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News Release

For Immediate Release

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Court rules the state is not doing enough to fix Oakland's special education problems

(Oakland, CA – November 6, 2017) The Alameda Superior Court ruled the California Department of Education (CDE) must do more to correct longstanding problems with the Oakland Unified School District's special education program. For the court filing see: <http://www.disabilityrightsca.org/advocacy/ValenzuelaVTorlakson/>.

"The state has a duty to make sure school districts comply with federal and state education laws. When it failed to do so, California let down its special education students," said Suge Lee, an attorney with Disability Rights California (DRC), who represented the students.

The court's ruling follows a 2015 complaint filed by a group of Oakland parents with the CDE. These parents claimed that, since 2007, Oakland Unified School District's policies and practices resulted in system wide violations of the rights of children with disabilities under the federal Individuals with Disabilities Education Act (IDEA).

The state issued a report finding Oakland had violated federal and state education laws. It also found the district did not hold required

Individualized Education Program meetings and was late in providing services, or did not provide them at all. In spite of the findings, the state ordered the same routine and ineffective corrective actions it had repeatedly required for the past ten years. Determined to make a difference for their children, the parents went to court arguing the CDE had a duty to do more to fix Oakland's problems.

The Superior Court agreed that CDE was wrong to "require the same remedy over and over and expect a different result the next time." It ordered the state to ensure its actions are "reasonably calculated to be effective in light of the prior ineffectiveness of similar previously ordered corrective actions" to improve Oakland's special education problems.

"We are hopeful that the state will finally step in to ensure that the services promised to children are really delivered," said DRC attorney Suge Lee.

Disability Rights California is a non-profit organization founded in 1978. We protect the rights of people with disabilities. Visit us at disabilityrightsca.org.