

LEGAL NOTICE TO POTENTIAL CLASS MEMBERS: CLASS ACTION LAWSUIT REGARDING SPECIAL EDUCATION

The case is called Jamie S., et al., v. Milwaukee Public Schools, et al. Magistrate Judge Aaron Goodstein is overseeing this class action in the U.S. District Court, Eastern District of Wisconsin, Civil Case Number 01-C-0928.

The court has decided that the class of plaintiffs in this lawsuit consists of:
those students eligible for special services who are, have been or will be denied or delayed entry into the special education process which result in a properly constituted initial IEP meeting between the IEP team and the parents or guardians of the student.

Examples include:

- **Parents who requested that their children be evaluated for special education services, and MPS either never evaluated their children, or failed to do so within 90 days;**
- **Children who had an IEP meeting to determine whether they should begin receiving special education services, but MPS did not have all the right people at the IEP meeting, in order to make such a decision;**
- **Children, on whose behalf teachers or other professionals, such as doctors or psychologists, suggested to MPS that they should receive special education supports or services, but MPS failed to evaluate those children, or failed to do so within 90 days.**
- **Children who have been suspended more than 10 days in a school year, but MPS failed to hold an special education evaluation in order to determine whether or not those children needed special education services.**

If you are a member of the class, you are represented by attorneys from the Wisconsin Coalition for Advocacy (WCA), through the class representatives. If you want to find out whether you may be a class member, please contact WCA. The defendants are the Milwaukee Public School District and the Wisconsin Department of Public Instruction. They also have attorneys working on their side.

The plaintiffs say that the Milwaukee Public School District (MPS) and the Wisconsin Department of Public Instruction (DPI) have not followed federal civil rights laws that are supposed to guarantee that students who may have disabilities that require special education are properly evaluated in order to determine whether or not they should receive special education. Plaintiffs want MPS and DPI to change the policies and practices that Plaintiffs say do not meet the evaluation requirements of the law, the IDEA. The plaintiffs are asking for declaratory and injunctive relief, and not money damages. MPS and DPI say that they have policies and practices that provide for appropriate, timely evaluations that meet the requirements of the IDEA, and provide for adequate monitoring of MPS's compliance with the law.

Contact the Wisconsin Coalition for Advocacy (WCA) at: 342-8700, or MPSnotice@w-c-a.org for more information, or to find out if you are a class member.