



# Advocates for Children of New York

Protecting every child's right to learn

**Testimony submitted to the New York City Council  
Committee on Mental Health, Disabilities and Addiction  
and the Committee on Health**

**Re: FY 25 Preliminary Budget**

**March 22, 2024**

Thank you for the opportunity to submit testimony on the preliminary budget. My name is Naphtali Moore, and I am a Staff Attorney on the School Justice Project at Advocates for Children of New York. 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. AFC is also a member of the Dignity in Schools Campaign–New York (DSC-NY), the Campaign for Effective Behavioral Supports in Schools, and the Emergency Coalition to Save Education Programs.

We are disappointed that the Fiscal Year 2025 Preliminary Budget omits funding to continue the **Mental Health Continuum (\$5M)**. Every child should have access to high-quality education and school-based social-emotional, behavioral, and mental health services, especially given the continuing children and youth mental health crisis, with rates of anxiety, depression, and suicidality at unprecedented levels. As such, we were pleased when the City launched the Mental Health Continuum, an innovative, cross-agency model to help students struggling with mental health challenges access timely mental health care. However, **funding for the program (\$787,000 for NYC Public Schools, \$3,740,000 for NYC Health + Hospitals, and \$472,000 for the NYC Department of Health and Mental Hygiene) will expire in June unless extended in the FY 2025 Budget.** The Council was instrumental in securing \$5 million in one-year city funding for the Mental Health Continuum, and we are counting on you to once again ensure the budget includes funding for this critical investment.

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 punitive, exclusionary discipline and policing. For example, during the 2022-2023 school year:

- New York City Public Schools (NYCPS) reported removing and suspending students 36,992 times. Compared to 2021-22, the number of reported class removals increased by 29.6%, principal suspensions increased by 13.8%, and superintendent suspensions were up 10.7%.

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- The NYPD reported 2,838 “child in crisis” interventions, in which a student displayed signs of emotional distress and was removed from school by police and sent to a hospital for a psychological evaluation. This represents a 18.9% increase from the 2021-2022 school year, when NYPD reported 2,386 such interventions.
- Of students involved in child in crisis interventions, 41% were Black, despite Black students accounting for only 24% of the total NYC public school population. Moreover, during these transports, 56% of the students handcuffed were Black. Black students were twice as likely as White students to be handcuffed while in an emotional crisis.
- 30% of child in crisis interventions involved children younger than 12 years old. The youngest child handcuffed while in an emotional crisis was 6 years old.
- The number of mitigations, where police or school safety agents intervened in an incident but then the student was released to the school, jumped from 8,233 in the 2021-2022 school year to 8,648 in 2022-2023, the highest-ever number since the NYPD began reporting this data.

To better address students’ mental health needs and keep them in school, the City launched the Mental Health Continuum (MHC), a cross-agency partnership between NYCPS, NYC Health + Hospitals (H+H), and the NYC Department of Health & Mental Hygiene (DOHMH) to help students with significant mental health needs access expedited mental healthcare. At schools participating in this initiative, which was highlighted in the [Mayor’s Mental Health Plan](#), students struggling with mental health challenges receive appropriate and timely care, through a culturally responsive and family-centered approach, via virtual and in-person sessions from school, home, and NYC H+H clinics. The MHC is being implemented in 50 high-needs schools in the South Bronx and Central Brooklyn, including five District 75 schools.

Participating schools receive funding to support the establishment or enhancement of school-based mental health facilities, as well as to develop the capacity of their staff to leverage a whole-school collaborative problem-solving approach to address the behavioral, social, emotional, and mental health needs of their students. The model also includes a NYC Well hotline to advise school staff, mobile response teams to respond to students in crisis, and culturally responsive family engagement. Of the five participating H+H clinics, three acute care facilities are providing mental health services via an expedited referral pathway into child and adolescent outpatient departments and via school-based mental health satellite clinics; two facilities will soon be offering a similar expedited referral pathway into their outpatient clinics. At a time when we have a youth mental health crisis, it is vital to sustain this model so that students can continue to receive the support they need to be successful in the classroom, but the \$5M in funding for the Mental Health Continuum will expire in June unless extended in the FY 25 Budget.

There are also additional NYCPS programs that have made a difference for students with social-emotional, behavioral, and mental health needs and students with disabilities that are at risk of significant cuts because they are currently supported by expiring federal stimulus funds, including:

- 450 school social workers at schools enrolling more than 190,000 students (\$67M);



- Restorative justice practices, which enable schools to use alternatives to exclusionary discipline that keep students in the classroom while helping to build and repair relationships (\$12M in expiring federal funds);
- Preschool special education (\$96M in expiring federal funds);
- Literacy instruction and dyslexia programming (\$7M in expiring federal funds); and
- 60 school psychologists and 15 family workers to help address delays in the evaluation and Individualized Education Program (IEP) development process for students with disabilities (\$10M in expiring federal funds).

