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**P R E S S   R E L E A S E**  
**F O R   I M M E D I A T E   R E L E A S E**

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**SETTLEMENT REACHED IN SUIT BY PUBLIC SCHOOL STUDENTS**

A federal judge today approved the settlement of a lawsuit affecting thousands of public school students in the state who have physical impairments or chronic medical conditions. The suit was filed in early 1986 by attorneys from the Education Law Center in Philadelphia (Elizabeth S. v. Thomas Gilhool, Secretary of Education).

The agreement reached calls for local school districts to provide the children with the services they need to attend school "safely and successfully."

The lawsuit grew out of a case involving Elizabeth S., a 5 year old with juvenile diabetes. When she was enrolled by her parents in a regular public kindergarten program, school officials refused to agree to the family's requests that the child's teacher and other personnel be trained to monitor the youngster's blood sugar level and that provision be made for providing needed snacks or medicine during the school day.

The Education Law Center then filed suit in federal court against Elizabeth's school district and against the state Department of Education alleging that their failure to accommo-

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date Elizabeth and other students like her violated the childrens' rights under a federal law prohibiting discrimination on the basis of handicap.

Children who have health impairments (such as diabetes, heart conditions, or epilepsy) and those who have physical impairments (such as spina bifida or cerebral palsy) will be covered by the settlement. School districts will be required to evaluate the children's needs and to provide the assistance necessary for them to attend regular education programs. The services needed may be as minimal as a scheduling adjustment, special transportation, or assistance manuevering a wheelchair through crowded halls. Some of the children may need physical or occupational therapy or the services of a school nurse to administer medication.

Theresa Glennon, counsel for the children, said she was pleased with the settlement. "For over 15 years, the schools have recognized that handicapped children must be provided access to public education. Unfortunately, children who had health or physical impairments but did not require "special education" services were often overlooked. Children like Elizabeth, who can succeed in a regular education programs if provided proper supports and services, will now have the equal opportunity the law requires." Glennon estimates that approximately 30,000 children in Pennsylvania will be covered by the settlement.

In a memorandum that the Department of Education will distribute to all school officials in the state, the new state Secretary of Education, Thomas K. Gilhool, asks local educators to give each affected child "decent and thoughtful consideration."

Under the settlement, the children will be classified as "exceptional children," a state law term which already covers children who require special education services, such as children who have a learning disability or mental retardation or children who are academically gifted. If school officials and a child's

parents are unable to agree on the services needed by the child, the parents may request a hearing or file a complaint with the state.

The Education Law Center, Inc. is a private, non-profit law firm which provides free assistance to parents and children on public education issues. ELC is funded, in part, by the Pennsylvania Protection & Advocacy, Inc., an independent agency designated by the Governor to provide advocacy services to the state's disabled citizens.

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