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Patricia E. Roberts
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EMPOWERING SPECIAL EDUCATION CLIENTS THROUGH CROSS-DISCIPLINARY COLLABORATION: LESSONS LEARNED FOR CURRENT CLIENTS AND FUTURE PROFESSIONALS

PATRICIA E. ROBERTS*
KELLY WHALON**

INTRODUCTION

Mrs. Smith is concerned because her second-grade daughter is still unable to read. Her daughter was identified with a learning disability (dyslexia) and has received special education services since the first grade. Mrs. Smith wonders if the school is doing all it can to further her daughter's reading skills, and she is worried that the school may not be using an appropriate reading program. Mrs. Smith decided to seek the advice of a legal advocate. When the legal advocate reads the child's Individualized Education Program (IEP), she has a number of questions about the curriculum and time devoted to reading instruction. For example, she questions whether the current reading program specifically targets the

* Clinical Assistant Professor of Law, Director of Clinical Programs and the Special Education Advocacy Clinic at William & Mary Law School; J.D., William and Mary Law School.
** Assistant Professor of Special Education at the William & Mary School of Education; Ph.D., The College of William and Mary.
needs of a child with dyslexia, whether the teacher's background in reading instruction, and whether the child receives enough reading instruction during the school day to enable her to achieve meaningful progress.

When families are confused by, or dissatisfied with, their child's education, they may seek advice from others they perceive as having greater knowledge about appropriate educational methodologies or their legal rights. A family may approach a special education teacher to explore the methodologies being utilized in their child's IEP, or they may seek the advice of a legal advocate to ascertain their rights under the Individuals with Disabilities Education Act (IDEA)\(^1\) and state regulations. Special education teachers have a general understanding of special education law whereas legal advocates have a greater understanding of the intricacies associated with this detailed area of the law. A legal advocate assisting Mrs. Smith would need to not only understand the law, but would also need to know what qualifies as effective, evidence-based reading instruction, and ways to objectively measure a student's progress from that instruction. To prepare for a professional role in special education and effectively advocate for children with disabilities, future professionals need authentic opportunities to collaborate and consult with professionals outside of their discipline, maximizing the efficacy of the advocacy and the benefit to individual clients.

This Article provides a description of a consultation simulation assignment at the College of William & Mary created by a professor from the Law School and a professor from the School of Education. Law school students working in a special education advocacy clinic and education students enrolled in a reading methods course partnered to consult on cases of special education advocacy. Teams determined the learning needs of a student with a disability and made subsequent instructional recommendations for the benefit of each such student, empowering the families of those students with expert recommendations to aid in the development of that student's IEP. This Article reports the perceived benefits and logistical challenges identified by participating law and education students, and it discusses plans for future collaborations across these two disciplines.

I. SPECIAL EDUCATION ADVOCACY CLINIC

The Parents Engaged for Learning Equality (PELE) special education advocacy clinic\(^2\) just concluded its second year of operation as one of two

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in-house clinics at William & Mary Law School. Each semester, eight second- and third-year students work under the supervision of their professor as their supervising attorney to provide advocacy education and representation to families of children with special needs. This one-semester graded clinic utilizes special education advocacy as a collaborative, rather than adversarial, approach with schools by educating parents about their child’s rights and limitations under the IDEA and working with IEP teams to develop programs that set appropriate objectives and measurable goals for each unique child. Recognizing that the relationship between families and schools will last long after the clinic’s involvement concludes, the PELE clinic is designed to bolster the long-term partnership between families and schools. The law students work with families to establish special education eligibility, procure necessary accommodations and related services and ensure their implementation, develop measurable IEP goals, and address issues that are interfering with the child’s educational progress that occur within the annual period of an IEP. In addition, when negotiations with a school fail, law school students assist parents in preparing for, and participating in, mediation, drafting a complaint, and filing for due process. Successful advocacy on behalf of an exceptional child requires awareness of the child’s specific disability as well as that individual child’s strengths and weaknesses, which may be evidenced by, among other criteria, test results and scores, recommendations made by physicians, psychologists and educators, and the politics and resultant dynamics of special education, particularly at the local level. Familiarity with the IDEA is also critical to meaningful advocacy. The PELE students study the law governing special education and explore it through application in their individual cases. For each case assigned, they interview the family, acquire and review medical and school records, and interpret test data over time to determine whether a free and appropriate public education is being provided to their clients. In doing this, law students are learning not only a new area of the law, but also struggling to learn and understand the medical, psychological, and educational tests, as well as the diagnoses and resultant recommendations

