



For Immediate Release:

July 31, 2019

Media Contacts:

Shawna Parks: (323) 389-9239, sparks@parks-law-office.com

Aaron Bicart: (213) 542-7291, aaron@learningrights.org

Stuart Seaborn: (510) 665-8644, sseaborn@dralegal.org

FEDERAL COURT CERTIFIES CLASS OF CHILDREN SYSTEMICALLY DENIED ACCESS TO SPECIAL EDUCATION IN OXNARD, CALIFORNIA

July 31, 2019 – Los Angeles, CA – Federal Judge John A. Kronstadt of the Central District of California has certified a class of elementary and middle school children in a case charging that the mostly Latinx Oxnard School District does not provide special education evaluations or services for students who show clear signs of having a disability. Federal disability rights laws require school districts to quickly identify and evaluate students who may have a disability. These requirements are known as “child find.” Plaintiffs allege that the District’s egregious failure to conduct “child find” in a timely or systemic way has resulted in many Oxnard children failing their classes—and seventh- and eighth-graders not being able to read and write.

For example, seventh-grader M.L., one of the class representatives, has shown signs of a serious disability for the several years he has been attending school in the District. He cannot read and has failed all of his subjects for years. Despite M.L.’s signs of a disability, the District never considered whether he should receive special education services until he joined the group of children and their parents who filed this lawsuit. Plaintiffs have presented the Court with stories from nearly two dozen students similarly affected by the District’s policies and allege that hundreds more in the class are likewise affected.

The Oxnard School District has nearly 17,000 students at 21 schools. Its students are more than ninety percent Latinx, and more than half are classified as English Language Learners. Many parents in the District, including several of the parents involved in this lawsuit, are agricultural workers.

The Learning Rights Law Center, Disability Rights Advocates, and the Law Office of Shawna L. Parks represent the organization Primero Los Niños, the individual children with disabilities, and a certified class of Oxnard students who may have disabilities. Counsel have represented many more students in individual administrative actions against the District. Plaintiffs filed the class action lawsuit in June 2017. The court certified the case as a class action on July 30, 2019.

Shawna Parks said, “For many of these children this is the educational equivalent of a life or

death struggle—we are seeing staggering educational deficits in many students. I’m pleased that the Court could see that we are dealing with systemic issues here.”

Patsy Van Dyke, Director of Environmental Justice in Education Project at the Learning Rights Law Center, said, “Research confirms the importance of early intervention to address learning disabilities. As a result of this ruling, all children in Oxnard should now have access to the programs and services they need to thrive in school—which ensures a better future for all.”

Jessie Agatstein, an attorney at Disability Rights Advocates, said, “We hope this ruling is a wake-up call for the District. It’s time for Oxnard to overhaul its child find system so that all students can not only read and write, but actually thrive.”

Case: *J.R., et al. v. Oxnard School District, et al.*, Case No. 2:17-cv-04304-JAK-FFM
United States District Court, Central District of California, Hon. John A. Kronstadt

Order available at the following sites:

https://docs.wixstatic.com/ugd/6a3aca_416c51cdd1314d2bb2b688224cc76a32.pdf

<https://dralegal.org/case/j-r-v-oxnard-school-district/>

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About Learning Rights Law Center:

Learning Rights Law Center is a legal services nonprofit that seeks to achieve education equity for low-income and disadvantaged students in the public education system in Los Angeles and surrounding counties. Learning Rights changes the lives of at-risk students who have disabilities or face discrimination by providing free legal services, education advocacy, and community training. Learn more at **www.learningrights.org**.

About Disability Rights Advocates (DRA):

With offices in California and New York, Disability Rights Advocates (DRA) is one of the leading non-profit disability rights legal centers in the nation. DRA’s mission is to advance equal rights and opportunities for people with all types of disabilities nationwide in complex, system-changing class-action cases. Learn more at **www.dralegal.org**.

About the Law Office of Shawna L. Parks:

The Law Office of Shawna L. Parks is a Los Angeles–based law firm focusing on civil rights, disability rights, and education cases, on both individual and systemic levels. Ms. Parks is an award-winning litigator who has worked extensively on high-impact cases, including a number of cases regarding the rights of people with disabilities in the criminal and juvenile justice systems, as well as a wide variety of cases addressing access to government programs and services, such as the court system, educational institutions, and government benefits. Her focus in education law includes systemic non-compliance in school districts, discipline and police issues on campus, education for at-risk and detained youth, educational services and accommodations for children with chronic health issues, and environmental justice. Learn more at **www.parks-law-office.com**