Students will lose these programs—and more—unless the City restores funding. A longer list of programs—along with the minimum dollar amounts that must be *restored* merely to sustain funding for these existing programs and staff in FY 25 at their current levels—is attached, along with our capital plan recommendation of increased funding needed to continue to address the City's huge deficits in school accessibility.

We urge the City Council to ensure that the budget **includes and baselines \$5M to continue the Mental Health Continuum and sustains important education programs** currently funded with expiring federal dollars.

We look forward to working with you to protect funding for these important programs as the budget process moves forward.

Thank you for the opportunity to submit testimony.



ADVOCATES FOR CHILDREN OF NEW YORK

# City Education Budget Priorities for FY 2025

## **The Fiscal Year 2025 budget must save education programs that are providing critical support to some of New York City's most marginalized students and families.**

Numerous education programs, services, and staff positions are currently at risk of deep cuts as a result of the expiration of federal COVID-19 stimulus funding that will [run dry](#) in June 2024, the expiration of one-year city funding, and the Preliminary Budget cut of more than \$700 million from New York City Public Schools (NYCPS)'s Fiscal Year 2025 budget.

Elected leaders must protect funding for public education, sustain these programs, and ensure the City does not take steps that would violate the civil rights of students with disabilities and other high-needs populations. While funding is on the chopping block, the needs are not going away.

The following list is *not* a wish list of new investments desired or even an attempt to keep up with increasing costs. Rather, the following dollar amounts are the minimum that must be *restored* merely to sustain funding for these existing programs and staff in FY 25 at their current levels. Without extended funding, these programs could be significantly rolled back or eliminated as soon as this summer.

### STUDENTS WITH DISABILITIES

- Preschool special education (\$96M)
- Literacy instruction and dyslexia programming (\$7M)
- 60 school psychologists & 15 family workers (\$10M)

### IMMIGRANT FAMILIES AND ENGLISH LANGUAGE LEARNERS

- Multi-faceted immigrant family communication & outreach (\$4M)
- Promise NYC (\$16M)
- Bilingual staff (\$10M)
- Translation and interpretation services (\$7M)

### STUDENTS EXPERIENCING HOMELESSNESS

- 100 shelter-based community coordinators (\$12.3M)

### MENTAL HEALTH & SOCIAL-EMOTIONAL SUPPORTS

- 450 school social workers (\$67M)
- The Mental Health Continuum (\$5M)
- Restorative justice practices (\$12M)
- Community schools (\$77M)

### EARLY CHILDHOOD EDUCATION

- 3-K and Pre-K (\$263M)

### POST-SECONDARY READINESS

- Learning to Work (\$33M)
- Student Success Centers (\$3.3M)

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## Students with disabilities

### Preschool special education · *\$96M in expiring federal COVID-19 relief*

The City has used \$96M in soon-to-expire federal stimulus funding to help meet its legal obligation to provide preschool special education programs and services, including by:

- Offering a “contract enhancement” to preschool special education programs run by community-based organizations—many of which had been closing classes due to financial challenges, leading to a shortage of seats—to bring teacher salaries to the same starting salaries as other 3-K and pre-K teachers at CBOS, open new classes, and align certain policies with the 3-K and Pre-K for All system, such as ensuring preschoolers in special education classes do not have a shorter school day than children in general education pre-K classes.
- Hiring speech therapists and other preschool related service providers and inclusion specialists.
- Adding 48 Committee on Preschool Special Education (CPSE) administrators and 25 community coordinators to address delays in the development of preschool service plans.

These investments were long overdue, and even *with* the additional funding, more than 1,000 children were still waiting for a seat in a preschool special education class—in violation of their legal rights—at the end of the 2022–23 school year. NYCPS is now projecting a shortage of between 866 and more than 1,400 seats in monolingual English preschool special education classes this spring. Federal law provides rights to students with disabilities that do not diminish with budgetary pressures, and the City must make the necessary investments to ensure there are sufficient preschool special education classes and service providers to meet the needs of all children with disabilities in a timely manner.

### Literacy instruction and dyslexia programming · *\$7M in expiring federal COVID-19 relief*

COVID-19 relief funds are helping support NYCPS's broader effort to bring literacy instruction into line with the science of reading. The City has used federal funds to screen students for reading difficulties, provide intensive reading interventions to some students, and launch new specialized programs for students with dyslexia. Moreover, schools in Phase 1 of NYC Reads will need continued funding for teacher coaching and professional development in the coming year, as schools in Phase 2 begin implementing NYC Reads. Implementing a new curriculum takes time, and the City cannot starve this critical initiative before it has a chance to succeed.