3. See Peter W.D. Wright & Pamela Darr Wright, Wrightslaw: From Emotions to Advocacy 61-65 (2d ed. 2006) [hereinafter Wright & Wright, From Emotions to Advocacy] (describing the evaluation process, deciphering the content of test results, discussing limitations of evaluations, and offering suggestions and resources for parents for organizing information about their child’s disability, evaluations and pertinent educational practices).

4. See Matt Cohen, A Guide to Special Education Advocacy 242 (2009) (mentioning some political issues that may affect a child’s receipt of special education services, such as local school board priorities).

related to each child for whom they are advocating. While this is outside their traditional law school curriculum, they will be negotiating with experts in these fields as they work with members of the IEP team and school system.

II. LAW AND EDUCATION COLLABORATIVE ACTIVITY

To assist our advocacy efforts on behalf of our exceptional child clients and to facilitate the PELE students’ understanding of these unfamiliar fields of study, the PELE clinic and the students in the Language Development and Reading Instruction for Exceptional Students course (Reading students) at William & Mary’s School of Education engaged in a consultation simulation in fall 2010 under their professor. A team of assigned students from each class was paired with a team from the other discipline. The PELE students were divided into four teams of two students, and the Reading students were divided into eleven teams of either two or three students; this was the breakdown with an enrollment of eight students in the PELE clinic and twenty-four students in the Reading course. The PELE students were either second- or third-year law students enrolled in the clinic for the fall semester, and the Reading students were candidates in the Master of Arts in Education program, with an emphasis on

6. See Wright & Wright, From Emotions to Advocacy, supra note 3, at 89-114 (outlining and analyzing tests and measurements used to evaluate children with disabilities, including composite scores and norm-referenced and criterion-referenced tests).

7. Peter W.D. Wright, Pamela Darr Wright & Sandra Webb O’Connor, Wrightslaw: All About IEPs 10-14 (2009) (discussing the roles of various members of the IEP team, including those for parents, people with special knowledge and expertise, school district representatives, regular education teachers, and speech language therapists).

8. CRIN X51, Language Development and Reading Instruction for Exceptional Students, William & Mary School of Education, is a course that focuses on general language development and language communication disorders in exceptional children and youth. Topics discussed include language acquisition of the typically developing child contrasted with children diagnosed with disabilities including mental retardation, emotional disturbance, visual and hearing impairments, and autism. Emphasis is placed upon development, teacher assessment, and classroom techniques in teaching reading. Graduate Course Listings, WM. & MARY SCH. EDUC., http://education.wm.edu/academics/ci/courses/index.php (last visited Oct. 25, 2011).

9. With appreciation to fall 2010 PELE law students Timothy Bennett (3L), Amanda Deberry (2L), Danielle Ashley Dolan (3L), Neil Gibson (2L), Leah Jackson (2L), Mary Elliott Neal (3L), Rhianna Shabsin (3L), and Katherine Talalas (3L), who did an exceptional job in the first attempt at this collaborative activity.

10. With gratitude to fall 2010 School of Education Reading students Kathryn Allan, Jennifer Bassett, James Berkeley, Stacey Bierbrauer, Courtney Clark, Chelsey Crawford, Matthew Dennis, Meagan Gillcrist, Charles Gillespie, Ginny Hutcheson, Jun Ji-Hyun, Jaimie Iovacchini, Kathleen Lazzarro, Megan Maestri, Kate Mastrangelo, Tijen Monroe, Sam Montgomery, Lisa Radtke, Leigh Rayfield, Donna Seyland, Virginia Singleton, Myrissa Smalley, Erin Smith, and Nan Zhang for their excellent recommendations for PELE clients.
on Special Education or School Psychology, taking the Reading course as a degree requirement.

