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CIVIL TRACK I JUDGE DIXON

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

FOR KING COUNTY

T.I., a minor, by and through his mother and next friend,)	
D.I.; et al.,	ý	NO. 90-2-16125-1
Plaintiffs,)))	NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION LAWSUIT AND
vs.)	OPPORTUNITY TO PRESENT OBJECTIONS
HAROLD DELIA, Director,)	
DEPARTMENT OF YOUTH)	•
SERVICES, et al.,)	
)	
Defendants.)	
)	

IMPORTANT NOTICE TO ALL YOUTH AT THE KING COUNTY DETENTION FACILITY (KCDF):

On August 10, 1990, a lawsuit was filed in King County Superior Court on behalf of youth of compulsory school age confined at the KCDF. Among other things, the lawsuit claimed that the Seattle School District did not provide eligible youth with special education services.

On, Oct 27, 1993, a proposed settlement of this lawsuit was filed with the Court. The Court is going to decide whether this proposed settlement should become a

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final order of the Court. The settlement will not become final until youth and guardians or parents of youth at the KCDF have a chance to object in writing. The purpose of this notice is to summarize the proposed settlement and to explain how you may let the Court know if you have any objections to it.

SUMMARY OF THE SETTLEMENT

A full copy of the proposed settlement is available at the KCDF or through plaintiffs' counsel. Generally, the proposed settlement includes the following terms:

- 1. The settlement applies to all youth of compulsory school age. In general, if you are a resident of KCDF and you have a learning disability, a serious emotional problem, a speech or vision problem, a health impairment, a physical or mental handicap, or some other similar problem that hinders your ability to learn, then you are probably part of the group of youth this settlement will particularly affect. This group of KCDF residents is called a "class" in the settlement. The word "class" will be used in the rest of this notice.
- 2. For all class members who have current individualized education programs (IEPs) when they enter detention, the District agrees to provide, as practicable and appropriate within the confines of the detention facility, the special education and related services described in the IEP.
- 3. For eligible special education students who do not have current IEPs, the District will develop and implement in consultation with plaintiffs' expert a procedure to develop special education plans for youth.
- 4. The District agrees to employ no fewer than two certified special education teachers at the KCDF and to take reasonable steps to fill all future teaching vacancies there with adequate special education teachers. The District will make good faith efforts to employ at all times a full-time education assistant for the special education program.

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- 5. The District agrees to employ a .2 FTE psychologist to assist with the identification and assessment of eligible students.
- 6. The District will provide special education services in detention including consultative services, pullout classes and a self-contained classroom as the District determines to be necessary to accommodate the individual special education needs of students while in detention.
- 7. The Office of the Superintendent of Public Instruction of the State of Washington agrees to monitor the detention school program, to administer funding to the District in accordance with existing statutes, rules and appropriation acts and to provide technical assistance to the Seattle School District at the KCDF.
- 8. The settlement sets up a system to make sure that the parties do everything they agreed to.
- 9. If you have any questions about this settlement you may ask to see a copy of the full settlement at the KCDF or you may write to the attorneys who brought this lawsuit. You should contact: Patricia J. Arthur, Project Director, Evergreen Legal Services, Institutional Legal Services Project, 101 Yesler Way, Suite 301, Seattle, WA 98104; (206) 464-0838.

II. HOW TO FILE OBJECTIONS

Any resident of the KCDF may file objections to the proposed settlement. Any objections must be in writing. You may mail your objections to the attorneys for the plaintiffs at the following address:

Patricia J. Arthur, Project Director Evergreen Legal Services Institutional Legal Services Project 101 Yesler Way, Suite 301 Seattle, WA 98104

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The Court will review all objections made to the proposed settlement. The Court will then decide whether the proposed settlement should become a final order.

DATED: Ox 571993

JUDGE ROBERT E. DIXON

King County Superior Court Judge

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