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**LANDMARK SETTLEMENT IMPROVES THE SAFETY OF  
STUDENTS WITH DIABETES IN UPLAND UNIFIED SCHOOL  
DISTRICT**

**Upland, CA—November 10, 2017—** A landmark settlement to make Upland Unified School District safer and more accessible for students with diabetes was approved by Judge R. Gary Klausner earlier this week. This civil rights victory was negotiated with the Upland Unified School District by Disability Rights Legal Center (DRLC) and Foley & Lardner LLP (Foley) on a pro bono basis.

Filed in September 2016, the lawsuit (*V.N. v. Upland Unified School District, et al.*) alleged that Upland Unified School District failed to appropriately accommodate the needs of an 11-year-old girl with type 1 diabetes in violation of federal and state disability laws, including Americans with Disabilities Act, Section 504 of the Rehabilitation Act, California Government Code § 11135, and the Unruh Civil Rights Act.

The lawsuit alleged that the District's discriminatory actions included providing "haphazard" and unreliable nursing coverage, refusing to allow for storage of the student's prescribed life-saving medications on campus, failing to train staff, excluding

her from school, and failing to create proper policies and procedures to address the needs of students with diabetes within the District, including during emergency situations.

Under this agreement, the District must change how it treats students with diabetes. Among other things, the settlement requires the District to create a Diabetes Handbook that contains a series of policies and protocols designed to train and inform District employees on the best practices and methods for providing care for students with diabetes, to properly account for students with diabetes in emergency planning, and to designate at least three on-site staff who are specially trained in diabetes care and management at each campus where a student with diabetes attends school. These changes will have a positive impact for every student with diabetes who attends school in the Upland Unified School District.

In addition to improving the educational experience of students with diabetes within the District, this settlement may save lives. John J. Atallah of Foley & Lardner explains, “Because of this settlement, students with diabetes have a chance to be successful in school without having to worry about whether their medical needs will be appropriately addressed.”

Maronel Barajas of DRLC says, “This agreement helps to ensure that students with diabetes are provided with appropriate accommodations and services for their diabetes care, and are no longer segregated in or restricted in their attendance at the District, solely due to their disability.”

The plaintiff is represented by Kimberly Klinsport and John Atallah of Foley & Lardner LLP and Maronel Barajas and Anna Rivera of the Disability Rights Legal Center. The case is *V.N. v. Upland Unified School District, et al.*, Case No. 5:16-CV- 1958-GHK (KKx) in the U.S. District Court, Eastern District of California.

#### **About Disability Rights Legal Center**

Founded in 1975, Disability Rights Legal Center is the nation’s oldest national non-profit public interest cross-disability law center. Its mission is to champion the rights of people with disabilities through education, advocacy and litigation. To read more about DRLC visit [drlcenter.org](http://drlcenter.org).

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