PELE students contacted each of their client families, also represented in teams of two, and explained the consultation simulation to them. Then they requested permission from the parents to share the applicable records of their child with the Reading students, with names redacted and pseudonyms used, and assured parents that all information discussed during the consultation would be confidential and that no identifying information would be shared in or out of class. Twelve PELE families agreed to participate in the consultation simulation, understanding that the goal of this consultation would be for the Reading students to help the PELE students interpret their child’s educational information and identify instructional suggestions, particularly in the area of reading. Ultimately, each PELE team received a written summary of the case, instructional suggestions, and a rationale for each suggestion from the Reading teams. Eleven cases were assigned to PELE-Reading teams, and one case was handled by a PELE team and Professor Whalon because that PELE client’s educational placement was a classroom where one of the Reading students worked as a student teacher. This potential conflict of interest led both professors to conclude that the Reading students should not consult on that particular file, and Professor Whalon graciously served as that file’s reading expert.

PELE and Reading student teams were matched up and assigned case files with Reading student teams each receiving one file for review. One PELE student team received two files, and the rest received three files each for review. When possible, PELE student teams were assigned files on which they were already working. For each file, the students would meet with their counterparts from the other discipline on three occasions. The first time would be for the PELE students to familiarize the Reading students with the case file and provide copies of the redacted records pertinent to an educational review. The Reading students held a second meeting during their normal class period, without the PELE students, where each team brainstormed preliminary suggestions for PELE clients based on the information provided by the PELE team, their course readings, their class discussions, and their initial interpretations. Before the third meeting, to be held with the PELE students for the purpose of brainstorming and collaborating to develop final instructional suggestions, the Reading students were required to submit to their professor a summary of the case, their own instructional suggestions, and a rationale for each suggestion. Reading students were expected to provide written recommendations that were concrete, explicit, and understandable to those less familiar with the suggested instructional goals and strategies, recommendations requiring approval by their professor. The Reading
team's written recommendations served as the basis for the collaborative brainstorming meeting between the PELE and Reading teams. A final meeting between the teams was scheduled for the purpose of discussing which recommendations were helpful and why, and for preparing a joint memo about the value of the collaborative activity on their course learning for each professor. Final recommendations from the Reading teams were discussed with the PELE professor, incorporated by the PELE teams into advocacy strategies when appropriate, and shared with the clients’ families as early as practicable.

The PELE and Reading professors believe that in many cases it is beneficial to an exceptional child to have the expertise of both educators and legal advocates in the design of their free and appropriate public education. Recognizing that in practice, as part of IEP teams or the special education system, these collaborations sometimes lead to adversarial, rather than cooperative, approaches due to the significant demands on the school system as well as the intense emotions on the part of the parents, both professors sought to prepare their students for positive future collaborations across disciplines by working on this consultative simulation. In addition to demonstrating through real cases the need for expert consultation outside of one’s field, the expertise offered by the Reading students offered concrete recommendations for improvement to the educational programs of the PELE clients. Similarly, the PELE students’ explanations of the legal issues in each case, and the advocacy strategies employed, introduced the Reading students to the value of an advocate in the IEP process. The collaboration allowed students from both disciplines to learn about the other’s area of expertise, and resulted in the development of concrete instructional strategies that could aid each PELE client whose records were reviewed.

III. BENEFITS OF THE COLLABORATION

Benefits of the collaboration were many, and began with the PELE students gaining an additional perspective about their clients’ needs and educational strategies to meet those needs from the teachers and psychologists who comprised the Reading teams. The PELE students received new strategies, and the Reading students taught the PELE students how to understand and use the suggested strategies. One PELE student reported that because his perspective about the case was previously informed most significantly by the child’s mother and her concerns, the additional perspective of the Reading students helped him to expand his focus of the case. This more balanced perspective resulted in a greater

11. These final joint memos submitted by the student teams were used as the basis for the benefits and improvement sections of this Article. See infra Parts III-IV.
understanding of the child’s test results, their significance, and the flaws and weaknesses in those tests, which produced recommendations for additional tests that could prove useful in advocating for the child’s educational program. It also affirmed some of the strategies already in place for the child, such as providing positive feedback for the existing IEP, in addition to new suggestions and strategies. This affirmation of strategies already in place occurred for many of the PELE client files reviewed. The PELE students gained a greater understanding of the challenges that classroom teachers face in prioritizing time and resources, as well as an increased awareness of what is needed to build a positive dialogue with the school while explaining legal issues to teachers. One PELE student reported that having the PELE and Reading teams discuss polarizing issues in anticipation of an IEP meeting allowed the PELE team to anticipate the school’s concerns and devise a strategy for reaching common ground. This became easier to do once the PELE students understood some of the educational theory behind IEP goals. Conversely, the Reading students gained a greater understanding of the parents’ concerns and how they related to the legal requirements under the IDEA. The collaboration also helped to ease the tension between the educators and the advocates, a result that will hopefully follow these students into their future professions.

