

Data Brief

Advocates for Children of New York
Protecting every child's right to learn

NOVEMBER 2025

RECONNECTING TO OPPORTUNITY

Advancing Educational Equity for Court-Involved Students

Nineteen-year-old Joshua's¹ mother worried about her son's education during the year he was detained at Crossroads Juvenile Center, as she received little to no communication about the instruction he was receiving or his progress in school. She was never told if Joshua—who is classified as a student with an emotional disability—was receiving any of his mandated related services, if an annual Individualized Education Program (IEP) meeting had been scheduled, or if Joshua had earned any high school credits while in detention. He was then released without a school placement or a plan for continued special education support. When the family was connected to Advocates for Children, Joshua had been out of school for over three months and reported receiving his IEP-mandated counseling sessions only three times during the entire year he was held at Crossroads.

In December 2023, the New York City Council passed legislation requiring New York City Public Schools (NYCPS) and the NYC Administration for Children's Services (ACS) to report annually on educational programming for young people in juvenile detention or placement. This includes youth who have been arrested, charged, and placed by a judge in an ACS secure or non-secure detention facility while their case is pending in Family or Criminal Court, as well as those who have been found responsible for an offense and ordered to placement in an ACS Close to Home residential program. All students in detention and

- » Compared to all New York City students in grades 7–12, youth in juvenile detention or placement in 2023–24 and 2024–25 were almost twice as likely to have learning disabilities and more than 17 times as likely to be labeled as students with emotional disabilities.
- » One in six students with disabilities did not receive their legally required Special Education Plan within 30 school days of enrolling at Passages Academy, the school serving young people in court-ordered settings.
- » At least half of students scored at the fifth percentile or below in reading upon entering Passages in 2023–24, meaning they performed worse than 95% of their grade-level peers; in 2024–25, at least half of students were reading at the twelfth percentile or below upon enrollment.
- » Over half of students who transferred to an NYCPS school or program after being discharged from detention or placement missed more days of school than they attended after transitioning back to the community.

placement facilities receive their educational instruction through Passages Academy, a public school run by District 79, the Citywide district for alternative schools and programs. Youth at the City's two secure detention facilities, Horizon Juvenile Center in the Bronx and Crossroads Juvenile Center in Brooklyn, attend school within the facility itself. Close to Home programs—group homes run by ACS-contracted nonprofit providers—include both limited secure and non-secure placements. In limited secure placements, students receive educational programming at the facility where they reside. In non-secure placements or detention, youth attend classes at a community-based Passages site.

Court-involved youth have unique and complex educational needs that often long predate their time in custody; many are over-age for their grade level, have undiagnosed or inadequately addressed learning disabilities or mental health needs, or have experienced significant trauma.² Too often these young people continue to struggle to access the educational services and supports that could help them succeed, both while in detention or placement and after returning home.

In this brief, we review key educational indicators from the first two reports issued pursuant to Local Law 21,³ supplementing our analysis with other publicly available NYCPS data. Based on these data and our on-the-ground experience working with individual students and their families, we offer recommendations for how New York City can improve educational experiences and outcomes for youth in and returning from court-ordered settings—as well as for how our public schools can better support students with behavioral and mental health needs to help reduce the number of young people who come into contact with the juvenile or criminal legal system in the first place.

FINDINGS

Students attending school through Passages

The student population at Passages Academy is constantly in flux as students move in and out of detention and placement over the course of the school year; in total, 810 young people between the ages of 13 and 20 were served by Passages at some point during the 2023–24 school year and 1,040 students attended Passages in 2024–25. Of these 1,850 students,⁴ 11.1% (205 students) had not yet graduated from middle school;⁵ 77.6% (1,435 students) were high school students on a Regents or local diploma track; 10.9% (202 students) were enrolled in educational programming designed to prepare them for the high school equivalency exam;⁶ and less than one percent (8 students) were high schoolers with disabilities on an alternate assessment pathway.⁷

