



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 Juvenile Justice**

**RE: Oversight - Examining the Continuum of
NYC's Juvenile Justice System**

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Thank you for the opportunity to speak with you today. My name is Alyssa Perrone and I am an attorney with the School Justice Project at Advocates for Children of New York where I provide education advocacy and legal representation for youth involved, or at risk of being involved, with the juvenile or criminal justice systems. My testimony today focuses on the educational needs of New York City's court-involved youth while in juvenile detention and placement, and after their release from these settings.

Court-involved youth are an extremely vulnerable population of students in New York City and nationally. Many court-involved students have complex educational and mental health needs that have been inadequately addressed prior to their arrest. Over half of all court-involved youth are students with disabilities, and many are over-age, under-credited, and performing far below grade level. According to assessments conducted by the New York City Department of Education, 94% of



youth in juvenile detention are reading below grade level, with 40% of youth reading below a fourth grade level.

This data clearly demonstrates the need, in all settings – including juvenile placement and detention facilities – for high-quality education and social-emotional supports, individually tailored to address the unique and complex needs of the students they serve. With that goal, we make the following recommendations derived from the Mayor’s Leadership Team on School Climate and Discipline, comprised of diverse stakeholders ranging from the City Council and city agencies to researchers, unions, school staff, students, parents, and advocates.¹

First, we strongly recommend that all facilities serving court-involved youth provide a safe, supportive environment that prioritizes education and provides the necessary academic and behavioral supports to address the individual needs of all students, including those with disabilities, and allow them to make meaningful academic progress. In order to be conducive to learning, facilities must create a safe climate where students feel free from physical and emotional harms or threats, both in the classroom and the facility as a whole, by fostering an environment where students can establish trusting relationships with peers and adults. Towards that end, we strongly recommend that juvenile facilities be staffed by the Administration for Children’s Services, rather than the Department of Corrections, and that all staff

¹ The Mayor’s Leadership Team on School Climate and Discipline, “Maintaining the Momentum: A Plan for Safety and Fairness In Schools, Phase Two Recommendations” (July 2016), http://www1.nyc.gov/assets/sclt/downloads/pdf/SCLT_Report_7-21-16.pdf.



working with youth be trained in therapeutic crisis intervention and other evidence-based techniques to enable them to safely and appropriately address the behavioral needs of students in their care, many of whom have experienced numerous incidents of trauma.

Second, because most court-involved youth enter juvenile justice facilities performing well below grade level, we strongly recommend that these facilities provide intensive, research-based remediation services in reading and math and extend schooling to twelve months to help these students catch up academically. To this end, we support Resolution No. 107 calling on the Administration for Children's Services Division of Youth and Family Justice to require all juveniles detained in New York City facilities during summer months to attend school.

The data and AFC's experiences also reflect the continued need to improve educational transition planning for students leaving juvenile detention and placement to ensure that youth stay engaged in education and reduce the likelihood of recidivism. Comprehensive, coordinated, and advance educational planning before discharging youth from juvenile facilities is critical. We strongly recommend that ACS, DOE, and provider staff collaborate with the family well in advance of the student's discharge from the juvenile facility to determine an appropriate educational setting and supports upon release and then follow up for several months to ensure that the student receives the appropriate academic and social-emotional supports and services in the educational setting.



Fourth, since court-involved youth often have long histories of disengagement from school, it is imperative that schools educating a disproportionate number of court-involved students receive systemic supports to meet the high needs of these schools. We call on the City Council to urge the Mayor to include the following funding in the FY 2019 Executive Budget:

(1) \$2.875 million per year for direct mental health supports and services for students, using a medical model, with meaningful coordination between schools and mental health providers as an evidence-based alternative to disciplinary action in 20 high-needs schools in Brooklyn and the Bronx;² and

(2) \$1 million per year for whole-school training and support for school staff in high-needs schools using the evidence-based model of Collaborative Problem Solving to help students with significant behavioral challenges and the staff that support them resolve problems in a skill-building, collaborative way.³

We look forward to working with you to ensure that court-involved students are provided quality education in court-ordered settings and upon their return to the community. Thank you.

² *Id.* at 21-25 (Recommendation #2).

³ In New York City, the NYPD's School Safety Division's use of Collaborative Problem Solving has resulted in a significant decrease in school-based arrests and summonses over the past five years. *Id.* at 39.