In another file, the PELE team reported that engaging in this collaborative activity was useful because they could bounce ideas about the file around with others who had educational expertise, yet who were not part of the IEP team. This gave the PELE students on that file the opportunity to admit that they did not think a student’s disability impacted his academic performance, yet still explore options that might help the student improve his academic experience. Candidly divulging information that might otherwise have a negative impact on their client allowed the PELE students to strategize about the best accommodations for the child with experts in the field outside of the IEP team without fear of repercussions to their client.

For one PELE client for whom reading was a strength rather than a weakness, the Reading students creatively suggested that the PELE client’s strengths be used to encourage additional academic and behavioral successes. Such suggestions included having the client serve as a peer buddy to other students, so that he could be further challenged in reading by having to explain the material to other students—an activity that would also increase the student’s sense of responsibility and social skills. The teams assigned to this file found that it was useful to discuss their concerns and motivations about the client in a completely non-adversarial atmosphere, to explore the fears and apprehensions of both parents and teachers in the special education process, and to understand the purpose of
an advocate in an IEP meeting. The PELE students found the collaboration offered them the valuable experience of practicing the verbalization of client goals, while the Reading students found the activity gave them a better understanding of the data and how to effectively present that assessment data and their resultant recommendations. One team reported that:

[E]ach area of study [of law and education] is so different, but through completing this project, it became apparent that each group plays an equally important role. The ultimate goal is to come up with a plan that is in the best interest of the child and through collaborating . . . coming up with that plan is very possible.  

An additional PELE and Reading team reported that, for the Reading students, working on the file of a real-life exceptional child in the activity added realism and importance to the value of their consultation. They also appreciated learning about the advocacy side of the special education process. The PELE team found that their education counterparts helped them understand the meaning and significance of some of the educational and psychological evaluations.

In several instances, the consultation by the Reading team encouraged the PELE team to abandon a challenge to an educational program that they were previously intending to make on behalf of a PELE client. Such recommendations emboldened the PELE team to instead refocus their efforts on other aspects of the IEP, supplementing what was already in place with additional educational strategies that could be implemented in school and, sometimes, at home. The collaboration provided the PELE team with proposed solutions that the team could make to the school to hopefully encourage a more cooperative relationship between parent and school, rather than add to the adversarial nature of that relationship by continuing to challenge a program that was, by educational and therefore legal standards, already adequate. That particular PELE team discovered, through a concrete example in a real case file, how legal issues often require more than just legal resources in order to reach a satisfactory solution. The collaboration allowed them to explore reliance on other professionals to provide a more holistic solution to a client’s perceived legal problem. The collaboration allowed “us to confront the case’s issues as more confident and informed parties, [so] we were able to improve communication between the parties and develop a strong foundation of solutions that I think influenced the case’s positive result.”

12. Memorandum from Jennifer Bassett, James Berkeley, Elliott Neal, Myrissa Smalley, & Katie Talalas, Reading & PELE students, to the authors (Dec. 9, 2010) (on file with authors).

shows the positive impact this cross-disciplinary collaborative activity can have on a client’s individual case.

Finally, one benefit for the PELE teams and their clients is that the Reading teams provided them with a continuum of options. Because of this, the PELE teams could approach the schools with several different suggestions so that they might achieve a particular client goal without demanding a specific method of instruction or accommodation. This led to a more positive collaborative relationship between school and parent, because the educators could then be relied on for their expertise in the selection of the mode of instruction or type of accommodation from several alternatives that could help the child reach the same goal. In addition, by offering several alternative suggestions, the Reading teams often included projects that the families could work on at home with their exceptional child, thus reinforcing the approach taken by the school. One PELE student reported that the Reading team helped her better understand the needs and potential accommodations for her own clients.

