

Barbara McDowell Social Justice Center Secures Landmark Win Extending Education Rights for Montana Students with Disabilities

Washington, DC – The Barbara McDowell Social Justice Center, in partnership with Disability Rights Montana (DRMT) and co-counsel, has secured a groundbreaking settlement guaranteeing that Montana students with disabilities can remain in school until age 22. This change ends the state's decades-long practice of cutting off special education services at 18, bringing Montana in line with every other state in the nation.

Filed in the U.S. District Court for the District of Montana, the case enforces the Individuals with Disabilities Education Act (IDEA), a federal law that ensures eligible students receive a free appropriate public education in the least restrictive environment. Under the agreement, students may continue receiving special education services until they earn a regular high school diploma or turn 22, whichever comes first.

"This agreement corrects decades of exclusion and gives Montana students the same opportunity for a diploma as their peers nationwide," said Jerry Hartman, President of the Barbara McDowell Social Justice Center. "It is a powerful example of how litigation can drive systemic change and remove barriers that deny students their legal rights."

The Center's litigation team worked closely with DRMT and national co-counsel to achieve this systemic reform. By combining deep expertise in impact litigation with strategic partnerships, the Center advances its mission to fight systemic injustices in areas such as disability rights, foster care reform, voting rights, and immigration.

Families of students who were exited from school in the 2024–25 academic year—either for aging out before 22 or receiving a modified diploma—are urged to contact their school districts now to start the re-enrollment process. Once official notices are sent this fall, eligible students will have just 30 days to re-enroll.

For help, contact Disability Rights Montana at 406-449-2344 or visit disabilityrightsmt.org.

Those who wish to support impactful litigation such as the case highlighted above, can donate at BMJC. For more information about the Barbara McDowell Social Justice Center's mission and active cases, visit www.mcdowellsocialjusticecenter.org.

CASE INFORMATION

United States District Court in Helena, Montana

A.H., A.K., and DISABILITY RIGHTS MONTANA v. SUPERINTENDENT SUSIE HEDALEN and GOVERNOR GREG GIANFORTE

Case No. 6:25-cv-00020-DLC

The Barbara McDowell Social Justice Center is a national nonprofit committed to fighting systemic injustices through litigation, advocacy, education, and grantmaking. Through its own

impact litigation and partnerships with other organizations, the Center addresses civil rights issues such as disability rights, foster care reform, voting rights, immigration issues, and more.

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