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U.S. | EDUCATION

Lawsuit Targets Detroit Public Schools for Failing Students

Seven student plaintiffs say system violates constitutional right to literacy



Renee Schenkman, a former teacher at Experiencia Preparatory Academy, speaks to the media Tuesday about a lawsuit filed on behalf of seven students in Detroit. *PHOTO: ASSOCIATED PRESS*

By TAWNELL D. HOBBS

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Infestations of mice and cockroaches, unqualified staff, unsafe buildings and inadequate teaching materials are among complaints in a federal lawsuit filed Tuesday against Michigan Gov. Richard Snyder and other state education officials.

Seven students are named as plaintiffs in the lawsuit filed in U.S. District Court for the Eastern District of Michigan. They contend that the state of Michigan has denied children their constitutional right to literacy.

“Plaintiffs sit in classrooms where not even the pretense of education takes place, in schools that are functionally incapable of delivering access to literacy,” the lawsuit states.

The lawsuit seeks class-action status on behalf of students who attend several schools run by the Detroit Public School Community District, formerly Detroit Public Schools; charter operators; and the Education Achievement Authority state-controlled reform school district.



Tuesday's lawsuit seeks class-action status on behalf of students who attend several schools run by the Detroit Public School Community District; charter operators; and the Education Achievement Authority state-controlled reform school district. *PHOTO: BLOOMBERG NEWS*

Representatives with the governor's office and Detroit public schools declined to comment, citing the pending litigation. In addition to the governor and other state officials, the lawsuit also was filed against members of the Michigan Board of Education.

Michael Rebell, professor of law and educational practice at Columbia University, said that lawsuits involving education rights have typically been at the state level, unlike the one filed in federal court Tuesday. Plaintiffs in the state cases had about a 60% chance of winning, he said.

Mr. Rebell said that the federal suit is one to watch—and noted that it is being brought by Public Counsel, a law firm that he said has a good reputation.

"This is not something somebody threw together with 10 pages of assorted allegations," Mr. Rebell said. "I'm sure all their research here is pretty solid."

"Instead of providing students with a meaningful education and literacy, the state simply provides buildings—many in serious disrepair—in which students pass days and then years with no opportunity to learn to read, write, and comprehend," the complaint states.

In one case highlighted in the lawsuit, an eighth-grade student taught seventh- and eighth-grade math classes for a month because no math teacher was available.

The plaintiffs are seeking relief that includes remedial classes to bring students up to grade level, screening for literacy problems, state monitoring and fixing school conditions that hinder learning.

The students are represented pro bono by Public Counsel, a law office that does public-interest work; the international business law firm Sidley Austin LLP; Michigan law firm Miller Cohen PLC; University of Michigan Law School Professor Evan Caminker; and Irvine School of Law Dean Erwin Chemerinsky at the University of California.

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