FAMILIES AND PROFESSIONALS

TRUSTING PARTNERSHIPS IN GENERAL AND SPECIAL EDUCATION

TURNBULL • TURNBULL • FRANCIS • BURKE • KYZAR
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Families and Professionals

Trusting Partnerships in General and Special Education

Eighth Edition

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Pearson

Dedication

Ann and **Rud** dedicate this book the memory of their son, Jay, and in honor of their daughters, Amy and Kate; sons-in-law, Rahul and Chip; and grandchildren, Dylan, Maya, and Cameron. They also honor Mary Morningstar, Jay's best teacher and their most trusted professional partner in Jay's education.

Grace dedicates this book to her family, including her brother Brad.

Meghan dedicates this book to her brother, Ryan, and her son, Rogan. She also dedicates the book to her parents—true embodiments of trusting family–professional partnerships.

Kathleen dedicates this book to her mother, Barbara Boulware, who was a committed and caring elementary school teacher and an unwavering advocate for public education and the teaching profession.

Shana dedicates this book to her own family (parents Peter and Catherine Jackson; husband Seth; children Daisy, James, Zephyr, and Sunshine) and the numerous families she has worked with who have taught her what she knows.

Tracy dedicates this book to the many families she has worked with throughout her career who have taught her the value of developing and fostering a meaningful and trusting family–professional partnership. She also dedicates this book to her daughters, Kyla, Annabelle, and Jillian, for their ongoing love and encouragement.

Katie dedicates this book to her first mentor, Professor Emeritus Susan Brody Hasazi, whose vision and commitment to families shaped Susan's long career at the University of Vermont and served as an inspiration to so many.

Natalie dedicates this book to her husband, Dare, and daughter, Liv, for their unending love and support. She also dedicates this book to the memory of Emily Baron, with gratitude, for teaching her a wealth of wonderful things and helping set her on this incredible career journey.

George dedicates this book to the families who, by sharing about their lives, have taught him about creativity, adaptation, practical wisdom, and grace under pressure.

About the Authors

Ann Turnbull is the Beach Distinguished Professor Emerita of the University of Kansas. Her son, Jay Turnbull, had several disabilities. As a special education faculty member for four and one-half decades, she has specialized in family quality of life and family–professional partnerships. She hopes that you will embrace and experience trusting family–professional partnerships leading to win–win–win outcomes for students, professionals, and families.

Rud Turnbull, also the Beach Distinguished Professor Emeritus, is a lawyer concerned with the human condition in a policy context; he specializes in disability policy, particularly its justifications and effects on families, individuals, and professionals. He wants you to understand that, as a professional in education, you and your students' families are partners in a civil rights movement—the liberation of students' capacities through education.

Grace L. Francis is an Assistant Professor of special education at George Mason University. Her research interests include family–professional partnership policies and practices and postschool outcomes that result in a high quality of life for individuals with significant support needs. She hopes educators continuously interrogate their own perceptions and values in order to better understand others.

Meghan Burke is an Associate Professor in the Department of Special Education at the University of Illinois at Urbana-Champaign. Her research examines disability policy and service delivery systems, parent advocacy, and roles of siblings of individuals with disabilities. She hopes you serve as a lifelong advocate with students and their families.

Kathleen Kyzar is an Associate Professor of early childhood education in the College of Education at Texas Christian University. She specializes in family–school partnerships within early childhood/elementary school settings. She hopes that you integrate partnership practices as a part of your daily work with students and families, and that you advocate for partnership practices to be a priority in your school and district.

Shana J. Haines is an Associate Professor of education at the University of Vermont. She focuses her research on family–professional partnerships for families whose children have disabilities or who arrived in the U.S. as refugees, and on improving teacher preparation. She wants you to participate actively in increasing equity by improving the education system for diverse learners through partnering with families.
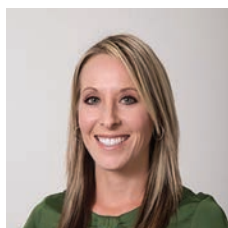
Tracy Gershwin is a Professor of special education at the University of Northern Colorado. She specializes in family–professional partnerships, conflict prevention, alternative dispute resolution, and special education law. She hopes you are able to develop and nurture meaningful and trusting family–professional partnerships that will continue to encourage growth for all students.

Katharine G. Shepherd (Katie) is the Levitt Family Green and Gold Professor in the College of Education and Social Services at the University of Vermont. Her research interests include collaboration among families and school professionals, leadership for inclusive schools, and implementation of tiered systems of support. She hopes you place families at the center of efforts to ensure that our schools promote equity, accessibility, inclusion, and an ethic of care.

Natalie Holdren is the education specialist credential coordinator at the University of California, Santa Barbara. Her orientation toward issues of equity has become the basis for her work on training preservice educators to partner with all families to meet student needs. She believes that you, when provided with the appropriate training and support, can be an agent of change for social justice.

George H. S. Singer is a Professor of special education at the University of California, Santa Barbara. He is the son, grandson, brother, and grandfather of individuals with disabilities. He specializes in studying family support with a focus on how parents help other parents. He wants you to understand the importance of science-based practices in supporting individuals with disabilities and their families within a framework of genuine partnerships.

Preface

Welcome to a book about partnerships among *all educators and families*. Not just educators who teach students with disabilities (the focus of our previous editions). But all educators, in all schools, in all grades, and in all communities.

Welcome to a book about *trust* and its role in partnerships. Any partnership will be more effective if it is based on trust among educators, families, and, yes, students. So, in each chapter, we teach you how to create trust.

Welcome to a book about *social justice.* That phrase entails many aspects of American life, but we teach you why partnerships based on trust embody social justice. Just as each chapter teaches trust, each chapter also teaches you that, by creating trust, you infuse social justice into your work, school, and community.

Reconceptualization and Organization: Why, Who, and How of Trusting Partnerships

Four Parts of the Book

We have reconceptualized this (the eighth) edition of *Families and Professionals: Trusting Partnerships in General and Special Education* to reflect the why, who, and how of creating partnerships among general and special educators and their students' families.

Part I is about the "why" of partnerships. It has two chapters. Chapter 1 begins by teaching you about the foundations of trusting partnerships. It then offers a unique research-based model of those partnerships in general and special education alike. We call it the "Sunshine Model." We emphasize that our model incorporates the seminal and current research about trust and partnerships in education.

Our model reflects five essential dimensions of trusting partnerships: equity, respect, communication, advocacy, and commitment. It also reveals the seven opportunities you will have to develop those partnerships; these are academic learning, social-emotional learning, behavior, student assessment, special meetings, student transitions, and school capacity enhancement.

Chapter 1 concludes by describing *social justice.* It derives the definition from the Constitution of the United States, as interpreted by the Supreme Court, and it gives you two examples of national leaders who have advocated for and applied social justice in their lives.

Having laid the foundation about partnerships, trust, and social justice, we describe, in Chapter 2, the four federal laws that govern you as you teach in general or special education and as you interact with your students' families. These laws extend social justice and partnerships into all aspects of education.

Part II is a logical extension of Part I (the "why" of partnerships) because Part II explains *"who"* the partners are. Chapters 3 and 4 describe the obvious "who" of partnerships—namely, your students' families. Both chapters teach that a family is a system. The family also is like a mobile: Any force that affects one part of a mobile affects all parts, and any events or circumstances that affect one member of a family affects all members. Chapter 5 continues the systems approach but, rather than families, it describes schools as systems.

Part III takes you from "why" (Part I) and "who" (Part II) to the "how" of trusting partnerships. It presents the research-based evidence about how you can be a trusted partner with families. Each of Part III's five chapters is concerned with a particular dimension of trusting partnerships: respect, equity, communication, advocacy, and commitment, in that order.

Part IV is a compendium of research-based strategies aligned with the seven opportunities for partnerships: academic learning, social-emotional learning, behavior, student assessment, special meetings, student transitions, and school capacity enhancement. The strategies teach you exactly what and how you can carry out the five dimensions of trusting partnerships within each of the seven opportunities.

An American Ethos: Diversity and Pluralism

There is an unbreakable link among the why/who/how of partnership and the American ethos. The word *ethos*

refers to the distinguishing character, sentiment, moral nature, or guiding beliefs of a group of people, namely, we who live in America. The question now is this: How does this book link to the American ethos?

You probably do not need to be reminded that America prides itself on being a country where diversity exists and where, for the most part, pluralism is welcomed. Diversity and pluralism are part of the American ethos, especially in our schools.

We reflect that ethos by addressing the major issues of diversity: race, ethnicity, socioeconomic status, education, national origin, sexual orientation, gender and gender identity, linguistic differences, child and family trauma, and, of course, ability and disability.

Partnership to Create This New Edition

This concerted and carefully prepared revision is the epitome of a collaborative and trusting partnership. Veteran and new authors wrote new chapters, created new pedagogy, and shared their knowledge of strategies and their understandings of research-based practice.

The "managing officer" for this large team has been Ann Turnbull. Except for one of the co-authors, each new co-author is skilled in various aspects of general and special education and in family–professional partnerships. Each has taught the "families" course in their universities, carried out research about family–professional partnerships, or done both. The exception is Rud Turnbull, whose training as a lawyer and experience as a policy advocate and analyst is the basis of much of Chapter 1 and all of Chapter 2 and whose editorial skills polished the text throughout, adding to the López family story.

The collective work of these highly skilled professionals means the book was prepared for you and your quest to learn how to build trust when partnering with professionals and families.

Pearson Etext LMS-Compatible Assessment Bank, and Other Instructor Resources

Pearson eText

The Pearson eText is a simple-to-use, mobile-optimized, personalized reading experience. It allows you to easily highlight, take notes, and review key vocabulary all in one place, even when offline. Seamlessly integrated videos and other rich media will engage you and give you access to the help you need, when you need it. To gain access or to sign in to your Pearson eText, visit https://www.pearson.com/pearson-etext. Features include the following:

- **Video Examples.** Each chapter includes *Video Examples* that illustrate principles or concepts aligned pedagogically with the chapter. These clips enable you to know what experts do when they are practicing partnerships, and include captions that ask you to consider how you would respond to situations depicted in the video. They are not just for you to view and enjoy; they are for you to reflect on and take into account as part of your education.
  With this edition, we are excited to introduce brand-new videos that present professionals from the Dr. William W. Henderson K–12 Inclusion School in Boston. Also, some Video Examples display professionals from CHIME, a school in Los Angeles. Both schools are exemplars when it comes to practicing inclusion. Other videos come from Pearson's own library of custom-made videos from various classrooms and teachers across the nation. Here are two Video Examples and their accompanying captions:

- **Pearson eText Video Example 5.2** https://mediaplayer.pearsoncmg.com/assets/_video.true/08_PositiveBehavior_01_CollectingData Consider the type of leadership the principal displays during this meeting with the behavior interventionist. How might the system they discuss influence school culture?

- **Pearson eText Video Example 7.3** https://mediaplayer.pearsoncmg.com/assets/_video.true/4.PatrickSutton_7th_PatricksMom How does this video clip illustrate soliciting meaningful feedback from Patrick's mother?

- **IRIS Center Modules.** IRIS Center, headquartered at Vanderbilt University, provides interactive online learning modules that describe strategies shown to be effective in teaching students with disabilities. Various modules have been selected by the authors and are linked in the Pearson eText.

- **Interactive Glossary.** In every course there are professional terms that you need to know. You will find these need-to-know terms in boldface in each chapter. By clicking on these boldfaced terms, you can quickly access and learn the meanings of the terms that affect how you practice partnerships.

Learning Management System-Compatible Assessment Bank

With this new edition, all assessment types—quizzes, application exercises, and chapter tests—are included in LMS-compatible banks for the following learning management systems: Blackboard, Canvas, D2L, and Moodle. These packaged files allow maximum flexibility to instructors when it comes to importing, assigning, and grading.

- **Learning Outcome Quizzes.** Each chapter's learning outcome is the focus of a *Learning Outcome Quiz* that is available for instructors to assign through their LMS. Learning outcomes identify chapter content that is most important for learners and serve as the organizational framework for each chapter. The higher-order, multiple-choice questions in each quiz will measure your understanding of chapter content, guide the expectations for your learning, and inform the accountability and the applications of your new knowledge. When used in the LMS environment, these multiple-choice questions are automatically graded and include feedback for the correct answer and for each distractor to help guide your learning.

- **Application Exercises.** Each chapter provides opportunities to apply what you have learned through *Application Exercises*. These exercises are usually short-answer format and can be based on Pearson eText Video Examples, written cases, scenarios modeled by pedagogical text features, or a strategy from the Compendium. When used in the LMS environment, a model response written by experts is provided after you submit the exercise. This

feedback helps guide your learning and can assist your instructor in grading.

- **Chapter Tests.** Suggested test items are provided for each chapter and include questions in various formats: true/false, multiple choice, short answer, and essay. When used in the LMS environment, true/false and multiple-choice questions are automatically graded, and model responses are provided for short answer and essay questions.

Instructor's Manual (0136768695)

The Instructor's Manual is provided as a Word document and includes resources to assist professors in planning their course. These resources consist of chapter overviews, learning outcomes, guidance for using available PowerPoint® slides to promote concept development, questions for discussion, supplemental teaching suggestions, and worksheets. In addition, this manual includes test items for each chapter in the following formats: true/false, multiple choice, and short answer/essay.

PowerPoint Slides (013676861x)

PowerPoint slides are provided for each chapter and highlight key concepts and summarize the content of the text. The slides also include questions and problems designed to stimulate discussion and to encourage students to elaborate and deepen their understanding of chapter topics. The slides will help instructors structure the content of each chapter to make it meaningful for students.

Note: All instructor resources—LMS-compatible assessment bank, instructor's manual, and PowerPoint slides—are available for download at www.pearsonhighered.com. Use one of the following methods:

- From the main page, use the search function to look up the lead author (i.e., Turnbull) or the title (i.e., Families and Professionals: Trusting Partnerships in General and Special Education). Select the desired search result, then access the "Resources" tab to view and download all available resources.

- From the main page, use the search function to look up the ISBN (provided above) of the specific instructor resource you would like to download. When the product page loads, access the "Downloadable Resources" tab.

Additional Embedded Learning Opportunities

The Family and Its Partners in Education—A Story Told with a Cast of Fictional Characters

We have just told you that our book rests on research, law, and ethics. The research is about how and why and for whose benefit trust is an essential element of partnerships. The law is the Constitution and four federal statutes. The ethics—if you will, the philosophy of our book—is about social justice and how trusting partnerships infuse justice into education.

In previous editions of this book, we have told the stories about real students, families, and educators. That was an effective way to link research to practice and provide examples of practice.

But this book contains a fictional story—*a story focusing on one family, two schools, one school district, and a vast number of professionals serving the family and the schools in their various roles.* Even as a weaver connects threads of different colors to create a tapestry, so we weave the threads of this story about six members of the López family and a cast of educators who try—and succeed—in creating trust and effective partnerships with the family, and with each other.

Note the words "try" and "succeed." These words are entirely appropriate, for three reasons. The father and mother in the story differ from each other by reason of their cultural backgrounds; accordingly, they differ in how they approach trusting partnerships with professionals. Likewise, each of the three children differs in their abilities and challenges. And predictably, each of the many educators who are involved with this one family has a different role, and each has somewhat different expectations about how to relate to families and how to teach their children.

