

Case study-hurry vs jones

Business



IDEA and the constitution of the united States guarantee that students will receive a free public education no matter what their handicaps. The District should have provided some method by which this student could be educated. I am aware that people exceeding George's weight are regularly transported to raying places if not by bus, by ambulance and other vehicles. A student like George needs all of the education that he can possible absorb and no limitations of that education should be acceptable.

Transportation is provided all over the country for students with limited mobility and or cognitive difficulties. It seems Like a “slam dunk” that something should have been done to see that George was educated. In addition, the idea of home schooling is limited to exceptional need and usually to fragile students or dangerous students. George was neither. The problem of the amp should never have reached the superintendent in a city, the capitol of the state and the size of Providence.

It would seem that a little searching, perhaps a little publicity would have located a group of city minded people who would not only fund the ramp and elevate the problem of getting George up and down to his house.

One need only KICK at ten menders AT Eternal organizations Tanat assist ten analogical Ana take on necessary projects such as this. Why would the lack off ramp ever go to court? I am well aware of the litigious nature of many special education families. In mom cases the families are so frustrated by the limitations of their child that they seek to reach out and make someone pay, hence law suits.

This case does not seem to fall under this pattern. The parents willingly sought to aid their son and clearly, with a little assistance from the outside a better plan could have been worked out and George would have missed a lot less education.

It seems that in this country people want to rush to the courts to fix things. George could not be fixed by the courts so the time had come to be realistic about meeting George's needs as no law in the United States gives the state the right to NOT meet his needs.

Having looked at the final settlement and the numbers involved it seems clear to me that the family was not out to "milk the school district". They wanted simply to see their son get the most he could get from the educational system and become as viable of an American citizen as possible. This case cries out for thinking outside the box and putting the child first.

Unfortunately, as I have seen from interviewing other teachers many parents simply want a fix for their unfixable child. This case does not fall into this *étagère* and the fact that in the end solutions were found demonstrates that point.

Unfortunately, the idea of lawsuits seems to set up a chain of actions within a school district. That chain, once set in motion is very difficult to break. This seems to have been a misbegotten law suit that could have been labeled frivolous and was certainly unnecessary.

The outcome of all of this legal activity was some money for George's parents, which will undoubtedly be spent providing care to George, who will

continue to have problems for the remainder of his life. This law suit allowed for delays and a much longer period of time to go by before a satisfactory completion was reached.

The only person who sacrificed was George. As school was his only social and educational outlet. In my opinion this court case was wasteful and in addition penalized the child which was unnecessary and of course set one more precedent for suing a school district.

School districts are becoming more and more fearful of threats of litigation and having spoken to many teachers I realize that once this process is set in motion, teacher time is spent keeping all of the parties involved happy and out of court if possible.

The school district seems to care more about the lawsuits than how or if they will benefit the student. If you can't serve these students the school district needs to reassess its reason for existing. An example of this is, " The district court found these regulations " clear" and that in failing to reach the street level, defendants, " ignored their obvious duty" (Rottenest pg. 154). Let me point out that in support of this opinion that the courts awarded \$11,500 for out of pocket expenses for driving George to school.

It calculated this expense by multiplying 92 days of school in 1976 and 1977 during which the school failed to provide transportation by Mr. Hurry's \$12,500 estimate of the weekly cost incurred in transporting George himself. We have certainly demonstrated that the lawsuit financially benefited no one and improved things for George, not at all.

This helps to prove that it was a law suit that could have been settled out of court by some creative thinking from all those involved. Reticence Rottenest, L. & Johnson, S. F. , (2010).

Special Education Law (4th De.). Thousand Oaks, CA: SAGE publications, Inc.