

2021 ANNUAL REPORT

SCHOOL JUSTICE PROJECT



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WHO WE ARE

MISSION & VISION

School Justice Project (SJP), a special education legal services and advocacy organization in Washington, DC, uses special education law to ensure that older, court-involved students with disabilities have access to a quality education. SJP serves students ages 17-22 who are involved in DC's juvenile and/or criminal legal systems. SJP exists to address the gap in access to special education for students ages 17-22 involved in DC's legal systems. Although these older students have legal protections under federal and local special education and disability law, they are rarely able to enforce their rights.

OUR HISTORY

To address the widespread crises of mass incarceration and educational inequity—both of which disproportionately affect students of color and students with disabilities—Claire Blumenson (Executive Director) and Sarah Comeau (Director of Programs) launched SJP in 2013, thanks to seed funding from the Echoing Green Open Society Foundations Black Male Achievement Fellowship. Since opening doors in August 2013, SJP has doubled its budget, more than doubled its staff, and quadrupled the number of clients served.



OUR STRATEGIES

DIRECT REPRESENTATION PROGRAM

We empower students trapped in DC's criminal legal systems through direct representation. We help young people as they enter DC's criminal legal systems by informing them of their rights, providing tools to help them advocate for themselves, representing them to achieve better court outcomes, and getting the special education opportunities they deserve. We assist them in successful reentry back into their communities.

SYSTEMIC ADVOCACY & POLICY PROGRAM

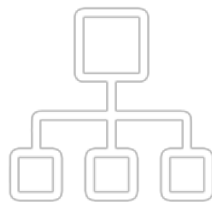
We advocate for systems change in the education and criminal legal systems. The relationship between these systems is complicated, and we aim to build an equitable bridge between them, by facilitating and improving cross-sector collaboration through strategic meetings, strong coalitions, and critical counsel to help align priorities among sectors.

COMMUNITY OUTREACH & LEGAL TRAINING PROGRAM (COLT)

We work directly with our community (District of Columbia) to increase understanding of education rights and barriers to education. By collaborating with community members - including educators, attorneys, and parents - we aim to inform and educate others on the fight for access to education. We do this by providing legal trainings to practitioners and "Know Your Education Rights" trainings to court-involved youth.



**Direct
Representation
Program**



**Systemic
Advocacy &
Policy Program**

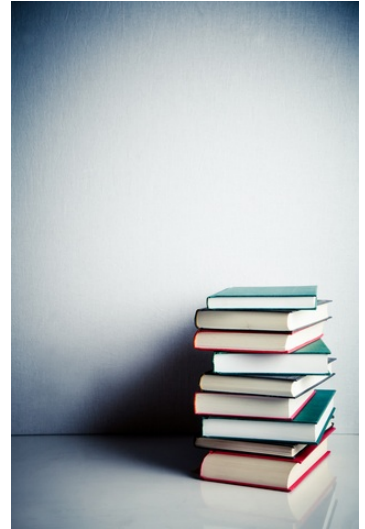


**Community
Outreach & Legal
Training Program**

OUR CLIENTS

School Justice Project focuses on older, court-involved students with disabilities because they face unique barriers from being involved in multiple systems and agencies and end up being served by none. These students often experience the consequences of being at the “deep end” of the school-to-prison pipeline, and they end up with neither the programs to serve them nor the resources necessary to access education and reentry services.

Although there has been traction with movements to end the school-to-prison pipeline, most reform has surrounded younger students and the “front end” of the system. We specifically focus on this older, court-involved age group because the amalgamation of these factors (age, disability, court-involvement) creates the perfect storm, and the consequences disproportionately affect students of color and students living below the poverty line. There are no other organizations in the country specifically dedicated to enforcing the special education rights of students ages 17-22 in the juvenile and criminal legal systems. This approach breaks down the silos that so often create the dislocation in services for court-involved young people with disabilities.



CLIENT DEMOGRAPHICS

The average age of SJP clients when beginning representation is 19 years old. SJP clients are Black (97%) or Latinx (3%). 89% of clients identify as male and 11% identify as female. 100% of clients are eligible for free legal representation, thus meeting the court indigency requirements. Ward 8 has the largest SJP client representation (30%), followed by clients experiencing homelessness (17%).

We have received over 300 referrals since opening doors and have represented 200 individual clients. Referrals come from a variety of sources, though the majority come from defense attorneys (30%) and clients and former clients (24%). About 10% of our cases come from judges, either through direct referrals or court appointments. Other referrals come from civil legal service providers, education attorneys, community-based organizations, and social workers.

