ABSTRACT

Title of Dissertation: IN PURSUIT OF A NONPUBLIC SPECIAL EDUCATION PLACEMENT

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Although the Individuals with Disabilities Education Act (IDEA) intends parents to be equal members of the team that makes their child's Individual Education Plan (IEP), parents face barriers to participation, particularly exclusionary procedures, school structures, professional behaviors, and racial and cultural biases. Little wonder that some seek placements outside the public school system. However, IDEA also mandates that students receive services in the “least restrictive environment,” which means alongside peers without disabilities to the maximum extent appropriate. This dissertation is an exploratory, qualitative study of parents who pursue publicly funded special education placements in nonpublic institutions for students with autism spectrum disorders (ASD). This research documents parents’ reasons, perceptions, and experiences when seeking a nonpublic placement, as well as their strategies and challenges. The questions, and my interpretation of responses, are informed by Pierre Bourdieu’s (1985) socio-cultural capital theory, as well as Audrey A. Trainor’s (2010a, 2010b) descriptions of social and cultural capital use when advocating for children with disabilities. This study found parents of children with ASD sought nonpublic placement only when significant issues arose in their child’s public school, particularly around their child’s safety or lack of meaningful improvement,

and only after their efforts to resolve these issues failed and their distrust of school and district personnel grew. No longer focused on coming to a consensus or compromise with their child's IEP team, parents began an advocacy process that involved: a) consulting or retaining professional representation (attorneys, professional advocates, and/or educational consultants); b) building and presenting the argument that the school district was and could not providing a free and appropriate public education (FAPE); c) securing a placement in a nonpublic school.

IN PURSUIT OF A NONPUBLIC SPECIAL EDUCATION PLACEMENT

by

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Chapter 1: Introduction

Jennifer and Joseph, parents of Endrew, a child with autism spectrum disorder (ASD) and attention deficit hyperactivity disorder (ADHD), had become increasingly concerned about a lack of progress in school. In a meeting towards the end of his fourth-grade year in Douglas County Public Schools, they rejected his Individual Education Plan (IEP) that school personnel had crafted for the following year (Yell & Bateman, 2020) Endrew's parents enrolled him in the Firefly Autism House, a nonpublic special education school that specialized in the education of children with ASD, where his academic performance and behavior improved (Yell & Bateman, 2020). At the time of Endrew's enrollment, Firefly Autism House's annual tuition was $65,000, which his parents paid in full (Lee, 2019).

With the help of lawyers, his parents filed for due process, during which they claimed that the Douglas County School District was responsible for the cost of his nonpublic special education because the school district did not provide him with a "free appropriate public education" (FAPE) as required by IDEA. After three days of testimony and evaluation of Endrew's progress, the administrative law judge denied their request for reimbursement because Endrew had made some measurable progress towards the goals set out in his IEP during his time enrolled in the school district (Howell, 2016). Endrew's parents lost a judicial review in the Federal District Court of Colorado, and then the U.S. Court of Appeals for the Tenth Circuit affirmed the previous decision with their judgment that the school district had provided Endrew with FAPE because his IEP guaranteed some benefit that was "more than *de minimis*" or more than minor or trivial benefit (Aldridge, 2020).

In *Endrew F. v. Douglas County School Dist. RE–1* (2017), the Supreme Court clarified how much benefit a student's individualized education program (IEP) must provide to meet the free and appropriate public education (FAPE) guarantee, which federal courts had interpreted differently based on the Individuals with Disabilities Education Act (IDEA) and the Supreme Court's decision in *Board of Education of the Hendrick Hudson Central School District v. Rowley, 458 U.S. 176* (1982). In *Endrew F. (2017),* the Supreme Court stated that a school district must offer an IEP that is reasonably calculated to enable a child to make appropriate progress considering the child's circumstances (Turnbull et al., 2018). While this ruling heightened the FAPE standard first established in *Rowley (1982)*, it did not reach the level that Endrew's parents requested: namely, that a student with disabilities should make progress equal to that of his peers (Aldridge, 2020).

The case highlights difficulties many parents face when advocating on behalf of children with disabilities. Despite ruling in favor of Endrew's parents, the Supreme Court did not address or alleviate the burdens of parents who try to challenge aspects of their child's special education program, including their educational placement (Aldridge, 2020; Raj & Suski, 2017). Raj and Suski (2017) argues that *Endrew F.* (2017) sets an individualized standard that ultimately forces parents to marshal substantial resources to challenge the school district's recommendations; they claim that Endrew's parents challenged the school district "only because they had the resources to know about and pay for his private school tuition, evaluations by independent experts, and, of course, retain an attorney" (Raj & Suski, 2017, p. 501).

Many parents perceive themselves as essential advocates for their children with disabilities and act strategically to influence educational decisions for their children (Hess et al., 2006; Lalvani, 2012). Boshoff, Gibbs, Phillips, Wiles, and Porter (2016) describe parental advocacy as a set of behaviors including obtaining support or services for their child, promoting the child's welfare, raising issues, and facilitating change, being a voice for their child, and/or educating family, friends, and others about the child’s condition. At a micro-level, parental advocacy in special education primarily involves advocating for services to meet the child’s needs, strengths, and preferences, acting as an expert on the child, and protecting the child from incompetence or uninformed professionals (Lutenbacher et al., 2005). At a macro-level, parental advocacy can develop into activism, through which they may join other parents to promote legislative change, improve public awareness, and increase funding directed at disability services and research (Balcazar et al., 1996; Black & Baker, 2011; Wright & Taylor, 2014). Parental advocacy is also a dynamic process that changes depending on the circumstances and needs of the child and parents (Ryndak et al., 2008, 2011).

Although Congress, through its creation and reauthorizations of IDEA, intends the IEP process to be collaborative, many parents face barriers to advocating on behalf of their child and participating in decision-making. The literature on parental advocacy in special education reveals that institutionalized procedures, school structures, professional behaviors, and racial and cultural beliefs and biases limit parents’ ability and willingness to advocate on behalf of their children. Cultural, linguistic, and racial minorities and low- income families encounter barriers to participation in the IEP process and in their child’s special education broadly (Harry, 1992b; Larios & Zetlin, 2012), and parents’ socio-cultural capital and access to resources facilitates or restricts their ability to advocate for children with disabilities (Ong-Dean et al., 2011; Trainor, 2010b, 2010a). Many parents face obstacles to meaningful participation in IEP meetings where important decisions about placement and programming are made (Love et al., 2017); parents of students with disabilities describe these meetings as highly emotional events where professionals, who have more authority and knowledge about disability and services, seek to dominate decision-making (Zeitlin & Curcic, 2014).

The literature on parental advocacy in special education has not yet explored the experiences of parents who seek to influence their child’s placement decision to receive a more restrictive educational placement, such as separate public or private schools and home/hospital settings (Kurth, 2015; Kurth et al., 2014). Since 1975, Congress has communicated a clear preference for an inclusive model of special education in the LRE mandate, and even strengthened that preference in IDEA’s most recent reauthorization by stating that “the education of children with disabilities can be made more effective by having high expectations for children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible” (Individuals With Disabilities Education Act, 2004, sec. 601). Many professionals and parents perceive inclusion in general education settings as the best way to promote educational and social progress of students with ASD and other disabilities (Starr et al., 2001; S. E. White, 2014). Although parents typically favor inclusion, some question whether the inclusion model can meet the needs of their children and have concerns about schools’ resources and educators’ knowledge and skills within inclusive settings (Leyser & Kirk, 2004; Love et al., 2017; Tissot, 2011). Our special education system’s preference for inclusion and the LRE mandate often requires parents who seek placements that IDEA considers more restrictive to articulate these concerns and persuade professionals on the appropriateness of a less inclusive environment.

This study investigates the experiences of parents of children with ASD who seek a publicly funded, private, special-education placement, commonly known as a nonpublic placement. Across racial, ethnic, and SES backgrounds, parents of children with ASD are a group of relatively active advocates who commonly encounter difficulty seeking specific services and placements for their children. Parents of children with ASD engage frequently in advocacy related activities (Burke & Hodapp, 2016) and share more examples of successful advocacy than parents of children with other disabilities (Trainor, 2010b, 2010a). They also report higher levels of dissatisfaction with the IEP process than parents of students with other disabilities (Montes et al., 2009) and express concerns that school officials do not communicate sufficiently about their child’s progress nor ask them to provide enough input when developing their child’s IEP (S. E. White, 2014). Some parents perceive school-based services as insufficient to meet their child’s needs (Spann et al., 2003) and report having trouble obtaining certain placements (Love et al., 2017; Miller et al., 2019; Stoner et al., 2005). They also describe the process of educational placement decision-making as stressful and time-consuming (Tissot, 2011). Parents of children with ASD more frequently file for due process when compared to parents of children with other disabilities and are ten times more likely to be involved in due process litigation that disputes the child’s LRE (Zirkel, 2011).

A nonpublic special education placement often necessitates a multi-step decision-making process that can be complicated and contested. Through a cross-case analysis of parental advocacy in the pursuit of a nonpublic placement, this study aims to describe these parents’ reasons for seeking nonpublic placements, the approaches they take, and the challenges they face when trying to influence the IEP team’s and/or judge’s determination of the child’s appropriate placement. By illuminating parents’ experiences in the pursuit of a nonpublic placement, this dissertation compares the study’s findings to our knowledge of parental advocacy in special education. The following chapter provides contextual information about nonpublic special education placements in Maryland and descriptions of the purpose and overview of this study’s design.

Nonpublic Special Education Placements in the Maryland Context

Before the 1970s, school systems systematically denied children with disabilities public education at a great individual and social cost (Biklen, 1988). Across the U.S., private individuals and entities led efforts to educate children with disabilities (Metzel, 2005). In Maryland, parochial and private institutions educated many students with disabilities during the 19th and 20th centuries, often with state support. In the mid-1900s, while developing public special education programs, Maryland's school systems incorporated nonpublic special education schools into their continuum of services (Washington, 1976). In 1974, issues arose around funding nonpublic special education and the appropriateness of these placements. The Maryland Association for Retarded Children (M.A.R.C) and 14 children with disabilities sued Maryland's State Department of Education in state courts (Steinhardt, 1974). The *M.A.R.C. (1974)* ruling declared that the state must guarantee children with disabilities placement into a public education program or in a nonpublic education program at no cost (Steinhardt, 1974).

While Maryland's 24 school districts retain the right to approve and fund special education placements, the state government helps regulate and support nonpublic special education through the Maryland's Nonpublic Tuition Assistance Program and the "Public/Private Partnerships" initiative between nonpublic special education schools and its county school districts. The Nonpublic Tuition Assistance Program (NTAP) offers to share half the costs of nonpublic placements with school districts. When a school district approves a nonpublic special education placement, the district can apply to the program. If the state approves the placement, it will provide half of the costs to the school district. NTAP also set standards for tuition rates, class size, and other aspects of educational services at the programs' approved nonpublic special education schools (Maryland Association for Nonpublic Special Education Facilities, n.d., 2022). The "Public/Private Partnerships" program places students in nonpublic special education schools for diagnostic/short-term placements, interim placements when no public option is appropriate, or incremental movement back to a public school setting (Burdette, 2006). These programs have significantly increased the state's overall funding of nonpublic special education (The Special Education Leadership Project, 2003).

Established in the 1980s, the Maryland Association of Nonpublic Special Education Facilities (MANSEF) currently represents the interests of 70 nonpublic special education schools in Maryland and one in District of Columbia (Maryland Association for Nonpublic Special Education Facilities, 2022). Of those schools, 49 are in Baltimore City, Baltimore County, Montgomery County, or Prince George's County and 46 accept students with ASD (Maryland Association for Nonpublic Special Education Facilities, 2022). These nonpublic schools differ in various aspects, such as capacity, accepted abilities, length of school year, and available services. As of 2019, the median tuition cost for a nonpublic special education day school was $59,000 per year (Joint Legislative Audit and Review Commission, 2020). Maryland's Department of Education also offers support and technical assistance to its approved nonpublic schools and communicates with the leadership of MANSEF at least quarterly (Burdette, 2006).

In Maryland in 2019, 4,072 students with disabilities ages 6-21 received special education services in a nonpublic day or residential school through either publicly or privately funded placements, which is about 4.2% of all students with disabilities (Maryland State Department of Education, 2019). That year 7.4% of Prince George's County School District's students with disabilities enrolled in nonpublic special education schools, which is the highest percentage among the school districts. About a third of students in Maryland's nonpublic special education schools have ASD (Maryland State Department of Education, 2019).

Maryland's placement process into nonpublic special education schools. As a rejection of harmful exclusion, isolationism, and institutionalism, the recent era of special education reform has embraced inclusion as its model for special education. IDEA mandates that children are educated in their least restrictive environment (LRE); however, few areas in special education law have been the subject of more debate and controversy than this mandate (Yell, 2016). LRE is a controversial and often misunderstood principle (Biklen, 1982; Yell, 2016), which complicates decisions about education placements, particularly those that seem more restrictive. For example, in a review of decisions of appeals to federal court involving placement issues, Newcomer and Zirkel (1999) found that 76% involved parents seeking a more restrictive placement—rather than a less restrictive one—for their child with a disability. In Maryland, nonpublic special education placement involves multiple steps, which may require parents who seek a nonpublic placement to navigate a contentious, complex process.

The principle of the least restrictive environment shaped the design of our special education programs and law (Taylor, 2004; Yell, 2016). In the 1960s, professionals and scholars began to advocate for a range of services available for students with disabilities (Taylor, 2004). In the 1960s and 1970s, federal courts began incorporating the principle of least restrictive environment in their rulings, including in the landmark ruling of *Pennsylvania Association for Retarded Citizens (PARC) v. Commonwealth of Pennsylvania* (1972). Critical to applying the LRE principle is understanding the meaning of restrictiveness. Champagne (1993) defined restrictiveness as "a gauge of the degree of opportunity a person has for proximity to, and communication with, the ordinary flow of persons in our society" (Champagne, 1993, p. 5). In special education, restrictiveness refers to the extent to which children are educated with their typically developing peers in the general education environment (Yell, 2016).

IDEA provides standards for determining a child’s LRE, which include that the determination is based on the unique needs of the student, that parents receive notice and are involved in the placement decision, that the school offers a full continuum of placement options for each student, and that a child’s placement is reassessed at least annually (Yell, 2016). The IEP must also include an explanation of the extent to which a student will not participate with typically developing peers in general education (Yell, 2016). Under Maryland’s regulations, COMAR 13A.05.02.14, and IDEA, a nonpublic special education placement should be considered when a student with disabilities has needs in his/her Individualized Education Plan (IEP), agreed upon by the IEP team, that cannot be met by any public service within the local school district and can be implemented by an approved nonpublic school in the child’s least restrictive environment.

In Maryland, a placement decision in a nonpublic special education school is a multi-step process. When considering a nonpublic special education program, the IEP team will typically hold a subsequent meeting in which school district officials participate. If the IEP team agrees to make a nonpublic placement, the school district refers the student to representatives of the nonpublic school, who, in many cases, review the application, interview the student and parents, and make an acceptance decision. Once accepted, the student’s local school district can notify and request partial reimbursement from the state’s Department of Education, which then can either approve or disapprove of the placement recommendation (see COMAR 13A.05.02.14). The school district can also choose to approve and fund the special education placement themselves. After approval, representatives from the nonpublic school meet with school district officials and parents to assist in developing the IEP. The school district is responsible for reviewing student progress in the nonpublic placement at least annually, in accordance with

COMAR 13A.10. The school district is responsible for costs of the nonpublic placement, including costs of any pre-placement interviews conducted by the nonpublic school, transportation, and tuition (Disability Rights Maryland, 2020)

Under IDEA's procedural safeguards, parents can enact their due process rights to dispute their child's IEP and/or placement and argue that a nonpublic placement is appropriate. If a hearing officer agrees, a child can be placed in a nonpublic special education school. Parents can also seek an approved nonpublic placement or tuition reimbursement from the school district after they enroll their child in a nonpublic special education school. This placement, referred to as a unilateral placement, requires parents to notify the school district prior to removing the child from their current placement and list reasons why the current placement is inappropriate (Callegary & Steedman, 2015). If the school district does not agree to fund a nonpublic school placement, parents may request a due process hearing to address the issues and request reimbursement. However, until a possible award of reimbursement and/or placement is determined, parents are responsible for the costs of the nonpublic placement.

As established in the Supreme Court's ruling in *Burlington School Committee of the Town of Burlington v. Dept. of Educ.* (1985), judges may award reimbursement of costs associated with a nonpublic placement if the school district did not provide FAPE and if the nonpublic school is appropriate (Mandlawitz, 2002; Mayes & Zirkel, 2001). However, the burden of proof in all administrative hearings challenging an IEP is placed upon the party seeking relief (Wasserman, 2006), which usually means the parents seeking reimbursement and/or placement in a nonpublic school (Maryland State Department of Education, 2021b). While precedent establishes that judges should consider LRE when determining whether the nonpublic placement is appropriate, parents do not have to prove that the nonpublic placement was the least restrictive environment (Wasserman, 2006). An ALJ or a court can also deny or decrease an award of tuition depending on whether parents gave prior notice, made their child available for evaluation, and acted unreasonably, as judicially determined (Maryland State Department of Education, 2021). Either party may bring a civil action in state or federal court within 90 days to appeal the findings and decision of a due process hearing (Callegary & Steedman, 2015). During an appeal, the court receives the due process hearing's records and hears additional evidence at the request of a party before determining and granting appropriate relief (Callegary & Steedman, 2015).

Across the U.S., due process hearing requests are rare, actual hearings even more so. However, due process hearings are likely a proxy for more common conflicts between schools and parents (Ong-Dean et al., 2011). In Maryland, of the 18 rulings on due process hearings published between July 1, 2020 to June 30, 2021, eight involved parents seeking reimbursement for tuition and placement in a nonpublic school for children with disabilities (Maryland State Department of Education, 2021a). According to the published rulings on the Maryland State Department of Education website, parents filed against Montgomery County School District for tuition reimbursement and nonpublic placement in five of these cases, although in only one of them did the ALJ rule in favor of the parents. Of two cases in the Frederick County School District, one ruling awarded parents tuition reimbursement and continued placement in a nonpublic school and the other awarded reimbursement for tuition during a limited period but did not continue the placement in a nonpublic school. The remaining case where parents sought nonpublic special education placements ruled in favor of the parents and ordered Howard County School District to reimburse and continue placement in the nonpublic school.

Despite less than 5% of Maryland’s students with disabilities attending nonpublic special education schools, nonpublic special education has been an important component of the state’s special education system. Publicly funded nonpublic placements require IEP teams to determine whether this highly restrictive placement meets IDEA’s LRE principle, which contributes to Maryland’s multi step decision-making process. Parents who seek a nonpublic special education placement for their child with disabilities are likely to encounter a complex and possibly contentious process of placement.

Research Purpose

From the literature, discussed further in Chapter 2, we know parents advocate on behalf of their children with disabilities to influence the services they receive, and from published due process hearings and information available from Maryland Association of Nonpublic Special Education Facilities (MANSEF) and nonpublic special education schools, we know that some parents seek nonpublic placements. Yet, we do not know why or how this is happening. Therefore, I proposed a qualitative research design to explore parents’ experiences advocating for their children with ASD to receive a publicly funded private day and residential special education school placement, also known as a nonpublic placement. This study investigates why parents of children with ASD seek a nonpublic placement and their approaches during their pursuit of this placement. The study describes the strategies parents employ, the challenges they may encounter when advocating for a nonpublic placement, their perceptions of the effectiveness of their efforts. Through this cross-case analysis of parental advocacy, this study aims to illuminate commonalities and differences across parents’ experiences advocating for a nonpublic placement and compare those findings to our knowledge of parental advocacy in special education. The following research questions aim to describe parents' perceptions of their experience pursuing nonpublic special education placements.

1. Why do parents of children with ASD seek nonpublic placements?
2. How do these parents advocate for nonpublic special education placements?
3. What challenges do parents face when advocating for these placements, and how do they try to overcome those challenges?
4. How do parents view the effectiveness of their efforts to secure nonpublic placements?

These research questions provide scaffolding for this study and a foundation for its analysis. They were sufficiently open to elicit data grounded in the experiences of the participants.

I designed this study with an interpretivist approach that seeks to understand how parents interpret their experiences advocating for this placement. I collected data through semi-structured interviews of 12 parents, or other adult caregivers with the legal right to make educational decisions under IDEA, whose children with ASD are between the ages of 6 and 21, and who reside in Maryland. I recruited parents who have advocated for their child to receive a nonpublic special education placement within the last 5 years, which included both parents who were and were not successful in these efforts. Designed around the primary research objectives and sensitizing concepts, further discussed in Chapter 3, I asked parents to recall their perceptions and experiences regarding their decision to seek a nonpublic placement and actions taken to advocate for the placement. I also asked them to reflect on the efficacy or influence of their efforts on the outcome. Interviews lasted around an hour, with some lasting longer when it was appropriate. I used a technique called member checking where I returned transcripts to participants to check them for accuracy.

During data analysis, I identified themes through a combined process of reviewing the data, making logical associations with the interview questions, and considering the sensitizing concepts and other information and theories learned from the review of literature. I engaged in a thematic analysis of the data to capture the essence of experiences drawn from varied contexts and then categorize the themes. I utilized the central coding procedures (open, axial, and selective) proposed by Strauss and Corbin (1990). I began the coding process with initial and open coding in which I identified conceptual codes working line-by-line with the interview transcripts. I used the qualitative data and analytic software, NVIVO, to code, organize data, and aid in identifying patterns and developing themes. I conducted axial coding, during which I drew connections between the conceptual codes and aggregate or condense these codes into broader categories. In the following phase, I engaged in selective coding to develop themes grounded in data analysis. As I developed theoretical insights from the thematic analysis, I considered how the findings speak to the related literature base; I assessed how the findings affirm, extend, question, or challenge our understanding of the nature of parental advocacy in special education.

The structure of this dissertation reflects the research process of identifying a research question, reviewing what other researchers have found, designing a study, drawing conclusions, and presenting the findings. In Chapter 2, I present my findings of a review of literature on parental advocacy. Chapter 3 describes this study’s research approach, data collection and analysis methodology, the design’s limitations, and my positionality to the research and participants. Chapter 4 presents the study’s findings in relation to the research questions. Chapter 5 discusses the study’s results and considers how these findings influence our understanding of parental advocacy.

Chapter 2: Literature Review of Parental Advocacy in Special Education

Parents have acted as important advocates on behalf of children with disabilities throughout the history of special education in the United States. During the 1970s, parents of children with disabilities protested for access to quality education and sought redress in the landmark special education cases *P.A.R.C. v. Commonwealth of Pennsylvania*, 334 F. Supp. 279 (E.D. PA 1972) and *Mills v. Board of Education*, 348 F. Supp. 866 (D.D.C. 1972), as well as twenty-seven subsequent federal cases. A Congressional investigation led to the creation of Public Law 94-142 in 1975, an amendment to the Education of the Handicapped Act (1970). Central among the justifications for Public Law 94-142 was the concern that parents of children with disabilities did not have the ability to advocate for education services other than through the judicial system (Mead & Paige, 2008). Consequently, Public Law 94-142 granted parents powerful procedural protections that they could use to ensure that their child receives a free appropriate public education (FAPE).

Congress has since replaced Public Law 94-142 with the Individuals with Disabilities Education Act (IDEA), but its tenets, including substantive and procedural rights for parents, remain. IDEA gives parents or adults in caregiver roles the right to be informed, consent to special treatment, participate in decision making, and challenge the school system whenever they believe their child has been denied a free and appropriate public education (FAPE). Throughout several reauthorizations of IDEA, Congress emphasized the importance of parents through regulations intended to strengthen their role in the special education of their child (Childre & Chambers, 2005; Mead & Paige, 2008; Mueller, 2015; Yell, 2016; Yell et al., 2009). For example, in the 1997 reauthorization, Congress stated their intention to "strengthen the role of parents and ensur[e] that families of such children have meaningful opportunities to participate in the education of their children at school and at home” (IDEA 20 U.S.C. § 601 (c)(5)(B)) and mandated that the public agency notify parents early, schedule meetings in advance, and use interpreters when appropriate to further that goal (IDEA 34 C.F.R. § 300.345(a)-(f)). From 2005 to 2007, the United States Supreme Court rulings in *Schaffer v. Weast (2005), Arlington Central School District Board of Education v. Murphy (2006), and Winkelman v. Parma City School District (2007)* also affirmed the importance of the meaningful involvement of parents and extended the independent and enforceable FAPE right to parents (Yell et al., 2009).

While IDEA supports parental involvement and affords due process rights, its implementation depends on parents being willing and able advocates for their child (Kalyanpur et al., 2000; Pasachoff, 2011; Phillips, 2008; Rossetti et al., 2021; Wang et al., 2004). Parental advocacy serves as the primary accountability mechanism for our special education system (Pasachoff, 2011; Phillips, 2008; Wang et al., 2004). Federal, state, and local education agencies cooperate in IDEA’s service delivery and oversight, yet no public actor is responsible for reviewing the substance and implementation of individual IEPs on its own initiative (Pasachoff, 2011). Therefore, the responsibility of ensuring that individual students receive FAPE mostly relies on private enforcement initiated by parents (Pasachoff, 2011; Phillips, 2008). However, several scholars question the efficacy, effectiveness, and fairness of this advocacy expectation (e.g., Burke & Sandman, 2015; Cope-Kasten, 2013; Goldman et al., 2020; Kalyanpur et al., 2000; Mueller, 2015; Trainor, 2010b). Kalyanpur et al. (2000) argued that IDEA’s intention for parents to be equal participants assumes all parents will choose to participate, communicate their preferences effectively, and hold professionals accountable during the decision-making process and IEP implementation.

Because IDEA depends on parental advocacy, researchers over the last fifty years sought to understand how parents advocate for their children and what their experiences are in doing so. Through a review of research presented in this chapter, I find that parents use varying approaches to engage in the IEP process and interact with district and school personnel. Researchers have found that while parents view themselves as necessary advocates for their child, they describe their experiences advocating as adversarial and contributing to tenuous relationships between school personnel. I find that institutionalized procedures, school structures, professional behaviors, and racial and cultural beliefs and biases limit parental advocacy, especially from parents living in poverty and part of racial, linguistic, or cultural minorities.

In this chapter, I present the findings from a review of the literature related to parental advocacy in special education. I reviewed studies and scholarly essays relating to parental advocacy and participation in special education of children with disabilities between the ages of 3 and 22 in the United States. In the following sections, I present an overview of the research aims, theoretical frameworks, and methodology of literature on parental advocacy in special education. Then I describe studies and other related findings of nature and correlates of parental advocacy, barriers to parental advocacy, and characteristics and outcomes of parental advocacy during conflict and due process hearings. Throughout I discuss the relationship between the literature and my study on the nature of parental advocacy in the pursuit of a publicly funded private special education placement, commonly referred to as a nonpublic placement.

Research Aims and Theoretical Frameworks in the Literature

In the 1970s and 1980s, literature related to parental advocacy in special education was normative; in addition to assessing the nature of parental participation under the new federal legislation, scholars explored what parental participation should be. Turnbull and Turnbull

(1982) questioned PL 94-142's assumption that all parents should be involved in special education decisions because parents do not share the same willingness or ability to participate. They proposed a model of graduated participation, in which parents would be able to choose their level of involvement. MacMillian and Turnbull (1983) presented a similar argument; they asserted parents' preferences should influence the degree and nature of their involvement, particularly because parents of students with disabilities may face more difficulties and experience greater stress than parents of typically developing students, which can affect the way they choose to participate (MacMillan & Turnbull, 1983). Yoshida and Gottlieb (1977) proposed the Model of Parental Participation During the Pupil Planning Process, which illustrates the ideal nature of parental participation during the IEP process in three stages. In the first stage, the input stage, parents give information and permission and present preferences for placement and services (Yoshida & Gottlieb, 1977). During the second stage, the process stage, the IEP team evaluates the information from the previous stage, during which parents may take a passive or active role; parents can accept or reject the recommendation of the IEP team at the last stage, the product stage (Yoshida & Gottlieb, 1977). Shevin (1983) compared four models of parental participation under PL 94-142 and promoted a model of informed participation in which professionals inform the parent of available resources and the parent participates in goal formulation. He argued that this framework minimizes value conflicts between parents and professionals by having professionals relinquish some of their authority and support parents becoming independent of the need for professional direction (Shevin, 1983). Supporting PL 94-142's parent participation regulations and goals, McLoughlin et al. (1978) advocated for school personnel to actively foster a cooperative relationship with parents and give parents ample opportunities to participate at each stage of the IEP process and across special education settings.

Since the mid-1980s, most scholars sought to understand how parents are participating in relation to IDEA’s goal of meaningful parent participation as equal IEP team members. Several scholars continue to question the efficacy, effectiveness, and fairness of parental advocacy expectation in IDEA (e.g., Burke & Sandman, 2015; Cope-Kasten, 2013; Goldman et al., 2020; Kalyanpur et al., 2000; Mueller, 2015; Trainor, 2010b; Wang et al., 2004), but few offer a different vision of parental participation in special education. Some studies examined the implementation of new or amended regulations related to parents’ participation and rights (e.g., Blackwell & Rossetti, 2014; Mead & Paige, 2008b; Mueller, 2015; Mueller & Carranza, 2011; Turnbull, 2005) and identified issues that future reauthorizations could address, such as improving dispute resolution’s fairness and clarifying the procedural and substantive standard of FAPE (e.g., Cope-Kasten, 2013; Mueller, 2009; Zirkel & Hetrick, 2017). Other researchers analyzed Supreme Court decisions and their consequences for special education practices and litigation (e.g., Czapanskiy, 2014b; Hudson-Plush, 2006; Yell et al., 2009; Zirkel, 2016). Most studies examined the nature of parental advocacy during students’ Individualized Education Plans (IEP)’s procedures, such as how parents participate in or experience IEP meetings (e.g., Bray & Russell, 2016; Childre & Chambers, 2005; Goldstein et al., 1980; Lo, 2008; Martin et al., 2004; Ruppar & Gaffney, 2011; Salas, 2004; Wagner et al., 2012; Wolfe & Durán, 2013).

