



**Nancy Ginsburg, Deputy Commissioner,
Division of Youth and Family Justice**

**Testimony to the New York City Council
Children and Youth Committee and Education Committee
November 17, 2025**

Oversight: Educational Access in NYC's Juvenile Detention Centers

Good afternoon. My name is Nancy Ginsburg. I am the Deputy Commissioner for the Division of Youth and Family Justice (DYFJ) at the Administration for Children's Services (ACS), and my role includes overseeing ACS's secure detention facilities, Horizon and Crossroads. I want to thank Chair Stevens, Chair Joseph and the members of the City Council Children and Youth and Education Committees for holding today's hearing. We are pleased to be here today, along with our colleagues from New York City Public Schools (NYCPS) to testify about educational access in our detention facilities.

Education is essential for young people to recognize and reach their full potential. Prior to coming to ACS, education for court-involved youth was a primary focus of my career. Since coming to ACS, I have prioritized strengthening educational opportunities and outcomes for the young people in detention.

As their testimony explains in more detail, Passages Academy within NYCPS provides the education on-site in our secure detention facilities. Passages Academy focuses on engaging our young people in academics and social emotional learning, providing them with the critical knowledge and skills they need to succeed in life. I want to take a moment to thank the teachers, counselors and school leadership of Passages for all that they do each and every day to unlock the promise within our students in detention.

It is a true partnership each and every school day. NYCPS is responsible for educational assessment, classroom instruction and curriculum. ACS is responsible for encouraging and escorting youth to school, enhancing educational services with tutoring services, after-school programming, conducting psychosocial assessments through our

partners at Bellevue which can inform our approach to engaging youth, and vocational training, as well as arranging for and supporting opportunities for a college education.

The Youth in Detention

I think it is important to set some context which informs our approach to engaging each young person academically. As of November 2, 2025, there were 328 youth in secure detention, 165 in Crossroads and 163 in Horizon. Seven years into the implementation of the Raise the Age law, the juvenile detention centers now hold an older population than in the past. While we encourage all the young people in detention to attend school, many who are older than compulsory school age, which in New York City, runs through the end of the school year a student turns 17 (measured at July 1st) and are no longer legally required to attend school: approximately 40% of the youth in detention are 18 or older.

Many young people in detention were disconnected from, or behind in school, prior to entering detention. Passages Academy students attended school only 44% of scheduled school days prior to being admitted to detention and 94% of the students were chronically absent prior to Passages enrollment. These students are very far behind with few, if any, credits, and some youth have not been to school at all in months or years. As such, school attendance and success is a process of continuous engagement with our young people, listening to their goals and needs, and not always a linear process. We are doing everything we can to meet our young people where they are and attempt to engage them in academic study in a way that makes sense to them and best positions them for success, while they are negotiating court appearances, sentencing negotiations, and separation from their families.

Creating an Environment in Secure Detention that Embraces Education

A key component of our work is engaging or re-engaging youth in education. As a result of the Raise the Age law, the youth in detention have longer lengths of stay, often because of their court processing times related to highly complex cases, which provides more opportunity to engage youth in successful educational pathways. We have seen close to 100 students graduate from middle and high school and attain their GEDs in the last three years.

ACS embarked on a robust and intentional plan to create an environment that embraces and supports education. Since the 2022-2023 school year, ACS built an internal education team in secure detention by recruiting Youth Development Specialists to serve as School Liaisons who support the attendance and school participation of youth, created Education Associate positions to support students and improve communication and coordination between ACS and NYCPS, and added a Senior Education Coordinator to facilitate college programming and workforce opportunities. ACS's school-based team is yielding significant improvements in student engagement, school attendance, exam completions, and graduation rates.

These efforts have helped to change the culture, building facility-wide enthusiasm in support of education. ACS has continued to strengthen this work through the consistent integration of supplemental academic intervention and post-secondary opportunities, including academic tutoring, credit-bearing college courses, and career coaching.

Tutoring

Tutoring is beneficial for many of the youth in detention, specifically those who are preparing for a GED exam, a Regent's exam or who have low literacy or math skills. ACS's contracted workforce partners, The Children's Village (CV) and the Bard Prison Initiative (BPI), provide on-site tutoring four days a week for 40–50 youth during the school day, after school and on holidays.