All of the PELE and Reading teams that participated in this collaborative activity found the experience to be beneficial to their own graduate education, particularly in the area of special education, and each PELE team found the suggestions offered by the Reading teams to be very helpful in their advocacy efforts on behalf of their exceptional clients. The PELE teams also found the Reading team suggestions to be both student-friendly and school-minded. The collaboration had the added benefit of improving relationships between several families of PELE clients and their IEP teams, as well as introducing both PELE students and Reading students to the benefits of working with experts from their respective fields in determining the best educational plan for a student in special education. The collaboration also helped dispense with many of the prejudices that either discipline felt towards the other from alleged reputations in the field or their prior experiences in the special education process.

IV. IMPROVEMENTS NEEDED IN FUTURE COLLABORATIONS

The most significant complaint related to the consultation simulation was the timing of the activity, both the time commitment and the points in time in the semester that required a meeting or reported results. The teams were required to meet together on three different occasions, and the Reading students met one additional time in a class devoted to development of their recommendations. For four or five students from two different graduate programs to schedule that many meetings together in a single semester was a significant challenge. This was further compounded by the fact that some of the Reading students were often teaching during the day and going to classes at night, making it increasingly difficult to find three mutually
agreeable time periods during which the teams could discuss the file. In future collaborations of this nature, we recommend reducing the joint team meetings to two, with additional collaboration possible through email.

In addition, the thorough nature of the Reading teams’ review and recommendations required time, as did the careful evaluation of the draft recommendations by the professor. Several versions, in most cases one to two versions, and in one case three versions, of the Reading students’ written recommendations were prepared and then reviewed by the professor before those students were permitted to share their suggestions with the PELE teams. Because of the scheduling challenges for the teams and the time required for the professor to ensure that the recommendations included her essential feedback, the results of the collaborative activity were not ready until the end of the semester. This was problematic for several reasons, including the fact that the final activities of the simulation were concluding while the PELE students began exam preparation and were wrapping up their clinic representation activities. By that time, many advocacy opportunities on behalf of the clients whose files were reviewed had already been concluded and the sharing of the collaborative recommendations with the majority of PELE clients was then delayed until the spring semester, requiring it to be performed by new PELE student teams who had not been involved in the consultation simulation. To avoid this in upcoming iterations of this activity, the scheduling of the activity will have to be modified so that the law-education collaborative meetings can be reduced in frequency and held earlier in the semester. This will help ensure that the eligibility and IEP meetings held in the second half of the semester will benefit from the education recommendations and will be utilized by the same PELE students who took part in the collaboration.

In some instances, the Reading students sought information from the file beyond the scope of what the PELE students provided: records focused primarily on reading issues. Several PELE and Reading student teams expressed interest in broadening the consultation to encompass issues other than reading more fully, which would require additional records be provided at the outset. In one instance the teams noted that “[t]he education group felt that they were ‘grasping at straws’ to give suggestions on reading, but would have liked the chance to give suggestions on other areas like [students’] social anxiety, math and other issues.” 14 We agree that an expanded scope of this activity may be useful in the future, and that to achieve this would require that PELE students share additional records with the Reading teams.

14. Memorandum from Ashley Dolan, Rhianna Shabsin, Chas Gillespie, Ji-Hyun Jun & Kate Mastrangelo, Reading & PELE students, to the authors (Dec. 2, 2010) (on file with authors).
In order to maximize the benefits of this activity to both education and law students, as well as the PELE clients, it would be best to move the collaboration to the spring semester. This will solve both the scope and timing challenges because the special education students will have already completed their methods courses—including reading, general methods, math, and behavior—and will be able to apply the much more expansive knowledge from those courses to the PELE client files. In addition, if the special education students have already completed their methods courses, they will be able to provide recommendations earlier in the semester, thus being of more benefit to that semester’s PELE students and their current clients.

During this process, several PELE teams had to work on client files from their colleagues’ caseloads in addition to their own. This occurred because a few parents did not provide timely permission for their child’s participation in the collaborative activity, and some files had less need for the Reading team reviews than others. While the PELE team originally responsible for a client file met with the team assigned specifically for this activity to brief them on the file, all participants agreed it was a much more beneficial collaboration and learning experience when the PELE teams worked with their own client files because of their increased familiarity with the child, the family, the school, and the records. We will continue to try and keep PELE teams with their own clients for future collaboration activities. Furthermore, by improving the timing of this activity to ensure completion earlier in the semester, the students working on the collaboration will be the same ones who propose the Reading teams’ recommendations to the families and the schools, thus making it more likely that the recommendations will be implemented. This is because the recommendations are more likely to be accepted by the families when they are presented by someone who already has the families’ trust in the existing advocacy relationship, rather than a newly assigned student advocacy team.