Student demographics

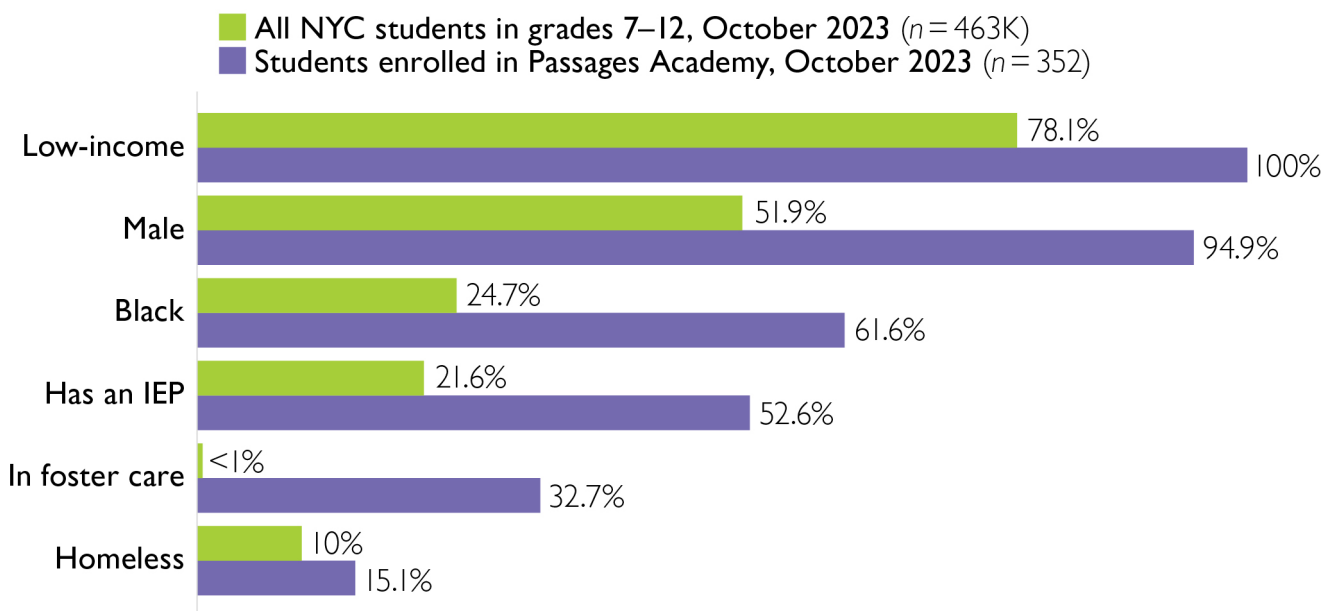
The makeup of the student body at Passages is notably different than that of the overall public school population in New York City. While limited demographic information is available for the full group of students served by Passages over the course of the entire 2023–24 or 2024–25 school year, of the 352 students who were on the register at the end of October 2023:⁸

- 100% were from low-income families, meaning they were eligible for free or reduced-price lunch or other public benefits; the same was true for 78.1% of all students in grades 7–12.
- 94.9% were male.

- 61.6% were Black, though Black students comprised only a quarter of overall enrollment.
- Over half were students with Individualized Education Programs (IEPs), more than double the Citywide special education classification rate.⁹
- Almost a third (32.7%) were students in the foster system, who make up less than one percent of the overall student population in New York City.¹⁰
- 15.1% were students in temporary housing, five percentage points higher than the Citywide rate of homelessness for students in grades 7–12.

Similarly, of the 404 students on the Passages Academy register in October 2024, 92.8% were male, 60.9% were Black, and 48.5% had IEPs.¹¹

FIGURE 1 Students who are male, Black, have disabilities, or are in the foster system are dramatically over-represented at Passages Academy.

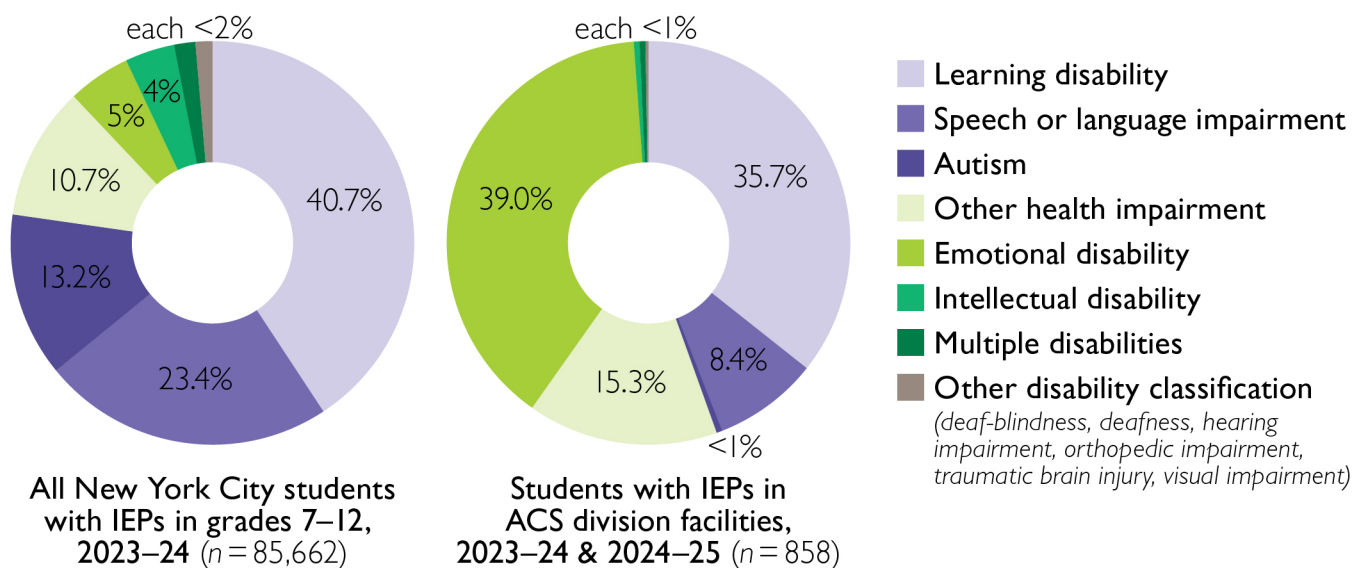


SOURCE: Local Law 59 Report on Demographic Data in New York City Public Schools (SY 2023–24) and NYCPS Demographic Snapshot (SY 2023–24). Numbers represent a point-in-time count and do not include all students enrolled during the 2023–24 school year. See notes 8–9.