Mirroring IDEA’s language, many studies used the term participation, which often referred to any parental involvement in the special education of their child; for example, Defur et al. (2001) used the term participation to refer to the experiences and involvement of parents in the transition planning process for children with disabilities. While IDEA does not use the term advocacy or describe parents as advocates, several studies used the term advocacy to describe parental participation in special education (e.g., Balcazar et al., 1996; Burke, Meadan-Kaplansky, et al., 2018; Burke & Hodapp, 2016; Ewles et al., 2014a; Nachshen et al., 2001; Stanley, 2015; Trainor, 2010a). A Canadian scholar, Wolfsenberger (1977) wrote extensively about advocacy in the special education context, including the concept's ideological and historical roots. He claimed that advocacy, a term scarcely used in human services literature prior to 1970, requires doing more than what is done routinely and imposes a distinct cost to the advocate, such as time, emotional stress, capital, and risk of harm to existing relationships (Wolfensberger, 1977). Several scholars in this literature base ground their descriptions of advocacy in Wolfensberger's work (e.g., Angell, Stoner, & Shelden, 2009; Burke & Goldman, 2018; Burke, Rios, & Lee, 2018; Harry, Allen, & McLaughlin, 1995; Trainor, 2010a). Some scholars use Munro's (1991) description of parental advocacy in special education as "a non-violent empowerment and support process, through which families with disabled relatives can constructively express dissatisfaction and contribute creative solutions to problems existing in human service systems" (Munro, 1991). The term advocacy also appeared often in the studies that examined parents' actions that were not included in the IEP process. For example, Balcazar et al. (1996) developed five categories of parental advocacy actions with activities included making phone calls, office visits, letters/mass mailings, media reports, and other activities, which Nachshen et al. (2001) developed into the Parent Advocacy Scale (PAS).

Several studies applied theoretical frameworks centered on parents' actions and influences. Some applied McCubbin and Patterson's (1983) Double ABCX Model of Family Adjustment and Adaptation for families of children with disabilities (e.g., Ewles et al., 2014a; McCubbin & Patterson, 1983; Nachshen & Minnes, 2005; Orr et al., 1991). In this model, a stressor (A), typically considered the child's behavior or disability's symptoms, interacts with a family's resources (B) and the family's perception of the stressor (C), and produces family's adaptation (X), which the authors consider a form of advocacy (McCubbin & Patterson, 1983). Ewles et al. (2014) used the double ABCX model as a theoretical framework to examine parental "advocacy as an approach to managing the challenges involved in raising a child with ASD [Autism Spectrum Disorder]" (Ewles et al., 2014, p. 74). In a quantitative study of parental involvement in special education, Fishman and Nickerson (2019) tested Hoover-Dempsey and Sandler's (1995, 2005) Model of Parent Involvement, a theoretical model not specific to the special education context; this model identifies three factors that motivate parents to become more involved in their child's education: parents' motivational beliefs, parents' perceptions of invitations of others, and family/life context variables. Burke and Goldman (2018) used Bourdieu's social-cultural capital theory to frame the advocacy experiences of culturally and linguistically diverse families. Rossetti et al. (2021) applied a constructivist grounded theory method with an interpretative analysis informed by Yosso's (2005) community cultural wealth framework, which acknowledges that systemic barriers limit the recognition of multiple forms of capital that culturally and linguistically diverse families have: resistant, navigational, aspirational, familial, social, and linguistic capital. Munn-Joseph and Gavin-Evans (2008) use Brigg's description of two types of social networks, ones that produce support and ones that produce leverage, to assess how parents' use of social networks influences their parental involvement in their child's special education.

Scholars used theories to explore how parental advocacy relates to the dynamics of family-school or parent-professional relationships. Some studies referenced or applied models of parent involvement in schools that were not specific to the special education context. For example, many scholars referenced or discussed Epstein's (1995, 2001, 2002) model of school, family, and community partnerships, visually represented by overlapping circles of complex interactions centered around the child (e.g., Blue-Banning et al., 2004; Brandon & Brown, 2009a; Miller et al., 2019; Spann et al., 2003; Stanley, 2015; Trainor, 2010b; A. P. Turnbull et al., 2000; Wagner et al., 2012). In a quantitative study of parental participation during the transition planning process mandated under IDEA, Wagner et al. (2012) adapted Epstein's model of family-school relationships by focusing on the spheres of family and school and more explicitly acknowledging the role of the child in the family-school dynamic. Epstein's (1995, 2001, 2002) model draws from Bronfenbrenner's Ecological Systems Theory (1979, 1992), which views child development as a complex system of relationships in a nested set of systems, involving social, cultural, economic, and political influences. Sontag (1996) argued that scholars can use Bronfenbrenner's Ecological Systems Theory to explore the family-school relationship and create improved descriptions of a child's family and community environment. Brown and Mortier (2017) applied the Ecological Systems Theory during their analysis of the experiences of African American parents of students with ASD and found these parents experienced isolation in their micro-, meso-, exo-, and macro-systems; African American parents in the study expressed feeling unsupported by their extended families and their school communities and disconnected from the autism community and special education legislation and policy (Brown & Mortier, 2017).

Several scholars employed theories aimed at exploring the power-imbalance between families and professionals in our special education system. Mercer (1973) directed the attention of advocates and researchers to these power imbalances and how they result in minority and low-income children being classified as disabled and/or placed in separate schools or classrooms at a greater rate than White, middle-class children (Brantlinger et al., 2005). Valle and Aponte (2002) applied Bakhtin's theories of language to a study of parent and professional discourse in special education and argued that school professionals exclude the voice of parents in decisions through authoritative discourse. They noted that the literature on special education advocacy suggests strategies for how parents should adapt to the authoritative discourse rather than how school professionals can engage in authentic, meaningful communication that benefits both speaker and listener (Valle & Aponte, 2002). In a comparative case study of the structure and agency of IEP meetings, Bray and Russell (2016) grounded their study in neo-institutional and structuration theories by conceptualizing special education as an institution governed by legislation and policy that creates specific roles and complex power dynamics.

In the context of the family-professional power-imbalance, scholars analyzed parental advocacy through concepts like empowerment and self-efficacy (e.g., Burke, 2017; Burke & Goldman, 2018; Knox et al., 2000; Nachshen & Minnes, 2005; Wright & Taylor, 2014). In a mixed-methods study comparing rural and urban Latinx families' advocacy in special education, Burke (2017) discussed the process of empowerment as involving channeling resources for change, and therefore, parents who feel empowered in the special education system may be better able to advocate and receive additional or improved services. Burke (2017) measured empowerment using Koren et al. 's (1992) Family Empowerment Scale and found that empowerment was not significantly different between rural and urban Latinx families. However, Burke (2017) found that family-professional partnerships were stronger in rural families, measured by using Summers et al.'s (2005) Family-Professional Partnership Scale and a qualitative analysis of an open-ended question about barriers parents face when advocating.

Trust, respect, and commitment are also often included in definitions and assessments of family-professional relationships and parental advocacy during the IEP process (e.g., Blue-Banning et al., 2004; Choiseul-Praslin et al., 2021; Hess et al., 2006; Lake & Billingsley, 2000;

Stanley, 2015; Summers et al., 2005; A. P. Turnbull et al., 2000). Blue-Banning et al. (2004) describe trust in this context as where members of the parent-school partnership “share a sense of assurance about the reliability or dependability of the character, ability, strength, or truth of the other members” (Blue-Banning et al., 2004, p. 174). In qualitative studies of how Latinx parents experience the special education system, Harry (1992) and Zetlin et al. (1996) inquired whether parents trust their school personnel’s decisions regarding their child’s placement and academic program. Based on Hoy & Tschannen-Moran (1999)’s definition, Angell et al. (2009) described trust between parents of students with disabilities and professionals as one party’s willingness to be vulnerable to another party “based on the confidence that the latter party is benevolent, reliable, competent, honest, and open” (Angell et al., 2009), p. 160).

Mistrust between parents of students with disabilities and school officials emerged throughout scholars’ analyses and, as Harry (2008) emphasizes, has a long history in special education stemming from the exclusion of children with disabilities in schools. Because parental advocacy in the IEP process often creates a more adversarial relationship with professionals, scholars considered the cause, nature, and effect of conflict between parents and school officials (e.g., Lake & Billingsley, 2000; Mueller, 2015; Nowell & Salem, 2007). In one such study that examined factors that lead to parent-school conflict in special education, Lake and Billingsley (2000) framed their study using Deutsch’s (1973) theory of the development conflict and descriptions of five types of conflicts: control of resources, personal preferences, differences in values, what is reality, and the nature of the relationship between parties.

Influenced by a general acceptance of IDEA’s expectation of parents as equal partners in the IEP process, scholarly inquiries shifted in the mid-1980s from envisioning the role parents should take in their child’s special education to examining how parents participate and advocate within the system. To examine parental advocacy within the context of IDEA's regulations, scholars applied theories related to behavior, development, discourse, and structuration, and centered inquiries around trust, empowerment, and conflict. These varied approaches to the study of parental advocacy contributed to the wealth of knowledge amassed over the past fifty years related to the nature, cultural dimensions, and influences of advocacy in the U.S. special education.

Like recent studies, this study explores parental advocacy within the context of IDEA. A special education placement decision involves the review of IDEA regulations and guidelines, and during the pursuit of a nonpublic special education placement, parents must engage with school officials and other professionals in the IDEA's IEP process or due process. As a part of the analytical framework of this study, I recognize that parents' behaviors, parent-school relationships, social and cultural resources, and institutional factors shape the nature and success of parental advocacy.

Existing Research Methods

Research on parental advocacy often seeks to describe parents' experiences and identify factors that may be facilitating or limiting parental advocacy. Therefore, most studies included in this review centered around descriptive or phenomenological inquiries. For example, in a phenomenological qualitative study, Burke et al. (2018) sought to discover how "parents advocate for services and supports for their children's social-communication deficits and which parent, child, and family–school partnership characteristics affect parent advocacy?" (Burke et al., 2018), p. 192), and they found that parents, particularly those who have more knowledge about their rights and their child's disability, bring in supports or materials, make requests, communicate with the school, and acquire and share knowledge. Tucker and Schwartz (2013)'s mixed-methods survey study aimed to describe parents' perspectives on factors that facilitate and those that act as barriers to collaboration in the educational planning process for children with ASD. They found that most commonly parents identified lack of opportunities to provide input and poor communication with their child's IEP team as barriers and school administrators attendance in meetings and assistance securing services as facilitators to collaboration (Tucker & Schwartz, 2013).

In most studies, participants are predominantly female, mothers to children with disabilities. Valle (2011) explains that her studies have focused on mothers because those with children with disabilities engage more frequently with school personnel, who are more likely to view them as "too subjective" by virtue of their gender. They also have societal and cultural expectations to be the ideal mother, which fathers do not share (Valle, 2011). Valle (2011) critiques the treatment of parents as a monolithic group in most of the special literature; many studies describe their participants in terms of demographic information but only acknowledge the impact of their gender, race, culture, and class on the parent-school relationship. Studies on parent involvement in special education rarely include or focus on fathers of children with disabilities (Goldman & Burke, 2017). In a qualitative interview study, Mueller and Buckley (2014a; 2014b) studied the father's role in the IEP process to better understand what barriers they face when trying to participate in the IEP process and compare their experiences to mothers' experiences. They found that fathers spoke passionately about their experiences, valued collaboration, and had a unique perspective on the structure of the IEP in that they wanted it to be more solution-focused (Mueller & Buckley, 2014b, 2014a)

In a few studies, scholars included other actors who are involved in the IEP process or due process hearings, such as school officials, judges, attorneys, mediators, and children (e.g., Allen et al., 2005; Brown & Mortier, 2017; Burke, Meadan-Kaplansky, et al., 2018; Gilliam & Coleman, 1981; Goldberg & Kuriloff, 1991). For example, in a study of how parents advocate on behalf of children with social-communication needs, Burke et al. (2019) interviewed parents and special education teachers or speech language pathologists in separate focus groups. In addition to 11 African American participants who are parents of children with ASD, Brown and Mortier (2017) interviewed six cultural brokers whom they described as advocates that supported at least one African American family in the process of navigating the special education system.

Several scholars in this literature base focus their inquiry by a specific race/ethnicity of parents often to identify barriers that specific racial or cultural groups face when advocating (e.g., Brandon et al., 2010; Brown & Mortier, 2017; Cho & Gannotti, 2005; Harry, 1992b, 1992c; Harry et al., 1995; Harry, Klingner, et al., 2005; Larios & Zetlin, 2012; Stanley, 2015). Beth Harry, a prominent scholar on the impact of special education on families and children from diverse cultural and linguistic backgrounds, published several works related to parental advocacy, including an ethnographic portrait of 12 Puerto Rican American families of children with mild developmental or learning disabilities published in 1992 through which she illuminates structures in the special education system that disempower these parents. Like Harry, several other researchers focused on parental advocacy in Latinx and African American communities. A few scholars explored the experiences of Asian American families navigating the special education system (e.g., Cho & Gannotti, 2005; Lo, 2008a, 2008b; Lo & Bui, 2020; Park et al., 2001). While many studies examined how one cultural or racial group advocates for children with disabilities, Lynch and Stein (1987) compared the parental participation and satisfaction of the IEP and services of Hispanic parents to that of African American and White families and concluded that Hispanic families were less knowledgeable and less involved in their child's special education.

Parental advocacy is not bound to a specific context, location, or time, yet many studies examined the nature of parent participation and advocacy during IEP meetings; some studies exclusively consider this setting (e.g., Goldstein et al., 1980; Larios & Zetlin, 2012; Salas, 2004). Other studies assessed parental participation in multiple settings, including informal settings involving interactions with their child's teachers and advocacy activities outside of school (e.g., Harry, 1992a; Harry et al., 1995; Lo, 2008; Mueller & Buckley, 2014). Some scholars focused their analysis on parent participation during a particular stage of the IEP process (e.g., Starr et al., 2016; Vaughn et al., 1988); for example, Vaughn et al. (1988) assessed parental involvement in the initial placement decisions of students with disabilities. They found parents asked relatively few questions; their verbal interactions accounted for an average of around 15% of the conference time (Vaughn et al., 1988). Other scholars examined parent involvement during transition planning, a process mandated by IDEA to facilitate a student's transition from school to post-school activities (e.g., Allen et al., 2005; Lo & Bui, 2020; Rehm et al., 2013; Shapiro et al., 2004; Wagner et al., 2012). Wagner et al. (2012) examined parental involvement in transition planning and found that parents who attended and actively participated in transition planning meetings were more likely to belong to parent support groups and have higher levels of involvement with their child's education at home and school. Few studies examined the experience of parents over several years (e.g., Ryndak et al., 2011), despite many researchers calling for future research on parental advocacy in special education to be longitudinal.

Most research on parental advocacy employs qualitative methods of data collection and analysis. Studies using interview data often included 20-40 participants and conducted one-time, semi-structured, and individual interviews in person (e.g., Fish, 2006; Love et al., 2017). Other studies conducted focus group interviews (e.g., Blue-Banning et al., 2004; Summers et al., 2005; Trainor, 2010a). Another qualitative data collection method that many scholars used is observations. Of researchers who used observational methods, most analyzed IEP meetings exclusively (e.g., Bray & Russell, 2016; Goldstein et al., 1980; Ruppar & Gaffney, 2011; Vacc et al., 1985; Vaughn et al., 1988). A few researchers employed ethnographic methods (Allen et al., 2005; Harry, 1992b; Rehm et al., 2013); for example, Mehan et al.'s (1986) 5-year ethnographic study of decision making in special education followed the special education referral process of 141 students through collection and analysis of observational, documentary, and interview data and found that parents had little influence on education decisions; instead, built-in hierarchies, social pressures, and logistical realities influenced decisions. As noted earlier, most researchers used a grounded theory approach and analyzed qualitative data inductively. Many scholars described their analysis as the constant comparative method and detailed their process of developing coding schemes to transcripts of interviews or observations (e.g., Burke, 2017; Harry et al., 1995; Lo, 2008; Zeitlin & Curcic, 2014).

Of the studies on parental participation and advocacy that used quantitative data collection and analysis methods, the vast majority used survey data (e.g., Ewles et al., 2014; Fish, 2006; Fishman & Nickerson, 2015; Garriott et al., 2000; Johnson & Duffett, 2002; Kuriloff & Goldberg, 1997; Tucker & Schwartz, 2013). Studies using survey data had larger numbers of participants compared to studies that employed only qualitative methods; for example, Burke and Goldman (2015) surveyed 507 parents of students with ASD to identify associated factors of parents who enacted their procedural safeguards. Several scholars used scales to develop questionnaires and analyze parental advocacy (e.g., Burke, 2017; Burke & Hodapp, 2016;

Fishman & Nickerson, 2015; Nachshen et al., 2001; Nachshen & Minnes, 2005; Summers et al., 2005; Zetlin et al., 1996). Burke and Hodapp (2016) surveyed 1,087 parents of students with disabilities, and, as a part of a 163-item questionnaire, they piloted the Special Education Rights and Advocacy Scale as a measure of the dependent variable and included Summers et al. (2005)'s Family-Professional Partnership Scale as a measure of the independent variable in a study of the correlates of parental advocacy. Some of the studies that used surveys included one or two open response questions, which were often qualitatively analyzed through thematic coding (e.g., Burke & Hodapp, 2016; Garriott et al., 2000; Wright & Taylor, 2014).

Empirical education law research describes the frequency of disputed issues and related factors and analyzes the outcomes of due process hearings for the purposes of informing current or possible disputants and education policymakers (Mayes & Zirkel, 2001). Legal analyses related to parental advocacy sought to identify how due process hearings, case law, and legislation affect parental participation, advocacy, and rights. Some scholars examined the influence of court decisions on parental advocacy (e.g., Cope-Kasten, 2013; Hudson-Plush, 2006; Mead & Paige, 2008b; H. R. Turnbull et al., 2018; Yell et al., 2009). For example, Hudson-Plush (2006) analyzed the Supreme Court case *Schaffer v. West (2005)* and argued that the ruling negatively impacts the advocacy of parents who cannot afford legal counsel. Zirkel (2016) conducted an empirical analysis of case law concerning alleged parental-participation violations since the 2004 IDEA reauthorization and found inconsistencies in the judicial application of the procedural prong of the landmark Supreme Court case *Rowley* (1982) and most outcomes that favored districts. Other legal analyses examine patterns, outcomes, and related issues of due process hearings and federal court cases (e.g., Choutka et al., 2004; Czapanskiy, 2014; Engel, 1991; Hehir & Gamm, 1999; Hudson-Plush, 2006; Karanxha & Zirkel, 2014;

Kumpulanian, 2009; Lupini & Zirkel, 2003; Mueller, 2015; Mueller & Carranza, 2011; Shuran & Roblyer, 2012; Stevenson & Correa, 2019; Yell & Drasgow, 2000). In one such study, Schanding et al. (2017) sought to identify the primary disabilities, main issues, and prevailing parties in due process hearings in Texas between 2011 and 2015 and found that most cases involved students with ASD or emotional disturbance, issues with the IEP, evaluation, and placement, and school districts prevailed in 72% of the cases. Similar studies on the frequency and outcome of due process hearings and federal court cases analyze published court decisions, which is only a sample of all decisions and not proven to be representative of the unpublished decisions (Mayes & Zirkel, 2001).

Researchers have employed quantitative and qualitative methodologies to investigate parental advocacy across different racial and cultural groups and contexts, yet some inquiries are understudied and unexplored. While researchers observed and gathered interview data on parental advocacy during IEP meetings, few have focused on how parents influence placement decisions. Once the IEP team places a child, they rarely change the setting (S. W. White et al., 2007); therefore, placement decisions have an enduring impact on students' academic and behavioral outcomes (Kurth et al., 2016). Some researchers have analyzed state placement patterns and parental perspectives on inclusiveness, which does not capture how parents try to advocate for a specific placement or change in placement. Researchers also have not investigated the experiences of parents with children in IDEA's Category C placements, the most restrictive placements in separate schools, residential facilities, or homes/hospitals (Kurth et al., 2014). Similarly, the literature does not explore the experiences of parents who advocate for a more restrictive placement for their child. This study aims to address these openings in the literature by exploring parental advocacy during placement decisions and more specifically the experiences of parents who advocate for a Category C placement.

Emergent Themes from the Literature

Early literature on parental advocacy in special education in the United States after the passage of PL 94-142, now IDEA, sought to identify the nature of parental participation in the IEP process. In the late 1970s and early 1980s, after decades of school officials only including parents in decisions about their child's special education "when appropriate," parental participation was often limited to attending meetings and agreeing to school officials' decisions (Freeman et al., 1981). From the perspective of many school officials, parents of students with disabilities were meant to be seen, not heard (Strenecky et al., 1979). In a quantitative study of the attitudes about parental participation in the IEP process of school representatives, Yoshida et al. (1978) found school officials expected parents to participate in gathering and presenting information about the student but not in making decisions. Studies conducted in 1970s and 1980s, often using observational methods, found parents attended meetings but were "passive" participants in the IEP development (e.g., Gilliam & Coleman, 1981; Goldstein et al., 1980; Lynch & Stein, 1987; Scanlon et al., 1981; Vaughn et al., 1988; Yoshida et al., 1978; Ysseldyke et al., 1982). In an observational study of 14 IEP meetings, Goldstein et al. (1980) found that the special education teacher often reviewed an already developed IEP and dominated the conversation. They found that parental participation mostly involved receiving comments about their child's education (Goldstein et al., 1980). In a similar study using observational methods to analyze 34 IEP meetings, Ysseldyke et al. (1982) found that school officials requested parents' input only occasionally, typically for verification of students' behaviors.

Scholars have since sought to describe and explain variation in parental advocacy in special education. In the following section, I discuss studies and related findings that illuminate variation in the nature and effectiveness of parental advocacy due to the influence of institutionalized structures of IDEA, professional behavior, and cultural and racial beliefs and biases. I present findings that describe and identify factors related to conflict between parents and school personnel during the IEP process and dispute resolution.

Nature and correlates of parental advocacy. Parents perceive their role as an advocate as a necessary duty on behalf of their child and, for some, on behalf all children with disabilities and their families (Ewles et al., 2014; Hess et al., 2006; Lalvani, 2012; Miller et al., 2019; Mueller & Buckley, 2014a; Wang et al., 2004). In Hess et al.'s (2006) study of parent voice and advocacy during special education decision making, parents described a set of experiences that led them to realize they needed to become advocates for their children, such as experiencing the first IEP meeting or observing their child's needs. Bacon and Causton-Theoharis (2013) reported a similar finding in their qualitative study of parental participation during IEP meetings; parents experienced a "breaking point" that spurred their advocacy actions. Through a qualitative analysis of focus groups and individual interviews with 104 parents, Wang et al. (2004) found that parents perceived advocacy as an obligation because they will be their child's greatest, sometimes only, advocate.

Parents view themselves as advocates but describe diverse experiences and outcomes. In a qualitative study of parents' perceptions of the advocacy expectation embedded in IDEA, Rossetti et al. (2021) found that parents reported positive experiences with advocacy efforts; they viewed advocacy as a way to improve their child's services and as a part of their social role (Rossetti et al., 2021). Lalvani (2012) found that parents of high socio-economic status (SES) perceived their advocacy efforts as highly effective in influencing decisions; conversely, parents of low SES perceived their advocacy efforts as unsuccessful. Many parents who advocate described their experience as adversarial in terms like “fighting” or “battling” (Bacon & Causton-Theoharis, 2013; Burke & Hodapp, 2016; Engel, 1991; Lalvani, 2012; McCloskey, 2010; Mueller & Buckley, 2014b; Rossetti et al., 2021; Shapiro et al., 2004; Stoner et al., 2005). Parents reported that the adversarial experience of advocacy contributes to high levels of stress, exhaustion, and frustration (Blue-Banning et al., 2004; Burke, Rios, & Lee, 2019; Fish, 2006; Miller et al., 2019; Ryndak et al., 2008, 2011; Wang et al., 2004; Zeitlin & Curcic, 2014). Ewles et al. (2014) examined predictors of advocacy in parents of children with ASD using the Double ABCX Model of Family Adjustment and Adaptation model and found that parents who used maladaptive coping strategies to stress, such as self-distraction, denial, venting, substance abuse, and self-blame, reported significantly lower levels of advocacy. They clarified that the relationship between stress and adaptive coping strategies, such as planning, positive reframing, humor, and acceptance, needed further study (Ewles et al., 2014).

Findings in the literature suggest that parents who advocate frequently and through several activities related to their child’s special education are most often White mothers of middle or high SES (Burke & Goldman, 2015; Burke & Hodapp, 2016; Rehm et al., 2013; Sontag & Schacht, 1994; Trainor, 2010b). In a quantitative study of how parents use IDEA mandates to request additional services, Leiter and Krauss (2004) found that parents whose children had multiple disabilities, had more restrictive placements, or received more related services were more likely to request additional services. Parents who are knowledgeable about their rights under IDEA and their child’s disability are more likely to advocate for their child’s needs (Burke et al., 2018; Burke & Hodapp, 2016). Similarly, Burke et al. (2019) found that parents reported being able to advocate for their child when they had more information about the special education system and available services. Munn-Joseph and Gavin-Evans (2008) conducted a qualitative study on parental advocacy in three families and found that parents used social networks for guidance and information when advocating for their children with disabilities. In their study, parents also engaged with institutional agents, such as social service case managers, previous school officials, and doctors, to gain knowledge that they applied when advocating during the IEP process (Munn-Joseph & Gavin-Evans, 2008).

Burke and Hodapp (2016) conducted a large mixed-methods study to identify other correlates of parental advocacy and the conditions under which parents of high and low levels of advocacy participated in their child's special education. Burke and Hodapp (2016) surveyed 1,087 parents of students with disabilities about their advocacy activities and the conditions under which they advocated on behalf of their child. In addition to using questions from Summers et al.'s (2005) Family-Professional Partnership Scale, they included questions from the Special Education Rights and Advocacy Scale, a measure of parents' efforts to attain knowledge and advocacy skills (Burke & Hodapp, 2016). They found that parents who reported higher levels of advocacy were much more likely to have completed education past high school and had children with severe maladaptive behaviors, learning disabilities, health impairments, or ASD (Burke & Hodapp, 2016). These parents were less satisfied with their child's services and more likely to have enacted their procedural safeguards (Burke & Hodapp, 2016). The study's qualitative analysis of open-ended responses revealed that parents with the highest levels of advocacy reported instances where school officials refused to provide new or current services and engaged in emotional or physical child abuse. Parents with the highest levels of advocacy perceived school officials as disingenuous and insufficiently trained; whereas, parents with the lowest levels of advocacy perceived school officials as caring, open and responsive, and putting forth their best effort (Burke & Hodapp, 2016).

A few researchers used typologies to present differences in how parents participate or advocate in special education (e.g., Miller et al., 2019; Rehm et al., 2013; Trainor, 2010a) . Rehm et al. (2013) conducted an ethnographic study of parental advocacy during transition planning, the mandated process designed to facilitate a student’s transition from school to post-school activities. They analyzed 116 interviews conducted over a three-year period with parents of students with chronic health conditions and developmental disabilities who received special education services. Rehm et al. (2013) also analyzed 36 interviews with teachers and other personnel who worked with the students involved in the study and analyzed observational data from 41 of their IEP meetings across different schools in Northern California. They found that by the start of the transition planning process, parents had years of experience advocating for their child within the special education system, and although they found most to be strong advocates, parents had varying negotiation styles, goals, and outcomes (Rehm et al., 2013). From these results, Rehm et al. (2013) identified three parental advocacy styles: 1) high-profile parents, who advocated for specific, wide-ranging services, 2) strategic parents, who were willing to negotiate with school officials over services, and 3) grateful-gratifier parents, who formed trusting relationships with school officials and allowed them to make appropriate decisions about their child’s special education services. High-profile parents in their study were predominantly White, highly-educated parents in rural and urban settings who often sought the support of an attorney or external advocate when requesting services and antagonized school personnel (Rehm et al., 2013). Strategic parents also consulted attorneys and other health and education professionals but avoided engaging in conflict directly and were more willing to compromise when compared to High-Profile parents (Rehm et al., 2013).

Rehm et al. (2013) and several other studies included in the literature review referenced Trainor's (2010) typology of approaches to parental advocacy in their introduction. In a study of the resources that parents perceived as necessary to participate in special education, Trainor (2010) used Bourdieu's (1986) theory of three forms of capital – economic, social, and cultural – as a lens to examine, from the parents' perspective, how structural components of special education can be inflexible and serve as barriers to collaboration. Trainor (2010a) interviewed 27 parents in focus groups with parents of a similar race/ethnicity and SES and then individually, having used the focus group data to inform individual interview protocols and thematic analysis. Trainor (2010a) found that most parents focused their advocacy efforts on addressing their child's individual preferences, strengths, and needs. She described four types of parents based on their advocacy approaches: 1) Intuitive Advocates, 2) Disability Experts, 3) Strategists, and 4) Change Agents. Trainor (2010a) described Intuitive Advocates as parents who relied on knowledge specific to their child when communicating with school officials. Intuitive Advocates often perceived that the teachers were unreceptive and dismissive of their information (Trainor, 2010a). Disability experts, often parents of students with ASD, used knowledge about their child's disability when advocating for services (Trainor, 2010a). A small group of parents, most from higher economic backgrounds, acted as Strategists who combined their knowledge of their child and his/her disability with a sophisticated understanding of IDEA's process and parental rights to play an active role in decision making. Concerned about school officials' perceptions of them as too demanding which may affect the success of their advocacy, strategists often communicated respectfully and spent time outside of IEP meetings to get to know faculty and staff (Trainor, 2010a). Change Agents advocated on behalf of parents who may not have what they perceived as privileged resources and knowledge necessary to navigate special education system; this type of advocacy required time and economic resources to establish relationships with and then advise educators and district officials (Trainor, 2010a).

Miller et al. (2019) sought to describe the ways in which parents interpret their interactions and conceive of their role during the development of their child’s IEP. Miller et al. (2019) conducted open-ended independent and focus group interviews with 17 parents of students with developmental disabilities living in two Midwestern states. From these interviews, the researchers identified six not mutually exclusive parental identities: 1) Victim, 2) Advocate, 3) Perseverer, 4) Educator, 5) Broker and Negotiator, and 6) Surrenderer (Miller et al., 2019). Miller et al. (2019) asserted that while other related research described the victim and advocate identities, this study’s findings illuminate parents who act as Perseverer, Educator, Broker and Negotiator, and Surrenderer identities. The Perserverer identity builds upon research that found parents can be resourceful, especially during conflict, by illustrating how parents also develop relationships and create plans for future situations (Miller et al., 2019). The Educator identity describes parents who provide informational supports to school personnel about their child’s strengths and needs and other parents about their procedural rights (Miller et al., 2019). In addition to using certain communication strategies during an IEP meeting to advocate for their child, parents with the Broker and Negotiator identities developed and maintained relationships with school personnel through supplementary actions, such as volunteering at school. Miller et al. 's (2019) Surrenderer identity represented those parents who agreed to school personnel’s decisions because parents were content with their child’s services and service providers or because parents felt forced to abandon their advocacy efforts out of fatigue from previous advocacy or complexities in the negotiations.