Building on the current success of the collaborative activity between the PELE clinic and the education students, the professors from both disciplines will improve the timing of the activity to maximize its effectiveness for the participating students and the clients whose files are reviewed. To do this, the students from the School of Education are likely to come from a different course so that the activity can be moved to the spring semester. Clients may then take advantage of the additional experience and more generalized knowledge that the spring students will have. Also, the program may broaden the scope of the consultation to include more comprehensive review of areas other than reading. Efforts to keep the PELE teams working on their existing client files for the collaborative activity will also be continued. Overall, the benefits to the educational experience of the PELE students and the Reading students in
working together in review of certain PELE clinic client files, as well as the improvements that have been suggested for the benefit of the PELE clients and the positive relationships that have developed across the law and education disciplines, make this a highly desirable experiential learning activity. The activity made enough of an impression on the Reading students that one team suggested that, in the future, the Reading students be kept informed about the progress of the case even after submission of their final recommendations. This worthwhile goal will be incorporated into the project for the education students who participate in the future.

V. NEXT STEPS ACROSS DISCIPLINES

As a result of the success of the fall 2010 consultation simulation between the Law School’s PELE clinic and the School of Education’s Reading students, Professors Roberts and Whalon are embarking on a new cross-disciplinary collaboration in spring 2011. The next project is the addition of PELE students to the Family Mentor Experience (FME) in Professor Whalon’s class, Characteristics and Adaptations for Students with Developmental Disabilities and Autism Spectrum Disorders15 (Autism class), at William & Mary’s School of Education. The FME, developed by Professor Whalon, assigns students in her class a family mentor—the family of a child with an autism spectrum disorder or an intellectual disability. The FME is meant to provide education students the opportunity to learn from mentoring families about their life, strengths, dreams, needs and concerns. Students gain a greater understanding of the unique challenges faced by these families by participating as learners, rather than experts—the family mentors are the experts for the experience.

The FME requires that education students make three visits with their mentor family, for a total of six hours, over the course of the semester. The first visit takes place at the home, the second occurs in the community with the family. During the third visit, the students try out the materials they created for the family in their evidence-based practice assignment. One additional hour is spent observing the child in his or her educational setting. The education students are required to keep a family contact log, prepare two journal responses to prompts sent by the professor, and interview one

15. The spring 2011 course, CRIN X54, Characteristics and Adaptations for Students with Developmental Disabilities and Autism Spectrum Disorders, William & Mary School of Education, is a comprehensive overview of the diagnoses and characteristics of developmental delay, autism spectrum disorder (ASD), and intellectual disability (ID) (i.e., mental retardation). The course also addresses the impact characteristics have on student participation and learning in the general education curriculum, and adaptations to enhance learning while emphasizing individual goals and objectives are addressed. Graduate Course Listings, Wm. & Mary Sch. Educ., http://education.wm.edu/academics/ci/courses/index.php (last visited Oct. 25, 2011).
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of the parents in their mentor family. The education students also write a thank you letter to the family at the end of the FME describing specific things learned during the semester, and they compose a three to five page reflection describing the experience for their professor. For the first time, law students in the PELE clinic are going to be included as part of the FME. One law student will be assigned to each family mentor, along with the students in the Autism class; thus, each family mentor will have a law and education student team assigned to them. The law students will have the same goals and responsibilities as the education students. However, instead of creating an evidence-based practice assignment, the PELE students will review the IEP or eligibility of the exceptional child who is part of their mentor family and offer advocacy recommendations for the family when appropriate.

CONCLUSION

Through inter-disciplinary collaboration amongst graduate school programs in law and special education, graduate students can gain experience working with experts in other fields to holistically address the needs of special education clients. Such collaborations are educationally beneficial to the participating graduate students in learning the value of teamwork and consultation of experts. In addition, collaborating between disciplines to devise recommendations and strategies for these clients can serve to empower the clients and their families with multi-disciplinary expertise and recommendations as they navigate the educational system, helping to insure these exceptional children receive the free and appropriate public education to which they are entitled under the law.