



## Court agrees with Legal Aid, says state unlawfully denied education to special education students

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### FOR IMMEDIATE RELEASE:

In a 2021 class action lawsuit filed by Mid-Minnesota Legal Aid's Disability Law Center, U.S. District Court Judge Patrick J. Schiltz ruled, Friday, Aug. 25, 2023, that special education students are entitled to school instruction all days in an academic year leading up to their 22nd birthday.

In 2020, Mid-Minnesota Legal Aid's Disability Law Center took up the case of two students, and those similarly classed, whose special education services were cut short in violation of federal law. Under state law, school districts had ended instruction for special education students on July 1 following their 21st birthday.

"Federal law is clear, these students are entitled to services through their 22nd birthday," says Supervising Disability Law Center Attorney, Maren Hulden. "But keep in mind, this happened in 2020 during the COVID-19 remote-learning lockdown. Negative impacts for special education students meant their learning was cut in two ways—one, they were denied the experiential settings inherent to transition-learning and two, their eligibility timeframe was less than what federal law requires."

"So, this is very good news," adds Deputy Director, Jenn Purrington of Legal Aid's Disability Law Center. "As a result of the judge's decision, all students represented in this class action suit should be getting compensatory education services. They're approaching their mid-20s now, so it's exceedingly important because of the impact of COVID-19 learning loss, that they get to recover and catch up with the support of the state."

"Our charge now," says Hulden, "is finding those students wherever they are in life, today, so they can reclaim the education they were denied."

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