Special education needs

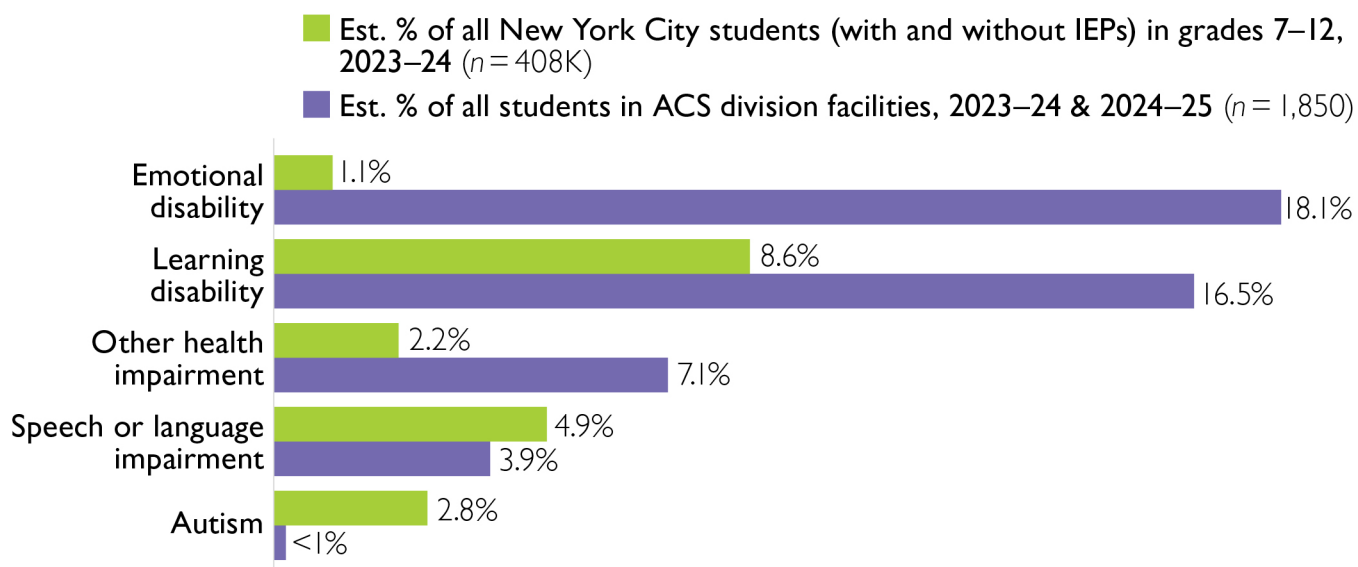
Importantly, the over-representation of students with IEPs at Passages Academy is driven by the over-representation of youth who have been classified as having an emotional disability (ED), learning disability, or other health impairment (OHI, a classification often—though not exclusively—used for students with ADHD). Combining the two school years for which data are available, more than a third of students with disabilities at Passages (39%) had an ED classification on their most recent IEP, making this the most common disability classification among students in ACS division facilities.¹² Citywide, however, ED appeared on the IEPs of just five percent of students with disabilities in grades 7–12 in 2023–24 (the most recent year for which Citywide data are available).¹³ In fact, more than one in every six students at Passages—but only about one in 100 seventh–twelfth graders Citywide—was a student with an ED classification.¹⁴

FIGURE 2 Students with disabilities at Passages Academy are not representative of the overall population of students receiving special education services in New York City; they are more likely to have an ED or OHI classification and less likely to be classified as autistic or as having a speech impairment.



SOURCE: Local Law 21 Report (SY 2023–24 & SY 2024–25); NYCPS Annual Special Education Data Report (SY 2023–24). Students with IEPs whose classification was unknown are not included. See notes 12–13.

FIGURE 3 Compared to all New York City students in grades 7–12, youth at Passages are almost twice as likely to have learning disabilities; three times as likely to have an OHI classification; and more than 17 times as likely to be labeled as students with emotional disabilities.