Over the course of a single school year, you will follow the family and its educators as they seek trust as the basis for their partnerships, as they adopt or adapt the research on partnerships, and as they try to infuse justice into their schools.

You will recognize the family and the educators because our text about them is set apart in a different type or is in italics. You also will "meet" the family and educators in the "Cast of Characters" that follows this Preface.

Multiple Pedagogies

Each chapter contains at least one of five new pedagogies. All of these features are new to this edition. All model best practice.

- *Policy into Practice* tells how educators and families apply policy as they develop trusting partnerships. See **Policy into Practice:** *Brown v. Board of Education and Equality of Opportunity*.

- *A Cultural Lens* explains the role that culture plays as educators and families seek partnerships. See **A Cultural Lens: Using Perspective Taking to Maintain Commitment When Faced with Philosophical Differences**.

- *Advocacy in Action* shows you how you can partner with families and educators to address system and individual challenges and then find appropriate and effective resolutions of any challenges you may face. See **Advocacy in Action: Restraining Judgment When Families Advocate.**

- *Partnering with Students* shifts your focus from partnerships with families to partnerships with students. See **Partnering with Students: Enhancing Student Homework**.

- *Conflict Prevention and Resolution* teaches you how to prevent conflict among families and educators and how to resolve it, if you cannot prevent it. See **Conflict Prevention and Resolution: Mandated Reporting**.

The Compendium

The Compendium—a new feature of this book—supplements the text by including high-value, step-by-step research-based strategies. Each describes how professionals should apply the practices highlighted in each chapter. Compendium marginal notes throughout each chapter link you directly to a compendium entry that implements a chapter concept. The Compendium

will become essential to you as you practice trusting partnerships in your own schools working with families and other professionals. The Compendium includes the following items:

- Examples of MTSS data, cogent parts of an Individualized Education Program (IEP), a Functional Behavioral Assessment and Behavior Intervention Plan for Xavier López, and a Teacher-and-Family Interview.
- An "accommodations" plan—required by Section 504 of a federal law—for Alex, another of the López children.
- General Strategies for Partnerships, including family–school communications, educating families about their rights, and home visits.
- Strategies for implementing Sunshine Model opportunities:

  Academic learning

  Social-emotional learning

  Behavior

  Student assessment

  Special meetings

  Transitions

  Enhancing school capacity

See Compendium **Example Individual Education Program (IEP), Part B**.

See Compendium example **General Strategies: Partnering Through Family–School Communication Books**.

Acknowledgements

No book is published without the help of a great number of talented people.

Ann and Rud, and indeed all co-authors, acknowledge the extraordinary support, guidance, and good will of Linda Bishop, the developmental editor for this book. Linda's creative mind, vast experience as teacher and editor, capacity for attention to detail, immense good will and tolerance in partnership with us and each other, and insistence on the achievement of excellence have been invaluable. Ann and Rud also acknowledge the extraordinary talents of their co-authors, whose experience as educators and professors

and whose status as parents of extraordinary children are the foundations of this book.

Ann Davis and Kevin Davis, two former editors at Pearson, now retired, have been effective advocates for this book. Ann supported us as we developed previous editions. Kevin welcomed the reconceptualization that this edition embodies. He was bold to dare a different book for a different audience and to commit sufficient Pearson resources to this edition.

Our new product manager, Drew Bennett, and our senior analyst for content strategy, Rebecca Fox-Gieg, have lighted our way in completing this edition. We are equally grateful for Janelle Rogers, our content producer, as her talents for managing projects is unparalleled. And, the production agency, Integra Software Services, assigned two talented folks, Vigneshwar Kanagasabapathy, project manager, and Leza Young, copyeditor; each helped polish our work and ensure it was published.

We are especially grateful to Alex Lazara at the Frank Porter Graham Institute, The University of North Carolina, for urging us to conceptualize our partnership model as dimensions and activities that derive from a common core (the sun) and are like the energy that a sun generates.

We are equally grateful to Caya Chiu, Ph. D., a professor at National Taiwan Normal University and, before then, one of our doctoral students at the University of Kansas, for further creating an image that depicts the essential elements of our model—the Sunshine Model. You will find that image within the text, beginning at Chapter 1.

We extend our gratitude to Patricia Lampron, principal at the William W. Henderson K–12 Inclusion School, Boston, and to its teachers and parents for allowing us to video their inclusive practices and partnerships, supplementing our text with persuasive visuals.

Similarly, we are grateful to Dr. Erin Studer, the executive director of the Charter School Program for the CHIME Institute, Los Angeles, and to its teachers for being equally willing and competent in supplementing our text with videos that share best teaching practices.

We have much appreciation for Jon Theiss, the producer of the videos that depict administrators and teachers at Henderson School, Boston, and CHIME School, Los Angeles. He and his team knew what to video and they captured the images so compellingly.

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Cast of Characters for the Story

You and we are about to start a journey, one in which we will teach about and you will learn about partnerships in education. Those partnerships occur among families who have children in general and special education programs and the professionals who are involved in teaching those children.

Based on our many decades of teaching in America's schools, universities, and colleges, we believe you will learn better if we combine a story about a family and professionals within the text of each chapter.

The family consists of Julia and Alejandro López and their three children, Lucia, Xavier, and Alex. The professionals consist of teachers and administrators in the Buckley School District, in the suburban community of Buckley, Any State, U.S.A.

The story that begins each chapter threads through the chapter, describing what happens to the family and professionals in terms of the text of the chapter. The story is meant to enliven the content of this book and cause you to apply your new learning as well as your own experience in reacting to the story. The story is hypothetical but based on an amalgam of realities.

Welcome to our book, welcome to the story, and welcome to research about family–professional partnerships in schools.

Members of the Family

Alejandro López, father, owner of contactor business, born in El Salvador

Julia López, mother, nurse, native of New England

Lucia López, 15 years old and a sophomore; talented in art; attends Buckley High School

Xavier López, 10 years old; identified several months into his fifth-grade year as having a learning disability; attends Lion's Head School (combined elementary and junior/middle school)

Alex López, 5 years old and a kindergartener, has asthma; new student at Lion's Head School

Abuela Maria López, mother of Alejandro, grandmother of Lucia, Xavier, and Alex; widow and recent immigrant from El Salvador; moved to live with son and his family in López household

Amy, Julia's sister, professional (unidentified profession)

The Buckley School Professionals

Shira Banks, former principal at Lion's Head, now principal at Buckley High School

Fatima Bekir, Alex's kindergarten teacher, born in Turkey

Irene Gershwin, superintendent of schools, Buckley School District

Katherine Hart, nurse, Lion's Head School

Jesse Hurstin, director of facilities management and operations, Buckley School District
Elizabeth "Bessie" Jackson, maintenance staff, Buckley High School
Hannah Jenkins, Xavier's fifth-grade teacher
Sharilyn Morehouse, chairwoman of Equity Commission
William Rankin, teacher at Buckley High School
Dylan Scott, soccer coach
F. H. Sill, principal, Lion's Head School
Jenna Thomas, PTO president, Lion's Head School
Maya Tremblay, special education teacher, Lion's Head School
Caya Wing, school psychologist, Buckley School District
Unnamed recess monitor, Lion's Head School
Unnamed school counselor, Lion's Head School

Other People in the Buckley Community

William Armstrong, professor at local university
Karim Abdullah, Esq., associate in Mr. Galloway's law firm
Cameron Galloway, son of lawyer George Galloway ("GG"), senior at Buckley High School
G. G. Galloway, Esq., lawyer for school board
Juan Carlos González, born in Mexico, now a naturalized citizen of U.S., living in U.S. for 20 years, worked as migrant farm worker and "hand" in oil/gas industry, was living in Texas, moved to Buckley recently, father of Miguel
Miguel González, fifth grader, new classmate and soccer teammate of Xavier López
Gavin, soccer player/friend of Xavier's
Nate, soccer player/friend of Xavier's
Tremaine Jackson, son of Elizabeth "Bessie" Jackson, a senior at Buckley High School, football player, partially deaf

Trust, Partnerships, and Social Justice

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⌄ Learning Outcomes

1.1 Define trusting family–professional partnerships and summarize the basic concepts of the ecology of education and of trust as the core of partnerships.

1.2 Identify partnership dimensions and opportunities within the Sunshine Model of Trusting Family–Professional

Partnerships and characterize the benefits of partnerships for students, families, and professionals.

1.3 Explain two sources of social justice values and three values that constitute social justice.

The First Day of School and Its Challenges

Excitement buzzes through the halls of all Buckley schools as they open their doors to the students late in August. Bulletin boards are filled with welcoming messages, and classrooms are clean and ready, waiting for students to fill their seats, dirty their floors, and fill their cubbies and lockers. Teachers have planned, prepped, and participated in professional development for over a week, and the first day of school is finally here.

Julia López is busily getting her children ready for school. Her husband, Alejandro, has already left for work. Their youngest child, Alex, age 5, is starting kindergarten this year—his first time in school. Their middle child, Xavier, age 10, is entering 5th grade—the first year in the middle school section of Lion's Head School. Their eldest, Lucia, age 15, is entering 10th grade, her second year at Buckley High School.

Lucia hugs her brothers, her mother, and her father's mother (her grandmother, Abuela Maria) before heading off to school. She cannot wait for the school year to begin. Alex and Xavier kiss their grandmother good-bye before walking to Lion's Head with their mother. Xavier pulls ahead a bit, somewhat embarrassed by the fact that he is with his baby brother and his mother. Alex is excited for school and speaks loudly with his mother in Spanish. Xavier walks even faster as they approach the school building and answers his mother's and brother's questions softly and in English, looking away. Julia is so engrossed in conversation with Alex that she doesn't even notice Xavier's discomfort—a mother, a younger brother, and conversation in Spanish.

When he sees his soccer friends, Xavier runs to meet them without even saying good-bye to his mother and brother. The soccer players are standing in a circle and give Xavier a fist bump when he arrives. Julia watches in amazement, marveling at how old her son has gotten and how he seems to have so many friends, all wearing similar style Adidas soccer gear and sporting the same brush-top hairstyle. She tries to catch his eye to wave good-bye, but he does not look over at her.

Julia brings Alex to his classroom. She had met his teacher, Ms. Bekir, in the spring during the kindergarten screening and again when Ms. Bekir visited their home over the summer. The first encounter, during the screening, had not gone well at all. Alex had never been to preschool, because he stayed home with Abuela Maria. He was unaccustomed to school expectations and spoke only Spanish. During the kindergarten screening, Ms. Bekir had told him to write his name when he wanted to run around the room; he had a tantrum that had triggered an asthma attack. Julia had felt judged and nervous that day in March.

Ms. Bekir, noticing how Julia felt and how tough the transition to kindergarten would be for Alex, reached out soon thereafter and asked Julia whether they could meet, perhaps at Julia's house, to get to know each other better and to discuss how to facilitate Alex's transition to kindergarten. Ms. Bekir had come to the house on a Saturday and spent over an hour playing with Alex and talking with Julia, Alejandro, and, as much as possible given the language barrier, Abuela Maria. She had also met Alex's older sister, Lucia, and his older brother, Xavier.

The López family had discussed their desire for a smooth transition for Alex as well as the hope that he would love school and retain his Spanish. In getting to know the López family, Ms. Bekir remembered that her own mother helped to take care

of her grandchildren when they were young. "Julia and Abuela Maria, I too had the same experience in my home in Turkey. My mother helped me raise my children. We depended on each other, as you do in your family. I love being here. It reminds me of those precious times in my own life—the times when my husband and I were at our university in Turkey, before coming here. Did you know that my husband is studying for his doctorate and I have my certificate to teach here? Let me reassure you: I taught elementary school students for several years in Turkey. They were not much different than the students here in Buckley."

Although Alejandro's choice to keep Alex out of preschool would make the transition to kindergarten more difficult for Alex and perhaps for other members of the family, Ms. Bekir knew that the López family strongly valued their family, **culture**, and language. Keeping Alex home as a child enabled him to stay close to his family, and Ms. Bekir acknowledged that to Julia.

As they approach the door to the kindergarten room, Alex runs up and gives Ms. Bekir a big hug. Ms. Bekir smiles broadly and takes Alex by the hand. She greets Julia warmly, and they all enter the classroom together. Julia's anxieties melt away.

In this chapter, we describe the foundations of trusting partnerships. We then depict and describe a model of trusting partnerships and identify the benefits of trusting partnerships for students, families, and professionals such as you. Because partnerships and social justice are inextricably linked, we turn attention to the definition of social justice, describe its three core values, and relate those values to the 14th Amendment of the Constitution of the United States and to civil rights activism in education.

Our most basic message to you is that, as you and the families of your students engage in trusting partnerships, you will enhance benefits for students, families, and yourself; and, simultaneously, you also will advance the cause of social justice in education. Trusting partnerships and social justice go hand in hand.

Foundations of Trusting Family–Professional Partnerships

1.1   Define trusting family–professional partnerships and summarize the basic concepts of the ecology of education and of trust as the core of partnerships.

Ecology of Education

For you to learn about the "why" of partnerships, you should understand that, taken as a whole, the American education enterprise is an **ecology**. To understand why that is so, start by thinking about the term *ecology*. The term refers to the totality of the relationships between organisms (i.e., plants, animals, and humans) and their environment (Merriam-Webster, 2016). That is the broadest definition of ecology. It does not, however, prove our assertion that the American education enterprise is, itself, an ecology. Nor does it prove our point that partnerships rest on certain values. We will get to those "values" matters soon; first, we introduce you to the idea that there is an ecology of education.

To prove our point there is an ecology of education, we ask you to consider the more specific perspectives of a famous child psychologist, Urie Bronfenbrenner (1977). Why him? Because he developed a useful ecological theory to explain how relationships affect children and youth, the origin of his theory is relevant.

Bronfenbrenner grew up on the grounds of a state institution for children with intellectual disabilities; his father was a physician there (Zigler & Muenchow, 1992). As a child, Bronfenbrenner observed that people with intellectual disabilities imitated the behaviors of others with disabilities when they were in the institutional environment, but they imitated the behaviors of the Bronfenbrenner family when they came to the family home. Family and community expectations, he observed, influence behaviors; context shapes what we do.

