



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to the New York City Council Committee on Education

Re: Fiscal Year 2020 Preliminary Budget – Education

March 20, 2019

Thank you for the opportunity to speak with you about the Fiscal Year 2020 Preliminary Budget. My name is Randi Levine, and I am the Policy Director of Advocates for Children of New York (AFC). For more than 45 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. We speak out for students whose needs are often overlooked, such as students with disabilities, students who are immigrants, students who are homeless, students in foster care, and students with mental health needs.

As Mayor de Blasio continues to pursue his vision of providing equity and excellence to all students, it is critical for the City to include students who face the greatest challenges and increase funding for the following priorities in Fiscal Year 2020:

(1) *Support for the Growing Number of Students in Temporary Housing*

- a. Restore and Baseline the Funding for Support for Students Living in Shelters included in the FY 19 Budget (\$13.9 million)
- b. Expand the DOE Bridging the Gap School-Based Social Worker Program (\$5 million)
- c. Establish an Education Support Center at PATH (\$500,000)
- d. Increase the Number of Students in Temporary Housing Central and Regional Managers (\$1 million)

(2) *Strategic School Climate Investments*

- a. Expand the Number of School Social Workers (\$20 million)
- b. Expand Whole-School Restorative Practices to 100 Additional Schools and Build Central DOE Capacity to Support this Work (\$30 million)
- c. Invest in a Mental Health Continuum to Provide Direct Services to Students with Significant Mental Health Needs in High-Needs Schools (\$15 million)

(3) *Support for Students in Foster Care*

- a. Provide Busing for K-6 Students in Foster Care (\$5 million)
- b. Establish a DOE Office for Students in Foster Care (\$1.5 million)

(4) *Preschool Special Education Classes:* Provide Sufficient Funding for Preschool Special Classes for Children who Need Them

(5) *School Accessibility:* Increase the Number of Schools that Comply with the Americans with Disabilities Act (\$750 million over five years)

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These recommendations are described in more detail below.

1. Support for the Growing Number of Students in Temporary Housing

During the 2017-2018 school year, 114,659 students in New York City schools were identified as homeless. If these students made up their own school district, it would be twice the size of the entire Boston public school system. Educational outcomes are particularly bleak for students living in New York City shelters—nearly 38,000 students in 2017-2018. According to the most recent data regarding students living in shelters:

- More than half of these students were absent on 20 or more school days—missing the equivalent of a month or more of school.
- Only 15% of third through eighth grade students scored proficiently in reading and only 12% scored proficiently in math.
- 10% of middle and high school students were suspended from school.

a. Restore and Baseline the Funding for Support for Students Living in Shelters included in the FY 19 Budget (\$13.9 million)

We were pleased that the Administration invested \$11.9 million for DOE support for students living in shelters, including 53 Bridging the Gap social workers at schools with high populations of students living in shelters and literacy programs at shelters after school, and that the City Council added \$2 million in discretionary funding for an additional 16 Bridging the Gap social workers, in the FY 19 budget. The 69 Bridging the Gap social workers have provided counseling to students to address the trauma often associated with housing loss, connected them to needed resources, and found solutions to problems that impede their attendance.

We were dismayed to see that the FY 20 Preliminary Budget does not include any funding to continue this initiative. **The Administration must restore and baseline this funding.**

b. Expand the DOE Bridging the Gap School-Based Social Worker Program (\$5 million)

Rather than pulling funding out of the budget, the Administration should be increasing the number of Bridging the Gap social workers. There are still *100 schools* with *50 or more students living in shelter*—the equivalent of two classrooms filled with students living in shelter—that do not have a Bridging the Gap social worker, including *30 schools* with *70 or more students living in shelter* and no Bridging the Gap social worker. While the City recently increased staffing for



students who are homeless, the new community coordinators are not social workers and lack the qualifications to provide the social-emotional support students living in shelter often need to succeed in school. In addition to increasing the number of social workers, the City should add clinical supervisors to help the social workers address the complex issues facing many students and families in shelter.

The City should provide long-term funding for at least 31 additional Bridging the Gap social workers (for a total of 100) and at least five clinical supervisors (\$5 million).

c. Establish an Education Support Center at PATH (\$500,000)

Currently, every family applying for shelter in New York City spends hours sitting in the City's shelter intake center waiting to be placed in and transported to a shelter. While families wait, the City is missing a key opportunity to talk to parents about their educational options, where their children will be going to school, how their children will get there, and resources for their children. Currently, there are only three DOE staff members at PATH, and the staff members only meet with parents who proactively request to speak with DOE staff.

