



Testimony before the District of Columbia Council  
Committee of the Whole  
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Public Hearing:  
Proposed Fiscal Year 2012 Budget for the Office of the State Superintendent of Education

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Good morning Chairman Brown and members of the Council. My name is Judith Sandalow. I am the Executive Director of Children's Law Center<sup>1</sup> (CLC) and a resident of the District. I am testifying today on behalf of CLC, the largest non-profit legal services organization in the District and the only such organization devoted to a full spectrum of children's legal services. Every year, we represent more than 1,200 low-income children and families, focusing on children who have been abused and neglected and children with special health and educational needs. A large percentage of the children we represent have disabilities that make them eligible for special education.

I appreciate the opportunity to testify regarding OSSE's proposed FY 2012 budget. I want to thank OSSE for hosting its first-ever public budget briefing this past Monday, April 18. The budget chapters themselves are quite opaque, and OSSE's public dialogue and answering important questions helped us and other advocates understand precisely what is proposed in the budget. OSSE continues to be a model agency in its openness to community feedback and its well-organized policy-making process.

The answers provided at the briefing addressed most of our concerns about the proposed budget. Therefore, today I want to focus on just two issues: non-public placements and the impact of other proposed cuts to the safety net on education.

I want to thank Superintendent Hosanna Mahaley for beginning her briefing on Monday by making clear that while some people may talk about moving DC's children from the non-publics into public school in terms of financial savings, OSSE's focus is to make the investments and improve the education system for all children so we can adequately educate our children in the local schools. We strongly support this approach to special education. We hope that the new Unified Per Student Funding Formula (UPSFF) will help DCPS and the charter schools build capacity and improve the array of special education options so that fewer children will need to attend nonpublic

schools distant from their homes. Building better special education programs in the neighborhood schools will have tremendous long-term benefits to the city's children and families. It is true that there will be a cost savings in the long-term, though I caution that those cost savings may not be as large as some have projected because developing and operating effective programs in the local schools will require significant investment. We appreciate that the Mayor's budget is making an investment in special education both in the OSSE and DCPS budgets and only anticipating a \$3.8 million savings from reduced enrollment in non-publics.<sup>2</sup>

I am concerned though that this investment will be undercut by proposed cuts to the safety net that will create a demand for more special education services. The devastating cuts proposed in children's mental health, in homeless services and to TANF benefits will make it harder for all children to do well in school – they will also create a new generation of children with disabilities.

There is a growing body of research that shows that the extraordinary stress of childhood poverty and the harms that accompany it – homelessness, abuse and neglect, malnutrition and exposure to violence, to name just a few – cause physical harm to children. The neural pathways in children's brains develop differently in children who live with the high levels of stress caused by poverty. And those differences lead to cognitive impairment and health problems that impact children's ability to learn. In other words, these budget cuts will literally create the need for special education services.

We do not need to wait until the beginning of fiscal year 2012 to feel the effects of budget cuts. Today, in our nation's capitol, families with no place to stay will be turned away to spend the night in a doorway or under a bridge. Imagine a child sleeping on the street. Will she fear the rats that scurry by? What will she think as she watches a junkie shoot up or a prostitute with her john? Will she learn to use newspaper to keep herself warm? Should exhaustion or fear or stress

overwhelm her, there will be no one to help her cope. Because the proposed budget cuts several million dollars in mental health services to children.

Chairman Brown, you and your fellow Council members, must make fiscally responsible choices. But fiscal responsibility does not require us to sacrifice our children or our future. There are other cuts – and other sources of revenue – that won’t handicap our future or divide our city.

We urge the Council to acknowledge the human cost – and the educational cost of the most harmful cuts to the human services cluster – and then to consider all options to restore funding to children’s mental health, homeless services, and TANF. Please fix this budget so you can tell you children that you built a city that cares about all of its children.

Thank you and I look forward to answering your questions.

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<sup>1</sup> Children’s Law Center provides free, comprehensive legal services to thousands of low-income and at-risk children in Washington, DC to ensure they have safe homes, a meaningful education and healthy lives. Our 75-person staff partners with hundreds of pro bono attorneys to serve 1,200 at-risk children each year. Applying the knowledge gained from representing children and families, we advocate for changes in the city’s laws, policies and programs. Children’s Law Center is the largest nonprofit legal services provider in the District and the only to focus on children. For more information, visit [www.childrenslawcenter.org](http://www.childrenslawcenter.org).

<sup>2</sup> OSSE FY 2012 Budget at D-103 includes a \$7.8 million cut to “account for efforts of cross-agency initiatives to reduce costs and reduce the number of students in non-public schools.” OSSE explained at the budget briefing that \$4 million was from expected savings from the new rates and \$3.8 million was from reduced enrollment.