2021 IMPACT

- In April 2021, SJP, along with co-counsel at Washington Lawyers' Committee for Civil Rights and Terris, Pravlik & Millian, LLP, filed a class action lawsuit in the U.S. District Court in the District of Columbia challenging the lack of special education during the pandemic to students at DC Jail. On June 16, 2021, the District Court judge found that DC was in violation of federal law and granted the plaintiff's motion for a preliminary injunction requiring the immediate commencement of direct education to students at the Jail.
- SJP staff members continue to testify in front of DC Council. In 2021, testimony supported legislation that would ensure that all cases involving children who are accused of criminal code violations begin in juvenile court. Testimony also supported legislation that would expand eligibility for services provided by the Department on Disability Services to include individuals with developmental disabilities. SJP also participated in a weekly interagency working group to develop legislative and policy changes to ensure that students receive school credit for the work they complete while inside secure facilities.
- SJP is part of a wide variety of collaboratives, serving as Chair for 5 coalitions: Thrive Under 25, Every Student Every Day, Youth Justice Project, Special Education Attorney Roundtable, Special Education Advocacy Coalition, DC Family Court Training Committee, DC Superior Court's Juvenile Justice Subcommittee of the Court Education Work Group, Students in the Care of DC Credits Working Group, DC Legal Services Consortium, DC Legal Aid Transformation Network (Quarterly), UNCF Education Roundtable, and Fair Budget Coalition.
- During 2021, SJP staff conducted 16 trainings and presentations for attorneys, law students, juvenile justice agency staff, local government leaders, and community members, reaching over 500 participants. SJP attorneys were also interviewed by the local NPR station about our class action lawsuit and featured on a disability-focused podcast talking about SJP's work.
- Direct Representation Program: In 2021, SJP celebrated 5 client graduations. 60% of those graduates are now enrolled in college. SJP attorneys participated in 482 client-related meetings, including school meetings, meetings with agency personnel, and meetings with community-based providers. 4 SJP clients were awarded compensatory education as a result of complaints that SJP filed. Those clients received extended eligibility to allow them more time to earn their high school diplomas, nearly 1,000 hours of tutoring and counseling services, funding for updated evaluations, and funding for transition services. SJP's education advocacy during sentencing and disposition hearings resulted in mitigation in 88% of cases.
- In 2021, 88% of SJP clients were enrolled in an education program, including 3 new clients who had dropped out of high school prior to working with SJP. 100% of clients released from incarceration in 2021 re-enrolled in school within 30 days of release. 96% of SJP clients demonstrated increased knowledge or understanding of education rights.

OUR TEAM

BOARD OF DIRECTORS

Kate Martin, Board Chair

Human Rights/Civil Liberties Attorney

Dave Bligh

Director, AlixPartners LLP

The Honorable Joan Goldrank

Retired Magistrate Judge, DC Superior Court

Sarah Remes

Staff Attorney, Children's Law Center

Dan Sharpe

Associate, Bookoff McAndrews

Claire Blumenson, *Ex-Officio Member*

Executive Director & Co-Founder, School Justice Project

Ewadele Butler, Secretary

Senior Counsel, Investments at Walton Enterprises, LLC

Christy Weisner, Treasurer

Manager, Practice Innovation, Simpson Thacher & Bartlett LLP

Marcus Littles

Founder & Senior Partner, Frontline Solutions

Jahmila Williams

Attorney

Sarah Comeau, *Ex-Officio Member*

Director of Programs & Co-Founder, School Justice Project

STAFF

Claire Nilsen Blumenson, Esq.

Executive Director & Co-Founder

Rachel Russo, Esq.

Supervising Attorney

Alejandra Whitney-Smith, Esq.

Staff Attorney

Sarah Comeau, Esq.

