



From The Classroom to the Court Room: Education & the “Right” to an Education

Description

The importance of education has been stressed to me since I was in elementary school. My grandmother used the phrase “college is not an option, it is mandatory”. Getting the opportunity to go to college, made me appreciate my family’s persistence in pushing for higher education. Attending college also instilled a sense of responsibility of wanting to give back to the field of education.

For five years I taught in South Los Angeles, at Foshay Learning Center. Teaching 6th grade math, history, and English were some of the most rewarding years of my life. Although I was a general education teacher, I often had students in my class with Individual Education Programs (IEPs). I would attend meetings and interact with other stakeholders involved in the student’s educational program, but I did not truly appreciate the importance of the IEP document, and the role I, as the general education teacher, played in implementing it. It was not until after I went to law school, and interned for RKH Law Office, that I realized that special education and education is also a matter of civil rights.

When I first began my internship, I received intensive training on federal and state laws that regulate special education. This training was vital to understanding our clients’ educational experiences. I began to understand the complex procedural rights, the process of developing an IEP, requirements for legally compliant assessments, how to identify a denial of a free and appropriate education, from a legal and educational perspective. I represented a student at an expulsion hearing, filed a complaint with the Office for Civil Rights, attended numerous IEP meetings, and drafted compliance complaints with the California Department of Education. I visited my clients in their homes, foster homes, and juvenile hall. My background as an educator was helpful in persuading IEP teams to provide services to my clients.

In doing all of this, I reflected on my own experience as a teacher and began to realize that many Districts and their employees do not follow the IEP and/or procedural rights of students and their parents. Unfortunately this can have an extremely detrimental effect on a student. This has been a valuable lesson for me. Often times these oversights by school districts go unnoticed and unchallenged, because individuals are unaware of their rights and protections. Providing clients with education and advocacy on these matters was – and continues to be – my primary goal, as well as

seeking corrective remedies on their behalf.

My goals did not change just because I left the classroom. I want to play an important part in providing quality education to those who are in most need of it. I felt I did a pretty good job of that while teaching, but now understand that a typical teacher would not necessarily understand the civil rights implications of special education. I strive to help alleviate the gulf between education and the right to an education.

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Author

lawyer4children

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