



## Advocating for Every Child's Right to Learn

Four Alumnae Making a Difference in Special Education Law

**F**or Jennifer Frankola, the case of 14-year-old Alex stands out. On the low-functioning end of the autism spectrum, he was aging out of middle school and in need of a placement in an appropriate boarding school. His resourceful single mom, a Haitian immigrant living in East Harlem, needed help, but had no money to fight the New York City Department of Education. Frankola took the case, winning Alex an appropriate placement. Alex is now 20, and his advocates have prevailed every year.

It's the kind of case—and the kind of long-term relationship—that reminds Frankola of why she got into special education law in the first place. She is one of a number of CUNY Law grads in the New York/New Jersey area waging what many in the field define as an important civil rights battle: the fight for equal access to education for all students, regardless of their abilities or learning styles. That struggle has made great progress in the last 20 years, but all agree there is more work to do.

There are countless cases like Alex's, with not enough lawyers to fight for them, and stubborn economic inequities in the special education world. So says Regina Skyer, who is widely considered the pioneering special education lawyer. "There is still a big dispar-

ity between what a rich kid and a poor kid can get," Skyer says. "How do we fix it? One child at a time."

The fight for equal access to education for all students has its origins in the civil rights movement and especially in the 1954 *Brown v. Board of Education* Supreme Court decision, which struck down the notion of "separate but equal."

But with that ruling's understandable emphasis on the pressing matter of racial justice in America, it took another 20 years, with the passage of the Education for All Handicapped Children Act in 1975, for the notion to reach the community of students who learn differently, their parents, and their advocates. The deinstitutionalization of persons with mental disabilities in the early to mid-1960s added more urgency to the need to provide educational opportunities for children with disabilities, so that they too might lead independent and productive lives. But it was only with the passage of the Americans with Disabilities Act in 1990 that many were given the chance.

We recently spoke to four CUNY Law alumnae who are making significant contributions in the field of special education law and advocacy in New York and New Jersey. Here are their stories.





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Committee on Special Education had stingily agreed to give the child just two 30-minute sessions of speech therapy a week, and then failed to provide even that. The mother contacted Skyer to help. Skyer got the child a lot more, including 40 hours a week of intensive one-on-one therapy called Applied Behavior Analysis (ABA), considered the state-of-the-art autism treatment.

The needs, and the disparity between what rich and poor children receive in the way of services and access, still weigh heavily on Skyer's mind and on her chosen field. "There are great problems and not enough money to solve them," she says. "We need more lawyers doing this work pro bono." Skyer is also set to publish a series of books to help parents of children with special needs. *How to Survive Turning Five* will be released soon.



## REGINA SKYER ('91)

Regina Skyer's strong feelings for the education rights of persons with disabilities can be traced to her family's history of surviving the Holocaust. "My mother said, 'The Nazis took everything, but they couldn't take my education,'" Skyer says. "People who can read are thinking people. Education is the key to being able to work and be a contributing member of society. That's why I am impassioned."

Skyer's law firm, Regina Skyer and Associates, is one of two in the city that any parent who has fought the City's Department of Education for services and placement in the past 20 years knows.

Skyer was a social worker and special education administrator who ran a summer camp for special needs children before she attended law school, so she long knew she would fight for the rights of children with disabilities. She had four children at home when she enrolled at CUNY Law, which she chose in part because of its focus on civil rights. Today, more than 25 years later, she has won so many cases that just a letter on her firm's stationery can go a long way toward getting her clients the services they need.

And she has helped many. One example is the case of a 3-year-old child on the autism spectrum. The City's



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## JENNIFER FRANKOLA ('07)

For Jennifer Frankola, becoming a teacher was a calling. She was assigned to teach in a public school in a disadvantaged area of the Bronx, under the prestigious New York City Teaching Fellows program.

With an accompanying passion for social justice, Frankola was troubled by the lack of resources for the school, and the evident segregation and inequality in New York City schools. Inspired to do something about it, she applied to CUNY Law, attracted to its mission. "When I started at CUNY, there were only a handful of law firms doing special education work. It was hard because it was such a specialized field," she says. "Through CUNY, and people I met there, I was able to develop connections and skills."

Six years ago, Frankola opened her practice, an education law



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Communication, LLC, an organization offering services to kids like hers. “Learning about the clinical piece made me feel whole as an attorney,” Francullo says.

Because of a parent-led grassroots effort, New Jersey now has three new laws that require school-aged children to be screened for dyslexia, and the State offers professional development on dyslexia for teachers. Dyslexia is now also defined in the State Special Education Code.

Today, Francullo’s twins are seniors in high school. “If I hadn’t done what I did 10 years ago,” she says, “I don’t know where my kids would be today.”



**RUTH  
LOWENKRON ('86)**

group within the firm Lewis Johs Avallone Aviles, LLP. Since then, she has counseled or litigated more than 1,000 cases, by her estimate. “Like a pediatrician, I have a big corkboard with pictures of my kids in my office,” Frankola says. “They are my inspiration.”



**NORMA FRANCCULLO ('95)**

As was the case for many other advocates for kids with learning differences, Norma Francullo’s interest in the field was sparked when it hit home.

She was already a practicing lawyer doing real estate and corporate work in New Jersey when her twins were diagnosed with dyslexia in first grade. “You sit there and think ‘I could cry about it or advocate and be a champion for my child.’”

She did the latter, learning about her kids’ and other children’s rights, about mediation, and about the importance of asking the right questions. “CUNY Law taught me that if you see a void, create something to fill the void,” Francullo says.

In 2006, Francullo created the New Jersey non-profit organization C.H.I.L.D. (Children Having Individual Learning Differences) Inc. to help parents advocate for their children who were facing learning challenges. It is a forum that provides parents with support and information. Francullo has surrounded herself with clinicians, experts in dyslexia, and leaders in other fields in order to help parents advocate for their children.

The firm where she is of counsel, Parles Rekem LLP, specializes in special education law and employs women who, like her, have children with learning differences. She also provides advocacy work for Beyond

The fight for the rights of people with disabilities has always resonated with Ruth Lowenkron, perhaps because her father had a disability.

After volunteering in the field after college, she decided to pursue a law degree to be better able to fight for what she and others define as the “civil rights mandate of integration and inclusion.” CUNY Law’s “go-get-’em” spirit and “network of like-minded people” were very grounding, Lowenkron says of her law school education.

These days, as the senior staff attorney at Disability Rights New Jersey, Lowenkron is overseeing the settlement in a federal lawsuit that requires New Jersey to do more to include children with disabilities in the general education classroom.

It is just another feather in the cap of her long and distinguished career. A settlement of a law reform action while she was at the Education Law Center resulted in improvements in New Jersey’s largest school district to the special education “Child Find” mandate, which requires all school districts to identify, locate, and evaluate all children with disabilities.

While Lowenkron works on cases that improve the lives of thousands, she is often reminded of the individuals she has helped along the way.

“Two years ago I received a call from someone I had helped when he was in the seventh grade,” she says. “He told me he had decided there and then to become a disability advocate himself, and had just earned his Ph.D.”

—Janet Allon