

Dan Ruben
Executive Director
Equal Justice America
Building II-Suite 204
13540 East Boundary Road
Midlothian, VA 23112

August 20, 2012

Dear Dan Ruben,

I worked as a Law Clerk with the Learning Rights Law Center this summer advocating for students with special education needs, learning disabilities, mental health problems, and behavior issues, to ensure that they received special education services in school.

I began my first day at Learning Rights by observing client meetings with my supervising attorney. The first client I met was a twenty-year old student with Downs Syndrome and his mother. Unfortunately he had no independent living skills, such as the ability to cross the street or take the bus. He also had very little communication and answered yes to every question. He could not communicate if he felt pain or express what he wanted to do that day. He needed basic life skills, communication skills, and functional skills such as knowledge of stranger danger before he had to leave high school at age twenty-two.

After the interview my supervising attorney gave me a stack of documents from the client's mother and I was primarily assigned to his case. I was excited to get started and help him get the transition services he needed to live independently.

I began by examining the school documents and his Individualized Education Plan ("IEP"), a contract between the school and the student. After thorough review I realized that the school had not assessed the student in over eight years and had no idea of his abilities or skills. Special education students must be assessed triennially and evaluated annually. Without knowledge of his abilities the school could not create proper goals for him or provide him with the services he needed to access the curriculum. Basically he had been "warehoused" and his needs were not known or met.

I poured over his IEP's and it became apparent that his educational program was not providing him with the skills he needed. I requested cited evaluations from the school and they sent documents that were not contemporaneous and had been fabricated (some were dated on a Sunday) for the request. The documents provided by the school bolstered the claim that the school was not aware of his skills or needs. I drafted the due process complaint and after my supervising attorney gave feedback I submitted the complaint to the Office of Administrative Hearings.

After the complaint was filed I was able to participate in the resolution session. During the resolution session the school representative admitted that she had no idea what the student needed or what his abilities were because he had not been assessed. The District immediately offered to fund independent assessments. Independent assessments are expensive and it was exciting that the District willingly offered to fund the assessments.

After the resolution session the District proposed a settlement and I modified and drafted new settlement terms. I also researched and contacted independent assessors that were specialized in assessing non-verbal bi-lingual students. Even though we had not settled by the time my internship was over it was exciting to know that the District knew that they had failed the student and that they were now responsible for providing him with an appropriate placement.

I enjoyed working at Learning Rights because I was able to jump in and do real work from the first day from drafting due process and compliance complaints, interviewing clients, observing mediations, to participating in resolution sessions. I believe that these opportunities have introduced me to the world of litigations and I am very thankful that Equal Justice America was able to fund my work at Learning Rights this summer.

Sincerely,

Caroline Merideth
University of Pennsylvania Law School 2014