

# **Student Challenges Chancellor in Federal Court**

## **Student with brain injury fights for her rights against NYC DOE'S NEW POLICY**

**NEW YORK, NY** - The legal team from The Brain Injury Rights Group, will be representing a student with a brain injury and her family in Federal Court in downtown Manhattan on Wednesday afternoon, May 22, before the Honorable Alison J. Nathan, U.S. District Judge for the Southern District of New York. New York City Department of Education's Chancellor, Richard Carranza, has initiated an illegal new policy: the DOE does not have to implement an automatic injunction (pendency order) if they are "thinking" about appealing the order. This goes against the Supreme Court's decision that a pendency order is an automatic injunction and would turn the civil rights of special education students back decades through the denial of their pendency rights. There are currently five federal cases in the Southern District with a similar situation since January 2019.

Allegra Abrams is a 20-year old New York City resident who suffers from a severe brain injury and has highly intensive management needs requiring a high degree of individualized attention and intervention. Allegra is a non-ambulatory (wheelchair-dependent) and non-verbal student who attends the International Institute for the Brain (iBrain). iBrain is a non-public special education program focused on students with brain injuries and brain-based disorders located on the Upper West of Manhattan (see [www.iBrainNYC.org](http://www.iBrainNYC.org)). All six of the federal cases challenging Chancellor Carranza's illegal policy are students from iBrain and represented by Brain Injury Rights Group (see case numbers below).

**WHO:** Allegra Abrams, 20-year old New York City resident with severe brain injury  
Elizabeth Abrams, Allegra's mother  
Dore Abrams, Allegra's father  
Karl J. Ashanti, Esq., Allegra's attorney from Brain Injury Rights Group  
Peter Albert, Esq., Allegra's attorney from Brain Injury Rights Group  
Other students and families from iBrain

**WHAT:** Media availability to discuss Allegra's case before the Honorable Alison J. Nathan, U.S. District Judge for the Southern District of New York  
Case Reference: 1:19-cv-04175-AJN Abrams et al v. Carranza

**WHERE:** In front of Thurgood Marshall United States Courthouse  
40 Foley Square, New York, NY 10007

**WHEN:** Immediately following federal hearing on Wednesday, May 22, 2019, 4:00pm

**OTHER:** List of similar federal cases in Southern District of New York:  
1:19-cv-04167 Donohue et al v. Carranza  
1:19-cv-03863 Cohen et al v. New York City Department of Education  
1:19-cv-00856 Cruz et al v. New York City Department of Education  
1:19-cv-00854 Mendez et al v. New York City Department of Education  
1:19-cv-00334 Fiallos et al v. New York City Department of Education

The Brain Injury Rights Group is a civil rights legal advocacy non-profit organization representing families with a child who suffer from the #1 cause of death and disability for American youth, pediatric acquired brain injury (PABI). Please see [www.BrainInjuryRights.org](http://www.BrainInjuryRights.org) for more information

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