



Trauma and Access to Services

Eric Rossen, PhD, NCSP: NASP Director, Professional Dev't & Standards

Tweet me: @E_Rossen



Learning Objectives

- This session will help participants
 - Describe current case law addressing trauma in schools
 - Discuss services for traumatized students within a civil rights framework

What is Trauma?



Adverse Childhood Experiences (ACE) Study

- Maltreatment
 - Physical Abuse
 - Emotional Abuse
 - Sexual Abuse
 - Neglect
- Family Dysfunction
 - Incarcerated family member
 - Mentally ill family member
 - Substance abusing family member
 - Domestic Violence
 - Absence of parent (divorce, separation, death)

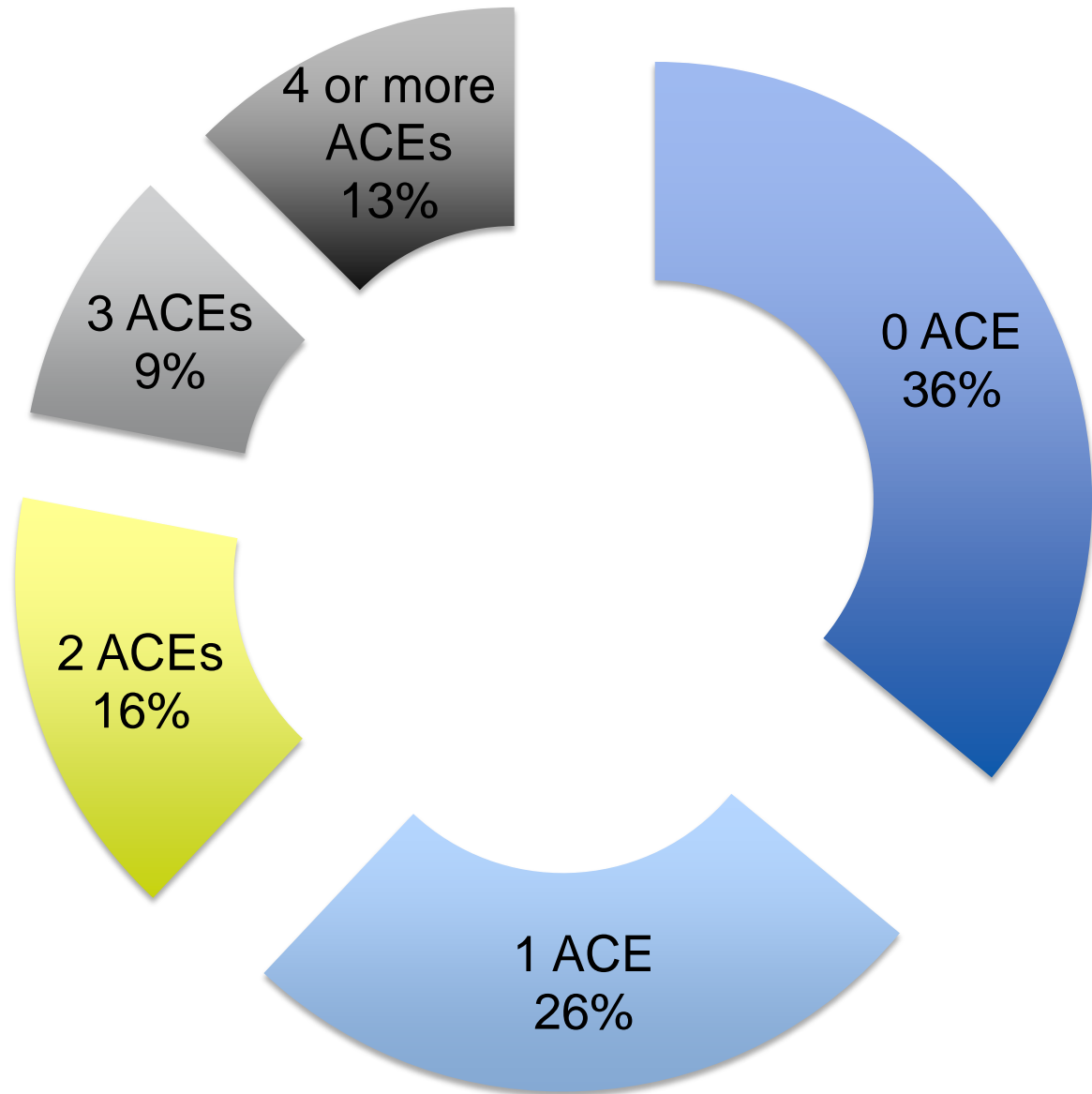
ACE Results

Collected b/w 1995 and 1997 (N=17,000+)

Negative Outcomes
Among Youth

Negative Outcomes
Among Adults

Dose-Response



Adverse Experiences

- Are pervasive
- Often begin at an early age
- Are often chronic and reoccurring
- Impact schools

Peter P. et al., v. Compton Unified School District, et al.



- Filed as a class-action lawsuit
 - Classroom of students
 - 3 teachers
- Invokes 504 (not IDEA)
- Asks Compton Unified School District to implement school-wide trauma-sensitive practices.



The Claim

- “By law, children have the right to a ‘free and appropriate public education.’ By failing to address the special needs of children affected by trauma, the Compton Unified School District has denied students their right to an appropriate education.”



The Cast

- Peter P
 - Witness to shootings & stabbings; victim of sexual and physical abuse; parent substance abuse and mental illness; family incarceration; homelessness
- Kim
 - Witness to murders; Marginalized as sexual minority; victim of sexual assault
- Philip
 - Witnessed over 20 shootings – his first at 8 years old “execution style.” He cried and threw up but did not tell anyone about it

Philip



"Philip"
age 15

<https://youtu.be/DmR28wwy6o0>

Virgil



"Virgil"
age 15

https://youtu.be/azUX-Hg-k_Y



Lets Play Courtroom

- Break into groups of 8 to 10 people
- Within each group, split into 2 groups (4 or 5 per group)
- Your facilitator/judge will randomly select one group as the team for the defendants (Compton Unified School District); and the other as the plaintiffs (students/teachers)





Consider the following questions

- Should students who have experienced trauma receive any particular civil rights protections in school?
 - Why, or why not?
 - If so, what should they be?
- Should students who have experienced adversity or trauma receive special education and/or related services?
 - If so, what would be the appropriate disability?
 - Benefits?
 - Negative or unintended consequences?

Discussion



Special education, section 504, and trauma

- Special education
 - “...there will be a referral for evaluation for early intervention services of a child who experiences a substantiated case of trauma due to exposure to family violence (as defined in section 320 of the Family Violence Prevention and Services Act).”
 - IDEA, Title I, Part C (Infants and Toddlers), Section 635
- Section 504 provides services for:
 - Mental impairment that limits...
 - Major life activity...
 - Substantial extent

Peter P. et al., v. Compton Unified School District, et al.



- Update
 - Defendant’s motion to dismiss – DENIED
 - Plaintiff’s motion for preliminary injunction – DENIED
 - Plaintiff’s motion for class certification - DENIED



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