

Helping Vulnerable Students Year-Round

By Jeffrey Lerner, Jonathan Cloar, Grant D. Johnson and Rachel Fried

BEGINNING IN MAY 2015, COVINGTON & BURLING LLP partnered with the Public Interest Law Center (PILC) to represent a group of students with disabilities and their parents against the The School District of Philadelphia. Covington and PILC recently finalized a settlement with the School District that will force the school district to immediately provide improved special education services to students with disabilities during school breaks such as summer recess. For the 26,000 students with disabilities in the school district, school breaks can significantly disrupt academic progress. To avoid that harm, the Individuals with Disabilities Education Act (IDEA) requires that school districts provide Extended School Year (ESY) services to eligible students during school breaks.

Although the IDEA requires that services be individualized based on students' needs, PILC had learned that the school district only offered a one-size-fits-all ESY program. Covington was eager to step in and help PILC ensure that

students with disabilities in the school district received the services they are entitled to by law. Although the Covington team looked forward to working with PILC on such a worthwhile cause, we did not foresee just how much the project would mean to us.

First, working alongside PILC was truly a pleasure. The PILC team's dedication to ensuring that students with disabilities in the school district receive the education they deserve was unwavering and inspiring. Working with the PILC team helped us focus on our ultimate goal throughout the litigation and settlement process, during which it was easy to lose sight of the forest for the trees. In addition to their staunch advocacy, the attorneys at PILC were a pleasure to work with. Collaborating with such an excellent team of people was one of the most enjoyable aspects of Covington's experience.

Second, learning more about the legal protections for students with disabilities was both interesting and empowering. A large part of what we do as litigators is delve deeply in multiple areas of the law. Gaining expertise in schools' legal obligations toward students with disabilities

and putting that knowledge to use was at times challenging but exceptionally rewarding.

For the Covington team, the most rewarding moment by far was meeting and listening to the clients we represented. Working with PILC allowed us the opportunity to fight and advocate for our clients and all ESY-eligible students in the school district. Throughout the representation, we wanted to make a difference in the lives of students and their families. We truly hope and believe that the settlement agreement will accomplish that, and we are thankful for the opportunity that PILC gave us to partner with them.

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