Tutors typically work with youth two times per week in sessions that last from 30–60 minutes, targeting specific areas identified through assessments and GED practice exams. Tutors consistently work with the same students, building strong relationships that support the academic achievements of youth. CV and BPI collaborate closely with Passages Academy administrators and the ACS education team to identify youth and subject areas in which they need additional support or individual assistance to prepare for Regents or GED exams. Creating an opportunity for one-on-one learning with an adult that they trust is particularly helpful for young people who have not had success in traditional school environments and addresses a wide range of learning styles.

During the first month of school this year, tutors provided 331 tutoring sessions lasting 30 minutes or more.

GEDs

As the population in secure detention accommodates a larger percentage of emerging adult students there are now increased opportunities for high school equivalency options and college courses. ACS and NYCPS worked collaboratively to adapt classroom spaces into computerized testing sites, physically retrofitting the space to allow NYCPS to administer the GED exams. Since this advance, many youth have

obtained their GED diplomas and many more are currently completing the GED testing requirements.

In addition, we now offer high school equivalency programs in the evening hours from 3:00 PM-6:00 PM, after the end of the high school classes in order to ensure maximum access to academic programming.

College Courses

Prior to the 2024-2025 school year, an MOU was signed between CUNY and ACS and we are now in the second year of this relationship. Graduates in Horizon are enrolled with Hostos Community College and in Crossroads, with Borough of Manhattan Community College, completing in person college courses while in the secure detention facilities, and earning transferable college credits. This fall, we have 53 students enrolled in college classes, with a total of 148 students enrolled in college classes while in detention. Students have enjoyed engaging in a range of college classes, including Introduction to Anthropology, Introduction to Criminal Justice, Fundamentals of Public Speaking, Introduction to Sociology, Language and Power, and Introduction to Critical Thinking

Enhanced Programming in Secure Detention

In addition to formal education, ACS has strengthened programming options both to keep young people engaged and to broaden the depth of their experiences and opportunities for learning. The current programming menu includes incentive programming associated with the behavior management system; programming to prepare young people for the workforce and future vocations; and programming that

supports personal development, in addition to diverse arts, recreation, and life skills options.

Of particular importance for this hearing, the Workforce Development programming in place in both facilities through our partnerships with Children's Village and Bard Prison Initiative delivers career exploration, work and labor market readiness, vocational training, and trade certifications to youth in the facility in the form of structured programs and individual coaching. The benefits of these partnerships are evident in the expanded and improved programs offered in conjunction with summer youth employment, where youth are earning certifications and developing marketable skills and trades. With the instruction of a skilled teacher and tradesperson, residents are earning certifications in Spackling, Taping, and Painting, then practicing their skills within the facility. Other workforce-oriented programming includes a fashion and design entrepreneurship program, OSHA, culinary, architecture, electrician, barbering and aesthetician courses, and the popular Barista program. These thoughtful programs, which allow detained youth to gain meaningful work experience, explore new industries and trades, and acquire marketable skills and certifications, are at the forefront of best practices for emerging adults.

ACS Progress in Detention

In 2021, the City and ACS voluntarily entered into an agreement with the Nunez Monitoring Team to assess the conditions of confinement at Horizon Juvenile Center after Raise the Age implementation. Last Friday, in its most recent report filed with the Court, the Nunez monitor found ACS to be in substantial compliance with the remaining provisions of the agreement. Further, the monitor recommended to the Court that the

voluntary agreement is no longer needed for ACS at the Horizon Juvenile Center, noting that “it appears that the Monitoring Team’s work with ACS is complete”.

Specifically, they stated, “The various reforms implemented by ACS have decreased violence and improved safety and have showcased ACS’ and facility leadership’s commitment to design and sustain a durable vision for the facility’s operation that addresses youth’s individual needs and supports the staff who work at Horizon.... Fundamentally, the Monitoring Team’s goal is to become unnecessary, and ACS has demonstrated its internal capacity to identify and address its problems and challenges without the need for external oversight...Now that ACS has achieved Substantial Compliance with the three final provisions in the Fourth Voluntary Agreement, it appears the Monitoring Team’s work with ACS is complete.”

