

## Georgia ‘psychoeducation’ case gets outside lawyer

Georgia still hasn’t formally – in public, at least – responded to the federal government’s charge that it runs an illegal, segregated school system for children with behavioral disorders.

But the state has hired a lawyer to mount its defense, and talks with the U.S Department of Justice are under way, officials acknowledged this week.

Not that anyone is saying much about the federal investigation of the Georgia Network for Educational and Therapeutic Support program. The Justice Department sent a letter to Gov. Nathan Deal and Attorney General Sam Olens in July, alleging that the GNETS program violates the Americans with Disabilities Act by failing to place disabled students in “the most integrated setting appropriate to their needs.”

The letter said GNETS facilities often are dirty, in poor repair and, in some cases, served as blacks-only schools before court-ordered integration. One GNETS program requires students to use segregated restrooms and to eat apart from students who are not disabled. Another program doesn’t allow its students to engage at all with non-disabled students – or even to leave the basement.

The Justice Department threatened to sue the state if it doesn’t fix what it once officially called its “psychoeducational” schools.

Nick Genesi, a spokesman for Olens, offered few details about the state’s response.

“We have had discussions with the DOJ, and outside counsel has been retained,” Genesi wrote in an email.

Pressed for specifics, Genesi said Olens hired an Atlanta lawyer, **Alexa Ross**, to represent the state in the federal inquiry. Ross will be paid \$225 an hour, apparently a significant discount from her standard fee.

Exactly what she’ll be doing and why lawyers in the attorney general’s office couldn’t do it are not yet clear.

Ross did not respond to a request for an interview.

She is considered an expert on Georgia charter-school laws, according to a biography on her law firm’s website. The biography quotes an unidentified former state attorney general as saying: “Alexa was on my A-list of attorneys in private practice to whom I could reach out for expertise regarding charter schools.”

Among her law partners is **Josh Belinfante, who was executive counsel to former Gov. Sonny Perdue**. More important, he represented the state in similar negotiations with the Justice Department over Georgia’s mental-health system. In that case, the state avoided a federal lawsuit by agreeing to an expensive overhaul of services in psychiatric hospitals and community settings.

The Justice Department opened an investigation into GNETS three years ago. The system, made up of 24 programs across the state, has operated since the early 1970s. It came under scrutiny after The Atlanta Journal-Constitution reported on the case of Jonathan King, a 13-year-old assigned to a GNETS school in Gainesville. School personnel placed the boy in seclusion – a windowless room with no furniture and no food or water, behind a locked metal door – 19 times over 29 days in the fall of 2004. His average stay in seclusion was 94 minutes.

On Nov. 15, 2004, Jonathan hanged himself in the seclusion room.

GNETS has since stopped using seclusion and restraint to control student behavior.