In too many school districts, if a child has a disability, the mother is blamed for whatever difficulties occur. Most often, she is considered overly aggressive in advocating for her child or negligent for failing to do enough.

Blaming Mothers
A Disability Perspective

BY RUTH COLKER

There is a lot of history behind this approach—blaming the mother is a long-standing cultural tradition in the United States. Leo Kanner, the researcher credited with identifying autism as a specific neurological disorder in 1943, blamed it on “refrigerator mothers,” a term popularized by University of Chicago researcher Bruno Bettelheim, who drew parallels between these mothers and guards in Germany’s concentration camps. Dorothy Roberts has documented the stereotyping of the mothers of so-called “crack babies,” even though medical research has failed to substantiate any such condition, syndrome, or disorder. Susan Okie calls it “the epidemic that wasn’t,” because cocaine’s effects on a fetus “are less severe than those of alcohol and are comparable to those of tobacco.”

There are racial and class implications, too. Poor women are blamed when they deliver low birth-weight babies (without considering the deficiencies in the healthcare system) although affluent women face little social ostracism when they risk the birth of low birth-weight babies by becoming pregnant through medical implantation of fertilized eggs.

This intersection of sexism, racism, and classism plays out when children have learning challenges. In theory, the Individuals with Disabilities Education Act promises each child with a disability a free, appropriate, public education through an Individualized Educational Program (IEP). If a parent believes a school district is not offering an appropriate public education, the parent can file a complaint with an “impartial” state-level hearing officer to challenge the school district’s conduct. Unfortunately, these hearing officer decisions often replicate the “blame the mother” metaphor that permeates the treatment of many mothers and their children by their school districts. This adverse treatment places educational responsibility on the mother rather than the school district.

Based on my review of hearing officer decisions around the country (Ohio, Pennsylvania, California, Washington,
D.C., and Maryland), as well as my personal experience representing mothers in special education matters, I have seen four kinds of “blame the mother” strategies used by school districts: 1. blame mother for incompetence, 2. blame mother’s assertive behavior for educational problems, 3. blame mother’s passive behavior for educational problems at school, and 4. blame mother for working outside the home. The stories below trace those themes.

### Blame Mother for Incompetence

JG was diagnosed as profoundly deaf when he was approximately 18 months old. He received hearing aids at the age of 2 and auditory intervention services for about two years. When he was almost 4, the Baldwin Park Unified School District in California determined that he was eligible for special education as hearing impaired with a language/speech disorder. He received a cochlear implant at 10, but he was not able to use the device effectively. At 11, he had the communication skills of a child under 2. His primary mode of communication was American Sign Language (ASL).

In 2011, when JG was 12 years old, his mother, Nancy Jimenez, requested that the school district begin to send JG to a school for the deaf so he could be more thoroughly immersed in ASL and begin to make adequate educational progress.

The school district refused to comply with this request. It blamed the parents, especially the mother, for JG’s lack of progress. Ms. Jimenez, whose native language was Spanish but who also spoke English, was criticized for having only “basic skills” in ASL. She was also criticized because JG didn’t get a cochlear implant until he was 10. Jimenez repeatedly requested that JG be sent to the school for the deaf, and offered many arguments for why that educational setting would be necessary for him to made adequate educational progress. The school district dismissed her view as simply wanting to “try something different.”

After two years of objecting to the school district’s educational plan and continuing to watch her son make no educational progress, Jimenez found a lawyer, David Grey, to help her file a due process complaint on behalf of her son before an administrative law judge (ALJ). The judge held six days of hearings and rendered a decision two months later entirely in favor of the school district. By then, JG was 14 years old and in the 8th grade. Although Grey has won landmark decisions regarding the legal rights of students with disabilities, he could not persuade the hearing officer that the school district, rather than the mother, was responsible for JG’s lack of educational progress.

With Grey’s assistance, Jimenez appealed the ALJ’s decision to a federal district court. She finally won on behalf of her son when JG was 16 years old. The district court judge found that the ALJ “improperly discounted [the mother’s] testimony” by quoting her “try something different” statement out of context. He observed that Jimenez’s ASL skills
were irrelevant to whether JG was receiving an appropriate education, and found that the ALJ mischaracterized the hard work she had done to improve her ASL skills. Finally, the judge found that the ALJ had completely ignored the highly credible testimony of Jimenez about the substantial language difficulties that JG faced at school when, for example, he could not understand it was an insult when another child called him a "stupid dork." The school district’s "blame the mother" strategy ultimately failed, but JG was the real loser because this legal journey took four years.

This case is remarkable for many reasons. Somehow, a Spanish-speaking family found one of the top lawyers in the country to represent their child in a due process case, and the lawyer was willing to continue to handle the case through the appeal process. Further, a school district’s and ALJ’s disrespectful treatment of the mother were criticized by a judge and found to be legally impermissible.

What is not remarkable about the case is that the school district used a "blame the mother" strategy to defend its legally impermissible educational program for a child with serious disabilities, zeroing in on the mother’s perceived or real vulnerabilities. A recent Ohio case involved a mother with an auditory processing disorder that made it difficult for her to follow oral communication and interpret documents that she had not been able to review in advance. She requested that written documents be provided to her before IEP meetings. Both the school district and hearing officer refused to accommodate the mother. Instead, they described her as untrustworthy and hostile, and refused to give any weight to her testimony.