Barriers to parental advocacy. Critics of IDEA's parental participation mandate and its reliance on private enforcement draw attention to the barriers that parents, especially those with low incomes and from racial/ethnic minorities, face when advocating on behalf of their child. Studies reveal lower levels of parental participation and advocacy in special education among racial or cultural minorities (e.g., Harry, 1992d; Harry et al., 1995; Lynch & Stein, 1987). Leiter and Krauss (2004) found that parents who requested additional services, especially those living in poverty, often reported problems obtaining those services. Findings from the literature suggest that institutionalized procedures, school structures, professional behaviors, and racial cultural beliefs and biases contribute to the challenges parents face with advocating on behalf of their child.

Institutionalized procedures, school structures, and professional behaviors. Creating an IEP is a highly bureaucratic process where school personnel and parents follow formal procedures, document each step carefully, and review numerous written materials (Tamzarian et al., 2012). Several studies found that parents held negative views about the IEP process (e.g., Fish, 2006; Stoner et al., 2005; Zeitlin & Curcic, 2014). For example, in a study of parental participation during IEP meetings, Zeitlin and Curcic (2014) interviewed 20 parents of students with disabilities and found parents viewed the IEP process as depersonalized, ritualistic, and mechanical and the IEP document as overwhelming, legalistic, and meaningless. Fish's (2006) qualitative study of seven families of students with ASD revealed that parents perceived the formality and rigidity of IEP meetings as an obstacle to meaningful change to their child's IEP.

Parents’ concerns and dissatisfaction with the IEP process relate to limiting effects of the institutionalized process, school structures, and professional behaviors on parental advocacy (Allen et al., 2005; Bacon & Causton-Theoharis, 2013; Bray & Russell, 2016; Hess et al., 2006; Love et al., 2017). In a comparative case study, which analyzed parental participation in IEP meetings of five high school students with specific learning disabilities, Bray and Russell (2016) used neo-institutional and structuration theory to conceptualize special education as an institution governed by legislation and policy which creates specific roles and complex power dynamics. They found that IEP meetings followed a common script during which special educators controlled the structure and content of meetings, and therefore these meetings functioned as an institutionalized structure of IDEA (Bray & Russell, 2016). They observed that parents and students were most likely to disrupt the common script by asking questions and providing information, and these disruptions changed the discourse, from a formal reading of documents to a dialogue between IEP team members, which sometimes led to a new understanding among participants (Bray & Russell, 2016). However, when parents disrupted the conversation to discuss concerns related to learning and instruction, special education teachers quickly regained control of the conversation (Bray & Russell, 2016).

Bacon and Causton-Theoharis (2013) also examined the structure and discourse in IEP meetings in a qualitative analysis of interviews and observations of 17 families of students with disabilities. Bacon and Causton-Theoharis (2013) found that the use of medical and deficit discourse and the bureaucratic structure of IEP meetings that prioritizes efficiency are school structures that undermine parents’ ability to participate as equal members of the IEP team. They observed and analyzed many instances where school personnel discussed a student’s deficits with a buffer of “unrelated sentiments” about the student, which allowed the professional to appear supportive of the student and parent while keeping the nature of the discourse and the professional role of expert intact (Bacon & Causton-Theoharis, 2013). Similarly, in a longitudinal study including interviews and observations of participation of African American parents in special education, Harry et al. (1995) found that school personnel used kindness towards parents and students with the effect of deterring parents from further expressing dissatisfaction. Bacon and Causton-Theoharis (2013) found that IEP meeting practices that prioritized efficiency, such as using an electronic IEP writing program and tightly scheduled IEP meetings, limited parents' abilities to make requests and made them feel uncomfortable participating. Harry et al. (1995) also illustrated how practices that prioritize efficiency hindered parental advocacy. They found limited time for conferences, which in some cases resulted in school personnel concluding the meeting after 30 minutes regardless of the status of the discussion, and an emphasis on parents reviewing and signing documents limited parental advocacy (Harry et al., 1995). With their participation constrained by these IEP structures and professional behaviors, parents understood their role in IEP meetings to primarily involve receiving information and giving consent through signing documents (Harry et al., 1995). In an analysis on the discourse between parents and professionals, Valle and Aponte (2002) argued that authoritative discourse during IEP meetings only allows for the response of parents to professionals' more valuable insights. As an IEP team member primarily tasked with receiving information, parents do not have equal status in the intended collaborative process (Valle & Aponte, 2002).

Love et al. (2017) also identified institutional processes and the hierarchy of school personnel limited parental advocacy during a qualitative study of 19 parents' experiences with special education decision making. Love et al. (2017) found that school personnel conducted pre-

IEP staff meetings with the intention of making IEP meetings more efficient; however, they found this practice had the effect of excluding parents from important discussions and decision making. Parents perceived that the hierarchy of school personnel resulted in administrators or school district officials holding most of the decision-making power rather than more accessible and familiar IEP team members (Love et al., 2017a). Parents described teachers as hesitant to support or agree with parents' views during official meetings and therefore did not consider teachers effective allies (Love et al., 2017a). Love et al. (2017) found that through experiencing in the IEP process parents became aware of hierarchical personnel structure's influence on their child's special education decisions, which led some parents to direct their advocacy efforts at district officials and administrators with greater authority. Similarly, Gilliam & Coleman (1981) found IEP team members were aware of the power administrators held. In a study surveying the participants of 27 IEP meetings, team members ranked supervisors and directors low in importance or status prior to the meeting, but when surveyed after, participants ranked these actors high in contribution and influence (Gilliam & Coleman, 1981). Martin et al. (2004) explored the contributions of the general education teacher in IEP meetings within a study of the roles that students, parents, and other IEP team members played in secondary transition meetings. In a study surveyed 1,638 IEP meeting participants over a three-year period, including students, parents, administrators, and teachers, they found that when general education teachers attended the meetings other participants reported talking more, feeling empowered to make decisions, and feeling more satisfied with the meeting (Martin et al., 2004). However, general educators perceived that they were less influential in decisions and reported the weakest understanding of what specific IEP meetings were about and what had been discussed when compared to the other adult participants (Martin et al., 2004). Martin et al.'s (2004) findings suggest that while the participation of students' teachers in IEP meetings may support parental advocacy, their influence on decisions is limited.

Racial and cultural beliefs and biases. Within the first few years of the implementation of PL 94-142, Marion (1979) called attention to the challenges minority parents face when navigating the special education system. In an essay on minority families' involvement in the IEP process, Marion (1979) attributed lower participation rates to discriminatory practices throughout the history of U.S. education, including the use of minority special education placements and disability labels in newly desegregated schools, language fluency and IQ tests as diagnostic measures, and "tracking" a disproportionate number of minority students in lower-level classes. Noting low levels of minority parent participation in Title I and Head Start, Marion (1979) proposed a model for parental participation that meets the major requirements of PL 94-142 and gives school officials a systematic approach to engaging parents and considering cultural differences during communication (Marion, 1979). In an essay on the intentionality of race, culture, and disability, Blanchett et al. (2008) argues that the deep-seated belief that people of color are of lower intelligence has been institutionalized in the policies and practices of school and perpetuated by biased intelligence measures.

Like Marion (1979) and Blanchett et al. (2008), other researchers found racism and disenfranchisement hindered minority families from advocating for their child during the IEP process (e.g., Brandon, 2007; Brandon & Brown, 2009b; Brown & Mortier, 2017; Burke et al., 2019; Harry, 1992d; Harry et al., 1995; Harry, Klingner, et al., 2005; Klingner & Harry, 2006; Stanley, 2015; Trainor, 2010a). Stanley (2015) explored the advocacy experiences of 12 African American mothers living in rural communities who reported that school personnel's comments and actions implied negative assumptions about their students with disabilities based on their race and class; for example, one mother reported feeling judged by a teacher for where she and her son resided. As a result, these mothers expressed frustration and looked for solutions that did not involve working closely with those professionals, such as moving their child to a different school (Stanley, 2015). Harry et al. (2005) analyzed findings from a 3-year ethnographic study of the special education placement process in a multi-ethnic and multilingual urban school district and found the neglectful, incompetent, and dysfunctional African American parent stereotype influenced school personnel's views of families of students with disabilities. They observed school personnel made stereotypical judgments based on little to no information and treated many African American parents with disrespect and insensitivity, such as by ignoring the parent's presence in a meeting (Harry et al., 2005). Similarly, Klinger and Harry (2008) observed instances where school personnel ignored the presence and questions of parents of English Language Learners during meetings regarding the child's special education. They found that in response parents withdrew or became agitated (Klingner & Harry, 2006). In a study of Latinx parents' advocacy experience, Burke et al. (2019) parents perceived that school officials had low opinions of their background and discriminated against them because they could not speak English. In a similar study surveying rural and urban Latinx parents' experiences advocating for their children, Burke (2017) found rural Latinx parents faced discrimination and racism when interacting with school officials in addition to other challenges, such as language differences.

Cultural barriers to parental advocacy in special education are the result of differences in views, beliefs, and/or traditions between parents and professionals (Wolfe & Durán, 2013). Cultural barriers to parental advocacy involve differences in language, communication styles, beliefs about disability and interventions, and values of deference (Cho & Gannotti, 2005; Lo, 2008b, 2008a; Lo & Bui, 2020; Lynch & Stein, 1987; Rossetti et al., 2021; Salas, 2004; Shapiro et al., 2004; Tamzarian et al., 2012; Wolfe & Durán, 2013). In a qualitative study of five Chinese parents of students with disabilities, Lo (2008) found that school districts provided poor interpretive services during IEP meetings, which resulted in parents' confusion about the content and process of the IEP. Rossetti et al. (2020), a study which interviewed 127 parents of students with disabilities in focus groups across several different states, found parents experienced similar difficulties with interpretative services, particularly when the interpreter could not translate jargon that school personnel used. In a study of bilingual and monolingual parental involvement in IEP meetings, Larios and Zetlin (2012) found that school officials interacted with more ease with bilingual parents when compared to monolingual Spanish-speaking parents, and efforts coordinating the district's interpreter or the school's home liaison gave many parents the impression that they were a burden on personnel. In a study of the experiences of 10 Mexican American parents of students with disabilities, Salas (2004) identified differences in communication styles and the use of jargon as barriers to parental advocacy by alienating culturally and linguistically diverse parents from school personnel and the IEP-related discussions. Parents reported feeling apprehensive and shameful about speaking Spanish during meetings and informal interactions with school personnel (Salas, 2004).

Because disability is a socially-constructed concept, cultures hold different understandings and attitudes towards disability; several scholars also found that these divergent views impacted how parents advocated for their child (e.g., Harry, 1992a; Lalvani, 2015; Tamzarian et al., 2012). Harry (1992a) found that Puerto Rican parents had wider parameters of what is considered "normal" in terms of development than school systems did. Similarly, Lalvani (2015), in a qualitative study of professionals' and parents' understanding of the meaning and implications of disability, found that parents' interpretations of normal compared to impaired cognitive function differed from those of school officials. Unlike many school personnel, parents in the study positioned their children as more like, than different from, children without disability and resisted certain labels and placements that they perceived are stigmatized (Lalvani, 2015). In Trainor's (2010a) study of diverse approaches to parental advocacy, parents of color expressed uncertainty about the accuracy or usefulness of disability characteristics and labels, which may explain their infrequent use of the disability expert approach to advocacy.

While IDEA's bureaucratic procedures and school structures hinder the participation of many parents, they especially limit the participation of culturally and linguistically diverse parents and parents living in poverty (Harry, 1992a, 1992b; Lo, 2008b; Shapiro et al., 2004). Tamzarian et al. (2017) emphasized that parents from more personalistic cultures are often intimidated and distanced from the objectivity and formality of the IEP process, which is more representative of professionalism. Harry (1992a) found Puerto Rican parents expected more personal interactions with school officials, which rarely occurred with the formal structure of the IEP meetings. These parents had ingrained and habitual deference to school personnel even though they did not trust and often disagreed with school personnel (Harry, 1992a). In a study using focus group methodology to explore the experience of 16 Latina mothers of students with disabilities, Shapiro et al. (2004) found these mothers practiced "alienated" advocacy because their advocacy actions were not done to foster cooperation or collaboration with the IEP team. They found that Latina mothers had confrontational and adversarial interactions with school personnel due to their lack of trust of school personnel and disillusionment with the school and special education system (Shapiro et al., 2004). In Lalvani's (2012) study of parental participation in special education, low-income parents had more difficulty advocating for their child than high-income parents because their efforts were often limited by their work schedules, confusion about their rights, language barriers, and financial resources. While low-income parents did not always agree with the IEP team's decisions, they were also more likely to defer to school personnel under the notion that "professionals know best" than high-income parents (Lalvani, 2012).

Parental advocacy during conflict and dispute resolution. As previously discussed, parents who advocate often describe their experience as adversarial (Bacon & Causton-Theoharis, 2013; Burke & Hodapp, 2016; Engel, 1991; Lalvani, 2012; McCloskey, 2010; Mueller & Buckley, 2014d; Rossetti et al., 2021; Shapiro et al., 2004; Stoner et al., 2005). Parents seeking consensus often struggle to participate and avoid conflict, as Zagona et al. (2019) found when they studied the experiences of parents of students with intellectual and developmental disabilities. They found that parents described instances where they were able to reach agreements with school personnel as very challenging and time-consuming and when an agreement was reached, it was often due to the persistence of parents (Zagona et al., 2019). Zagona et al. (2019) also found that parents recalled situations, often related to placement decisions, where they could not reach an agreement because they were barred from participating in the decision-making process.

Several studies found that parents who advocate on behalf of their child with disabilities had tenuous relationships with school officials or were dissatisfied with the educational services their child received (e.g., Burke & Hodapp, 2016; Leiter & Krauss, 2004; Nowell & Salem, 2007). For example, Burke and Hodapp (2016) found that parents with the highest levels of advocacy reported that school personnel were disingenuous, communicated infrequently, and in some cases prohibited parents from visiting school or holding informal conferences with their child's teachers. When parents and school personnel disagree with one another, according to

Mueller and Carranza (2011), conflict is inevitable. Studies revealed that parents who advocate for specific services report a worsening of their relationship with other IEP team members (e.g., Fish, 2006; Rehm et al., 2013). For example, in a study of the participation of parents of children with ASD, Fish (2006) found that parents did not believe they were valued and equal members of their child's IEP team, and, after requesting additional services, parents reported that school officials accused them of being unreasonable or blamed them for their child's academic and behavior problems. Lalvani (2012) found that parents had negative or adversarial relationships with school administrators more often than with teachers; their conflicts with IEP team members were frequently related to decisions about their child's special education placement. When institutionalized procedures, school structures, and professional behaviors limited their ability to advocate, some parents brought attorneys, advocates, and other professionals to IEP meetings (Love et al., 2017a).

To further examine factors that lead to, escalate, and de escalate parent-school conflict in special education, Lake and Billingsley (2000) conducted interviews with 22 parents of children with various disabilities who had participated in mediation or due process, 13 school principals, three special education directors, and six mediators from the Bureau of Special Education Appeals in Massachusetts. From their qualitative analysis, Lake and Billingsley (2000) developed a framework of eight factors that contribute to conflict between parents and schools: reciprocal power, constraints, communication, service delivery, valuation, trust, knowledge, and discrepant views of a child or a child's needs. They identified discrepant views as the central factor that escalated conflicts between parents and school officials (Lake & Billingsley, 2000). When coupled with a break in trust, discrepancies in views about what the child needs resulted in parents' unwillingness to advocate for their child's needs (Lake & Billingsley, 2000).

Participants also identified the cost of services as a critical factor that may escalate conflict between IEP team members; when costly services are recommended, the school official in the IEP team tended to take charge of the decision (Lake & Billingsley, 2000).

Ryndak et al. (2011) also identified discrepant views about the child's needs as an important factor in parental advocacy. In a retrospective study exploring one mother's experiences advocating for her child with significant developmental disorders over 12 years, Ryndak et al. (2011) found the mother's perceptions of her son's services fluctuated between conflict and congruence over the years. When the mother perceived conflict between her views of her son's needs and the views of her service providers, she felt powerless and perceived her son's services to be of lesser quality (Ryndak et al., 2011). During conflict, this study's participant used multiple strategies to improve her child's services, including seeking information, obtaining additional supports, and seeking support from other parents (Ryndak et al., 2011).

If the IEP team does not address the conflict appropriately, team members' relationships can become strained and communication can break down, which may lead to a formal dispute procedure (Mueller & Carranza, 2011). Encouraged by parents and educators lobbying for improved parental participation, the federal government has focused on making improvements in the dispute resolution procedures during the recent reauthorizations of IDEA to encourage meaningful problem solving and shared decision making (Mueller, 2015). Due process is a form of dispute resolution that uses both a hearing officer and previous case law to enforce FAPE and resolve any substantive or procedural disputes about a child's special education. Finding that due process hearings were costly and were used more than expected, Congress added a provision for optional mediation and required a resolution meeting within 15 days of a parent filing a due process complaint in the 1997 and 2004 reauthorizations of IDEA, respectively (Mueller & Carranza, 2011). Congress also made changes to mediation, an alternative dispute resolution procedure available to parents, during the 1997 and 2004; one example of a revision was in 2004 when mediation became available to parents at any time regardless of whether a due process request was filed (Mueller, 2015).

Congress's concern over the use and cost of due process hearings led researchers to study characteristics of due process hearings across the U.S. (Mueller & Carranza, 2011). Several studies identified correlates of parents who enact due process rights. Parents who enacted their procedural safeguards are more likely to have children with ASD (Burke & Hodapp, 2016; Mueller & Carranza, 2011; Shuran & Roblyer, 2012; Zirkel, 2011). According to Zirkel (2011), while students with ASD only comprised 3.7% of students in special education, they accounted for nearly 45% of all the Free Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE) related litigation. In a mixed methods study of the nature and influences of due process hearings over 10 years in Tennessee, Shuran and Robyler (2012) found special education complaints were more likely to result in due process litigation when students were male and at the secondary level, if they had Intellectual Disabilities (ID), Emotional Behavioral Disorders (EBD), or Autism Spectrum Disorders (ASD), and the dispute involved the FAPE guarantee. In a national survey of parents of children with ASD, Burke and Goldman (2015) found that parents who enacted their due process rights are more likely to have poor parent-school partnerships, report less satisfaction with services, and have greater household incomes than parents who did not. They also found these parents were more likely to file for due process if their child was older, experiencing internalizing behaviors, and in a segregated placement (Burke & Goldman, 2015).

For more than a decade, parents have challenged the impartiality of hearing officers and judges in IDEA related disputes, supported by research finding that school districts prevail most due process hearings and court cases (Zirkel, 2012). In a descriptive analysis of 575 due process hearing decisions in the school year 2004-2005 across 41 states, Mueller and Carranza (2011) found that while parents initiated 85% of the due process hearings, school districts prevailed in 59%. They found that a quarter of the disputes related to placement issues, and in those cases school districts won in 71% (Mueller & Carranza, 2011). In an analysis of 258 due process hearings in Massachusetts from 2005-2013, Blackwell and Blackwell (2015) found parents who enacted their due process rights when advocating for their children with disabilities often raised issues with the development of the IEP, the content of IEP, and the appropriateness of education placements. They found that school districts prevailed in 55% of the hearings, and, when disaggregated to the level of specific issues in dispute, such as placement or suspension/expulsion, school districts prevailed on 62.5% of the determinations (Blackwell & Blackwell, 2015). Other analyses have found that school districts won the majority due process hearings involving students with ASD specifically (Etscheidt, 2003; Nelson & Huefner, 2003).

Researchers have also examined what factors may contribute to a favorable outcome for a certain party in due process hearings and federal cases. While parents with attorney representation won 30.8% of hearings, parents who represented themselves without advocate support won only 10.7% of the hearings (Blackwell & Blackwell, 2015). In a legal review of due process hearings and court cases, Mandlawitz (2002) found that winning a case involving provision of services for young children with ASD depended significantly on the use of qualified experts to support or refute the school district’s position (Mandlawitz, 2002). Choutka et al. (2004) analyzed case law concerning applied behavior analysis (ABA) for students with ASD to identify factors that influenced the court decisions. They identified three factors predominantly associated with winning the case: 1) testimony of witnesses, 2) documentation of progress, and 3) compliance with Individualized Educational Program's elements (Choutka et al., 2004).

Few studies employ qualitative research methods other than descriptive analysis to explore parents' perspectives and experiences during dispute resolution hearings and fewer during due process hearings, specifically. Nowell and Salem (2007) examined how parents perceived mediation and its effect on their relationship with school personnel through the analysis of interviews with seven parents of students with disabilities who had experienced mediation 1 semester to 3 years prior. They found that parents who perceived mediation as positive reported that the experience enabled them to have greater influence on their child's special education; however, parents who perceived mediation as negative reported school personnel pressuring or taking advantage of them (Nowell & Salem, 2007). Nowell and Salem (2007) found that mediation had mixed effects on parents' relationship with school personnel. In a mixed-methods study of parents' and school personnel's perceptions of the fairness of due process hearings using survey and interview data collection methods, Goldberg and Kurlioff (1991) found that most parents reported feeling neutral or negative about their experience with due process hearing; even when they prevailed and perceived the process as fair, parents often described the experience as emotionally traumatic (Goldberg & Kuriloff, 1991). In addition to a descriptive analysis of 210 due process hearings in Wisconsin and Minnesota from 2000-2011, Cope-Kasten (2013) interviewed eight administrative law judges who presided over hearings in these states during that time and found parents and school personnel are often highly emotional during the proceedings. Administrative law judges explained that these emotions contributed to a hardening of parents’ and school personnel’s positions and a poisoning of the relationship during the due process hearing (Cope-Kasten, 2013)

Parents of Children with ASD who Advocate for Nonpublic Placements

This literature review provides valuable theoretical and empirical findings related to this study of parental advocacy related to nonpublic placements for students with ASD. During the pursuit of nonpublic special education placements for children with ASD, parents must engage with school officials and other professionals through the IEP process and possibly through dispute resolution. The literature review revealed that parents who advocate at the highest levels tend to be White parents of middle to upper SES (Burke & Hodapp, 2016). However, researchers revealed variation in the nature of parental advocacy; parental advocacy can involve a variety of activities, strategies, and goals. Studies in the last decade developed descriptions of approaches or identities related to parental advocacy (e.g., Miller et al., 2019; Rehm et al., 2013; Trainor, 2010a), which informs this research. Of particular interest to this study, Trainor (2010a) found that disability experts who used knowledge about their child’s disability when advocating for services were often parents of children with ASD and that these parents shared common approaches to advocacy. Across racial, ethnic, and SES backgrounds, parents of children with ASD shared more examples of successful advocacy efforts (Trainor, 2010a). Other studies find that parents of children with ASD have high levels of advocacy and frequently file for due process when compared to parents of children with other disabilities (Burke & Hodapp, 2016; P. Zirkel, 2011). While this study expected to find variation within parents with ASD, the literature’s findings on parental advocacy of parents with ASD helped shape the design and focus the analysis.

The literature reveals that institutionalized procedures, school structures, professional behaviors, and racial and cultural beliefs and biases limit parental advocacy. Participants of this study, parents who wish to influence decisions about their child's educational placement, likely encounter discourse in IEP meetings that limits their ability or willingness to ask questions or make requests, practices that exclude them from decisions, and school structures that restrict their access to IEP members who have greater influence on educational placement decisions. Based on the findings in this review, this study expected that participants of racial and/or cultural minorities may encounter additional difficulties when advocating for a private special education placement, which may include working with school personnel who may be disrespectful and insensitive, have different views of disability, and communicate with jargon and without the support of high-quality interpretative services.

Conflict can arise when parents and school personnel have discrepant views about the needs of the child (Lake & Billingsley, 2000; Ryndak et al., 2011). This study expected that participants may have entered into conflict with school personnel when parents held discrepant views of the child's most appropriate placement or needed services that may have limited availability. When conflict has not been addressed or resolved by the IEP team members, parents may choose to file for due process or request mediation to advocate for their child's needs.

The advocacy efforts of parents who seek a nonpublic special education placement for their student ASD may involve participation in the IEP process and dispute resolution. The complexity of ASD and costs of IDEA-related litigation present a substantial challenge to parents (Zirkel, 2002). In due process hearings, parents and school personnel often dispute the educational placement of the child (Mueller & Carranza, 2011; Schanding et al., 2017) At the due process stage of dispute resolution, parents of ASD are less likely to win hearings than school districts (Etscheidt, 2003; Mandlawitz, 2002), which suggests that their parental advocacy during due process is often not effective. Formal dispute resolutions are often emotionally-taxing and can further harm the relationships between parents and school personnel (Cope-Kasten, 2013; Nowell & Salem, 2007), which may affect the nature of parental advocacy after the resolution. This study aims to build upon the findings related to parental advocacy during conflict with school personnel.

Chapter 3: Methodology

In Maryland, parents of children with an autism spectrum disorder (ASD) who seek a publicly funded nonpublic special education placement may enter a multi-step decision-making process that can be complicated and contested. I conducted a cross-case analysis of parental advocacy in the pursuit of a nonpublic placement, a qualitative design that describes parents' reasons for seeking nonpublic placements, the approaches they take, the challenges they face, and their perceptions of their own efficacy. Through the collection and analysis of semi-structured interviews with parents, this study reveals commonalities and differences across parents' experiences, which it compares to our knowledge of parental advocacy in other areas of special education. The following chapter describes this study's design, which includes its rationale and methods for data collection and analysis. A discussion of this design's limitations concludes this chapter.

Research Approach

I designed this study with an interpretivist approach, which holds that humans construct knowledge as they interpret their experiences of and in the world (Hiller, 2016). With this approach, I reject the objectivist notion that reality is simply out there to be collected and identified. Instead, I recognize that all knowledge is socially constructed, historically situated, and open to multiple interpretations. With an interpretivist approach, researchers hoping to understand a situation must understand the participants' meanings, not just their actions (Hiller, 2016; Pascale, 2011). Through data collection and analysis, I sought to understand how the participants interpret their actions and the challenges they faced during their pursuit of a nonpublic special education placement, while acknowledging that as the researcher I am adding a layer of interpretation to their own. I brought my beliefs and experiences to this interpretive process, as I explain further in my positionality statement.

While all forms of research play important roles in the construction of knowledge, certain research techniques and designs are better suited than others to address particular kinds of questions under particular conditions (Shavelson & Towne, 2002). Qualitative research methods are well-suited for exploring and producing descriptive knowledge about how parents advocate for a nonpublic special education placement. Parental advocacy in this and similar contexts have been understudied in existing literature; therefore, a qualitative, descriptive study can help bring problems or trends into sharper relief (Shavelson & Towne, 2002). Although qualitative research is a broad genre, it represents a small percentage of disseminated special education research (Trainor & Leko, 2014). Brantlinger et al. (2005) define qualitative research as a "systematic approach to understanding qualities or the essential nature of a phenomenon within a particular context," and argue that qualitative designs can produce science-based evidence that can inform policy and practice in special education (p. 195). Qualitative research aims for divergent complexity rather than convergent certainty, which quantitative research typically seeks (Dumas & Anderson, 2014). Like other qualitative research, this study hopes to highlight and sort through the complexity of its inquiry.

Interpretivist researchers often use sensitizing concepts to help them better understand the subject of their study rather than approaching research with predefined concepts (Pascale, 2011). Similar to the approach of Trainor (2010a, 2010b), Burke and Goldman (2018), and Rossetti (2021), who conducted studies on parental advocacy, this study used qualitative data collection methods and interpretive analysis informed by Pierre Bourdieu's (1985) socio-cultural capital theory. Social-cultural capital theory helps explain how perceived differences, at times, lead to systemic barriers and power differentials in schools and society. In the context of this study of parental advocacy, parents used their social capital, their social networks and relationships, and cultural capital, their material resources, dispositions, and knowledge, as they try to influence the IEP team's placement decision and argue for the appropriateness of a nonpublic placement.

Sensitizing concepts help researchers recognize important features of social interactions; they can also provide starting points for the analysis during the coding and analytic process (Bowen, 2006). I used Trainor's (2010a, 2010b) discussion of social and cultural capital as sensitizing concepts to inform the interview guide and thematic analysis. Trainor (2010a) interviewed 27 parents in focus groups of similar race/ethnicity and SES and used the focus group data to create individual interview protocols to re-interview the participants. She described four types of parents based on their advocacy approaches: 1) Intuitive Advocates, 2) Disability Experts, 3) Strategists, and 4) Change Agents (Trainor, 2010a). Parents of students with ASD shared common approaches to advocacy, using disability expertise and strategies to influence decisions (Trainor, 2010a). Trainor (2010a) found that some parents used multiple kinds of approaches to advocacy and some approaches prepared parents to add to or shift their advocacy approach. For example, parents who used the Disability Expert approach accessed information about disability and available services through relationships with other parents, which they then incorporated in their discussions with school officials (Trainor, 2010a). Often parents perceived that information about special education was obscured and that building relationships with other parents was the most effective way to acquire this informational capital (Trainor, 2010b). This information led some parents to use a more strategic approach to advocacy. Trainor (2010a) found that Strategists used their sophisticated knowledge of IDEA and perceptions of implicit norms and rules for communicating with school officials to influence decisions and monitor the implementation of their child's IEP, and these parents reported often more successful advocacy examples than those of Intuitive Advocates or Disability Experts (Trainor, 2010a). For example, some parents implied to school personnel that they would seek legal assistance or appeal to a higher authority to make their advocacy more effective (Trainor, 2010a). Despite their efforts to influence school decisions, Strategists also faced challenges to obtaining their desired services, even those that were resource-wealthy. Trainor (2010a, 2010b) concluded that race and ethnicity, socioeconomic background, and disability intersected in complex ways that Bourdieu's socio-cultural capital theory could not fully capture. Parents with large amounts of capital did not always gain desired services and accommodations for their children with disabilities (Trainor, 2010b). These and other of Trainor's (2010a, 2010b) findings provided guidance in the design of the interview questions and thematic analysis. However, this design acknowledges that depending on the data, emergent concepts may supplement or displace these sensitizing concepts.