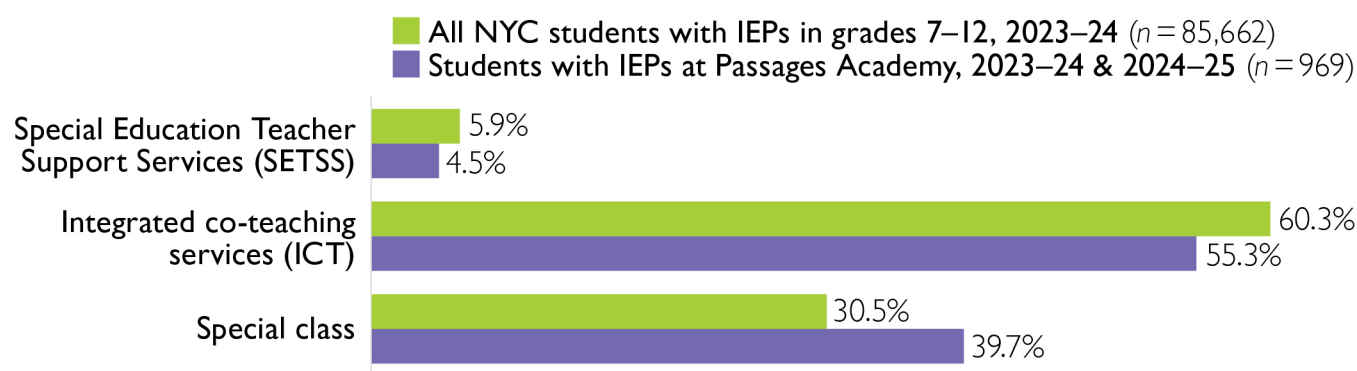


SOURCE: Local Law 21 Report (SY 2023–24 & SY 2024–25); Citywide rates estimated using data from the NYCPS Annual Special Education Data Report (SY 2023–24) and the Local Law 59 Report on Demographic Data in New York City Public Schools (SY 2023–24). See notes 11–13.

Elijah, a ninth grader with an emotional disability, made significant educational progress during his eleven months in non-secure detention. Before he was discharged, the IEP team at Passages determined that he no longer needed to attend a school in District 75—the Citywide special education district, which serves students with the most intensive needs—and updated his IEP accordingly. However, when it came time for Elijah to re-enroll in school, the public school IEP team did not see those changes reflected in the NYCPS data tracking system, placing Elijah back into the classroom setting mandated by the now out-of-date IEP—a setting that was no longer appropriate for his needs.

As compared to all seventh through twelfth graders with IEPs, students with disabilities at Passages were more likely to have had an IEP recommending a self-contained special education class and less likely to have been in inclusive settings prior to detention or placement. Citywide, 30.5% of New York City students with disabilities in grades 7–12 were in a special class in 2023–24, while 39.7% of students with disabilities served by Passages Academy during the past two school years had such a recommendation on their last IEP.¹⁵

FIGURE 4 Compared to all students with disabilities in grades 7–12, those at Passages Academy are more likely to have been in a self-contained special education class prior to their detention or placement.



SOURCE: Local Law 21 Report (SY 2023–24 & SY 2024–25); NYCPS Annual Special Education Data Report (SY 2023–24). See notes 13 and 15.

Reading and math proficiency

In addition to the significant special education needs of youth in court-ordered settings, students' performance on reading and math screening assessments after enrolling in Passages Academy indicates a desperate need for targeted academic support and intervention. Of the 317 students at Passages who took the STAR Reading Assessment in 2023–24, at least half scored at the fifth percentile or below, meaning they performed worse than 95% of their grade-level peers. In 2024–25, the median percentile rank score for the 432 students who took this assessment was 12, meaning that at least 216 students scored at the twelfth percentile or below in reading (i.e., 88% of students in the same grade scored higher).

Similarly, at least half of students who were assessed in math in 2023–24 performed at the eighth percentile or below on the STAR Assessment (i.e., 92% of students in the same grade scored higher); the following year, the median percentile rank score was 11.

While we do not know the full range of scores for students above the median (i.e., whether the 50% who were at or above the fifth percentile in reading in 2023–24 scored closer to the sixth percentile or the 60th), the average percentile rank scores—9.8 in reading and 14.7 in math in 2023–24; 18.0 and 17.4, respectively, the following year—suggest that the vast majority were in the bottom quartile of the achievement distribution.

Instruction while in detention or placement

There is limited information available about students' attendance or academic progress while in detention or placement, in part due to the City's failure to comply with the requirements of the data reporting law and in part due to the constantly changing nature of the student population—many young people are in the program for less than a full school year. However, advocates working with young people in secure detention facilities have reported that classrooms are routinely repurposed for non-educational functions and that students often are not escorted to school and do not receive the educational services to which they are entitled.¹⁶

What is clear from the data is that many students with disabilities and English Language Learners (ELLs) are not getting the support they need while attending school through Passages Academy. For example, students learning English as a new language make up a relatively small proportion of the student population at Passages, but of the 216 ELLs who were enrolled during the 2023–24 and 2024–25 school years, nearly a quarter (23.6%) received *no* English as a New Language (ENL) instruction while in ACS custody.¹⁷

Students with disabilities have the right to receive special education services while in detention or placement, and a meeting to create a Special Education Plan (SEP)—a document similar to an IEP that lays out the services a student will receive—must be held within 30 instructional days of a student's enrollment in educational programming at Passages. However, one in five students with disabilities (20.5%) at Passages did not have an SEP developed within the legally required timeframe in 2023–24; the same was true for approximately one in eight students (12.3%) in 2024–25. Combining data for the two school years, a total 16.5% of students with IEPs did not receive a SEP within a month of enrolling at Passages Academy. We are unable to assess the extent to which students with disabilities were appropriately served once an SEP had been created: though Local Law 21 requires NYCPS to report the number and percentage of students who received all the services indicated on their SEP and the number and percentage who received each of their mandated related services, the published reports fail to include these critical metrics.¹⁸

