



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 of the Whole

Re: Examining the City's Response and Delivery of Services to Migrants

December 20, 2022

Thank you for the opportunity to testify. My name is Diana Aragundi, and I am a Senior Staff Attorney on the Immigrant Students' Rights Project at Advocates for Children of New York ("AFC"). For over 50 years, Advocates for Children has worked to ensure a high-quality education for New York City students who face barriers to academic success. The Immigrant Students' Rights Project advocates for better educational opportunities for English Language Learners ("ELLs") and immigrant families in New York City public schools.

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The recent influx of immigrant families has highlighted the critical need for the New York City Department of Education ("DOE") to better meet the needs of all immigrant youth. Through our know-your-rights workshops at schools with high numbers of immigrant students, as well as our direct 1:1 assistance to families on education-related issues, we have seen schools that have insufficient resources and are ill-equipped to effectively serve immigrant students and their families. I am here today to urge the City to focus on four ways to better serve immigrant students and families, so that they have the tools that they need to succeed in school.

First, the DOE should ensure immigrant youth have access to bilingual staff and programs. We have heard from parents whose children are placed in monolingual English classrooms, even though the City has available seats in bilingual programs, as well as students placed at schools that do not have needed bilingual staff. The DOE needs to ensure they place bilingual teachers and staff, including bilingual social workers and special education teachers, in all schools that have enrolled migrants this year. Additionally, the DOE must educate immigrant parents about their rights regarding ELL programs, including the right to transfer to a school that offers a bilingual program if their current school does not offer one.

Second, immigrant families have sought our help because their children have disabilities but are not receiving any special education services. In some cases, school staff have not referred immigrant children for special education evaluations even



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where a parent has informed the school that their children received services in their previous country. The DOE must train school staff to identify students who are suspected of having a disability and promptly refer them for special education services in accordance with the law. School staff should not delay in referring students merely because they have been in the United States a short time or have limited English language proficiency. In addition, the DOE needs to inform parents of their special education rights so that they know of the services that are available and are thereby better equipped to advocate for their children's needs.

Third, the DOE should better identify and serve older immigrant youth. We have met older immigrant youth who did not know they have a right to go to school. We commend the DOE for recently opening seats for newly arrived older youth at six Transfer High Schools in Queens, Bronx, and Brooklyn. These programs help students learn how to read, write, and speak English while they earn a high school diploma. For these programs and students to succeed, the DOE should increase outreach about these Transfer High Schools as well as provide all school staff at these schools with professional development, hire additional English as a New Language ("ENL") teachers and bilingual social workers, and offer culturally responsive wrap-around supports and services, so that all educators are prepared to support older immigrant youth.

Finally, it is imperative that the City continue working on ways to engage new immigrant families whose home language is not English, including those who have lower levels of literacy and access to digital media. We urge the DOE to ensure that each school has a Language Access Coordinator and educate school staff about their obligation to provide parents with quality, culturally appropriate translation and interpretation services.

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