

Disabled pupil's parents sue Williamsport district

By John Beauge

For the Patriot-News

WILLIAMSPORT — A federal court suit has been filed here against local and state education officials on behalf of a handicapped kindergarten pupil.

The civil rights action has been brought on behalf of the girl, identified only as Elizabeth S., 5, who attends Stevens Elementary School, and her mother, Judith S., whose address is listed only as "in the Williamsport Area School District."

The complaint states that the child has diabetes and cannot attend kindergarten without a parent because the school district refuses to provide certain supportive health services for her.

The suit alleges that the school district refused to hold a hearing in the case and did not conduct an evaluation to determine the child's appropriate educational placement.

The plaintiff's attorney, Theresa Glennon of Philadelphia, is asking that the suit become a class action to include all handicapped students in the state who do not require special education.

Named as defendants are the school district and its superintendent, Dr. Oscar W. Knade; Dr. Margaret Smith, state secretary of education; Dr. D. Kay Wright,

commissioner of basic education; and Dr. Gary Makuch, director of the Bureau of Special Education.

The complaint seeks an injunction to require the school district to provide supportive health services that include giving the girl prescribed snacks, training teachers to recognize symptoms of low and high blood sugar, and having available a trained person to conduct a simple blood-sugar test and provide a snack high in sugar or an injection of glucagon, an agent that increases the amount of sugar in the blood.

The plaintiff contends training on support for diabetics is available free to the school district at Williamsport Hospital.

An injunction also is sought to prevent the state from providing financial assistance to the district until the supportive health care services are initiated.

The complaint also asks that the state officials be required to establish a procedure for school districts for the evaluation and placement of handicapped children that includes the right to a hearing.

The plaintiffs say it has been a detriment to the child to have her mother with her in class since last September and it has harmed a younger child in the family who must be with a baby sitter during kindergarten hours.

School District Sued Over Diabetic Child

A federal lawsuit has been filed against the Williamsport Area School District and the state Department of Education on behalf of a five-year-old diabetic girl, whose attorney claims she is being denied a "free appropriate education."

According to the civil court complaint, the girl — identified only as Elizabeth S. — has been denied necessary services by the school district, including provision of snacks, training of her teachers to recognize symptoms of high or low blood sugar levels, and the administering of a sugar test when she exhibits those signs.

Instead, the complaint charges, the district has required the child's mother to accompany her to school and remain in her kindergarten classroom in case the child needs attention during the day.

The school district has allegedly threatened to place the child in limited homebound instruction if the mother refuses to accompany her to school, it was noted, but the mother's classroom attendance requires a daily babysitter to watch a younger child at home.

The suit also is directed against the Pennsylvania Department of Education on behalf of other handicapped children statewide,

including those with chronic asthma, epilepsy, cystic fibrosis and hemophilia. The complaint alleges the state has failed to fulfill its duty to ensure that such children are adequately evaluated and provided with necessary assistance.

The case, filed by the Philadelphia-based Education Law Center Inc., has been assigned to Senior U.S. Judge Malcolm Muir.

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