The City should launch an education support center at PATH and ensure that every family who participates in the shelter intake process has the opportunity to meet with a DOE staff member who can share information about school selection options and transportation, the shelter transfer process if a community-based shelter placement is not initially available, and early childhood education opportunities for families with young children and can provide contact information for ongoing assistance. The staff members should also help to identify and address cases in which there will be barriers to school attendance in order to prioritize placing those families near the children's school or, if such a placement is not possible, arrange interim transportation to school until bus service is arranged.

Besides being good policy to discuss education with families at the shelter intake center, New York State law requires the City to assist parents in choosing a school within two business days of shelter entry. Given the number of families who are being placed in hotels or other facilities with no DOE staff on site, it is important to incorporate this discussion into the-shelter intake process.

The City should allocate and baseline \$500,000 to establish an Education Support Center at PATH, staffed by a DOE manager and six full-time DOE staff



members with staggered schedules, to ensure the DOE can meet with every family who applies for shelter at PATH.

d. Increase the Number of Students in Temporary Housing Central and Regional Managers (\$1 million)

We are pleased that the DOE has added regional managers to focus on Students in Temporary Housing. However, with more than 100,000 students homeless and the need for the managers to support additional staff, including the 100 new community coordinators, and to ensure that the Students in Temporary Housing program is as effective as possible, additional central and regional managers are needed. We recommend adding at least 4 regional managers for a total of at least 22 and adding at least 2 central managers.

The City should include and baseline \$1 million to add at least 4 Students in Temporary Housing Regional Managers for a total of 22 Regional Managers and at least 2 Central Managers.

In sum, we recommend that the FY 2020 Executive Budget **baseline the \$13.9 million for support for students living in shelters** included in the FY 2019 budget and **add and baseline an additional \$6.5 million per year to hire at least 100 DOE Bridging the Gap school-based social workers and clinical supervisors, establish an Educational Support Center at PATH, and hire additional Students in Temporary Housing Central and Regional Managers** to improve educational outcomes for students who are homeless. We are attaching a letter from 16 organizations supporting these budget recommendations.

2. Increase Strategic School Climate Investments that Support Students and School Communities and Help Dismantle the School-to-Prison Pipeline

Every child deserves to attend a high-quality school with staff who have the necessary tools and resources for building healthy, supportive, safe, and equitable learning environments for students and educators. However, week after week, AFC and other advocates get calls from parents of students with significant emotional, behavioral, and mental health disabilities who are not getting the targeted, trauma-informed, and restorative supports, interventions, and services they need in school and instead, are removed from class, suspended, handcuffed, arrested, and taken away by Emergency Medical Services when medically unnecessary. These responses are



traumatic for children, do nothing to address the root cause of student behavior, pit staff against students, and push students out of school.

The data supports our collective experience and illustrates the critical need for additional support. For example, in the 2017-2018 school year, NYPD interventions involving students in emotional distress sent to the hospital for psychiatric evaluation increased by more than 31% from the prior year – from 2,702 to 3,542 incidents. And the NYPD continued to handcuff some children in emotional distress, including some as young as six years old.

Furthermore, significant disparities based on race and disability persist. According to Student Safety Act data, in the 2017-2018 school year, 85.12% of students suspended were Black and Latinx although Black and Latinx students made up only 66.5% of the student population. Also, students with disabilities comprised about 20% of the student population, but more than 41% of students removed class or suspended from school were students with disabilities, and nearly half (46%) of students removed from class or suspended multiple times were students with disabilities. An Independent Budget Office analysis of the 2016-2017 school year data shows that Black students received longer suspensions on average for the same behavior as their peers in 8 of the top 10 infractions for which students were suspended. For 3 of these infractions, Black students were suspended for roughly twice the number of days as their peers.

Mayor de Blasio came into office with a commitment to address inequities in school discipline. In order for the reforms he has made so far in school climate and discipline to succeed, the City must make strategic investments that reflect the critical needs of students and school staff and create a solid infrastructure to build capacity citywide. For Fiscal Year 2020, we urge the City to invest in a comprehensive reform package that includes: (a) adding at least 150 school social workers (\$20 million); (b) expanding whole-school Restorative Practices to 100 additional schools and building central DOE capacity for further expansion (\$30 million); and (c) a mental health continuum to provide direct services to students with significant mental health needs in high-needs schools (\$15 million).

a. Expand the Number of School Social Workers (\$20 million)

In order to increase school climate supports system-wide and improve outcomes for all students, dedicated mental health professionals are needed to prevent and address behavioral issues, deescalate crises, and resolve conflict. The National Association of School Social Workers and the Mayor's Leadership Team on School Climate and Discipline recommend a ratio of one full-time social worker for every 250 students.



