



# Advocates for Justice and Education, Inc.

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

**Testimony of  
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Committee of the Whole  
Hearing on Chronic Absenteeism and Truancy  
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Good afternoon. My name is Nadiya Pope, and I am a staff attorney at Advocates for Justice and Education (AJE). AJE is the federally designated Parent Training and Information Center (PTI) and Family-to-Family Health Information Center for the District of Columbia. At AJE we provide free legal representation to families on issues related to special education, school discipline, and school pushout. Thank you for this opportunity to provide feedback on the proposed legislation aimed at addressing student absenteeism and discipline. Today, I am here to address some of the procedural failures within DCPS that contribute to student absenteeism, particularly how these shortcomings disproportionately affect students with disabilities.

DC offers a range of school choice programs. However, for students who require specialized instruction, the situation is far more complicated. What options exist when the chosen school does not meet a child's needs or when the school environment becomes unsafe for the student? Unfortunately, those options are limited. While the goal is to ensure that all DC schools are safe and welcoming for every student, the reality is that some schools and educators fall short of these expectations. The processes available to parents for transferring their children out of unsafe schools are fraught with bureaucratic barriers that make it difficult for families to act in their children's best interests. In my experience as an education attorney, I have seen how these barriers contribute to truancy. What often happens is that a student is not returning to school because it is unsafe to return. For example, I have had clients requesting school transfers because their child is facing incessant physical bullying from their peers and despite repeatedly reporting these incidents to the school the bullying continues. I have also experienced clients requesting transfers because school staff such as dedicated aides or teachers have verbally or physically harassed their children.

There are three main avenues for a student to transfer to a different school on their own volition. They are the My School DC Lottery, Victim (safety) transfer process and the Chancellor's Discretionary transfer process. Families of children with full-time IEPs face significant obstacles with all three transfer options. The most significant obstacle I have observed with the Mid-year MySchool DC process is the availability of self-contained classrooms. By design, self-contained classrooms such as those for students with significant disabilities (Communication & Education Support aka CES or Early Learning Support aka ELS) have smaller student-to-teacher ratios. Additionally, not every self-contained classroom is available at all DCPS or public charter schools, further limiting successful placement through the Mid-year lottery.

I want to now focus on the issues I have observed with the victim transfer and discretionary transfer processes. The victim transfer process, as written, is vague and lacks adequate oversight and guidance to protect students. Currently, parents must email their transfer requests to DCPS central office staff. Depending on the staff member and the urgency of the request, parents may

experience varying response times, with approval or denial being communicated after a delay. When requests are denied, parents often receive no explanation or guidance on what additional documentation may be required for approval.

The discretionary transfer process also presents significant challenges. Many parents are unaware that this option even exists, and the requirement for a written statement makes the process intimidating, further discouraging families from pursuing it.

Parents are struggling to find alternatives to their child's unsafe and unsupportive school environment. One of the more glaring but less realized issues with the current DCPS transfer system is that it does not ensure a student's safety during the transfer process. The window of time between when a parent requests a transfer and when the child is placed into a new school (that is if the request is approved) can cause the most anxiety for both the parent and the student. There is little to no oversight being provided to schools as to what services or supports they should provide students who feel unsafe to the point of requesting a transfer. Many of my clients have noted that their children's current schools will not meaningfully acknowledge the harm that the child has experienced. Parents feel unsafe dropping their children off at schools that make no effort to address their children's harm. As a result, students miss more school. This means that parents are stuck between a rock and a hard place. The school is not offering solutions to make the school a safe place to learn, while the placement office is impeding a safety transfer due to bureaucratic barriers. The parents want their children to return to school, but not at the risk of their child's safety.

A parent's first duty is to protect their child from harm. By not providing clear options for students to transfer out of unsafe environments, we are placing parents in the difficult position of choosing between their duty to protect their child and adhering to legal requirements. When parents are put in this position, no one wins — especially not the children. Creating safer schools is essential to preventing truancy and reducing absenteeism. Providing accessible and reliable student transfer processes allows students to feel heard, builds trust with families, and ensures that students can safely leave environments that may be harmful due to negligence or misconduct. I urge the Council to reconsider its priorities and focus on creating and implementing a streamlined, transparent, and accessible student transfer process that accounts for the unique needs of students with disabilities. Too much time and energy is being spent on crafting laws that punish parents and students for challenges they often have no control over, while critical systems—like the school transfer process—remain fraught with barriers and confusion. We need clear, accessible guidelines for the Victim and Discretionary transfer processes, paired with consistent oversight and communication, to ensure that no parent is left in the dark about their options. The District of Columbia City Council has several tools at its disposal it can use to provide oversight of District of Columbia Municipal Regulations such as 5-A DCMR § 2204.2 (Victim Transfer) or the Chancellor's Discretionary Transfer Policy. The City Council can pass legislation that shapes the framework for DCPS policies and this body can request amendments to policies it deems ineffective. Additionally, this governing body's Committee on Education can hold oversight hearings where DCPS officials, including the Chancellor, are required to testify about the implementation and effectiveness of these transfer policies. During these hearings, the committee can request data related to the number of students who requested a transfer within a school year, the number of transfers approved and denied, and the schools that had the most students requesting transfers. These measures ensure greater transparency and accountability in the transfer process. By addressing these existing flaws, we can ensure that all families, especially those with children with special needs, are empowered to make decisions that genuinely serve their child's well-being and future, instead of being trapped in an ineffective system that adds to their stress and frustration.

Thank you.