

Daycare, disabilities, and discrimination: Defining parent's rights

[1]

Author: Marshall, V.

Source: Valley News Live

Format: Article

Publication Date: 21 Jun 2018

AVAILABILITY

Read/listen online [2]

EXCERPTS

FARGO, N.D. (Valley News Live) - "Try being 7 and having that mind where it goes to the worst possible scenario. Being 7 – you're supposed to play with your friends. You're supposed to not get cooties from girls. But with him – he has to worry about acting appropriate for the day or not acting on his anger," says Jamie, a Fargo mother.

Jamie's son has anxiety, ADHD, and bipolar disorder. He takes medication and sees a psychiatrist. Despite that, Jamie says her son has been kicked out of several daycares because of his disability.

"It just went straight to, 'I can't handle him. He needs to go somewhere else,'" she says. "At what point can I say no – this is my right as a parent."

"Unfortunately, there aren't any policies that say that they cannot tell a child that they're excused or that they're being told not to come back. There aren't any laws or rules like that in North Dakota presently," says Dr. Shannon Grave, an Inclusion Specialist with Child Care Aware of North Dakota.

But there are federal laws. According to the Americans with Disabilities Act, "child care centers cannot exclude children with disabilities... unless they pose a direct threat to others... or require a fundamental alteration of the program."

"It's very, very difficult if a child's presentation of their disability is more behaviorally based," Dr. Grave says. "Providers really do struggle with 'How do we ensure that child is safe as well as all of their other little friends that they're taking care of?'"

In cases like Jamie's, where children have aggressive behaviors, the ADA says daycare providers should work with parents to see if they can change the behavior. But if that doesn't work, the child can be told to leave.

Jamie says she didn't get that good faith effort - creating more stress and anxiety for a child that's been through enough. "Him not even knowing what he's going through and getting frustrated because he's getting angry so easy and he doesn't understand why. That going through that extra stress and daycare – again, is just another stress that shouldn't be there," she says.

There are options here in the Fargo area for families like Jamie's. Local advocacy groups, like Child Care Aware and the Freedom Resource Center, work with families and daycare providers for free to help kids with disabilities get the support they need.

“We are able to go in and work with a childcare provider and help them figure out what they need to do to better support that child. And maintain that placement so that their childcare isn’t disrupted,” says Dr. Grave.

Related link:

Region: United States ^[3]

Source URL (modified on 27 Jan 2022): <https://childcarecanada.org/documents/child-care-news/18/06/daycare-disabilities-and-discrimination-defining-parents-rights>

Links

[1] <https://childcarecanada.org/documents/child-care-news/18/06/daycare-disabilities-and-discrimination-defining-parents-rights> ^[2]

<https://www.valleynewslive.com/content/news/Daycare-Disabilities-and-Discrimination-Defining-Parents-Rights-486331741.html> ^[3]

<https://childcarecanada.org/taxonomy/term/7865>