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Federal agency: Shoreline schools excluded children with disabilities

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The Shoreline School District discriminated against students with disabilities, a federal civil-rights investigation has found.

The 15-month investigation centered on the district's February 2007 decision to exclude from its classrooms children newly placed at the Fircrest School, a state residential facility in Shoreline for people with disabilities. As a result of that decision, the investigation found, 11 Fircrest youths didn't go to school at all, some for as long as three months. Others received an inadequate education.

The records of 23 youths at Fircrest were reviewed by the U.S. Department of Education's Office for Civil Rights (OCR). All but one had attended public school before going to Fircrest.

"I think what the investigation confirms is that public schools are for every child," said Stacy Gillett, who filed the complaint as a board member of the Arc of Washington, an advocacy organization for people with disabilities.

Shoreline officials didn't return repeated calls seeking comment.

While it did not admit wrongdoing, the district entered into a settlement agreement with OCR that requires it to revise its policies and practices. Kids with disabilities will not be excluded from public school and will have opportunities to participate with other children. An independent team of professionals, along with OCR, will oversee Shoreline's progress.

Shoreline is also required to send letters of apology to the children's parents and to make up for the children's lost time in school. According to Gillett, that typically involves the district's providing additional services or summer school, rather than financial penalties.

When the complaint was filed, district officials said the number of kids at Fircrest, the district's financial difficulties and the logistic concerns peculiar to special-needs kids forced them to make tough decisions. Shoreline officials cited a state law that, in their interpretation, put the burden on Fircrest to create classrooms for its residents. In May 2007, under pressure, Fircrest opened a classroom and Shoreline provided a teacher and aides. That resolution, which continued into the following school year, was also a violation of federal civil-rights law, the investigation found.

"A one-size-fits-all approach is not consistent with the requirements" of federal law, an OCR supervisor wrote.

The Fircrest classroom was noisy, crowded and short-staffed, the investigation found. In addition, Gillett said,

it was usually open for just a half-day.

In Washington, special-needs kids are supposed to be given their own individualized education plans, but Shoreline failed to follow them for Fircrest youths, the investigation found.

In addition, while children in Shoreline public schools got an array of opportunities, including computer classes, music and library access, Fircrest students didn't get the same.

The Bremerton School District was in the same situation as Shoreline last year, when increasing numbers of children were being placed at the state's Frances Haddon Morgan Center. When Bremerton said it no longer had classroom space for the Morgan Center kids, the Department of Social and Health Services opened a classroom on the institution's grounds. Advocates quickly filed a discrimination lawsuit.

Under the terms of a June settlement, the district and the state agreed to create individual plans for students. In addition, DSHS agreed to pay for a large portable classroom on the high-school campus for special-needs students.

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