Advocates for Children of New York (AFC) directly assisted more than 16,137 individuals by providing one-on-one advice or case representation or preparing them to advocate for themselves through our community workshops and fairs. We secured over $6,933,300 in educational services for our clients. We provided 233 trainings and workshops and disseminated nearly 1.2 million informational documents via our website, email, and other methods to help families advocate for themselves.

AFC handles 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. Parents who come to us cannot figure out how to navigate the New York City Department of Education’s complex policies and procedures, and they cannot afford legal assistance to fight for what their children need. We help families secure the educational services and support their children need to succeed in school and maximize independence.

Our staff accompanies parents to school meetings and special education program reviews where services are negotiated and represents them in administrative hearings addressing suspensions or special education services. Staff also conducts workshops for parents and professionals in all five boroughs to teach them about educational rights and options so they can help advocate for students successfully.

**Population Served:** General Low Income Children and Families

**Area Served:** New York City Metropolitan Area

**Total IOLA Grant:** $112,500

**Staffing Full Time Equivalents:**
- **Total Staff:** 51.56
- **Lawyers:** 26.85
- **Other:** 24.71
Direct Legal Services: Cases

Education:
Last spring, we had a case with a parent who fled with her child to a domestic violence shelter and had to leave behind the child’s DOE-issued iPad. The child needed an iPad to participate in special education instruction and services, but the DOE denied the parent’s requests for a replacement device because she could not produce a police report substantiating her situation. After multiple DOE divisions refused to give the family an iPad, we escalated this case all the way up to the Deputy Chief Operating Officer of the DOE, who made an exception to the rule and had a device delivered to this child. The case prompted the DOE to consider a policy change for situations like this one so that fewer students have to miss out on instruction due to bureaucratic rigidity.

Education:
When Ms. J first reached out to AFC in 2017, her son, A, was in 8th grade but could not read or write and had not passed any of his state exams. Ms. J knew her son was smart, but was convinced he was just a slow learner, and she had initially resisted an Individualized Education Program (IEP) for him, concerned that special education classes would be isolating and limit A’s potential for success. With the help of AFC’s education attorneys, Ms. J learned more about the types of services and supports that would allow A, who was eventually diagnosed with dyslexia, to learn in a way that best fit his needs. AFC successfully sued the DOE to secure compensatory tutoring services for A, which helped him learn to read at grade level and develop into a gifted writer.

When the pandemic forced schools to transition to remote learning, A — who was on track to graduate from a combined public school program with both his high school diploma and an associates’ degree — found himself struggling to complete his coursework. When his guidance counselor suggested that perhaps A should put his college efforts on hold, Ms. J got back in touch with her AFC education attorneys. We helped her work with the school to modify requirements and re-engage her son, and A now looks forward to graduating soon and starting his four-year college degree at John Jay.
Other Services: Overview

AFC assists parents and professionals in understanding the laws and systems important to the education of their children by providing community education. Due to AFC’s legal expertise, we have a particular strength in explaining to parents their rights and how to use the due process mechanisms available. Unless parents and the professionals who work with them are fully informed about the complicated rules and procedures through which they must navigate to obtain educational services, they will never be able to advocate independently.

AFC also prepares parents to invoke the procedural safeguards available to them, including mediations, resolution sessions, impartial hearings, state administrative complaints, and administrative appeals to resolve their education-related disputes.

In all of our workshops and almost every phone or support contact involving a child with special needs, we provide parents and professionals with information about the laws and regulations governing special education services. AFC provides workshops to NYC’s diverse communities and breaks down complicated education laws in parent-friendly brochures and training materials. We also provide training to build the capacity of community-based organizations, health care providers, and other groups that work with underserved parents to spot education-related problems and link the parents to the information they need.

Since March 2020, all of our training has been provided virtually through webinars or Facebook Live events. Our Parent Center provides trainings and workshops targeted to parents of children with disabilities and professionals who work with them. We also have programs that target workshops to special populations, such as immigrant students and English Language Learners (ELLs), homeless families, and children in the foster care system.

| Number of People who Benefitted from Services Other Than Direct Legal Representation |
|-------------------------------------------------|-----------------|
| Community Legal Education                        | 1,209,223       |
| Pro Se Assistance                                | 1,027           |
| Online Assistance                                | 132,111         |

1,342,361 People Benefitted by Services Other Than Direct Legal Representation
Other Services: Technology and Other Innovations

While the total number of people who attended our training programs has increased since we moved these programs online, our Spanish-language webinars and Facebook Live sessions have yielded significantly lower attendance numbers than their counterparts offered in English. To address this discrepancy, we have increased our efforts to reach Spanish-speaking families in other ways during the pandemic, including creating a WhatsApp group to keep Spanish-speaking clients up to date on information they need to know.

