



Advocates for Children of New York
Protecting every child's right to learn

**Testimony to be delivered to the New York City Council Committees
on Fire and Criminal Justice Services jointly with the Committee on
Juvenile Justice and the Committee on Education**

**RE: Oversight - Educational Services for New York City's Detained,
Placed, and Incarcerated Youth, Adolescents, and Young Adults**

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Advocates for Children of New York
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Thank you for the opportunity to speak with you today. My name is Alyssa Perrone and I am an attorney with the School Justice Project at Advocates for Children of New York where I provide education advocacy and legal representation for youth involved, or at risk of being involved, with the juvenile or criminal justice systems. My testimony today focuses on the educational needs of New York City's court-involved youth while in detention, placement, and incarceration, and after their release from these settings.

Court-involved youth are an extremely vulnerable population of students in New York City and nationally. Many court-involved students have complex educational and mental health needs that have been inadequately addressed prior to their arrest. Over half of all court-involved youth are students with disabilities, and many are over-age, under-credited and performing far below grade level.



This data clearly demonstrates the need, in all settings – including juvenile placement and detention and adult correctional facilities, as well as in schools in their communities – for high-quality education services, individually tailored to address the unique and complex needs of the students they serve. Furthermore, high-quality education in correctional settings has been shown to measurably reduce re-incarceration rates and associated costs. In December 2014, the United States Departments of Education and Justice issued guidance and technical assistance materials to help local and state leaders provide high-quality education to youth in justice facilities, including guiding principles, promising practices, and Dear Colleague Letters.¹ In July 2016, Mayor Bill de Blasio’s Leadership Team on School Climate and Discipline released a report that contains recommendations to improve supports for students in and coming out of juvenile and criminal justice settings.² We strongly recommend that leaders working in the Department of Corrections, the Administration for Children’s Services, the Department of Education, and the Department of Health and Mental Hygiene give serious consideration to these local and federal guidance materials and use them to make creative, coordinated, and

¹ U.S. Department of Education and Department of Justice, Guidance Package on Correctional Education in Juvenile Justice Facilities, December 2014, http://www2.ed.gov/policy/gen/guid/correctional-education/index.html?utm_source=Youth.gov&utm_medium=Announcements&utm_campaign=Reports-and-Resources.

² The Mayor’s Leadership Team on School Climate and Discipline, Phase Two Recommendations, “Maintaining Momentum: A Plan for Safety and Fairness in Schools,” July 2016, http://www1.nyc.gov/assets/sclt/downloads/pdf/SCLT_Report_7-21-16.pdf.



strategic plans to improve the quality of education for youth in and returning from these facilities. The rest of our testimony includes some specific recommendations.

First, we strongly recommend that all facilities serving court-involved youth provide a safe, supportive environment that prioritizes education and provides the necessary academic and behavioral supports to address the individual needs of all students, including those with disabilities, and allow them to make meaningful academic progress. In order to be conducive to learning, facilities must create a safe climate where students feel free from physical and emotional harms or threats, both in the classroom and the facility as a whole, by fostering an environment where students can establish trusting relationships with peers and adults. Towards that end, we strongly recommend that facilities train all staff working with youth in therapeutic crisis intervention and other evidence-based techniques to enable them to safely and appropriately address the behavioral needs of students in their care, many of whom have experienced numerous incidents of trauma.

Additionally, because most court-involved youth enter juvenile and criminal justice facilities performing well below grade level, we strongly recommend that these facilities provide intensive, research-based remediation services in math and reading and extend schooling to twelve months to help these students catch up academically.

The data and AFC's experiences also reflect the continued need for better transition planning and more viable educational options for students leaving



placement, detention, or jail to ensure continuity in education and reduce the likelihood of recidivism. The Department of Education’s Transition Specialists in Passages Academy and East River Academy are part of a promising initiative that aims to do more than merely help youth leaving facilities enroll in school. To effectuate the promise of helping students locate an appropriate school placement and create and implement an effective transition plan that enables students to stay connected and succeed in school, we strongly recommend that the city increase funding to hire more Transition Specialists and provide them with necessary training and resources.

At present, there are not enough schools in New York City that can successfully address the unique and significant education-related challenges facing many court-involved youth. Although many students leaving court-ordered settings would benefit from alternative programs such as transfer schools, ReStart Academies, or Career and Technical Education programs, many are unable to attain admission. The current school-by-school admissions process at transfer schools poses a significant barrier to enrollment for many students and lacks transparency. As such, we recommend that transfer schools be moved under a single superintendency, such as District 79, to allow for better oversight, coordination, and transparency. Additionally, since many students are unable to attend these alternative programs due to limited capacity, we strongly recommend that the city commit to funding and expanding these programs



for over-age, under-credited students, particularly for those who have fewer than 10 credits or who are age 18 or older.

For students leaving juvenile placement, it is important that all Administration for Children's Services (ACS) aftercare workers incorporate education planning into transition planning months before the student is released. In our work, we have seen some ACS aftercare workers do this well. However, we have also seen some ACS workers who have refused to get involved in any education planning. We strongly recommend better oversight and training of ACS workers and coordination with the Department of Education (DOE) and other relevant agencies to plan for students' educational placement upon discharge.

Comprehensive, coordinated, and advance educational planning is particularly critical for students with disabilities with significant needs that cannot be met in DOE schools and require a non-public special education school. Sadly, we have seen some of these students get released from juvenile placements without any educational plan in place. In those instances, students were forced to attend inappropriate "interim community school placements" for several months upon release. Since the process to determine and secure the appropriate special educational placement requires significant time and planning, we strongly recommend that ACS aftercare workers collaborate with the family, the juvenile justice facility, and the DOE well in advance of the student's discharge from the juvenile facility to develop and implement an education plan.



We look forward to working with the City Council, city agencies, affected youth and families, and other stakeholders to ensure that court-involved students are provided quality education in court-ordered settings and upon their return to the community. Thank you.