

Melissa Siegel

Week 5

Freedman Article

After reading this article, I was quite frustrated with the way that the “system” is designed and seems to allow for so many discrepancies that are unfair to both students with disabilities as well as general education students. I was also frustrated and disappointed in the amount of money that is being used to fund students with disabilities not because I feel that they should not receive funding but because I feel that the funds are largely misused and abused. Miriam Freedman states “One is left to wonder if any nation truly interested in improving teaching and learning for all students would create such a disjointed, contradictory, and confusing system.” I cannot agree more and after reading this, I feel that I have been privy to information that I did not realize nor would I have understood before.

This system that we have created to help our most vulnerable, our children, regardless of need is flawed at best. This system is not designed to provide for the children. Instead, it is an immoral ploy to take money and use it where it should not be used, it is a way for people to abuse the system, it is an unmanageable and contradictory plethora of regulations, laws and guidelines all competing so fiercely with each other that the red tape essentially binds us and sets us up for failure. An example of this can be seen with IDEA. Freeman discusses how schools and parents are supposed to be working together for the betterment of their children, yet, IDEA contradicts that. One way in which IDEA allows for contradictions and a power struggle

rather than cohesiveness is allowing parents to be the enforcers. Yes, as parents we need to be the voice for our children. Is it acceptable to create a further divide as IDEA does by allowing parents to be the enforcers? “Even among parents of SWD, this law leads to inequalities, as those rights are unevenly used. Generally only parents with economic and informational savvy assert their rights” (Freedman, 2012, p.14). The ambiguity in the laws has led to schools and parents working against each other and that will never beneficially serve the students. “The law’s built-in tension also feeds disputes, as parents may want what is “best” for their child, while schools are obligated to provide what is “appropriate.” These costly battles often leave parents, students, and schools angry and frustrated” (Freedman, 2012, p.14).

It is widely known that the system which was designed and implemented for the right reasons, to give all children access to free and public education and to make sure that students with disabilities were given the same opportunities as general education students is broken at best. Something needs to change because we cannot continue to fund a program that is not functioning correctly and at full capacity. Freedman makes some interesting suggestions on how we can improve education for our students with disabilities. She acknowledges that we need to preserve the original mission behind the creation of policies and laws which is to educate students with disabilities and to educate them well in a manner that benefits them as an individual. In keeping with the original mission, some things need to change. Freedman says that we first need to change the fact that the laws are full of conflict, contradictions, and compliance-driven policies that do not align with one another and therefore do not benefit schools or students. Get everyone on the same page and focus on building a system that works

together rather than one that involves continual litigation against one another. According to Freedman, we also need to end special education as we know it. It is not working as it is, Freedman is right, it needs an overhaul and “Special education should focus on teaching and learning, not winning and losing. Teachers should spend precious professional development time on improving their craft, not compliance training” (Freedman, 2012, p.19). Freedman also suggests to clearly define FAPE and get rid of the “ponderous procedures” so that there is not the fear of litigation and can allow for parents and schools to work together. Put programs in place that are going to work and based on how special educators spend their day. If it is doing paperwork, that does not work. Use resources to help children learn and instead of focusing on weaknesses, focus on the strengths of the student, and build those. End the medical model that is driving services and take that “wasted” money and put it into resources that are going to be used to teach students.

Morally, it is difficult to want to be part of a system that is so flawed the positives are well overshadowed by the negatives. It is hard to want to educate myself when I know that one of my largest roles will not be providing quality education to students with disabilities but will be cutting through red tape and justifying my actions on paper. This creates an internal dilemma for me. I want to help students succeed, I want to see them grow academically in a way that is unique to them. However, I do not want to deal with the nonsense that has been created by outside influences. As a Christian, it is my duty to serve others, especially our most vulnerable and that is what I want to do but is it what I should do? In the end, with all the conflict can I actually make a difference and provide a quality education to all students that enter my classroom? Is it worth

sacrificing myself, my sanity, or possibly my job for this cause which in the end I cannot change? I struggle with doing what I feel is right but knowing that the laws, policies, and regulations are working against me and it just may not be worth my time, energy, or effort.

Resources:

Kurtzig Freedman, M. (2012). Special Education: Its Ethical Dilemmas, Entitlement Status, and Suggested Systemic Reforms. Retrieved October 09, 2020, from <http://lawreview.uchicago.edu/sites/lawreview.uchicago.edu/files/Freedman.pdf>