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Chester County Intermediate Unit Approves \$3 Million Settlement in Glen Mills Schools Class Action Suit to Benefit Former Students

Former students may be eligible for compensatory education and cash payments

Philadelphia, PA (January 18, 2023): Tonight, the Chester County Intermediate Unit (CCIU) approved a \$3 million settlement of education-related claims filed against it in *Derrick et al. v. The Glen Mills Schools et al.*, (Case 2:19-cv-01541-HB). CCIU is one of multiple defendants in this ongoing federal class action lawsuit that challenges pervasive abuse and deprivation of education at the now-shuttered Glen Mills Schools, which was formerly the oldest juvenile justice facility in the country.

The settlement includes the establishment of a fund for former Glen Mills Schools students, who may be eligible to receive cash payments, compensatory education services, or a combination of these remedies.

Education Law Center, Juvenile Law Center, and Dechert LLP filed the proposed class action lawsuit in April 2019 on behalf of former students and their parents. The [complaint](#) was filed in the wake of the closing of the facility by the Pennsylvania Department of Human Services in response to findings of pervasive abuse and intimidation against students by Glen Mills Schools residential staff and leadership.

The lawsuit alleged significant violations of the civil rights of former students, including that students were unsafe, subjected to extreme and sustained physical and emotional abuse, and deprived of any meaningful education. The abuse had a particularly dire impact on Black students, sent to Glen Mills in disproportionate numbers, as well as students with disabilities and special education needs, whose educational rights were ignored.

In addition to CCIU, named defendants in the action are Glen Mills Schools and former officials and employees of Glen Mills Schools as well as state officials of the Pennsylvania Department of Human Services and Pennsylvania Department of Education. The fact discovery phase of the case against these other defendants is proceeding and will conclude this month, to be followed by expert discovery and class certification. A trial date is still to be determined.

“We applaud CCIU for stepping forward and working to provide meaningful relief for youth who were deprived of an education while at Glen Mills Schools,” said Maura McInerney, legal director at the Education Law Center who represents plaintiffs. “These young adults experienced and witnessed abuse and were left to languish in an ineffective, self-directed credit recovery program or diverted to a GED path, while the hope of obtaining a high school diploma slipped away. They need access to resources now to change their futures.”

The claims that plaintiffs asserted against the intermediate unit included allegations that students were deprived of a legally compliant education and students with disabilities were discriminated against and failed to receive a free, appropriate public education due to lack of oversight and involvement in the special

education process. While Glen Mills Schools was responsible for educating students, CCIU served as the local educational agency under a contract with Glen Mills approved by the Pennsylvania Department of Education. These obligations included ensuring that students with disabilities received a free, appropriate, public education.

Under today's settlement agreement, former students placed at the Glen Mills Schools for any period after April 11, 2017, may be eligible for relief, as well as any students who attended Glen Mills for any period prior to April 11, 2017 who had not reached 20 years of age by April 11, 2019 (the date the lawsuit was filed).

The agreement creates two funds: (1) a compensatory education fund, which can be used to pay for or reimburse educational expenses and (2) a damages fund, which provides cash payments for former students who experienced or observed physical abuse or restraints during school hours or whose experiences and observations outside school hours materially affected their school performance. The amount of each allocation will be based on the number of school days a former student attended Glen Mills Schools and will be pro-rated if the total eligible claims exceed the amount of available funds. Additional allocations will be provided to students with disabilities and English learners. Former students have one year to file claims, and eligible claimants will begin to receive awards in 2024.

"The Glen Mills Schools discriminated against students with disabilities and wholly denied them their legally required special education services," said Margie Wakelin, senior staff attorney at the Education Law Center. "The teenagers who entered Glen Mills are now young adults. Funds created by CCIU through this agreement will be the first essential step to repairing these grave injuries and will make a significant difference for these students."

"This settlement is a significant step forward, and we are proud to partner with the Education Law Center and the Juvenile Law Center to help these former students," said Clare Putnam Pozos, partner at Dechert LLP. "Our class action lawsuit will continue against the remaining defendants, including representatives of the Pennsylvania Department of Education, Pennsylvania Department of Human Services, and Glen Mills Schools, who bear significant responsibility for creating a culture of abuse and depriving children of an education."

Marsha Levick, Juvenile Law Center's chief legal officer, added, "We appreciate CCIU stepping up to begin the process of healing. Unfortunately, responsibility for the deprivations youth suffered at Glen Mills Schools, including physical abuse and intimidation as well as the absence of real educational programming, reaches beyond CCIU to leadership and other key employees at both Glen Mills, state education leaders, and the Pennsylvania Department of Human Services who we believe failed to act to keep children safe. On behalf of our named plaintiffs and putative class members, we hope the remaining defendants will follow CCIU's lead and look to building a better future for these young men, rather than continue to defend the past."

A website, GlenMillsSettlement.org, will provide information and updates about the settlement funds and how to apply for relief. Former students and their families who have questions or want to learn more about whether a former student is eligible for settlement funds created by the CCIU agreement may email Help@GlenMillsSettlement.org or leave a message at 267-515-6853.

Attorneys from Juvenile Law Center, Education Law Center, and Dechert LLP will be available for questions or interviews. CCIU and the plaintiffs' attorneys have issued a [joint statement](#) about the settlement agreement.

The Education Law Center-PA (ELC) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation,

trainings, and policy advocacy, ELC advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ students, and children experiencing homelessness. For more information, visit elc-pa.org.

Juvenile Law Center advocates for rights, dignity, equity and opportunity for youth in the foster care and justice systems. Founded in 1975, Juvenile Law Center is the first non-profit, public interest law firm for children in the country. We fight for youth through litigation, appellate advocacy and submission of amicus (friend-of-the-court) briefs, policy reform, public education, training, consulting, and strategic communications. Widely published and internationally recognized as leaders in the field, Juvenile Law Center has substantially shaped the development of law and policy on behalf of youth. We strive to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are rooted in research, consistent with children's unique developmental characteristics, and reflective of international human rights values. For more information about Juvenile Law Center's work, visit www.jlc.org.

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