



# **Advocates for Justice and Education, Inc.**

## **The Parent Training and Information Center for the District of Columbia**

**Testimony of  
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**Before the Council Committee on the Judiciary & Public Safety  
FY2025 Budget Hearing, the Office of Victim Services & Justice Grants  
April 25, 2024**

Committee Chair Pinto and members of the Committee. I am Rochanda Hiligh-Thomas, a DC native, Ward 4 District resident, a DCPS and public charter school parent, and Executive Director of Advocates for Justice and Education, Inc. (AJE). Today I am testifying about the critical role of the Access to Justice (ATJ) Initiative and how the Mayor's proposed 67% cut in funding would negatively impact District residents and the organizations, like AJE who provide necessary legal services to DC's most vulnerable residents.

AJE, founded in 1996, is the federally designated Parent Training and Information Center (PTI)<sup>1</sup> for the District of Columbia. Each year we assist over 2,000 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.<sup>2</sup> 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 13 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 in 2012 was able to establish the first advice and counsel legal clinic within the DC Office of Administrative

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<sup>1</sup> The White House, in a 2022 [press release](#), 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.

<sup>2</sup> "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

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. Moreover, we have been able to increase the size of our legal staff. 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 support they are entitled to and need.

The impact of COVID-19 pandemic was devastating for DC residents. It especially challenged our education system compounding the existing inequities across race, class, and disability. Since the full return to in-person learning in 2022 through this school year, the repercussions of COVID-19 are still being felt with students not receiving access to the education they are entitled to receive. 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. Also, schools have failed to provide students with appropriate services. DC's state education agency has failed to provide sufficient and reliable transportation for students with disabilities to get to school, resulting in a recent filing of a lawsuit against the District for this failure. And the number of Family's seeking our assistance last school year (2022-2023) increased by 56% over the same period during the 2021-2022 school year and the requests remain high this school year (2023 – 2024). Because of the increase in ATJ Initiative funding in FY22 and FY23, we were able to increase our number of attorneys from 3 to 5, and with level funding in FY2024, we have been able to maintain five attorneys to support the high demand for assistance and our capacity to collaborate with other legal services organizations on systems change.

This school year our attorneys have been able to: (1) help a parent prevent a DCPS school from wrongfully suspending her pre-k aged student and to obtain immediate, interim services pending completion of the special education process; (2) In collaboration with a Georgetown Law School Clinic, work to ensure that students are not excluded from aftercare programs because of their disability. One such effort resulted in an agreement between DCPS and the US Department of Education Office of Civil Rights (OCR) that will benefit all students with disabilities, after a parent filed an OCR complaint when her child was excluded from a DCPS aftercare program because of their disability; and (3) prevent

multiple attempts of 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 before an Administrative Law Judge at OAH. The increased need for our legal assistance has not diminished and we expect the need for our legal assistance to increase in FY25 with the city's plans around school safety and approach to addressing truancy issues.

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. It is also important to note that if children and youth are not in school learning, this increases the likelihood that they could drop out of school and/or become court involved.

Without continued ATJ Initiative funds, at least at the levels provided over the last three fiscal years, we will lose 34% our legal services budget and will not be able to maintain the number of attorneys necessary 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. The impact will not only be felt by DC families seeking support from AJE to ensure their children receive a free appropriate public education, but our attorneys, all of whom but one are DC residents residing in wards 4, 5, 7 and 8, thus compounding the impact.

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In conclusion, the ATJ Initiative funds are critically important to the success of DC's residents and future and we ask that the Committee and Mayor 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.

Thank you for the opportunity to testify today. I welcome any questions you may have.