With regard to education, the Monitor’s report states, “Similarly, ACS has made new investments to support youth’s academic needs. It recently expanded/created new positions within ACS—School Liaisons, Education Associates and a Senior Education Coordinator—to support youth’s school attendance and participation, improve coordination with NYC Public Schools, and to facilitate college programming and workforce opportunities. Children’s Village, an external service provider, offers on-site tutoring both during school and after-school, particularly to support those who need to prepare for Regents or GED exams. Agreements with the City University of New York and Hostos Community College allow youth to earn transferrable college credits while in the facilities. These investments have reportedly yielded significant improvements in student attendance, engagement, exam completions and graduation rates.”

We are grateful for the assistance we have had from the Nunez Monitoring Team, and extremely pleased that in recognition of the efforts and outcomes we have achieved, they have informed the Court that their monitoring assistance is no longer needed. These accomplishments are due to the efforts of our detention leadership and our hard-working staff, and I am tremendously appreciative of the work they do each and every day.

Conclusion

In conclusion, I want to take a moment to thank all the ACS and NYCPS staff who spend each day changing the life trajectories for the youth in detention. Their commitment to these young people is inspiring.

**Testimony of NYC Public Schools
on Educational Programming in Detention Facilities
Before the NYC Council Committees on Education and Children & Youth**

Oversight - Educational Access in NYC's Juvenile Detention Centers
November 17, 2025

Testimony of Glenda Esperance, Superintendent of District 79

Good afternoon Chair Rita C. Joseph, Chair Althea V. Stevens, and all the members of the Committees on Education and Children and Youth here today. My name is Glenda Esperance, and I am the proud Superintendent of District 79- Alternative Schools and Programs in New York City Public Schools (NYCPS). I'm joined by Shareef Rashid, one of the principals of Passages Academy, as well as other colleagues from NYCPS and The Administration for Children's Services (ACS). I am pleased to be here today to discuss our work to provide high-quality educational programming in youth detention facilities, and I thank the City Council for your continued support of our students.

Overview of D79

District 79 is a reimagined citywide district that serves about 50,000 students annually across 365 sites. Our ten distinct programs are designed to meet the needs of students who have been disconnected from traditional schooling. Those include certification opportunities at Coop Tech, adult education courses citywide, LYFE's support for student parents, Pathways to Graduation, Restart Academy, and our youth justice programs. All of our initiatives are tailored to provide a pathway to academic success, social-emotional growth, and post-secondary readiness.

Our mission is clear: we work collaboratively to help students earn high school diplomas, HSEs, and CTE certifications, leveraging resources to build college and career readiness. In the process, we nurture the confidence of our students so that they are equipped with the skills needed to thrive in society. This mission is especially critical for students in detention settings, where the stakes are even higher and the barriers more complex.

Education Programming in Detention Center

As someone born and raised in Brooklyn to immigrant parents and a proud product of NYC Public Schools, I bring over 40 years of experience to this work as a student, special education and adult education teacher, Literacy Coach, Assistant Principal, Principal, Director of School Quality, Director of Special Education, and Superintendent. My roles have given me insight into the challenges of teaching and learning across various educational settings. I know firsthand the barriers our students face in detention centers, and I believe deeply in their potential.

It is my belief that providing high-quality instruction to detained and incarcerated youth is not only a legal obligation, it is a moral one. We are consistently investing time and hard work to improve our services, recognizing that traditional models don't work at detention facilities. So we offer our students flexibility to ensure successful outcomes in a variety of settings.

Detention Partnerships

District 79 operates two programs in detention settings: East River Academy (in partnership with DOC) and Passages Academy (in partnership with ACS). These programs provide students with access to rigorous instruction, social-emotional supports, and transition planning. Our educators include certified teachers, counselors, and support staff to deliver instruction aligned to state standards and tailored to the unique needs of our students.

Passages Academy

Today we look forward to providing additional insight about Passages Academy, which is managed in partnership with ACS. Passages Academy operates across seven sites, serving youth in both secure and non-secure detention and placement settings. Each location is designed to meet the specific needs of its student population, offering full-day instruction from licensed teachers and counselors.

Students in non-secure settings attend community-based sites, while those in secure facilities receive on-site education. At Passages, we ensure that students can make academic progress, earn credits, take Regents exams, and maintain continuity in their education. Smaller class sizes allow for personalized instruction that supports both academic and social-emotional development. Importantly, students remain part of the NYC school system, preserving their right to return to their home schools upon release. We also prioritize family engagement through two full-time parent coordinators and a family and community engagement liaison, who help facilitate family days and parent-teacher conferences.

