

National Association of Pupil Services Administrators

Our Problems are Many

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GROOMING AND SEXUAL PREDATORS

- ▶ Grooming is the process by which a sexual predator attempts to draw an intended victim into a sexual relationship and maintain that relationship in secret.
- ▶ The shrouding nature of the relationship is an essential element of grooming.

Grooming

- ▶ Is calculated
- ▶ Is gradual
- ▶ It isolates the victim

There are 6 stages of grooming:

- ▶ *(Source: Michael Weiner, M.D., Child Sexual Abuse: 6 Stages of Grooming.Oprah.com)*

1. Targeting the victim.

- ▶ Sexual predators target their intended victims by identifying their vulnerabilities.
- ▶ Sexual predators focus on their intended victim's emotional neediness, lack of confidence, and low self-esteem.

1. Targeting the victim. (con't.)

- ▶ Children with minimal parental involvement and oversight are far more likely to be targeted by sexual predators.

2. Gaining the victim's trust.

- ▶ Sexual predators gain their intended victim's trust by observing and gathering information about them.
- ▶ Experienced predators often pay individualized attention to their targeted victims while simultaneously disguising their true intentions.

2. Gaining the victim's trust. (con't.)

- ▶ Sexual predators often go undetected because they assume the role of a trustworthy caretaker or an adult mentor to their intended victim.

3. Filling a need.

- ▶ Once a sexual predator gains the trust of their intended victim, they seek to assume greater importance in the life of their intended victim.
- ▶ By doing so, sexual predators fill a void to advance their intended purpose.

3. Filling a need. (con't.)

- ▶ Sexual predators typically seek to form a special relationship and isolate their intended victim from their loved ones, including parents.
- ▶ Sexual predators often give gifts, pay extra attention, and are affectionate toward their intended victim.
- ▶ These behaviors should raise a red flag for 3rd party observers.

4. Isolating the victim.

- ▶ The grooming sexual predator seeks out opportunities to spend time alone with their intended victim.
- ▶ This isolation reinforces the “special connection” between the sexual predator and their intended victim.
- ▶ Examples: babysitting, tutoring, coaching, and taking special trips.

5. Sexualizing the relationship.

- ▶ Once a sexual predator has gained sufficient emotional dependence and trust of their intended victim, the predator progressively sexualizes the relationship by employing “desensitization” techniques (e.g., talking, picture taking, hugging, etc.)

5. Sexualizing the relationship. (con't.)

- ▶ Sexual predators take advantage of opportunities when their victim unrobes (e.g., swimming, locker rooms, etc.)
- ▶ Once the predator exploits the natural curiosity of their intended victim, they use physical stimulation to escalate (i.e., sexualize) the relationship.

6. Maintaining control.

- ▶ Once the relationship has been sexualized, sexual predators commonly use secrecy and blame to perpetuate the victim's silent participation.
- ▶ Given their emotional dependence on their abuser, a victim of child sexual abuse often believes that the loss of their special relationship and the consequences of reporting it will result in their humiliation and make them undesirable.

Mandatory Reporting

- ▶ In most states, reporting is mandatory.
- ▶ In some states, failure to report may subject a school system employee to criminal charges or at the minimum, a misdemeanor.
- ▶ Statistics vary by State. In Maryland, it is estimated that 23% of reported child abuse cases are based on sexual abuse. (Neglect-63%; Physical Abuse-14%)

PPWs SHOULD HAVE BASIC KNOWLEDGE OF IEPs

Implementation of the IEP Why We Have to Settle or Lose Due Process Hearings



(Just Write the Check)

The Service Hours were not delivered.

- ▶ Admit it up front and make-up missed hours, hour by hour.

- ▶ The reading program was not delivered with fidelity (days and minutes per session)
- ▶ Data was not kept.

- ▶ Accommodations were not implemented.
- ▶ The goals and objectives did not change from year to year.
- ▶ The child was restrained too many times and the team failed to hold a timely IEP team meeting to address restraints.

- ▶ You call the parents of an unruly student and asked them to take the child home.
- ▶ An overly friendly and empathetic teacher says too much on an email with a parent.
- ▶ The team did not listen to the parents' concerns.

- ▶ A team member said, “We do not do this here.”
- ▶ Ignoring bullying complaints.
- ▶ Failure to have goals and objectives in reading, writing and math for older students where warranted.
- ▶ Ignoring anxiety complaints.

More on Anxiety

Why the increase?

- ▶ Too many outside activities, too much testing, too much homework at a young age, too many overly anxious parents, school shootings, dysfunctional families, morning and evening rushing, helicopter parents, pressure to get As, disruptive students in class
- ▶ Watch for signs of anxiety.

What to do?

Conduct a FBA.

- ▶ School refusal, tired in morning (why?), parents sleeping-in, changing for PE, criticism by a teacher, bullying issues, undiagnosed disability.
- ▶ The FBA can focus on school and/or in the home.

What to do?

- ▶ Meet with teachers before the school year begins. Private tour of the school.
- ▶ If school refusal, start with a shortened day.



SOME FERPA ISSUES

Mama Called the Doctor and the Doctor Said

- ▶ You may call the student's doctor without parental consent to check the accuracy of medical records or instructions or to discuss a medical absence excuse note according to the Family Policy Compliance Office (FPCO) of the U.S. Department of Education. This also covers the Home & Hospital verification doctor/psychologist.

Mama Called the Doctor and the Doctor Said (con't.)

