



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 Children & Youth

Re: Evaluating the Close to Home Program

April 24, 2024

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Thank you for the opportunity to testify. My name is Elisa' Beth Bernard, and I am a Staff Attorney at Advocates for Children of New York. For over 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, students who are homeless, students with mental health needs, court-involved youth, and students in foster care. As an attorney on AFC's School Justice Project, I represent court-involved youth as they navigate the significant challenges of receiving educational services and special education services both while they are in placement and as they are transitioning out of placement.

In recent years, we have seen some positive shifts in the education services youth receive while in Close to Home programs and the quality of transition services once their time in Close to Home programs ends. Despite some positive changes, there is still a need for improvement in certain areas, including ensuring families get needed information about their child's educational progress while attending Passages Academy and ensuring students have a safe and appropriate school to attend as soon as they return home.

We see these issues in our work with families who have children currently in the Close to Home program and children fully transitioned out of Close to Home. Currently, we are assisting a family whose child spent 11 months in a Close to Home program. During the student's time in the program, the family never received progress reports, phone calls, emails, or notice of their child's progress while attending Passages Academy. The DOE never gave the family an opportunity to attend IEP or Special Education Plan meetings or notified the family if the student had earned any credits. The family, instead, often made visits to the Close to Home



site, where they were merely told the student was doing “OK but could make improvements.” Especially considering this specific student had an IEP and needed additional support to succeed in school, the parent expressed her concern about the lack of information and the uncertainty around her child’s graduation status. To help keep students on track, it is important for the DOE and ACS to ensure families are informed of their child’s educational progress while in the Close to Home program and receive notice of their child’s IEP or Special Education Plan meetings.

The city must also ensure there is better communication between ACS, Passages Academy staff, and the various DOE offices that help to re-enroll students in school as they return home. Often, we see a lag in the amount of time it takes a student to receive an enrollment letter from the DOE once they return home. In fact, we have seen students spend anywhere from three weeks to two months waiting for a school placement. Parents express confusion about the appropriate offices to contact for assistance, and when they do finally speak to someone, some have shared that they are given very little information on how such issues can be resolved. These parents have shared that the frustration of waiting often leaves their children idle, which could lead to further involvement with the juvenile system.

Poor reentry planning also contributes to student placement in inappropriate and unsafe school settings for youth transitioning from Close to Home. Currently, I am working with a student who was placed in a local school shortly after his return home. However, on the second day of school he was jumped by a group of students he knew from his community. It is no secret that youth with court involvement have unique and complicated stories, which contribute to their struggle to feel safe within their own neighborhoods.

Considering these safety issues and the importance of reenrolling students in schools that will meet their needs, both the DOE and ACS should engage in more targeted re-entry planning for students, which ensures they can reenroll in school right away, that they are returning to schools that are safe for them to attend, and that there is a plan for them to commute to and from those schools safely. With this intentional planning, DOE and ACS could help to improve family experiences and keep youth safe, in school, and out of the juvenile system.

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