



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 General Welfare

Re: Foster Care Task Force Progress

November 24, 2020

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Thank you for this opportunity to testify about the City's progress toward advancing the recommendations of the Interagency Foster Care Task Force. My name is Erika Palmer. I am a Supervising Attorney at Advocates for Children of New York and direct our foster care project. For nearly 50 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 from immigrant families, students who are homeless, students with mental health needs, court-involved youth, and students in foster care.

In March 2018, the Task Force made a series of recommendations to improve outcomes for children and families in the City's foster care system, including three recommendations focused specifically on education. Many of the needs raised in two of those recommendations – to provide academic and social-emotional support to middle school students in care and to establish dedicated counselors who provide mentoring, high school application assistance, and college advising to foster youth – are being targeted by the Fair Futures Initiative, which funds tutoring, Coaches, and Education Specialists at foster care agencies for students from middle school through college. I would like to recognize the Council and the Administration for Children's Services (ACS) for investing in Fair Futures and urge the City to baseline funding this year to help ensure the program's long-term stability. I've seen firsthand how Fair Futures staff have been an essential support to youth in care during the pandemic, and I look forward to continuing to work with them in the coming year.

The Task Force's third education recommendation concerned improving service coordination and regulatory oversight at the Department of Education (DOE) to support students in foster care. It called for the DOE to publish a Chancellor's Regulation on the rights of students in care. While we appreciate that the DOE has issued guidance to schools and incorporated much of our feedback into the guidance,



it does not have the weight of regulation, and areas remain where the guidance contradicts existing Regulations, such as with respect to a parent's right to access education records when their child is in care. We urge the DOE to move forward with publishing a Chancellor's Regulation.

Finally, the Task Force recommended that the DOE establish infrastructure, similar to the DOE's Office of Students in Temporary Housing, to "oversee and advise a team of borough-based foster care content experts" who would provide schools with case consultation and professional development. Despite the significant educational barriers faced by students in foster care and the special laws and protections that apply to them, ***the DOE still does not have a single staff member focused full-time on this population.*** As a result, the DOE has not developed and implemented necessary policies to assist students in foster care, and schools, families, and child welfare professionals do not have a point person to contact with questions about students in care.

The pandemic has further demonstrated the need for DOE staff focused on the unique needs of this population. Such staff could have coordinated with ACS and foster care agencies to resolve barriers related to insufficient devices or Wi-Fi service impacted by students' frequently changing living situations; enabled parents and foster care agencies to access crucial education information in online portals like NYC Schools Account; or developed sensible protocols for students in care in response to the pandemic regarding, for example, consenting to special education services via teletherapy or opting for blended learning.

While the Task Force's initial recommendation conceived of a team of DOE staff, we strongly believe that there must be at least one senior staff member dedicated to students in foster care. This point person would have the requisite expertise and capacity to work across city agencies and DOE divisions to develop and carry out policies, provide training, respond to questions, and execute plans to better support these students. While we agree with the recommendation for a small DOE office for students in foster care with a senior-level leader and borough-based liaisons, we would like to work with the Council to ensure that, at a minimum, the DOE designates one senior staff member to focus full time on this population that too often has been overlooked.

Thank you for this opportunity to speak with you. I would be happy to answer any questions you may have.