



EQUAL JUSTICE AMERICA

SUMMER 2024

EJA FELLOWSHIP RECIPIENT

NAME	Jessica Lin
LAW SCHOOL	Yale Law School
ORGANIZATION	Education Law Center

Update 1: The first few weeks of my internship have been daunting (still wrapping my head around all the acronyms in ed law) and dynamic (the work involves a mix of policy advocacy, direct service, and litigation support), but most of all rewarding. My first projects have included calculating compensatory education owed to a student with disabilities, co-writing a demand letter to opposing counsel, filing a right-to-know request with the School District of Philadelphia, researching FERPA protections for nontraditional education records, and drafting a fact sheet on the 2024 Title IX amendments. I also advise students and families of their legal rights through the ELC Helpline, and I am grateful for this opportunity to interact firsthand with the communities we serve.

On a less granular level: It is heartbreaking to hear about the systemic and individual barriers that Pennsylvania public school students face on a daily basis. Still, I am heartened when I think about the real-world impact that ELC has on the lives of these students. I first heard about ELC two years ago, when it began representing two school districts from my former AmeriCorps program in a school funding lawsuit. This resulted in a historic ruling declaring Pennsylvania's school funding system unconstitutional, and just this week, my office was able to celebrate the PA House's approval of a \$6.1 billion plan to reform the system.

With seven weeks left to go, I am excited to continue advancing ELC's efforts to fight for fair school funding, ensure equal access to education, and stop the school-to-prison pipeline.

Update 2: Hard to believe I am already halfway through my internship at ELC! My recent projects have involved a good deal of research on topics ranging from FERPA protections for test protocol to school funding lawsuits in other states. I am also drafting a legal argument for a Right-to-Know (RTK) appeal, seeking to uncover information about the School District of



EQUAL JUSTICE AMERICA

Philadelphia's use of Alternative Education for Disruptive Youth (AEDY) programs. Under Pennsylvania law, students can only be placed in state-approved AEDY programs for a short period of time for the purpose of achieving identified behavior goals. But sometimes, students are improperly removed to AEDY placements—for instance, when their behavior does not warrant such discipline or when they are deprived of an AEDY hearing. The information sought in our RTK request will help shed light on the propriety of the District's use of AEDY. Looking forward, I am excited to continue advancing ELC's efforts to fight for fair school funding, ensure equal access to education, and stop the school-to-prison pipeline.

Update 3: It has been a busy couple weeks at ELC. Recently, I have been working on a school funding lawsuit to support our fair funding efforts. Last year, ELC secured a historic victory for PA public school students when the Commonwealth Court ruled that Pennsylvania's school funding system is unconstitutional and must be reformed. But given the possibility of legislative inaction, ELC is preparing to enforce this court decree. To this end, I have been researching school funding lawsuits in other states, focusing my analysis on the following questions: At what point have parties returned to court to enforce a court's decree to remedy an unconstitutional funding system? What criterion have courts relied on to assess the sufficiency of state legislative remedies? My research has shown me that the fight for fair school funding did not end with ELC's victory in court last year. Looking ahead, I feel grateful for the opportunity to assist on the case that put ELC on my radar in the first place!

Update 4: This is my fourth update as an Education Law Center summer intern. Lately, I have been working on a Right to Know Appeal regarding Alternative Education for Disruptive Youth (AEDY), as well as a memo reviewing one school district's Student Code of Conduct. My research for the RTK Appeal focused on defending against two exemptions that the School District of Philadelphia asserted to deny access to various training materials for its Restorative Discipline Liaisons. These exemptions are for records relating to an internal, predecisional deliberation and records relating to a noncriminal investigation. I funneled my case law research and legal writing skills into a significant portion of the Appeal, which we submitted to the Office of Open Records earlier today. I also drafted a memo on the school code of a local school district that imposes a uniquely high rate of racially disproportionate discipline on its students. I used the district's discipline data from the last five years to inform my review of the school code. The suggested revisions fell into three categories: providing additional notice regarding students' rights, providing more specificity and clarity regarding punishable conduct, and limiting punishment to appropriate and measured responses. I know that a punitive school climate has a myriad of negative consequences for students, including higher rates of arrest, exclusionary school discipline, school absences, and referrals to the juvenile justice system. In an effort to fight against the school-to-prison pipeline, one of ELC's attorneys will be presenting this memo to members of the district's school board this evening!



EQUAL JUSTICE AMERICA

Update 5: What a rewarding summer it has been at ELC! Over the course of ten weeks, I had the opportunity to support ELC's direct services work, advocacy efforts, and affirmative litigation. Through staffing ELC's hotline, I spoke with prospective clients and advised callers on issues ranging from insufficient special education services at school to racial discrimination by classmates. On the advocacy front, I drafted a memo analyzing various states' fair funding lawsuits, and I reviewed one school district's policies surrounding racially disproportionate discipline. These work products were used to inform ELC's approach to advocating for a favorable PA budget and suggesting reforms to the district's student handbook, respectively. I also supported with the filing of multiple right-to-know requests, one concerning discriminatory admission to Philadelphia's criteria-based schools, and another about due-process violations in student transfers to alternative disciplinary placements. Finally, to support ELC's affirmative litigation, I drafted research memos on a variety of subjects, ranging from FERPA and IDEA protections to due process rights. These experiences showed me value of a multipronged legal approach to vindicating and advancing students' rights.