



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 Finance

Re: Fiscal Year 2022 Executive Budget

May 25, 2021

Thank you for the opportunity to speak with you about the Fiscal Year 2022 Executive Budget. My name is Randi Levine, and I am the Policy Director of Advocates for Children of New York (AFC). For 50 years, AFC 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. Every year, we help thousands of families navigate New York City's school system. We speak out for students whose needs are often overlooked, such as students with disabilities, students from immigrant families, students who are homeless, students in foster care, and students with mental health needs.

Over the past year, the pandemic has caused unprecedented disruption to the education of children and youth—and the students hit hardest have been those who were already struggling in school or marginalized on the basis of race, poverty, disability, immigration status, English proficiency, homelessness, or involvement in the child welfare or juvenile or criminal justice systems. With the NYC Department of Education receiving a historic influx of state and federal funding, the City must use that funding effectively to provide needed academic and social-emotional support, incorporating outreach to students and families who have not yet re-engaged and specialized support for students who need it.

The Fiscal Year 2022 Executive Budget includes some important education investments, including 100% Fair Student Funding for all schools. In addition, we are encouraged to see investments in areas such as special education services, preschool special education, and social workers. However, the Executive Budget is short on details in some areas and provides inadequate funding levels to meet the need in other areas.

We understand the City is still determining the details of how to use its federal relief funding for schools, but the details will be critically important to ensuring impactful use of this infusion of resources. Based on our work on the ground partnering with

Board of Directors

Eric F. Grossman, *President*
Jamie A. Levitt, *Vice President*
Harriet Chan King, *Secretary*
Paul D. Becker, *Treasurer*
Carmita Alonso
Matt Berke
Matt Darnall
Jessica A. Davis
Lucy Fato
Robin L. French
Brian Friedman
Kimberley D. Harris
Caroline J. Heller
Maura K. Monaghan
Jon H. Oram
Jonathan D. Polkes
Veronica M. Wissel
Raul F. Yanes

Executive Director

Kim Sweet

Deputy Director

Matthew Lenaghan



individual families to help their children succeed in school, we urge Mayor de Blasio and the City Council to negotiate a budget that includes explicit commitments to the following education investments.

ACADEMIC RECOVERY AND STUDENT SUPPORTS:

The Executive Budget includes \$500M for FY 22 for “academic recovery and student supports” with no detail about how the money will be used. We recommend the final FY 22 budget include:

- **\$50M for evidence-based, culturally responsive reading curricula for core instruction**, as recommended in the City Council’s response to the preliminary budget. Before the pandemic, less than half of NYC students were reading proficiently, with alarming disparities based on race, disability, language, and housing status. As the City recovers from the pandemic, it cannot afford to have schools using outdated curricula shown not to be effective. The City should provide schools with a menu of curricular options from which to choose—options that ensure all students receive explicit, systematic instruction in foundational literacy skills—and must fund the purchase of the materials and training necessary for successful implementation.
- **\$150M to provide targeted one-on-one or small-group intervention to students who need more help learning to read**. Last summer, the DOE began matching small groups of students in need of additional literacy support with educators the City had already trained in delivering effective interventions. The DOE should expand this program into the 2021-22 school year, leveraging current staff and hiring and training a new corps of tutors. Last week, AFC released a report about the need for investments in literacy curriculum and intervention. The report is online at https://www.advocatesforchildren.org/turning_the_page.
- **\$100M to provide students with “high-dosage” small group tutoring in a range of subjects**, as recommended in the City Council’s response to the preliminary budget. Such programming must include specialized support for students with disabilities, English Language Learners, and students in the juvenile and criminal justice systems and must include bus service or other door-to-door transportation for students who need it to access any tutoring offered outside the regular school day.
- **\$100 million to provide targeted support to English Language Learners (ELLs)** and ensure ELLs receive the legally required English as a New Language (ENL) or bilingual instruction they were denied during the pandemic. This investment should include \$80M for targeted summer, after-school, and Saturday programs and tutoring for ELLs and ELLs with disabilities; small group literacy



support; and professional learning for school staff on ELL instruction and family engagement; as well as \$20M for grants to community-based organizations to provide academic programming for ELLs, including after-school and Saturday programs, and family engagement activities. ELLs have a legal right to receive ENL or bilingual instruction, but many ELLs did not receive this instruction during the pandemic. Despite the immense challenges ELLs faced in participating meaningfully in remote learning and the lack of language support, the Executive Budget does not direct any COVID-19 relief funding to support for ELLs.