Limited generalizability and replicability have been long-standing concerns about qualitative research. However, qualitative work can produce trustworthy scientific evidence and produce useful findings for practitioners and policymakers (Brantlinger et al., 2005; Dumas & Anderson, 2014; Stahl & King, 2020). This study strived to provide findings that are credible by involving the participants in verifying my interpretations in a process called member checking. This study aimed for transferability through a thick description of its methods, context, and findings. At the conclusion of their studies, authors must consider what their research says what we know, and often they then prescribe practice or policy reform (Dumas & Anderson, 2014). This study is somewhat more modest: instead of specific recommendations, it provides policy knowledge, which Dumas and Anderson (2014) describe as information and ideas useful for the framing, understanding, and conceptualization of policy issues. As government officials often use research to orient themselves to problems (C. H. Weiss, 1977), I hope that these findings contribute to a deeper and more complex understanding of challenges, phenomena, and interests surrounding parental advocacy in our special education system for other scholars, educators, and policymakers.

Author's Positionality

The researcher is the data collection tool in qualitative research design (Bourke, 2014); therefore, I expected that my positionality would influence this study to some extent. I have experienced many advantages as a White, heterosexual cisgender female, who grew up in a wealthy family and attended a private boarding school and liberal arts college. I have considered how my identity and experiences affect this study's design and outcomes. In this following section, I discuss my positionality to the participants and subject which may evolve by using a reflexive approach throughout the research process.

Researchers often consider the insider-outsider dichotomy when describing their positionality to the participants and subject (Holmes, 2020); however, Mercer (2007) contends that researchers move along a continuum of insider and outsider depending on time, subject, and participants, rather than positioning themselves as an insider or outsider. Along this spectrum, I find myself closer towards an outsider position when considering the participants and subject of this inquiry. Unlike this study's participants, I have never been a parent or guardian for children, and I have very little experience caring for individuals with ASD or other disabilities. I expect that the participants' experience of caring for a child with disabilities influences their advocacy experiences significantly. Without this experience, I consider myself and participants may view me as an outsider or nonmember who may not be able to empathize. I also have not worked in or attended any K-12 schools in Maryland. I have not had many personal or professional interactions with private or public schools in Maryland. My inexperience with Maryland's public and private school systems furthers my position as an outsider along the continuum. Parents may appreciate my position as an outsider as their advocacy experience in those systems was likely adversarial.

Although I view myself as an outsider to the subject of this inquiry, I am not unfamiliar with students with disabilities, IEP meetings, and private academic services. I was a 6th grade general education teacher for four years in Title 1 middle school in South Carolina, during which I had several students with disabilities and took part in many IEP meetings. These professional experiences will influence my understanding of parents' experiences participating in and advocating during IEP meetings. However, I am not trained nor have acted as a disability expert or specialist, and I was not part of any IEP meetings that discussed changes to the child's educational placement. Nonpublic placements do not exist in a similar way in South Carolina as they do in Maryland; nonpublic special education schools and these placements are not as numerous nor sought-after. I had very little understanding of nonpublic special education placements when I was a teacher.

I am dyslexic and have an autoimmune disease that is disabling at times, but I was not diagnosed with a disability nor received any special education services through my public or private schooling. My parents enrolled me in many private tutoring services throughout my schooling to improve my academic performance, which may have influenced my understanding of why parents seek private services like a nonpublic placement.

Data Collection and Analysis

From the secondary literature, we know parents advocate on behalf of their children with disabilities to influence the services they receive; and from published due process hearings and information available from Maryland Association of Nonpublic Special Education Facilities (MANSEF) and nonpublic special education schools, we know that some parents seek nonpublic placements. Through a cross-case analysis of parents' experiences pursuing nonpublic placements, this study explored why and how parents advocate for their children and the challenges they faced in doing so. The following research questions aimed to describe parents' perceptions of their experience pursuing nonpublic special education placements.

1. Why do parents of children with ASD seek nonpublic placements?
2. How do these parents advocate for nonpublic special education placements?
3. What challenges do parents face when advocating for these placements, and how do they try to overcome those challenges?
4. How do parents view the effectiveness of their efforts to secure nonpublic placements?

These research questions provided scaffolding for this study and a foundation for its analysis. They were sufficiently open to elicit data grounded in the experiences of the participants.

Eligibility and recruitment. This study's participants were parents, or other adult caregivers with the legal right to make educational decisions under IDEA, whose children with ASD were between the ages of 6 and 21, and who resided in Maryland. To be eligible to participate in this study, parents had to have advocated for a nonpublic placement within the past five years and/or are currently advocating for this placement, which I included in hopes that they would be better able to recall details of their experiences. For better or for worse, this criterion ensured that all parents had relevant experiences during the recent COVID-19 pandemic and its aftermath. Participants did not need to have been successful in receiving a nonpublic placement.

I listed these requirements in an information letter and consent form. Because literature on parental advocacy reveals that culturally and linguistically diverse parents encounter additional barriers to parental advocacy, I expected variation in parents' advocacy approaches and experiences. This study did not have specific goals or an existing conception of what is representative in this context because very few studies have focused on the experiences of parents who seek restrictive placements. I aimed to recruit the parents of 10-15 students with ASD, a sample size similar to other qualitative studies of parental advocacy in special education that use individual semi-structured interviews (e.g., Grove & Fisher, 1999; Hebert, 2014; Hughes et al., 2008; Love et al., 2017a; Stanley, 2015; Zeitlin & Curcic, 2014). In estimating this sample size, I expected that parents of children with ASD who seek a nonpublic special education placement represented a relatively small group of parents of children with disabilities, as these placements are limited and less than 5% of students with disabilities in Maryland receive their education in nonpublic special education schools. Participants were also volunteers and not provided with any compensation for their time, which I expected may affect the ability or willingness of some eligible parents and narrow the sample.

While the eligibility criteria were appropriate for this study, future researchers who aim to recruit parents who sought nonpublic special education, especially in hopes of having a larger sample size, may want to consider some of the following insights. The eligibility criterion of seeking nonpublic special education placement within the last five years promoted detailed recollection of actions and events. However, other researchers could expand the time frame of this criterion to within the last eight or ten years. In this study, participants who forgot information often were able to look up the information or recall it later in the interview, so I would expect this expansion to not significantly affect the data, especially if participants are given the opportunity to add detail, make corrections, and clarify points during member checking like this study's procedures.

Future studies on parental advocacy may also consider including parents of children with other developmental disabilities or high-incidence disabilities. In doing so, researchers may be able to recruit more participants who had similar approaches to advocacy and experiences in the pursuit. During the recruitment process, a few parents of children with other disabilities contacted me who were interested in participating, but their child had not been diagnosed with ASD. From the little these parents shared with me when they reached out, it seemed that they had similar experiences to this study's participants, many who have children who have ASD and other disabilities. Also, I received feedback from several advocates who work with parents who seek nonpublic special education suggesting I expand criterion to include parents of children with other disabilities. Other researchers considering these insights should bear in mind their research approach, questions, and goals as they select their eligibility criteria.

To recruit participants, I distributed this study's information to potential participants through professionals and organizations that they may have encountered in a pursuit of nonpublic special education placement, including attorneys, advocates, educational consultants, nonpublic special education schools, parent advocacy groups, and disability advocacy and support organizations across Maryland. I contacted attorneys, advocates, and educational consultants mainly through information provided by Maryland Association of Nonpublic Special Education Facilities (MANSEF), a not-for-profit organization of Maryland-approved nonpublic special education schools and Pathfinders for Autism, a nonprofit organization supporting individuals affected by autism in Maryland by providing resources, training, information, and activities free of charge. To keep track of who I had contacted, I recorded the contact's name, their response, and other relevant notes, such as recommendations of other contacts to help recruit participants. My records show that I emailed over 150 professionals and organizations throughout Maryland between January and March of 2023 with information about the study and a request that they would pass on this information to people they know and work with that may be eligible and interested. I also contacted many community leaders, businesses, and groups who focused their support on minority families. Several interested parties responded enthusiastically and shared the information on social media and to individuals through email. Some replied with reasons for not participating in this recruitment process, such as uncertainty about encouraging their clients to participate in a study while currently or recently in conflict with the school district or not having those parents' contact information easily. I communicated through email and phone calls with many of these professionals to answer questions and provide more information about the study and its risks. I also reached out to a few local Facebook groups to get permission to make a post about my study.

Almost all participants contacted me directly after hearing about my study through these professionals and organizations. Typically, they expressed a strong interest in participating in the study. I sent them more information including the IRB approved letter and consent form to review. I also explained the purpose of the study, the process of the interviews, the voluntary nature of their participation, and the value of their participation, and I screened participants to verify that they met the eligibility requirements. After answering any questions these parents had, we scheduled the interview. I used a snowball sampling technique such that each participant was given recruitment information and was encouraged to share it with other families who met criteria after completing the interview and member checking process. I employed this strategy with the expectation that some participants would successfully recruit their friends or acquaintances who had similar experiences and may be eligible. However, to my knowledge, I did not receive snowball referrals. In other words, I do not think any of these participants were recruited from other participants. I had only had one parent that expressed an interest in doing such and sent me a copy of a personal email she sent others about the study and her experience participating in it.

Sample, interview procedure, and member checking. The qualitative semi-structured interview is one of the most widely used data collection methods in the social sciences. The semi-structured interview is valued for its potential to address specific aspects of a study's research questions while leaving space for participants to offer new meanings to the research topic (Bogdan & Biklen, 2007). I piloted this study's procedures and interview protocol with one parent who had pursued a nonpublic special education placement for her child with ASD prior to recruiting participants in the beginning of January 2023. The pilot interview allowed me to practice conducting the interview and improve this study's design. I made minor changes based on my own reflections and the interviewee's feedback, including rewording questions and adding a question about when and how parents understood their own rights during their experience.

I conducted semi-structured interviews with 12 adults, all who are parents of different children with ASD, on their decision to seek a nonpublic placement, actions taken to advocate for the placement, challenges they encountered, and perceptions of their efforts' influence on the placement decision, within the past five years in Maryland. Almost all participants were females, and their children were male. Nine participants were Caucasian and three were people of color. Most of the participants were professionals previously or currently in careers related to health, law, and education. Several participants described themselves as middle or upper-middle class.

The children who they sought this nonpublic placement for were currently between ages of 6-21 with the average age of 13, and most were in or near the middle school grades 6th -8th around the time of this pursuit. All children had ASD and were at some point served under IDEA with an Individualized Education Plan (IEP). The autism spectrum is highly variable, both behaviorally and neurodevelopmentally, and participants' children's ASD similarly varied; participants' children had a range of traits, behaviors, abilities, and needs.

Participants sought nonpublic placement across six different school districts in Maryland, and they varied in the manner and venue in which they advocated for nonpublic placement, successfully or unsuccessfully. Table 1: Participant Characteristics describes the participants, using their pseudonyms, by their race, child's gender, and describes whether they received a nonpublic placement, filed for due process, and hired professional representation. At time of the interview, nine participants received a nonpublic placement granted by the school district; this number includes two parents who had received this placement but had not been able to enroll their child in a nonpublic school. Four parents privately paid for a nonpublic school's tuition, before seeking a nonpublic placement or reimbursement or after an unsuccessful pursuit of the placement. As they sought a nonpublic placement, nine parents consulted with or hired an attorney, eleven parents hired a professional advocate or an educational consultant, and three parents filed for due process (see Table 1).

Table 1

Participant Characteristics

Participant (Pseudonym)	Race/Ethnicity	Gender of Student	Received A Publicly Funded Nonpublic Placement	Hired or Consulted an Attorney	Hired an Advocate or Educational Consultant	Filed or Entered into Due Process
Angela	B	Male	No	Yes	Yes	No
Beverly	W	Male	No	Yes	Yes	No
Cynthia	W	Male	Yes	Yes	Yes	No
Donna	B	Female	Yes	No	Yes	No
Eva	W	Male	No	Yes	Yes	Yes
Felicity	W	Male	Yes	Yes	Yes	No
Lauren	W	Male	Yes	Yes	Yes	Yes
Meredith	W	Male	Yes	No	Yes	No
Michael	W	Male	Yes	No	No	No
Rose	W	Male	Yes	Yes	Yes	No
Sydney	W	Male	Yes	Yes	Yes	No
Tara	B	Female	Yes	Yes	No	Yes

Note. B: Black or African American, W: White

In the qualitative interview, the respondent provides information while the interviewer is responsible for directing the respondent to the relevant topics and judging when responses need elaboration or clarification (R. S. Weiss, 1994). Therefore, I created an interview guide (Appendix A) that allowed parents to narrate their experiences while answering questions informed by the sensitizing concepts. This study's research questions served as the foundation on which I designed the interview questions. I began each interview with a review of the study's aim and the participant's rights. I reviewed the study's consent form with each participant, even if they had already signed and returned the form to me. As Jacob and Ferguson (2012) suggest, I started with a question about their child's personality and interests to collect this background information and begin building trust and confidence with the participant. Then I asked participants about the nature of their child's disability and history of their child's diagnosis of ASD, which led some parents into a discussion of the context of their seeking a nonpublic special education placement. For the rest of the interview, I used the "main-branches-of-a-tree" questioning method to ask main questions relating to the study's research questions and then allow parents' answers to guide some prepared and ad-lib questions and probes (Rubin & Rubin, 2005). As Rubin and Rubin (2005) recommend, I aimed for the interviews to flow like a conversation. Many participants told long narratives of their experience during which I would focus on listening carefully. Occasionally, I would stop parents to ask clarifying questions and probes, and I also asked questions towards the end after a review of my notes and interview guide. I finished each interview with two open-ended questions about seeking nonpublic placements. The first of these questions asked participants what advice they would give other parents in a similar situation who are seeking nonpublic placement, and the second asked participants what changes they would recommend related to the IEP placement process. These questions allowed participants to reflect on their experience and the system largely and emphasize what they felt was most important about their experience, such as a challenge they faced or a resource they found invaluable. Using an interview guide made the data collection more comprehensive and systematic as well as kept the interview focused on the research questions.

Through my consent form and other communication with interested parents, I informed participants that they can choose for the interview to be conducted in person at a place of their choosing or virtually using my University of Maryland Zoom account; I conducted about half of the interviews in person in a location of the participant's choosing and half virtually. The synchronous online interviews mirrored traditional "face-to-face" interviews by taking place in real time. The interviews averaged 70 minutes in length. With their permission, I recorded all interviews using a voice recording device and then I uploaded the files to my computer. I then transcribed the interviews using Otter.ai technology. I listened to and reviewed each interview transcript for accuracy. Then I edited and anonymized names and places in the transcript within the Otter.ai technology and then revised it for some disfluencies, such as um, ah, and repeating words in Microsoft Word. I deleted all recordings and transcripts from the Otter.ai platform on July 7, 2023.

After editing and revising the transcript, I crafted a summary of each participant's interview. In 1-3 pages, I summarized my understanding of their experience seeking a nonpublic placement and reasoning for doing so. In the guidance I provided to participants for the member checking process, I explained that the summary is not inclusive of all the valuable information and would not be published in the study. I asked the participant to review for accuracy and to add or change any information in the summary as it illustrates my understanding of why and how events occurred. I also asked participants to review the interview's transcript and make changes to correct, clarify, and add detail to their interview responses. I emphasized that their contributions to the summary and transcript are valuable, valid, and respected. Eight out of twelve participants reviewed the summary and transcript with a few of those responding with contributions and making revisions.

Analysis. In a qualitative interview study, researchers want participants to provide detailed responses, which may be difficult to categorize (R. S. Weiss, 1994). Therefore, analysis involves interpretation, summary, and investigation. However, qualitative analysis does not have a "one-size-fits-all" approach. In this section, I explain how I identified themes through a combined process of reviewing the data, making logical associations with the interview questions, and considering the sensitizing concepts and other information and theories learned from the review of literature. I engaged in a thematic analysis of the data to capture the essence of experiences drawn from varied contexts and then categorize the themes.

The first stage of my analysis began as I reviewed and summarized each participant's interview and experiences in the member checking process. I had to review the interview transcripts several times to review for accuracy in order to craft each summary. During this process, I wrote brief theoretical, data, analytical, and methodological memos and notes. I noted powerful quotes or explanations that I came across and connections I made across two or more interviews. For example, while working on the summaries, I wrote a brief theoretical memo considering how parents recognized the role school district personnel play in the nonpublic admission process. When the member checking process was completed, I reviewed these memos and notes as I began coding the interviews.

I used the central coding procedures (open, axial, and selective) proposed by Strauss and Corbin (1990), and a qualitative data and analytic tool, NVIVO, to code, organize data, and aid in identifying patterns and developing themes. I conducted multiple rounds of coding in an iterative process. I began the coding process with initial and open coding in which I identified conceptual codes working line-by-line with the interview transcripts. In this process, I broke data down into discrete parts with codes as labels with an openness to new theoretical possibilities, similarities and differences, metaphors and analogies, reoccurrences, and missing data. After open coding the first four interviews, I reviewed my codes and then reviewed both the findings of literature review, particularly Trainor's (2010a, b) sensitizing concepts, to identify what I was seeing, what I learned about, and what questions arose. At this stage, Trainor's (2010a, b) findings helped me consider how these initial codes were capturing parents' approach to advocacy, such as how what types of information capital were they using to advocate. I considered how my codes fit into Trainor's (2010a) typology of approaches, Intuitive Advocate, Disability Expert, Strategist, and Change Agent, as I reviewed the initial coding of the four interviews and continued to code the rest.

I then conducted axial coding, during which I drew connections between the conceptual codes and aggregate or condense these codes into broader categories around axes or points of intersection. I regularly reviewed these codes to check whether related codes could be grouped together in a hierarchy. For example, I aggregated codes, such as concern for their child's happiness and incidents involving the safety of their child, into broader categories into the category of perceived issues in public placement concerning their child's well-being. I grouped this category with other issues related to the prior or current placement, such as a lack of progress or changes in performance, that escalated conflict with IEP team and other school district officials and/or influenced their pursuit of a nonpublic special education placement.

In the subsequent phase, I engaged in selective coding to develop themes grounded in the analysis. Williams and Moser (2019) describe selective coding as a uniquely influential and challenging phase of the data collection that involves integrating and refining categories into core categories, which allows the researcher to create cohesive and meaningful expressions. Selective coding affects what theoretical constructs emerge and how meaning is created through presentation, which impacts the reception of the findings (Williams & Moser, 2019). As I engaged in selective coding, I considered how the themes related this study's research questions and findings in Trainor (2010a, b) study and others in the literature base. For example, I considered where coding around parents' efforts to receive a nonpublic placement overlapped with examples of Trainor (2010a)'s approaches to advocacy. I saw that when parents used strategic approaches to advocacy, they were often more successful than when they relied on their intuitive or disability knowledge in advocacy during the pursuit of a nonpublic placement, which is similar to Trainor (2010a)'s findings.

Expected Limitations

This study is an exploratory study designed to contribute to a better understanding of parental advocacy in understudied conditions, as very few studies examine parental advocacy specifically around their efforts to secure a placement change and/or parents' who seek restrictive placements. Therefore, the design of this study has some expected limitations.

As described in Chapter 1, this study examines parents' experiences in Maryland, which has some different processes and regulations relating to nonpublic placements, which limits the generalizability of this study to other states. Also, several historical and socio-political factors influence the private sector and its relationship to public schools. While educators and policymakers in some states may find many similarities, those in other states may find that their context differs in many ways, such as what type and how many nonpublic schools exist, how they may be funded and placed, and how parents seek them. However, a discussion of how this study's findings apply to our understanding of parental advocacy under the federal law, IDEA, should be valuable to educators and policymakers across differing contexts.

There were some expected limitations related to the sample size and representativeness of the sample. Parents of children with ASD who seek a nonpublic special education placement represent a relatively small group of parents of children with disabilities, as these placements are limited; less than 5% of students with disabilities in Maryland receive their education in nonpublic special education schools. Participants volunteered, which likely affected the ability or willingness of some eligible parents and narrowed the sample. Many participants were concerned about risks to the study's confidentiality and their anonymity as they did not want school and district personnel or professional representation who they had recently or continue to work with to be able to identify their contributions. Likely, other parents who may have been eligible for this study had similar concerns and declined from participating. Because I recruited participants primarily through advocacy and disability related agencies, attorneys and educational advocates, and the Maryland Association of Nonpublic Education Facilities, these participants may not be representative of parents of children with ASD who seek nonpublic placement; this study's participants may be more involved in advocacy activities than other parents who may have pursued the placement without the help of these professionals and organizations.

Lastly, this study relies on interview data, which limits the ability to verify or triangulate the data and therefore may affect the validity of the results. Interviews required parents to speak on past experiences and their memories of these experiences may have been selective or exaggerated. Outside of member checking, I did not check the veracity of parents' experiences through documents or other interviews.

Chapter 4: Findings

Parents of students with disabilities often perceive themselves as essential advocates for their children and act strategically to influence their education (Hess et al., 2006; Lalvani, 2012). One of the most significant aspects of parental involvement is the placement in which a child receives services. As equal members of their child's IEP team, IDEA expects parents to participate in placement decisions. However, as discussed in Chapter 2, we know that most parents face barriers to participation, including institutionalized procedures, school structures, professional behaviors, and racial and cultural beliefs and biases. That being said, we still know little about their experiences when advocating for specific placements, especially for more restrictive settings.

IEP teams must ensure students are educated in their least restrictive environment (LRE), where they are with their typically developing peers to the maximum extent appropriate. IDEA (2004) states that more restrictive placements, in which students are removed from the general classroom or school, should occur "only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily" (IDEA, Part B, 300.114). Among highly restrictive placements are nonpublic placements, special education placements in private day and residential schools, which remove students from the public school system. If a nonpublic placement is appropriate and the child's least restrictive environment, then the IEP team must make the placement and the school district becomes responsible for the placement and its costs. Therefore, school district officials typically participate in or oversee IEP teams when they make nonpublic placement determinations. In Maryland, nonpublic placements are often made in a Central IEP Team Meeting, where school districts' special education leaders participate in the decision and referral process, while others are made by administrative law judges during due process hearings.

Comparatively restrictive and typically expensive, nonpublic placements receive further scrutiny from school districts, which may further limit parents' ability to influence the decisions. However, few studies have examined these nonpublic placement determinations, and fewer have considered parents' influence on the decisions. Nonpublic placements offer an opportunity to examine parents' rationale in seeking nonpublic placements, as well as their experiences through the process. This study aimed to explore aspects of these two major lines of inquiry.

Through a cross-case analysis of parental advocacy, this study describes parents' reasons for seeking nonpublic placements, the approaches they take, the challenges they face, and their perceptions of their own efficacy, as outlined in the following research questions:

1. Why do parents of children with ASD seek nonpublic placements?
2. How do these parents advocate for nonpublic special education placements?
3. What challenges do parents face when advocating for these placements, and how do they try to overcome those challenges?
4. How do parents view the effectiveness of their efforts to secure nonpublic placements?

The first section of this chapter addresses the first research question by describing the reasons parents sought nonpublic placements. Almost all participants perceived problems and issues with their child's current placement or services before seeking a nonpublic placement, usually related to their child's safety and well-being, their academic and social needs, and their educational program and services. Most participants tried to resolve the issues they saw in their child's placement. In that process, parents sought information, assistance, and advice from numerous sources, including local parent advocacy groups, family and friends, and social media, which is how many came to learn about the possibility of a nonpublic placement. Many parents consulted or hired attorneys, advocates, and educational consultants to help them advocate for changes to their child's IEP or placement. Parents' efforts to resolve these issues failed and resulted in conflict with school personnel and/or district officials, which exacerbated parents' feelings of distrust and frustration with their public schools and compelled them to seek nonpublic placements.

The second section addresses the second and third research questions, which explore parental advocacy. Participants described their experiences securing a nonpublic placement, which for most involved convincing the IEP team, and later school district officials, of the inappropriateness of public placements. After efforts at resolution failed, parents began a process that, for most, included: a) consulting or retaining professional representation (attorneys, professional advocates, and/or educational consultants); b) building and presenting the argument that the school district was not providing a free and appropriate public education (FAPE); c) securing a placement in a nonpublic school. Parents encountered challenges to their advocacy, some like those found in the literature on parental advocacy more generally. Parents employed several strategies during each component of the process that they perceived would help overcome these challenges and increase their likelihood of receiving the nonpublic placement.

The final section in this chapter addresses the fourth research question which explores how parents perceived the effectiveness of their efforts. Parents shared that decisions that they found were effective towards their goal of securing a nonpublic placement included signaling to school personnel their knowledge and willingness to enact parental rights, hiring professional representation, and maintaining their own documentation. Some parents also attributed their own qualities, such as persistence and dedication, and access to resources, to the success of their advocacy.

Please note that all participants' names in this dissertation are pseudonyms, used to de-identify participants and their children and other people, organizations, and places mentioned in interviews.

RQ1: Why Do Parents Seek Nonpublic Placements?

Understanding why parents sought a nonpublic special education placement is critical to understanding their subsequent advocacy. For most parents, the answer to the first research question was a complex story rather than a simple response. Their stories often detailed very good years, when their child was socializing and learning in the care of effective, loving teachers, and difficult years, where they worried for their child's progress and safety. As they shared these stories, all participants conveyed frustration and anger over the events leading up to their decision to seek a nonpublic placement.

Issues with current or prior placement. Almost all participants perceived problems and issues with their child's current placement or services before they sought a nonpublic placement. Parents described several concerns about their child's placement, including about their child's safety and well-being, their academic and social needs, and their educational program and services.

Concerns for their child's safety and well-being. Many parents described distressing situations, including when their child came home with bruises, was restrained and/or secluded at school, was bullied by other students, or showed signs of neglect. Angela recalled relentless bullying her son, Jacob, experienced in middle school, which school personnel did little to prevent or stop. She recounted an upsetting incident where her son called her during a bullying situation. She immediately called the school in hopes that staff would intervene, but they dismissed her concerns. As the bullying continued, Jacob’s mental health suffered, and he missed several days of school. She said, “I took him out right before COVID hit, okay, and I was trying to do what they call ‘home and hospital’ because he was being bullied so badly.” While her son received services for his mental health, Angela and a health provider asked his teachers to send his assignments, so that he could work while he was in this placement, but his teachers were uncommunicative and uncooperative.

Michael feared for his child’s safety when school personnel restrained and secluded his son multiple times. After years of success in his elementary school, his son, Frank, began to feel anxious and overwhelmed in class and eloped on a few occasions. Twice school personnel restrained and secluded Frank in an empty classroom, which was not an approach included in Frank’s behavior plan. As Michael recalls, the use of restraint caused Frank significant distress. Michael considered nonpublic special education after those incidents but chose to homeschool Frank for the next few years. He decided to try the public placement again but, despite Michael working with educators to make the placement successful, school personnel restrained and secluded Frank multiple times over the first few weeks. Michael reflected on how the use of restraint and seclusion on Frank led them to seek a nonpublic placement:

> And you know, had that restraint, seclusion not happened we might have ended up in a very different position. I don't think he would have ever needed a nonpublic placement. I think we would have continued on through the school system. But that happening was so traumatic that again, you know, we had to make a pretty drastic change.

Like Michael, other parents experienced upsetting incidents related to their child’s safety that led them to seek a placement outside of the public school system.

Having already unsuccessfully pursued a nonpublic placement through due process once, Eva enrolled her child, Remy, in a public-school program where he suffered physical injuries regularly and eloped outside the building on multiple occasions. Shortly after the IEP team transferred Remy to a different special education program, Eva began to worry about her child's safety again. She described the toll of worrying about her child's well-being:

> And I don't know what's going to happen for my son. Like, I mean, I pray every day that you know, that he doesn't get hurt when he's at school, but more like, like I want him to not get hurt but at the end of the day, when you think about, like your kid going to school? That's not the first thing you think you're supposed to think about. what you want to know, like, did they learn a color today? Did they learn a number? Did they learn a… Are they making friends? Are they going to come home hurt? Are they going to have been fed? Are they going to come home having been put in the corner all day? Are they going to come home, you know, having sat in a wet pool not going to take him to the bathroom? And he can't tell us. And we're not the only family like that.

Eva's concerns contributed to her decision to continue to seek a nonpublic placement for her son, despite her previous attempt at receiving this placement during due process.

Multiple parents expressed concern over their child's stress and anxiety and a few struggled to get their child to school regularly. In addition to worrying about her child's safety, Eva described how her son's reluctance to go to school influenced what she thought about his current placement:

> So, he can't say no, but he'll go [noises expressing no]. So, like, that pretty clearly means "No," you're shaking your head and going "nah nah nah" like, that means no. So, he would do that, like, all the way to the school. And then like, we'd have to like, kind of

> push him out of the car like you didn't want to get out. So, from someone that doesn't talk like that's how they're going to tell you that they don't want to go to school. And it's starting to get that way now with the school. And it's just- I don't think it's bad. But I don't think it's good.

Beverly described years of her son’s struggle with stress and anxiety in school. Despite being highly motivated and prepared for the school year, Elliot would become overwhelmed and stressed:

> …and he just really spiraled into pretty bad, you know, meltdown, anxiety by like, the end of October. And actually, that has been the pattern now, for the last three years. Every school year, for the last three years, he has, like, started out super motivated in September, going like, really, like calm and collected and like trying his absolute best. And then within six to eight weeks, just devolving into a, you know, lasting overwhelm of just sensory and anxiety.

Elliot experienced several changes to his placement due to the COVID19 pandemic and his recent diagnosis of ASD. He became increasingly concerned about attending school and a classroom where he felt overwhelmed and unwelcomed.

Parents often perceived their children’s stress as a sign that their placement and services were inappropriate. Angela struggled to get her son’s educators to recognize her child’s stress and to communicate her concerns with the school:

> Well, he couldn't handle the stress of being in school. That type of environment the kid is like, how? These are the kids that fall between the cracks, are the ones that have good grades. So, it's like, "Oh, they're fine." They're not fine. They're really not fine. And it just got to the point where he - getting them in there, I wasn't gonna force him, number one,

> you know, but he also was having, like a burden, and it's having some mental health issues, because of the stress of schoolwork. And I tried to explain to them, I said, "He-, it's like, you know, if you're sitting in a room and someone leaves a bear in there, the only thing you're thinking about is getting out of the room with the bear. You're not trying to write down their name for a test or log on to your Chromebook. That's what it feels like for him with his anxiety."

