

Disabled teen's parents say MPS violated daughter's civil rights

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Author: Scott Johnson

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The parents of a teen who uses a wheelchair contend Montgomery Public Schools is violating her civil rights by not allowing her to attend the high school in her school zone.

Chris Palmer and Karen Lunde said the school system is making their 18-year-old daughter, who has cerebral palsy, attend Jefferson Davis High School without making an effort to accommodate her at Robert E. Lee High School.

They also said the school system failed to inform them of the situation and that Palmer only found out about the change after he showed up at Lee to register his daughter, who will be in the 10th grade this year.

On Monday morning, the two were at Lee, which is the school their daughter, Maegan Palmer, would attend if she were not in a wheelchair.

They were met outside the school by Margaret Traylor, zone coordinator for the MPS special education department, who said Maegan Palmer was registered at Jeff Davis because of accessibility and safety issues.

School officials said Jeff Davis and the new George Washington Carver High School are the only traditional high schools in the city that are wheelchair accessible.

Montgomery Public Schools spokesman Tom Salter acknowledged that a student in a wheelchair graduated from Lee recently but said he didn't know the details of the situation.

Traylor said the principal of Lee at the time made an arrangement for the student to attend. The school now has a new principal.

Chris Palmer said the school system is essentially segregating his daughter.

"This is discrimination in the 21st century," Palmer said.

Lunde and Palmer said the school system's actions are in violation of the Individuals with Disabilities Education Act. Lunde said she has filed a claim with the U.S. Board of Education's Office for Civil Rights.

Salter said the system accommodates disabled students.

"There are times when we are unable to make accommodations in exactly the way a parent wants, but we always find a way to accommodate the student," Salter said.

He added that accessibility is not the only issue at Lee. He said some schools in the system have special programs for students with certain types of disabilities.

At the older high schools -- Lee and Sidney Lanier -- part of the problem is the schools' actual designs, which predate federal mandates on accessibility, Salter said. Besides the rebuilt Carver, there has not been a new traditional high school built in the system since 1966, he noted.

"We have retrofitted as best we could," Salter said.

Lunde and Chris Palmer said an Individualized Education Program was agreed upon in May that specified that their daughter would attend Lee. An IEP is a plan for a disabled student's education decided by a panel made up of the parents, educators and advocates.

After discovering that his daughter was registered at Jeff Davis, Palmer contacted the IEP panel members and requested a meeting. He said he attended a three-day IEP meeting last week.

He said school officials made no concessions toward accommodating his daughter at Lee.

An attempt to reach a member of the IEP panel was not successful Monday.

Lunde lives in Dalraida, a neighborhood near Lee. She said the school is a short drive from her house and that attending school there would spare her daughter a long bus trip.

Maegan Palmer has cerebral palsy and sitting in her wheelchair for a prolonged amount of time could worsen a circulation problem in her legs, Lunde and Chris Palmer said. Lunde added that her daughter does not use the wheelchair at home because she and her husband can help her get around.

The high school student had a 90-minute bus ride when she attended Brewbaker Junior High School, her parents said. The circulation problems began showing up last year, they added.

The trip to Jeff Davis would be shorter but still would be a hardship, they said, adding that they did not plan to send her to that school. For now, Lunde said, she plans to keep her daughter with her at Lunde's, the downtown restaurant she operates with her husband, Loren.

The long bus rides to and from Brewbaker likely made Maegan Palmer "regress in her walking ability," said Judy Barclay, co-founder of the Full Life Ahead Foundation, an advocacy group for people with disabilities.

Barclay has been an advocate for Maegan Palmer and attended the IEP meeting last week.

Barclay said she made suggestions for accommodations the school could make but that school officials would consider none of them.

Chris Palmer said he worries about the precedent being set by his daughter not being allowed to attend Lee, considering that other students in wheelchairs have attended Lee. Lunde said she knows of at least two others in addition to the recent graduate.

Traylor said the only time a student is sent to a school other than one he or she is zoned for is when there are accessibility issues.

Traylor said Maegan Palmer would have to go outside to get to certain classes and that an influx of ninth-grade students and upcoming construction in front of the school on Ann Street will compound the safety issues. Jeff Davis will have ninth-grade students for the first time this year.

"I would love to see every school be accessible," Traylor said.

Lunde and Chris Palmer said they will continue to push for their daughter to attend Lee.

"(School officials) need to accommodate her situation. That is a violation of her civil rights if they don't," Lunde said.