New and Expanded Initiatives

Since becoming superintendent three years ago, I have been intentional about strengthening our educational services and putting the academic and social needs of our students first. Transition planning begins the moment a student arrives at Passages Academy. We designated a Transition Administrator to oversee this work, ensuring that students receive consistent support from social workers and guidance counselors as they prepare to reintegrate into their communities. We also added two additional social workers at Horizon and Crossroads to expand our transition teams and improve continuity of care.

Each student completes a personalized blueprint that serves as a roadmap for reentry, helping us identify strengths, potential barriers, and the specific supports needed for life after detention. We are also deepening partnerships with Future Ready and Pathways to provide strategic resources such as financial literacy and certifications that require minimal brick-and-mortar class settings.

In addition to transition planning, NYCPS has also made significant strides in strengthening special education services at Passages sites. We hired an Administrator for Special Education for secure detention centers to improve coordination across seven sites. Passages Academy expanded screening and intervention services using WIAT-4 and STAR Reading data. Special education teachers provide targeted support, including individualized Wilson Reading System interventions two to three times per week. And all special education students receive Specially Designed

Instruction through explicit teaching, a Multi-Tiered System of Supports, and collaborative planning among special education, ELA, and math teachers.

We are also launching SEED programming in collaboration with NYCPS Special Education and DIAL, which will allow services to take place at secure detention centers on Saturdays. We have completed orientation for prospective teachers and hired related service providers as well as special education teachers to deliver reading interventions focused on vocational and career topics.

To further support academic achievement, we introduced a Regents Saturday Test Prep Academy and began offering High School Equivalency pathways for eligible students. We are also continuing our partnership with OSYD to provide professional development for detention center educators, including training in de-escalation techniques and specialized instruction for students with disabilities, respectively.

Looking Ahead

We are committed to fostering intentional collaboration with all stakeholders: our parents, staff, advocates, elected officials, and most importantly, our students, to gain valuable insights and listen to suggestions for improvement. While progress has been made, data from the Annual Local Law 21 Report underscores that there is still work to be done. This highlights the need to develop robust, comprehensive programming tailored to the distinctive needs of this population. We use these findings to guide and inform our next steps.

In closing, I want to thank the Council for your partnership and your unwavering support of our students. Together, we can ensure that education in detention is not a detour but a bridge to opportunity, dignity, and hope.

I will now turn it to Chris Tricarico, Senior Executive Director of the Office of Food and Nutrition Services, to discuss the legislation.

Intro 987

Good afternoon Chair Joseph and Chair Stevens. My name is Chris Tricarico, and I am the Senior Executive Director of the Office of Food and Nutrition Services (OFNS). We appreciate the Council's leadership in introducing Intro No. 987 and fully support the spirit of this bill to reduce surplus food in public schools. The proposed pilot program aligns with and complements existing initiatives by OFNS to minimize food waste while ensuring students have access to nutritious meals. We distinguish between food waste—items taken but not consumed—and surplus food, which are meals prepared but not served. When evaluated and deemed safe by OFNS staff, surplus food can be re-offered, further reducing waste.

At OFNS, we proudly implement the USDA's Offer vs. Serve (OVS) provision across all NYC public schools. This program is specifically designed to reduce food waste while maintaining nutritional standards. Under OVS, students are offered all the required meal components—fruits, vegetables, grains, protein, and milk—but may decline certain items. To qualify for

reimbursement, students must select at least three components, including a minimum of ½ cup of fruit and/or vegetables. This flexibility empowers students to choose foods they are more likely to consume, significantly reducing waste. Salad bars and water are always available and are not part of the above requirements.

Our efforts to minimize waste include:

- Student and family education to promote informed food choices.
- Clear cafeteria signage and printed materials guiding meal selection.
- Comprehensive staff training on accurate food ordering and batch cooking to prevent over-prepping and surplus.

Additionally, OFNS supports sustainability through:

- Share tables and food donation programs to redirect excess food.
- Taste tests and food education programs to increase student engagement.
- Composting and diversion initiatives, in partnership with the Office of Energy & Sustainability.

Intro No. 987's emphasis on educational materials aligns with these efforts and will strengthen our shared goals of reducing landfill waste, lowering greenhouse gas emissions, and fostering environmental responsibility. We look forward to collaborating on this pilot and leveraging our experience to ensure its success.