Angela and other participants whose children's stress led to their prolonged absences began to consider other placement options.

Child's needs could not be met in their placement. Some parents felt their child's needs could not be met in their current placement or other public placements because the environments and services were inappropriate, particularly for students with ASD. Angela had considered a nonpublic placement for a long time because she felt strongly that her child would not succeed in the typical classroom:

> And I've been wanting to put him in private placement, probably since about third grade. I felt like, okay, a regular school setup isn't going to work for him….I know exactly what he needs. And he needs a smaller environment with less stimuli. You know, and they're like, "Oh, we can't put every kid like that into [that type of placement]."

Another parent, Lauren, described how she believes her school district's high school programs for students with ASD would not work for her son:

> He's a kid who's in what I call like a gray area where he doesn't really identify as having a disability like at all. He's now accepted himself that he knows that things are - some things are harder for him that he has to work really hard on trying to feel people's perspective and that sort of thing. But he also is really athletic and cares about having

> friends. Being in a program for high school [where] he's in like a special classroom, is then integrated for lunch and specials. That [placement] would send him back in a million years, you know? So that's not an option for us, and that's all the options that were considered for the county programs, right?

Lauren removed her son from his public placement and enrolled her son in a private school that emphasized support for students with disabilities before seeking a nonpublic placement.

Other parents spoke specifically about the lack of placements that would support their child's inclusion with typically developing peers. Donna, a mother of a middle school girl, Nova, felt that the school district did not support inclusion of students with ASD:

> But yeah, that's what I would say they have no intention of supporting integration of your child into a regular public school. The district supports segregation of kids with autism, who have specific challenges.

Cynthia hoped to have her elementary-aged son, Adam, in a small learning environment where he could access the general curriculum on the diploma track and have meaningful inclusion with typically developing peers. Instead, her son was placed in an alternative learning program in a self-contained class for students with disabilities, which did not have meaningful inclusion and removed him from the diploma track.

> And so like, basically for three years, we were arguing with them, and they were finally like, "Look, if you want them on diploma track, and you need him in a small learning environment, grouping, we can't serve him. County can't serve him." And for me, I am like pro-inclusion all the way. I'm like, "What do you mean, you can serve him? He can start his day with, you know, a second grade, and do morning meetings, he can do specials with them, he can do art, you know, all these things." And, and they're like,

> "Well, we don't really have morning meetings, we go right into academics, we don't do anything soc-" you know, all of these things that were like, "No. It's not happening. He's got to stay in a separate classroom, you know, self-contained class." So the model of this county is that like, they will only bend so far. And this was elementary school, so, and they expect the kids have fit into their systems, they just don't have they don't have the allowance, or they don't prioritize the allowance to flex like that. And we were like, "He can stay in this program. But can you let him access the diploma stuff? Nope, we can't do that." So, then we're like, "okay, I guess we're gonna we're gonna fight for nonpublic," which we got.

Cynthia wanted a program that could meet her child’s needs and support his potential as a student, and as a result, she sought a nonpublic placement that may be able to offer models that supported her son better.

Issues with service delivery and accommodations. Many parents struggled to ensure that their child could access the curriculum and receive their services. In some cases, parents described how school and district personnel did not provide appropriate accommodations or modifications. Felicity explained how her son, Sean, was put in a reading group with students who were reading several levels above his instructional level. When she asked his teachers for an explanation, they said they did not have a reading group at his level, and he was learning from his peers in the group. She disagreed with this reasoning and feared that he was not receiving appropriate reading instruction:

> I was seeing that he wasn't learning, and I was seeing that they were not able to flex themselves [be flexible]. And you know, that, again, they are legally required to give him an appropriate education. An appropriate education means that they need to modify the

> curriculum and the teaching methods, so that he is learning. And it was too much one-size-fits-all.

Other parents felt that their child was not receiving the appropriate services or supports to learn. During online learning during the COVID19 pandemic, many parents recalled that their child struggled to participate, make progress, and receive their services. Tara had successfully advocated for her daughter, Zoe, to receive more services and a placement in a smaller classroom setting; however, when COVID came, and Zoe entered middle school, she was placed back in a large classroom, now online. “My attorney cited where she wasn't receiving enough instruction online,” Tara recalled, “and they didn't make up those hours.”

Many parents perceived that the services and accommodations related to their child’s behavior were either not implemented or ineffective. Felicity described how the school district’s behavior interventions failed because they did not address the cause of her son’s behaviors in his placement:

> They had a behavior specialist, like one behavior specialist or two for all the elementary schools. So, she came and did an assessment. But it wasn't really effective, because they never got, in my opinion, the root cause of those behaviors at school - that he wasn't learning, he was bored. And I mean, can you imagine sitting through the same math lesson for like 14 weeks? I would probably be doing more than throwing a pencil across the room.

As her son’s disruptive behaviors began to escalate through middle school, Felicity advocated for more behavior-related intervention and collected daily reports from his teachers on his behaviors, which she was able to use later when she sought a nonpublic placement. Meredith, parent to

Owen, became frustrated with school personnel’s handling of his behavior. Meredith described what would happen when Owen had negative behaviors:

> Well, they would call. I was kind of upset because - we were upset because they would call us to come pick them up early whenever behavior started. They didn't try to calm him down or deescalate the situation… They were avoiding handling the behaviors. And they knew that my husband would come and get him.

She and her husband asked the school to de-escalate the behaviors as they happened. She thought that Owen’s behavior worsened when he realized that the consequence for negative behavior was to go home. Ultimately, school personnel told Meredith that they could not handle Owen’s behaviors.

Beverly’s son, who suffered from anxiety and stress in school, had an accommodation in his IEP called a Flash Pass, which is a physical pass that he could show the teacher when he needed to leave his desk or the class without having to ask permission. However, he did not know where this pass was located, and Beverly was not getting a clear response from the teacher when she asked about its location. After visiting the classroom with another school official, she found out that the pass was in the teacher’s desk drawer, which was not an easily accessible place for her son to take when he needed to use it. Another parent, Sydney, advocated successfully for her young son, Marcus, to have a one-to-one Therapeutic Behavioral Aide in the classroom, which was written in his IEP. However, the school district took several weeks to provide an aide for him and then provided a Temporary Adult Support aide, a different type of aide with less behavioral-related training:

> But at that point, I was like, I was also like, it'd become very clear to me that if there was any hope of him staying in gen ed that he needed really consistent adult support of

> someone who was like a high level of training, and that we just weren't going to get that from the school district. And the school couldn't make it happen either. And they were, they were trying like it was, they very much wanted him to have a consistent aide because it made their lives so much easier. Right? But that the district was just like, whatever the IEP said, the district was not going to be able to offer that to us, at least at this point during this kind of like, post-COVID thing.

Despite support from teachers and school personnel, Sydney was not able to ensure that her child received the type of aide that she felt he needed to succeed in his placement. After an incident with a Temporary Adult Support aide that threatened her child's safety, Sydney began to seek a nonpublic placement.

In several cases, parents described how school officials dissolved their child's IEP or expelled them from their educational program or school without parental consent. Rose's elementary aged son, Xavier, attended a public-school program after homeschooling during the COVID pandemic. Rose recalled that she did not receive much communication from his teachers and special educators. When the IEP team met, school personnel told Rose that Xavier was meeting all his goals and progressing on grade level, but Rose disagreed and shared that she thought he had started to regress from how he was doing in homeschooling the year before. A few months later, Rose met with the IEP team again, and school personnel mentioned that they would like to discuss putting Xavier on a 504 plan in replacement of his IEP. She replied that she was happy that they thought he was making progress, and she would think about their suggestion. Rose describes what happened in the meeting a month later:

> So, then I go to the IEP meeting... It's not an IEP meeting. It's a 504 meeting, and they've already taken it away, and he hasn't had any supports, and the teacher's like losing her

> mind, because she's like, "All he's doing is spinning in class and I can't give him the attention that he needs."… So, I got really upset. And they didn't do any assessments. They didn't do anything proper. So, at the next I said, "I want a freaking IEP meeting, this is bullshit." And then I brought a lawyer and an advocate to my next meeting. They told me that they need to do assessments because he hasn't been assessed.

Rose and other parents felt blind-sided by school officials' decisions. Donna felt similarly shocked when her daughter, Nova, was expelled from a public magnet school program despite her efforts to work with school personnel:

> And we were working with the teachers. We had to -I had to go in and explain what autism is and what autistic kids are, because they had never had even like, general education for all the teachers about autism. I brought in a friend who spoke to them, and I spoke to them about Nova. And anyways, we were working with the school, and we were thinking it was going, it was going to be something that would just be like a partnership with us and the school that would really focus on instead of focusing on all of her challenges and focus on all of her - the positive things, all of the stuff that she's good at. And then at the end of that experience just before COVID, well COVID had hit just at the end of that experience, they told us that they couldn't manage Nova, that they didn't have the right staff but the principal said she's not the right fit for this school and so we were like, what the hell like, like, everything we've read has told so it was like integrate her into a normal school. And it didn't work like they refused to keep her. They basically threw us out and told us we had to leave…

To Donna's dismay, school personnel claimed they could not serve Nova any longer. Donna thought that the school used her recent complaint about Nova's aide to argue that they could no longer serve her child. Distressed and upset, Donna soon hired an educational consultant who helped her seek a nonpublic placement.

Catalysts for seeking a nonpublic placement. Very few participants sought a nonpublic placement solely due to the services, quality, reputation, or other attributes of special education private schools. Instead, most sought nonpublic placement only when significant issues arose in their child’s public school, particularly around their child’s safety or changes to their child’s services, and only after their efforts to resolve these issues failed and conflict ensued with school and district personnel. Many parents engaged professional representation to help them resolve these problems, particularly attorneys, professional advocates, and educational consultants who had businesses specializing in special education. Parents also sought information, assistance, and advice from numerous other sources, including local parent advocacy groups, family and friends, and social media, about their issues with their child’s placement and services. Many parents came to learn about the possibility of nonpublic placement through these professional and personal connections.

Parents’ efforts to resolve issues. Several parents who expressed a strong desire to remain within the public school system tried to resolve or mitigate the problems they saw with their child’s placement. Felicity was concerned that her son, Sean, was not learning because his teachers were unable to modify the curriculum and make necessary accommodations for him. Although she had moved to her neighborhood for its schools’ inclusion-focused approach and special education services, Felicity recalled many failed attempts to improve her child’s education within his placement. For example, she described how she brought in outside instructional advice to his IEP team:

> So, then I engaged help. I engaged this woman, who was a teacher, and she told me about some programs, one of them was verbalizing and individualizing. And I would bring these up at meetings, saying, "I'm wondering if you could try this with him," and they were like, "Oh, we haven't heard of that." One time, they said, "we don't have that. And I don't know that we have it in our budget to buy it." And I just said, "I'll buy it." And they were so embarrassed, and they said, "Well, no, no, no." That's because they can't say that, you know, but that didn't really improve things.

In this example, Felicity described how she learned about educational strategies and shared them with her son’s teachers, yet even after offering to pay for related programming, school personnel refused to change their approach.

Michael recalled his efforts to have his son, Frank, succeed in his public school. Frank had been homeschooled after school personnel used restraint and seclusion with him multiple times. After Frank expressed a desire to be back in school with his peers, Michael worked with school officials to revise his IEP and educational program at the beginning of the school year. He described how he communicated with school personnel to ensure they agreed with the IEP:

> But when we went into advocating to get him back into school… Again, I wanted to make sure what had happened before did not happen again. I talked to every administrator in the building. I talked to all the people that would be his teachers. We worked really hard to develop an IEP, and I pushed them in areas that they were not comfortable with... And eventually, we agreed upon some things. So, we worked really hard to craft this IEP that we thought would be successful. The idea was we were going to start him out in a segregated classroom with the hopes of by midyear moving him back

> out into the inclusive setting. We just wanted to give him a chance to get comfortable again and [then] move out.

Frank was very excited to go back to school, but unfortunately, as Michael recounted, he was restrained and secluded again multiple times within the first few weeks of school. Then Michael successfully advocated for a home and hospital placement while he sought a nonpublic placement.

A few parents threatened to or did file due process complaints to resolve the issues they perceived in hopes that school personnel would take action to resolve the issues in their child's placements. For example, Sydney advocated for her son to receive a one-on-one aide in his IEP and when he did not have one for many weeks, she threatened to file a complaint:

> So, what I think actually worked is eventually I wrote to [school district official]…And I was like, you know, I was like, "a week from today, if my child does not have an aide to support, I'm filing the state complaint."

The school district did respond by assigning her son an aide, but the aide was not the same type as was written in his IEP, which was particularly upsetting since that type was not as qualified nor trained as the type of aide Sydney had worked hard to advocate for.

Some parents considered several other public placements before seeking a nonpublic placement. Michael tried to research his school district's available special education placements, but he found that school district officials were not transparent about their placements:

> What are the options in terms of how to best meet his needs, and I was trying to learn, you know, what the law said. What I found is that though IDEA says there should be a continuum of options in terms of placement, the school treated placement options kind of like Area 51. They were very secretive about things like, what are the different [options]

> because they didn't want parents coming in and saying, "Well, that's what I want for my child." They wanted to have more control over it, which, again, when you look at IDEA, parents are equal partners in this process.... And you know, I remember this head of special education saying, “well, we don't want it to be a menu of choices that parents just feel they can go and look at this menu and decide what's best for their kid.” I can understand where they're coming from. However, as a parent going through the IEP process, I am part of the team that decides placement, I need to be aware of what those options are. IDEA says there's a continuum of options. It should not be secretive; it should be transparent.

Cynthia also recalled working with her IEP team to look at other placements, but she found none that would work for her son:

> They had us look at different programs that were offered in the county that weren't organized…they said they were doing the program, but they weren't really doing the program. There wasn't just a lot of fidelity of the delivery of the program they were supposed to be doing. And so, we visited all these different models, and we're like, "yeah, that's not our kid. That's not our kid. That's not our kid."

At the time that Beverly considered nonpublic placement and which of those schools might be a good fit for her son, she still worked to resolve the issues with her child’s placement that contributed to his stress and difficulty attending school. She worked with her advocate and IEP team to place her son in a different public program for students with disabilities. Beverly and her advocate met with the leaders of the program and felt very hopeful that the placement change would mitigate some of the issues they faced. Unfortunately, her son continued to struggle with stress in the new placement, and Beverly began seeking a nonpublic placement.

Like Beverly, several parents consulted or hired attorneys, professional advocates, or educational consultants to help them advocate for changes before they sought a nonpublic placement. Tara hired an attorney who helped her daughter, Zoe, receive additional services, which helped resolve her concerns for a time before the COVID19 pandemic began and the school district failed to provide those services online. Meredith hired an advocate to help her communicate to a new IEP team how the previous team had relied on her and her husband handling their son’s behaviors:

> We had a lot of communication between the teacher and the admin, and we told them about what happened in elementary school. And we expressed our views that we didn't want that to happen again. And the middle school understood completely. We had an advocate. We still have her. She's awesome. She was a lot of help this year.

After failed attempts to make meaningful improvements to her son’s education, Felicity hired an advocate who helped ensure that Sean’s IEP had goals that were clear, measurable, and appropriate.

While some parents already knew about publicly funded placement in nonpublic schools, others learned about them as they tried to resolve issues with their child’s current placement. Parents sought information, assistance, and advice from numerous sources, including local parent advocacy groups, family and friends, and social media. Meredith recalled speaking with Owen’s teacher about a nonpublic school:

> I kind of brought up the thought of nonpublic to his sixth-grade teacher. And she was like, she was saying, "You know, you don't pay for any of it." And I was like, "What?!" And she was like, "Yeah, check into it.” And she was sending me like, all sorts of things.

Other parents learned about nonpublic schools through social media platforms. Angela contacted someone who had posted about a school on social media and asked about their experience:

> So, I found McKellips School, which is over in that building. And at first, I was hesitant, because I saw in the - online I was like, just looking, for real? Is it legit? Because the way they explained it… But I was in another [social media] autism group… and someone had asked about private placements, and where do they like, how to, and someone had mentioned McKellips School. "Okay, somebody on the list." So, then I messaged her and said, "Do you mind talking to me about it?" So, I got really excited.

After receiving information about the possibility of reimbursement, Angela enrolled her son in this school.

As they advocated for changes relating to issues in their child's current placement, many parents began conversations with their attorney, advocate, or educational consultant about nonpublic placements. Some parents recalled them suggesting specific nonpublic schools to consider, while other parents asked for their opinions about these schools and about their chances of receiving such a placement. Beverly worked with an advocate who suggested that she consider a nonpublic placement: "So, she was saying, 'I don't think [school district] has an appropriate placement for him. I think.' She thought Lakeview Hope was the right spot for him." After Meredith heard about nonpublic placements from a teacher, she asked her professional advocate what she thought about that option for her son, and she said that might be a good idea.

Conflict. Participants described conflict with school personnel and district officials when they raised issues about their child's placement and services. Many parents described "fighting" and "battling" with school and district personnel, which often exacerbated parents' feelings of distrust. Distrust contributed to several parents’ conclusion that a nonpublic placement was the only appropriate placement option for their child.

Many participants described conflict related to classroom behavior, academic progress, and social development. Lauren, Andrew’s mother, attempted to address his behavior with his IEP team, but they dismissed her concerns and focused only on his strong academic performance. She described these discrepant views and how the conflict made her feel:

> I felt very ganged up on. I would state something, you know, like about Andrew's functioning at home, after school, because of things that have happened at school. And everyone, you know, especially with this one particular school the principal made really confused faces. "Well, our job here is to make sure that he's been educated, I'm not really sure what he's functioning at home like has to do with anything." Right? And it would always come back to the level he was in English and math, which just was so confusing to me because you would have office referrals all this time for behavior, and obviously being pulled out of the class all the time, you're not gonna learn anything. So, you know, how is he getting an education when he's separated from his class all the time because he's in trouble? And then just be like, "We just told you, he's at a level K for math and he's supposed to be a B." And that was just really confusing. It kind of made me feel crazy.

Driven by her frustration, Lauren took Andrew out of public school and enrolled him in a private school before officially seeking a nonpublic placement.

Several parents described discrepant views of the cause of and potential solutions for unwanted behaviors, such as avoiding work or eloping. As Tara advocated for her daughter to receive more services in a smaller environment, she also argued with the school about her daughter's behavior and its relationship to learning:

> They kept blaming her, and saying that "she wasn't doing this, and she wasn't doing that. If she did this, then she could progress. She was avoiding." And I'm like, "well, she's avoiding because she doesn't understand it. If she's like two grade levels behind. How is she expected to be able to be able to do this around her peers, and you're calling on her? It's like, you're embarrassing." You know because she doesn't understand certain things.

Tara believed her child's behavior resulted from the lack of accommodation and support she was receiving in that placement or the inappropriateness of the placement. Like other parents in this study, Tara perceived that school personnel blamed their child for their own behavior.

Sydney spoke about discrepant views of her child's progress towards goals in their IEP. The difficult conflict made her wonder how other parents deal with this conflict without a professional advocate:

> So, the goals were supposed to be done by that next IEP meeting. And they were ticking, yes, that he made adequate progress. And then when we looked at the data, it was like, it was nothing. It was like, so far away. So, it's just one of those things were like, I don't know, it really makes me wonder, like what parents do when they don't have an advocate? Because like, they're just kind of lying to you. This documentation, and you have to- if you don't feel empowered to be like, this is clearly inaccurate.

Like Sydney, other parents expressed concerns that school personnel or district officials were manipulative or acted in ways that disempowered them in the IEP process. Beverly recalled a school administrator who met with her individually and pressured her to sign documents relating to her child's IEP that she did not have time to review. At the very end of the next IEP meeting, she found out that the administrator had made significant changes to her child’s IEP so they could place him in a different placement the following school year:

> And so, at the 75-minute mark, she's like, "Okay, well, he's gonna go to this other program," and I was like, "Are you going to tell me anything?" And she was like, "Well, you can, you know, follow up with them separately and learn more." And I was just absolutely shocked, because it was like he had never actually even been in the [previous] program. And she clearly didn't want him there. Because of this, it was clear to me it was just a resource, from her point of view.

Beverly felt that the school administrator had not only put pressure on her to sign the documents but also manipulated the IEP meeting so that she would not have time to raise objections to her child’s change of placement.

Several parents described how their advocacy resulted in conflict and hostility from school personnel. Cynthia recalled an escalating conflict with a school administrator:

> Rather than having him conform, we're just like, "Could you work with him on this stuff?" Well, pretty soon we became those parents that were asking for way too much. You know, and we didn't know anything about our kid…So, the principal was an asshole. Yeah, I mean, complete asshole. He, in conversations with me one of the times he said, "You have no idea how much we go above and beyond for you,” like “Just be glad you get what you get." Right? And I was like, "No, that's, that's your job."

She later explained that this administrator attended every meeting and hindered her participation, so she sought professional representation: “And they didn't listen to us really, so every time we had to do something, we had to bring in an advocate or a lawyer.” Like Cynthia, Donna described how school personnel negatively reacted to her attempts to advocate for her daughter.

> Even though it [IDEA] has all these supposedly checks and balances to give you power, the only real power you have in the meeting is being able to, to move things around in your IEP to set goals and objectives. And then the power starts to dissipate there because even in the implementation, if you try and monitor the implementation, God help you. God help you, I- we tried to do that we're like, can you submit data on how you're implementing this, trying to get the school to even give you data. You know, they have all this power to say, you know, how challenging the school system is now, you know, how hard our special educators work? Do you know, for each kid, they have an IEP, they have so much work to do? Do you know that all the kids with special needs have so many challenges? It puts you at a disadvantage to be hard against the school, like who wants to be hard against a school that's trying to help your kid even when they're not doing what they're supposed to do.

While several parents, like Donna, expressed sympathy for educator’s workloads and an understanding that the school district is limited in various resources, they felt strongly that their child was not receiving the education and services they needed.

Several parents had positive experiences and held high opinions of their children’s public school and school system before issues arose and conflict ensued. They began to distrust school personnel. Rose shared how she felt confident that her son’s IEP would never be taken away because “I thought, like the school really had his best interest at heart. But you know, the older he got, the more they pushed to take it away.” Other parents shared their disappointment with their soured relationships with school personnel. Eva described how she did not want to have antagonistic relationships with her child’s teachers:

> But it's crazy, because you have these, like, you don't want to have these contentious relationships with the people that are teaching your kid, you know, like, you want to be the parent that drops off the doughnuts and like bring them coffee, you know, is, you know, like, just is that nice person like you want to join the PTA and all that kind of stuff.

Similarly, Beverly shared how reminders of the conflicts with her son's school still makes her upset:

> Can I just say - I can't walk past our neighborhood elementary school without like, my blood pressure rising and having a flutter of like, how upset I am about [everything]. And that was a school that my other son was in for years, that I was a part of the PTA, that I loved, that I worked on, you know, all sorts of things, and to have [one administrator] just so cut you out. I just, ugh, man. I get very emotional. Yeah, I get very emotional.

Participants expressed clearly that their disagreements and conflict with school personnel was and still is very distressing.

As these conflicts escalated and relationships soured, parents sought nonpublic placement. Sydney described how she grew skeptical of the school district's ability to provide an appropriate education for her son:

> And so [at an attorney] and I's first intake, she was like, "If you want nonpublic play smart, if you even want that to be" - we weren't at that point committed to it… I was getting cynical enough about what his future was going to be like within the district that I wanted to be building towards having that option if we needed it.

Donna explained that her efforts to address issues over years had not resulted in her child's progress, so she wanted to try to work with nonpublic schools, even though she had advocated for inclusive settings before:

> Yeah, I told her [the educational consultant] - I was like, “We want to try nonpublic placement” … We're like “this makes no sense anymore.” Like literally, yeah, even if it means that we're going into school, which is just with kids with special needs... I said, "We've given up, we've tried for so long, and we're not seeing the progress that we want and where we wanted to stay - they didn't want us." And so, like literally we're like, let's try to see if we can try the private school system and see if they can help.

Felicity described how seeking a nonpublic placement was her last option after all her efforts failed and resulted in conflict: “It is truly the last resort. I tried everything else. And that's all that was left for my child.” Like Felicity, most participants began their pursuit of nonpublic placement frustrated with and distrustful of the public school system.

RQ2 and RQ3: How Do Parents Advocate for Nonpublic Special Education Placements, and What Challenges Do They Face?

After efforts at resolution failed and escalated conflict, parents began a process that, for most, included: a) consulting or retaining professional representation (attorneys, professional advocates, and/or educational consultants); b) building and presenting the argument that the school district was not providing a free and appropriate public education (FAPE); c) securing a placement in a nonpublic school. Parents employed several strategies during each component of the process that they perceived would help overcome these challenges and increase their likelihood of receiving the nonpublic placement. Nonpublic placement was never as simple as other forms of school choice. As one participant, Donna, explained, “There's just no possibility of just a parent just saying, ‘Oh, I think I might want them to go to Lakeview Hope. And then that happens.’ You literally have to have resources, skills, argue, have a plan of action.” This section describes how parents sought nonpublic placements, including the strategies they used and the challenges they faced, during what Angela called “a long and arduous process.”

Consulting or hiring professional representation. All parents consulted with or hired an attorney, advocate, and/or educational consultant as they pursued a nonpublic placement. Many participants had already hired one of these types of professionals to help address issues in the current placement, and they continued to retain or hired additional representation while they sought nonpublic placement. Others hired professional representation for the purpose of helping them pursue a nonpublic placement.

Some parents in this study were themselves attorneys or educators, and a few shared that their professional experience informed their decision to seek the expertise of special education attorneys, professional advocates, or educational consultants. One parent described her thinking:

> So, an advocate, to me, is an expert in that area. And as an attorney, I know that me googling it isn't going to give me everything I need to be an expert at the process. So, I wanted there to be an expert in the process.

Another spoke about how she decided to hire a professional after other parents of children with ASD emphasized their importance to the outcome of pursuing a nonpublic placement:

> And I have friends who have also kids who are autistic, who also said, you know, "If you're going to take this on, you have to get a really high powered lawyer or a really good educational consultant, there's no way they will ever give you private school without that," and I'm not an a special education lawyer, I'm a [redacted] lawyer. So, I was doing all of this by myself.

Other parents spoke about getting recommendations from friends or social media and contacting several before hiring one. Meredith explained that information from teachers and recommendations from other parents led her to an advocate whom she later hired:

> And they said, “Look at [advocate].” They said, “She scares me in IEP meetings.” I was like, "Oh, well that's what I need!" And I kind of reached out to her. And talk to her about our situation. I also knew of her name because a couple of the parents at my school use her as well. And I posted on Facebook looking for an advocate ... And everybody was like [redacted] is the best. So, I reached out to her, and she was like, "I would love to take on your case," type deal.

Another parent got a recommendation from her child’s developmental pediatrician to hire an advocate.

Several parents recalled that they wanted to hire someone who would seem intimidating to school and district personnel. Rose explained that she hired both an attorney and an educational consultant who had strong reputations in hopes of showing the school and district personnel that she was serious about her pursuit of nonpublic placement: “She's a really prominent education consultant. And then [redacted] was my attorney. And he's, like, the best in the area. So, I was just like, they'll know I'm not playing.” Similarly, Donna perceived that her educational consultant was intimidating to other members of the IEP team. She shared that “they [school and district personnel] had such respect for her [the educational consultant] that she basically scared them into saying that private school is the right thing for Nova.” Eva explained that she hired her advocate after she had been told that the advocate and a few others were known to be “bulldogs” because they were intimidating to the nearby school districts officials and their lawyers.

Several parents who had already worked with professional representation hired new or additional representation when they sought a nonpublic placement. Sydney worked with an advocate from the beginning of her child's special education; she had never been to an IEP meeting without one. However, in addition to working with her advocate, Sydney hired an attorney when she prepared to seek a nonpublic placement. She described her decision not to reveal to the IEP team that she began working with an attorney in the beginning of the process:

> So, we didn't, at that point, tell the district that we had retained a lawyer, because we were like, as soon as we tell them, they're going to A) just really up their game in terms of their paperwork. And, again, like I have read enough court cases to know that, like, legal proceedings don't necessarily get decided based on who is substantively correct. Right? That procedure matters a lot.

Another parent, Lauren enrolled her child in a nonpublic special education school after his experience at a temporary therapeutic program. She had worked with educational consultants on various issues in the years prior but decided to hire an attorney to help her seek tuition reimbursement and placement from the school district where her son had attended for many years. She described her reasoning:

> Had to take loans… got a whole bunch of financial aid from the school for the second year, but then I was like, I'm gonna hire an attorney to see what we can do with the county because my overall impression was the county failed him for so many years, and that's why we're here, you know? So [I] hired a special attorney, which again, I found in these Facebook groups that I was in.

Later Lauren explained that she thought her chances of receiving a reimbursement and/or placement were very low, but due to the high costs of the nonpublic school, pursuing the nonpublic placement was worth a try.

As they sought nonpublic placement, several parents consulted with or hired attorneys whom their advocate or educational consultant worked with or recommended.

An attorney advised Beverly and her professional advocate on strategies to employ during this process. Cynthia’s attorneys recommended she work with a certain advocate to help her secure a nonpublic placement in a certain school:

> So, we went back to our original attorneys for another consult… And they recommended that we work with this, this new advocate said, "We want Adam to go to this particular school," the one that has no space, and they said, "Well, the only person who could make that magic happen would be this advocate."

Cynthia went on to say that the school district’s case manager for her son’s nonpublic placement was very pleased to hear that Cynthia had chosen to work with that advocate. At the time of the interview, she had just begun to work with this advocate because of the high recommendation from her attorney and a school district official. Another parent, Beverly, had worked with an advocate when issues arose with her child’s placement. Beverly recalled her advocate suggesting consulting an attorney on her chances of receiving a nonpublic placement:

> So, when we got to that point, she was like, “Okay, I think it's time to bring in a lawyer,” be consulted with a lawyer. And they [the lawyer] were like, "Yep, I think we have a really good case."

Later, Beverly’s attorney and advocate worked together to advise her and at times both attended IEP meetings to represent her interests.