COMPENSATORY SERVICES FOR STUDENTS WITH DISABILITIES:

The Executive Budget includes a new investment of \$236 million in FY 22 for special education services, including compensatory services. However, there is no detail about how this funding will be used and no plan for providing make-up instruction and services to students. The FY 22 budget should include:

- **Sufficient funding for compensatory services** so students with disabilities can get the make-up instruction and services to which they are entitled as a result of the pandemic. The DOE must ensure there is adequate funding for staff to identify which students need compensatory services and what services they need, as well as for staff or other providers to deliver those services. We cannot assess the adequacy of the funding level in the Executive Budget until the DOE releases a public plan explaining how students will be assessed for and receive the compensatory services they have a right to receive and how the services will be staffed.

PRESCHOOL SPECIAL EDUCATION:

The Executive Budget includes a new investment of \$22M in FY 22, going up to \$88M in FY 23, for preschool special education. While we are pleased to see an investment in preschool special education and strongly support several of the initiatives proposed for FY 22 (for example, adding 3-K integrated classes and hiring inclusion coaches, Early Intervention transition coordinators, and preschool special education administrators), there is no funding slated for FY 22 to address the preschool special education class shortage, which has left children without the classes they need, or provide salary parity to teachers—and no commitment to providing salary parity even in FY 23. Under the City’s salary parity agreement, other early childhood teachers will receive salary increases in October 2021, leading preschool special class teachers to flock to general education classes and leaving children with



disabilities without teachers. Preschoolers with significant disabilities should not have to wait another year for the City to make needed investments to meet their needs. The FY 22 budget should include:

- **\$85M to address the preschool special education class shortage and provide salary parity** to teachers of preschool special education classes at CBOs, as recommended in the City Council’s response to the preliminary budget.

MENTAL HEALTH FOR ALL AND RESTORATIVE JUSTICE:

While the Executive Budget includes funding for additional social workers and the expansion of restorative justice, the funding is inadequate to meet the significant needs that exist following the pandemic. The FY 22 budget should include:

- **Sufficient funding to add enough clinically-trained mental health staff in schools or partnered with schools** to ensure that all students who need direct mental health services have access to timely, high-quality services in school and in the community. While the City is proposing to add 500 social workers in schools for FY 22, 2,220 social workers are needed to reach the ratio of 1 social worker to 250 general education students recommended by the National Association of Social Workers. Even more social workers are needed to provide the necessary mental health services to students with intensive needs where the recommended ratio is 1 social worker to 50 students. This investment must include enough clinical supervisors, social workers, and behavioral specialists housed in schools and through partnerships with community-based organizations to ensure appropriate oversight, training, and coaching of school-based mental health and instructional staff in effective behavior supports and interventions for students.
- **\$15M for a Mental Health Continuum**, as recommended by the Mayor’s Leadership Team on School Climate and Discipline and in the City Council’s response to the preliminary budget, to provide an integrated system of targeted, intensive mental health supports for students in high-need schools. This model includes school partnerships with hospital-based mental health clinics; a call-in center to advise school staff about students in crisis; mobile response teams with mental health professionals who respond to students in crisis; direct mental health services; School Based Mental Health Clinicians; and whole-school training in Collaborative Problem Solving, an evidence-based, skill-building approach. This model will meet the needs of students with significant mental health challenges in the schools and neighborhoods with the highest rates of NYPD interventions, suspensions, and chronic absenteeism.



- **At least \$118.5M to expand school-wide restorative justice practices to 500 high schools**, scaled up to full implementation city-wide within five years by investing \$225M, by hiring a restorative justice coordinator in each school; training all staff and interested members of school communities on restorative practices; providing young people with training and stipends to lead restorative practices in schools; and partnering with community-based organizations to support programs in schools. By building and healing relationships, addressing the root causes of behavior, holding students accountable, and teaching positive behaviors, restorative practices have been proven to work in schools across New York City and around the country: their adoption is correlated with improved academic outcomes, school climate, and staff-student relationships. The Executive Budget includes an increase of only \$12M for restorative justice, far less than the \$53M recommended by the City Council or the \$118.5M needed for expansion to 500 high schools in FY 2022 and the \$225M needed for full implementation city-wide, as the Mayor pledged to do, by FY 2027.