Thank you for your continued partnership and I look forward to your questions.

Written Testimony for Hearing 11-17-25 1 p.m. Committee on Children & Youth and Committee on Education

Greetings! My name is Shirley Aubin and currently I am the Queens Borough President Donovan Richards' Appointee to the Panel for Educational Policy (QBPA PEP) testifying in my personal capacity. I have been a parent leader in NYCPS, a youth, education, and community advocate for over fifteen (15) years. Thank you for the opportunity to give input. I am opposed to:

- **Resolution 1017 (Joseph): Calling on the New York State Legislature to pass, and the Governor to sign S.3067 and its companion Assembly bill to establish a Citywide Educational Leadership Team.**
- **Resolution 1018 (Joseph): Calling on the New York State Legislature to pass, and the Governor to sign S.3064/A.505, requiring each District and School Leadership Team to include one student representative.**
- **Resolution 1019 (Joseph): Calling on the New York State Legislature to pass, and the Governor to sign, S.3065/A.512, requiring District Leadership Teams to operate under Open Meeting Law.**

When will we put the creation of the Citywide Leadership Team to bed? It has been a 6 year endeavor and every major elected citywide parent leadership organization in NYC has publicly stated its opposition to the CLT. The DOE and government officials oppose efforts to create a CLT, which would create an unnecessary bureaucratic layer, and instead focus efforts on reinforcing existing stakeholder structures to improve governance and uplift stakeholder voices with the aim of improving NYC education.

If our foundation is weak (School Leadership Team / SLTs), building multiple layers, tiers, is a receipt for disaster. In other words, the trickledown effect does not work in the school system. When you a healthy looking tree falls, it is because the roots are weak, rotten, and or unhealthy. Making anything top heavy without having a strong and solid foundation, it will eventually tumble over, crumble, or collapse. Why do we want to create a duplicative citywide structure instead of putting our energy and resources to solidify our foundations? When we have strong schools, we have strong districts, we have a strong NYCPS system!

In the CLT's 1st Annual Trip to Albany to January 30, 2025 Press Release and Supporters document, it states "The NYC Citywide Leadership Team is based on the NYS Commissioner's Regulations 100.11 and the NYCPS Chancellor's Regulations A-655 Article XIII, for the largest public school district in NYS and nation to adhere to and engage stakeholders accordingly, and will serve as a model for School and District Leadership Teams to ensure they are operating effectively, to align the school based budget with Comprehensive Education Plan, so every NYCPS Student has direct access to high quality educational opportunities." This is gross misinformation and or interpretation of the Commission and Chancellor's Regulations. The Commissioner's Regulations or the Chancellor's Regulations **do not support a Citywide Leadership Team (CLT)**. NYS Commissioner's Regulation [100.11 \(school-based planning & shared decision-making\)](#) refers to the Comprehensive Education Plan / CEP that SLTs must create (school-based planning) by using a

shared decision-making methodology. The methodology currently used as per Chancellor's Regulations is consensus. The Chancellor's Regulations in keeping in compliance with NYS Education Law 2590-h and Commission's Regulations 100.11 created the District Leadership Team (DLT) to support and ensure that the SLTs in their district are complying with state law. In addition, DLTs must create a Districtwide Comprehensive Education Plan (DCEP), which is not mandated by law, which consolidates and provides a district summary of their school's CEPs. Here is where CR 655 Article XIII, Central Plan for Planning and Shared Decision Making comes into play; it is the responsibility of NYCDOE Central to maintain copies of each school district's plan and then compiling them into the Central Plan, otherwise, the NYC DOE's DCEP. NYSED recognizes NYCPS/NYCDOE as District 1 under NYS' education system. The Citywide Committee that approves the Central Plan is made up of representatives designated by the Chancellor, a senior UFT representative, a senior CSA representative, and a senior DC 37 representative. This Citywide Committee is currently under the Division of State and Federal Planning which is a department within the District School Leadership Division. The CLT appears to be a natural progression of the SLT and the DLT but as we can see, the SLTs do the work of school-based planning (CEP), DLTs combine the plans of their schools into a district plan (DCEP), and finally the **Citywide Committee** takes the DCEPs and combined them to create the Central Plan for NYSED. New York State Education Department overseas NYCPS/NYCDOE as one of their school districts and is responsible for holding NYC Public Schools accountable.