In a recent California case, the special education director accidentally sent an email to the mother (which was intended for another school employee) that referred to the mother’s "freakin notes" and urged school employees to bring "Zanex" [sic] to the next IEP meeting. The school district’s behavior was so egregious that the hearing officer found that the child’s educational rights were violated. Of course, this case reminds me of the police brutality episodes that happen to be caught on videotape. I wonder if the mother would have won without the email exchange. Otherwise would she, like the Ohio mother, have been considered hostile and untrustworthy?

**Blame Mother for Being Too Assertive**

In several cases from Ohio, Pennsylvania, and California, the school district blamed a “pushy” mother for the child’s educational difficulties rather than determining what it could do to improve the child’s educational program.

One “pushy” mother filed a professional complaint against a teacher who was subjecting her son to seclusion and restraint. The school district was required to find a replacement for the teacher, which it did not do on a timely basis. The hearing officer said he could not “turn a blind eye to mother’s role in causing the original staffing crisis.”

The special education director in a case from Pennsylvania imposed a unilateral rule on a mother that barred her from speaking to any member of the IEP team except the director. The special education director wrote disparaging emails about the mother, including one in which the director suggested “spanking” her. Partially accepting the school district’s narrative that the mother acted in ways that could be described as “crazy,” the hearing officer found in favor of the child, but only ordered four hours of compensatory education as the remedy for an entire year of a deficient education.

Another mother from California had a son with an estimated IQ of 30, limited communication skills, and a severe case of diabetes. The mother said she would only consent to the IEP if a particular nurse, who had successfully communicated with her son in the past, was named as the service provider. The school district and the hearing officer refused to respect her request. The mother was criticized for interfering with “the teacher’s and aides’ ability to provide instruction to student” rather than commended for caring about the safety and well being of her severely disabled son.

**Blame Mother for Being Too Passive**

Most parents begin their relationship with their child’s school and district by trusting educational experts to know best, and often agree at first to the district’s educational recommendations. By the time they realize they need to be assertive and file a complaint, it may be too difficult to convince a hearing officer that the education is inadequate.

In Washington, D.C., one mother had initially agreed to an educational program that involved her son using a computer program—all day—that was one or two grade levels above his reading level. When, with the help of a high quality pro bono lawyer, she filed a complaint, the school district defended its educational program by saying the mother had acquiesced. In this case, the hearing officer saw through that argument and criticized the school district for “placing student’s subsequent academic failures and behavioral responses at [the mother’s] feet rather than accepting its responsibility for failing to implement student’s IEP.”

A mother in Maryland filed a due process complaint after watching her son’s educational problems become so severe that he attempted suicide. But,
without adequate legal help, she lost her case. The hearing officer observed: “I have no doubt that the student's behavior at home has escalated and that the parent is at her wit's end.”

**Blame Mother for Working Outside the Home**

Unfortunately, many school districts operate under the unrealistic expectation that parents can help their children on a full-time basis and do not have to work outside the home. A case from D.C. highlights this problem. The student had difficult emotional problems, and had begun to run away from home repeatedly and engage in prostitution. The mother sought a nonpublic placement in a school exclusively for students with disabilities. The school district blamed all the child’s problems on her home life, and argued that she could be successful in a regular public school classroom. Their evidence was that, some time in the past, the mother had taken a three-month leave of absence to stay home with the child and that the child had done well during that period of time. Although claiming not to accept the school district’s narrative, the hearing officer merely ordered a new psychological exam. He made no findings about the kinds of services that should be available to the child and accepted the school district’s suggestion that the child could succeed in a regular public school environment.

**No Easy Solutions**

Over the years, I have received many phone calls from mothers and grandmothers who tell heart-wrenching stories of the mistreatment both they and their children experience during the special education process. As a lawyer, I can occasionally help by attending some meetings at the school district where, oddly, everyone “plays nice” in my presence, trying to undermine the veracity of what my client has told me about her treatment by the school district. Of course, I do believe my client’s description of her horrific treatment (which is usually documented by the paper record). I often ask myself: Why couldn’t the school district “play nice” when I am not in the room?

There is no easy solution to this problem, in part because the special education laws are modeled on a cooperative parent-participation model in which we presume that parents’ views are being taken seriously, but there are few safeguards to make sure that actually happens. School districts are supposed to have ample resources, and teachers are supposed to have the time to develop and implement individualized education programs. Unfortunately, these expectations are unrealistic.

When Congress passed the special education laws in the 1970s it promised to provide those resources, but it has never come close. Under No Child Left Behind, the government has tried to use excessive testing as the remedy for an inadequate education to students with disabilities. Teachers’ classroom schedules can be developed in a way that allows more cross-collaboration. More information-sharing among teachers would benefit all struggling students.

And, fundamentally, irrespective of resources, we need to insist that mothers of children with disabilities are treated with dignity when they attend educational meetings. Teachers often see emails or hear conversations in which parents are treated with disrespect behind their backs. If educators see emails, receive phone calls, or attend meetings where families, especially mothers, are not being treated with respect or dignity, I urge them to speak up. Although structural reform is sorely needed in our public education system, we do not have to wait until structural reform takes place to treat each other with dignity and respect at all times.