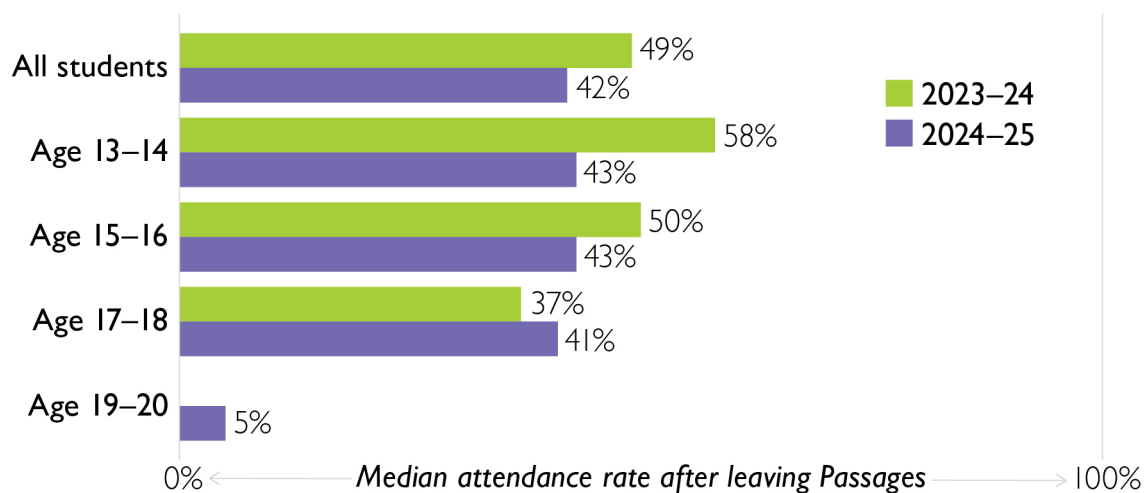
Transitioning back to the community

Of the 1,008 students who were discharged from Passages Academy during the 2023–24 and 2024–25 school years, just over three-quarters (784 students, or 77.8%) transferred to an NYCPS school or a District 79 high school equivalency program.¹⁹ Of these 784 students, 193 (24.6%) were enrolled for *fewer than ten days* after their release from detention or placement.²⁰

The Local Law 21 report provides the mean and median attendance rates during the 60 school days post-transfer for students who were on the register of another NYCPS school or high school equivalency program for at least ten instructional days after leaving Passages:

- In 2023–24, the median attendance rate for the 227 students for whom data are available was just 49%, meaning that at least half of these young people missed more days of school than they attended (i.e., had an attendance rate of 49% or below) after they returned home. Attendance rates were particularly abysmal for older youth; the median post-transfer attendance rate for 17- and 18-year-olds was just 37% in 2023–24; by comparison, the Citywide attendance rate for all eleventh and twelfth graders that year was 87%.²¹
- The 364 students discharged in 2024–25 for whom attendance data are available had a median attendance rate of 42%, meaning that at least 182 of these young people were absent on at least 35 of the 60 school days following their transfer to another school or program.²²

FIGURE 5 More than half of the students discharged from Passages Academy to an NYCPS school or high school equivalency program in 2023–24 and 2024–25 missed more days of school than they attended after returning home.



SOURCE: Local Law 21 Report (SY 2023–24 & SY 2024–25). SY 2023–24 attendance data are redacted for 19- and 20-year-old students, fewer than five of whom transferred to an NYCPS school or program and were enrolled for at least ten instructional days.

When 16-year-old Jayden was discharged from Horizon Juvenile Center after six months, his family was not provided with any assistance for getting him re-enrolled in school. Jayden’s mother was concerned because school enrollment was a condition of her son’s release, and he was expected to be enrolled and attending school by his next court date, which was less than three weeks away. Jayden, who has a learning disability and was over-age for his grade after being held back earlier in his educational career, wanted a fresh start at a different school than the one he had attended prior to his arrest, but the family received no guidance or support with finding a school that was both appropriate for his needs and safe for him to attend.

RECOMMENDATIONS

The data released pursuant to Local Law 21 shed light on the intensive educational needs of court-involved youth, as well as the challenges they encounter in transitioning back to school in the community following detention or placement. Although reforms such as Raise the Age and the establishment of Close to Home placements have led to meaningful improvements in the juvenile legal system over the past decade, significant gaps remain in ensuring that young people have access to the educational supports they need to learn. The following recommendations are informed by the available data and AFC's direct experience supporting court-involved young people.

Expand access to behavioral and mental health services, create more therapeutic school options and specialized programming for young people with behavioral or emotional challenges, and ensure all middle and high school students struggling with reading receive intensive intervention.

The makeup of the student body at Passages suggests that the special education system is failing to meet the needs of many students with emotional and behavioral disabilities—particularly those who are Black, male, and/or in the foster system—while scores on the STAR reading assessment indicate that students are entering Passages with significant deficits in their literacy skills. To prevent young people from being funneled into the juvenile or criminal legal system in the first place, the City must improve supports, services, and program options for students with behavioral and mental health challenges and/or reading difficulties in the public schools. NYCPS should, for example:

- **Ensure every school has a school-based mental health clinic or a partnership with a community-based mental health provider** that can provide expedited referrals and support for students with mental health needs.
- **Hire at least one behavioral specialist per district** who can provide direct services to students, and provide training and coaching for existing school staff in culturally competent, evidence-based, trauma-informed approaches for addressing student behavior.
- **Expand the number of schools and the grade levels served by [PATH](#)**, a specialized program in seven NYC public schools that provides intensive social, emotional, and behavioral support for students with disabilities through inclusive, culturally responsive, and trauma-informed practices.
- **Create more short- and long-term therapeutic school options** and specialized programming within NYCPS for young people with behavioral or emotional challenges, including students with significant trauma histories, mental health challenges, or court involvement.
- **Expand access to intensive reading intervention**, particularly at the middle and high school levels. Establishing a comprehensive system of intervention and support for students at *all* grade levels who are struggling with reading must be a key component of the next phase of NYC Reads. The City could, for example, hire a new corps of reading interventionists to work with students one-on-one or in small groups; leverage existing staff to provide evidence-based intervention; or consider creating district-level intervention hubs where students could receive help outside of school hours.

