

Enclosed is a Compensatory Education Form, which is part of the Notice documents provided to class members in the settlement of a lawsuit called *Adam X. et al. v. NJDOC et al.* Class members should have received legal mail containing this Form with a prepaid envelope addressed to Class Counsel in the case.

If you do not have the envelope and wish to return the Form, you must send it to this address:

ACLU of New Jersey  
Attn: Class Action  
P.O. Box 32159  
Newark, NJ 07102

## **YOU MAY BE ELIGIBLE FOR ADDITIONAL EDUCATIONAL AND/OR VOCATIONAL SERVICES**

In 2017, a lawsuit called *Adam X. v. New Jersey Department of Corrections* was filed against New Jersey Department of Corrections (DOC) and New Jersey Department of Education (DOE). The case claimed that high school students with disabilities were denied special education in New Jersey prisons.

In 2021, DOC and DOE settled the lawsuit by agreeing to provide special education for eligible students in adult prisons. DOC also agreed to provide educational and vocational services to students to make up for services they should have been given by DOC in the past (this is called "compensatory education"). DOC will give these additional services, or funds to pay for them, to people still in prison and to people released.

You may be eligible for these additional services if you were:

- In a DOC prison at any time after January 11, 2015 **and** age 21 or younger during any of that time in prison; and
- Received special education services before you went to prison **or** have an educational disability **or** think you had an educational disability when you were in school before you went to prison.

If you think you are eligible and want to receive these services, please check "**YES**" on page 2. An independent expert Dr. Susan Roberts, who does not work for the DOC, will review your records and may want to speak with you. Dr. Roberts will decide if you are eligible to receive additional services. You will be informed of Dr. Roberts' decision within one year of submitting this form through the contact information you provide below.

If you check "**YES**" on page 2, you are requesting to be considered for additional services as part of this lawsuit settlement. This also means that you give up—or "waive"—any "compensatory education" claims (for services that should have been given in the past) against DOC and DOE that you could have filed on your own through a complaint with DOE or through a lawsuit.

If you do not want to be considered for additional services as part of this lawsuit settlement, please check "**NO**" on page 2. If you want to keep your rights to file your own complaint for services that should have been given in the past, you must check "NO" and return this completed form. If you do not return this form, you risk giving up or "waiving" your ability to file your own complaint.

**IF YOU THINK YOU MIGHT BE ELIGIBLE FOR ADDITIONAL EDUCATIONAL OR VOCATIONAL SERVICES TO MAKE UP FOR WHAT SHOULD HAVE BEEN GIVEN IN THE PAST:**

**Please fill out this form and send it back to us in the envelope we have provided as soon as possible or by approximately January 2024\***

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| <b>NAME (please print):</b>  |  |
| <b>BIRTHDAY:</b>   |  |
| <b>SBI NUMBER:</b>   |  |
| <b>PHONE NUMBER (for yourself or a loved one who can contact you):</b>                         |  |
| <b>ADDRESS (if currently in prison, list facility name only):</b>                              |  |
| <b>OTHER INFO, FOR EXAMPLE EMAIL ADDRESS (for yourself or a loved one who can contact you)</b> |  |

**DO YOU WANT TO BE CONSIDERED FOR ADDITIONAL SERVICES?**

- YES:** I agree to Dr. Roberts reviewing my records so that I may receive additional services or funds to pay for services. I agree to waive any "compensatory education" claims against DOC and DOE.
- NO:** I want to retain my rights to "compensatory education" from DOC subject to the applicable statute of limitation (the deadline for filing under law). I understand that I must separately pursue these claims if I want additional services.

**IF YOU ARE STILL IN PRISON:  
Preference for Compensatory Education Services**

If you checked **YES and you're currently in prison**, Dr. Roberts will decide what kind of education services you will receive and may consider your preference.

If you know what kind of services you want to receive, please check one or more of these boxes:

- Educational services provided by DOC staff in DOC facilities
- Vocational services provided by DOC staff in DOC facilities
- Funds to use for approved educational, vocational, or reentry services 1) from an approved list of providers while in NJDOC custody, or 2) from an external provider after release from NJDOC custody

**IF YOU HAVE BEEN RELEASED FROM PRISON:  
If appropriate, Dr. Roberts will award funds for you to use for  
approved educational, vocational, or reentry services from an  
external provider.**

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**YOUR SIGNATURE**

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**TODAY'S DATE**

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\* The deadline for returning this form is two years from the Court's final approval of the Settlement Agreement (also called "the Effective Date"). The Effective Date will likely be in January or February 2022, so you should submit this form no later than January 2024.