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Disability Rights Washington and Morrison & Foerster LLP Secure Settlement for Autistic Children

Settlement Stops the Unlawful Segregation of Students with Autism from the Public School Grounds

Washington, DC (June 18, 2008) – With a challenge to its refusal to allow eight students with autism to be educated on school grounds pending in a federal court of appeals, the Bremerton School District entered into a settlement agreement with their parents and the State of Washington that allows the students to return to public school in the fall, to be educated alongside their non-disabled peers as federal law requires.

The students all voluntarily reside within the school district at the Francis Haddon Morgan Center (FHMC), a state-run institution for people with developmental disabilities. They had previously received their education in Bremerton public schools. The federal lawsuit was brought by the students in response to a plan to segregate the educational services of these students to the institution, instead of providing the services in a public school. **Disability Rights Washington**, a federally funded disability rights organization, filed the lawsuit on behalf of the students, saying that taking these youths out of public school violated state and federal education and anti-discrimination laws. “Every day that the students were kept out of the public school harmed them, and harmed their non-disabled peers, by denying both of them the opportunity to learn in a diverse and natural environment. This kind of discrimination is an issue that has been coming up increasingly around the State and around the country,” says **Regan Bailey**, Director of Legal Advocacy for DRW.

Joining DRW on appeal to represent the students was **Seth Galanter**, a lawyer from **Morrison & Foerster** who took on the case pro bono. “It’s ironic that this case had to be filed in Washington, where the nation’s first special education law was enacted over 30 years ago,” commented Galanter. “This agreement shows that school districts, working with parents and with state officials, can reach practical solutions that protect the rights of all students,” he concluded.

Evidence submitted in the case showed that the students were harmed by the move to a classroom in the institution and by the isolation from their schoolmates. One of the parents’ lawyers, **David Carlson**, Associate Director of Legal Advocacy at Disability Rights Washington, said, “These students have the right to develop and flourish alongside all the other students in the public-school system and to single them out as the only students who were not allowed to attend class at the local school was blatantly discriminatory.”

"Brianna needs to interact in society - not to be segregated. She starves and desires to be a part of the school community, and that would not have happened without this lawsuit," commented Janet Littlefield, aunt and guardian of one of the eight disabled students represented in the lawsuit.

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About Disability Rights Washington

Disability Rights Washington (DRW) is a private non-profit organization that protects the rights of people with disabilities statewide. The mission of DRW is to advance the dignity, equality, and self-determination of people with disabilities. DRW works to pursue justice on matters related to human and legal rights.

About Morrison & Foerster

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Mr. Galanter was just honored by the DC Bar as Pro Bono Lawyer of the Year for his work on behalf of the disadvantaged and persons with disabilities.