For students with intensive needs, a ratio of one social worker for every 50 students is recommended. However, according to the DOE’s 2018 report pursuant to Local Law 56 of 2014, in the 2017-2018 school year, the City had only one full-time social worker for 769 students, and almost half (744) of all NYC schools had no full-time social worker.

In order to address this significant gap, in September 2018, the City Council introduced a resolution calling on the City to meet the recommended ratios. We urge the City to phase in a plan to provide at least one full-time social worker for every 250 students in NYC schools.

As a start, we recommend that the **FY 2020 Executive Budget include at least \$20 million to add 150 full-time social workers for high-needs schools, as well as supervising social workers.** The budget should also phase in an additional expansion of school social workers each year in order to bring the ratio up to at least one full-time social worker for 250 students.

b. Expand Whole-School Restorative Practices to 100 Additional Schools and Build Central DOE Capacity to Support this Work (\$30 million)

While the use of Restorative Practices in NYC schools has expanded over the last few years, most schools still do not have access to this evidence-based approach that keeps students safe, supported, and present in school, while they learn from their mistakes. The City needs to invest in a strategic long-term plan to bring Restorative Practices to every school – and do so with fidelity.

As an initial step, we recommend that the **FY 2020 Executive Budget include and baseline \$30 million for whole-school Restorative Practices in 100 high-needs schools.** This funding would pay for a **full-time Restorative Practices Coordinator in each high-needs school to develop and implement a school-wide strategic plan for growing Restorative Practices and improving school climate, providing ongoing professional and youth development, and evaluating and monitoring school-wide interventions.** This funding would also pay for increased staffing at the central DOE office and Field Support Centers to build capacity to evaluate, monitor, and support the expansion of Restorative Practices citywide. In the following years, we urge the City to phase in a plan to provide Restorative Practices in every NYC school.



c. Invest in a Mental Health Continuum to Provide Direct Services to Students with Significant Mental Health Needs in High-Needs Schools (\$15 million)

While the City has invested in mental health awareness and support, there continues to be a gap in access to direct mental health services and behavior supports for the students who need help the most. The Mayor’s Leadership Team on School Climate and Discipline recommended a mental health continuum to help ensure that students with significant mental health needs have access to direct mental health services when needed so they can remain in school supported and learning. Now is the time for the City to adopt this recommendation.

We recommend that the FY 2020 Executive Budget include and baseline at least \$15 million per year to launch and sustain a Mental Health Continuum involving school partnerships with hospital-based mental health clinics and call-in centers to assist 100 high-needs schools with students in crisis, school response teams that help students get direct mental health services, whole-school training in the evidence-based model of Collaborative Problem Solving, and program evaluation.

3. Support for Students in Foster Care

Approximately 5,600 New York City students are in foster care. Students in foster care are among the most likely to need special education services, get suspended, repeat a grade, or leave high school without a diploma. According to the most recent data available:

- 44% of students in foster care have to change schools during the school year.
- More than half of students in foster care have Individualized Education Programs (IEPs).
- Only 16 percent of third through eighth grade students in foster care score proficiently in reading.
- The average attendance rate of high school students in foster care is only 64%.
- Only 8 percent of 16-to-18-year-old students in New York City’s care are on track to graduate on time.

These are just some of the challenges that illustrate why the DOE must focus more attention and resources on this population of students. The DOE should provide busing to kindergarten through sixth grade students in foster care so they do not have to switch schools (\$5 million) and should establish an office with central and borough-based staff focused on supporting students in foster care (\$1.5 million).



a. Provide Busing for K-6 Students in Foster Care (\$5 million)

For students who have been separated from their families and often placed in multiple foster homes, school has the potential to be an important stabilizing factor in their life. Recognizing the importance of school stability for students in foster care, two federal laws, the Every Student Succeeds Act (ESSA) and the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections), require local school districts and child welfare agencies to collaborate to keep students in their original schools when they enter foster care or change foster care placements, unless it is in the student's best interests to transfer to a new school, and to provide transportation to their original school.

Despite this legal obligation, currently, New York City guarantees bus service only to students in foster care who have special transportation recommended on their IEPs. The City allows other students in foster care who do not meet the general busing eligibility criteria to apply for busing through an emergency busing request form and will provide bus service if a student can be added easily to an existing route. However, these requests are not always submitted and, when they are, the DOE often denies them, providing only a MetroCard.

When the City does not provide bus service, the only way young students in foster care can get to school is if foster parents or foster care case planners are available to transport them. However, many foster parents are unable to spend hours each day transporting a student all the way to school and back home due to competing child care and job-related obligations. Foster care case planners have full-time jobs focused on reunifying families and keeping children safe; they should not be serving as transportation chaperones. While ACS will reimburse foster care agencies for the cost of car service, they will not reimburse agencies for chaperones to accompany the students and will not even reimburse agencies for the transportation cost of the return trip for the foster parent. In all, these measures address only a small portion of the demand and are not reliable or effective long-term solutions for transporting students to school.