OUTREACH AND COMMUNICATIONS:

There does not appear to be any new funding in the Executive Budget targeted for the outreach and communication needed to help students and families reconnect with school following the pandemic. The FY 22 budget should include:

- **\$55M to hire 500 community coordinators, including 150 shelter-based community coordinators**, to engage in intensive strengths-based outreach to ensure that students who are disconnected from school can reengage in school and access support offered outside of school such as summer programming or after-school tutoring. The City should tailor efforts to focus on specific populations of students such as older youth, students who are homeless, students from immigrant communities, and students in the juvenile and criminal justice systems.
- **\$46M for a DOE multilingual communications and outreach plan** to communicate with parents in multiple languages using a variety of media platforms and methods. Many families, including those whose home language is not English and those who have low digital literacy or literacy skills, have been left in the dark due to poor communication from their schools and from the City during the pandemic. Instead of relying heavily on the internet and email, the DOE should use multiple media, such as individual phone calls, text messages, notices on paper, and videos sent directly to families, as well as ethnic television and radio, to share information with families. The DOE should also fund approaches such as paying parents to serve as communications ambassadors and paying CBOs in immigrant communities to help reach additional families.



SUPPORT FOR STUDENTS IN FOSTER CARE:

There does not appear to be any funding in the Executive Budget targeted to supporting students in foster care. The FY 22 budget should include:

- **\$1.5M for a small DOE office focused on students in foster care.** Currently, the DOE does not have an office, team, or even a single staff member solely dedicated to supporting youth in care, even though students in foster care have the lowest graduation rate of any student group in NYC. The DOE should launch an office with central and borough-based staff to serve as a point of contact for schools, families, and child welfare professionals with questions about students in foster care; develop and implement policies regarding students in foster care; train and support schools on the rights of students in foster care; support parental involvement in education; and track and improve educational outcomes, opportunities, and programming for students in foster care. This month, AFC and the Legal Aid Society released a report on the need for this office. The report is online at <https://www.advocatesforchildren.org/node/1780>.
- **\$5M to guarantee bus service or other door-to-door transportation for students in foster care** so they can maintain school stability whenever they enter foster care or change foster homes. While the law requires the City to provide transportation so students can remain in their original schools when they enter foster care or change foster homes, unless it is in their best interests to transfer to a new school, the City does not currently guarantee bus service or comparable transportation to students in foster care. Guaranteeing busing is especially important as students return to school following the disruption of the pandemic.

SUPPORT FOR STUDENTS IN JUVENILE DETENTION:

There does not appear to be any new funding in the Executive Budget targeted to supporting the education of students in juvenile detention. The FY 22 budget should include:

- **At least \$5M to expand access to Career and Technical Education (CTE), College and High School Equivalency (HSE), and Vocational Programs for students in juvenile detention** so that youth can return to the community better prepared to engage in secondary or higher education, vocational programs, and employment. Since implementation of Raise the Age legislation, the average age of students attending Passages Academy—the NYC public school for students in juvenile detention—has risen, but the programming offered to young people in detention has not matched the rise in age. Many young people with court involvement are interested in obtaining a high school diploma or HSE equivalency diploma, job training, and employment opportunities. The DOE runs



several successful programs in schools in the community, such as Co-op Tech and Pathways to Graduation (P2G), that provide students with CTE courses, state-approved pre-apprenticeship programs in the trades, pre-HSE and HSE courses and testing, a wide array of high school courses, and/or college credits. However, these programs are not typically accessible to students in juvenile detention. The City should invest in the expansion or replication of these programs in Passages Academy so that youth can gain marketable skills and return to the community prepared to engage in high school or HSE programs, vocational programs, higher education, or employment.

In addition to our priorities within the Department of Education's budget, we join with our coalition partners in calling on the Administration to baseline **\$20M for Fair Futures** to continue the 1:1 coaching and tutoring that is vital to the academic success of young people in foster care.

We appreciate the City Council's hard work to make key investments to support students over the past several years and look forward to working with you to ensure the final FY 22 education budget paves the way to hope and opportunity for this generation of students. Thank you for the opportunity to speak with you. I would be happy to answer any questions you may have.