



# Advocates for Children of New York

Protecting every child's right to learn

## I've Been Arrested, How Does this Impact My Education?

If you are arrested and charged, you can either be placed by a judge in **secure detention facilities** or **non-secure detention facilities/placements**. These facilities are operated by the Administration for Children Services (ACS); however, youth attend schools operated by the Department of Education (DOE), District 79 – Passages Academy.

**! No matter where you are placed, you still have the right to an education!**

### SECURE vs NON-SECURE:

In **non-secure placements**, students are allowed to leave the facility and are bussed to a **local Passages Academy campus**.

In **secure detention facilities** students attend **DOE schools within the facility**.

Although students in the two types of detention facilities attend school in different settings, all students are entitled to attend school and students with IEPs are entitled to receive special education services.

#### Secure Detention Facilities in NYC

**Horizon Juvenile Center**  
(Mott Haven, the Bronx)

**Crossroads Juvenile Center**  
(Brownsville, Brooklyn)

#### Non-Secure Placements in NYC

**Non-Secure Detention (NSD) facilities**  
(Brooklyn, Queens, Bronx)

**Close to Home residential programs**  
(All 5 Boroughs & Dobbs Ferry)  
- Limited Secure Placement facility (LSP)  
- Non-Secure Placement facility (NSP)

## Your Education Rights at Passages while in Secure and Non-Secure Placement

- Students are entitled to take appropriate grade classes and pick up where they left off in the community.
- Students with IEPs are entitled to similar services as mandated by their IEPs.
- Parents have the right to participate in IEP meetings & receive updates on their child's school progress.

- Middle school students at Passages must be given grade level work and be able to take city wide tests & high school students must be able to sit for Regents exams.
- If your student has a disability, Passages Academy must get a student's IEP **within 5 days** of the student attending Passages. Passages should reach out to parents/guardians and work to develop what is called a **Special Education Plan (SEP)** – which is similar to an IEP; there must be a meeting to discuss the SEP **within 30 days** of the student admission to Passages.

## **Your Educations Rights When Leaving Secure or Non-Secure Placement:**

- Students have the right to attend their former schools if there are no court orders in place which prevent their attendance.
- Passages is a DOE school, therefore all credits earned should be transferred once a student transitions out of detention or placement.
- If a student transitions out of placement mid-school year, the student should be placed in those same classes once back in the community.
- A school cannot deny a student's admission due to the student's court involvement or open criminal matter.
- Students are not required to disclose criminal or family court proceedings to school faculty & staff.
- Students with IEPs have the right to an IEP meeting before returning home; the final meeting should inform the family of any recommendation changes, evaluation results, or change in related services.

### **Still have more questions?**

Please call the Jill Chaifetz Education Helpline  
Monday through Thursday, 10 am to 4 pm  
1-866-427-6033 (toll free)

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