

For Immediate Release

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**Complaint to End Neglect of Children with Disabilities in
Tuscaloosa County Schools Filed by
Alabama Disabilities Advocacy Program**

Protection & Advocacy for
Persons with Developmental
Disabilities

Students with Disabilities Denied Education, Removed from Class

Protection & Advocacy for
Individuals with Mental Illness

Protection & Advocacy of
Individual Rights

Protection & Advocacy for
Assistive Technology

Protection & Advocacy for
Individuals with
Traumatic Brain Injury

Protection & Advocacy for
Beneficiaries of Social Security

Protection & Advocacy for
Voting Accessibility

TUSCALOOSA, Ala. – The Tuscaloosa County School District has violated federal law by failing to provide students with disabilities the services they need to succeed in the classroom and by pushing them out of school, according to a complaint filed by the Alabama Disabilities Advocacy Program on behalf of these students.

The complaint, filed with the Alabama State Department of Education, alleges the District has not provided students with disabilities the special education services and support to which they are entitled under the federal Individuals with Disabilities Education Improvement Act (IDEA). It describes how the District relies heavily on suspension, expulsion and other discipline practices that keep these students out of class and deny them an education.

The complaint was filed on behalf of four named students with disabilities who have behavioral and mental health needs and all students like them in the District. The complaint describes how the District failed to evaluate and adequately plan for the special education needs of these students, leading to poor school performance and the unnecessary segregation of the students. It describes a school district that not only relies heavily on suspension and expulsion but unofficial “cool off” removals where a student is sent home but the removal is not recorded in the school’s records.

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The complaint aims to bring the District into compliance with federal special education law.

“The most vulnerable students in the Tuscaloosa County School District are being neglected and pushed out of class,” said Nancy Anderson, an attorney with the Alabama Disabilities Advocacy

Program. "These students need a helping hand, but instead they are being shown the door."

One 14-year-old boy with autism was allowed to attend school only three days a week during the spring 2009 semester. His guardian was asked to pick him up at 10:30 a.m. every Wednesday and keep him at home for the remainder of the week as part of an undocumented removal.

Another incident of undocumented removal occurred when an 11-year-old boy was removed from school on 10 separate occasions for "cool off" days, according to the complaint.

The District has the highest expulsion rates for students receiving IDEA services than any of the 108 Alabama school districts reporting this data to the Office of Civil Rights for the 2006-07 school year.

The complaint asks the District to develop a plan to ensure that students with disabilities are provided the services they need and to which they are entitled under the federal law. The complaint calls for such special education services as counseling, psychological services, social work services, and training for parents to help them support their children's behavioral needs. Other measures include the creation of an electronic record system to track the discipline data of special education students. It also outlines specific steps to help the four students named in the complaint, including compensatory education to make up for lost services.

"We look forward to a rigorous investigation by the Alabama State Department of Education and hope the District will see this as an opportunity to provide a better environment for its students with disabilities," Anderson said.

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The Alabama Disabilities Advocacy Program is the state's federally funded protection and advocacy (P&A) system for persons with disabilities. ADAP's mission is to protect, promote and expand the rights of persons with disabilities in Alabama. Housed at The University of Alabama, ADAP provides individual advocacy services to approximately three thousand persons annually. The agency impacts the lives of thousands of other Alabamians with disabilities through the systemic litigation and policy work it undertakes.