### *60 school psychologists & 15 family workers · \$10M in expiring federal COVID-19 relief*

NYCPS used federal funds to hire 60 school psychologists and 15 family workers to help address delays in the evaluation and Individualized Education Program (IEP) development process for students with disabilities. Given the growing number of students with disabilities, these staff members continue to be needed.

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## Students experiencing homelessness

**100 shelter-based community coordinators · \$12.3M (\$3.3M in expiring one-year city funding + \$9M in expiring federal COVID-19 relief)**

Last year, NYCPS hired 100 Community Coordinators to work on the ground in shelters to help improve educational outcomes for students experiencing homelessness and resolve barriers to school attendance. Since then, the number of students living in shelter has only grown, and more than one hundred new shelters have opened. Twenty-five of the Community Coordinators are funded with one-year city dollars, while the other 75 are funded with federal stimulus funds that will run out in June. The Coordinators have played a critical role connecting students in shelter with needed educational services and supports, including helping newly arrived immigrant youth enroll in school, but there is currently no plan for sustaining any of these positions.

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## Immigrant families and English Language Learners

**Multi-faceted immigrant family communication & outreach · \$4M in expiring one-year city funding**

This initiative strengthens NYCPS's communication with immigrant families—many of whom would otherwise be left without important information—by using local ethnic media to share school-related updates, sending paper notices to families' homes, reaching families via phone calls and text messages, and collaborating with immigrant-facing community-based organizations to create and launch information campaigns. It is critical for this initiative to continue, especially given the recent increase in the number of newly arrived immigrant families in New York City.

**Promise NYC · \$16M in expiring one-year city funding**

No child should be turned away from an early learning program because of their immigration status, and in January 2023, the City launched Promise NYC to increase access to subsidized childcare for children who would otherwise be ineligible for existing programs due to federal restrictions. More than 600 children are now enrolled in childcare programs thanks to Promise NYC. The number of children who stand to benefit from Promise NYC has only grown larger since the program was first announced; access to early care and education will help prepare immigrant children for success in elementary school and beyond, while also enabling their parents to work and connect with resources. The City should continue to be a leader in providing early learning opportunities to children, regardless of immigration status, by extending Administration for Children's Services (ACS) funding for Promise NYC.

**Bilingual staff · \$10M in expiring federal COVID-19 relief**

The City used federal funds to support new bilingual programs for English Language Learners (ELLs), only 46% of whom graduated from high school in four years even before the pandemic.

**Translation and interpretation services · \$7M in expiring federal COVID-19 relief**

NYCPS invested \$7 million in translation and interpretation services, enabling families who speak languages other than English to participate in their children's education.

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## Mental health & social-emotional supports

### **450 school social workers · \$67M in expiring federal COVID-19 relief**

NYCPS has used an annual \$67 million in COVID-19 relief funds to hire 450 school social workers; nearly 194,000 students gained access to a social worker in their school thanks to this investment. At present, however, there is no plan for sustaining any of these positions, though they are as needed as ever. The National Association of School Social Workers recommends a ratio of one social worker for every 250 general education students (and a lower ratio, such as one to 50, for schools whose students have more significant needs), but even with the new social workers hired with federal funding, NYCPS falls far short of best practice: there is only one school social worker for every 435 students.

### **The Mental Health Continuum · \$5M in expiring one-year city funding (NYCPS: \$787K, H+H: \$3.74M, DOHMH: \$472K)**

The Mental Health Continuum is a cross-agency partnership (NYCPS, Health + Hospitals, Department of Health & Mental Hygiene) to help students with significant mental health needs access expedited mental healthcare. This innovative model, which was highlighted in the [Mayor's Mental Health Plan](#), supports students at 50 high-needs schools through school partnerships with H+H mental health clinics, dedicated staff to provide students with timely access to mental health services, a NYC Well hotline to advise school staff, mobile response teams to respond to students in crisis, training for school staff in Collaborative Problem Solving to build their capacity to address student behavior, and culturally-responsive family engagement. At a time when we have a youth mental health crisis, it is vital to sustain this model so that students can continue to receive the support they need to be successful in the classroom.

### **Restorative justice practices · \$12M in expiring federal COVID-19 relief**

One-time federal funding represents the bulk of the City's investment in restorative justice practices, which enable schools to use alternatives to exclusionary discipline that keep students in the classroom while helping them build and repair relationships. All students deserve schools where they feel safe and supported, but without sufficient resources and appropriate alternatives for addressing behavior and helping students navigate conflict, schools will continue to resort to suspensions—which do not make schools safer; disproportionately impact students of color, students with disabilities, and youth who are homeless or in the foster system; and have been linked with lower educational attainment and higher odds of future contact with the juvenile or criminal legal system.

