

## Special Ed Settlement with Montgomery County, AL

ADAP and Bazelon Center, with the assistance of the law firm Schulte, Roth & Zabel, have reached an interim settlement (attached) in their legal effort to secure a quality education in integrated settings for students with "emotional disturbance." Under the settlement, the Montgomery school system will retain Narrell Joyner, a children's mental health expert who has been involved in the Willie M., R.C., J.K. and Rosie D. cases, to:

1. Help the school system develop and implement appropriate IEPs for 3 children on whose behalf ADAP and Bazelon filed due process complaints, as well as 3 children on whose behalf complaints were about to be filed,
2. Conduct a review of the school system's policies and practices, including child find activities, development and implementation of IEPs and FBAs, provision of services in the most integrated setting, and disciplinary practices including referrals to law enforcement and the courts, and
3. Help the school system implement recommendations that emerge from the review.

The consultant has broad access to information and a hefty budget.

We are hoping that the consultant's review and recommendations will lead to needed improvements. If not, we will renew our legal efforts.

The settlement recites that "[t]he students and MPS have a shared belief" that:

- Students with emotional disturbance are capable of learning, graduating, and becoming successful adults who hold jobs, live independently, and are engaged in their communities.
- Students with emotional disturbance should be educated in the most integrated setting appropriate. With appropriate planning and services, virtually all MPS students with emotional disturbance can be educated in regular classrooms with their non-disabled peers.
- Students with emotional disturbance learn better, and experience fewer behavioral difficulties, when their families are involved in their education.

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