Every participant consulted or retained attorneys, professional advocates, and/or educational consultants, and these actors had a significant impact on how parents pursued nonpublic placement. For most participants, these professionals provided substantive and procedural information about IDEA and the state special education regulations, COMAR. For example, when Beverly’s IEP team added emotional disability to her child’s IEP without her knowledge, she hired an attorney. The attorney “looked up the Maryland COMAR. And it is explicitly against the law for you to have an autism diagnosis with emotional disability.” When Rose enrolled her child in a nonpublic placement and then sought tuition reimbursement and placement, school district personnel claimed that she would have to work with the school district that her son’s nonpublic school was in, instead of theirs. She explained that the attorney recognized that what the school district claimed was against the law:

> They [school district personnel] basically gave me the middle finger and said, "We're not doing it," and I was like, “We live in [school district],” but my lawyer was like, "That's illegal; they can't do that. So that's good for our case."

Rose’s attorney informed her of her son’s chances of receiving a placement or reimbursement, just as many other parents also described receiving that information from their professional representation. After placing her son in a nonpublic school and being denied tuition reimbursement from the school district, Angela consulted an attorney to see if she should continue to seek the reimbursement or placement through due process.

> So that's what I paid, I applied for reimbursement, they immediately denied me, and they cited his grades. And, you know, I contacted an attorney to find out, "Okay, is this worth fighting?" And, you know, like, even the initial consultation with him was like, 350 bucks... [The attorney said,] "Well, you know, if you take it all the way, it's gonna cost

> you about 60 grand, just in attorney's fees. And if you lose, you don't get that back. Yeah, don't lose, you get it back." And at that point, it's like, he's only got two years [of high school left]…[it] wasn't like he was in eighth grade.

Angela's attorney informed her of the attorney's fees that she may have to pay if were to seek reimbursement through due process and lose. Angela could not risk having to pay those costs, and so she chose not to pursue a reimbursement for her son's nonpublic school tuition.

Attorneys, professional advocates, and educational consultants participated in the nonpublic placement process, which presented its own advantages and challenges. Some parents recalled instances where their professional representation responded to IEP team member's inaccurate or disrespectful remarks. A few parents shared that having their professional representation come to IEP meetings changed their own participation in the process. One participant said that her advocate asked her to do a lot of work on her child's IEP, which was burdensome to her. She explained what the advocate asked her to do:

> Yeah, and organizing notes, and asking us to propose what we want on it [the IEP] if we didn't agree with the team on what they wrote all that stuff. Like, you know, I'm in education, but I don't write IEPs every day. So, these guys should be doing it.

Lauren shared her upsetting experience in IEP meetings with professional representation:

> But the IEP process would always leave me so confused and like, feeling like, like other people think I'm insane. So, he kind of made me feel that too, he would like we'd be in IEP meetings, and he would be like texting him and stop talking now. So that was a really hard process.

While Felicity worked to convince the IEP team that her son was not making adequate progress, she chose not to bring the professional representation, whom she was working with at the time, to the IEP meetings. She explained her thinking:

> And I didn't want to bring the attorney into the room. Because once you bring the attorney into the room, it changes the whole tone of things I was told….Immediately, it's adversarial, immediately, and it means they bring their attorney to the meetings. It means everything's recorded, or whatever, you know, there's no opportunity to be friendly anymore. And I really wanted to see if I could just get it through on the merits of being who I am, which is not an adversarial person but a mom who has watched her son not learn for so many years and now his behavior is out of control.

She also withheld her interest or request to place her son in a nonpublic school from the IEP team, "because at the time, the county was extremely reluctant to give nonpublic placements. And I kind of didn't want them to know that I knew as much as I knew."

Although valuable, parents recalled that their legal representation was expensive. Felicity described the costs of professional representation for an IEP meeting, "We're not particularly rich, middle class, and, you know, $200 an hour. And there's the prep, you know, an IEP meeting could cost me $1,500." Beverly shared that her brief consultation with an attorney cost her $12,000. Eva shared the costs of her legal fees:

> So, we paid our attorney $8,000. And then he did it pro bono. We paid our advocate probably $10,000. And then she did it pro bono. Like, everything we got after probably the first time was free. And if it hadn't been free, like a lot, like all of the legal fees would have been well over $100,000.

While Eva was thankful that much of the work on her case was pro bono, she shared that these costs were still difficult especially when cost of living in the area is also high.

Building and presenting the argument that the school district was not providing a free and appropriate public education (FAPE). Most parents described a part of the nonpublic placement process where they built and presented the argument that the school district was not and cannot provide their child with a free and appropriate public education (FAPE). In other words, parents argued that their child's current placement and services were not appropriate for their needs and other public placements and services that the school district could offer would not be appropriate.

Parents designed their argument to convince the IEP team and school district officials that the child needed a nonpublic placement. However, convincing these school district officials of the need for nonpublic placement seemed unlikely to many parents at the time, especially after their efforts to improve their child's education resulted in conflict with the school. In a few cases, IEP teams agreed to a nonpublic placement after hearing the parents' case. Other parents, and their legal representatives, found that if their argument did not persuade school and district officials, they could instead convince them that if they were to pursue the placement in due process, an administrative law judge would find in the parents' favor. Parents and their representation believed that school districts officials and attorneys would agree to a nonpublic placement when they feared they could lose in due process. With these possibilities in mind, parents worked to strengthen their case. Most participants shared that they worked with professional representation to revise their child's IEP, collect supporting evidence, eliminate the possibility of other public placements, and/or identify any of the school district's errors or illegal actions.

Parents described recreating or revising their child’s IEP as a necessary part of building a strong argument that the school district had not and could not provide FAPE. Personnel at Angela’s son’s school dissolved his IEP and then made him a 504 plan at the end of elementary school. However, he did not receive services, support, and environment that Angela believed he needed. When her son’s grades dropped dramatically in high school years later, Angela advocated for him to have an IEP again:

> So, in 10th grade, when he went back in, he had all the Es and everything. And finally, I said, "Nope," I was like, "I need to get him an IEP, really. You guys aren't going to suggest it. So now I'm suggesting it." So, by the time they got the IEP done, we were damn well through with the school… And anyway, so I'm one of the people that ended up saying, “I'm not going to let him fail in 10th grade and that be the story for the rest of his life.”

Angela explained that even though the IEP they wrote was not going to support her child in the ways he needed, creating it was a first step in a long and drawn-out process to request a nonpublic placement.

Similarly, Lauren had to recreate her son’s IEP before seeking reimbursement and placement in a nonpublic school. Her son had previously had an IEP while attending public school, but when issues arose, she enrolled him into a private school. Later when Lauren enrolled him into a nonpublic school and sought reimbursement, she had to work with the school district to make him a new IEP. She explained that the process, which involved working with an IEP team of school personnel who had never worked with her son:

> He [her attorney] said “You know, first of all, you know, we have to go back to the drawing board, like you didn't give 10 days’ notice to leave the county, right? So, his IEP

> is void. So, we have to start from scratch and get him a new IEP." So, we went through that process that took about a year - maybe eight months. And that was interesting because it was all obviously, everything was virtual, but it was meeting with his IEP team that was at a school that he's never gone to. So, it was all people—nobody knew him. So, the process involved me, basically, for several months having to paint the worst possible picture ever of my child with people who didn't know him in order to get them to understand the severity of his position.

A few other participants' circumstances, such as a child's absenteeism or change in schools, led them to also request a nonpublic placement with an IEP team that had not worked with them or their child extensively.

Parents and their representatives revised their child's IEP, including its descriptions of goals, progress, accommodations, and other special education services, to support their argument that their child has not been receiving FAPE in the district. Most participants expressed their frustration at the many long IEP meetings they attended and other work they had to do to support the changes they were making to the IEP. Cynthia explained that the school district dragged on in IEP meetings as a tactic in their goal of "wearing families out" as a part of a larger effort to "exhaust resources from the family and just emotionally clobber families." Similarly, Sydney shared that she thought a school official was intentionally dragging out the IEP meetings in hopes that the parents would get frustrated and accept the school district's public placement recommendation. Meredith had been told by others that her placement was unusually quick, and that with others the school district "is dragging their feet with nonpublic because of the money."

Some participants shared that in revising the IEP towards the goal of a nonpublic placement, they had to emphasize or exaggerate their child's behavior. Eva's advocate told her to emphasize her son's difficulties:

> The advocate… at the time, she told us to make him look as bad as possible. That was her advice. You know, to just like, not exaggerate, but just, you know, tell the 1,000% truth say, you know.

Donna worked with her attorney to convince school personnel to approve of a nonpublic placement and painted a picture of her daughter that Donna felt exaggerated unwanted behaviors:

> She [her educational consultant] basically scared them into saying that private school is the right thing for Nova. Unfortunately, because, you know, a lot of things were put in the different reports like that they said that they couldn't handle. I think it also painted a picture of Nova which wasn't really accurate.

Later, when Nova was rejected from all but one nonpublic school, Donna filed a complaint to change the misleading descriptions included in the file.

Parents and their representatives revised IEP goals and gathered evidence to support the argument that the school district could not provide a free and appropriate education. Several parents believed that the IEP team's assessment of their child's abilities, needs, and progress were not accurate. Sydney was concerned that the other members of the IEP team "were ticking, yes, that he made adequate progress" without supporting data. Sydney explained that her advocate worked on ensuring that her son's IEP goals were measurable, so that they could use data to illustrate whether he was making progress:

> We had started off well, by having like [their advocate] really worked on getting like our goals, tightened down and made sure that they were like measurable so that it was something where they had to actually say either he can do this, or he can't do this, right?

Felicity explained that she had to have data to argue that her son was not learning in his placement. She viewed her son's IEP's goals as the "basis of assessing whether he was learning or not," so she hired an advocate to attend the IEP meetings to help ensure those goals were clear and appropriate. She explained the difficulty involved in building her argument:

> By then, I was totally convinced that I had to get him out of there. And I had been thinking that for several years, but I knew how it worked. I knew that you have to have the data, and I never felt I could get clear enough data that he wasn't learning because they would make these goals and some of the data was teacher observation, and they were prompting him a lot…Even the goals and how your kid is doing is the foundation for looking for nonpublic, because you need to be able to argue that your child is not getting a fair, a free and appropriate education, and what that means is they're not making academic progress. Well, how do you prove that? That's the hardest part.

Later, Felicity collected daily data on her child's behavior in classrooms from his teachers, which a behavior interventionist for the school district tried to dismiss, claiming the data was not representative.

Lauren also faced challenges supporting her argument with data. The IEP team worked to collect data as they built her son's IEP team, but as he was not currently enrolled in their school, the data came from other sources, which did not help to paint a clear picture:

> So, the school was trying to collect data, but it was like, it was confusing and piecemeal, and I'd get information from my psychiatrists and psychologists and occupation

> therapists, and they'd have to compile it all together. And the county just wasn't good at that. And, you know, and I feel like there was a lot of not believing me.

Eva's child was experiencing stress and coming home with injuries in his public placement, but these concerns had not persuaded the IEP team to reconsider a nonpublic placement for her child. From her experience and hearing the experiences of other parents, Eva found that parents had to have data showing their child failed academically in a public placement to receive a nonpublic placement, rather than had other issues such as those related to behavior, well-being, and safety:

> And what surprises me, and what still surprises me and everyone I talked to, is that the physical effects of being in the school system [child's physical injuries and stress] were not enough to persuade anyone to think, *okay, maybe this is beyond our grasp. Maybe we should, you know, think about a nonpublic placement*…It is very- I have never, ever, ever, ever, ever, ever, besides that one time and I have met a lot of families, I've never met anyone go from preschool into first grade without having to be in the public school system first, without paying privately, because you have to fail academically, and it takes time. And like what we've seen with my son, like, when you get a placement, that's not appropriate.

Similarly, part of Sydney's strategy was to collect data showing how her son was doing in another public program. Although she worried about his placement, she waited until the end of the year to make any changes, so she would have data supporting her argument that the public placement was inappropriate:

> And we were like, something's not good here. But we were like we will, we just have to kind of like, wait it out ... We certainly needed to wait to the end of that year so that we had a progress report showing whether or not he'd actually attained any more skills.

Leaving her child in a placement where he was unhappy was a difficult decision to increase his subsequent chances of getting a nonpublic placement.

A few parents paid for private evaluations to support their argument that the school district could not support their children's needs. Sydney explained that she paid for a private evaluation and had a set of conversations with the evaluator about "what we thought his needs were and what we wanted to be reflected in the report to ensure that he got those needs met." The report then detailed what the evaluator thought her son needed and specified certain services that would not be available in other public placements. As she intended, this evaluation helped eliminate a public option that her IEP team considered:

> So again, I'm not trying to imply that this is like malpractice or anything or that they're doing anything shady. But that's the difference in that kind of thing versus like a just going to like a place that takes insurance and is run out of a hospital, is that they will have that conversation about - with you about like within the set of things that we think he needs, like what do you want us to emphasize in the reports. He needs a one-on-one who with like, more significant training. So, we had tried to get that stuff written in a way that would exclude more of the public options, including the district wide program, because at that point, there's basically one district wide school that's like for autism. And our advocate was like "I just don't think it's good."

Sydney decided to pay for a more expensive evaluation where she would have greater influence on what their report said. Cynthia paid for a private evaluation, but in the IEP meeting, the school personnel questioned its validity: "You know, they dragged everything out, we got an external evaluation, they questioned the validity of it. And it was done by a specialist on the East Coast." Tara's attorney asked the IEP team to conduct another evaluation of her daughter and then used its results to appeal to the school board that Zoe needed a different type of placement. The school board responded back to her attorney with the offer to give Zoe a nonpublic placement.

Parents argued that their child was not receiving a free and appropriate education (FAPE) at the time as well as would not be able to receive FAPE in another public placement. To support this argument, parents worked to eliminate other public placements as options. Felicity described how eliminating public options was a necessary part of the nonpublic placement process:

> They [school district personnel] kept advancing like different options. So, this high school option I said no to, and then … They offered to send him to the regional Special Ed middle school program. And I visited like, this took so long, like I did everything they asked me to do, because they kept - I had to eliminate all the things that were already funded. That was the way it worked.

Some parents described meeting with leaders and teachers of other district's special education placements in IEP meetings to discuss the appropriateness of the placement for their child. Although Lauren's son attended a nonpublic school, she worked with an IEP team to recreate his IEP in the hopes of receiving an official nonpublic placement which would pay for her son's tuition. During this process, the IEP team had to consider several public placements before considering a nonpublic placement. She worked with her professional representation to eliminate those as options, leaving nonpublic placement as her son's least restrictive environment:

> Yes, so they [school district personnel] suggested a whole bunch of placements. And then they would have them - we'd have another meeting, like in a month, and they would bring the people from that program in the county to meet / talk. Ahead of time the lawyer would tell me, "I know these people, I know they're not going to consider Andrew for

> this program. But we have to go through the formality of taking their recommendation, having them come to the meeting, assessing the situation and then saying, ‘No, I don't think this will work.’

Other parents also mentioned visiting public programs during this process. In one case, a parent who had wanted a nonpublic placement decided to try another public placement from their meeting with its staff during an IEP meeting. However, most parents referred to eliminating public options as a step to receiving nonpublic; these parents described themselves set on receiving a nonpublic placement rather than as different public placement, at that point in time.

A few parents and their professional representation also used the school district’s mistakes or illegal actions to strengthen their argument for a nonpublic placement, which Eva described as a “gotcha game.” Felicity requested the transcript of one of the IEP meetings, in which she and district personnel discussed placement. She then reviewed the meeting’s transcript for hours, “pulling out statements and that's how I caught them.” Felicity explained that she emphasized parts of the meeting’s transcript that supported her argument in a subsequent meeting. She explained, “I caught them on something and that turned it around, and they had to agree to a nonpublic placement at that point.” Rose’s attorneys argued that the school had moved her son from an IEP to a 504 plan without doing any assessment or evaluations, and he had not been evaluated in many years, which they explained was unlawful. After the school district agreed to reimburse Rose for the current school year’s tuition at the nonpublic school which he already attended, her attorneys caught the school district on another procedural violation. She explained:

> They [school district representatives] were supposed to do something within 90 days, and they didn't. So, then they updated the agreement and said, we'll pay for next year, and do that, too. So, it was like, “Okay, great. Sure!”

Because school district personnel made a mistake, they offered Rose an additional year of nonpublic placement.

Parents and their legal representatives presented their arguments in the hopes of convincing the IEP team and school district that their child could not receive FAPE in any public placement or that an administrative law judge would likely find in the parents’ favor. For many participants, the school district agreed to or offered a nonpublic placement when they had presented their case. Meredith spoke to the principal of her son’s school and said, "’You know this isn't the right placement for him. We know it's not the right placement for him. You need to help us find somebody that gives us the right placement.’” At the next IEP meeting, the principal brought in district personnel who worked on nonpublic placements, and there the IEP team agreed that because they could not provide for her child and a nonpublic placement would be appropriate. Similarly, the school district agreed to a nonpublic placement for Sydney’s son during a meeting:

> We brought our lawyer. And we went through all the things and like, got them to admit that actually he hadn't met any of the goals, and then eventually got to the end to our total shock and our lawyer's shock, they just agreed on the meeting to nonpublic placement.

Sydney explained that she and her professional representation expected the school district to refuse to give them a nonpublic placement and that they may have to enter into due process over the issue. Tara’s professional advocate appealed to the school board with their argument that the school district was not providing Zoe’s services. In the school board response, they offered

Tara’s daughter a nonpublic placement. Michael presented his argument for his son to receive a nonpublic placement with school district personnel that he had relationships with before presenting it to his son’s IEP team. He described that meeting:

> And you know, I told them that, you know, we were really thinking that nonpublic might be the best option for Frank. We didn't feel that the [public program] was an appropriate placement for him and kind of laid out a case of why we felt nonpublic was the right thing to do.

At the next IEP meeting, the school district agreed to the nonpublic placement for Michael’s son.

Securing a placement in a nonpublic school. Parents described admission to and placement in nonpublic schools as another component of the process of receiving a nonpublic placement. Many parents toured and some applied to nonpublic schools before presenting their case for placement or reimbursement. Of those cases, most parents who applied before requesting placement or reimbursement did so to increase their chances of the school district agreeing to the placement. Beverly’s advocate recommended a specific nonpublic school for her son and recommended an attorney to help them secure the placement. Beverly’s attorney thought her son’s case for a nonpublic placement was strong, but he told her to wait until her son was accepted into the nonpublic school before telling the IEP team of their interest in this placement. She explained his reasoning:

> He [the lawyer] basically said that he said…, "If you go to the school and say, 'Look Lakeview Hope, the private school already thinks that this is the right place for them.'" He said that "then it's a lot easier." He said, "Every once in a while," he said, "the school district will agree with you, and you don't have to fight them." They'll say, "Okay, well, yeah, you're right. But he said that, "If you bring it up sooner, and they say, 'No, we don't

> think so.' But then you get the private school to say, yes, he felt like that there was already a stance sort of established. And it was not as easy for them to change their decision if they were on the record to say no." That was at least his professional advice.

Unfortunately, the school rejected Beverly's son's application, saying that he is too gifted for their programming. When Michael first considered pursuing a nonpublic placement, he applied to a nonpublic school: "we applied for private placement thinking that if they [the nonpublic school] accepted us, we were going to push the school for it." Sydney, who had considered unilaterally placing her child in a nonpublic school and then entering due process for reimbursement and placement, explained that she could only apply to schools that would take private pay students:

> And you can only do a unilateral placement at a place that will take private pay students, right. So, several of the places that we would have considered just don't take private pay students and the places that did were totally full.

Applying to nonpublic schools before receiving a nonpublic placement limited Sydney's choice of schools due to private pay restrictions and full classes. Therefore, parents who could consider private pay because they could afford tuition costs and fees still faced challenges securing their child's placement.

Some parents applied before their appeal because they wanted to have their child enrolled in an appropriate setting while they sought a nonpublic placement, a process that many expected to be long. After Rose's son's school personnel dissolved his IEP, she applied to a nonpublic school that she had previously considered. Once her son was accepted, she gave notice to the school district and enrolled him in the school by paying for his tuition while she sought reimbursement and an official nonpublic placement. Lauren enrolled her son into a nonpublic school that offered therapy that her son had benefited from in a temporary program. She explained that at the time, she was not sure how long he would attend that school, but she felt it was the right place for him to be. With help from the school and family, she paid his tuition for the first year. As Lauren saw that her son was excelling at the school and would likely stay another year, she sought a nonpublic placement from her district. When her son's IEP team received reports from the nonpublic school about his progress and well-being, "they were like, "Oh, now we think we understand this kid. This school seems great for him.'"

In most cases, parents worked on securing a nonpublic placement after receiving approval from the school district. Felicity explained that she waited to tour any nonpublic schools: "I did not want to be presumptive [sic]. I did not want to show up at a school where my county had not agreed to pay for school." Most parents explained that after the school district agreed or offered a nonpublic placement, a representative sent out a referral packet containing information on their child. Donna explained this step of the process:

> We - they agreed on that they could not - that that her placement needed to be private in our meeting with [public school]. And then they sent us to Central for placement for the placement meeting. Yeah, then they then they sent out her files to all these different schools at the central placement.

Some parents recalled that the school district representative sent their child's packet to multiple schools, and then they were able to tour and choose from the nonpublic schools that accepted their child.

While this application process may appear simple, almost all parents encountered challenges securing a placement in a nonpublic school that they thought was appropriate for their child. A few parents explained that they were not able to choose or help choose which schools received their referral packet. Meredith explained that she thought she would be able to participate in the process of referring her son to nonpublic schools:

> Yeah, we didn't know where their referral packets were going to. I thought we could choose the school, but I thought that I could research the schools and figure out where I wanted the referral packet to go to. No, that's not what happened.

Meredith wished to have more influence on which school her son would attend. Michael hoped to send his son to a certain nonpublic school, but when the school district agreed to give him a nonpublic placement, they recommended applying to a different school. Michael had toured that school before and, like many others he saw, the school used isolation rooms for behavior management, the use of which Michael was strongly against. When Michael recommended the other school, school district representatives said they had not placed a student in that school before but agreed to meet with them to learn about their program. After the meeting, school district personnel agreed to place Michael's son in his preferred school.

Similarly, Felicity advocated for a nonpublic school that was not the school district's preference. She explained that a school district official encouraged her to enroll her son in one of the two schools that had accepted her son because the school district had a rule that "they want to send the child to the school that is the least miles away." She thought their preference for the other school was "about transportation and money," which did not matter to her because the two schools were similar distances from her home. Felicity explained that she "pushed back" against their recommendation because she had visited their favored school and perceived it to be too clinical for her son and used isolation rooms as part of their behavior management. She said they relented and agreed to her choice.

Some parents recalled that they did not hear back from the nonpublic schools about admission for a while, which they said was challenging. While Meredith waited to hear from nonpublic schools about her son's acceptance, school personnel at his current placement said that he could only attend school on two mornings of the week. Meredith explained that not being able to send him to school full time was a significant burden on their family. Meredith also heard from one nonpublic school that accepted her son much later when he was already enrolled in another nonpublic school, so she was not able to consider that school in her decision.

Some parents described upsetting experiences touring nonpublic schools. Cynthia recalled that she toured several schools and described the experience as "depressing as hell." Many parents were especially concerned when they saw the use of seclusion and restraint in nonpublic schools that they toured. When touring a school, Sydney saw a "hands on transport" that made her very concerned:

> We also saw a while I was touring a kid, get a kind of like hands on transport, but I was just like, if that ever happened to my kid, like I would flip my shit and you know, the person - I understand that, like other kids have different needs, like my kid does not, he's aggressive, but not in ways that require that. So maybe that kid really needed it. But I just have a lot of worries about places that use seclusion and restraint on anything like a regular basis that like once that's kind of on the table for you, it's so easy to just fall back on anytime you don't know what to do. And I just don't want that happening to my kid.

Felicity had a similar experience; when touring a nonpublic school, one of their personnel showed her an isolation room:

> And the first thing they showed me was, what do they call them, their isolation rooms, where they put kids that are out of control. That's such a turnoff to a parent. You're

> supposed to know how to manage behavior here. This should not be. He was showing me how it's this fancy locking system or something. And I was just like, oh my God, I don't know.

Many parents discussed their concerns that nonpublic school personnel would use restraint and seclusion. So, as they selected a nonpublic school, parents wanted to know and approve of their approach to behavior.

Several parents heard from nonpublic schools that they did not have space for their child. These parents explained that rather than being put on a waitlist, they had to keep calling the schools to see if they happened to have availability. Sydney’s school district had agreed to place him in a nonpublic school, but of the schools that admitted him, none had availability for another 10 months:

> There are several places that have said that they have programming for him but that they don't have space so that we can keep in touch with them, and if he still needs, yeah, there's a couple places that he got approved in November, right. So, it's February now. So, there's a couple of places that I call every month just to like, check in on what their status is, see if any kid has happened to have left.

Like Sydney, Cynthia called the admissions director of a nonpublic school that she wanted her son to attend many times over years:

> But the admissions director said, "just call, we don't have a formal waitlist, just keep calling me. And I'll give you updates." So, yeah, we got to be like, she could recognize my voice when I call, you know, it's kind of like, "Hey, how's it going? Nothing? We got nothing." Okay, you know, for the last couple of years. Because literally, we could ride

> bikes to the school. It's like a mile and a half away, he could have stayed there until he was 21.

Cynthia expressed her frustration with her inability to secure his placement at this nonpublic school that she believes would work well for her child and their family.

Many parents shared that their son or daughter was rejected or could not apply to several nonpublic schools because they had behavior related incidents and a behavior intervention plan (BIP). Meredith explained that some of the nonpublic schools did not admit her son because of his behaviors. Michael explained his frustration over nonpublic schools that would not admit students because of their behavior:

> And one of the things we ran into before finding Foothills is as we toured the schools and we talked to people, once a child has gone through something like Frank went through, once a child has been physically restrained and secluded, and that's in their file. There are many nonpublic schools that say we don't take behavioral kids. Now, who do you take if you're a nonpublic if you're not taking kids with behaviors? Of course, there, you know, a lot of kids are coming in for behaviors. But of course, there are different kinds of behaviors. Some kids are internalizers or some kids are externalizers, you know, but what we found is that a lot of schools that didn't use restraint seclusion, were very reluctant to take a kid that had been restrained and secluded. Trinity was probably, prior to me finding Foothills, was probably our favorite. Typically, I don't think they would have accepted us. We never put we never got to that point, but I think they might have accepted us, because we kind of made the case of, you know, this is why he needs a placement like this.

Michael would have advocated for his son to attend one of these schools by presenting the argument to them if needed, even though they typically would not admit students with past behavior incidents.

Donna shared that her daughter's application was rejected from all but one of the nonpublic schools that received her referral packet. She recalled reaching out to one of the nonpublic schools to ask why they had rejected her daughter, and in response they offered to interview her daughter. Donna described her frustration with the responses from these schools:

> They were like, "Oh, we do not have placements for a girl student who is diploma bound with the challenges that Nova has," like, literally, we were told that or we were told, like, "we don't have the same profile of student that your daughter fits. So, she wouldn't -" I mean, the letters we got were just none of them to me as a lawyer we're, like fit any kind of due process. It's not like, they were able to say like, like, you know, real, all the reasons to me sounded discriminate, and they said "no" to my child, when I finally got her to get to the private school, like, we don't think she fits the profile of other kids in the class.

Donna suspects that her daughter's gender and difficulty with expressive language influenced many of these school's decisions. She also explained that while they were making the case that her current placement was inappropriate, the school personnel used language in the reports included in her referral packet that overstated or made assumptions about Nova's behavior, which then made these nonpublic schools more likely to reject her application.

Like other parents, Beverly was disappointed when a nonpublic school rejected her son's application. The rejection changed her plans to pursue a nonpublic placement because both her attorney and advocate thought that Lakeview Hope would be the only appropriate nonpublic placement for him. Had he been accepted, and the IEP team not agreed with the placement, she recalled that she was ready to sue for that nonpublic placement. She explained that the rejection was a “hard pill to swallow,” and she worried about her son’s future public placements; she explained that “if Lakeview Hope at like $90,000 a year could not accommodate him like, how is [the school district]?”

Securing a placement in a nonpublic school was not a process that ended after admissions for some parents. Several parents shared concerns that their child could be expelled from the nonpublic school they attended because school personnel perceived the parents and/or the child as too difficult to work with. Donna heard from another parent that representatives from the only nonpublic school that her daughter was accepted in “don’t like when you question them.” Donna explains why she switched professional representation after her daughter enrolled in that nonpublic school:

> I've switched because one, I think my consultant is really scary. And we're just in this new school, and we don't want to scare them yet. And two because my understanding from other parents is that the next, if you don't like this placement, the next step is to fight the other schools to get yourself into them. And even that whole process, it's like there's no rules. It's like it's just a mystery. It's like you're walking into mist, like, if this one didn't work, and you didn't get accepted to these, like, what do you do?

Donna described the situation that Cynthia found herself in when Cynthia’s son was expelled from his nonpublic placement after Cynthia had raised some concerns relating to the school’s communication and her child’s academic progress and safety. Cynthia explained that she had no recourse or due process in her son’s school’s decision, and there was not “stay put” provision that would help her child continue his education in that setting while she secured another nonpublic placement:

> …this current scenario we're in where the nonpublic school can just dump a family or dump a kid. And there's no there are no steps. I mean, they can just do it on a whim if they, you know, if they want. Like, how is that even ok? There's no process like that. The [nonpublic school's] staff didn't even get in touch with us, the director didn't. And say, hey, we have this challenge. Let's figure it out, right? Nope. And then we're like, "Well, okay, we hear you don't want us, the parents, [but] our kid had nothing to do with it. Can we have a stay put until we figure out the next placement?" And they're like, "Nope, there's no room." Wow. So, they gave away his space, you know, pretty quickly.

While she has the help of a representative from the school district and a different advocate, Cynthia was struggling to find an appropriate school for Adam that will accept him and has space.

RQ4: How do parents view the effectiveness of their efforts to secure nonpublic placements?

