



Advocates for Children of New York

Protecting every child's right to learn since 1971

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

Re: NYC Department of Education's Spending of Federal COVID-19 Relief Funds

November 16, 2022

Thank you for the opportunity to speak with you about the New York City Department of Education's COVID-19 relief spending. My name is Randi Levine, and I am Policy Director at Advocates for Children of New York (AFC). For 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.

Over the course of the pandemic, Advocates for Children heard from hundreds of New York City families whose students were not getting the educational support they needed. We heard from families whose children had to wait months for an iPad, who did not have sufficient connectivity for their iPads to work or didn't have a quiet space for remote learning, whose assignments were provided only in English, or whose special education services simply didn't translate over a screen. These groups of students were often overlooked and underserved before the pandemic – and the inequities have only grown worse.

Following this unprecedented disruption in public education, we are grateful that the DOE received more than \$7 billion in federal COVID-19 relief funding. Every dollar is needed, and it's important to ensure every dollar is spent wisely.

While the DOE is investing in some very important initiatives, we are worried about delays in spending. The clock is ticking with limited time for the DOE to use this funding and with students waiting for the support they need. To give just a few examples:

- We are very pleased that the DOE committed to using part of its American Rescue Plan-Homeless Children and Youth funding to hire 75 shelter-based community coordinators, and the City Council worked to negotiate city funding for an additional 25 coordinators, to work on the ground in shelters to help students get to school every day and get needed educational support. However, two months into the

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school year and with an influx of students entering shelters, only 18 of the 100 coordinators have been hired and started working.

- We are pleased that the DOE committed to using American Rescue Plan funding to launch several preschool special education initiatives. However, the DOE has hired only four preschool inclusion specialists for the entire City instead of the 38 originally announced. Furthermore, the DOE committed to a preschool special education enhancement contract with the goals of helping preschool special education programs run by community-based organizations recruit and retain teachers and add 800 seats to address the shortage of preschool special education classes that has led to children with autism and other significant disabilities sitting at home in violation of their legal rights. While 130 sites applied for the contract enhancement last year with an anticipated start date of July 2022, no contracts have yet been signed.
- The DOE has a legal obligation to provide students with disabilities with compensatory services to make up for what they missed and address their lack of meaningful progress during COVID-19. However, last year, as publicly reported, a maximum of only 40% of school-aged students with IEPs at district schools received any special education recovery services, and many students who ultimately received services went most of the year without them or received only limited services. While the DOE allocated \$157 million to schools last year to provide recovery services, the DOE allocated only \$12 million to schools this year to provide compensatory services – and the funding was not allocated until late October. We are very concerned that students have not been receiving the make-up services they need, that there has not yet been direct communication to families about the availability of these services, and that there is no plan for transportation for services taking place outside the regular school day.
- We are concerned that the \$18M of COVID-19 relief funding used by the DOE for screenings from the “mental health” allocation was not used to provide direct mental health services and supports to students. We have a youth mental health crisis demanding effective behavioral and mental health services and support for students, particularly students in high-need communities. However, in FY 22, the DOE allocated \$18 million over three years for DESSA, a tool for school staff to assess students’ social-emotional competencies and not screen for mental health needs or refer for or provide mental health services or supports. Going forward, it is critical that the City, DOE, NYC Department of Health and Mental Hygiene, and NYC Health + Hospitals allocate sufficient funding for effective behavioral



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and mental health services and supports for students in high-need schools – as ample research shows that children are most likely to access mental health services in school.

We also think it is important for the DOE to provide the City Council and the public with more information about how much money the DOE actually spent in each category of COVID-19 relief funding allocated in FY 22, including funding allocated to special education, preschool special education, mental health, and restorative justice, and want to ensure that unspent funding allocated in FY 22 goes to the purposes for which it was originally intended this year and next year.

Finally, it is critical to focus on the sustainability of the important initiatives and supports that are being launched by the DOE that will continue to be needed when the COVID-19 relief funding expires. The DOE is investing COVID-19 relief funding in the expansion of 3-K; hundreds of social workers, psychologists, and nurses; restorative practices; support for students who are homeless; preschool special education programs and supports; the expansion of community schools; literacy initiatives; bilingual programs; career pathways programming; and other initiatives that will be needed in the long term. It is important for city, state, and federal elected leaders to begin figuring out a plan now to sustain long-overdue initiatives that are critical to meeting the needs of students.

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