In addition, we made some changes in our database to enable advocates to better identify schools that would be good placements for their clients. Staff is now able to add information such as whether a school is accessible or the teacher-to-student classroom ratios. We are in the process of updating this information for all of the schools currently in our database.

Finally, during the past year, AFC moved all of our files to the Cloud and also replaced all staff desktop computers with laptops. These changes are intended to provide staff with more flexibility in where and how they work while increasing the security of client information.

Other Services: Trainings

AFC builds continual learning and improvement into our program model for individual staff, project teams, and the organization as a whole. Individual staff receive annual performance reviews focused on development of core competencies and also have the option of creating individualized development plans to focus on professional goals. All performance reviews include discussion of the staff member’s learning and development goals for the coming year. In addition, AFC provides a robust in-house training program, including sessions related to diversity and inclusion, legal and advocacy skills, and education law and policy. Staff attorneys also attend external training programs and a PLI training in education law at least once a year. All of our Executive Team and most of our project directors have attended at least one off-site leadership development program, including programs offered through Columbia Business School, the New York Community Trust, and Community Resource Exchange.

AFC provides training throughout the year for all staff and interns. Board training is less frequent, but also generally targeted to all members. A recent example of staff training is an ongoing series led by our Deputy Director and one of our project directors on litigating impartial hearings in special education cases. This training series, required for all staff attorneys, uses actual case examples to build the skills of junior staff in this essential aspect of our practice.
Impact Cases

**L.V. v. New York City Department of Education**
In September 2019, we filed a motion for a special master in our class action lawsuit challenging the DOE’s failure to implement hearing orders in special education cases, L.V. v. New York City Department of Education. The DOE had settled with the families in 2007 and agreed to implement all orders involving special education within 35 days, unless the hearing officer set a different deadline. The settlement had increasing benchmarks that the DOE committed to reach before the settlement sunset. While a special unit for implementation of these orders created in 2011 was supposed to improve the DOE’s rates of implementation, any improvement slipped and the DOE started failing to meet even the lowest agreed upon benchmark. In 2021, the Court granted our motion and ordered the appointment of a Special Master. Since April 2021, the Special Master has been investigating the DOE’s process for implementing hearing orders. In March 2022, the Special Master issued his first report detailing his findings on the DOE’s implementation process. The report identified several areas where the DOE needed to improve its process. The Special Master will be issuing a second report in the early summer 2022 that will make recommendations to the court on the improvements the DOE must make.

**Z.Q. v. New York City Department of Education**
In November 2020, with co-counsel Patterson Belknap, AFC filed a class action complaint against the DOE and NYSED seeking an order that the DOE develop a system outside of the impartial hearing process to provide appropriate compensatory services to students with disabilities who did not receive a free appropriate public education (FAPE) during remote learning due to COVID. NYSED and the DOE moved to dismiss the complaint in 2021, claiming that the plaintiffs needed to exhaust their administrative remedies under the IDEA before filing a claim in federal court. In March 2022, the Court agreed with the defendants dismissing the complaint in its entirety. We will be filing an appeal to the Second Circuit.

Prior to the dismissal of the complaint, plaintiffs had been meeting with the DOE regarding Recovery Services (SERS), a process for compensatory services (which are separate from SERS), and extending the statute of limitations for bringing impartial hearings based on the denial of a FAPE during remote learning. The DOE began providing SERS to students with disabilities in the winter of 2021. The DOE also agreed to extending the statute of limitations for IDEA claims for 8 months, so hearing requests related to the denial of FAPE due to remote learning need to be brought by November 2022 instead of March 2022.
Pro Bono Volunteer Involvement

AFC continues to maintain a robust Pro Bono Partners Program. In this grant period, assistance was provided in 23 cases by 36 pro bono volunteers from 12 firms. Thirty pro bono partners attended four virtual trainings provided by AFC this year.

AFC takes on 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. Summer interns work at AFC full-time for 10 weeks.

52 Attorneys volunteered 720 hours

24 Law Students volunteered 3,960 hours

9 Other Volunteers volunteered 2,058 hours
Significant Collaborations

Our staff continued to work with hospital-based organizations that can evaluate our clients’ educational needs as well as provide information about evaluations and diagnoses for the students we serve. We maintain partnerships with the NYU Child Study Center, Promise Project, and the Center for Attention and Learning (CAL) at Lenox Hill Hospital. Our attorneys and caseworkers share their expertise with their staff by providing training and technical assistance.

Sources of Funding

<table>
<thead>
<tr>
<th>Sources of Funding</th>
<th>Amount</th>
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<tbody>
<tr>
<td>IOLA Grant</td>
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<tr>
<td>State Funding</td>
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<td>City and County Funding</td>
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