Bronfenbrenner provided verbal and graphic descriptions of contexts that influence and shape child development. In Figure 1.1, we adapt Bronfenbrenner's levels as they have traditionally applied to education. There, you will see three major sections of the ecology of education: social justice sources, environments, and people. You will then find that, within each of these three major sections of educational ecology, there

Figure 1.1 Traditional Ecology of Education

Constitution
Civil Rights Activism
Laws
Communities
Schools
Homes
Community Members
Professionals
Families
Students

☐ Sources of social justice values ⋮ Environments ☐ People
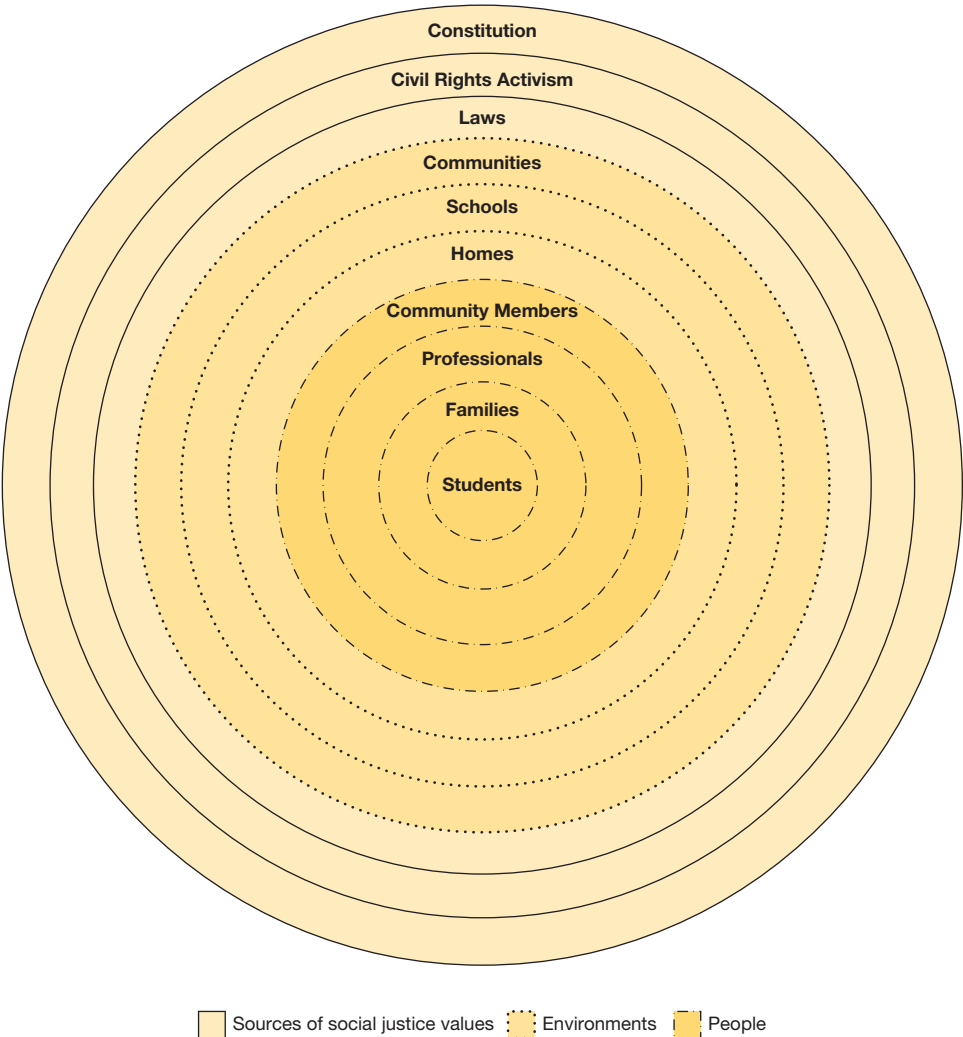
are altogether 10 concentric circles. With the student in the center, the premise is that students are impacted by the multiple concentric circles of social justice sources, environments, and people.

- **Social justice sources.** Social justice sources include the Constitution, civil rights activism, and federal laws.
- **Environments.** Environments, including communities, schools, and homes, are the contexts for partnerships. They are the "places"—the mini-environments—within which trusting partnerships can exist. You will learn about these contexts in Part II, Chapters 3 and 4 about families, and Chapter 5 about schools and communities.
- **People.** People, including community members, professionals, families, and students, are the "actors"—the people who give life to trusting partnerships. You will learn more about them throughout all chapters and the Compendium.

We caution you to avoid interpreting the concentric circles in Figure 1.1 as static. The lines delineate the ecologies, each from the other. Note, however, that the lines are broken, indicating that there is a constant synergy inside this full ecology of outer "circles" influencing inner ones and vice versa. The word *synergy* tells you that there are reciprocal interactions and combined effects among these different sections (comprised of concentric circles) so that the whole educational ecology is greater than the sum of its parts. These interactions are often highly visible, as in the story that introduced this chapter.

The López family members and professionals such as Ms. Bekir seek to trust each other; that is why Ms. Bekir was so wise to be aware (during the kindergarten screening) of Julia's and Alex's concerns and then to assuage their concerns by coming to their home before school started, indicating that she, too, had a story to tell about family and a commitment to be a partner with the López family.

Pearson eText
Video Example 1.1
Which of the concentric circles represented in the Bronfenbrenner ecological framework are described in the story about Mateo? https://www.youtube .com/watch?time_continue =4&v=3AES90nzxwk

Definitions

DEFINING FAMILY–PROFESSIONAL PARTNERSHIPS.   A partnership consists of a relationship that involves close cooperation between or among individuals or entities who have specified and joint rights and responsibilities (Merriam-Webster, 2016). The key words are *close cooperation* and *specified joint rights and responsibilities*.

Close means being near in terms of time, space, and degree (Merriam-Webster, 2016). In education, the nearness occurs because both families and educators are deeply concerned with and often deeply involved in a student's education.

Specified joint rights and responsibilities refers to a legal situation in which each partner has rights and duties to others (Merriam-Webster, 2016). Rights and duties are set forth in the Constitution of the United States (this chapter) and in four federal laws that you must know and follow (Chapter 2).

The purpose of trusting partnerships is to accrue benefits for students, families, and professionals. These partnerships, then, have three beneficiaries, and it is those beneficiaries that are in the people component of the educational ecology (Figure 1.1). But more than that, partners benefit the entire enterprise of American education by injecting social justice into it.

You would be mistaken to think that partnerships rest entirely on legal concepts of close cooperation, rights, and responsibilities. Trusting partnerships also reflect three kinds of knowledge. The first kind of knowledge derives from research; the second from professionals' and parents' experiences; and the third from **school culture**.

Moreover, family–professional partnerships exist in both general education and special education. The current term often used in general education is **family engagement**, not "trusting partnerships." The term *family engagement* arises in the literature on general education research and practice literature. It also arises in the federal law that governs general education, the Every Student Succeeds Act, which we describe in Chapter 2.

Family engagement consists of a process in which families and educators share responsibility for improving student achievement (U.S. Department of Health and Human Services and U.S. Department of Education, 2016). A former secretary of the U.S. Department of Education characterized family engagement aptly when describing his vision for family engagement:

> My vision for family engagement is ambitious…. I want to have too many parents demanding excellence in their schools. I want all parents to be *real partners* in education with their children's teachers, from cradle to career. In this *partnership*, students and parents should *feel connected*—and teachers should *feel supported*. When parents demand change and better options for their children, they become the real accountability backstop for the educational system. (SEDL, 2013, p. 3; italicized emphasis added)

The italicized words explain that family engagement and family partnership are aligned with each other. Throughout the book, we will use the term *trusting family– professional partnerships* (or just *trusting partnerships*), but that term encompasses the concept of family engagement.

As you may have noticed from the story, Julia and Ms. Bekir are more than "engaged" in Alex's education; they are connected to each other not just by a commitment to each other and to Alex, but by a desire to be able to trust each other, which they are learning to do.

DEFINING TRUST.   Our emphasis is not just on family–professional partnerships but especially on trust-based family–professional partnerships. We will use the words "trusting partnerships" throughout this book. By adding the adjective "trusting" to partnerships, we enlarge the general-education approach of engagement without deleting its concepts of "real" partnerships in which students and parents feel connected and teachers feel supported. We affirm the aspects of authenticity, connection, and support, as you will learn later in this chapter and throughout Part III. But we add trust as the central core of partnerships.

Trust means having confidence in another person's truthful word, sound judgment, and wise actions (Merriam-Webster, 2016). This confidence justifies you in relying on other persons to act in your best interest. In both general and special education, the person who relies is either a professional (Ms. Bekir) or family member (Julia); the person on whom that person relies is the counterpart, namely, a family member or professional. Note the reciprocity: the professional or family member trusts the other.

To decide whether they can trust you, families usually will make the decision cognitively, affectively, and behaviorally (Bryck & Schneider, 2002; Forsyth, Adams, & Hoy, 2011).

- Cognitively—thinking with their heads—refers to families' thoughts about the school, in general, and about you as a teacher in, and how those thoughts complement or collide with their own values, beliefs, and experiences.

- Affectively—thinking with their hearts—consists of families' positive (e.g., confidence, acceptance, admiration) and negative (e.g., fear, rejection, disfavor) emotions that they experience in regard to interactions with or thoughts of you.

- Behaviorally—interpreting your actions and interactions—enables families to merge their heads and hearts in noting how you interact with them (e.g., whether or not you listen or point out their child's strengths).

Think about Ms. Bekir and the López family. How did she gain Julia's and Alex's trust? Simply by coming to their home? Or was it by exchanging stories about themselves and their families? Or, perhaps, by not judging Julia and Alex when Alex was not at his best behavior? A visit does not necessarily or by itself create trust; instead, the openness and stories begin to lay the foundation for a trusting partnership.

Trust may never be taken for granted and must always be earned. That is because the behavioral dimension of trust is perhaps the most solid foundation of your partnership, and that is because it is your actions that often dictate families' cognitive and affective thinking about whether or not to trust you. "Trust is…a human virtue, cultivated through speech, conversation, commitments, and action…it is always a matter of human effort. It can and often must be conscientiously created, not simply taken for granted" (Solomon & Flores, 2001, p. 87). Part III (Chapters 6 through 10) explains how you can earn the trust of your students' families.

DEFINING TRUSTING FAMILY–PROFESSIONAL PARTNERSHIPS.   Now that you know the discrete definitions of family–professional partnerships and trust, you are ready to focus on a complete definition: **Trusting family–professional partnerships** are characterized by an alliance in which families and professionals confidently build on each other's word, judgment, and wise actions to increase educational benefits for students and themselves. Note the following considerations arising from that definition:

- There are two parties or groups of parties: families of your students and professionals who provide services and support to students. We discuss these parties—these people—in Part II, wherein Chapters 3 and 4 discuss families and Chapter 5 discusses schools and communities.

- The alliance centers on the education of students who both are members of a family and simultaneously receiving educational services and support from one or more professionals.

- The alliance already reflects an existing level of trust among the individuals, or it has an unrealized potential related to trust. Where trust exists, the individuals can enlarge it, or they can diminish it. Where trust does not exist, the individuals can create it or inhibit it. The potential, then, is both positive and negative. Part III and the Compendium teach you how to convert the potential into a positive factor—how to create trusting partnerships that inject social justice into education.

- The trust occurs as a result of conscious effort; it is not taken for granted. Families and professionals build trust and partnerships. Without the effort to build, they may not have confidence in the other partner.

- The purpose of the partnership is explicit. It is to benefit the students and the partners alike.

You now ought to be curious, asking, "What's the source of this trusting partnership concept? Where does it come from?" These are good questions. We have answers for you. In a nutshell, the answers derive from research and law.

Overview of Research on the Nature of Partnerships in General and Special Education

PARTNERSHIPS IN GENERAL EDUCATION. National polls of teachers' attitudes toward the support that they receive from families of the students they teach revealed a significant problem (Langdon & Vesper, 2000). Approximately three-fourths of teachers reported that they would give families the grade of C, D, or F with respect to their involvement. Overall, teachers gave families lower scores on the provision of support to them than they gave administrators or the members of their local school board. When teachers were asked to identify the biggest obstacle to improving public schools, families' lack of involvement was identified as the second most significant barrier; finance/funding was the most significant barrier.

Similarly, a national poll on perspectives of families about schools revealed that 70% of the families of children attending public schools gave their oldest child's school a grade of A or B (Phi Delta Kappa, 2018). It is noteworthy that parents with lower incomes and without college degrees rated schools with lower grades as compared to families with higher incomes and college degrees. Regarding **race**, Black families reported lower ratings than White families.

Research about the relationships between teachers on the one hand and parents on the other raises the question, "So what? What can be done about the nature of the relationship, assuming that teachers and parents will always have some kind of a relationship?" One answer lies in the long line of research conducted by Epstein and Associates (2019). Epstein and her colleagues identified the following six types of partnerships for promoting student success:

- Parenting—supporting parents to meet basic parenting needs
- Communicating—exchanging information about school processes and student progress
- Volunteering—setting up opportunities for parents to contribute to school processes
- Extending Learning in Home—including families in supporting their child's schoolwork
- Decision Making—involving families in making judgments about their child's education, school governance, and educational advocacy
- Collaborating with the Community—working jointly with community organizations and resources

Epstein's National Network of Partnership consists of schools that, together, seek to guide school-district leaders to implement the six types of partnerships at state, district, and school building levels and within the general education sector. Within the elementary, middle, and secondary schools, teams develop and implement policies and practices to strengthen family partnerships, consistent with the federal general education law, the Every Student Succeeds Act (which you will learn about in Chapter 2).

Note that we said that Epstein's approach applies within the general education sector. It typically does not take into account partnership practices aligned

with the federal law affecting special education. By contrast, in this book you will learn about partnerships in both general education (including **Title I schools**) and special education.

PARTNERSHIPS IN SPECIAL EDUCATION.   Before 1975, many students with disabilities were denied an opportunity to attend school. In fact, the local school district did not offer Jay Turnbull (1967–2009), the son of this book's senior authors, any kind of educational program when he reached school age in the early 1970s. The Turnbulls' response was to create a program for Jay and for approximately a dozen other children with disabilities who would have had a right to attend school at age 6 if they did not have a disability.

In creating a program for Jay and other students in the mid-70s, the Turnbulls were doing exactly what other parents of children with disabilities had been doing for at least two decades previously. Those parents joined together in parent organizations to support and learn from each other, including about how to operate schools for their children and how to advocate for public education for them. These pioneer parents created programs in community buildings and church basements, solicited financial support from charitable organizations, and did the job that the schools should have been doing.

In addition to starting educational programs, these parents banded together in the 1960s and 1970s to advocate for state and federal laws requiring state and local education agencies to educate their children (Turnbull, Shogren, & Turnbull, 2011). Relying on decisions by two federal courts holding that students with disabilities have the same right to public education as students who do not have disabilities (*PARC v. Commonwealth*, 1971, 1972; *Mills v. D.C. Board of Education*, 1972), the parents, in partnership with special education professionals in the Council for Exceptional Children, convinced Congress to enact a law that provided funds to **state education agencies** and **local education agencies** only if they complied with the federal law; that law required all state and local education agencies to provide an appropriate education to students with disabilities. You will learn more about parent advocacy for special education in Chapter 9; that chapter focuses in-depth on professional and parent advocacy.

Samuel Kirk (1984), often considered the "father" of **special education**, described the profound effect of early parent leadership in starting educational programs as follows:

> If I were to give credit to one group in the country for the advancements that have been made in the education of exceptional children, I would place the parent organizations and parent movement in the forefront as the leading force. (p. 41)

Kirk's judgment is as solid in the last years of the second decade of the 21st century as it was when he stated it more than 35 years ago. Moreover, it is as prescient as it could be, for Kirk not only identified the parent organizations and the parent movement at the vanguard of special education, but he also foretold a key element of that law. The key element relates to the topic you are studying—the role of parents in their children's education and thus the relationships they have with their children's educators.

You will learn much more about that law when you read Chapter 2. For now, pay attention to this finding of fact by Congress in the **Individuals with Disabilities Education Act (IDEA)** as one of several justifications for funding special education and imposing duties on state and local education agencies:

Link to **www.nnps.jhucsos.com/** to learn more about the excellent resources available for developing and implementing Epstein's six types of partnerships.

almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by…strengthening the role and responsibility of parents and ensuring that families…have meaningful opportunities to participate in the education of their children at school and at home.

