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**Statement of the Council for Court Excellence
Before the Committee of the Whole
Council of the District of Columbia**

**Performance Oversight Hearing for the
Office of the State Superintendent of Education**

March 9, 2026

Please accept the following as the Council for Court Excellence’s (CCE) testimony regarding Performance Oversight for the Office of the State Superintendent of Education (OSSE). CCE is a nonpartisan, nonprofit organization with the mission to bring people together to conduct research, educate, and advocate to make D.C.’s unique legal systems more just, equitable, and accountable to the community. For nearly 40 years, CCE has worked to improve the administration of justice in the courts and related agencies in D.C. through research and policy analysis, convening diverse stakeholders, and creating educational resources for the public. Please note that in accordance with our policy, no judicial member of CCE participated in the formulation or approval of this testimony. This testimony does not reflect the specific views of, or endorsement by, any judicial member of CCE.

Our testimony focuses on educational programming for incarcerated youth and adults under the custody of the Department of Youth Rehabilitation Services (DYRS) and Department of Corrections (DOC). The Office of the State Superintendent of Education (OSSE) is a party to the agreements between DYRS, DOC, and education providers and works to ensure quality education is delivered in these spaces.

Department of Youth Rehabilitation Services

See Forever Foundation is the educational provider for students in DYRS custody at the Youth Services Center (YSC) and New Beginnings (NB), and for students with Individual Education Programs (IEPs) working towards their high school diploma at the D.C. Jail. Last year, CCE staff met with those at the See Forever Foundation to understand the strengths and limitations of the educational programming it provides.

A plethora of issues act as barriers to incarcerated children receiving a high-quality education. These include chronic overcrowding of the YSC. For the majority of 2025, the facility was over capacity, at times, by as many as 30 children.¹ Only in early 2026 did the population go back below capacity, but the causes of that are unclear and it is also unclear whether it will remain at this level throughout this year. When YSC is overpopulated, youth have to sleep in overflow units, such as the intake cells, which are not meant for long-term stays. Then, youth are moved to the other housing units during the day to get education, as youth at the YSC are also taught by housing unit, rather than grade level. Not only does this hamper the ability to provide grade-appropriate instruction, overcrowding inevitably increases the number of students teachers have to work with. Teachers then have to practice a station rotation model,

teaching different groups of students at a time, as they are learning at various grade levels. As a result, students receive less individual attention from teachers and teachers are strained to meet the diverse learning needs of their classrooms.

Another educational challenge at DYRS is that teenagers being charged as adults – sometimes called Title 16 youth – are also kept separate from other youth at YSC, leading to further segregation by charge, again rather than by grade level. Additionally, while DYRS is able to hold Title 16 youth at YSC until they turn 21, DYRS has recently been sending youth to DOC’s adult jail on or around their 18th birthdays. See Forever Foundation staff reported that this is a disruption to those youth’s educational attainment, as some young people are fearful of even leaving their units at the jail to come to the school. The staff shared that DYRS’s previous practice to hold youth in DYRS custody until the age of 21 allowed for improved educational outcomes.

Another concern for incarcerated students is their transition back into their community’s schools post-incarceration. Some students currently face issues ensuring credits are awarded for the coursework taken while in custody. The Education Continuity for Students in the Care of D.C. Amendment Act of 2025ⁱⁱ seeks to address many of these concerns by directing OSSE to facilitate record transfers, publish a system-wide course catalogue, and oversee implementation of other requirements like timely school enrollment and transition plans for students in care of DYRS.

Finally, See Forever Foundation is currently in negotiations with DYRS over their contract. While the ongoing contract is still in place, a new contract is needed by July 2026. The contract has been a discussion in various hearings over the past few months, including the recent Performance Oversight Hearing of DYRS. Key areas of importance that See Forever Foundation has raised are ensuring pay equity for teachers, hiring more teachers to address overcrowding at YSC, and purchasing technology.

While the education of all of D.C.’s young people is of vital importance as a general matter CCE would like to remind the Council that children in DYRS custody equally deserve access to quality education, just as their teachers deserve to be equitably compensated for their work. We urge Council and OSSE to ensure that the next version of See Forever Foundation’s contract includes adequate compensation for teachers and the resources such as technology that are needed to provide a quality education at DYRS. We also urge Council to discuss the needs of in-custody children during its oversight hearing and to pass the Education Continuity legislation and support all of our D.C. students in reaching their educational goals.

Department of Corrections

I will now discuss educational issues faced by youth in Department of Corrections (DOC) custody. For Title 16 youth who are moved to the D.C. Jail, educational programming from See Forever Foundation is only available to them if they were in a high school diploma track at YSC, rather than if they were pursuing a GED. Because of this, a positive step was taken in the summer of 2025, so all Title-16 youth at YSC who are working towards a GED while in DYRS custody will also be in the high school diploma track, so that they can potentially transition to the education unit run by See Forever Foundation at DOC. CCE was glad to see this positive step.

For most other people incarcerated at the D.C. Jail, their only educational opportunities are to pursue a GED or be a student with a diagnosed disability who is 22 or younger, in which case, they can access in person high school instruction in DOC custody. This eligibility is curtailed even further however, because DOC does not identify and evaluate people in custody aged 22 or younger for an IEP. This means that only individuals who have been evaluated and have an IEP prior to entering DOC custody can access the educational programming for a high school diploma through See Forever Foundation. As a result, many youth who enter DOC custody who may be eligible to pursue a GED based on their individual needs, are excluded because they do not have an existing IEP.

The Leading Education Access for Reentry and Necessary Success (LEARNS) Actⁱⁱⁱ would address many of the issues impacting the ability of incarcerated District youth in obtaining a GED. First, it would end the reliance on temporary, emergency legislation to ensure students with IEPs have access to high school instruction in the jail. Secondly, it would require DOC to identify and evaluate students for special education services who had not been evaluated prior to entering DOC custody. Finally, it would create a publicly accessible data system to track grievances at DOC, including education-related grievances. While even with this legislation, access to the high school diploma track at DOC would be restricted to those with an IEP up until the age of 22, and not the larger population of interested students at DOC, this bill still reflects important progress and would ensure all incarcerated individuals with IEPs have the educational access they are entitled to. Therefore, we urge Council to discuss this proposal with OSSE, ensuring that they are prepared to do all steps necessary once the Council passes the LEARNS Act and to continue to explore and invest in educational opportunities for the wider population at DOC beyond GED education.

Thank you for the Council's continued commitment to ensuring all youth in the District – including those in custody – receive the education necessary for them to become thriving D.C. residents.

ⁱ Office of Independent Juvenile Justice Facilities Oversight. "DYRS Secure Facilities Today's Population Data." OIJFO, 2026. <https://oijfo.dc.gov/node/1689266#embedtabs>

ⁱⁱ B26-0403, Education Continuity for Students in the Care of D.C. Amendment Act of 2025, <https://lims.dccouncil.gov/Legislation/B26-0403>

ⁱⁱⁱ B26-0526: Leading Education Access for Reentry & Necessary Success Amendment Act, <https://lims.dccouncil.gov/Legislation/B26-0526>