NEW YORK, NY (August 24, 2021) – Today, Legal Services NYC announces a settlement with the NYC Department of Education (NYC DOE) requiring the agency to make landmark changes to policies and regulations regarding the reporting and investigation of sexual assaults involving student.

In addition to paying $700,000 in damages to four student survivors, the NYC DOE is required to make reporting and investigation processes more transparent to students and parents, create new processes to make it easier for students to make reports and escalate them, train staff on policies, and strengthen special education supports for students impacted by sexual assault and trauma. The settlement follows a 2019 lawsuit filed by Legal Services NYC alleging the NYC DOE violated Title IX by repeatedly ignoring reports of sexual assault and harassment by four female middle and high school students of color with disabilities, two of whom reported being raped.

Read the Settlement [here](#).

This settlement makes me feel like I was heard, said Lisa Doe, one of the students in the case. Because we spoke out, they agreed to make changes within the DOE towards how they will manage sexual harassment and respond when it impacts a student’s life inside and outside of schools. I hope that these changes will make the students in the city feel more protected, comfortable, and understood when they go through a situation that impact their life in a negative way. I hope that these policies help them feel they can come forward, speak to an authority about what’s making them uncomfortable, uneasy, or unsafe, and get help for their particular situation.

Specifically, the settlement requires the NYC DOE to:

- Create a process for parents to escalate complaints when they believe schools are not providing necessary supports or interventions after they file initial complaints;
- Update safety transfer policies to expedite safety transfers for cases involving harassment and/or assault;
- Update Chancellor Regulations to spell out how investigations should be conducted following an incident, supportive measures that must be provided, and the notification process to parents;
- Create a separate Complaint/Reporting Form for students that makes it easier for them to understand and fill out the form and a new FAQ for parents and students about how to report and file complaints the investigation process, and actions DOE must take to prevent assaults and harassment;
- Develop a guide for teachers, principals, and staff on how trauma can impact learning, and how IEP teams should assess the impact of traumatic incidents or experiences in the special education process.

For too long, students reporting harassment and discrimination have felt their claims were dismissed or ignored, said Amy Leipziger, a senior staff attorney at Legal Services NYC involved in the case. This settlement is an important step in both recognizing the harm caused by gender-based violence in schools and creating much-needed accountability for school districts to address the traumatic impact of sexual violence and harassment in our schools.

These landmark policy reforms will finally force the NYC DOE to recognize that students who experience the disabling impacts of sexual violence, bullying, and trauma are protected under federal disability law and are entitled to receive special education supports and other interventions, said Katrina Feldkamp, a former staff attorney at Legal Services NYC involved in the case. We know gender-based violence can impact students' cognitive functioning, ability to learn, and relationships with their teachers and peers. We look forward to working with the DOE to implement these changes and ensure that students who have experienced trauma get the care and protection they need.

We are pleased that the NYC Department of Education is taking affirmative steps to recognize the impact of gender-based violence on students, said Lori Leskin, Partner at Arnold & Porter who provided pro bono help with the case. This settlement will better equip school personnel to respond to the trauma of bullying and sexual violence and will provide critical information to students and families about their rights under the law.

Legal Services NYC, the largest civil legal service provider in the country, filed suit against the NYC DOE in 2019 after it discovered multiple students with disabilities whose reports of gender-based violence and harassment were repeatedly ignored and mishandled by their schools and whose right to meaningful educational progress was unlawfully thwarted by the schools' inaction. Two of the students (ages 12 and 14) were raped by classmates, and the other two students (ages 13 and 18) suffered repeated verbal taunts, groping, and sexual assault by their classmates. All four students reported the incidents to their schools and in each case, the school failed them.

By coming forward more than two years ago, four young survivors have profoundly changed a school system for hundreds of thousands of current and future New York City students and families, said Joanne N. Smith, President and CEO of Girls For Gender Equity (GGE). This settlement puts into motion new, deeply needed tools, options, and resources to build safe, supportive schools free from gender-based violence. We join with our Legal Services NYC partners in readying for the work ahead.
The changes included in the settlement are also a landmark step for the NYC DOE in recognizing the impact of trauma on learning and providing students with the supports necessary to heal.

“As a consultant who has been helping our DOE advance trauma-informed practice for the past six years, it’s been an honor to collaborate with the DOE and Legal Services in weaving a thoughtful consideration of the sometimes subtle and often pervasive impact of trauma on learning, particularly for vulnerable students undergoing the IEP process,” said Jacob Ham, Director of Center for Child Trauma and Resilience at Icahn School of Medicine at Mount Sinai. “I am proud to recognize New York City as part of a growing number of school systems at the forefront of trauma-informed transformation.”

Legal Services NYC will continue to monitor the NYC DOE to ensure the implementation of these historic changes and reserves the right to pursue remedies, including returning to court if the NYC DOE fails to comply with its obligations.