To ensure that parents do indeed have "meaningful opportunities to participate" with educators, IDEA establishes a principle of parent participation and confers rights on parents to participate in making key decisions about how to educate students with disabilities. When you learn about the law (Chapter 2), you will understand how the parent participation principle affects your partnerships with families.

TRUST AS THE CORE OF PARTNERSHIPS.   Trust provides support for the development and ongoing growth of family–professional partnerships, including working through partnership challenges so that students' needs can be addressed in a meaningful way. For over four decades, trust has surfaced throughout relationship and organizational studies both in and outside the field of education, with researchers unanimously identifying trust as vital for relationships, even describing trust as important as air (Baier, 1986), water (Hoy, 2002), and the glue that solidifies relationships (Meier, 2002).

Trust has the ability to deescalate conflict (Lake & Billingsley, 2000). Simply put, trust can either make or break relationships. Repeated studies of family–professional partnerships have identified trust as a central, integral, and necessary interaction required for the development of partnerships between administrators, teachers, and parents (Goddard, Tschannen-Moran, & Hoy, 2001; Tschannen-Moran, & Hoy, 2000). A comprehensive review of 51 studies that investigated family involvement outcomes concluded that one of the most important components of schools that successfully involved and developed meaningful partnerships with families was the component that focused on "building trusting collaborative relationships" (Henderson & Mapp, 2002, p. 7).

Vulnerability of creating a trust-based partnership with families.   Among all the literature about trust in the field of education and related disciplines, the large majority of the definitions of trust describe vulnerability as a major component (Tschannen-Moran & Hoy, 2000). Because trust requires reliance on another person, it also entails vulnerability. When trusting another person, there is some risk for physical, psychological, and/or emotional harm. Thus, confidence is also an area worthy of consideration with respect to trust. That is, in order to make yourself vulnerable and take risks with a partner, you must have confidence in the partner that they can and will act in the best interest of everyone involved. In the case of family–professional partnerships, this often requires families to have confidence in a professional's ability and commitment to act in the best interest of students. Likewise, professionals need confidence in families' ability and commitment to support their child. Researchers describe this phenomenon by saying, "Trust ultimately rests with the degree of confidence one holds in the face of vulnerability and risk" (Hoy, 2002, p. 90). How much confidence we hold in one another affects our ability to take risks and be vulnerable. This process is no easy feat.

Families are expected to trust that their most precious person, their child, will be taken care of by the teacher. This situation is already challenging to most parents; however, it is even greater for families of children with a variety of needs, including a severe allergy, disability, and chronic health condition. For example, many families of children with disabilities already do not trust easily due to a variety of issues primarily

Pearson eText
Video Example 1.2
What did this teacher do to create a condition of trust with the parent?
https://www.youtube.com/watch?v=lx3TO5icoV4 I

related to previous negative experiences with professionals (Zeitlin & Curcic, 2014). Researchers have shown that trust is often given more easily to individuals who share similar traits, knowledge, or experiences (e.g., culture, demographics, shared experiences) (Hoy, 2002). As you will learn in Chapters 3–4, many families significantly differ from the national profile of professional culture, demographics, and shared experiences. Comparatively, for some individuals, trust may come more easily.

A trusting partnership also can change over time, based on the experiences that partners have shared among one another. That is, the levels of trust between families and professionals is likely to ebb and flow depending on the interdependence with one another, shared experiences, and the overall outcome of the issues at hand (Tschannen-Moran & Hoy, 2000).

Conflict between families and professionals.   A lack of, or broken trust is, one of the major causes of disputes between families and professionals (Lake & Billingsley, 2000). When parents or professionals do not consider the other party to be trustworthy, it is common and likely for conflict to develop. Essentially, repeated family experiences of being excluded, ignored, talked over, and outnumbered by professionals lead to a lack of trust that ultimately breaks up the foundation of the relationship and leads to conflict between families and professionals (Mueller, 2017). Conflict occurs when "interdependent people perceive incompatible goals and interference from each other in achieving those goals" (Folger, Poole, & Stutman, 2009, p.4). Conflict between families and professionals can further exacerbate a divide among parties or bring them together for the resolution that can best address a student's needs (Mueller, 2009).

Conflict itself is not a bad thing. In fact, conflict often leads to positive changes. For example, as you will learn later in this chapter, *Brown v. Board of Education* (1954) was the Supreme Court's decision in our nation's civil rights conflict that required racial desegregation. It also was the precedent on which the Supreme Court and Congress relied in creating rights and opportunities for other people who had experienced discrimination. Simply stated, it is not the conflict itself that is a potential problem; instead, it is how a conflict is addressed or resolved that can affect trust (Mueller, 2015).

When conflict arises, trust can be broken; the focus of the parties can shift from relying on one another to support the child to "winning." In those situations, partnerships often lose the student focus (Mueller, 2009). Conflict between families and professionals often happens over an issue that occurs between them about the student. Because we are all humans and experience things for ourselves through our own experiences, values, and beliefs, it should not be surprising that the saying "there are two sides to every story" couldn't be more accurate.

When conflict is present, typically both parties come to the issue with their own positions (their belief about the issue of disagreement) and interests (the why behind their beliefs) (Fisher, 2000). Often, these positions and interests collide with one another based on the experiences, beliefs, and levels of trust in the partnership before the disagreement arises. Family–professional partnerships are especially vulnerable when conflict is present because the position and interests are often directly related to the student. Because professionals and family members both play unique roles in a student's life, differences in perspective are highly likely and often emotionally laden. To underscore this point, read *Conflict Prevention and Resolution: Using Restorative Justice Strategies as an Alternative to Juvenile Detention.*

CONFLICT PREVENTION AND RESOLUTION

Using Restorative Justice Strategies as an Alternative to Juvenile Detention

Conflict Scenario: Ashkii is a 15-year-old boy who belongs to the Navajo tribe, the Diné. He lives with his large family on the reservation near his school, where his family subscribes to the indigenous practices of their tribe.

Ashkii was identified as having an emotional and behavioral disorder at the age of 10, due to overt aggressive and antisocial behavior found to significantly affect his academic performance and social relationships. One week ago, Ashkii physically attacked a boy who sits next to his desk by punching him in the face because, according to Ashkii, "Matt would not leave his desk belongings or desk space alone." As a result of this incident of aggression, and others that occurred earlier in the year, the high school principal, Mr. Stowe, was prepared to enforce a zero-tolerance policy and recommend placement in a juvenile detention center that, according to the principal, could "provide Ashkii with the punishment and structure he required to stop his aggressive behavior toward others."

Ashkii's family, which included the tribal leader, disagreed with the principal's suggestion and firmly believed that such a placement would not provide Ashkii with any learning opportunities and would likely cause more harm than help to his social and behavioral skills. Consequently, his family firmly believed the school should address the situation without using punishment and instead subscribe to their beliefs and provide Ashkii the opportunity to learn from his behavior and to make it right within his power so that he can learn to live as Diné should in harmony with man, animals, plants, and insect elements ruled by Mother Earth and Father Sky.

Family Position: Ashkii's family and tribal leader want the school to address his aggressive behavior by allowing him the opportunity to reflect on his behavior and make it right again without punishment.

Professional Position: Mr. Stowe would like to place Ashkii in a juvenile detention center.

Family Interest: Ashkii's family and tribal leader want to be sure he can learn to live as Diné should, in harmony with man, animals, plants, and insect elements ruled by Mother Earth and Father Sky.

Professional Interest: Mr. Stowe is concerned for the safety of the other students and does not think Ashkii will change his behavior without being in a juvenile detention center.

Conflict Resolution Options/Conflict Resolution Strategies

Strategy 1: Restorative Justice, Victim–Offender Mediation. Rather than the suggested transfer to a juvenile detention center, the situation was handled through the Restorative Justice strategy known as victim–offender **mediation**, whereby Ashkii and his family, the tribal leader, school staff, the victim (Matt), and Matt's parents met with a restorative mediator, who led the group through a series of exercises. During this process, the mediator asked Ashkii several questions such as "What happened?" and "What can we do to make it right? Other thoughtful non-judgmental questions were asked, and discussion followed until Ashkii was able to develop a plan with the help of the other members that would repair the harm done between him and his peer Matt.

> This strategy provides Ashkii with the opportunity to accept the responsibility of the harm he caused his peer Matt, develop a restitution plan that will be implemented, and ultimately, repair the justice that has been damaged. The RJ process also supports Ashkii and his family's cultural values and beliefs regarding the development of Diné character, rather than punishment.

Strategy 2: Restorative Justice, Peace Circles. Similar to the Victim–Offender Mediation Restorative Justice strategy, Ashkii and his family, the tribal leader, school staff, the victim (Matt), Matt's parents, and a designated peace circle leader participated in the four stages of a peace circle. These included (1) acceptance (i.e., all members of the circle accepted that it was a process they wanted to participate in), (2) preparation (i.e., the circle keeper prepared by having discussions with all members before the circle meeting, (3) gathering (i.e., the circle was convened and all members were encouraged to express their feelings and identify solutions), and (4) follow-up after the meeting (i.e., the circle keeper communicated and followed up with Ashkii and the circle to be sure all items were addressed properly, and if needed, make adjustments). One of the main differences between the victim–offender mediation and peace circle process is the peace circle leader is less active than a mediator facilitator, and instead acts as a participant and witness to the process, intervening only during heated discussions and during lulls in the process.

This strategy enables Ashkii and his family, the tribal leader, school staff, the victim (Matt), and Matt's parents to jointly participate in a problem-solving peace circle that encourages the circle to collaboratively discuss the harm that was caused, issues that led to the issue, how the harm can be repaired, as well as to develop a plan for prevention in the future. Similar to strategy 1, the peace circle process also supports Ashkii and his family's cultural values and beliefs regarding shared decision making and acting harmoniously with one another to further the development of their individual and collective character.

Conflict Prevention Strategy:

- **Restorative Justice Tier 1, Circles of Sharing.** Mr. Stowe decides to implement a school-wide community-building prevention measure by implementing a classroom circle activity during the first 30 minutes every Friday throughout the entire school. During the classroom circles, peer facilitators lead students in circles of sharing, where kids open up about their fears, goals, and any issues of concern.

Reflection Questions:

- Consider Ashkii's family's interests regarding their desire for their son to learn from his behavior so that he can live as Diné should in harmony with man, animals, plants, and insect elements ruled by Mother Earth and Father Sky. How do the restorative justice practices presented above assist Ashkii's family with following their cultural beliefs and values? Be sure to provide details in your answer.

- How might the practice of Restorative Justice Tier 1, Circles of Sharing have prevented Ashkii from hitting Matt?

Role Play Activity:

- In groups of five, conduct research on both resolution strategies (victim–offender mediation and peace circles) and then role play each strategy. Next, discuss the difference between the two strategies.

You will learn about conflict prevention and resolution in every chapter through a feature similar in format to the one you just read on Ashkii and the incorporation of **restorative justice** to address his emotional and behavioral needs. Knowing the position and interests of both parties, as well as how to implement the Sunshine Model (that you will learn about next), will enable you to build trust and to resolve conflict when it inevitably arises.

The Sunshine Model of Trusting Family–Professional Partnerships

1.2 Identify partnership dimensions and opportunities within the Sunshine Model of Trusting Family–Professional Partnerships and characterize the benefits of partnerships for students, families, and professionals.

Having defined the concept we refer to as the trusting family–professional partnership and having identified and explained the foundations for that kind of partnership, we now offer a model of it. We do so first by acknowledging that we are creating a holistic research-based approach that can be useful to educators in both general and special education (Haines et al., 2017). We then describe the model that we believe, on the basis of our research, best depicts and describes those trusting partnerships.

As we describe the model, we will return to Julia, Ms. Bekir, and their intention to be partners in Alex's education. But we will also introduce a dynamic that differs from theirs. It is a dynamic in which the López family and Xavier's educators must struggle on his behalf—not just to be partners, but also to have a partnership that brings social justice into the Buckley school district. Bear in mind that Xavier is well ahead of his brother Alex, being in the 5th grade and 10 years old.

A Holistic Research-based Approach to Trusting Partnerships in General and Special Education

Overlaps exists between the Epstein (general education) and the Turnbull (special education) work and the work of other scholars. There has not been, however, any effort until now—until this book—to merge research from special education and general education into a comprehensive and coherent partnership approach. Indeed, previous editions of this book have focused almost exclusively on special education; in this edition, however, we broaden our own work. Believing that the ancient Greek philosopher Aristotle was correct in observing that "the whole is greater than the sum of the parts," we refer to and adapt some of the recent work of Epstein and Associates (2019), but we also add our own work and that of many researchers, practitioners, and families in creating a composite model of trusting partnerships. Our purpose is to offer a partnership approach in the entirety of education so that all students will make educational progress and all families and professionals will have the opportunity to be trusting partners with each other. Our approach uses the **metaphor** of the sun; we call our model the Sunshine Model of Trusting Family–Professional Partnerships.

Figure 1.2 depicts our Sunshine Model. Are you curious why we say the sun is an apt metaphor for trusting partnerships? If so, we are about to satisfy your curiosity. It is because there are parallels between the sun and trusting partnerships, as highlighted in Figure 1.3.

Figure 1.2 Sunshine Model of Trusting Family–Professional Partnerships
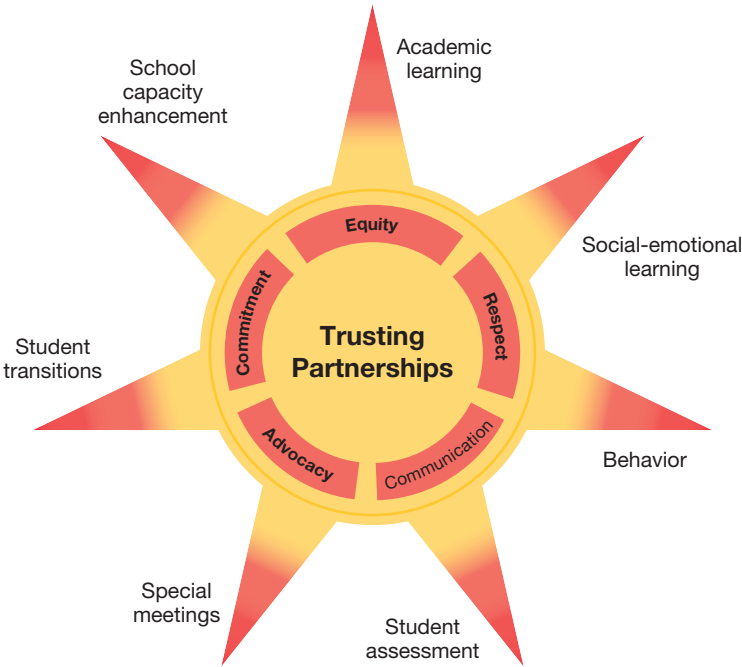
Figure 1.3 Justification of Sunshine Metaphor

Characteristics of the Sun	Characteristics of Trusting Partnerships
Core of solar system	Core of social justice in education
Illuminates Earth with light	Illuminates educational decisions with light
Generates energy for life	Generates energy for educational outcomes
Generates "magnetic field" (field of force) to protect against dangerous solar winds	Generates "magnetic field" (field of force) to protect against dangerous decisions that are not in students' interest
Has a combustion process in which properties combine to produce heat	Has a "combustion" process in which respect, equity, communication, advocacy, and commitment combine to produce trust

Five Dimensions of Trusting Partnerships: The "How" of Trust

The core of partnership—the core of the Sunshine Model—is trust. Encircling trust are five dimensions of partnerships. They are **equity**, respect, communication, advocacy, and commitment. There are two important aspects of these dimensions.

