

Ravenswood settles special education suit

SCHOOLS

District agrees to monitoring, compensation for former students

by **Charlie Breitrose**

Parents of special education students in the Ravenswood City School District celebrated a victory last week in a long-fought battle to improve education of the district's disabled students.

Settling a 3-year-old lawsuit, the Ravenswood City School District and the California Department of Education have agreed to pay to monitor the school district for two years, plan changes for the special education program and compensate past students for their lost educational opportunities.

Bill Koski, a lawyer with the East Palo Alto Law Project, said his group was approached by several parents of special education students who complained their children were not receiving a proper education in the Ravenswood district. The Law Project filed the suit in the U.S. District Court for the Northern District of California in 1996, along with the Disability Rights Education and Defense Funds Inc. of Berkeley and Rony Sagy of Sagy Law Associates.

Under federal law, children with disabilities are ensured "free appropriate public education." School districts, under the supervision of the states, are responsible for carrying through the mandate.

In December 1998, a report of the findings of an investigation team hired by the court was published. U.S. District Court Judge Thelton Henderson, who presided over the case, concluded in March 1999 that both Ravenswood and the California Department of Education failed to meet their obligations to serve special education students.

Henderson wrote that the findings "paint an appalling and indeed a disturbing picture of the deficiencies in the services provided to children in the Ravenswood district with disabilities and special education needs."

Among the complaints were that the district failed to identify some students

who had learning disabilities, did not use the proper assessment tools and had placed students in the wrong classes.

According to federal law, special education students, in all but the most extreme cases, are supposed to be put into regular classes. But in the case of the Ravenswood district, all the students with emotional disabilities were put in one class.

"Approval of this agreement is a historic day for the community," Koski said.

Ravenswood Superintendent Charlie Mae Knight said the settlement will be a financial hardship for the district, but it was less costly than going to court.

"The settlement means that it'll have a very negative impact on our current budget," Knight said. "The majority of the money went to the lawyers. The money for the children was very, very small."

More than \$600,000 will be spent on improving the special education program, while the legal bill, including Ravenswood's share, is about \$1 million, Knight said.

Special education is an expensive program. Knight said for 150 children the district spends about \$2 million. The district's annual budget is about \$31 million.

Though districts like Ravenswood

are mandated to provide special education services, the state and federal governments have never come through with the money behind the mandate. Koski said his group understands this problem, which is why the state was named in the suit as well.

Knight acknowledged that not all special education students are getting an appropriate education in Ravenswood, but she said her district is not alone.

Knight said that Ravenswood receives less money per student than most districts in San Mateo County. The inequity was the result of a funding system created in 1979, according to Pamela Ptacek, the San Mateo County Special Education Local Planning Area administrator.

The first part of the settlement calls for the court to appoint a monitor, who is paid by the district, to review the Ravenswood special education program and come up with a plan to ensure federal compliance. The district is paying the monitor \$330,000 for the two years.

The agreement also calls for the district to train teachers on how to identify learning disorders as well as for school psychologists, Koski said.

The monitor will have complete access to records of special education pupils, and any other district records, and be able to interview any teacher in the district.

Parent advocates will also be hired by the court to assist parents of special education students. They will review student records and participate in planning meetings for students' individual education plans, which are required for every special education student.

Each parent advocate will be paid \$25,000 a year, for two years, by the California Department of Education.

The state is also giving Ravenswood \$240,000 for a fund to compensate former students who did not receive an appropriate education from the district. The money can be spent on vocational training, community college classes, equipment or other education-related purposes. ■