



SPECIAL EDUCATION: *Doe v. State of Ohio* Update

Overview of the *Doe v. State of Ohio* Case

Disability Rights Ohio is engaged in a class action lawsuit to improve Ohio's special education system for students with disabilities.

The lawsuit alleges that Ohio is violating the Individuals with Disabilities Education Act (IDEA) by failing to provide the necessary oversight and support to ensure that students with disabilities receive a free and appropriate public education (FAPE).

Under IDEA, children with disabilities are entitled to an education that incorporates the specialized services and instruction they need. This responsibility includes giving schools adequate resources, as well as comprehensive staff training and support.

Disability Rights Ohio is partnering with the Judge David L. Bazelon Center for Mental Health Law and the law firm of Steptoe and Johnson on this class action initiative.

Why It Matters

HIGHER INCIDENCE OF SEGREGATION

Under IDEA, students with disabilities have the right to receive their education in the "least restrictive environment." However, a significant number of those students spend most of their school day in separate classrooms, cut off from students without disabilities. This segregation is particularly prevalent in large, high-poverty school districts. **According to an analysis by Disability Rights Ohio, only 38.5% of students with disabilities in 11 districts examined learned in integrated settings, while 65.1% in all other districts were integrated.**

The vast majority of students with disabilities can and do learn successfully in general education classrooms when their school district provides the right resources to serve and support them, such as assistive technology, a modified curriculum, or a classroom aide. Our analysis found that students with disabilities did substantially better on state tests if they were integrated into the general education classroom. For example, while only 40% of students with disabilities who spent their days in separate classrooms passed the graduation



test, the passage rate increased to 80% for students who were integrated into the general education classroom.

POOR EDUCATIONAL OUTCOMES

After analyzing data from six school years, a national education expert found that the academic performance of segregated students in the 11 large, high-poverty Ohio districts is generally far lower than that of students with disabilities elsewhere in the state.

When segregated, children with disabilities often are not exposed to the general education curriculum, resulting in lower proficiency levels in core academic areas such as math and reading, and an absence of skills necessary after their school careers end. Socially, segregating children with disabilities from those without disabilities deprives all of them of the opportunity to learn from each other.

“The high number of segregated placements and low proficiency levels for such a large population of students with disabilities is very concerning,” says Kerstin Sjoberg-Witt, Director of Advocacy for Disability Rights Ohio. “If those students were getting the services and supports they needed to learn in general education classrooms, we believe they would more likely meet the minimum academic standards set by the State of Ohio, and be better prepared for the demands of life beyond school.”

What We Want

The goal for *Doe v. State of Ohio* is straightforward: Disability Rights Ohio wants an education system that delivers what the law requires: a free and appropriate public education for students with disabilities. We believe that every student, regardless of their ability, should have the opportunity to learn in a nonsegregated environment, achieve the State of Ohio’s academic standards, and be prepared for a fulfilling and successful life after school. When Ohio’s school districts have the right resources, every child in our state will get a better education.