The first is that each requires effort and skill. You will recall that, earlier, we said that trust may not be assumed; it must be earned. It must be sought actively. None of these five dimensions may be assumed; each must be sought actively by the families and professionals. Part III and the Compendium teach you how to act, to seek, and to obtain these dimensions.

When Ms. Bekir asked for Julia's permission to come to the López home, she was working at being a partner. When Julia gave her permission, she too was working at being a partner. Effort and skill by each paid off when the school year started with warm greetings and Julia's release from anxiety.

The second is that these dimensions jointly "combust" to produce trust. No single dimension alone "combusts" powerfully enough to produce trust among families and professionals. Yes, any one dimension has some power to contribute to trust, but its power is limited—there is simply not enough energy for full combustion, for complete trusting partnerships. There is only just enough energy to generate some light, some power, but not enough, without the other dimensions, to combust and ensure a fully operational, effective, and beneficial trusting partnership.

Which of those dimensions came into play in the exchange between Julia and Ms. Bekir? What was the source of the combustion? Don't try to answer those questions yet. But keep it in mind as you learn more about the dimensions. We'll guide you toward an answer.

We did not casually create the sunshine metaphor and its five dimensions that, together, constitute trust. The sunshine metaphor derives from a landmark research study whose purpose was to identify and define the dimensions of high-quality family–professional partnerships (Blue-Banning, Summers, Frankland, Nelson, & Beegle, 2004). That research was carried out by our colleagues at the

Beach Center on Disability at the University of Kansas (the Turnbulls were the co-founders of the Beach Center and its co-directors for 26 years until they retired at the end of 2014). The initial study that launched a long trajectory of investigations included more than 200 respondents who were either families of school-aged children (some being in general education and some being in special education) or professionals who had various roles in state or local education and other human-service agencies.

As the researchers analyzed the data to identify and define the dimensions of high-quality family–professional partnerships, they detected a pattern. Indicators of partnerships emerged; some were so similar to others that they constituted what could only be called a *dimension*—a larger construct of partnership. The researchers then categorized and named the dimensions. To make sense of the differentiations and to give them a collective name—a name that exuded the power that families and professionals can create as partners with each other—the researchers fixed on the most natural source of power in our universe: the sun. Hence the name, the Sunshine Model of Trusting Family–Professional Partnerships.

Figure 1.4 briefly defines each of five dimensions and highlights the key indicators associated with each one. Part III of this book includes a chapter on each of these five dimensions. The dimensions represent *how* partners—for example, you and families— should interact with each other; thus, they are the relational aspects of partnerships. The idea of relational aspects needs a few more words of explanation.

How often have you spoken or heard: "It's not what you said, but how you said it"? The "how" often overwhelms the "what." We want to extend that same concept as follows: It is how you interact with families that makes the most difference in their trust in you. This is consistent with what you learned previously about the critical importance of how families behaviorally interpret what you say and what you do in establishing trust.

Figure 1.4 Definitions and Indicators of Partnership Dimensions

EQUITY	RESPECT	COMMUNICATION	ADVOCACY	COMMITMENT
Equity is enlarging, supplementing, or overriding a narrow, rigid system of law and/or educational practice to ensure that partnerships are characterized by social justice. Indicators include the following: • Get to know families • Become familiar with resources that provide social support • Share information • Overcome logistics • Identify when to hold and when to fold	Respect is the act of conveying a sense of admiration for good or valuable qualities; also, having genuine concern for families' needs and feelings. Indicators include the following: • Treat students and families with dignity • Be empathetic • Take honorable action toward the family's culture • Respond to the family's concerns	Communication encompasses culturally responsive and empathetic interactions that are reciprocal, frequent, and regular. Indicators include the following: • Listen • Connect • Express	Advocacy refers to pleading one's own or another's case or cause; it involves taking action to solve problems or remove barriers in order to accomplish valued outcomes. Indicators include the following: • Develop viewpoints on key issues • Pinpoint and document concerns • Identify stakeholders and find a middle ground • Determine solutions	Commitment refers to a deliberate choice that educators make to identify with and value partnership as a core element of their teaching and work, and to remain dedicated to and responsible for building and sustaining trusting partnerships with families. Indicators include the following: • Define goals and reasons for expanding your partnership commitment • Develop and implement reasonable action plans in light of likely rewards and obstacles • Manage your many commitments

Seven Opportunities for Trusting Partnerships: The "What to Do" in Creating Trust

Now that you've learned about the dimensions of trusting partnerships represented at the center of the Sunshine Model, we call your attention to the seven sunrays. Each represents one or more opportunities that you will have as you interact with families to create or enlarge trusting partnerships with them. These are your opportunities:

- Academic learning
- Social-emotional learning
- Behavior
- Student assessment
- Special meetings
- Student transitions
- School capacity enhancement

Each of these opportunities represent *what* issues you address (for example, a student's academic learning, **social-emotional learning**, behavior, or a student's assessment of progress and transition from one grade or program to another) and *what* processes you use (for example, special meetings, school capacity enhancement) in partnering with families. Just as the sunrays cannot exist without the sun's center, the *what-to-do*—the-partnership opportunities—cannot exist without the *how*—the partnership dimensions. In a nutshell, equity, respect, communication, advocacy, and commitment must be infused into every partnership opportunity in order to create or enlarge trust and thereby maximize benefits for students, families, and professionals.

If you have concluded that the "activity" that Julia and Ms. Bekir were engaged in was a special meeting, you are right. If you have concluded that the dimensions were respect, communication, and commitment, you are right. Dimensions must be infused into every opportunity (i.e., sunray).

The Compendium (at the end of the book) is organized around the seven partnership opportunities; it also includes a section on general strategies that you can use to implement all opportunities.

Each of the 37 entries describing a partnership strategy includes the following five parts: overview, example, action steps, links to dimensions, and references and resources. Throughout our book, you will find margin notes to guide you to specific partnership opportunities that are aligned with the text.

Benefits of Trusting Family–Professional Partnerships in General and Special Education

You have learned that trusting partnerships have the purpose of benefitting students, families, and professionals and that they achieve their purpose. So, let us make this point absolutely clear: Trusting partnerships create win-win-win outcomes. By that we mean win for students, win for families, and win for teachers, including yourself. We do not make this bold statement lightly.

BENEFITS FOR STUDENTS.   The vast majority of research that has examined student benefits has been conducted in general education classrooms. Approximately two-thirds of students with disabilities spend 80% or more classroom time in general

education settings, and this number has not substantially changed over the last decade (U.S. Department of Education, 2018). For that reason alone, we report research that includes both students with and without disabilities.

William Jeynes is the most prolific researcher of the effect of what he refers to as parental involvement on the academic and behavioral outcomes of students enrolled in general education classrooms. Jeynes defines parental involvement as parental participation in the educational processes and experiences of their children. He often examines two particular dimensions of parental involvement:

- Activities occurring at home (e.g., parents helping with homework) as distinguished from activities occurring at school (e.g., parents attending school functions)
- Parents initiating their own ideas about how to be involved as distinguished from teachers encouraging parents to follow through with a particular type of educational endeavor

Jeynes has carried out many **meta-analyses**, gathering all of the studies on a particular topic in order to statistically aggregate the results of that entire body of research. The topic of Jeynes' meta-analyses has been parental involvement, namely, the traditional activity that brings parents and teachers together to identify and respond to educational priorities; however, the nature of their work has not emphasized the core of trust and dimensions of respect, equity, communication, advocacy, and commitment—the *how* of partnerships. Rather the emphasis has been *what* is jointly addressed (e.g., homework, literacy). Of the many meta-analyses that Jeynes has published, Figure 1.5 enables you to discern the results of four of his studies.

In columns A, B, and C of Figure 1.5, you will note meta-analyses that focus on urban students, Latino students, and African American students. Given these three populations, it is encouraging to see that every one of them experienced a statistically significant increase in positive outcomes when their parents and teachers worked together on behalf of their education. Column D focuses on the difference it makes

Figure 1.5 Highlights of Meta-analyses Focusing on Parental Involvement

	A	**B**	**C**	**D**
Author and Year	**Jeynes (2012)**	**Jeynes (2017)**	**Jeynes (2016)**	**Jeynes (2015)**
Focus of Inquiry	Efficacy of types of parental involvement programs for urban students	Relationship between parental involvement and Latino student outcomes	Relationship between parental involvement and African American student outcomes	Father involvement and student academic achievement
Number of Studies	51	28	42	66
Grade or Age of Students	Pre-kindergarten through grade 12	Grades 1–12	Pre-kindergarten through college freshman	9 months –22 years
Results	• Significant increase in academic achievement • Stronger benefits for standardized than for non-standardized test scores • Larger gains for secondary students than for preschool and elementary	• Significant increase in academic achievement; highest increase as compared to other studies reported here • Greater for academic than for behavioral outcomes • Almost identical gains for elementary and secondary students	• Significant increase in academic achievement • Greater benefits for academic than for behavioral outcomes • Almost identical gains for elementary and secondary students	• Significant increase in academic achievement • Stronger impact for younger children • Higher effects for children of color • Stronger impact for behavioral than for academic outcomes

when fathers are involved in supporting their child's educational progress. As you will learn in Chapter 3, mothers are by far the typical family representative in school activities. In that chapter we will encourage you to have special outreach to fathers so that they know they are welcome. The reason for that outreach is the positive difference in Figure 1.5 that you can see in student benefits when fathers are involved.

In addition to the studies that are highlighted in Figure 1.5, Jeynes (2014) conducted a meta-analysis of 30 studies examining the variables that were the most effective in reducing the achievement gap between White students and Black/Latino students. The wide-ranging variables included government policy, cultural factors, high expectations, **curriculum**, classroom structure, family factors, religious faith, and religiously oriented schools.

Which two variables were found to make the most difference in reducing the achievement gap? If you chose these two—family factors and religious faith—you may have been more insightful than any of your peers who would have chosen some of the variables more closely associated with policy, culture, and education. Indeed, you may have based your choices on your understanding about families and perhaps your own experiences: "In reality, it only makes sense that faith and family are so closely associated with the bridging of the achievement gap, because few social forces influence one's life more than faith and family factors." (Jeynes, 2015, p. 546).

Within the area of family variables, Jeynes investigated the types of parental involvement programs that led to the strongest outcomes for students.

- Specific types of parent involvement programs leading to successful student outcomes included parents reading to their children and being engaged in homework with them. Additionally, higher outcomes resulted when parents and teachers communicated with each other and collaborated with each other as equal partners in how best to help students improve their learning. The highest positive effect was for shared reading, and the next highest was for parent–teacher partnership activities. There were only a small number of studies that focused on the partnership dimensions, as contrasted to partnership opportunities that our research has identified.

- Results indicated that students improved their achievement both when their parents volunteered on their own for parent involvement activities as well as when their parents became involved because they were encouraged by professionals to do so.

Rather than thinking that parents' own initiation or teachers' instigation of parents' involvement in their child's learning is on an either-or basis, the ideal approach is for parents and teachers to both be active initiators (Jeynes, 2012). "Indeed, there are a plethora of teacher education textbooks that will instruct preservice teachers about how to get parents on their side, but there may even be a greater need to begin instructing preservice teachers about how to be on the parents' side" (p. 733).

The take-away message from these summaries of Jeynes' research is that student outcomes will be greater when partnership programs support parents in carrying out the types of partnership activities that the parents are most interested in doing. Throughout Part III and the Compendium, you will learn how to be on "parents' side" in building on their strengths, needs, and preferences.

BENEFITS FOR FAMILIES. Whereas most research on student benefits has been carried out in general education classrooms on students without disabilities, research on family benefits has largely been done with families who have children with disabilities. The majority of these families, however, also have children without disabilities.

We summarize below research-based highlights on how families benefit from trusting family–professional partnerships:

- Families who experience stronger partnerships with educators experience less family stress (Burke & Hodapp, 2014). *Julia's anxiety about Alex's first days of kindergarten were not as high as they might have been due to the fact that she and Ms. Bekir had taken time to get to know each other as people, not just as a parent and a teacher.*

- Satisfaction with partnerships leads to increases in family quality of life (Eskow, Summers, Chasson, & Mitchell, 2018; Kyzar, Brady, Summers, Haines, & Turnbull, 2016).

- Families' satisfaction with services depends on the level of satisfaction they have with their partnerships with professionals (Kyzar et al., 2016; Summers et al., 2007).

- Professionals' partnership skills are needed for higher family quality of life, and these partnership skills may buffer the effects of low outcomes of student progress in knowledge and skills (Kyzar, Brady, Summers, & Turnbull, 2018).

Julia stops by the school nurse's office with Alex's nebulizer for his asthma. She knows the school nurse, Katherine Hart, well, since the nurse has been there for decades. Indeed, Ms. Hart brought homework to Lucia when she had mononucleosis during middle school. When bringing Lucia's homework to her and checking on her health, Ms. Hart had come to know Julia rather well. She and Julia greet each other with a hug. They talk a little about Lucia and Xavier. Julia tells Ms. Hart about Alex's asthma, and Ms. Hart replies that she knows about it. She has already reviewed Alex's medical records from kindergarten registration and talked to Ms. Bekir about the procedure if he has an asthma attack. Ms. Hart also mentions that she and Ms. Bekir have already talked about how excited they are to have the youngest López child in their care this year. Julia thanks Ms. Hart. She fights the desire to look in on Alex down the hall in Ms. Bekir's room and forces herself out the door.

Like many parents in her situation, Julia feels strong emotions when walking away from Alex on this first day of school. It was hard when Lucia and Xavier started school, but Julia is especially worried about Alex. He is so young still, so fragile. He is sensitive and sweet, but his asthma is worrisome, and, although he understands English, he does not speak it often enough to speak it as well as many of his classmates. Abuela Maria, Alex's paternal grandmother, lives with the family and has been raising him so Julia and Alejandro can work. Abuela Maria speaks only Spanish.

In addition, Julia worries about his emotional development since she and Alejandro have argued a lot, too often in front of Alex. Even Alex, who is so young, seems to sense that something bad may be looming. In fact, this is the first year that Alejandro has not come to school with the family on the first day. There is too much tension when they are all together, so they take turns being with their children.

Julia is immensely thankful for Ms. Bekir and Ms. Hart. She already trusts them, and this confidence she has in their skills and their treatment of her child minimizes her stress. As she walks the few short blocks home, though, Julia wonders about Xavier's 5th-grade teacher. She is new this year, and Julia knows nothing about her other than the form letter she sent to Xavier over the summer. Julia had read it when she found it on the floor of his room. It introduced her—Hannah Jenkins is her name—and stated that she just graduated from college and is excited to be working at the school she attended as a child. She lives with a friend and has a chocolate-

colored Labrador retriever as a pet. Julia's stomach turns when she thinks about Xavier, who has seemed so withdrawn lately, sitting in the classroom she has never seen and with a teacher she has not met.