Ensure that students are able to regularly attend school during their time in detention or placement and that all students with disabilities receive appropriate evaluations and services and all English Language Learners (ELLs) receive English as a New Language (ENL) instruction.

The City must ensure that students at Passages Academy receive instruction every day. While the Local Law 21 reports do not include all required attendance data for students in detention or placement, attorneys have sounded the alarm about students in secure detention being unable to attend school because, for example, their classrooms have been repurposed for sleeping accommodations due to overcrowding.²³

Avoiding educational disruption during the transition to Passages Academy is particularly essential for students with disabilities, yet only two psychologists²⁴ were assigned to Passages sites that serve students in secure and non-secure detention and, of students with IEPs who were in detention or placement during the two school years for which data are available, roughly one in six was still waiting for a Special Education Plan (SEP) to be created more than a month after first enrolling. While the Local Law 21 report failed to include required data on special education service provision, our on-the-ground experience suggests that a significant proportion of students with disabilities, particularly in secure detention facilities, are not being appropriately served—in violation of their legal rights. While current staff work diligently to support students, the addition of school psychologists, related service providers, and other special education personnel is essential. Increasing staffing levels would help reduce delays in the creation of SEPs, ensure students' special education needs are appropriately identified and met while in secure facilities, and promote smoother transitions back into special education programs within their home communities upon release.

Moreover, data show that almost one-quarter of ELLs at Passages did not receive required ENL instruction. Ensuring that all students learning English as a new language receive these services is essential; without it, many ELLs will not have meaningful access to the rest of the curriculum while in detention or placement and will struggle to make academic progress.

Improve the transition process for students coming out of detention or placement to help ensure students can access appropriate educational programs and reengage in school after their release.

Attendance data make clear that many students do not reengage in school after leaving Passages Academy. Providing students and their families with ongoing support and educational planning leading up to and following their return home will help ensure more young people reenroll in school and receive the instruction and services they need to be successful. The New York State Education Department (NYSED) Statewide Transition Plan requires specific transition support for students leaving juvenile detention or placement. These requirements include appointing a district-wide transition liaison, establishing protocols to ensure students are promptly enrolled in appropriate academic programs upon release, and guaranteeing the transfer of credits from schools attended in detention or placement to the student's community school.²⁵ In our work with families, we have seen a particularly dire need for such support at secure facilities, where youth typically receive *no*

Michael, a 14-year-old eighth grader with an IEP classification of other health impairment, was released from Horizon Juvenile Center after eight months under strict conditions, which included home detention and a 48-hour window in which to enroll in school. Yet Michael's parent, who had been given no reason to believe her son would be released that day, received no help with enrollment. When she walked into a school in her neighborhood in the Bronx to try to enroll her son, the school refused to enroll Michael because he was not physically present—but the reason he did not accompany his parent in the first place was because he was on home detention and doing so would have violated the conditions of his release. The family was forced to request sheriff approval so Michael could enroll in school, but this added step meant the process was not completed within the mandatory 48-hour window. The failure to connect Michael and his mother with any resources that could assist with the transition back to school upon his release placed them in an impossible situation.

meaningful transition services, even when reengaging in school is a condition of their release. As a result, many return to their home community without an appropriate school placement and struggle to find an appropriate program that can meet their needs—disrupting their academic progress, delaying the receipt of IEP-mandated services, and leading to further interaction with the courts. In light of these significant challenges, we recommend the Administration:

- **Increase the number of transition specialists in secure detention facilities** to ensure that every student leaves with a concrete education plan and receives follow-up support to guarantee its implementation. Transition specialists should receive comprehensive training on the special education evaluation and placement process to ensure they are knowledgeable about the full range of services and programs available in New York City and are equipped to help students with disabilities find appropriate school placements and resolve problems arranging services after discharge from Passages. They must work closely and have formal partnerships with the Office of Student Enrollment, the District 75 Placement Offices, and the Special Education Office and must have the authority to obtain school placements for students as they are being discharged. They should also receive in-depth training on alternative education pathways, including transfer schools, vocational programs, and Career and Technical Education (CTE) options, which offer older youth—especially those who have struggled in traditional school settings—valuable opportunities to build practical, marketable skills and prepare for successful employment.
- **Provide targeted training for NYCPS staff in Family Welcome Centers on the unique needs of court-involved youth returning to school**, as well as on the full range of available educational options, including transfer high schools, Pathways to Graduation programs, CTE and work-based learning opportunities, and other programs and alternatives that may help a student stay engaged in their education after leaving detention or placement. Too often, young people are assigned school placements that do not meet their needs. Ensuring NYCPS staff at enrollment sites understand the specialized needs of court-involved youth and can provide families with the full range of educational options will increase the likelihood that young people will engage in school after they are discharged from secure detention or non-secure placement.

