

FOR IMMEDIATE RELEASE

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CONTACT: Alex Dutton, Education Law Center, 215-800-0349, adutton@elc-pa.org
Maura McInerney, Education Law Center, 215-346-6906, mmcinerney@elc-pa.org

OCR Opens Investigation into Claims of Discrimination against School District of Philadelphia for Failing to Address Bullying of Children with Disabilities

PHILADELPHIA, PA (December 1) On Tuesday, the United States Department of Education's Office for Civil Rights ("OCR") announced that it has opened an investigation into claims of discrimination filed by the Education Law Center-PA ("ELC") regarding the School District of Philadelphia's treatment of children with disabilities who have been bullied and harassed. ELC's Complaint, filed July 27, 2017, alleged a systemic failure by the School District of Philadelphia ("District") to promptly and appropriately address pervasive and severe bullying of students with disabilities as exemplified by the stories of multiple students.

"We are thrilled that OCR will exercise its enforcement authority to investigate these critical civil rights allegations," said ELC Staff Attorney Alex Dutton. "We look forward to working with the District to attempt to resolve the individual and systemic concerns raised in the Complaint to the benefit of students and their families, and hope to forge a swift and amicable path forward in the best interest of students," added ELC Legal Director, Maura McInerney.

The Complaint details how children with disabilities who once loved school cried, shook, and begged not to go to school following months of pervasive bullying. Some of these parents asked the District to transfer their children to new schools but the District refused. Instead, the District prosecuted several students and parents in Truancy Court in response to their school aversion.

"Many of these children, having now secured school transfers that the District denied them for months, are thriving in their new schools, free from bullying," said Dutton. "These families had no business being in Truancy Court," Dutton added. "We are grateful that someone will finally review the District's practices with respect to its bullying investigation procedures and referrals to Truancy Court."

Attorneys for the parents hope that the investigation will result in the implementation of new District policies and training to ensure school staff promptly and properly intervene to resolve bullying of students with disabilities in an appropriate, non-discriminatory manner that ensures their right to a free appropriate public education. ELC is also seeking individual relief for the named students.

The students in this Complaint are represented by ELC attorneys Alex Dutton and Maura McInerney. For more information about the case, and to download a copy of the Complaint, visit <http://bit.ly/2Bqi5OJ>.

The Education Law Center-PA works to ensure that all children in Pennsylvania have access to a quality public education, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, English language learners, LGBTQ youth, and children experiencing homelessness. For more information, visit www.elc-pa.org or follow @edlawcenterpa on Twitter.

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