BENEFITS FOR PROFESSIONALS.   Professionals' benefits of partnerships have not been the focus of research. The experience-based knowledge of teachers and principals, however, provides powerful substantiation of what educators have to gain from trusting partnerships with families.

Ms. Bekir is excited to see Alex on this first day of school. He is so energetic and excited, and she is happy to see the relief in Julia's eyes as he eases into the classroom. Ms. Bekir has Julia's cell phone number and has discussed calling her if there are any questions or concerns. Knowing that she can reach Julia in case of an emergency, especially related to Alex's asthma, is reassuring, since she has never had a student who experienced asthma attacks. She also tells Julia that she would like to check in that evening to hear how Alex's day went from his perspective. Having that plan in place makes Ms. Bekir feel comfortable and confident going into the day. Ms. Hart also feels fortunate to have a strong partnership with Julia, knowing she can call on her if health-related issues arise with Alex.

BENEFITS FOR EDUCATIONAL ECOLOGY.   You learned in Figure 1.1 about a traditional view of educational ecologies. That traditional view does not take into account the power of trusting partnerships. Figure 1.6 transforms the separate concentric circles of community members, professionals, families, and students as depicted in Figure 1.1 into the metaphorical sunshine; thus, trusting partnerships are at the center of educational ecology. These trusting partnerships radiate "energy" and "light" for students as the primary beneficiary but also for families and professionals, as well as for the strengthening of environments and social justice.

Pearson eText
Video Example 1.3
What benefits did the teachers receive from Mal's mother?

Trusting Partnerships and Social Justice

1.3 Explain two sources of social justice values and three values that constitute social justice.

You have learned about the foundations of trusting partnerships and had an overview of the Sunshine Model in terms of the five dimensions of partnerships, as well as the seven opportunities for partnerships. Further, you have contrasted the traditional ecology of education with a contemporary partnership-infused ecology. With the foundations and Sunshine Model in mind, it is now time for you to learn why social justice is critical to forming partnerships among professionals and families. You then will learn in this chapter about the two sources of the values that constitute social justice. The first is the Constitution of the United States. The second is civil rights activism. In Chapter 2, you will learn about the third source: federal education laws. These three sources, as shown in Figure 1.6, generate the three values of fairness, equality of opportunity, and dignity.

From his assigned table in the middle of his 5th-grade classroom, Xavier can see out the window. He sees his mother walk away slowly, looking back at the school a few times. He looks away and then looks at his friend and teammate on the school soccer team, Nate. Nate makes a silly face at him from across the room, provoking Xavier to laugh. Ms. Jenkins, who is in the middle of introducing herself and showing a picture of her dog, asks him what is so funny. Xavier shrugs and mutters, "Nothing."

Figure 1.6 Partnership-infused Ecology of Education

Legend: Social justice values | Environments | Trusting partnerships of key people with students as ultimate beneficiaries
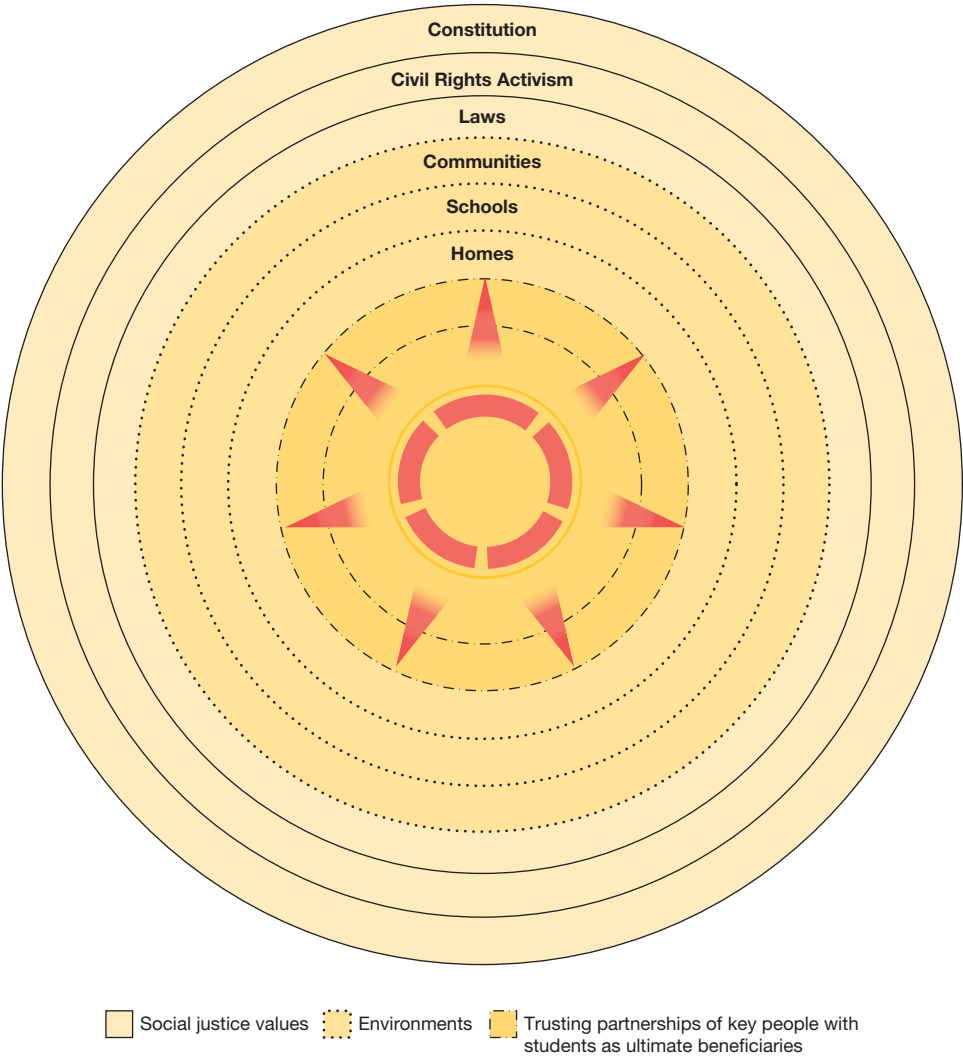
Nate and another soccer-playing friend, Gavin, both chuckle. Time passes, with the students in class introducing themselves and stating their favorite animals.

There's a new boy in the class, named Miguel. Miguel speaks English haltingly, with a very strong accent. Ms. Jenkins tries speaking to him in Spanish, which she took in high school but has never actually used, but her attempt makes the whole class laugh. She asks if anyone in the class can help Miguel, but nobody, including Xavier (who is fluent in Spanish), volunteers. Xavier looks down at his desk as he listens to Miguel sputter through the introduction. Miguel says his favorite animals are monkeys.

Finally, mid-morning recess arrives. Xavier cannot wait to get out on the soccer field, but the recess monitor tells them the field is off limits this week, while it is being repaired. The boys play tag on the surrounding school blacktop for a few minutes but soon get bored and tease each other a bit. Then Gavin spots Miguel, sitting by himself. He walks toward Miguel, Nate following close behind, leading a small group of other soccer players. Gavin stands over Miguel, making monkey noises,

scratching his armpits and head. He says, "Why don't you just go home, you dirty **immigrant**!"

Xavier, at first completely horrified, soon finds himself imitating Nate, also making the monkey motions, laughing at Miguel with his friends. Xavier really wants to fit in.

Miguel doesn't seem to care much at first, but he soon gets angry. Miguel pushes Gavin, and Nate and Xavier get involved to defend their friend. Miguel yells at Xavier in Spanish. The recess monitor, hearing the boys yelling at each other, sees Xavier push Miguel. As she comes running over, Gavin and Nate scatter.

She stands between Xavier and Miguel and yells for them to stop hitting each other. They do, and she takes them to the school counselor. In compliance with Buckley School District's Policy on the Prevention of Harassment, Hazing, and Bullying of Students, he listens to the monitor's explanation—"these two boys were fighting each other, yelling in Spanish"—as he completes a Student Conduct Form. Not able to speak Spanish and seemingly in a hurry, he does not ask either boy for any information but relies solely on what the monitor tells him.

Having completed the form, one for each boy, the counselor talks with the students individually. He talks first with Miguel. Xavier waits outside the counselor's office. Miguel tries to tell him about the monkey noises, but his English is too limited, and the counselor thinks Miguel might be making fun of him. He asks Xavier to come in to help explain what happened. Xavier says, "We were just playing around," and refuses to say what they were doing or that Gavin had started the whole fracas.

Xavier doesn't want to get in trouble, but he especially does not want Gavin and Nate to think that he told on them. He needs to show them that he is cool. He also does not want to be mean to Miguel, but the last thing he really wants is some new boy, a Spanish-speaking child, latching on to him. He feels that he already stands out enough by having a father who yells in Spanish at his soccer games.

Having completed the form for each boy, the counselor takes the next step required by the policy: instant e-mail notification to the student's family, with a copy to the school principal, Dr. Sill. Thus, before lunchtime on the first day of school, Julia, Alejandro, and Mr. and Mrs. Gonzáles all receive an alarming form letter via e-mail:

> **URGENT NOTICE OF INAPPROPRIATE BEHAVIOR AND POSSIBLE DISCIPLINE**   "Today, August 20, I received a report that your son/daughter has been involved in inappropriate student conduct, namely, being a perpetrator of harassment, hazing, or bullying. I am hereby providing you with mandatory written notice that Lion's Head School has initiated an investigation under Buckley School District's anti-harassment policy to determine whether the alleged behavior occurred and whether your son/daughter violated the policy. Under the terms of the policy, I may not disclose the details of the alleged incident since it involves other students. I will inform you whether our investigation concludes that your son/daughter violated the anti-harassment policy and, if so, what consequences he/she will experience. The Buckley Schools count on your cooperation as we continue to work toward creating a school environment that is just, supportive, respectful, and safe for all students. Signed, Dr. F. H. Sill, Principal."

There is only one difference between the two letters. The letter to Mr. and Mrs. Gonzáles changes the word "perpetrator" to "victim."

Defining Social Justice: A Problem and a Solution

The concept of social justice defies any single consensus-based definition. When we were writing this chapter, our Google search of the term *social justice* produced 1,280,000,000 hits. The term social justice seemed to us to be universal in three aspects.

- First, you will find it wherever and whenever some people in this and other countries seek redress of their grievances. Its meaning depends in part on the context in and purposes for which it is used.

- Second, you will find it whenever action by a person or entity marginalizes some people by discriminating against them and thereby conferring privileged status and benefits on others.

- Third, you will find the term in contemporary discourse about all domains of American life. You will find it in discourse about education, housing, employment, and health care; you will find it whether these areas of contemporary life are operated by a government agency, a private-sector entity, or a joint public–private undertaking. There seems to be no boundary to the definition of the term social justice.

Given that the concept of social justice seems to be universal, is there a short definition of it, a way of encompassing those three aspects we described in the paragraph immediately above? Yes. Our short definition does not depend on context or place or the traits of the people who claim it as a matter of right. Instead, it depends on the purpose—the single purpose—for which it is invoked. Our definition encompasses both the reason for action and the effect of action. **Social justice** is the concept that leads to action undertaken to counteract bias; it seeks a society in which prejudice is unacceptable. Social justice is the antidote to **bias** and **marginalization**. It is the means for a society to become one that is characterized by fairness, equality of opportunity, and dignity.

At Alex's kindergarten intake meeting in April, the school psychologist—newly graduated from college and never before having been at Lion's Head—was assessing him for kindergarten readiness. The psychologist focused on the social-emotional checklist in front of her, going through the scripted questions and nodding politely, rarely making eye contact with Julia. Then the teacher, Ms. Bekir, conducted the kindergarten screening with Alex, who was way more interested in playing with the Lego blocks set up in the corner of the room than sitting at the desk and writing the alphabet. He refused to sit at his desk, saying he wanted to be left alone.

Alex spoke only in Spanish, so Julia had to translate Alex's contrary words for Ms. Bekir, realizing that, in translating, she may seem to have condoned her son's behavior. In fact, Julia was mortified that her son had been so spoiled by his Abuela Maria at home all day; she had really wanted him to go to preschool, but Alejandro insisted that he stay home with Maria.

When Ms. Bekir told Alex that he needed to sit at the desk to write his name, he ran in circles around the large room, shouting in Spanish that he would not sit down and then collapsing in a tantrum. Julia was immobilized, not knowing how to respond to this situation in front of the teacher who was evaluating her child. She didn't really need to translate his words, for his behavior was loud and clear.

The tantrum triggered an asthma attack, and Julia needed to use a nebulizer to stabilize Alex's breathing. Julia was embarrassed by the whole episode, fearing that Alex's behavior may have persuaded the school psychologist that she, Julia, was unable to raise Alex properly. Julia left the meeting, pulling Alex by the hand.

THE "SOCIAL" ELEMENT OF SOCIAL JUSTICE.   The term *social* refers to the interaction of an individual and a group; it refers to the welfare of individuals as members of a society (Merriam-Webster, 2016). For the purposes of your education and our book, the broadest social context is America's schools and communities, and the narrowest social context is the school in which you will work.

In this book, the term *social* refers to the Buckley School District; it is the society that affects the education of the López children. Its schools, the Lion's Head School and Buckley High School, are mini-societies within the Buckley district. These are the social environments inhabited by the people who are influenced by social justice values.

THE "JUSTICE" ELEMENT OF SOCIAL JUSTICE: THREE VALUES.   The term *justice* refers to the state of being impartial or fair; it refers to the principle or ideal of just dealings and ethical action (Merriam-Webster, 2016). Ethical action entails conforming with accepted standards, including professional standards in education, and with central values. The term *justice* consists of three different but related values.

The word *values* refers to principles that are inherently worthwhile, and *principles,* in the way it is used within the meaning of values, refers to a fundamental law or doctrine, to a rule of conduct, and to the ethical codes of behavior among people (Merriam-Webster, 2016).

So, in the ecology we described and depicted in Figure 1.6, social justice values are those fundamental ways in which professionals, families, and students should act in relationship with each other. That is abstract, we know, but we will make that idea about values, within a social justice ecology, more concrete, a bit later. For now, bear in mind that "act in relationship with each other" refers to how professionals, families and students can and should be partners with each other—how they should have trusting partnerships.

THREE SOURCES OF SOCIAL JUSTICE AND THREE VALUES.   For our purposes related to trusting partnerships and as we have previously told you, there are three sources of social justice. Figure 1.6 depicts those sources. They are the Constitution of the United States, civil rights activism, and federal education laws. These three sources express the three values of fairness, equality of opportunity, and dignity.

In the remainder of this chapter, you will learn that the sources and values interact with each other, much as the single strands of a lanyard create the lanyard itself or the overlapping strands of beads create a single necklace. In this chapter, you will learn about the strands that derive from the Constitution and civil rights activism; in Chapter 2, you will learn about the strand that originates from federal laws. In both chapters, you will learn that the sources express the values of fairness, equality of opportunity, and dignity.

The 14th Amendment of the U. S. Constitution: A Source of Fairness, Equality of Opportunity, and Dignity

The Constitution of the United States is our fundamental law. Its ultimate meaning—how it applies in various circumstances—depends on how the Supreme Court interprets it, for only the Court has the last word on the meaning of any law. The Constitution is superior to all federal, state, and local laws. All laws, whether federal or state, must derive their authority from and conform to the Constitution; they may not conflict with it.