All participants in this study had examples of advocacy efforts that failed prior or during their pursuit of a nonpublic placement. Most parents had failed to resolve issues before they sought a nonpublic placement and felt the need to change their approach. For example, Meredith recalled feeling "taken advantage of" by school personnel, so the following school year she hired a professional representation to avoid the similar situation. Beverly realized that she needed an expert advising her after she felt pressured by a school official to sign a document that made changes to her child's diagnosis, so she hired an advocate and later a lawyer. Many parents hoped school personnel would recognize these issues and agree upon changes because of their advocacy efforts. So, when school personnel’s views did not align with theirs and issues did not resolve, many parents looked to the possibility of a nonpublic school as the only tenable option. Angela recalled expecting that her son’s IEP team would realize that his sudden drop in academic performance signaled that he needed more support or a different placement. When school personnel continued to view his needs differently, Angela decided to place him in a nonpublic school and then consider due process for tuition reimbursement. Reflecting on her experience, Angela shared “if public school isn't or can't, isn't willing, or isn't able to give you what you need, and your child has a future, then, you know, you just have to, it's worth it to bite the bullet and find a way.”

As parents sought a nonpublic placement, most parents retained professional representation, built an argument that the school district was not able to provide a free and appropriate public education (FAPE), and worked to secure a placement in a nonpublic school. Participants reflected on the effectiveness of these efforts and considered what advice they would give to a parent in a similar situation as they were when they sought a nonpublic placement. They employed strategies that they found were effective towards their goal of securing a nonpublic placement, including signaling their knowledge and willingness to enact parental rights, hiring professional representation, and maintaining their own documentation. Some parents also attributed their own qualities, such as persistence and dedication, and access to resources to the success of their advocacy.

All participants perceived that the school district officials did not want to be involved in due process hearings or other litigation, so many parents signaled to them that they were knowledgeable about their rights and willing to enact those in due process if needed, which they considered effective strategies. Most participants in this study had sophisticated knowledge of

IDEA and parental rights that they developed through their own research and through the help of advocacy and disability groups, and some parents shared that their efforts to learn more about their rights and IDEA contributed to the effectiveness of their advocacy. Donna recalled that as she began to learn about IDEA, she realized that she would have the burden of proof in due process:

> So, I took it on myself to like, learn some of what the requirements were, and you know, what the law said and what rights we had and what we could do to challenge but it's a system that's set up for parents not to have power.

Felicity spoke about the importance of understand IDEA and its terms like FAPE to signal to the IEP team that she knew the law well and was willing to enter into due process:

> I do remember educating myself about Sean's rights and making it really clear that I understood his rights. And that the only way that he had a right to the services that he needed and what this expert documented was what he needed. So, I let them know without like, threatening them, that I was in a position to pursue it legally if he did not get the services he needed.

Felicity recalled that when she presented her argument that the school district was not providing him the education he needed, she used IDEA’s term’s abbreviation FAPE, which stands for a free and appropriate public education. She used this language because “when a parent says FAPE, the school system knows they [the parent] understand the legalities involved. So, I was very careful to use the language to let them know that I believe that the law was on my side, and that I was going to proceed.” Michael began advocating for change to the school district’s discipline approach and policies, during which he consulted with attorneys about possible legal action. Michael shared that the school district officials were aware of his other advocacy efforts, and his advocate thought that they may have felt pressure to agree to the nonpublic placement. He recalled the advocate saying, “Of course they gave it to you. You were blowing things up. I mean, you know, they wanted to make sure you were happy.” Michael said he was not sure that was true but that school district official would have been right to think that he would not let his concerns about his son’s placement be dismissed.

Participants considered their decision to hire professional representation effective towards the goal of receiving a nonpublic placement. Furthermore, when asked what advice they would give other parents who are seeking a nonpublic placement, most parents said that they should hire an attorney, advocate, or educational consultant. Many parents stressed the importance of this decision, like Donna who said, “Hire an educational consultant or a lawyer or you have no chance.” Participants described a few ways in which professional representation increased the effectiveness of their advocacy efforts. Many found consultations with professional representation provided valuable information about their circumstances, which informed their actions as they sought a nonpublic placement. Beverly realized how complicated IDEA could be after a consultation with an advocate about changes the school district made to her son’s placement. Beverly later consulted with an attorney who researched Maryland’s special education regulations and found that the changes school personnel made to her son’s IEP were illegal, which confirmed her suspicions. Beverly’s attorney said that the school district’s error would support their efforts to get her son placed in a nonpublic school. Similarly, Felicity consulted with an attorney when school personnel offered her a placement that would require her son to skip a year in school. The attorney said that the school district could not make her accept that placement, which she found helpful, and then she continued to push for a nonpublic placement.

Parents found that their professional representation's experience working with the school district and reputation increased their influence on decisions. Tara found that after hiring an attorney, "doors started opening." Her attorney was able to convince the IEP team to increase her child's special education services and later filed a complaint to the school board members, who offered Tara's daughter a nonpublic placement in response. Donna shared she would not have been able to speak in an intimidating way to the other members of the IEP team in the same way her educational consultant had when requesting a nonpublic placement. She described how her professional representation had confronted the school personnel with the nonpublic placement request:

> I think maybe after a year, you know, "this is not working. And we're gonna we're we want private" because she was able to say in a meeting, like, I wouldn't have been able to say that, like, she literally was, "yeah, we don't see much progress. And so, we need private placement, you're gonna have to show me why we shouldn't get this." And she was able just to like - she's scary. Like, literally she's scary. They were like, "Okay! Okay, you've made the case."

Donna shared that the school members had a great amount of respect for her educational attorney that "she basically scared them into saying that private school is the right thing for Nova." Sydney did not think her son would have received nonpublic placement without the involvement of her attorney in the IEP meetings because their presence brought the school district's attorney who could then consider their argument and possible outcomes of a due process hearing. If the school district's attorney thought a judge would rule in favor of the parents, they may recommend the school district officials give a nonpublic placement or a tuition reimbursement.

Parents spoke about the importance of collecting data and keeping records to support their argument that their child is not and cannot receive FAPE in the district. In addition to hiring professional representation, most participants recommended that parents seeking a nonpublic placement should maintain organized notes and documentation. Tara kept tests, samples, and other data in binders, and she said they were very important to have available. Eva requested documentation which helped them prepare for and participate in IEP meetings:

> We pay really good attention. Yeah, you know, we asked for progress reports, asked for work samples. Because if you wait for an annual review, and you see a line that says, "sufficient progress met", and you'll never see, “never observed” or “never asked for a measurable, tactile thing to look at.”

Receiving her own records of her son’s work and progress, gave Eva data to consider in the likely case that his IEP team would not support their conclusions with evidence.

Many participants recognized that their access to financial resources, their education, their professional experience, and their social networks contributed to their success in receiving a nonpublic placement. Even though parents thought their experience advocating was challenging and taxing, many shared that advocating would be almost impossible if they had had less economic and social-cultural capital. Sydney shared this sentiment: “We have enough [income], you know, we both speak English as a first language, we have the resources in so many ways to navigate this system. And it [receiving a nonpublic placement] was still really hard.” Like other parents, Donna thought advocating for a nonpublic placement required not only financial resources but also skills to convince the school district.

> So, you either have to be wealthy and afford a lawyer, or you have to get yourself educated and go to a whole heap of courses, or have a lawyer friend or get an advocate, I

> don't see any other way to get into private school. There's just no possibility of just a parent just saying, "Oh, I think I might want them to go to [a nonpublic school]. And then that happens." You literally have to have resources, skills, argue, have a plan of action.

Parents shared that the ability to finance their advocacy, while challenging, may be the difference between their outcomes and those of other families. Cynthia commented that, “Well, a lot of families can't afford to challenge the county. That's a very, very big problem. Not that we could either, but, you know, we just were like, "Okay, it's worth going in debt for." So that's problematic.” Parents felt strongly that the money they spent was a necessary sacrifice involved in their advocacy.

Chapter 5: Discussion

Summary of Findings

Parents of children with autism spectrum disorder (ASD) sought nonpublic placement only when significant issues arose in their child's public school, particularly around their child's safety or lack of meaningful improvement, and only after their efforts to resolve these issues failed and conflict with school and district personnel escalated. More than anything, it was distrust of public-school personnel that made parents believe that a nonpublic placement was the only tenable placement option for their child. Parents sought information, assistance, and advice from numerous sources, including professionals in law, advocacy, and education, local parent advocacy groups, family and friends, and social media. Many came to learn about the possibility of nonpublic placement through these professional and personal connections and sought nonpublic placements to protect their child's right to an education and their physical and mental well-being.

Frustrated by their failed efforts to improve their child's education in their placement and distrustful of school and district personnel, parents advocated for a nonpublic placement. No longer focused on coming to a consensus or compromise, parents began an advocacy process that, for most, included: a) consulting or retaining professional representation (attorneys, professional advocates, and/or educational consultants); b) building and presenting the argument that the school district was not providing a free and appropriate public education (FAPE); c) securing a placement in a nonpublic school. Parents employed several strategies during each stage to achieve their goal of receiving a nonpublic placement. They felt strongly that their decision to hire professional representation increased their influence on the IEP team and school district's placement decision. While most participants received a nonpublic placement, they encountered challenges to their advocacy throughout their pursuit. Parents described their experiences as emotionally and financially draining, despite their own advantages and privileges.

Interpretations

All participants in this study acted as advocates on behalf of children with disabilities. Disability rights advocate and scholar Wolf Wolfensberger argues that advocacy requires doing more than what is done routinely and imposes a distinct cost to the advocate (Wolfensberger, 1977). In this case, participants tried to influence decisions made about their children's education, which often caused them distress, risked harm to their relationships, and cost considerable money and time. Participants in this study share many characteristics and behaviors with parental advocates in other contexts. Parental advocacy in special education, for instance, most often involves White mothers of middle or high SES who had completed education past high school (Burke & Goldman, 2015; Burke & Hodapp, 2016; Rehm et al., 2013; Sontag & Schacht, 1994; Trainor, 2010b). In this study, 8 of the 12 participants were White mothers, and most participants shared their status as middle class with professional careers and higher education degrees. All participants, as required by this study's eligibility criteria, are parents of children with autism spectrum disorder (ASD), who are more likely to frequently advocate and file for due process when compared to parents of children with other disabilities, a finding that holds across racial, ethnic, and SES backgrounds (Burke & Hodapp, 2016; Trainor, 2010a; Zirkel, 2011). Parents are also more likely to advocate for their child's needs when they are knowledgeable about their rights under IDEA and their child's disability, (Burke, Meadan-Kaplansky, et al., 2018; Burke & Hodapp, 2016), like most of the participants in this study.

However, these correlations offer only a baseline description of this study's participants and their advocacy. This section builds upon the study's findings to illustrate how, after unsuccessful advocacy efforts and a break in trust with school personnel, parents shifted from participants in the placement process to strategists. With a sophisticated understanding of IDEA regulations, parental rights, and institutional and school structures, they focused on convincing school district officials of the necessity of a nonpublic placement. Participants sometimes encountered challenges that their strategies and access to resources could not overcome, especially when parents tried to secure a spot in a nonpublic school. I also consider how these findings relate to our understanding of parental advocacy in Trainor (2010a, b) and other studies. This study's findings confirm that parent-school relationships, social and cultural resources, and institutional factors shape parents' approach to advocacy.

Participants' advocacy prior to seeking a nonpublic placement. Prior to seeking a nonpublic special education placement, participants varied in their approaches to advocacy, but all struggled to secure services and make changes to their child's education. Most relied on specific knowledge of their child to persuade school personnel to make changes, which was often unsuccessful. The literature on parental advocacy in special education, especially earlier studies, characterize many parents' participation as passive, often based on their attendance in meetings, the quality and quantity of their contributions, and self-perceptions and perceptions of other IEP team members (Bray & Russell, 2016; Goldstein et al., 1980; Klingner & Harry, 2006; Vacc et al., 1985; Yoshida & Gottlieb, 1977; Ysseldyke et al., 1982). With their participation constrained by institutional structures and professional behaviors, parents understand their role in IEP meetings as receiving information and giving consent through signing documents (Harry et al., 1995). A few parents in this study described participation in the IEP process as more passive than when they sought nonpublic placement. For example, Meredith explained that she did not share her concerns during the year prior to seeking a nonpublic placement: "In fifth grade, when there were a lot of issues. I didn't say anything. I didn't voice my concern at that time."

Similarly, years before seeking a nonpublic placement, Angela requested that the school system reinstate her child’s IEP. She sought outside help from an advocate after school personnel denied her request. When the advocate directly questioned school personnel’s decision, Angela worried about the advocate’s antagonistic approach: “She’s like, ‘This is ridiculous.’ And then she was really on them. And I was kind of like, “Don’t make it bad!” because we don’t – I was being passive.” Although Angela tried to avoid conflict at the time, fearing she might be considered a “troublemaker,” which would hinder her advocacy efforts, she and other participants were less passive than they realized, even before they sought a nonpublic placement. For instance, Angela hired an advocate to help her secure special education services for her child, which is a proactive step to further her influence.

Participants’ experiences are better explained through more recent typologies of parental advocacy in special education, which describe how advocacy varies in terms of socio-cultural capital. Based on the work of sociologist Pierre Bourdieu, education researchers have explored how parents use resources for the purpose of advocacy (Trainor, 2010a). Bourdieu (1986) describes a network of capital circulation and accumulation in our capitalist society. Cultural capital (i.e. material items, disposition, and knowledge), and social capital (i.e. relations to others and networks), secure and reproduce the power of economic capital (i.e. financial and material assets) (Bourdieu, 1986). Applying this theory to the parental advocacy context, parents who have many and diversified capital resources (cultural, social, and economic) have increased access to educational opportunities for their child (Trainor, 2010a).

In a qualitative study, Trainor (2010a) interviewed 27 parents in focus groups of similar race/ethnicity and SES and used this data to create individual interview protocols to re-interview the 27 participants. She describes four types of parents based on their advocacy approaches: 1)

Intuitive Advocates, 2) Disability Experts, 3) Strategists, and 4) Change Agents. Trainor (2010a) explains that parents can use multiple approaches or shift to a different approach. Trainor (2010a) found that parents vary in what information (cultural capital) they had access to and used when interacting with school personnel and what goals they prioritized.

When problems with their child's education arose, most participants in this study relied on sharing their understanding of their child's abilities, well-being, and needs with school personnel in hopes they would make changes. Trainor (2010a) describes this approach as intuitive advocacy, where parents rely on their native expertise and feel they are in the best position to understand their child's needs. In other words, some parents rely on cultural capital that is intuitive (Trainor, 2010a). Beverly, a participant in this study, echoed this perspective when she explained that while one might think of school personnel as experts, parents are the experts on their kids. Another parent, Michael, found this approach to be successful for several years prior to seeking a nonpublic placement. He crafted a document describing his child's preferences and behaviors, which he provided to his educators and other members of the IEP team each year. He found sharing this information was very helpful, until his son's behavior began to change.

However, many participants shared examples of when school personnel dismissed their knowledge, which thwarted their advocacy. This aligns with Trainor (2010a)'s findings that intuitive advocacy was not a powerful approach; this type of cultural capital did not transform into other capital. A few parents in this study had children who were experiencing stress at school or in virtual school, which coincided with a reluctance to attend school. Parents shared their insights with the school personnel about their child's well-being and how their placement was contributing to their stress and attitude towards school. They hoped school personnel would listen to their insights and recognize the reasons their child did not want to attend school. Instead, parents felt blamed by school personnel, who assumed the parent was not trying hard enough to make their child attend. For example, Beverly shared with her son's IEP team that her son was experiencing a sensory overload in his classroom and was not able to access his accommodation that would allow him to take a break in a quiet space. Beverly's son's private therapist held conversations with school personnel to convey these concerns as well. School personnel dismissed these insights and insisted that his absences were a compliance and a behavior issue because he was "fine" once he was in the classroom. Beverly recalled one teacher ending an IEP meeting by telling her, "It is normal to fight [your] child to get them to school." Angela, who had a similar problem conveying to the IEP team that her son's absences were related to his placement, said that his teachers continued to repeat that he simply needed to be in school. She explained her thinking at the time:

> [what am I supposed to do] absent dragging him to the school bus, because when he gets paralyzed with fear, or when he starts shutting down, I would literally have to drag him. You know, I didn't. Like what would be the point of me like, shoving him on the school bus? What? What are we solving by that?

Parents grew frustrated when school personnel disregarded their knowledge of their child, and particularly when doing so hurt the child's education.

Some parents incorporated knowledge about their child's disability into their advocacy, like Trainor (2010a)'s "Disability Experts." Trainor (2010a) found that some parents, especially those with children with ASD, learned about their child's disability and related therapies and teaching methodologies and shared this information with school personnel to help ensure that their child received high-quality instruction and care. Often parents using this form of cultural capital had access to social capital, in relationships with other disability experts and professionals) that assisted their advocacy efforts. Participants shared a number of examples of this type of advocacy. Donna used a disability expert approach to advocacy when her daughter began a magnet program at a new school. The magnet program had already accepted her daughter, but Donna was concerned that the teachers would not be prepared to serve her child because, to her knowledge, the program had not had a student with ASD before. She explained that in one meeting she brought in a friend who spoke to her daughter's teachers about autism and she shared her insights about her daughter specifically. At the time, she felt that she was working with school personnel in a partnership.

While Trainor (2010a) found that Disability Experts had more success than Intuitive Advocates, participants in this study who acted like Disability Experts were not more successful. In fact, none of the few participants who used this form of cultural capital, knowledge of disability, to advocate for changes or services before seeking a nonpublic placement were successful. Parents' recommendations and requests were met with resistance by other IEP team members, often school administrators and district officials. Donna's partnership with her daughter's educators quickly dissolved when she complained about the poor performance of her daughter's aide after conducting some classroom observations. Soon after her complaint, representatives from the magnet program expelled her daughter, claiming that they could not meet her needs. Another mother, Felicity, acted as a Disability Expert when she consulted with an outside educator on reading Instruction programs that may help her son improve. At the next IEP meeting, she recommended a specific reading program that her son's teachers could use. School personnel told her that they had not heard of the program and would not be able to buy it because of their budget constraints. Felicity offered to buy this program for the school to use with her son. She recalled their response: “They were so embarrassed, and they said, ‘Well, no, no, no.’ That’s because they can’t say [yes to] that, you know, but that didn’t really improve things.” Similarly, Sydney, who had a sophisticated knowledge of her child’s disability and related services, advocated for her son to have a therapeutic behavioral aide. Despite support from the teachers, Sydney faced opposition from other members of the IEP team. The IEP agreed to have an aide the first half of the year with the understanding that they would have to see evidence in that time that her child needed this service before making it permanent. Sydney’s child did not receive an aide for weeks, and then, only after she threatened to file a complaint, her son received an aide who was not as qualified nor trained as the type of aide indicated in the IEP.

When participants acted as Intuitive Advocates and/or Disability Experts, they perceived that school officials dismissed their information and refused their recommendations and requests. Parents' attempts to use their cultural capital did not lead to securing services or changes to their child’s education. School personnel likely dismiss parents’ knowledge because they are trained to believe that their knowledge gives them authority to make decisions about students’ education. In this U.S. context of a hierarchy of knowledge and professional autonomy, educators value their own or other professionals’ knowledge greater than that of parents (Kalyanpur et al., 2000b).

Parents recalled their relationships with school personnel worsening, often with administrators and special educators, which aligns with other studies which found that parents who advocate for specific services report deteriorating relationships with other IEP team members (e.g., Fish, 2006; Rehm et al., 2013). For example, when Cynthia contacted a school administrator about how her son was not eating his lunch and suggested that they make changes to where and when he ate, she felt that the administrator became defensive: “Pretty soon we became those parents that were asking for way too much. You know, and we didn’t know anything about our kid. And [we] didn’t know anything about education.” Like Cynthia, other participants believed that school personnel did not value their knowledge of their child or of disability.

When parents and school personnel disagree with one another, according to Mueller and Carranza (2011), conflict is inevitable. Participants in this study described conflict in battle-like terms, which supports other findings that parents who advocate describe their experience as adversarial “fighting” or “battling” (e.g., Bacon & Causton-Theoharis, 2013; Burke & Hodapp, 2016). Parents who acted as intuitive advocates and/or disability experts sought consensus as they hoped the school district would come to agree with them. However, parental advocacy literature finds that parents seeking consensus still struggle to participate and avoid conflict. For example, Zagona et al. (2019) found that even when parents were able to reach agreements with school personnel, they described the process as challenging and time-consuming, and that any agreement was ultimately a result of their persistence rather than mutual effort (Zagona et al., 2019). Participants in this study also found advocacy frustrating, difficult, and exhausting, which motivated them to change how they advocated.

Becoming strategic advocates. Several scholars in the parental advocacy literature base recognize an approach to advocacy which relies on identifying ways to achieve one’s interests (e.g., Miller et al., 2019; Rehm et al., 2013; Trainor, 2010a). Trainor (2010a) described this kind of advocate as a “Strategist,” the type of parent who uses sophisticated knowledge of IDEA and legal rights to advocate more effectively. Some participants in this study shared several examples of strategic advocacy prior to seeking a nonpublic placement, such as monitoring their child’s services and threatening to file complaints. Most participants began acting more strategically as they learned from other parents of children with disabilities in their social networks. They shifted their approach to advocacy to rely on strategic decisions that would increase their influence on decisions when relationships with school personnel worsened and their distrust of the school personnel grew.

Many parents in this study learned how to hire professional representation and seek nonpublic placements through disability and advocacy organizations and through other parents of children with ASD, often in online groups. One participant, Lauren, became more strategic through her interactions with health professionals and other parents of children with similar needs. She learned about a therapeutic program through her son's therapist, and when he began the program, she connected with several parents of his classmates who later shared their experiences with nonpublic schools and recommended educational consultants and attorneys who may be able to help her pursue that placement. Lauren's efforts to learn more about her child's disability and needs led her to become a more strategic advocate, as Trainor (2010a) found with some Disability Experts. Similarly, Burke et al. (2019) found that parents reported being able to advocate for their child when they had more information about the special education system and available services. Participants gathered information about private services, the nonpublic placement process, and how they could hire professionals with connections and skills that would increase their influence on IEP decisions. Just as many parents developed an expertise in their child's disability, their advocacy efforts led them to develop expertise on institutional practices and special education policies.

Some parents' goal of receiving a nonpublic placement coincided with their advocacy efforts becoming more strategic; for example, after Donna's daughter was removed from her program, she decided to seek a nonpublic placement. She had heard from other parents whom she met through a parent advocacy group that she would not be able to get her child into a nonpublic placement without a lawyer, attorney, or educational consultant, and that even then it would be hard to prove that Nova needed nonpublic placement during the COVID pandemic. Donna shared her strategy to receive the placement: “We literally basically took the rest of middle school to prove with the educational consultant that the school could not provide appropriate services for Nova, you know, to show that she wasn’t making improvement.” Donna’s pursuit of a nonpublic placement led her to take steps to create and present a convincing argument that her daughter was not receiving FAPE rather than working collaboratively with school personnel to improve her daughter’s education there as she had tried before.

Other participants became strategists before they had set a goal of receiving a nonpublic placement. Several parents first consulted and worked with professional representation who helped them try to secure services or make other changes. When those efforts were unsuccessful, parents then set their eyes on a nonpublic placement. Tara had previously relied on her knowledge of her child to advocate for her to receive more services, like Trainor’s (2010a) Intuitive Advocate. When her efforts were largely unsuccessful, she began researching other schools, including nonpublic special education schools. Around that time, she hired an attorney to help her advocate more services for her daughter; a decision she made with hope that the attorney would be able to “open doors,” that she had not been able to do herself. Her attorney argued to the other IEP team members that her daughter was not receiving enough hours of pull-out services and needed a smaller classroom setting. Her attorney also advised Tara to get a private evaluation completed to support this claim. Tara’s decisions of hiring an advocate and paying for an outside evaluation were strategic in that she made them to make her advocacy more successful, which happened. A few years later, when her daughter began middle school online during the COVID-19 pandemic, Tara engaged her lawyer again to argue that she was not receiving enough instruction and services. When school personnel did not make any changes, Tara considered nonpublic placement again and then took steps to advocate for that placement.

Turning points. About half of the participants shared a turning point, where they changed their approach to advocacy. These turning points involved incidents where parents experienced a break in trust with school personnel, and they focused their efforts on their own goals, rather than accepting others' decisions or compromising. Bacon and Causton-Theoharis (2013) also found that parents experienced a "breaking point" that spurred their advocacy actions but described these moments as the start to or rapid increase advocacy action. Participants in this study had been advocating on behalf of their children prior to these incidents; rather than a starting point, their turning points were away from their own intuition and disability knowledge and toward strategic action that would meet their own objectives. These turning points also challenge Lake and Billingsley's (2000) finding that when coupled with a break in trust, discrepancies in views about what the child needs resulted in parents' unwillingness to advocate (Lake & Billingsley, 2000). This study's findings suggest that parents who had discrepant views and experienced a break in trust were not unwilling to advocate; instead, they changed their approach to more direct advocacy. For some participants, the break in trust also made them more set on seeking a nonpublic placement which would allow them to advocate in a different system and interact with different educators and administrators.

Two parents' turning points involved suspected or alleged abuse of their child. Although more participants shared upsetting incidents involving the safety of their child, these parents shifted their approach to advocacy in reaction to the incidents and the school personnel's response. Understandably upset with school personnel about the physical and emotional harm their child experienced, both parents carefully considered their options, with the ultimate goal of securing a different placement. One of the parents, Michael, immediately advocated for a home and hospital temporary placement after his son was secluded and restrained multiple times over less than a month. Once his son was safely at home receiving instruction, Michael began his research of school discipline policies and other placements available to his son. Feeling certain that his son needed a placement in a different school, he advocated for the IEP team to consider other placements. The other parent, Sydney, had difficulty getting the school's administrator to respond to her concerns after her son came home with bruising. Sydney contacted a lawyer who advised her that if she wanted to pursue a nonpublic placement or another due process complaint, she would need to continue to send her child to his placement or else she would give up her legal claim to FAPE. She sent him back to school and researched nonpublic schools. When the school year finished, Sydney submitted a notice of unilateral placement to the school district. With her lawyer's guidance, she planned to enroll her child in a nonpublic placement in the following school year and sue for reimbursement. However, Sydney later encountered difficulties enrolling her son in a nonpublic school and eventually received a nonpublic placement through the IEP process.

Three other parents' turning points involved school personnel's actions to remove their child from a school or program or dissolve their IEP. These decisions shocked and upset parents. In each case, parents felt that school officials had been manipulative or deceitful. Throughout the school year, Rose had openly disagreed with other members of the IEP team about her son's progress; they said he was meeting all his goals, whereas she disagreed. At an IEP meeting in the spring, an administrator mentioned that at the upcoming meeting they would like to discuss putting her son on a 504 plan. At the meeting, a month later, Rose was shocked to find that school personnel had already dissolved her son's IEP and he had not been receiving any services. Rose shared that even though other parents had warned her that school personnel may try to take her child's IEP away as he got older, she still felt blindsided. She had also felt that school officials had taken this step without her approval because she felt certain that she only agreed to discuss that possibility in the following IEP meeting; she did not give her consent to dissolve his IEP. Immediately after this incident, Rose hired an attorney and an educational consultant to advise her on the legality of the school district's action because she wanted to confirm that that school personnel should not have dissolved his IEP in that way. She also paid for an expensive evaluation that a nonpublic school required as part of their admission process and then applied successfully for admission. At the next IEP meeting, she brought in professional representation and announced that she was making a unilateral placement into the nonpublic school. Over the following months, she worked with her professional representation to receive reimbursement for the tuition and placement in the nonpublic school. Like Michael and Sydney, when Rose could not trust school personnel, she advocated for a new placement guided by an understanding of rules and procedures of IDEA and institutional norms.

Strategists seeking a nonpublic placement. Strategists use a combination of specialized cultural capital, sophisticated knowledge of IDEA and legal rights, and social capital, professional representation, school district officials, and other parents of children with disabilities, to advocate with greater success than Intuitive Advocates and Disability Experts (Trainor, 2010a). When parents in this study acted like Strategists to secure a nonpublic placement, they used their knowledge of the IDEA, school structures, and professional behaviors that limited their advocacy and their social connections with a variety of professionals, parents, and authority figures to advance their advocacy.

All participants recognized barriers to their participation in special education decisions, and several expressed their frustration with the IEP process. One participant, who was a lawyer in a different field, noted that when she reviewed IDEA, she saw the limits to parents' influence:

> So, I took it on myself to like, learn some of what the requirements were, and you know, what the law said and what rights we had and what we could do to challenge but it's a system that's set up for parents not to have power…[for example] the system is set up so that if you're challenging them, you go to mediation, but they don't even have to agree to come to mediation

Another parent, Michael, shared that he realized the school district had power over information when he was trying to research special education placements in the school system. He shared that their control over information put parents at a disadvantage when IDEA intends them to be equal partners in special education decisions:

> And, you know, nowhere could you learn about what these placements might be, or the programs might be they were very secretive. And you know, I remember this head of special education saying, "well, we don't want it to be a menu of choices that parents just feel they can go and look at this menu and decide what's best for their kid." I can understand where they're coming from. However, as a parent going through the IEP process, I am part of the team that decides placement, I need to be aware of what those options are. IDEA says there's a continuum of options. It should not be secretive; it should be transparent.

Participants shared other several examples of they felt disempowered, “ganged up on,” or “taken advantage of.” Understanding institutional constraints of the special education system, parents sought professional representation to gain more influence and achieve their goals.

Participants consulted or retained professional representation (lawyers, advocates, and/or educational consultants), a strategy that they found successful, some even saying necessary, when seeking a nonpublic placement. Parents sought a professional who had relationships with school personnel or a respected reputation, willingness to confront school and district personnel, and command of legal and special education knowledge. Parents understood that a formidable professional with connections and expert knowledge would increase their influence in the IEP process. They spoke openly with their professional representation about their goal to receive a nonpublic placement and took their advice. Some parents described professional representation taking the lead on actions and decisions.

A few of those parents shared examples where professional representation asked them to play less of a role in meetings or left them out of strategizing. For example, Eva’s lawyer and advocate recommended she file for due process and try to get the judge to approve a nonpublic placement for her son. Eva was apprehensive about this approach, but she followed the advocate and lawyer’s advice. She did not know what would be said at the hearing until the first day. Her lawyer directed her to only speak when spoken to and keep quiet because she could do more harm to their case than good. Professional representation did not always support or encourage parental participation in planning and meetings, which predictably shocked parents who had hired these professionals to support their advocacy. However, even these participants typically valued the presence and contribution of their professional representation and believed increased their likelihood of receiving a nonpublic placement. Almost all shared that they would recommend that other parents have professional representation who sought a nonpublic placement.

