

Role of Chris Michaels **-Damian's Case-**

Fairtown Elementary School is the biggest public elementary school in its urban area. It has approximately 700 students spanning grades K through 5. It has the largest Spanish speaking as well as the most racially diverse student population in the state. The students are split into three classrooms per grade, with approximately 30 to 40 students per classroom. The school is constantly recognized as a leader in the state, because of how well it works with an otherwise challenging student population as well as its administrative excellence. The school's Principal, Ms. Conti and its Vice-Principal, Ms. Rivera are a power-duo. You have worked at the school for the last seven years and you have true admiration and respect for the school's leaders. You are deeply committed to the school's mission of providing the best possible education and avenue of opportunity for the students who otherwise struggle in their environment.

You are the teacher in charge of The Turtles, a classroom of 36 first-grade students. Your students are pretty evenly split between the ages of six and seven. You have been teaching first grade at Fairtown since your arrival seven years ago, but you have more than 15 years of teaching experience, including four years at a high-quality private special education school. For the most part, you are delighted with your class this year. Your students are making outstanding progress and you have managed to create an environment of mutual respect and curiosity in your classroom, both of which you consider critical for learning. Your biggest challenge, however, is a student named Damian Gutierrez. He is six years old, lives with his working single mother, and is mostly raised by his maternal grandparents who are from Puerto Rico and who don't speak English.

Since the beginning of the school year, Damian has been constantly oppositional and defiant towards you and verbally and physically aggressive towards his peers. At least twice a week Damian will have an outburst and throw furniture around the room, yell profanities in English and Spanish, sing inappropriate songs with strong sexual content, or run around the room hitting and slapping other students. Every time he does this you have to stop your lesson – which you normally spend hours preparing, – ask the students to engage in an alternative activity to keep them focused, and you have to manage Damian to keep him away from hurting himself or others. You normally call the main office, which locates the school's resident social worker, Jean Francis, who then comes into the classroom and, with the help of a behavioral technician who is trained in physical restraining, takes Damian to a safe space where he can calm down.

For the past six months, you have constantly requested the school's administration to remove Damian from your classroom and place him in a special education group. It is clear to you, given your experience with special education, that he has special needs that cannot be met in your classroom environment. More important, his behavior has an extremely negative impact on the rest of the children because it constantly interrupts their learning, exposes them to examples of terrible behavior, and often disturbs them emotionally. Both Ms. Conti and Ms. Rivera agree that Damian's needs would be better met in a special education classroom, but they are also bound by state law, which defines a series of steps that must be met for a student to be moved to a special needs program. The typical protocol, which requires a detailed set of educational and psychological evaluations, takes several months as it has to be reviewed by the Board of Education. It will probably lead to Damian's move to a different classroom, but your experience tells you it will not happen before the end of the school year, which is still several months away. This is not something you are willing to do. Damian has already had an enormous negative impact in your classroom and the situation has begun to personally affect you. This is not what you signed up for. You have done your fair share of special education and the emotional toll of working with students like Damian is one of the reasons you chose to teach a regular classroom at Fairtown Elementary.

There is a second option, which is an expedited process reserved for true emergencies. This second protocol would allow the school to place Damian in special education in only a few weeks. The protocol requires a psychological evaluation and a well-documented behavioral chart, which would describe Damian's typical behavior by tracking it in detail, in journal fashion, for a week. At a staff meeting a few weeks ago, you proposed this alternative protocol for Damian and Ms. Conti agreed to pursue it.

You have less experience with the bureaucratic side of special education, so you don't feel qualified to put together a well-documented behavioral chart. In addition, you are exhausted from dealing with Damian,

you don't have the time to work on the chart *and* do the extra work you now require to help the rest of the class make up for all the lost time, and frankly, you just don't think this is your job. As a result, in one of the many conversations you have had with Jean about Damian you asked for help. While Jean refused at first, saying that only teachers could prepare a behavioral chart, in the end Jean agreed to prepare it as long as you provided the additional detailed input that is required. It was evident that neither of you were pleased with the interaction.

In fact, there have been a series of incidents between you and Jean. You can think of at least five other student cases (one this academic year; the others from previous years) where you have asked for social worker assistance and Jean has later questioned your judgment. A common friend has told you that Jean once told Ms. Conti that you could do a better job keeping control of your classroom and that sometimes you sent "good kids" to Jean because you did not know how to handle them. You find this insulting both because you take pride in your work as a teacher – you have even won awards – and because you *do* have extensive experience working with troubled children. You just know that your job is to create a good learning environment in your classroom, not deal with specific cases of troubled children. That is precisely the reason for having a resident social worker at Fairtown.

When Damian had a particularly bad outburst last week you asked whether Jean had made progress on the behavioral chart so Damian could enter the expedited protocol soon. You emphasized that you did not think Damian's situation in your classroom was sustainable and that you felt it was urgent to take action. Surprised, Jean said that of course no progress had been made because only the teacher can create a behavioral chart. Jean denied ever agreeing to help you on it and told you that if you think Damian urgently needs to be moved, then you need to "suck it up" and do the work to make that happen and stop blaming Damian for everything that goes wrong in your classroom. Because Jean implied that you are both a liar and an incompetent teacher you became enraged and made some caustic comments about Jean's ability to pass judgment on your teaching:

I will not have my teaching questioned by anyone! I have been teaching for more than 15 years and the last time I checked there was a "Best Teacher of the Year" award on my desk. I am the only one who truly knows what happens in my classroom and I will be damned if you will come in and tell me how to do my work. You have made my life miserable for months! You sneak around my back and talk shit about me because you want to do less work. You don't give me the help I need and, frankly, you clearly don't care about Damian. You only care about doing less work. I am alone in dealing with him and my other 35 students. I cannot work like this, or with you, so you can shove your behavioral chart and I want to make it clear that Damian will no longer be present in my classroom, so help me God! So deal with THAT!

You left the school and went home. An hour or so later, Cal Jameson called. Cal is an outpatient psychologist who you respect and who works with Fairtown students, including Damian. Cal is a talented, respectful, and committed clinician who is very familiar with Damian's case and gets along with both you and Jean. Jean asked Cal to set up a meeting with you to discuss Damian's case, and you agreed.

It is Monday morning and this is the last week of class before recess, which also closes the window to submit Damian's case through the expedited protocol. A delay would keep Damian in your classroom for the rest of the year.

Neither Cal nor Jean have any authority over you, but you would much rather meet with them than involve Ms. Conti or Ms. Rivera. Cal is a reasonable person and might be able to reason with Jean. You are proud of your work and your class and all you want is to be able to keep focusing on that. Jean may know how to handle students in a crisis, but she has no idea when it comes to classroom management. On the flip side, you may be an expert teacher, but you are no expert in the bureaucracy of mental health. Your threat to keep Damian out of your classroom is not just hot air. You could technically call school administration every morning and formally request social work intervention, which would force Jean to take him away daily.

For you to work on Damian's behavioral chart you would have to once again postpone your lesson plan for the week to devote all the extra time to the chart. This would mean that the rest of your students would remain behind – despite how hard they have been working – and it may even mean that you will need to add a couple of days of class before the summer break.

Your goal for this meeting is to get Jean to finally agree to work on the behavioral chart and put Damian on the expedited protocol. It will imply a couple of days' work for Jean and it will make everyone's life much easier. If you both don't reach an agreement, the case will be taken up to Ms. Rivera who will probably disapprove of how the entire situation was handled and will mandate one of you to do the work.