

CLASS ACTION SETTLEMENT PROMISES A NEW ERA OF SCHOOL INTEGRATION FOR CHILDREN WITH DISABILITIES

A class action discrimination suit brought by parents of disabled children against the Mt. Diablo Unified School District has settled.

The federal suit, filed in March 1998, alleged that the District denied disabled children equal access to school buildings and educational and social programs and prevented them from attending their neighborhood schools.

The settlement brings sweeping reform to the District's special education system, ensures that all 55 District school sites will be made architecturally accessible for disabled students, and calls for new policies that will support the integration of disabled children into all District programs, both academic and extra-curricular.

Highlights of the settlement include the following:

- The District will remove all architectural access barriers at all 55 school sites.
- The District will provide "minimum accessibility" by September 2002 at all school sites. Minimum accessibility includes the following at each school site: accessible parking spaces; curb ramps from parking area and loading zone to main entry path; accessible building entry sign at all main entries; accessible path of travel to all common areas (including to main offices, multi-purpose room, library, 1 set of accessible restrooms, and to at least 50% of classrooms); elimination of safety hazards along path of travel; accessible thresholds to all common areas; at least one accessible doorway to all common areas (including to main offices, multi-purpose room, library, 1 set of accessible restrooms and at least 50% of all classrooms); one accessible restroom per sex; one accessible drinking fountain; and one accessible play structure.
- The District will remove additional barriers on a priority basis. All priority 1 barriers will be removed by September 2003. Priority 2 and 3 barriers will be removed subsequently.
- The District will eliminate all policy barriers barring children with disabilities from all District programs (academic and extra-curricular) and will establish policies supporting integration of disabled children into all District programs.
- The District will reorganize its delivery of special education services to improve communication with families; improve assessment of the needs of children; and improve implementation of special education services.
- The District will establish standard special education curriculum content and modification levels to assure that special education students are provided with standard school curriculum and necessary modifications.
- The District will provide in-service training to benefit administrators and teachers regarding the adjustment of curriculum to accommodate students with special needs, to establish a climate of acceptance for students with special needs, and to foster integration.

- Three new District programs will be established on behalf of the class in lieu of monetary class damages as follows:
 - (a) A Model Augmentative Communication Program for children who need augmentative communication devices and/or assistive technology;
 - (b) A Model Aide Training Program to train classroom aides to assist children with disabilities; and
 - (c) A full-time Parent Liaison to assist parents of disabled children navigate the special education system.

- Two third-party, neutral experts will be appointed to monitor the District's compliance with the settlement. One neutral is in charge of monitoring the District's removal of architectural barriers, and the other neutral is in charge of overseeing the development and implementation of District policies that support the integration of disabled children into all programs, both academic and extra-curricular.