PRESS RELEASE

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District Government Regains Control of its Special Education Transportation Program and Special Education Payments

Judge Dismisses 17-Year-Old Case Against the District

(WASHINGTON, D.C.) – Mayor Vincent C. Gray today announced that, after 17 years of federal court supervision over the District's special-education transportation program and special education payments, a federal judge, who had already terminated court oversight, dismissed the action in an order this afternoon. The dismissal ended the long-running *Petties v. DC* litigation, a class action lawsuit that concerns reliable transportation for the District's 3,200 special education students and timely payments to nonpublic schools and related service providers funded by the District.

"The decision to dismiss this action and remove the District from federal court oversight for special education service payments and transportation is a major accomplishment for the District government – and one my administration has worked hard to achieve," Mayor Gray said***. "I would like to thank City Administrator Allen Lew for his leadership in this area, and I congratulate State Superintendent of Education Hosanna Mahaley Jones, and Chancellor Kaya Henderson and their teams for their ongoing commitment to our special-needs students. These students deserve every opportunity we can provide in education, and I'm proud to say that they are getting the kind of service they deserve. I'm also deeply appreciative for the skilled representation provided by the Office of the Attorney General under Irv Nathan's leadership."***

At a public "fairness" hearing at which all class members and counsel were entitled to express their views, Judge Paul Friedman of the US District Court for the District of Columbia today said he will sign an order this week dismissing the case, releasing the District of Columbia, including the District of Columbia Public Schools, and the Office of the State Superintendent of Education (OSSE), from court supervision which had involved a court monitor overseeing payments and payment disputes, and a supervising court master overseeing the transportation side of the case. No objections were filed against dismissal and no one requested permission to speak against dismissal.

Previously at a hearing on November 8, 2012, the Court removed the District from oversight by a supervising court master, returning control of transportation for special education students to the OSSE. The Court also had ended the requirements in the case governing payments to non-public special education schools and related service providers. Working closely with Special Court Master Elise Baach, the District and the parties agreed to a payment and dispute-resolution process to ensure a smooth transition of court oversight back to the District. Effective November 1, 2012, the payment and dispute process are governed by District rules.

Superintendent Mahaley Jones said: “Looking back, we understood that we were facing an enormously difficult task when we took over student transportation services two years ago, but we knew that we had the full support of this administration. Because of this extraordinary team effort and the commitment to excellent service provided by everyone at the Office of the State Superintendent of Education’s Division of Special Education and Department of Transportation, we have strong systems in place to maintain our commitment to special education students and their families.

Attorney General Nathan said: “Ending federal court supervision over our local functions has been among our highest priorities. The Gray Administration has followed through on its commitment to invest resources and talent into all of the areas where we have outstanding court orders, including the District’s student transportation services. The dismissal of this action is a reflection of the great progress and the systemic improvements demonstrated by the District. We look forward to continuing this trend with sustained compliance in other cases subject to court oversight.”

City Administrator Lew said: “From the start of his administration, Mayor Gray set the bar. His standard is one of excellence in everything that this government does. From trash collection to education services, our goal is to maintain improvements in every area. The court’s decision to end the *Petties* case is another confirmation that District government is achieving its goals. Our job now is to continue supporting our workforce and ensuring that all of our children have the tools and resources needed to thrive.”

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