%	0%
• Share information with parents in a timely manner.	100%	0%
• Deal with solutions to identified issues and be prepared to offer alternatives.	94%	6%
• Never permit a parent to become abusive to staff.	94%	6%
• Promote a culture of inclusion and differentiated instructional practices in the school.	94%	6%
• Provide leadership for strong instructional practices of special and general educators.	94%	6%
• Take immediate action if school is not meeting obligations	94%	6%
• Promote effective, respectful communication practices between staff and parents.	94%	0%
• Understand student's disability and student's needs.	92%	8%
• Ensure teachers match instruction to student's individual learning characteristics.	88%	13%
• Provide specific statements about the progress of the student.	88%	13%
• Use skills in facilitating group decision-making, negotiation, and conflict resolution.	88%	13%
Allow parents the opportunity to have their concerns and information heard / considered.	85%	8%
Use student progress data to support decision making.	81%	19%
Lead staff in making decisions based on individual needs of each student.	81%	13%
Ensure the IEP is implemented correctly.	81%	12%
Ensure team uses effective listening, positive behavior body language.	75%	25%
Include students with disabilities in all aspects of school programs (activities, assessments, individual opportunities).	75%	25%
Meet face to face to resolve disputes.	75%	25%
Build an alliance with shared goals. Build on small agreements as necessary.	69%	31%
Communicate with parents when their child is doing well.	69%	31%
Don't take parent's dissatisfaction personally.	69%	31%
Hold staff accountable to collect, maintain student progress data.	69%	31%
Avoid rigid, predetermined programming decisions.	69%	31%
Help families understand the paperwork.	63%	38%
Do not allow one disagreement to hold up a meeting, sum up the point, acknowledge the disagreement, and move on.	56%	44%
Assure that everyone has a voice and is heard.	50%	50%
Provide educators adequate time to complete paperwork and provide coverage for classes during meetings.	44%	50%
Ensure IEP goals are standards-based and aligned to learning outcomes predicated by curricular standards.	38%	44%

Bulleted themes advanced to the final round.

Results of Round Three: Stakeholder Panel Data Analysis by Effectiveness

Themes	Almost Always	Usually	Mean
• Recognize the importance of each child’s quality of life.	91%	9%	3.9
• Ensure IEP is delivered appropriately.	91%	0%	3.82
• Communicate openly before the IEP is written.	82%	18%	3.82
• Ensure adequate training for school staff.	82%	18%	3.82
• Read the student file before meeting with a family.	82%	18%	3.82
• Understand behavior needs and how these impact discipline needs.	82%	18%	3.82
• Ensure everyone belongs, everyone had value, everyone can contribute.	82%	9%	3.73
• Monitor academic and behavioral interventions.	82%	9%	3.55
• Establish rapport with the family in whatever mode works best with that family.	73%	27%	3.73
• Know staff’s capabilities and limitations; strengths and weaknesses.	73%	27%	3.73
Ensure parents’ understanding of information shared.	73%	18%	3.64
Paraphrase and restate what is being heard so that parents feel validated.	73%	18%	3.64
Remain child centered.	67%	36%	3.64
Limit, then explain special education jargon.	64%	36%	3.64
Monitor, ensure LRE.	64%	36%	3.63
Provide an opportunity for parents to provide feedback / suggestions on what services / accommodations they believe would benefit their child.	64%	36%	3.64
Treat parents as equal members of the IEP team.	64%	36%	3.64
Share positive aspects of the child’s learning.	64%	36%	3.64
Ensure compliance of the IEP / accommodations.	64%	27%	3.55
Never allow a family to feel like their child is a bother, a danger, or one who has no value.	64%	27%	3.27
Encourage a strong special education / general education collaboration including co-planning, co-teaching, and co-assessing.	55%	36%	3.27
Read, understand, and implement the law. Take training to know how to implement the law.	45%	55%	3.45
Demonstrate that each student is viewed as a “whole” person.	45%	45%	3.36
Respect that parents may feel vulnerable and overwhelmed by the fact that their child is not “typically developing”.	45%	45%	3.5
Engage families in discussion – do not “give” objective test scores and lists of academic challenges.	45%	36%	3.10
Follow-up with parents a few days after the meeting to address any additional questions and /or concerns.	45%	18%	3.10

Bulleted themes advanced to the final round.