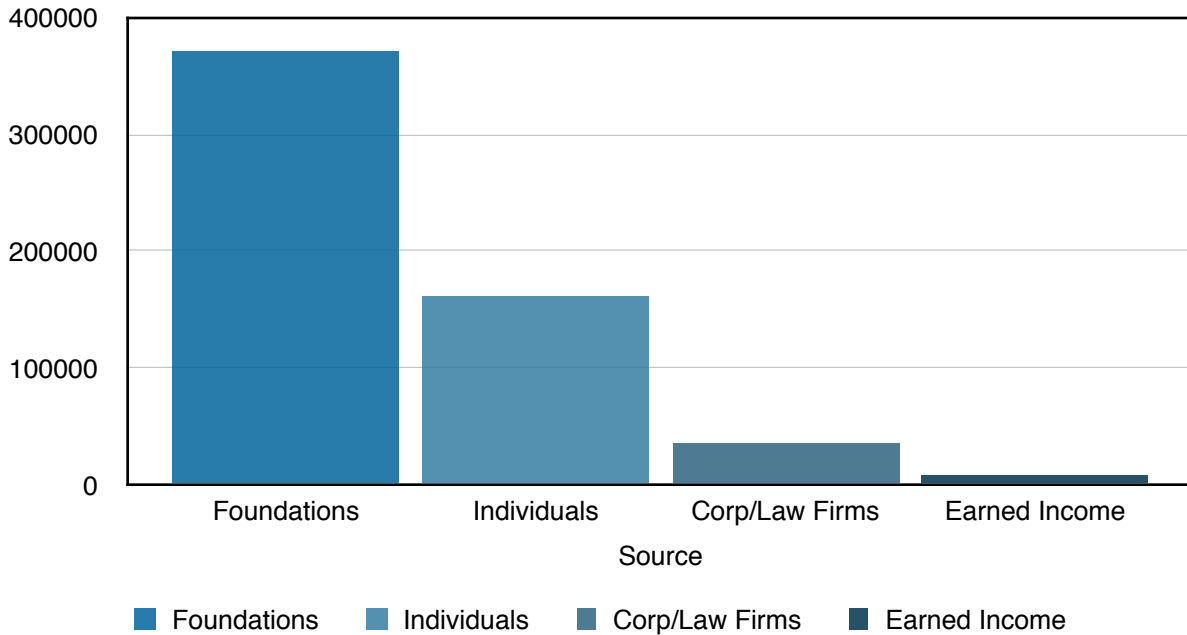
Director of Programs & Co-Founder

Tayo Belle, Esq.

Senior Staff Attorney

FUNDING

2021 REVENUE BY SOURCE



2021 INSTITUTIONAL FUNDERS

- DC Bar Foundation Access to Justice Fund
- DC Bar Foundation Private Grants
- Andrus Family Fund
- Elmo Foundation
- Venable Foundation
- Eugene & Agnes E. Meyer Foundation
- Paul M. Angell Family Foundation
- The Morris & Gwendolyn Cafritz Foundation
- LoJo Foundation
- Public Welfare Foundation
- American College of Trial Lawyers Foundation
- AlixPartners LLP
- Halo Top International
- Arnold & Porter
- Nixon Peabody LLP
- Mountain Shore Properties
- Markel Corporation
- 1Huddle
- Lainoff Family Foundation

ONE CLIENT'S STORY

SJP Senior Staff Attorney Tayo Belle met with SJP client Tyrone during the summer of 2020 while the COVID-19 pandemic raged on around us. During that time, the question of whether schools would return in-person was the topic on everyone's minds. When it became clear that remote learning would continue indefinitely, SJP attorneys worked to ensure all clients had the supports necessary to continue their school work. For students at the DC Jail, this effort was quickly thwarted.

Throughout the pandemic, SJP attorneys consistently contacted DCPS staff to learn what educational supports were in place for incarcerated students with disabilities at the Jail. What they learned would later become the basis of a first of its kind class action lawsuit challenging the lack of education provided at the Jail. Instead of virtual special education instruction, as students in other DCPS community schools were receiving, DCPS students at the Jail were only receiving work packets of assignments to complete on their own without teacher support. These students were also not provided virtual services as mandated by their Individualized Education Programs (IEP). Instead of receiving feedback or any chance to communicate with teachers and providers, the students at the Jail were left alone, in their cells, to attempt to do work that they had never been instructed on during the twenty-three hours per day lockdown.

Nonetheless, Tyrone wanted to pursue his education and sought the assistance of SJP to challenge the lack of education during the pandemic. At a hearing, the hearing officer found in Tyrone's favor. In his decision, he underscored that while the pandemic was an exceptional circumstance, Tyrone was still entitled to his education rights during his incarceration. Tyrone was awarded a number of educational services, and the school was to begin providing direct instruction to Tyrone.

Unfortunately, the school did not begin providing Tyrone with the education he was entitled to under law or the recent hearing officer decision. As a result, in April 2021, SJP, along with co-counsel at Washington Lawyers' Committee for Civil Rights and Terris, Pravlik & Millian, LLP, filed a class action lawsuit in the U.S. District Court in the District of Columbia challenging the lack of special education during the pandemic to students at the Jail. On June 16, 2021, the District Court judge found that DC was in violation of federal law and granted the plaintiff's motion for a preliminary injunction requiring the immediate commencement of direct education to students at the Jail.

Though the litigation continues on in federal court, we are frequently reminded that this historic victory would not have been possible if it were not for Tyrone's self-advocacy and his steadfast resilience. We are very proud of Tyrone's efforts, and SJP will continue to support his educational goals as he works towards his high school diploma.



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