The Constitution, and indeed all law, is a way of shaping our behaviors. It governs how we relate to each other and to federal, state, and local governments. The traditional way of understanding that law governs our relationships with each other

and with our governments is best expressed by these words: Law is a form of social engineering (Pound, 1911). It governs what we may and may not do with respect to each other and what our governments may do with respect to each of us. Stated in another way, law shapes our personal and our governments' behavior. How we act with respect to each other and how our government acts with respect to us, the governed, depends on the words of the Constitution and the meaning of those words.

You are about to learn what words one of the amendments to the Constitution uses to express what we value in our relationships with each other and our governments. To repeat: These values are fairness, equality of opportunity, and dignity. To understand just how the Constitution prizes these values, you need to know about the 14th Amendment.

The 14th Amendment itself provides as follows:

> No state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without **due process** of law; nor shall any state deny to any person within its jurisdiction the **equal protection** of the laws.

Note that the 14th Amendment identifies and thus distinguishes between two different concepts. The first concept is due process of law. The second is equal protection of law.

This is a good place for us to explain that the 14th Amendment uses the term "equal protection" but that many people use two other terms. One is *equal opportunity* and the other is *equality of opportunity*. These two terms are other ways of expressing the constitutional doctrine of equal protection. We use the term "equality of opportunity."

We start by considering the meaning of due process. Then we consider the meaning of equal protection/equality of opportunity. When considering both due process and equal protection/equality of opportunity, we quote from the 14th Amendment and the Supreme Court's school desegregation decision in *Brown v. Board of Education* (1954).

We focus on theory and doctrine—on principles and concepts that the Constitution expresses. With one or two exceptions, we do not cite data or discuss how state and local education agencies create policies and practices related to the principles and concepts. Our purpose is to explain how due process and equal protection, as principles and concepts, lay a basis for partnerships.

THE 14TH AMENDMENT: DUE PROCESS OF LAW AND FAIRNESS.   As a matter of law, **fairness** is the essence of the process that is due to all of us in our relationships with our federal, state, or local governments. If you break the law, you have a right to a trial. At the trial, you are presumed innocent; you also have the right to call witnesses on your behalf, to testify or not on your behalf, and to have a lawyer represent you.

These protections create an equilibrium between yourself and your government (with its huge resources). They represent the law's effort to be fair to you even as it seeks to protect other people against actions you may take that impair their liberty, property, and safety. The legal phrase for that kind of fairness is due process—the process (treatment) that is due by government to you, one of the governed, so that the government will treat you and all of its citizens fairly.

An example of the need for fairness in education relates to the discipline of students of different races. Consider the fact that African American students experience 39% of all public school suspensions, despite the fact that they are only 15.5% of the public school population (Government Accounting Office, 2018). As you read *Advocacy in Action: Disproportional Racial Discipline*, ask yourself: What is fair in dispensing school discipline?

ADVOCACY IN ACTION

Disproportional Racial Discipline

What is happening?

You are an early childhood teacher. As with the rest of the country, in your state Black male students are disproportionately more likely to be suspended and expelled. These disproportional rates start as young as preschool. The statewide chapter of the National Association for the Education of Young Children (NAEYC) is working with educational professionals to bring attention, action, and advocacy to reduce preschool suspensions. You are eager to join the NAEYC in their efforts. However, you have never advocated before. You wonder how you can help advocate for change with respect to disproportionality in suspensions for preschoolers. You wonder what will happen to your students who are Black, and how to advocate for them by being a partner with their families.

What is supposed to happen?

Suspensions during preschool are alarming because preschool suspensions and expulsions are associated with poor educational and life outcomes. This is especially concerning with respect to Black males, who are significantly more likely to be suspended and expelled. Schools should prevent problem behavior among students. Specifically, schools should have clear expectations and consequences with respect to student behavior. You do not know whether to try to be an ally with your students' families and, if so, how to be their ally to advocate.

How can you advocate?

- **Use and Document Research:** Examine your state's statistics of suspensions especially with respect to race. Further, if available, examine the statistics of individual districts. Then, you can identify which districts need intervention due to disproportional rates of suspension. You can also identify which districts have low rates of suspension. You may consider interviewing faculty and families in these latter districts to understand their strategies and application of discipline, and the consequences of disciplining young students.

- **Consider Policy:** School discipline and, relatedly, disproportionality, have been a recent legal issue. Refer to the U.S. Department of Education for resources and guidelines with respect to suspensions.

- **Collect Data:** Look within your own school's data about suspensions and disproportionality. Interview teachers and administrators at your school to understand their concerns. Interview the parents of children who have been disciplined, especially if you have disciplined some children. This mix of quantitative and qualitative data may help inform you with respect to the barriers and potential solutions to reducing suspensions.

- **Brainstorm Multiple Solutions:** Bring your data to your meeting with the NAEYC and other stakeholders. Discuss freely and openly potential solutions to this problem. Given the widespread nature of this problem, consider that multiple solutions may be needed to resolve it.

Questions

1. **Individual Reflection Question:** Given the situation, how and with whom would you advocate? Justify your advocacy strategy. What are the pros and cons of each strategy?
2. **Role Play Scenario:** Education professionals may be defensive when asked about their disciplinary methods. Specifically, your colleagues may be upset that you are questioning their methods. How will you respond? Conduct a role play scenario with yourself advocating for changes to disciplinary procedures and a teacher who is offended that you disagree with her disciplinary methods.

Consistent with school policy, Xavier and Miguel must meet with Dr. Sill, the school principal. They do so immediately after he has sent the e-mail to their parents. He has a brief message for them: "Boys, I have to tell you, this is no way to behave and start the school year. I have also to tell you that I have notified your parents by e-mail. You are dismissed. You may leave now." The e-mails have already arrived at the boys' homes.

In the hallway, Xavier says to Miguel, "Deja de molestarme!" (translated: Stop bothering me!). Xavier refused to name witnesses, and Miguel didn't want to identify the boys who mocked him. They glower at each other; neither makes an effort toward peace or reconciliation.

Miguel's father, Mr. González, immigrated from Mexico nearly two decades ago. He is a long-time resident of the United States and a naturalized citizen. His new job brought him to the Midwest. Mr. González has had a text message from his wife about the e-mail from Dr. Sill. She talks worriedly about punishment.

Mr. González does not fully understand what his wife is telling him. He is frightened. All he knows is that Miguel is in trouble—for the first time! He regrets not being more proficient in speaking English. "I must go to the man in charge at the school. I fear the school will harm my son. He's new, they may think he's an immigrant simply because he speaks little English. We have spoken mostly Spanish in our home. Our family has never been in trouble."

Alejandro, on his lunch break at the construction site for which he is the prime contractor, checks his e-mail. He is shocked and flustered by the tone and content of the e-mail. He calls the school immediately and is connected to Dr. Sill's voice mail. Frustrated and increasingly angry, he decides to go to the school without hearing from Dr. Sill.

POLICY INTO PRACTICE

Brown v. Board of Education and Equality of Opportunity

Need and Facts (As of 1954, The Date of *Brown v. Board*)

Black students wanted the right to attend all-White public schools so that they would have equality of opportunity to an education. Linda Brown grew up in an integrated neighborhood in Topeka, Kansas. Although the school that served White students was only four blocks from her home, the city enforced racial segregation. Accordingly, she was obliged to cross railroad tracks and bus routes before arriving at the place where the school bus took her on a 2-mile trip to the all-Black school. When, in 1951, Linda was denied admission to Sumner Elementary School in Topeka, her parents, with the support of the National Association for the Advancement of Colored People, sued to integrate public education.

Rights

At issue was the right of Black students not to be segregated from White students in public education solely because of their race. The students' claim was to genuine equal protection of the states' laws granting the right of public education to all students in a state.

Wrongs

The alleged wrong was state-sponsored racial segregation, based solely on a student's race, impairing the equality of educational opportunity of students of color and denoting their second-class status.

Remedies

The Court held that "in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal." States must desegregate their public schools "with all deliberate speed."

Repairs and Results

Among the states, efforts to desegregate proceeded slowly, entailed such approaches as busing and redrawing of school boundaries, spurred thousands of lawsuits challenging continued segregation and remedies, and often provoked massive resistance.

At the federal level, Congress enacted the Elementary and Secondary Education Act (1964), a decade after the Court's decision, authorizing federal assistance to states to improve the effectiveness of public education for all students (equality) and targeting the education of students of color in particular (equity). Later, relying on the principle of equal protection as interpreted in *Brown*, Congress enacted the Civil Rights Act (1964), Voting Rights Act (1965), and Title IX of the Education Act (1972, prohibiting segregation by sex in education).

Later still, *Brown* became the precedent on which the Supreme Court relied in enforcing the equal protection clause on behalf of women, persons with disabilities, aged/aging people, and same-sex partners, roughly in that chronological order.

Resources

The Supreme Court issued two decisions in the *Brown* case. The first declared that legal segregation violated the 14th Amendment's equal protection clause, *Brown v. Board*, 347 U.S. 483 (1954). The second imposed on the states the duty to desegregate schools with all deliberate speed, *Brown v. Board,* 349 U.S. 294 (1955).

If fairness is a right of a citizen, then it is also the duty of the government; rights and duties go hand in hand. Thus, fairness is the duty that government and its public schools—the Buckley school district—owe to the professionals in the schools, the families, and the students themselves.

That sense of fairness underlay the Supreme Court's opinion in *Brown v. Board of Education*, the 1954 decision holding that state-sponsored segregation by race in public education violated the 14th Amendment's equal protection clause. The feature *Policy into Practice: Brown v. Board of Education and Equality of Opportunity* provides highlights of this transformative case.

Pay attention to the Court's theory of the case. The theory is that legally sanctioned discrimination has two unacceptable consequences. First, it impairs the education and life opportunities of victims of discrimination. Second, it denotes that, in the judgment of perpetrators of discrimination, the victims are inherently inferior.

In a word, these consequences are simply not "fair." A process of state-sponsored education that has these consequences for Black students violates the 14th Amendment. By contrast, a process of state-sponsored education that gives Black students access to the schools that Whites attend is a fair process. Why? Because it does not inherently impair their education and because it does not inherently denote inferiority.

THE 14TH AMENDMENT: EQUAL PROTECTION AND EQUALITY OF OPPORTUNITY.   Just as the Court infused *Brown* with a sense of the fairness, so it also made the case against segregated education by relying on the equal protection clause of the 14th Amendment. That clause follows immediately after the "due process" clause—the fairness clause. It bars a state from "deny(ing) any person within its jurisdiction the equal protection of the laws."

Note that, in the quotation from the *Brown* decision (below), the Court first valued education, deplored the effects of segregated education, and then concluded that the value of education must be provided equally to all. Here is the language of the Supreme Court in *Brown*.

> Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is the principal 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 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 which must be made available to all on equal terms.

Pay attention to the last sentence. If a state chooses to provide the opportunity of an education to any children, it must provide the education to "all on equal terms." That command—"to all on equal terms"—is the essence of the equal protection guarantee of the 14th Amendment.

Just as we defined fairness through due process, so we now define the Constitution's concept of **equal protection**. Before we do so, however, we repeat what we wrote earlier in this section. We are using the term equality of opportunity, and we are describing that doctrine as it exists "on the books"—that is, as it is written in the Constitution. We do not describe equality of opportunity as it operates in America's schools.

To do that would require us to describe equality of opportunity as it is practiced. Our concern would not be the "books" but the "streets." There is a difference—often a huge difference—between policy "on the books" and policy "on the streets," between theory on the one hand and practice on the other. So, as you read our discussion about *Brown* and the doctrine of equality of opportunity, bear in mind that we are teaching you about the theory, not about schools' practice and application of the theory.

Equality of opportunity, as a doctrine, is what the state and its public schools and their employed professionals must ensure for its students and their families. **Equality** as it derived from *Brown* means equal protection from unequal legal status. It also means the obverse of protection from; it meant opportunity to have access to the rights, privileges, and status that those not discriminated against took for granted. Those distinctions—the negative freedom *from* discrimination and the positive freedom *to* equality of opportunity—were central to *Brown*. They remain central in education today.

In education as in other sectors of American life, the "from/to" construct means not just undoing discriminatory policies and practices, such as by creating equality of opportunity for Black students to attend the same schools as White students. It also means ensuring that, once there was an equal right to be in the same place, namely, in the same schools that White students attend, there must be opportunities for that kind of equality to be useful to Black and other minority students—to satisfy the purpose of education by having opportunities to learn. That is, there must be opportunities for all children to have equal and meaningful access to an education.

Simply being equal in having the same rights to be in the same place (access to a school or classroom) did not, and still does not, mean that people with inherent differences will in fact have equality of opportunity to benefit from being in the same place, together. The doctrine on the books is not the same as the doctrine on the streets, in the schools, and in its classrooms. That is a critical distinction as far as the doctrine is concerned. The Court's language in *Brown* recognized that distinction.

When the Court ordered state and local education agencies to desegregate schools by race, it said that it would apply **equitable remedies** to ensure that desegregation would in fact occur. It recognized that not every state has the same segregating or integrating policies and practices; indeed, it recognized that, within any given state, local education agencies may have different segregating or integrating policies and practices. Tailoring the remedies to fit the needs of students in various states and their school districts would be necessary. Equitable remedies were necessary and appropriate.

At this point, you may ask, "What does the concept of 'equity' mean?" The answer lies in the founding of America. The legal doctrine of equity originated in England and was well established in English law when colonialists settled in the New World. These immigrants were still governed by English law; the courts were still justified to apply equity as they would have applied it in England. After our Constitution was ratified in 1787, American judges in federal and state courts continued to apply the doctrine of equity. After all, America had borrowed English law.

That short history lesson does not answer the question, "What does the word 'equity' mean, as a legal doctrine?" The answer is that equity is a doctrine that allows a court to modify an applicable legal doctrine that, if applied strictly, would lead to unacceptable results. The doctrine of equity enlarges, supplements, and overrides other applicable law in order to achieve results that would not be achievable if the other law

were strictly applied. It is the antidote to injustice that results from strict application of law. Thus, equity justifies a court in enlarging, supplementing, or overriding the doctrine of equal protection/equality of opportunity if the purposes of law were applied even-handedly to all students.

That makes sense in education, as the Court in *Brown* noted. Not all state and local education systems are identical. What may create equal access in one system may not do so in another. Equitable remedies must be available to create equal access.

Moreover, not all students are alike; their differences—such as their race—may require them to be treated not exactly alike but, instead, somewhat differently. That is what equity requires: different treatment in order to achieve opportunity for an education. The doctrine of equity acknowledges that differences among students require differences in their education—differences in their curriculum and the methods by which they are instructed.

Tailoring the remedies to fit the needs of students in various states, school districts, and schools was exactly consistent with the doctrine of equity. Thus, for example, cross-district busing was a remedy in one place whereas redrawing of school-district boundaries was a remedy in another. Likewise, assignment of administrative and teaching staff according to their race and that of their students was a remedy in one district, whereas improvement of facilities (including libraries, textbooks, and athletic facilities) was a remedy in another.