Appendix I Final Round: Expert and Stakeholder Questionnaires

Round Four Expert Panel

EXPERTS, please rate the effectiveness of ideas offered by the panel of STAKEHOLDERS. Below are the top ideas offered by Stakeholders, ideas are listed alphabetically.

1. Communicate openly before the IEP is written.

Almost Always Usually Sometimes Minimally No Answer

2. Ensure adequate training for school staff.

Almost Always Usually Sometimes Minimally No Answer

3. Ensure everyone belongs, everyone has value, everyone contributes.

Almost Always Usually Sometimes Minimally No Answer

4. Ensure the IEP is delivered appropriately.

Almost Always Usually Sometimes Minimally No Answer

5. Establish rapport with the family in whatever mode works best with that family.

Almost Always Usually Sometimes Minimally No Answer

6. Know staff's capabilities and limitations; strengths and weaknesses.

Almost Always Usually Sometimes Minimally No Answer

7. Monitor academic and behavioral interventions.

Almost Always Usually Sometimes Minimally No Answer

8. Read the student file before meeting with a family.

Almost Always Usually Sometimes Minimally No Answer

9. Recognize the importance of each child's quality of life.

Almost Always Usually Sometimes Minimally No Answer

10. Understand behavior needs and how these impact discipline.

Almost Always Usually Sometimes Minimally No Answer

Thank you for participating in the four round Delphi. Your expertise and commitment to supporting principals' decision making is appreciated. I am grateful for your time, wisdom, and insight.

Gratefully,
Pam Moody

Appendix J Final Round: Panel Data Analysis by Effectiveness

Results of Final Round: Experts Panel Top Findings—Data Analysis by Effectiveness

Themes	Almost Always		Usually	
	E	S	E	S
Respect each other during the meeting.	100%	82%	0%	18%
<i>Share information with parents in a timely manner.*</i>	100%	55%	0%	36%
Promote effective, respectful communication practices between staff and parents.	94%	91%	0%	9%
Take immediate action if school is not meeting obligations.	94%	82%	6%	18%
Use skills in facilitating group decision-making, negotiation, and conflict resolution.	88%	73%	13%	27%
Deal with solutions to identified issues and be prepared to offer alternatives.	94%	64%	6%	27%
Ensure teachers match instruction to student’s individual learning characteristics.	88%	55%	13%	45%
Never permit a parent to become abusive to staff.	94%	64%	6%	18%
Promote a culture of inclusion and differentiated instructional practices in the school.	94%	64%	6%	27%
Provide leadership for strong instructional practices of special and general educators.	94%	55%	6%	36%
Provide specific statements about the progress of the student.	88%	55%	13%	36%

E – *Expert panel* S–*Stakeholder panel*; * a top ranked idea by expert panel, items in Bold are key findings

Results of Final Round: Stakeholders’ List of Top Findings—Data Analysis by Effectiveness

Theme	Almost Always		Usually	
	E	S	E	S
Ensure adequate training for school staff.	85%	82%	15%	18%
Ensure IEP is delivered appropriately.	85%	91%	15%	0%
Monitor academic and behavioral interventions.	85%	82%	15%	9%
<i>Recognize the importance of each child’s quality of life.*</i>	69%	91%	23%	9%
Ensure everyone belongs, everyone had value, everyone can contribute.	54%	82%	46%	9%
Establish rapport with the family in whatever mode works best with that family.	54%	73%	46%	27%
Know staff’s capabilities and limitations; strengths and weaknesses.	23%	73%	69%	27%
Read the student file before meeting with a family.	69%	82%	23%	18%
Understand behavior needs and how these impact discipline needs.	38%	82%	62%	18%

E – *Expert panel* S–*Stakeholder panel*; *a top ranked idea by stakeholder panel, items in bold are key findings.