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Ohio's Students with Disabilities to Benefit From Groundbreaking Settlement in Long Standing Class Action Lawsuit

The final agreement reached between the Ohio Department of Education and Disability Rights outlines a plan to improve the integration and academic achievement of Ohio students with disabilities

Columbus, Ohio, (March 2, 2020)-- The Honorable Judge Michael H. Watson of the United States District Court for the Southern District of Ohio has granted [final approval](#) to a comprehensive settlement agreement in the class action Doe v. State of Ohio, case number 2:91-cv-00464. [Disability Rights Ohio](#) (DRO), the [Judge Bazelon Center for Mental Health Law](#), and the law firm of [Steptoe & Johnson](#) worked with the [Ohio Department of Education](#) to reach a settlement that will improve the State's support for special education throughout Ohio and support improvement in student outcomes. In addition, the settlement will provide intensive support to 11 of Ohio's school districts to secure measurable improvements in student performance and inclusion for children with disabilities. The settlement will be in effect for five years.

"This is a monumental day for Ohio's students with disabilities," said Kerstin Sjoberg, Disability Rights Ohio Executive Director. "We have worked diligently with our partners and collaboratively with the Ohio Department of Education to reach a comprehensive settlement that delivers what the law requires, a free appropriate public education for students with disabilities. The plan will enhance academic achievement, promote inclusion and improve the supports students with disabilities receive in school. After years of litigation, this settlement will improve outcomes for students with disabilities in real and concrete ways and that is cause for celebration."

The settlement commits the State to improving rates of integrating students with disabilities in general education settings, and improving their academic achievement, particularly in the 11 districts where experts found systemic denials of a "free appropriate public education" (FAPE). The settlement will also focus on the educational foundation of literacy and language as well as improving special education services to students with disabilities, by, among other things, emphasizing the use of assistive technology and universal design for learning ("UDL"). The latter is a way of teaching that uses different methods to teach the same material so as many students as possible understand what is being taught. Both help students with disabilities fully participate in the classroom and succeed in school.

An Advisory Group will assess the state's progress and determine whether the required outcomes are being achieved. If they aren't, the plan will include mechanisms for modifications. There is also a dispute resolution process that allows DRO and its co-counsel to bring concerns to the Ohio Department of Education and, ultimately the Court, if the state is not meeting the settlement's objectives.

Tweet This: Judge approves @DisabilityRightsOhio and the Ohio Department of Education groundbreaking settlement to improve the integration and academic achievement of Ohio students with disabilities. Details at www.disabilityrightsohio.org

About Disability Rights Ohio

Disability Rights Ohio is the federally and state designated Protection and Advocacy System and Client Assistance Program for the state of Ohio. The mission of Disability Rights Ohio is to advocate for the human, civil and legal rights of people with disabilities in Ohio. Disability Rights Ohio provides legal advocacy and rights protection to a wide range of people with disabilities. Find more information at disabilityrightsohio.org.

About The Judge David L. Bazelon Center for Mental Health Law

The Judge David L. Bazelon Center for Mental Health Law is a national legal advocacy organization protecting and advancing the rights of people with mental disabilities. The Center promotes laws and policies that enable people with mental disabilities to live independently in their own homes and communities, and to enjoy the same opportunities that everyone else does. For more information, visit www.bazelon.org.

About Steptoe & Johnson

For over 100 years Steptoe & Johnson LLP has earned an international reputation for vigorous and successful advocacy in litigation and arbitration, and for creative representation of clients before government agencies and in business transactions. Pro bono service at Steptoe and fostering the public interest in major cases like the present matter, is an integral part of the firm's ethos, history, and operations.