



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 and Committee on Immigration

Re: Immigrant Students in New York City Public Schools

November 29, 2023

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Thank you for the opportunity to discuss newcomer immigrant students in New York City public schools. My name is Jennifer Pringle, and I am the Director of Project LIT - Learners in Temporary Housing at Advocates for Children of New York (AFC). For more than 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, and students who are homeless.

AFC has provided direct one-on-one assistance to many newcomer immigrant families in shelter on education-related issues, including enrollment, special education, and transportation, and we have provided know-your-rights workshops at schools with high numbers of immigrant students. We also partner with shelters to help them support the education of the students living there. Based on this work, we are highlighting several concerns and recommendations.

Schools require additional training and funding to serve newcomer immigrant students, especially students with disabilities and older youth:

Through our direct service, we have seen children missing out on an education that is responsive to their unique needs due to schools not being equipped to effectively serve our new students and their families.

Families have sought our help because their children have disabilities but are not receiving any special education services in school. In some cases, school staff have not referred immigrant children for special education evaluations even where a parent has informed the school that their children received services in their previous country. Students with disabilities should not languish for months in school without an appropriate education, and parents should not have to wait until they find an advocate



to obtain the services to which their children are legally entitled. New York City Public Schools (NYCPS) must train school staff to identify students who are suspected of having a disability, create a Comparable Service Plan, and promptly refer them for special education evaluations in accordance with the law. School staff should not delay in referring students suspected of having disabilities simply because they have been in the United States a short time or have limited English language proficiency. In addition, NYCPS 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.

NYCPS must also make a greater effort to help enroll older, newcomer youth ages 15-21 in appropriate high schools. In addition to many youth being unaware of their right to enroll in school, there are not enough school programs available that can serve this population. Although the City is home to over 40 Transfer High Schools which serve older, under-credited youth, only five of those schools specialize in working with newcomer immigrant students and English Language Learners (ELLs). Six additional transfer high schools received funding last school year to serve this population, but it is unclear whether they will receive the funding this year. NYCPS must immediately provide appropriate funding and resources to all Transfer High Schools serving newcomer youth. These schools need professional development on how to work with ELLs and Students with Interrupted Formal Education, additional English as a New Language ("ENL") teachers, bilingual social workers, and culturally responsive wrap-around supports and services.

60-day notices and 28-day placements are harmful to children's education:

The City's decision to limit shelter stays to 60 days for certain newcomer families and to use 28-day hotel stays for other families is and will continue to be extraordinarily destabilizing for students, families, and school communities. We have heard about many newcomer families who already faced significant delays getting their children enrolled at the start of the school year. Now, just as students are settling into new classrooms in a new country, their families will have to navigate whether to stay in the same school or switch schools closer to where the family relocates. Either option will likely result in massive disruption to students' education, whether due to delays in arranging transportation, unworkably long commute times, or being forced to start over yet again with new teachers, new classmates, and a new curriculum. If newcomer families must be moved to a new shelter placement, the City should try to place families in the same Community School District or at the very least the same borough where their youngest child goes to school.

School transportation delays make the right to continued school enrollment a right in name only:

While students have the right to stay in their original school and get bus service when they are moved to a new shelter placement, we know from our experience working with families that this is often a right in name only given the delays in starting bus service. We have already seen the impact of the bus driver shortage and the backlog in processing busing requests for students in temporary housing—resulting in students waiting weeks or longer for a bus route and often transferring schools due to the lack of bus service. With the 60-day rule, there will be even more busing requests. Additionally, due to the spending freeze, there have been delays in purchasing MetroCards for parents to take their children to school on public transit instead of yellow bus service or while



waiting for busing to be arranged. Again, with the 60-day rule, these MetroCards will be in higher demand, but schools may not be able to fulfill their obligations under the McKinney-Vento Act—and students may not be able to get to school—if NYCPS is prevented from purchasing the MetroCards it needs in a timely manner.

Delays in finalizing a Memorandum of Understanding (MOU) to share data between NYCPS and the NYC Office of Emergency Management has made it harder to connect newcomer children with school and educational services:

While DHS and NYCPS have long had a data-sharing agreement, allowing NYCPS to know which children have entered DHS shelters, there is not yet such an agreement between NYCPS and the NYC Office of Emergency Management, the city agency that is operating many of the shelters where newcomer families are being placed (the Humanitarian Emergency Relief and Response Centers or HERRCs). In the meantime, NYCPS is not receiving any lists of children entering HERRCs who need school placements and school transportation, making it harder to ensure that all newly arrived immigrant children have school placements. Approval and implementation of this MOU should be fast-tracked and implemented as soon as possible, and in the meantime, the City should add to the intake process a form allowing newcomer parents to consent to authorize NYCOEM to share their information with NYCPS for the purposes of following up with a school placement, transportation, and other school-related services.

The City does not yet have a plan to continue funding 100 NYCPS shelter-based community coordinators and other important programs supporting newcomer students:

We appreciate the Council's support that led NYCPS to hire 100 community coordinators to work on the ground in shelters. These coordinators have helped students and families in shelter connect with needed educational services and supports, including helping newly arrived immigrant students enroll in school. However, we are very concerned that the City does not have a plan to continue funding for the community coordinators and a number of other **important education initiatives** when the funding expires at the end of the school year. For example

- 75 of the 100 NYCPS shelter-based community coordinators are funded through expiring federal COVID-19 relief funds (\$9M), and the other 25 are funded with city funding set to expire in June (\$3.3M).
- NYCPS has allocated \$10M a year in temporary federal COVID-19 funding for bilingual staff and \$7M to expand translation and interpretation, but this federal funding is set to run dry in June.
- Thanks to the Council's efforts, \$4M in city funding is allocated for the NYCPS immigrant family communication and outreach program and \$16M is allocated for Promise NYC to provide child care to children who are undocumented, but city funding for both programs expires in June.

More information about the important education programs currently funded with expiring federal COVID-19 relief funds is available at <https://bit.ly/NYCCTA>. We will need the Council's leadership to ensure these programs are continued.



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We call on the City to ensure that these vital programs are continued to support our newest students, reconsider destructive policies like the 60-day notices and 28-day hotel stays, and put children first, so that all children, including our newest students, have a bright start and bold future.

Thank you for the opportunity to speak to you today. I would be happy to answer any questions.