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Disability Rights New Jersey to Join Lawsuit Against Dumont Public School District

Special Education Lawsuit Seeks to Redress Systematic Discriminatory Practices Involving More than 95 Children

New York - (February 2, 2011) - Disability Rights New Jersey (“DRNJ”) today announced that it intends to join a lawsuit filed against the Dumont, New Jersey Public School District for systematic discrimination against children with special education needs.

DRNJ, formerly known as New Jersey Protection and Advocacy, Inc., is the federally funded agency designated to serve as the state of New Jersey’s protection and advocacy system for people with disabilities. The nonprofit organization filed a complaint in the U.S. District for the District of New Jersey to join a lawsuit to stop the segregation and discrimination of kindergarten students with disabilities, placing them into a separate classroom located in a basement room, and many times forcing them to be bused across town rather than attend their neighborhood schools.

The defendant in the case, Dumont Public Schools, is responsible for providing an education to the children residing in the Borough of Dumont, New Jersey. The case impacts children in the Borough of Dumont, County of Bergen, in the state of New Jersey.

“Because of Dumont Public School District’s systematic discrimination against students with disabilities, these children were not even considered for placement in their neighborhood schools or what would ordinarily be considered a ‘regular classroom,’” said Joe Young, executive director of DRNJ. “This is just the sort of segregation of children with disabilities that the law is intended to forbid.”

The lawsuit, *J.T. et al v. Dumont Public Schools, et al* (09 Civ. 4969), was originally filed as a class action on September 28, 2009 by a mother on behalf of her five-year autistic old son, and at least 96 similarly situated children. The case alleges Dumont and its representatives violate the rights of children named in the suit under state and federal law, including the Individuals with Disabilities Education Act, the Rehabilitation Act, and the New Jersey Law Against Discrimination.

“This is a lawsuit about segregation and discrimination,” said John Rue of White & Case LLP and attorney for DRNJ. “The District’s ‘separate but equal’ policy is actually more expensive than the alternative, and fails to educate children with disabilities alongside their non-disabled peers, as required by federal and state law.”

Disability Rights New Jersey

DRNJ is part of a nationwide network of protection and advocacy agencies located in all fifty states, the District of Columbia, Puerto Rico, and the federal territories. The protection and advocacy system comprises the nation’s largest provider of legally-based advocacy services for people with disabilities. DRNJ has the statutory authority to pursue legal, administrative, and other appropriate remedies to protect and advocate for the rights and interests of people with disabilities. See www.DRNJ.org for additional information.

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