

# Multiple Lawsuits Filed Against Alabama Officials Over Systemic Discrimination of Children With Disabilities

*Complaints allege disabled children in residential treatment facilities are denied equal education; attorneys also represent victims of abuse at the facilities.*

MONTGOMERY, AL, U.S.A., September 21, 2023 /EINPresswire.com/ -- Multiple lawsuits were filed yesterday in the United States District Court for the Middle District of Alabama against Nancy Buckner, Commissioner of the Alabama Department of Human Resources, and Eric Mackey, State Superintendent of the Alabama Department of Education, claiming flagrant violations of the Americans with Disabilities Act (ADA). Six federal lawsuits were filed yesterday on behalf of children placed in residential treatment facilities in Alabama (Case 2:23-cv-00557, Case 2:23-cv-00556, Case 2:23-cv-00554, Case 2:23-cv-00555, Case 2:23-cv-00553, and Case 2:23-cv-00558).



Birmingham Attorneys Tommy James of Tommy James Law and Jeremy Knowles of Morris Haynes, and Pensacola Attorney Caleb Cunningham of Levin Papantonio Rafferty (pictured above, left to right) represent the plaintiffs.

The lawsuits allege children with disabilities in these facilities are discriminated against by segregating them in on-site “schools,” denying them educational opportunities equal to their non-disabled peers in regular education settings.

A recent probe by the [Department of Justice](#) (DOJ) uncovered evidence of the State of Alabama’s systemic discriminatory practices, revealing blatant violations of the ADA. The allegations in these lawsuits are consistent with the DOJ’s findings, highlighting the fact that these children are deprived of meaningful interaction with their non-disabled peers, and they also receive inferior instruction, limited resources, and inadequate support.

Birmingham Attorneys Tommy James of [Tommy James Law](#) and Jeremy Knowles of Morris Haynes, and Pensacola Attorney Caleb Cunningham of [Levin Papantonio Rafferty](#) (pictured above, left to right) represent the plaintiffs. They also represent numerous victims from across



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*TOMMY JAMES, ATTORNEY,  
TOMMY JAMES LAW*

Alabama who have suffered physical and sexual abuse in these facilities.

"The Department of Justice's findings are deeply troubling and underscore the need for immediate action to ensure our most vulnerable have equal access to education," James said. "It is inexcusable state officials have ignored and been complicit in such systemic segregation and discrimination. The DOJ's revelations are not only concerning—they are damning. Every child, irrespective of

disability, is entitled to equal educational opportunities."

"We have filed these lawsuits not only for our clients but for every child in the state who has been robbed of the education they deserve," Cunningham said. "Our goal is to shine a spotlight on this blatant discrimination and to ensure it does not continue. We are committed to fighting for the rights of children with disabilities and ensuring they have the same opportunities as their non-disabled peers."

"These cases are about the fundamental rights of children with disabilities in our state," said Jeremy Knowles. "We filed these lawsuits to force the state to stop discriminating against these children. They deserve equal opportunity, especially in education."

The lawsuits seek, among other things, compensatory damages, attorneys' fees, and costs, emphasizing the severe educational, financial, and social damages suffered by the plaintiffs and countless other children due to these discriminatory practices.

"With this legal action, we hope to bring attention to the dire need for reform and establish a precedent ensuring equal education rights for children with disabilities across Alabama and the nation," James said. "We are confident we will prevail in these lawsuits, and the State of Alabama will be forced to change its discriminatory practices."

James says he and his co-counsel filed these lawsuits and will continue their investigations to hold the State of Alabama accountable for its discriminatory practices and to ensure no child is denied an equal education because of their disability.

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