Without bus service, too many young children in foster care are forced to transfer schools even though such a transfer is not in their best interests. Having to transfer schools mid-year means adjusting to unfamiliar peers and teachers and new schedules, routines, and curriculum, while experiencing the trauma of being separated from their parents and sometimes from their siblings and communities as well. Research shows that students who change schools frequently have lower test scores, earn fewer credits, are more likely to be retained, and are less likely to complete high school than students whose school placements are stable.



We are grateful that the City has extended yellow bus service to kindergarten through sixth grade students living in shelters and encourage you to build upon this success to reach students in foster care, who are an equally vulnerable population.

No student placed in foster care should be forced to transfer schools due to lack of transportation. **We recommend that the FY 2020 Executive Budget include and baseline \$5 million per year to provide busing to kindergarten through sixth grade students in foster care.**

b. Establish a DOE Office for Students in Foster Care (\$1.5 million)

Despite the significant educational barriers faced by students in foster care, the DOE does not have a senior-level leader, team, or indeed a single staff member at any level focused solely on students in foster care. As a result, the DOE has not developed and implemented needed policies to assist students in foster care. A senior-level leader focused on students in foster care is needed to work across city agencies and across DOE divisions to develop and implement policies to better serve students in foster care.

In March 2018, the City’s Interagency Foster Care Task Force, whose membership included the DOE Chief Operating Officer and the Commissioner of the Administration for Children’s Services (ACS), recommended that the DOE establish an infrastructure to focus on students in foster care, similar to the Office of Students in Temporary Housing, that would “oversee and advise a team of borough-based foster care content experts” who would be responsible for providing schools with individual case consultation and professional development regarding students in foster care—filling a gap that has long existed.

Given the particular laws and policies that apply to students in foster care and the barriers they face, we recommend that the City move forward with this recommendation and hire a central manager and policy advisor and borough-based regional managers who can train and support school staff on the needs and rights of students in foster care and their families, communicate and monitor implementation of policies related to students in foster care, serve as a point person for families and professionals with questions about students in foster care, and work to track and improve educational outcomes for these students.

We recommend that the FY 2020 Executive Budget include and baseline \$1.5 million per year to establish a DOE office focused on students in foster care.



4. Provide Sufficient Funding for Preschool Special Classes for Children who Need Them

We are deeply concerned about preschoolers with disabilities who are waiting for the DOE to provide them with seats in the preschool special education programs to which they are entitled. A “regional need” memo posted by the State Education Department in February 2019 shows that New York City needs preschool special class seats for *550 children*. Based on evaluations, the DOE has determined that a general education 3-K or Pre-K class would not meet the needs of these children and that these children need smaller, more specialized settings where they can get support from a full-time special education teacher. We have received calls from parents of children with disabilities who have been sitting at home for months because of the DOE’s shortage of preschool special classes, while their peers participate in a 3-K or Pre-K for All class. While the DOE has committed to opening additional classes, these classes will not be sufficient to meet the need.

While we are staunch supporters of 3-K and Pre-K for All, the City must also fulfill its legal obligation to provide preschool special classes for children who need them. The rapid pace at which the City has built tens of thousands of 3-K and Pre-K for All seats demonstrates that the City can open 550 preschool special class seats if only it would invest the resources and make the commitment. While the City has many choices when it comes to expanding and enhancing early childhood education, providing special class seats to preschoolers who require them is not optional.

The City must allocate sufficient funding in the FY 2020 Executive Budget to provide a preschool special class seat – either in public schools or through partnerships with “4410” community-based organizations – for every child whose Individualized Education Program (IEP) requires one.

5. Increase the Number of Schools that Comply with the Americans with Disabilities Act (\$750 million over five years)

We are grateful that the proposed Fiscal Year 2020-2024 DOE Capital Plan includes \$750 million to improve school accessibility—the largest capital funding investment in accessibility to date. With fewer than 20% of NYC’s public schools now fully accessible, this commitment will literally open doors to inclusion and integration for people who are too often excluded.

We recommend that the FY 2020-2024 Capital Plan include at least \$750 million to improve school accessibility, including at least \$150 million for FY 2020. We



recommend that the City use the funding to increase the number of schools that comply with the Americans with Disabilities Act (ADA) and allow students, families, and teachers with physical disabilities to access all spaces within the school.

Thank you for the opportunity to speak with you today. We look forward to working with the Administration and the City Council as the budget process moves forward. I would be happy to answer any questions you may have.