

MEDIA ADVISORY
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National Class Action To Re-Open Schools

Families Across America With Special Needs Demand Schools Re-Open

NEW YORK, NY – Civil Rights attorney, Patrick Donohue, and Brain Injury Rights Group announced a National Class Action Lawsuit on behalf of millions of special education students across the country. The lawsuit seeks to reopen their schools to provide in-person services and seek compensation for the students and parents for the failure of their school districts to provide a Free Appropriate Public Education (FAPE) since mid-March when schools were shut down during the coronavirus crisis.

Brain Injury Rights Group is launching a radio advertising campaign to encourage parents to join the class action (listen to 60-second radio ad here: <https://braininjuryrights.org/covid-19-class-action>). The initial radio campaign will air on the following New York City radio stations: WMCA 570, WFAN 660, WOR 710, WABC 770, WCBS 880, WNYM 970, and WINS 1010.

There are over 6.7 million students in the United States between 3 and 21 years of age receiving special education services (over 200,000 in New York City alone). These students have Individualized Education Programs (IEPs) with their local school districts that outline the educational program the student is supposed to receive. When the local school districts unilaterally, substantially and materially changed their educational programs by sending these 6.7 million students home in mid-March to receive “remote learning”, or no services at all, they violated the federal civil rights of these students under the Individuals with Disability Education Act (IDEA). In many cases, the local school districts failed to even provide live synchronous service to these students while they were home. Instead, the responsibility for “remote learning” landed squarely on the shoulders of parents across America. Many parents had to quit or lost their jobs and some had to pay money out of their own pocket to do what the local school districts were getting paid to do: provide educational benefit to their disabled child!

Almost 200 families from more than 10 states have already signed up to be part of the national class action. Families are going directly to the Brain Injury Rights Group website: www.BrainInjuryRights.org or are calling the toll-free hotline: 888-927-4332 / 888-927-IDEA.

Patrick Donohue is a civil rights attorney who became an advocate after his daughter, Sarah Jane, was violently shaken by her baby nurse when she was only five days old, breaking four ribs, both collarbones and causing a severe brain injury. The Brain Injury Rights Group is a national civil rights legal advocacy non-profit organization located in New York City. Besides Brain Injury Rights Group, Mr. Donohue has founded one of the largest brain injury programs in the country located in New York City, the International Institute for the Brain (iBRAIN).

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