



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**Statement of the CCD Education Task Force
Affirming the Anniversary of *Brown v. Board of Education***

Mary 16, 2018, Washington, DC --The Consortium for Citizens with Disabilities (CCD) Education Task force, the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society, stands with other national civil rights organizations today in celebrating and affirming the anniversary of the decision in *Brown v. Board of Education*. In 1954 the U.S. Supreme Court, in a landmark decision, ruled unanimously that racial segregation in public schools violated the Fourteenth Amendment to the Constitution, which prohibits states from denying equal protection of the laws.

Ultimately, it was this decision that led to the right to a Free and Appropriate Public Education (FAPE) for students with disabilities under the Constitution and to the Individuals with Disabilities Education Act (enacted in 1975 at P.L. 94-142). In *Smith v. Robinson*, 468 U.S. 992 (1984) the United States Supreme Court held that the administrative process created by P.L. 94-142 was the exclusive remedy for disabled students asserting their right to equal access to education. Section 504 of the 1973 Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA) also recognizes that people with disabilities face discrimination and are entitled to an equal opportunity to participate in society to the same extent that others take for granted.

These laws have led to tremendous advances for students with disabilities to be included in schools, graduate with their peers, and move on to college, attain advanced degrees and become independent, self-determined, and full participants in our society.

Unfortunately, research and data show that we still have a long way to go to ensure that underrepresented students are protected, free from discrimination and provided an equal right to a public education.

For example, according to the U.S. Department of Education Office on Civil Rights data:

- Black students are more than three times more likely than White students to be suspended or expelled from school.

- While Black students make up about 18 percent of preschool enrollments, nearly half of all preschoolers suspended more than once during the 2011-'12 school year were Black.
- [While] students with disabilities are more than twice as likely as students without disabilities to be suspended in K-12 settings and are suspended for longer duration.
- Students of color with disabilities experience the highest rates of exclusion. With the exception of Latino and Asian-American students, more than one out of four boys of color with disabilities — and nearly one in five girls of color with disabilities — receives an out-of-school suspension.
- Students with disabilities were also harassed or bullied based on sex, race, and disability at rates higher than their representation in the total school enrollment.
- Black students were 15 percent of all students enrolled, but 27 percent of students restrained, and 23 percent of students secluded, while students with disabilities comprised 12 percent of all students enrolled but represented a shameful 71 percent of all students restrained and 66 percent of all students secluded.

In order for all students to succeed and be free from discrimination, the United States Federal government must continue to affirm, provide oversight, and enforce these and all civil rights laws. Furthermore, the U.S. government must robustly protect and enforce existing regulations and laws that provide a Free and Appropriate Public Education (FAPE). The Consortium for Citizens with Disabilities (CCD) stand willing to assist in the efforts to uphold and enforce these laws.

CCD Education Task Force Co-chairs

Amanda Lowe National Disability Rights Network (NDRN)) 202-408-9514 phone 202-408-9520 fax amanda.lowe@ndrn.org

Erin Prangley National Association of Councils on Developmental Disabilities (NACDD) 202-628-2662 phone 202-506-5846 fax EPrangley@nacdd.org

Kim Musheno Autism Society of America 301.657.0881 phone kmusheno@autism-society.org

Laura Kaloi Council of Parent Attorney and Advocates 571-447-5005 phone laurakaloi@mckeongrp.com

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