- ▶ You can call to verify that it was the doctor who wrote the note.
- ▶ Ex: Need for nursing care, need for catheterization; whether there really is an allergy; whether the student needs to avoid certain foods, chemicals

Abuse Laws Trump FERPA

- ▶ You may disclose FERPA protected information to DSS or the police without parental consent when you report child abuse.

EMOTIONAL SUPPORT ANIMALS



Service Animals

Emotional Support vs. Therapy Dogs

- ▶ The ADA distinguishes between psychiatric service animals and emotional support animals.

Service Animals

- ▶ If the dog is trained to sense an anxiety attack, and to take an action to help avoid the attack or lessen its impact, then it is a service animal.

Who wrote this law?

- ▶ If the dog just provides comfort, that is not a service animal.
- ▶ The dogs do not have to be trained service animals.
- ▶ Dogs in training may qualify.

Who wrote this law?

▶ You can only ask:

- 1) Is the dog required because of a disability; and
- 2) What work or task is the dog trained to perform.

Who wrote this law?

- ▶ You cannot ask for proof of certification, training or licensure as a service animal.
- ▶ You can ask for proof of vaccination and dog licensure.
- ▶ The dog can be any breed.

- ▶ The handler is responsible for caring for and supervising the service animal (toileting, feeding, grooming and veterinary care).

- ▶ If the dog is a direct threat to the health or safety of others, or is not under the control of the handler (can be physical or voice or signal control), it can be barred.
- ▶ The dog must be housebroken.

- ▶ No repeated barking.
- ▶ Dog stays on the floor. He does not get a chair.
- ▶ **NEVER PUT A SERVICE ANIMAL ON THE IEP.**

POTTY ISSUES

▶ Legal Basis for Advice

- ▶ U.S. District Court for the District of Maryland-Case involving a student's request to access a locker room in accordance with that student's gender identity.
- ▶ 2018 Memorandum Opinion issued indicating the Board would face liability if it continued to deny access.

▶ Legal Basis for Advice (con't.)

- ▶ Court opined that Title IX applies to discrimination on the basis of transgender status vs. just birth sex.
- ▶ Policy violates the Equal Protection Clause.

- ▶ Transgender students should be allowed to use the bathrooms of their preferred gender.
- ▶ What if they are gender fluid?

- ▶ What if a student does not want to be in the bathroom with a transgender student?
 - ▶ Have a private area in the locker room for changing.
 - ▶ Have an adult supervising the locker room.

What I Really Want is to
Have the School System
Provide a 1-1 Tutor for my
Child at Home

CASE STUDY

- ▶ Jeremy Jones has a reading disability and an IEP. He is also an internationally successful competitor in tennis, for high school aged children. His parents have submitted Home and Hospital Verification forms from his therapist advising that he is suffering from anxiety and cannot attend school. It has been a year, and while Jeremy is winning competitions, his anxiety does not seem to have improved. But if you look on the internet, you will see that Jeremy has recently been to Mexico to compete. The parents will not let you speak to the therapist. You are concerned that if you stop the Home and Hospital, you will be sued for disability discrimination. What should be done?

CASE STUDY

- ▶ Laurie is a student who has been coded Emotionally Disturbed. Despite intensive services in her home high school, Laurie's behavior is such that she cannot stay in class. The IEP team determines that Laurie needs to be in a regional ED program. Laurie refuses to go to the regional program, as she does not want to leave her friends. Laurie is the boss at home, so her parents withdraw her from special education and ask for 504 accommodations. Meanwhile, you are aware that one of Laurie's underlying problems is her use of illegal drugs. Laurie's behavior in school worsens and she is overheard speaking of suicidal ideation. Her mother submits a Home and Hospital form from Laurie's therapist. What should be done?

CASE STUDY

- ▶ The opioid problem is having a dramatic impact on the health and well-being of newborns in many parts of Maryland. In at least one hospital, one-half of the children born are drug addicted and must be weaned off the drugs. Some of these children will have lifetime cognitive and emotional disabilities due to their mothers' use of opioids (and illegal drugs) during pregnancy. The number of Infant and Toddler referrals is going through the roof. Behavioral programs are filled to the brim. Children of drug addicted parents are being placed in foster care outside of their home counties, and there are therefore not enough slots for children whose parents reside in the county. Can the foster children be waitlisted? Can the school system say our slots are filled? Can the children for whom you do not have room be taught by the school system at home? What can be done?

CASE STUDY

- ▶ You learn that a student whose parent spends all of her waking hours writing emails complaining about the staff may not be a resident of the county. When the mother is questioned, she claims that your questioning is retaliation for her exercise of her First Amendment rights. What should be done?

CASE STUDY

- ▶ Anthony's best friend learns that Anthony has a hit list of students he intends to kill. Fortunately, the friend alerts the school's administration, the police are called, and Anthony is arrested. It turns out there was a hit list and Anthony's family keeps guns in the home. Lots of them. Anthony is ultimately released from jail to his parents. The parents want Anthony back in school. Immediately. The school system demands that Anthony undergo a threat assessment before any educational decision can be made. Work is sent home in the interim. The result of the threat assessment is that Anthony has a lot of anger, but it is more likely than not that he will not hurt anyone. The community is aware of what happened. If Anthony comes back to school you will have WWII on your hands. The parents want 1-1 teaching in the home while decisions are being made. What can be done?

THE END
THANK YOU!

