Overview of Achievements, 2018-2019

Advocates for Children of New York (AFC) directly assisted more than 20,601 individuals by providing one-on-one advice, case representation or preparing them to advocate for themselves through community workshops and fairs. We secured over $7,889,816 in educational services for our clients and provided 288 trainings and workshops. We also disseminated more than 756,573 informational documents through its website, email and general distribution to help families advocate for themselves.

AFC specializes in handling cases where low-income children in New York City are wrongfully excluded from school or denied the services that would enable them to learn and eventually graduate. We help to support parents that cannot afford legal assistance to fight for what their children need. We also educate parents in figuring out how to navigate the New York City Department of Education’s complex policies and procedures. Our staff accompanies parents to school meetings, special education program reviews and represents them in administrative hearings that address suspensions or special education services.

During the reporting period, AFC installed and implemented a new phone system that has improved its ability to monitor and manage intake calls through the AFC Helpline. We expect that the system will boost our ability to track and analyze data on calls received as we learn how to take advantage of its full capabilities.

Population Served: Low Income Children and Families

Area Served: New York City Metropolitan Area

Total Funding: $7,203,213

Total IOLA Grant: $75,000

Staffing - Full Time Equivalents:
- Total Staff: 51.13
- Lawyers: 27.42
- Other Staff: 23.71
Breakdown of cases by Legal Problem Area

Dollar Benefits for Clients $7,889,816

CJ’s parents, immigrants from Sri Lanka, came to AFC in 2013 when he was 9 years old. They were concerned because CJ—who is autistic, does not speak, had trouble swallowing food and was languishing in his public school special education classroom. They could not get anyone to help him. AFC took his case to an impartial hearing. As a result, we received funding for CJ to attend a specialized school for students with autism, a new device to help him communicate, behavioral therapy at home, and enrollment in a feeding program. When CJ started at his new school, the staff was shocked that he did not eat or drink for the entire day. Within two years, CJ was eating normally, communicating using his new device, and writing independently. Each year, CJ’s parents must request a hearing so that he can stay in his school and we continue to represent them. During the grant period, we negotiated an agreement with the DOE to allow CJ to remain in his specialized school for another year.

AFC assisted an elderly mother that was concerned about her adopted sixth-grader, who was diagnosed with a trauma-based disorder. Although the child tested as “gifted,” he was often disruptive and sometimes exploded when overwhelmed or taunted by peers. The student was expelled mid-year from a private school where his tuition was paid by the NYC Department of Education (DOE). The DOE then placed him in another school that did not have adequate support. He was suspended after only 7 days of attendance. Our staff attorney got the suspension charges dismissed, proving that his behavior was a manifestation of his disability. We were also able to help his mother obtain an Individualized Education Program recommending a specialized non-public school that could meet the child’s academic, social, and emotional needs. With our support this parent was also able to find an appropriate non-public school for her son, where he will get the support he needs to succeed.
### Examples of Other Services

AFC updated its training curriculum on eight different subjects and developed a new “turn-key” training on bullying. In addition, we developed four new informational materials to help parents advocate on behalf of their children and understand their rights.

New publications during this grant period included the following:

- “How to Report Bullying at a School” (English & Spanish)
- “Preparing Students with Disabilities for Emergencies at School” (English & Spanish)
- “Regents Exam Rights” (English & Spanish)
- “Preparing for an IEP Meeting” (available in Multiple languages)
Collaborations With Other Service Providers

AFC continues to work with hospital-based organizations that can evaluate its clients’ educational needs as well as provide information about evaluations and diagnoses for the students served. We maintain partnerships with the NYU Child Study Center, Promise Project, and the Center for Attention and Learning at Lenox Hill Hospital. Our attorneys and caseworkers share their expertise with hospital staff through training and technical assistance.

Technology and Other Innovations

AFC continues to collect data using its Salesforce client database developed in 2013. As our needs for reporting and data collection evolve, we adjust our database accordingly. The database enables us to track our work as well as monitor our impact. We survey program participants and the responses to those surveys are recorded in the database. The information can be easily accessed for reporting and management purposes. During the reporting period, we installed and implemented a new phone system that has improved our ability to manage wait times on its Helpline. The phone system also includes many new data tracking capabilities that we are just beginning to explore and utilize.
Major Cases or Other Advocacy Projects

**J.L. v. New York City Department of Education**

In October 2017, AFC filed two federal complaints on behalf of four parents whose children did not receive the nursing services that they required to attend school. The complaints allege that the DOE’s failure to provide nursing services is a result of systemic problems within the DOE. The DOE moved to dismiss both complaints based on the failure to exhaust administrative remedies under the IDEA, which we opposed, arguing that exhaustion was not required because of the systemic allegations. In August 2018, the federal district court for the Southern District of New York issued a decision allowing one of the lawsuits to proceed. The court found that the complaint sufficiently alleged that the DOE’s failure to provide needed services to the three plaintiffs was based on a systemic breakdown in the DOE’s practices, policies, and procedures governing the services it must provide to children who are medically fragile.

**Administrative Complaint to the New York State Education Department against Success Academy Charter Schools and the NYC Department of Education**

In November 2018, AFC filed an administrative complaint with the New York State Education Department (NYSED) against Success Academy Charter Schools and the DOE for failing to comply with civil rights laws protecting students with disabilities who attend Success Academy schools. The complaint alleges that Success Academy has changed the placements of students with disabilities without following procedures required to protect the rights of students with disabilities and their parents, and has refused to comply with administrative hearing orders in special education cases. In February 2019, NYSED issued a decision sustaining each allegation and requiring Success Academy and the DOE to take corrective action to remedy these violations.
Pro Bono Volunteer Involvement

AFC continues to maintain a robust Pro Bono Partners Program. In this grant period, assistance was provided in 58 cases by 70 pro bono volunteers from 20 firms. Thirteen pro bono partners attended two trainings provided by AFC this year. We are conducting fewer in-person trainings and many of our volunteers are accessing our trainings online. We have law student volunteers in the fall, spring and summer. Usually, we have 3-6 term-time volunteers who work 10-15 hours a week. During the summer, we have 6-7 law interns and 2-3 college student interns, who work for us full-time for 10 weeks.

Pro Bono Statistics

Attorneys: 98 Volunteers 1,620 Hours
Law Students: 29 Volunteers 4,800 Hours
Other Volunteers: 136 Volunteers 9,070 Hours

Sources Of Funding

<table>
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<tr>
<th>Source</th>
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<td>IOLA Grant</td>
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<td>Total</td>
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Sources of Funding Pie Chart

- Iola Grant
- Fundraising
- Foundations
- State Funding
- Other