

P.B. v White

Independent Monitor Position Description

On March 25, 2015, the United States District Court for the Eastern District of Louisiana entered a consent decree addressing all issues raised in *P.B., et al. v. John White, et al.*, Case 2:10-cv-04049.

The lawsuit was filed against the Louisiana State Superintendent of Education, the Louisiana Department of Education, and the Louisiana Board of Elementary and Secondary Education (“BESE”) in October 2010 by ten children, through their parents or guardians, on behalf of all present and future New Orleans students with disabilities. The lawsuit alleges that the State Defendants failed to effectively coordinate, monitor, and oversee the delivery of special education services across over 60 distinct local educational agencies operating in New Orleans. The lawsuit also claims that, as a result of these alleged failures, students with disabilities are subject to discrimination or otherwise excluded from schools; mandatory evaluations for special education eligibility are not conducted; students with disabilities are disciplined without the procedural safeguards required by law; and students with disabilities are denied the free appropriate public education and related services to which they are entitled. The lawsuit sought to remedy these alleged violations on behalf of the ten plaintiffs and on behalf of all students with disabilities in New Orleans. After the initiation of this case, the Orleans Parish School Board (“OPSB”) intervened as a Defendant.

The consent decree requires the appointment of an Independent Monitor to oversee implementation, and the parties to this case are seeking an Independent Monitor with professional experience in the administration of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, including programmatic support and compliance monitoring, at the state level or in a large local educational agency.

The parties are seeking an individual with knowledge of the unique structure of the New Orleans public education system, which includes a combination of traditionally-managed and charter schools administered by the OPSB as well as a number of BESE-authorized charter schools, some of which are overseen by the Recovery School District. The Independent Monitor should have experience working with charter school law and policy. Professional experience as an independent monitor, special master, or court-appointed supervisor over the implementation of court orders or negotiated agreements concerning the provision of education services to children with disabilities is preferred.

The Independent Monitor will be responsible for supervising all aspects of the implementation of the consent decree, including:

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1. the oversight of and collection of data related to the implementation of consent decree activities throughout Orleans Parish’s decentralized system of traditional and charter schools;
2. the development of comprehensive compliance reports for the court that address all aspects of implementation of the consent decree, and are accessible to the general public;
3. the facilitation of communications between the Parties and the Court and between all educational stakeholders in Orleans Parish, including local educational agencies, the general public, and representatives of the media.

The consent decree will be in effect for a minimum of two years, and the responsibilities of the Independent Monitor will require a significant commitment of time and resources.

Individuals seeking consideration for appointment as the Independent Monitor should send a resume and a letter of intent addressing the qualifications detailed above to:

Louisiana Department of Education
Attn: Legal Division
P.O. Box 94064
Baton Rouge, LA 70804-9064
tyrell.manieri@la.gov

Southern Poverty Law Center
Attn: Eden Heilman
1055 St. Charles Avenue, Suite 505
New Orleans, LA 70130
eden.heilman@splcenter.org

Requests for consideration should be received no later than April 24, 2015.