### **Community schools · \$77M (\$55M in expiring federal COVID-19 relief + \$14M in expiring one-year city funding + \$8M in city PEG)**

Community schools provide students and their families with wrap-around supports and services, such as after-school programming, adult education classes, and medical, dental, and mental healthcare. This initiative, which expanded from 266 to more than 400 schools thanks to expiring federal and city funds, has proven effective at lowering chronic absenteeism and increasing on-time high school graduation rates.

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## Early childhood education

### **3-K and Pre-K · \$263M (\$93M in expiring federal COVID-19 relief + \$170M in city PEG)**

NYCPS used federal stimulus funding to significantly expand access to 3-K, doubling the number of children participating in this early learning program from 17,500 in 2019–20 to 35,700 in 2022–23. This popular program attracts families into the public system at the very start of their children's education and provides high-quality early learning opportunities to children who otherwise would not have access—helping prepare them for success in pre-K, kindergarten, and beyond. In addition, the City used COVID-19 relief funds to add around 1,000 seats in 3-K special classes in integrated settings, in which children with and without disabilities learn alongside one other; the expansion of this underutilized model has given more three-year-olds with disabilities access to an inclusive education.

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## Post-secondary readiness

### **Learning to Work · \$33M in expiring federal COVID-19 relief**

Learning to Work provides support to over-age, under-credited students to help them earn a high school diploma and develop a post-secondary plan. Federal stimulus funds were used to stave off cuts to Learning to Work during the pandemic and now represent more than 70% of the program's total budget.

### **Student Success Centers · \$3.3M in expiring federal COVID-19 relief**

NYCPS used federal stimulus funding to support Student Success Centers in 34 high schools, where trained youth leaders build a culture of college-going in their schools and help their peers with the college admissions process.





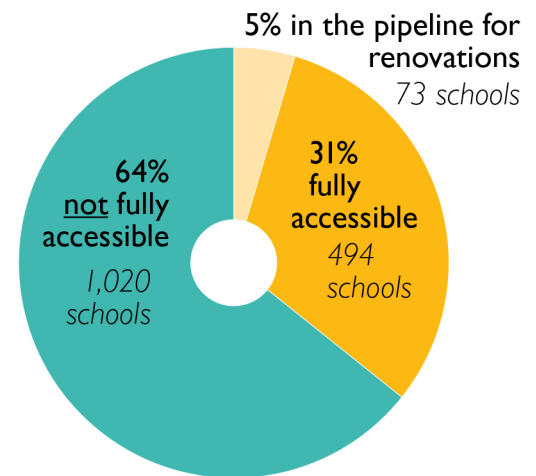
ADVOCATES FOR CHILDREN OF NEW YORK

# Capital Budget Priority for FY 2025–2029

## IMPROVE SCHOOL ACCESSIBILITY

More than 30 years after the Americans with Disabilities Act (ADA) prohibited discrimination on the basis of disability, physical barriers to full inclusion remain widespread in New York City's schools—and as a result, New Yorkers with disabilities continue to be excluded from buildings that are central to public life. In fact, **as of the start of the 2023–24 school year, only 31% of schools are fully accessible to students, teachers, parents, and community members with disabilities.**

For the child who cannot attend their neighborhood school because every entrance sits atop a flight of stairs, the parent or grandparent who has to miss every concert and school play because the auditorium cannot accommodate their wheelchair, or the school social worker whose employment opportunities are constrained by the lack of accessible bathrooms, the ADA still exists in name only.



➔ Go to <https://bit.ly/AccessibilityMap> to see the state of school accessibility in your district.

Five years ago, the situation was much worse—fewer than one in five schools was fully accessible as of the start of the 2018–19 school year—and New York City invested a historic \$750 million in the 2020–2024 Capital Plan to improve school accessibility. While this funding has enabled significant progress, there is much work left to do: NYC Public Schools itself estimated that it would take \$1 billion in each of the next four five-year plans to reach “maximum practical accessibility” by 2045.

At a minimum, the City must make the investments necessary to keep pace with the work done over the past five years. The proposed 2025–2029 Capital Plan includes \$800 million for school accessibility projects, **an amount that would represent a decreased commitment to improving school accessibility once inflation is taken into account.** This sum represents less than 5% of all proposed capital spending for NYC Public Schools for the next five years.

**The City should allocate an additional \$450 million—for a total investment of \$1.25 billion—for school accessibility projects in the 2025–2029 Capital Plan, with the goal of making at least 50% of buildings that serve as the primary location for a school fully accessible by 2030.**