



Advocates for Justice and Education, Inc.

The Parent Training and Information Center for the District of Columbia

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**Children with
Special Needs,
need Parents
with Special
Skills!**

April 10, 2023

Chairman Phil Mendelson and D.C. Councilmembers

City Council of the District of Columbia

350 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Dear Chairman Mendelson and D.C. Councilmembers:

I am Rochanda Hiligh-Thomas, Executive Director of Advocates for Justice and Education (AJE) and I write to share the critical role the Access to Justice (ATJ) Initiative funds play in our ability to support some of DC's most vulnerable residents. AJE, founded in 1996, is the federally designated Parent Training and Information Center (PTI)¹ for the District of Columbia. Each year we assist hundreds of DC families through direct services, training, and advocacy in navigating the District's public education system (including, special education, school discipline and more), helping them to understand and protect their rights to ensure children have access to an appropriate education.² A quality education is the necessary foundation for giving DC's children and youth, particularly those with disabilities and special health care needs, the fair shot they deserve.

For over the last 11 years, AJE has received ATJ Initiative funds to provide direct legal assistance to DC families. With this funding, AJE has been able to expand our one of a kind pro bono attorney program for private attorneys to provide legal representation to DC students facing wrongful suspension or expulsion from school, increasing the number of families who have access to a lawyer to protect their rights. Also, AJE was able to establish the first advice and counsel legal clinic within the DC Office of Administrative Hearings (OAH) to provide legal assistance to unrepresented parents and students who appear for DCPS disciplinary hearings, helping them to understand the hearing process, their rights and how to defend against improper disciplinary actions. As a result, AJE has been able to provide legal assistance to hundreds of families helping to keep their children in school and ensuring they receive the special education services and supports they are entitled to and need.

The impact of COVID-19 pandemic has been devastating for DC residents. It especially challenged our education system compounding the existing inequities across race, class

¹ The White House, in a [press release](#), last year highlighted PTI's and the resources they provide to families as part of its strategy in centering equity and accessibility for individuals with disabilities in its COVID-19 response.

² "Education is a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development." Kofi Annan

and disability. With the return to in-person learning last year and this school year, the repercussions of COVID-19 are still being felt with students not receiving access to education. This school year, schools have failed to comply with the Student Fair Access to School Act of 2018 (SFASA) resorting to old patterns of simply excluding students from school with the highest needs or attempting to deny students with disabilities access to DC's specialized programs. DC's state education agency has failed provide sufficient and reliable transportation for students with disabilities to get to school. And, the number of Family's seeking our assistance this school year to date has increased by 117% over the same period last year. Because of the increased in ATJ Initiative funding in FY22 and FY23, we increased the number of lawyers from 3 to 5 to support the high demand for assistance and our capacity to collaborate with other legal services organizations on systems change.

This school year our lawyers we were able to: (1) help a student who applied for and was admitted to a DCPS specialized school program maintain his right to attend there after the school attempted to deny him access because of his disability; (2) help a student who was out of school for over two weeks for playing dice return by challenging the expulsion the charter school issued in violation of the SFASA; (3) prevent the improper involuntary transfers of students from their attending DCPS school for alleged disciplinary reasons. There has been an increase in DCPS using involuntary transfers instead of disciplinary actions to remove students from schools. This strategy circumvents the requirements of the SFASA to provide students with a hearing, which for DCPS students is a right to a hearing before an Administrative Law Judge at OAH; and (4) help parents whose children with disabilities were denied transportation to school understand their rights and in collaboration with other organization hosted a series of workshops to help parents seek reimbursement for the funds they had to expend to get their children to school. As the city continues to recover from the impact of COVID-19, especially our schools, we expect the need for our legal assistance to increase in FY24.

Legal assistance in public education is not only important but necessary to prevent further segregation by race, income-level and disability of DC's children, (which increases the achievement and wealth gaps) and to ensure that all students have equal access to educational opportunities. Without continued ATJ Initiative funds, at least at the increased level provided over the last two fiscal years, we will not be able to maintain the number of lawyers to support the needs of families for advice, direct educational support, legal assistance, advocacy and know your rights trainings, or to maintain at a functional level the programs developed to expand families access to legal assistance. Thus, the ATJ Initiative funds are critically important to the success of DC's residents and future and we ask that the Committee and Mayor Bowser view investments in AJE and in all the District's legal services as an investment in the community itself and fully fund the Access to Justice Initiative to demonstrate your commitment to equity and civil justice for all.

Sincerely,



Rochanda Hiligh-Thomas
Executive Director