Just as different remedies to address a common problem (racial segregation) are permissible because of the doctrine of equity, so too different approaches to a common purpose—the effective education of all students—are permissible because of the doctrine of equity. We will teach you more about "different approaches/different students" later in this section. For now, however, let's refocus on law and the concept of equal protection and equality of opportunity.

Equality of opportunity for students.   As we taught you earlier in this section, law is an instrument for engineering the relationships of people to each other and of government to the governed. As people's relationships change, law evolves; as government's role changes, law evolves. So do the terms that people use to describe the evolving law.

Not surprisingly, given the ever-changing population of America and its schools, the 14th Amendment's term *equal protection* has also evolved. There are two aspects of the phrase "equal protection." On the one hand, the protection is against discrimination; it is a person's negative right—a right to say "stop" to the government's discrimination.

On the other hand, this negative right implies a positive right—once protected, the person has a right of access to that which has been denied illegally. For example, the student who cannot benefit from the standard curriculum as it is delivered in the standard way has a positive right—the right of equality of opportunity. It is the right to say, "Make my access meaningful" and "Give me a chance to experience positive outcomes from my education. Other students have that chance, that opportunity. I should have it, too." To protect is to create opportunity.

When the Court wrote, in *Brown*, that racial segregation in education violated the equal protection clause of the 14th Amendment, it had in mind a student population demarked only by race. State-sponsored segregation of Black and White students created an inherently unequal opportunity for Black students and violated the equal protection clause.

Now, however, it is clear that the dualistic Black/White classification of students simply is not sufficiently comprehensive. America's demographics have changed; its student population is far more diverse. Both the Court's 1954 sense of equal protection under the 14th Amendment and America's understanding of the law of equal protection have also changed. The Black/White distinction still is meaningful, but other distinctions among students—and other uses of the concept of equal protection and other terms to describe those uses—are part of American law and education. Those distinctions—those changing characteristics of American schools—include family income and students' disabilities.

The homogeneous sense that the Court had in 1954 that nearly all students are similar enough in their needs for opportunity to education—to be treated legally as similar—simply does not make sense anymore. Instead there are now three interpretations of contemporary equality of opportunity (Turnbull, Stowe, & Huerta, 2007).

Level 1: Roughly equal educational opportunity assumes that roughly equal opportunity of all students is the beginning point; it is the "given"—the basic floor of opportunity—that applies universally, to all students. For example, federal and state laws require state and local education agencies to adopt a **standard curriculum** and to use a **standards-based assessment** to measure student progress through that curriculum.

This approach, however, favors some students and penalizes others. That is because what generally works for students whose characteristics conform to what is typically expected at each grade level does not necessarily work for students who deviate from grade-level achievement. That is why we use the phrase "roughly equal opportunity." Because there are nuanced impacts of educational curricula and instructional approaches on students, there is not a "pure form" of equality of opportunity that equally benefits everyone.

The "roughly equal opportunity" approach has been justifiably criticized on the basis that it reflects dominant cultural experiences generally associated with students who are White, at least middle class, English speaking, U.S. citizens, non-disabled, straight, gender conforming, and free from **trauma** caused by **adverse childhood experiences**. This criticism has persuaded education policy makers to modify the Level 1 approach.

Level 2: Equitable Educational Opportunity: Adjustment challenges the assumption of Level 1 by recognizing that some students will not benefit from roughly equal opportunity. This lack of benefit primarily results from the interaction of student characteristics and systemic barriers. **Systemic barriers** consist of policies, procedures, and practices within political, economic, and educational sectors that produce discrimination. Examples of systemic barriers include the following:

- Race/ethnicity/gender: Discipline policies result in Black and Native American males receiving a disproportional amount of school suspensions and expulsions.

- Gender identity: School policies result in bathrooms and dressing rooms designated by gender, creating problems for many students who are transgender.

- Capacity: Schools apply the same curriculum and same methods of instruction to all students, without considering their different ways of learning or different capacities to learn.

Given this definition and background on equity, the important thing for you to understand at this point is that some students require adjustment from roughly equal educational opportunities in order to make appropriately ambitious progress.

Level 3: Equitable Educational Opportunity: Substitution differs from Levels 1 and 2 by recognizing that there is yet another group of students who have even greater needs to experience equity in their educational opportunities. That is because of the significant interaction between their characteristics and systemic barriers.

We will apply the concept of equitable opportunities involving substitutions to three examples. First, consider the meaning of equality of opportunity as it applies to a highly gifted student who attends university classes during middle school. Because she requires highly differentiated curricula, instructional approaches, and placement than many of her same-age peers in 8th grade, this placement decision requires a significant change (substitution) rather than a mild or moderate change (adjustment). Rather than a strict understanding of equality, this situation requires equity. Indeed, this approach is favorable for this particular student because the other two levels will not sufficiently enable her to make educational progress commensurate with her circumstances.

Second, consider how to best provide support for **refugee** students whose traumatizing experiences in a refugee camp have caused them to be exceptionally fearful of being separated from their parents in order to attend school. These students are considerably less anxious when their mothers or other family member are paid staff or volunteers in the school library and are available throughout the school day to help them with their schoolwork or social adjustments. Having members of their families in the building enables them to develop the emotional **resiliency** to attend school. The students have substituted opportunities relative to nonrefugee students, but the opportunities favor them.

Third, consider the meaning of equality of opportunity for a student who has a disability, the nature and extent of which requires that he receive individually designed special education through the support of a one-to-one paraprofessional in order to actualize the opportunity to progress in school. Again, the opportunities available under this type of education require significantly more adult support as contrasted to students without disabilities or to students with disabilities requiring accommodations such as assistive technology, but the substituted opportunities enable him to experience equity.

In summary, the doctrine of equality of opportunity in education now rejects the 1954 dualistic Black/White categorization of students. Instead, it embraces the complexity that characterizes American students of today. It does so by nuancing equality of opportunity to include three different but similarly purposed levels of protection and opportunity: (1) roughly equal educational opportunity; (2) equitable opportunity: adjustment and (3) equitable opportunity: substitution. Yes, the concepts and terms are not identical. Yes, the three levels of opportunity draw distinctions, but each has the same purpose as the other two: to provide *genuine* opportunity for students to overcome detrimental interactions among their characteristics and systemic barriers so that the students may have equality of opportunity to make progress in education comparable with their circumstances.

Figure 1.7 (first column) provides examples of equitable opportunities: adjustment and substitution to address students' educational needs. In Parts II and III and the Compendium, you will learn about additional educational supports and services related to adjusted and substituted equity in order to increase the likelihood of providing a roughly **equal educational** opportunity.

In a book about trusting partnerships and social justice, it is important for you to understand that the purpose of equity is to mitigate injustice—unfairness, inequality of opportunities, and lack of dignity (you will learn about dignity in the next section)— not only for students but for families as well.

Figure 1.7 Examples of Equitable Opportunity (Adjustment and Substitution) for Students and Families at Levels 2 and 3

Level 2—Equitable Opportunity: Adjustment	
Providing *students* who	**Providing *families* whose students**
• meet the federal definition of poverty with a free breakfast at school.	• attend Title I schools with opportunities to serve on a Parent Council (mandated by the Every Student Succeeds Act, as you will learn in Chapter 2) to prioritize the special services provided to students and families marginalized by poverty.
• identify as LGBTQ with peer-mediated bully prevention.	• identify as LGBTQ to participate in a parent support group facilitated by the school counselor.
• are learning English with additional language instruction.	• are learning English to have parent meetings in which the ESL curriculum is explained and family input is solicited.

Level 3—Equitable Opportunity: Substitution	
Providing students who	**Providing families whose students**
• are in juvenile detention centers with a transition program back to their home school, which will increase the likelihood of their success.	• are in juvenile detention centers with the opportunity to be an active participant in designing, implementing, and monitoring a transition program.
• are in the lowest 1% on cognitive functioning to have an alternate curriculum (rather than the **general curriculum**) and to take an alternate assessment rather than the standard statewide assessment.	• are in the lowest 1% on cognitive functioning to have full information on the pros and cons of pursuing an alternate curriculum and assessment.
• have a chronic illness preventing school attendance with home and/or hospital instruction and with a virtual connection to the class for portions of the school day.	• have a chronic illness with decision making about the schedule for home/hospital instruction and virtual classroom connections, as well as information on communication and submission of homework.

Equality of opportunity for families.   The law's nuanced interpretations of equality of opportunity for students is useful for thinking about what "equal" means in the context of trusting family–professional partnerships. That is why we now ask you to bear in mind the three levels as they apply to students and learn how they apply to partnerships among families and professionals.

   Level 1: Roughly Equal Partnership Opportunity consists of providing typical partnership approaches to the majority of families who experience minimum disadvantages resulting from the interaction of their characteristics and the nature and extent of systemic barriers that they have experienced in the past, are currently experiencing, and are likely to continue to experience in the future. For example, most school newsletters and most school-initiated correspondence with parents is in English. This works for the predominant number of families of school-age children; however, it does not provide an equal opportunity for communication for families who do not read English. If these families do not respond to requests or announcements in newsletters, they are often at risk of being perceived as not being interested in partnering with their child's teacher.

   Level 2: Equitable Partnership Opportunity: Adjustment refers to accommodations in light of families' specific circumstances (e.g., providing letters to families in their primary language). Similar to students, those families needing equal partnership opportunities plus usually have mildly/moderately intensive needs related to the interaction of their characteristics and systemic barriers.

For example, families who have chronic illness may need to have phone conferences rather than face-to-face meetings with their children's teachers. Likewise, families who cannot afford a phone or Internet connection will need adjustment in home–school communication opportunities if a school district or a particular school relies primarily on virtual communication.

Level 3: Equitable Partnership Opportunity: Substitution consist of using an approach that differs substantially from Levels 1 and 2. This approach typically involves a specially designed, individually implemented approach that meets a family's highly specialized circumstances, constituting a significant change from roughly equal opportunities.

For example, equitable substitutions might consist of providing an audio of the newsletter for families who are unable to access written communication.

Similarly, they could consist of providing intensive support to a teenage mother with an intellectual disability in learning about how she can help her preschooler learn to communicate rather than relying on tips in a newsletter of what families might do at home to help their child meet academic goals.

Return to Figure 1.7 and give your special attention to the second column, which focuses on families. Note the equity that is represented by the adjustment and substitution of partnership strategies that are aligned with equity for students. You will learn in Chapter 2 how federal laws provide extensive rights to parents of children with disabilities and children who experience low income to partner with professionals in order to attain the benefits that you learned about earlier in the chapter. Although those laws have their origins in equal protection and equality of opportunity, they incorporate equity in seeking to ensure that families who encounter more systemic barriers have more intensive levels of support.

Pearson eText
Video Example 1.4
What examples of substitute equity did you find in this video?

THE 14TH AMENDMENT: DIGNITY. **Dignity** is the state of being worthy, honored, or esteemed (Webster-Merriam, 2016). Let's put those words into your work as an educator:

- *Worthy* refers to the worth your students have—their worthiness to be educated. Their worth lies within them; it is inherent; it belongs to them from birth.

- *Honored* and *esteemed* refer to how you respect them by treating them as having not just a right to an education but also your respect for their willingness to learn, their desire to overcome the challenges their strengths and needs present, and their achievements, however modest or robust they may be.

For now, however, you should bear in mind that the Constitution itself is a source of dignity as a value within the concept of social justice.

Given that the 14th Amendment does not use the term "dignity," you might think that there is no Constitutional right to dignity. You might ask, "Where do we find the word dignity in the Constitution. If the word is not there, why does the Court find a right to dignity?"

Your question is valid. But the conclusion implicit in the question is that there is no constitutional right to dignity. That is an incorrect conclusion. The Court in *Brown* was concerned with not just the law's language—the precise words of the 14th Amendment—but also with how segregation based solely on race denotes to everyone that Black students are inherently inferior to other students of a different race.
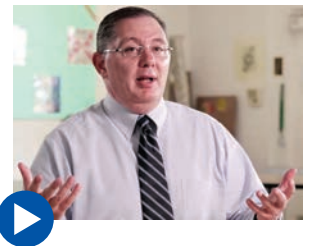
In later cases, the Court applied the equal protection doctrine to protect the rights of other people who had been subjected to discrimination that denoted that they, like the Black students in *Brown*, were inherently inferior. Those people included women,

Pearson eText
Video Example 1.5
How did this school principal convey his sense that each of the school's families and students is worthy of dignity?

persons with disabilities, and members of the LGBTQ community. Thus did *Brown* change the law, insisting that segregation must yield to integration and that the denoting of inferiority must yield to the affirming of every individual's dignity.

By the time you read this chapter, the Court's decision in *Brown*—issued in 1954—will be more than six decades old. You may be tempted to dismiss *Brown* and its sensitivity to the dignity of Black students. You may think it is too old to be relevant in today's schools. You would be wrong to do so.

That is because, in 2017, in its most recent decision about students with disabilities, *Endrew F. v. Douglas County RE-1*, the Court held that students with disabilities have a right to an education that ensures that they will make progress in school. The theory of the Court's decision in *Endrew F.* is that it is inconsistent with the rights that other students have for students with disabilities not to have an education that enables them to make progress in school. It is not legally permissible for them to sit "idly" while awaiting the age at which they may drop out of school. (You will learn more about the *Endrew F.* decision in Chapter 2.)

The basis for that theory is simply this: The federal special education law that granted a right to an appropriate education rests squarely on the power of Congress to implement the equal protection doctrine of the 14th Amendment. Just as that amendment protected Black students, so it protected students with disabilities under a federal statute.

Both *Brown* and *Endrew F.* show that the concept of dignity aligns with the concept of equality of opportunity. That is also the case with dignity and fairness. By treating a person fairly, you acknowledge that the person is *worth* that kind of treatment, not some other kind. In a nutshell, the ethical principle of dignity accompanies the legal principle of fairness and equality of opportunity (Turnbull, Beegle, & Stowe, 2001).

Activism for Civil Rights: Seeking Fairness, Equality of Opportunity, and Dignity

Brown had many results. Among others, Brown gave rise to the race-based civil rights movement. One of the most eloquent and formative spokespersons in the civil rights movement was Dr. Martin Luther King, Jr. Decades later, Madeleine Will became a leading advocate in a different civil rights movement, the disability rights movement.

KING AND SOCIAL JUSTICE. King was the pastor of Dexter Avenue Baptist Church, in Atlanta and founder of the Southern Christian Leadership Conference, a social-activist agency that adhered to the doctrine of nonviolent protest. He was the most prominent leader of the March on Washington (1963), the Montgomery (Alabama) Bus Boycott (1965), and the coalitions of social activists who persuaded Congress to enact and President Johnson to sign the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Dr. King received the Nobel Peace Prize in 1964. He was assassinated in Memphis, Tennessee, in 1968. He is remembered for many reasons, especially for his courage and vision.

In what arguably is his most comprehensive consideration of the meaning of social justice, Dr. King asserted in a speech at Western Michigan University that the time has come when Blacks could "take a new look" at themselves and recognize their "eternal dignity and worth"—a dignity that turned into "determination to struggle… to be free" (King, 1963, reference for all quotes in this section).

To that end, Dr. King interpreted *Brown* as signaling that "the new order of freedom, justice, and human dignity is coming into being….The old order is passing away. The new order is coming into being." He said "(we) are challenged to get rid