



DISABILITY RIGHTS OREGON

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For Immediate Release

PORTLAND PUBLIC SCHOOLS AGREES TO INCREASE SERVICES FOR TRANSITION-AGED STUDENTS WITH DISABILITIES

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Disability Rights Oregon (DRO) and Youth Rights & Justice (YRJ) reached a final settlement yesterday with the Portland Public School District (PPS) regarding the district's Community Transition Program.

The Oregon Legislature passed HB 2283 in 2011 to clarify and emphasize that students with disabilities who have not met the requirements for a high school diploma should continue to receive full-day educational and vocational services to the extent that it is appropriate for each individual student's needs and desires.

Rep. Sara Gelsler, co-chair of the House Education Committee, which introduced HB 2283, said: "We passed this bill to make it extremely clear to districts what their obligations are to students with disabilities between the ages of 18-21. I'm pleased that one of our state's largest districts has acknowledged its deficiencies in serving these students and has committed to do a better job."

In the settlement, the two non-profit law firms, DRO and YRJ, represented PPS students who were not receiving the educational services to which they were entitled under state and federal law. Attorneys for the students found that only two of the roughly 150 eligible students currently enrolled in the district had been receiving full-day services.

Portland Public Schools has agreed that its Community Transition Program (CTP) will now offer its students the same hours of services that other high school students receive (990 hours/year) and end its practice of routinely offering CTP students vastly reduced programs of 12 to 15 hours per week. CTP provides educational and vocational services to the majority of the district's 18-21 year old students with disabilities who have not graduated with a regular diploma.

The agreement also requires that PPS:

1. retrain district and CTP staff

2. revise all written CTP program descriptions and materials to accurately describe the district's obligation to provide full school days to CTP students who desire and are able to attend full days
3. provide 3 years of data that will allow DRO and YRJ to monitor the number of CTP and other transition aged students with disabilities who receive full school programs of 990 hours per year

According to the 2010-2011 Special Education Report published by the Oregon Department of Education, only 29% of special education students in the PPS district graduated in four years. Only 31.2% graduated within five years. The state targets for graduation of special education students are 65% within four years and 70% within five years.

Joel Greenberg, a staff attorney at DRO said: "Students with disabilities deserve an education that will allow them to transition to employment and self-sufficiency. We are pleased that PPS has agreed to follow the state and federal laws that mandate exactly that. We hope that this agreement will become a model for school districts across the state."

Mark McKechnie, Executive Director of Youth, Rights & Justice added: "Public schools have a very important and difficult job in providing a quality education to all students, regardless of race, class or ability. Laws are in place to protect our most vulnerable students, and agreements like this one help to ensure that these laws are carried out. We know that school districts are struggling with inadequate funding, but it is particularly important to ensure that the needs of students with disabilities or other challenges are met at times just like this."

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Background:

Federal law, the Individuals with Disabilities Education Act (IDEA), requires states and local school districts to provide students with disabilities a "Free and Appropriate Public Education (FAPE)." State law provides guidance to schools on how they can meet this obligation.

Disability Rights Oregon has been the state's designated Protection & Advocacy (P&A) System for 35 years, with a mission to uphold the legal rights of people with disabilities.

Youth, Rights & Justice (founded as the Juvenile Rights Project) was started in 1975 to advocate for the rights and needs of vulnerable children, primarily children in foster care and youth in the juvenile justice system.