Fully comply with the provisions of Local Law 21 of 2024 and report all data required by law.

As noted above, the City failed to include multiple data points in the reports published pursuant to Local Law 21 of 2024, often making it difficult to draw firm conclusions from the data that *are* included and undermining the law's intent. In addition to the missing indicators described earlier in this brief, NYCPS and ACS did not report the average and median number of days students were absent from school while in ACS detention or placement facilities; the number of high school credits students attempted to earn while at Passages;²⁶ or the percentage of students with disabilities who received special education evaluations while in custody. The published report provides no explanation for why any such data were omitted.

NOTES

¹ To protect the privacy of AFC clients and their families, all student names used in this brief are pseudonyms.

² See, e.g., Carly B. Dierkhising et al., "Trauma histories among justice-involved youth: findings from the National Child Traumatic Stress Network," *European Journal of Psychotraumatology* 4, no. 1 (December 2013), <https://doi.org/10.3402/ejpt.v4i0.20274>; Michael P. Krezmien, Candace A. Mulcahy, & Peter E. Leone, "Detained and Committed Youth: Examining Differences in Achievement, Mental Health Needs, and Special Education Status," *Education and Treatment of Children* 31, no. 4 (November 2008): 445–464, <https://muse.jhu.edu/article/251763>; Tina Maschi, Schnavia Smith Hatcher, Craig S. Schwalbe, & Nancy Scotto Rosato, "Mapping the social service pathways of youth to and through the juvenile justice system: A comprehensive review," *Children and Youth Services Review* 30, no. 12 (December 2008): 1376–1385, <https://doi.org/10.1016/j.childyouth.2008.04.006>.

³ Local Law 21 Report on Educational Programming for New York City Juvenile Delinquents, Juvenile Offenders, and Adolescent Offenders (SY 2023–24 & SY 2024–25), both available at <https://infohub.nyced.org/reports/government-reports/local-law-21-of-2024-doe-ac-s-educational-programming>.

⁴ Two-year total is not unduplicated; if a young person was enrolled in Passages during both the 2023–24 and 2024–25 school years, they are counted twice.

⁵ Of these 205 students (88 in 2023–24 and 117 in 2024–25), 12 were in sixth grade, 50 were seventh graders, and 143 were in eighth grade.

⁶ In New York City, students have the right to attend school until the end of the school year in which they turn 21, meaning no young person at Passages was limited to a high school equivalency program strictly due to their age.

⁷ Some students with significant cognitive disabilities take the New York State Alternate Assessment (NYSAA) rather than the general New York State English Language Arts (ELA), math, and science exams. NYSAA measures student progress towards learning standards that are reduced in depth, breadth, and complexity. Students who are alternately assessed work on a modified version of the curriculum and exit high school with a non-diploma credential based on having achieved their IEP goals; they are not eligible to receive a local or Regents diploma.

⁸ Report on Demographic Data in New York City Public Schools (2023–24), Response to Local Law No. 59, available at <https://infohub.nyced.org/reports/government-reports/diversity-reports>; New York City Public Schools (NYCPS) Demographic Snapshot – Citywide, Borough, District, and School, SY 2020–21 to 2024–25 -- All Grades, available at <https://infohub.nyced.org/reports/students-and-schools/school-quality/information-and-data-overview>. As student demographics vary by grade level, we limited our Citywide comparison group to students in grades 7–12, given that Passages Academy serves no elementary school students and less than one percent of students at Passages were sixth graders during each of the two school years in question. Students enrolled in Districts 1–32, 75, and 79, as well as students attending charter schools, are all included in the comparison group.

⁹ Unlike the other demographic variables included in Figure 1, data on student disability status appears in *both* the Local Law 59 and Local Law 21 reports, as well as in the Demographic Snapshot. The percentage of students at Passages who have disabilities varies depending on which data source is used; the Local Law 21 report, which includes a larger group of students, shows that 56.3%–56.7% had IEPs at the time of enrollment in educational programming in SY 2023–24 (estimated due to redactions in the data available pursuant to Local Law 21).

¹⁰ As discussed in AFC's January 2023 report [Building on Potential: Next Steps to Improve Educational Outcomes for Students in Foster Care](#), there is significant crossover between the foster system and the juvenile legal system in New York City. See also Denise C. Herz et al., "Dual System Youth and their Pathways: A Comparison of Incidence, Characteristics and System Experiences using Linked Administrative Data," *Journal of Youth and Adolescence* 48, no. 12 (December 2019): 2432–2450, <https://doi.org/10.1007/s10964-019-01090-3> (finding that, of the 1,272 10- to 15-year-olds in New York City who received their first court petition in 2013 or 2014, 70.3% also had contact with the child welfare system in some capacity).

¹¹ Data on foster care status, housing status, and lunch eligibility come from the Local Law 59 report, which was not yet publicly available for 2024–25 as of the date of publication of this brief; data on student race, gender, and disability status also appear on the NYCPS Demographic Snapshot, which has been updated to include the most recent school year. Local Law 21 data for SY 2024–25, which include a larger group of students, show that 49.2%–49.8% had IEPs upon entering Passages (see note 9).

