



**Key points:**

- **Designate a point person at school**
- **Establish time frame for nonemergency response**
- **Reconvene IEP, 504 team as needed to edit plan**

**Draft communication plans with parents to reduce the risk of retaliation claims**

"Communication is the key when it comes to working with parents," said Kim Croyle, a school attorney for [Bowles Rice LLP](#) in Morgantown, W.Va. "When communication breaks down, there's a problem."

Parents understand that they have a right to question or make complaints when their child is not making the progress or receiving the services they think he should. Then, sometimes, the district's response is seen by the parents as retaliatory, Croyle said.

To combat this, establish a communication plan that works for everyone before problems arise, Croyle said. Discuss and put together the plan at the IEP or 504 meeting. Include these four items:

**1. How the parents will communicate with the school.** Will you set up a log book to send back and forth between the parent and the teacher? How often will they send it back and forth?

"Too often we have well-intentioned teachers who give out cellphone numbers and private emails and say, 'Contact me anytime,'" Croyle said. "Those well-meaning teachers get bombarded. When things are not going so well and they want to shut that down, that's when we run into complaints. Parents get frustrated and think they're being retaliated against because they're being told to do something different than before."

**2. A designated point person and a backup for parents to contact.** When the parents first perceive a problem, who should they contact, and how? "I do think there needs to be, 'This is the primary person I communicate with. If that person is unavailable, this is [the] secondary person,'" Croyle said.

Consider having the parent communicate with two contacts at the school, such as the teacher and the principal, so nothing falls through the cracks. So, for example, if the

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parents don't hear back from the teacher, they can talk to the principal who will tell them that the teacher has been out with the flu.

**3. A time frame to expect a response.** The plan should not only designate a person for the parents to communicate with, but also an anticipated time frame in which they can expect a response in a nonemergency situation, Croyle said.

If the communication plan explicitly states that after making contact, parents will receive a response in a specified period of time, then they will be more understanding, Croyle said. "They will know what to expect because of what's established in the plan," she said. "Setting those expectations up front will help prevent issues later."

The school should then be sure to give the parents an answer within the specified time frame, even if the response is, "Mrs. Smith, we won't have an answer for you within the time frame because we have to research it, but we think we'll have your answer by Tuesday."

**4. A way to renegotiate.** If there is a problem and the parents or the teacher (if she is the point of contact) become frustrated and do not think the current communication plan is working out, have them reconvene the 504 or IEP team, Croyle said. Here, they can address the problem and revise the plan to create something that works for all parties involved.

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