Parents sought ways to gain influence, often in collaboration with their professional representation. Not all their strategies were successful, and some even had negative consequences. In the effort to build a convincing argument that their child was not receiving FAPE and could not remain within the school district, three parents admitted that they painted a "worse" picture of their child's abilities and needs than was accurate. Eva shared that her professional advocate suggested this strategy: "She told us to make him look as bad as possible. That was her advice. You know, to just like not exaggerate, but just tell the 1,000% truth." While these parents meant to emphasize that their child's placement was not appropriate, another parent, Donna, felt that the inaccurate picture, which was illustrated in the referral packet sent to nonpublic schools, negatively impacted their child's admission into a nonpublic placement. Parents expressed discomfort portraying their child in a negative and deficit-focused way, but at the time, they viewed this strategy as necessary to receive a nonpublic placement in this game-like context.

Another strategy parents used was to bring evidence and recommendations from private evaluations to the IEP team that would emphasize their child's needs and, in some cases, eliminate public and inappropriate nonpublic options from consideration. All participants paid for a private evaluation during the process of seeking a nonpublic placement. These evaluations were not for purposes of diagnosing autism; rather they varied in type and were used to support the parent's claim that their child was not and could not receive FAPE in the school district. With her educational consultant, Donna paid for private speech and language evaluation to prove that her daughter was not making sufficient progress in her language skills. Then she filed a complaint to the school district to reimburse her for the costs of the evaluation because the school district's evaluation was inadequate. Donna shared she had a psychological evaluation completed also in her effort to combat the IEP team's narrative that her daughter was making meaningful improvement in their system.

Sydney shared that she and her professional representation had "a set of conversations" in hopes of getting the private evaluation written, "in a way that would exclude more of the public options." In a meeting that concluded with the IEP team giving her son a nonpublic placement, Sydney presented this neuropsychological evaluation that indicated that her son needed a Board-Certified Behavior Analysis (BCBA), as a part of the Applied Behavior Analysis (ABA) approach, on site and speech and language services integrated into all the subjects. Although Sydney was not a proponent of the ABA approach, she thought its inclusion in the evaluator's recommendations was "going to distinguish the programs that are like specialized enough for him from the ones that aren't." Sydney emphasized that her influence on the private evaluation was not "malpractice or that they're doing anything shady"; instead, she thought of her opportunity to have conversations with the evaluator as an advantage of a private evaluation.

A few parents shared that these private evaluations did not have a significant Impact on school personnel's decisions, such as in cases when the IEP team was likely to give a nonpublic placement regardless of new evidence or when school personnel were set on their own opinions of the child's needs. In other cases, school personnel dismissed or questioned this evidence, just as they did parents' intuition and disability knowledge. Only one parent, Lauren, perceived that private data, collected by her son's nonpublic school, had a significant influence on the IEP team's placement decision. The nonpublic school's report provided the "most comprehensive, easy to understand and digest, complete explanation of everything, like psychological functioning, social emotional, academic, everything all pieced together," which helped convince members that her son did need a nonpublic placement. However, unlike some other participants, Lauren's son's IEP team had not worked with her son before and therefore did not have their own observations and opinions.

Three parents shared that they caught the school district in a mistake, and that helped them secure a nonpublic placement. Eva described this strategy as part of a "gotcha game" where parents who caught the school district at fault could then get a nonpublic placement. Participants were aware that school districts wanted to avoid legal action, especially if they felt that parents had a strong claim. Therefore, some parents looked for potential liabilities. Rose's lawyer was able to catch the school district on two procedural mistakes that led them to offer her son reimbursement and placement at a nonpublic school. Felicity carefully reviewed transcripts of IEP meetings and caught school personnel on something they said that ultimately supported her case. Tara's attorney wrote a complaint to the school board where, "She stated where they missed the ball on certain things, and she had like evidence and samples." In these cases, catching these mistakes was a successful strategy and led to a nonpublic placement. However, several participants had incidents where they suspected or blamed school personnel and staff for neglect or abusive behavior. They were not able to leverage these events to convince the IEP to give a nonpublic placement, often because school administrators dismissed their claims and concerns.

Participants understood that schools and their school districts operated as a hierarchy, and some used this knowledge to inform their strategies. When trying to advocate for a nonpublic placement, several parents contacted or filed complaints with school district officials or board members hoping that these people could influence the decisions made by school personnel on

IEP teams. Love et al. (2017) found that parents understood that, in the school hierarchy, personnel administrators or district officials held most of the decision-making power rather than more accessible and familiar IEP team members, such as teachers. Similar examples appeared in this study. Michael first met with two district officials, who he knew but were not a part of his son's IEP team, to discuss nonpublic schools as an option. Then at the next IEP meeting, the IEP team and school district representatives agreed to a nonpublic special education placement. Michael reflected that the district officials helped the IEP team make that decision. Meredith emailed a school board official when school personnel were unable to give her son a full-time placement. The official agreed and stated that the placement was not an appropriate one, which supported her request for a nonpublic placement in the next IEP meeting. She recommended that parents who seek nonpublic placement "go above the principal" to officials of the school district or directors of their child's special education program and "nag."

Painting their child in a worse light, paying for and negotiating private evaluation results, leveraging mistakes, and complaining to authority were likely not strategies these parents would have employed had they not been advocating for specific services and placement. Abandoning efforts to come to compromises and consensus with the IEP team, parents took part in these strategies they perceived as necessary, even when they may be considered more dubious, as part of gamesmanship.

Challenges Strategists could not overcome. When participants acted as Strategists, they were more successful than when they took an intuitive or disability focused approach to advocacy. While not all their strategies were successful, their strategic approach contributed to a nonpublic placement in 9 out of 12 cases. Even those who were successful shared that their experience advocating was taxing, emotionally and financially. Trainor (2010b) found that even parents with large amounts of capital are not always able to receive the services and accommodations they want for their child. Several parents in this study expressed similar sentiments, explaining that they encountered significant challenges despite their own abilities, expertise, and financial resources.

Even with professional representation, parents felt confused and exhausted by the IEP process as they sought a nonpublic placement. Some also felt strongly that school and district officials used their control over the content of IEP meetings to intentionally exhaust their resources and delay a nonpublic placement decision. Studies have found that IEP meetings follow a common script during which special educators control the structure and content of meetings and push practices that prioritize efficiency but hinder parental advocacy (Bray & Russell, 2016; Harry et al., 1995). While some participants described instances where their professional representation disrupted this common script, parents viewed school personnel as having control over the content and length of meetings. Sydney shared this perspective:

> I will say every time I say we had a meeting, we actually have like two to three meetings, because I am not sure this is true, but I have a kind of conspiracy theory that like the woman who runs the [IEP] meetings makes them take forever. So that you like eventually just get frustrated or like whatever and accept what they’re like offering you. That was not ever gonna work with me.

Multiple long IEP meetings, where parents had little control over the structure and content of the meetings, prolonged the child’s change in placement. A prolonged decision exacerbated the consequences of an inappropriate placement. Cynthia shared the toll of school personnel dragging out the IEP process as she tried to secure a nonpublic placement:

> And you know, gosh, I mean, we ran through all of our savings, meaning, but we were like, “We know your game.” It was just, it was seriously traumatic. So now, every time we have an IEP meeting, it’s really, really emotional and hard, because we don’t trust anybody.

For Cynthia and others, the IEP process gave school personnel control over IEP meetings and thus hindered their ability to advocate for a nonpublic placement. Participants suspected that school personnel exhausted parents’ time and financial resources in hopes that they would stop pursuing a nonpublic placement.

The admission process into nonpublic schools also left some parents feeling disempowered. While parents wanted a nonpublic placement, many did not have a specific private school in mind. So, when school district personnel sent out their child’s referral packet to schools that they deemed appropriate, parents waited for admission decisions. Once the school official sent out the referral packet, they stepped back from the admission process and left parents to organize tours, interviews, and shadowing days. Meredith shared that she expected to research schools herself to give input back to the IEP team before they sent out the referrals. She also received one admission acceptance months after the others; since she had already enrolled her student in another nonpublic school, she was not able to consider this option. In any case, Meredith would not have been able to wait to hear from that school because her child was currently in a public placement that “could not handle him” and was attending part-time.

Many parents expressed their frustration and disappointment as they received nonpublic admission decisions. Several parents received letters of admission pending an opening in the school. However, these schools told parents that there was no official waitlist, and they would not be notified when an opening came available. A few parents described having to call a nonpublic school's administrator at random to ask if there was a spot that had come available. Although taxing, these parents continued to call throughout the school year with belief that that specific nonpublic placement was the best option for their child. Other parents were frustrated that several nonpublic schools would not take students with a previous history of being restrained and secluded, a practice these parents did not support, or who had significant behavior issues. For many participants, their child's behavior had been a product of inappropriate placements in the first place. Michael reflected on this issue:

> There are many nonpublic schools that say we don't take behavioral kids. Okay. Now, who do you take if you're a nonpublic if you're not taking kids with behaviors? Of course, a lot of kids are coming in for behaviors.

Parents, who had worked hard to receive a nonpublic placement, now feared that there might be no appropriate placement for their child.

Donna shared that her daughter was rejected from every nonpublic school in the county she lived in, and the nonpublic school that did accept her daughter, which she later attended, was a two-hour drive from their home. The nonpublic schools' admission decision letters gave little insight into why her daughter had been rejected; she recalled many saying that they did not have students similar to her daughter. Donna shared her frustration on their responses:

> Like I think their decisions were unreasonable. Many of them should have programs that accept kids like mine, and if they don't have students exactly like her, they still should be able to try and accommodate her. Like, why does she have to be like everybody else to get into a school?

Donna strategized to overcome this challenge. She filed a complaint with the district requesting a revision of her daughter's referral packet and called one of the schools to ask them to elaborate on why they rejected her daughter. While the district revised their referral packet and an official from the school invited her daughter for an interview, none of the nonpublic schools' decisions changed. She noted that because many of these programs that specialize in serving students with ASD enrolled predominately white boys, nonpublic personnel may have been discriminating against her daughter who is female and an racial minority.

Some parents also felt discouraged by the nonpublic school options and their experience at these schools. A few parents remembered touring nonpublic schools hoping to see small class sizes, similar peers, and happy students. Instead, they saw hands-on-transport, seclusion and restraint rooms and devices, and clinical environments that were unwelcoming. Several parents worried about nonpublic public schools expelling their children for various reasons, such as their child's behavior and their own questioning of the school's practices. Parents strategized to prevent their child from being expelled. Donna switched professional advocates as soon as her child enrolled in the nonpublic school because, "I think my consultant is really scary and we're just in this new school. We don't want to scare them yet." Trainor (2010a) found that Strategists, like Donna, feared becoming "troublemakers" in the eyes of school personnel because that could hinder their advocacy efforts. Participants' concerns about the approach and consequences of their advocacy did not change when they entered into the private school system.

Cynthia's son attended a nonpublic school through a publicly-funded placement for a few years before the nonpublic school expelled her son. Similar to other participants' experiences in public placements, Cynthia saw bruising on her son and questioned school personnel. The same day as one of the discussions with school administrators about her son's bruises, the nonpublic school sent a letter declaring that the last day of that school year would be his last day at the school. Cynthia described having no recourse or due process in the school's decision. Around the time of the interview, Cynthia was strategizing how to get a spot in a nearby nonpublic school. She had the help of a representative from the school district and a new advocate who her lawyers recommended said, “could make that magic happen.” While it’s unclear how this advocate could help her get into this specific school, Cynthia was willing to hire her to see what she is able to do.

All participants shared that their advocacy efforts associated with pursuing a nonpublic placement cost substantial time and money. Some who considered unilaterally placing their child in a nonpublic school and then requesting reimbursement through due process felt that the high tuition costs were prohibitive. Other parents considered applying to nonpublic schools and then sharing their acceptance with the IEP team to support their request for a nonpublic placement; however, even applying to nonpublic schools could require substantial time and money. Rose recalled that she had considered a specific nonpublic school, but when she found out that she had to pay for an expensive assessment to her son to apply, she decided to wait on pursuing the placement. Parents shared that retaining professional representation drained their finances, and they depended on loans from family and friends, discounts from professional representation, insurance coverage, and available government disability funds. One parent explained her decision to pay for professional representation and tuition at a nonpublic school that she felt she could not afford:

> We charged everything for years to be able to [seek a nonpublic placement]. I mean, we couldn’t afford it, but it's just – we didn’t feel like there was another choice because we couldn’t put him somewhere where it wasn’t going to be safe.”

Without access to funding sources, parents thought seeking a nonpublic placement would be impossible. Donna shared, “ I don’t know how people are supposed to do this without money. I don’t think you can. You just have to live with what you get [from the school district] if you don’t have any money.”

Advocating for system change. Participants brought up their own privilege and luck as they shared their experiences. Throughout interviews, parents considered how others with less education, fewer financial resources, or language barriers would advocate for their children. Trainor (2010a) found that Strategists, like the participants in this study, connected the challenges to their advocacy with the need for change in the educational system. As participants described the actions they took and the challenges they faced, they acknowledged that their approach to advocacy may not be possible for other families. Sydney thought of an example of a parent who would not have access to the resources and strategies she could:

> Women who are like, you know, single parents of a kid who’s 13 and clearly in an inappropriate educational environment and she’s getting letters home for truancy because she can’t get her 13-year-old, who’s as big as she is, to go to school, because the school sucks, because it’s an inappropriate educational environment for him. And I’m like, a lawyer could solve that problem for you in like two weeks. Right? But she can’t afford that. Right? That’s just totally off the table for her.

Motivated by their own experiences advocating for a child with ASD, many participants became Change Agents, which Trainor (2010a) describes as concerned parents advocating for easier paths for other parents of children with disabilities to have more influence and greater access to quality education services.

As they advocated for a nonpublic placement, a few participants began advocating for changes to the system on behalf of children with ASD and children with disabilities. Two parents became leaders in groups connecting and supporting parents of students with disabilities.

Another parent described attending meetings of a special education community advisory committee. She shared that while this committee exists for parents to prove input to the school district, they have no mechanism of doing so. She suspects that this committee does not serve its purpose because of pressures from the school district: “And that’s because the district doesn’t actually want to be accountable to parents.” A few parents mentioned their support of a bill, HB0294, going through Maryland’s state legislature at the time of the interviews. If passed, the bill would require school districts to bear the burden of proof in due process proceedings that initiate from a due process complaint regarding the provision of special education services or a program for a child with disabilities. One parent shared her optimism about the bill: “I am strongly in support of the bill currently under consideration in the legislature to change the burden of proof. That exists in some other states and my understanding is that it is – it does make a difference.” Several parents shared that they decided to participate in this study because they hoped their experience would bring light to the challenges they faced when advocating for their child’s needs.

Implications

After a history of excluding students with disabilities, our special education system is now built upon the ideal of inclusion. One of our system’s guiding principles is the least restrictive environment, which means that students with disabilities must be educated with non-disabled peers to the greatest extent possible. Placement in a nonpublic school means that a child receives their education with only other students with disabilities in a school that is not affiliated with the public school system. Our school systems have an interest in limiting nonpublic placements, as they are highly restrictive environments and are often expensive. So, shouldn’t these nonpublic placements be difficult for parents to obtain?

To address this question, we need to consider one of the key findings of this study, the answer to why parents wanted a nonpublic placement to begin with. Participants in the study were not actually driven to seek a nonpublic placement because of services and supports that the school district could not offer. While different approaches, smaller class sizes, and specialization were appealing, these were not motivating factors for seeking a nonpublic placement for most parents. Instead, parents wanted what they thought the school district could and should have been able to give their child, a meaningful education in a safe environment. Nonpublic schools offered a safe haven for some and an educational opportunity for others. These placements presented a fresh start for children and their parents, after years of ineffective advocacy and increasing distrust of the public school system. Participants in this study, parents who sought a nonpublic placement, did so to protect their child's right to an education, which in our special education system should not be a difficult task.

This study's findings highlight a paradox within our public special education system. To safeguard a right to public education, parents in this study had to turn to the private sector for both representation and education. Barriers to effective advocacy force many parents to turn to the private sector to hold school districts accountable, especially those with high amounts of economic and socio-cultural capital to have the knowledge and ability to do so. These findings suggest that parental advocacy is not a powerful accountability mechanism for our special education system to rely upon. Even parents who are highly educated and resource-wealthy can struggle to ensure their child receives FAPE within a system and culture that gives deference to public schools as the experts. In this paradox, to protect their children's right to a free, public education, some parents feel they must hire costly, private representation and consider private educational opportunities, who are not accountable to them or their children.

While nonpublic schools in Maryland may depend on publicly funded placements financially, and school districts must oversee that their students receive FAPE while there, nonpublic schools do not have a legal obligation to provide these placements. As findings illustrate, nonpublic schools are not required to accept students that the school districts refer to them, and they do not owe parents or school districts a timely or thorough explanation of their admission decisions. In this study's context, nonpublic placements are not the product of a public-private partnership; they function more like a voucher to enter the private sector for parents who feel their children's education is in jeopardy.

To receive FAPE in the private sector, participants in this study had to marshal substantial financial resources to hire professional representation, pay for evaluations, and (in some cases) pay nonpublic tuition before receiving reimbursement and/or placement. They spent time building and presenting their case that their child could not and was not receiving FAPE in the school district, made longer by school personnel who set meeting agendas and controlled the conversations. Parents employed strategies that sometimes were more representative of gamesmanship than advocacy and sometimes resulted in unintended and unwanted outcomes. A nonpublic placement acting as a "voucher" has little value if you cannot use it, which was the case for a few parents who had a nonpublic placement officially but could not yet secure a spot in a nonpublic school. For parents, securing a nonpublic placement is not free or easily attenable.

Heavy reliance on private enforcement in special education leads to predictable disparities, as wealthier parents have greater ability to hire private representation and assistance and access private educational opportunities. Parents in this study sought a nonpublic placement when felt they had not been able to advocate successfully for their child within the public system, but they were only able to do so in a state and in areas where there is a thriving private sector, in which several private special education schools exist and professionals offer representation and expertise in special education. Even here, findings paralleled other studies, in which parents struggled to advocate for their children and were sometimes unable to find alternative placements. Moreover, money and time are finite resources and differ across families and are particularly less abundant for those living in poverty. Participants had socio-cultural knowledge which helped them learn about nonpublic placements and how to influence the placement decision, which parents from cultural and linguistic minorities would presumably lack. This study's findings confirm that parents do not have equal access to a nonpublic placement, and even resource wealthy parents, like many of this study's participants, faced considerable challenges to their advocacy.

While IDEA's bureaucratic procedures and school structures hinder the participation of all parents, they especially limit the participation of culturally and linguistically diverse parents and parents living in poverty (Burke, Rios, Garcia, et al., 2019; Harry, 1992a, 1992b; Lo, 2008a; Shapiro et al., 2004). Studies focused on these parents described what parents did when they faced these challenges to their advocacy. In a study of parental advocacy of 16 Latina mothers of students with disabilities, Shapiro et al. (2004) found these mothers practiced "alienated advocacy" because their advocacy actions were not done within the system to foster cooperation or collaboration with the IEP team. These Latina mothers felt school personnel dismissed their personal expertise about their own child, which contributed to their lack of trust of school personnel and disillusionment with the school and special education system (Shapiro et al., 2004). Therefore, these parents took an adversarial stance when advocating, spurred by a strong feeling that they were fighting the school district to protect their child's education (Shapiro et al., 2004). Stanley (2015) explored the advocacy experiences of 12 African American mothers living in rural communities who reported that school personnel’s comments and actions implied negative assumptions about their students with disabilities based on their race and class; as a result, these mothers looked for solutions that did not involve working closely with those professionals, such as moving their child to a different school (Stanley, 2015). These two studies’ findings are similar to what this study’s found; while they all did not face racial and ethnic biases or cultural and language barriers, they similarly felt compelled to take a more adversarial stance and look to a solution that would involve different educators and administrators, when school personnel dismissed their intuitive and disability knowledge and broke their trust.

Considerations for Research and Policy

In Maryland, state and school district officials recognize that some parents seek nonpublic placements for their children, but they may not understand why. When parents leave the public system for the private system, school leaders and policymakers should consider why they are leaving to help inform how they may be able to better serve children and their families. While these professionals are likely very familiar or often involved in nonpublic placement decisions, they may not be able to recognize patterns across parents’ rationale and relevant experiences, especially as insiders in oppositional roles. This study’s findings and interpretations provide these public-school officials insight into why parents of students with ASD seek a nonpublic placement, which should lead them to consider how to better facilitate parental advocacy, resolve conflict, and rebuild trust. Future studies, especially those that would consider the experiences of parents with children with any disability, could confirm and support this policy knowledge, which may guide practitioners and policymakers in better serving the public.

Parents in this study turned to the private sector to protect their child's education, incurring significant costs and leaving the benefits of a public democratic and bureaucratic system. As parents emphasized, hiring professional representation was highly effective in accessing an appropriate education in private schools and institutions. If we want to improve parents' access to nonpublic placements, then we should consider initiatives that make advocates more available and less expensive or free to parents. Several programs educate and provide advocates about special education law, the IEP process, and parent rights (Burke & Goldman, 2017; Goldman et al., 2020). Goldman et al. (2020) found that parents who requested volunteer advocates from one of these programs wanted advocates to attend IEP meetings, help resolve disagreements concerning supports and services, and inform them of services and IDEA regulations and rights. They found that most parents used advocate assistance for a short duration, although longer and more intensive advocate assistance was related to increased parent satisfaction (Goldman et al., 2020). These programs have the potential to provide the support and knowledge parents' need to advocate successfully for a nonpublic placement in a similar context as in this study. They may have also helped resolve conflicts and come to a compromise between parents and school personnel before parents would have sought a nonpublic placement. However, these programs are likely limited in scope and costly. Advocates from these programs may also not represent or present the threat of litigation, which parents believed was an effective strategy towards receiving a nonpublic placement. They may lack the connections to public school personnel and nonpublic schools that participants in this study found helpful in their professionals as well.

We may also consider these findings with special education voucher discussions and initiatives. Would these participants have been better served by a special education school voucher program? Usman (2014) presents seven state special education voucher programs and promotes the implementation and reform of special education voucher programs to give a private school option to children with special needs because they allow “both the school and the family of the child to choose one another” (Usman, 2014, p. 55). She contends that choice for both parties allows for a beneficial and trusting relationship to form between parents and school personnel (Usman, 2014). Her reasoning echoes the support for school choice and may seem particularly appealing for parents of students with disabilities, given the adversarial nature of the IEP process. However, nonpublic placements in this study did not function like school choice and functioning like special education voucher programs would not mitigate some of the significant challenges parents faced when securing a nonpublic placement. Parents in this study did not describe their experience securing a nonpublic placement as choosing a different school or school system. Many parents also described their decision to seek nonpublic placement as a “last resort” rather than an option. While they may have toured and interviewed at different nonpublic schools, they often were excluded from the referral process and given limited options based on nonpublic admission decisions, capacity, services available, and location. Like in these voucher programs, nonpublic schools in Maryland can choose their students; however, many parents in this study perceived that this condition was problematic as it allowed nonpublic schools to discriminate and exclude children with past and current unwanted behaviors, who were often not well served in traditional public-school settings. The special education voucher programs may function more like a choice program because they allow parents to enroll their child in many different private schools that do not need to be specialized in special education and can serve students without disabilities which would include more schools to choose from.

Therefore, parents participating in a voucher program may have more options without the influence of the school districts' referrals.

This expanded choice aspect of special education vouchers comes at a cost to parents; these programs require that parents who enroll in a private school to surrender their child's claim to FAPE, their publicly protected right to an education. Parents in this study were protective of their child's right to FAPE, with some sharing that they felt strongly that the school district owed their child this right. These parents could have enrolled their child in private schools; they had knowledge of these schools, and most had spent similar or more money advocating for a nonpublic placement than the cost of many private school tuitions. Parents in this study wanted their child to receive special education promised by the government and their efforts to receive a nonpublic placement were done to protect that right. Given their motivations, I find it unlikely that participants would have been comfortable giving their child's FAPE right up in exchange for a voucher.

As part of IDEA's accountability measures, states are required to annually report on a set of performance indicators. One of the required indicators is Indicator 8 – Parent Involvement, which measures "the percent of parents who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities" (20 U.S.C. §1416(a)(3)(A)). This indicator intends to hold schools accountable for the involvement of parents by capturing how schools follow the regulations of IDEA and how they develop relationships that support school-family collaboration in special education (Elbaum, 2024). The Department of Education has stated that parents' voices should be the primary data source for this indicator; therefore, almost all states use an annual survey of their parents of children being served under IDEA to gather this information. However, Indicator 8 has been among the results indicators that have not been included in the accountability formula for determining states' performance in meeting the requirements of IDEA. This study's findings support the intention behind this indicator, that schools should facilitate parental involvement. As parental advocacy will likely remain the primary accountability mechanism for the foreseeable future, the federal government should hold schools accountable for facilitating their advocacy.

The study aimed to explore and describe parents' reasonings for and experiences seeking a nonpublic placement, and its findings illustrate that a pathway some parents took when, after thwarted advocacy, they felt they needed to protect their child and his/her right to an education. These findings suggest that parental advocacy within the IEP process may not be powerful enough to hold schools accountable without private assistance and private options. Our system should not depend on parents' ability to hold the public school system accountable when school personnel behaviors and institutional barriers consistently and inequitably thwart their advocacy. We should consider research and policy focused on improving parents' influence on special education systems without relying on costly private services and other accountability mechanisms to ensure children with disabilities can receive a free and appropriate education.

Limitations

Qualitative studies are limited in their ability to be generalized to the larger population (Bogdan & Biklen, 2007); therefore, this study's findings may not be generalizable to the experiences of the larger population of parents of children with ASD and/or those who seek a nonpublic special education placement. Although IDEA, the federal law that grants the right to FAPE, applies to children with disabilities across all states, several historical and socio-political factors influence the existence of nonpublic education schools and the nonpublic placement process in Maryland. Therefore, the nature of parental advocacy in the pursuit of a nonpublic placement may vary depending on the history, culture, and regulations of states.

As the study progressed, I became more aware of other limitations in the study's design, particularly its population and sample size. Parents of children with ASD who seek a nonpublic special education placement represent a relatively small group of parents of children with disabilities, as these placements are limited; less than 5% of students with disabilities in Maryland receive their education in nonpublic special education schools. With very few studies providing insight into why parents would seek a nonpublic placement or a more restrictive placement, I had hypothesized that parents may do so to secure specific services that the public school could not offer or provide with the same quality. For example, many parents with children who have ASD want their child to receive ABA therapy, a service some nonpublic schools can provide with more fidelity than public schools can, because of smaller class sizes and trained providers. However, I did not find that any specific services, including ABA, were motivating factors for parents to seek a nonpublic placement. While this finding is valuable, it came at a cost because the eligibility criteria of having a child with ASD limited the sample size. Further studies should consider parents of students with different disabilities to have a larger sample size and also explore if there are differences between parents of students with different disabilities.

Participants volunteered, which may have affected the ability or willingness of some eligible parents and narrowed the sample. Many participants were concerned about risks to the study's confidentiality and their anonymity as they did not want school and district personnel or professional representation who they had recently or continue to work with to be able to identify their contributions. The criteria of participants having sought a nonpublic placement within the last five years promoted detailed descriptions of parents' experiences, but also made parents more concerned about the consequences of participating in a study when their conflict with school personnel and placement decisions were recent or ongoing. Likely, other parents who may have been eligible for this study had similar concerns and declined from participating.

Because I recruited participants primarily through advocacy and disability related agencies, attorneys and educational advocates, and the Maryland Association of Nonpublic Education Facilities, participants may not be representative of parents of children with ASD who seek nonpublic placement; this study's participants may be more involved in advocacy activities than other parents who may have pursued the placement without the help of these professionals and organizations.

Additionally, this study relies on interview data which limits the ability to verify or triangulate the data and therefore may affect the validity of the results. Interviews required parents to speak on past experiences and their memories of these experiences may be selective or exaggerated. Outside of member checking, I did not check the veracity of parents' experiences through documents or other interviews.

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Appendix A: Interview Guide

Interview Guide

Charlotte Healy

IRBNet Package: 1945751-1

Interviewee: **Child's Name:**

Time of Interview: **Date:** **Place:**

Introductory questions

1) Can you tell me a bit about your child? What's he/she like?
2) Can you tell me about the nature of his/her disability (-ies)? Can you give me a brief history of your child's disability(-ies)?

Questions

1) I want to get an understanding of what was happening when you first were interested in your child having a nonpublic placement.
    a. At the time, was your child enrolled in a public school? What was your child's experience at school like at the time?
    b. What were your educational or behavioral concerns for your child at the time?
    c. Was their educational placement unsatisfactory or inappropriate? Why?
    d. Can you tell me about your experiences in the IEP meetings?
        i. What was your relationship like with his/her teachers? And other IEP members?
    e. What was your understanding of the special education system, including your and your child's rights under the law (IDEA, COMAR)?

2) Can you tell me about how you came to want your child in a nonpublic special education school?
    a. When did you begin considering this placement?
    b. How did you learn about these schools?
    c. What led you to pursue this placement?
    d. Were you interested in one or several of these schools?
    e. Why was this (these) nonpublic placement appropriate for your child? Were there any other reasons why you wanted this placement for your child?
    f. At the time, did you consider that your child would not be in school with typically developing peers? Did this concern you? Did you have any other concerns about the placement?

3) How did you pursue this placement? Take me through what actions you took and your reasons for doing so.
    a. Who was involved in helping you? How were they involved?
        i. Such as - IEP team members, support organizations, other parents, family members, lawyers, nonpublic school officials, or other health professionals
    b. Did you face any challenges to receiving this placement? What were they?

   c. Did you expect these challenges? If so, why?
   d. How did you try to overcome these challenges?

4) Did your child receive a nonpublic placement?
   a. If not, why do you think they didn't? What would you have done differently?
   b. If so,
      i. Why?
      ii. How long did it take? From deciding to pursuing it to getting it (ex. Months, years)
   c. If you were to give advice to another parent seeking a nonpublic placement, what would you tell them?

5) If any, what changes do you think could be made to this placement process?
   a. How about the role of parents in the placement process?

6) Would you like to tell me anything else about your experience or any additional thoughts on this topic?

Possible probes

a. That's interesting. . . can you tell me more about that?

b. Can you give me an example of that?

c. How did that come about/occur?