¹² We combined the two school years for which data are available, given both the small number of students served by Passages Academy in any given year and the consistency in classification patterns over the two years in question (e.g., the proportion of students with IEPs who had an ED classification was an estimated 38.3% in 2023–24 and 39.7% in 2024–25). Student counts are not unduplicated (see note 4). Students with IEPs whose disability classification was reported as "missing" ($n=36$ in 2023–24 and $n=76$ in 2024–25) were not included when calculating percentages. Redacted values (<5) for the number of students with a classification of autism, intellectual disability, multiple disabilities, and hearing impairment were each imputed as 2.

¹³ Citywide comparison data come from the NYCPS Annual Special Education Data Report — School Year 2023–2024, available at <https://infohub.nyced.org/reports/government-reports/special-education-reports>. Because the 2024–25 edition of this report was not posted online as of mid-November 2025, Citywide data on disability classifications and IEP recommendations are for SY 2023–24 only, making it an imperfect comparison. In addition, the annual special education data report does not include students with disabilities attending charter schools; it is possible some students with disabilities in ACS division facilities were enrolled in charter schools prior to their arrest.

¹⁴ Rates for students in detention or placement are for the 2023–24 and 2024–25 school years combined (see note 12). Citywide rates are estimates calculated using SY 2023–24 data from the special education data report and the Local Law 59 report on student demographics (neither of which were publicly available for SY 2024–25 prior to the publication of this brief). Such estimates may slightly over-state the true proportion of the student population with each disability classification, as the special education data report (the source for the numerator) is cumulative for the entire year, while total NYCPS enrollment (the denominator) reflects a point-in-time count. As students attending charter schools are excluded from the special education data report, they were not included in the denominator.

¹⁵ The percentage for students in detention or placement reflects IEP recommendations during the 2023–24 and 2024–25 school years combined; student counts are not unduplicated. Redacted values (<5) were imputed as 2. While NYC Admin. Code § 21-924(c)(12) requires the City to distinguish students recommended for a special class in a District 1–32 school from those recommended for District 75 (the Citywide special education district, a more restrictive setting), the published Local Law 21 reports fail to do so.

¹⁶ See, e.g., Bahar Ostadan, "Classrooms serve as cells at NYC's troubled juvenile detention centers," *Gothamist* (June 14, 2023), <https://gothamist.com/news/classrooms-serve-as-cells-at-nycs-troubled-juvenile-detention-centers>; Samantha Max, "Young NYC detainees sleep in classrooms, common areas amid overcrowding, lawyers say," *Gothamist* (October 14, 2025), <https://gothamist.com/news/young-nyc-detainees-sleep-in-classrooms-common-areas-amid-overcrowding-lawyers-say>.

¹⁷ In 2023–24, 26.4% of ELLs did not receive ENL; the following year, 21.6% received no ENL services.

¹⁸ NYC Admin. Code § 21-924(c)(15–16). The reports *do* state that 164 students received counseling services and 29 students received speech therapy while at Passages in 2023–24, while the following year 223 students received counseling, 29 received speech therapy, and <5 received each of hearing education services and paraprofessional

support—but without knowing how many students were *supposed* to receive these related services, these numbers provide no meaningful information as to the overall state of special education service provision at Passages.

¹⁹ Student counts are not unduplicated; a student who was enrolled, discharged, re-enrolled, and discharged again over the course of the two school years in question would be counted twice.

²⁰ This number reflects the difference between the number of students who transferred to a New York City Department of Education (DOE) school or high school equivalency program (Local Law 21 report #27) and the number of students for whom post-transfer attendance data are available (Local Law 21 report #26).

²¹ NYCPS End-of-Year Attendance and Chronic Absenteeism Data (2023–24), available at <https://infohub.nyced.org/reports/students-and-schools/school-quality/information-and-data-overview/end-of-year-attendance-and-chronic-absenteeism-data>.

²² While we have no way of knowing the full range of attendance rates for the students above or below the median, the average rates post-transfer (50% in 2023–24; 45% in 2024–25) were within a few percentage points of their respective medians.

²³ *Gothamist*, *supra* note 16.

²⁴ The Local Law 21 report for 2023–24 (item #21) states that “<2” psychologists were assigned to the four Passages Academy sites serving students in secure and non-secure detention (Belmont, Bronx Hope, Crossroads, and Horizon); it does not specify whether this is meant to indicate the presence of one full-time psychologist, one full-time and one part-time psychologist, or two part-time psychologists. The City reported two psychologists for SY 2024–25.

²⁵ NYSED Office of Student Support Services, Statewide Transition Plan, September 2025, available at <https://www.nysed.gov/sites/default/files/programs/student-support-services/statewide-transition-plan.pdf>.

²⁶ High school students who attended Passages for at least a full trimester (i.e., long enough to earn credits) earned an average 5.8 credits while in detention or placement in 2023–24 and an average 6.1 credits in 2024–25, but without knowing how many credits such students *could* have earned, it is impossible to draw any meaningful conclusions regarding credit accumulation while in court-ordered settings.