



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: Fall 2021 School Reopening Protocols

September 1, 2021

Board of Directors

Eric F. Grossman, *President*
Jamie A. Levitt, *Vice President*
Harriet Chan King, *Secretary*
Paul D. Becker, *Treasurer*
Carmita Alonso
Matt Berke
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

My name is Dawn Yuster, and I am the Director of Advocates for Children of New York's ("AFC's") School Justice 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 with mental health needs, students involved in the juvenile or criminal justice system, students from immigrant families, and students who are homeless or in foster care. AFC is a member of Dignity in Schools Campaign-New York ("DSC-NY"), a coalition of youth, parents, educators, and advocates dedicated to shifting the culture of New York City schools away from punishment and exclusion and towards positive approaches to discipline and safety.

While AFC has been advocating to the New York City Department of Education ("DOE") on many issues related to school re-opening, we are testifying today as part of DSC-NY and focusing these comments on the City's plan to hire 250 new School Safety Agents ("SSAs"), rather than invest in the social-emotional and mental health supports our students need so profoundly at this point in time.

The events of the last 18 months have created and exacerbated social-emotional challenges for all members of the school community. As students return to school buildings to learn in person, it is more critical than ever that the DOE provide students with safe, supportive, healing-centered school environments that have comprehensive mental health and social-emotional support that promotes well-being and equity for all students and school staff. Sending police into schools undermines this goal. Police are not mental or behavioral health professionals and should not respond to students' needs. Not only are SSAs and other officers ill-equipped for this role, but police interventions can in and of themselves have negative effects on adolescent mental health, heightening emotional and psychological distress and resulting in feelings of social stigma.¹

¹ Dylan B. Jackson et al., *Police Stops Among At-Risk Youth: Repercussions for Mental Health*, 65 J. of Adolescent Health 5 (2019), <https://doi.org/10.1016/j.jadohealth.2019.05.027>.



Advocates for Children of New York

Protecting every child's right to learn

In June, AFC released a report, “Police Response to Students in Emotional Crisis: A Call for Comprehensive Mental Health and Social Emotional Supports in Police-Free Schools,” analyzing NYPD data over the last four school years, finding that NYPD officers, including precinct officers and SSAs, responded to a total 12,050 incidents in which a student in emotional distress was removed from class and transported to the hospital for psychological evaluation—what the NYPD terms a “child in crisis” intervention.² Almost half of these interventions (5,831, or 48.4%) involved children between the ages of 4 and 12. In nearly one out of every ten interventions, the NYPD’s response to an apparent school-based mental health crisis involved putting handcuffs (i.e. metal or Velcro restraints) on the child. Many New York City schools continue to lack the resources and appropriately trained staff to support their students’ emotional, behavioral, and mental health needs; instead, they rely heavily on law enforcement to respond to students in emotional crisis.

Mirroring broader trends in policing, a disproportionate number of child in crisis interventions involve Black students, students with disabilities in DOE District 75 special education schools—a segregated school district in New York City for students with significant needs—and students attending schools located in low-income communities of color. Black students and students in District 75 are not only dramatically over-represented in these incidents, they are also more likely than their peers to be handcuffed when removed from school.

Safety does not exist when Black students and students with disabilities are forced to interact with a system of policing that views them as a threat and not as students. Indeed, there is overwhelming evidence that these harsh responses harm children’s futures and do nothing to ensure safety.³ By contrast, there is substantial evidence that trauma-informed care, restorative justice practices, mental health

² Advocates for Children of New York, *Police Response to Students in Emotional Crisis: A Call for Comprehensive Mental Health and Social Emotional Supports in Police-Free Schools* (June 2021), https://www.advocatesforchildren.org/sites/default/files/library/police_response_students_in_crisis.pdf.

³ The Bazelon Center for Mental Health Law, *Replacing School Police with Services that Work* (August 2021), <http://www.bazelon.org/wp-content/uploads/2021/08/Replacing-Police-in-Schools.pdf>; The Sentencing Project, *Back-to-School Action Guide* (August 2021), <https://www.sentencingproject.org/wp-content/uploads/2021/08/Back-to-School-Action-Guide-Re-Engaging-Students-and-Closing-the-School-to-Prison-Pipeline.pdf?eType=EmailBlastContent&eId=d7dbe77b-02b8-46a0-8731-bdbe753ef330>; ACLU of California, *No Police in Schools* (August 2021), <https://www.aclusocal.org/en/no-police-in-schools>.



Advocates for Children of New York

Protecting every child's right to learn

support, and positive behavioral intervention strategies in schools are effective ways to improve school climate and culture.⁴

When creating a reopening plan, the City must reevaluate its definition of safety in schools and listen to student, parent, and educator voices calling for the divestment of funds from the School Safety Division and investment in restorative practices, healing-centered schools, and mental health and social-emotional supports and services.⁵ While we appreciate the investments of funding for 500 new school social workers and \$5 million for the Mental Health Continuum, the FY22 budget invests only \$12 million of the federal COVID-19 relief funding in restorative justice, far less than the \$53 million the Council had recommended or the \$118.5 million needed for expansion to 500 high schools this year. In addition, the School Safety Division budget remained untouched at \$445 million dollars. This budget decision and the plan to hire 250 new SSAs is a misallocation of our City's resources.

When planning for school reopening, the City must invest sufficient resources to create a comprehensive, multi-tiered system of mental health and social-emotional supports and services that ensures every school can effectively meet students' needs with a trauma-informed approach, including by investing in staff trained and coached in providing direct services to students, not fund more SSAs.

Thank you for the opportunity to testify today. I would be happy to answer any questions you may have.

⁴ See, e.g., *id.*

⁵ Healing-Centered Schools Task Force, Co-Chaired by the Office of the NYC Public Advocate and the Healing-Centered Schools Working Group, *Recommendations to Bring Healing-Centered Education to New York City Public Schools During the 2021-2022 School Year* (July 2021), <https://advocate.nyc.gov/static/assets/HCSTF%20Recommendations%20Report.pdf>.