Hence, the conclusion of the NYCPS/NYCDOE, major citywide parent leadership organizations, and CECs, etc., the CLT is a duplicative bureaucracy that is not needed. What is needed is true investment in our schools and in the structures that are in place are enhanced, followed and held accountable. If you look at schools and districts who are excelling, they have functional and impactful PA/PTAs and SLTs. Creating a citywide structure is not a cure. We just adding more energy, time, and resources further away from addressing the root causes.

Briefly addressing the last two resolutions:

1. Currently the A655 does not restrict student representation at the elementary and middle school grades (some schools have students) on their SLT. CR A655 mandates there must be **at least two** students on HS SLTs (some HS has more than 2)
2. There is a revision of A655 that mandates that middle and high school SLTs must have at least two (2) students and it is currently being reviewed by the unions for approval before coming to the Panel for Educational Policy (PEP). It also strongly encourages elementary schools to have students on their SLT. In addition, the DLTs must include at least one (student).
3. District Leadership Teams (DLTs) are not subject to Open Meetings Law (OML) for many valid reasons. One reason for this is that DLTs are not mandated by NYS ED Law, only SLTs are mandated by the state. However, even though DLT are not subjected to OML, NYCPS/NYCDOE has a written internal policy that DLTs are open to their school communities as observers. Non-DLT members have joined and observed their local DLT

meetings. DLTs are open to the public just not subject to OML which has specific requirements to be abide by law regarding public gatherings and accessibility.

I have presented a summary of why the majority of NYCPS stakeholders including NYCPS are opposed to the establishment of the Citywide Leadership Team (CLT). I have attached links to resolutions that have been passed within the past 6 years in opposition and most were shared with NYS Legislature. Considering all this, I would like the City Council **not to pass resolutions 1017, 1018, and 1019** *but instead to pass a resolution to the State to put this matter to rest* and **NOT PASS** the NYS bills:

- A1793/S1689 - for District Leadership Teams to operate under the Open Meeting Law
- A1203/S2949 - for students to be heard and represented on all leadership teams.
- A1799/S2967 - to establish a Citywide Leadership Team.

Here are the eight (8) opposing resolutions and one (1) response from the NYCDOE that I have:

1. ECC & CPAC's CLT Letter to Adrienne Austin
https://drive.google.com/file/d/1ETIloihM032EktjuvgBhBMmjwE42bVX/view?usp=drive_link
2. CPAC Stance on the CLT-
https://drive.google.com/file/d/1xD7HF4RpsRtHVeQVtzpMPuJMgLevzjK_/view?usp=sharing
3. Community Education Council District 16 urges the NYS Legislature to reject A1799/S2967 establishing the Citywide Leadership Team in New York City
<https://drive.google.com/file/d/1B3ZD1QpQBpXerlKh4G7qbRDco5QeJN0P/view?usp=sharing>
4. MEMORANDUM OF OPPOSITION: Community Education Council for District 23 urges the NYS Legislature to reject A1799/S2967 establishing the Citywide Leadership Team in New York City
https://drive.google.com/file/d/1nG_5JwPP154QfsU7sAmLqe6lhbPX3JBO/view?usp=drive_link
5. QHSPC Resolution Supporting the Creation of Borough High School Partnerships and Opposing the Creation of a Citywide/Central Leadership Team (CLT)
<https://drive.google.com/file/d/1A3OaAEZRzMKmCzNTF7OFHXcc1fvq2IV4/view?usp=sharing>
6. CCHS Resolution No. 2021-2022-10 Resolution opposing the creation of Citywide Leadership Team
<https://drive.google.com/file/d/1xT239cdpUiGdDFwAGPDbnQVxVY3l3T0/view?usp=sharing>
7. COMMUNITY EDUCATION COUNCIL DISTRICT 15 BROOKLYN, NEW YORK MEMORANDUM OF OPPOSITION
https://drive.google.com/file/d/1-MeiUjYP_R2Xo-gZSvYibJNSf6n6qaZ/view?usp=sharing
8. MEMORANDUM OF OPPOSITION: The Education Council Consortium and the Chancellor's Parent Advisory Council urge the NYS Legislature to reject A1799/S2967 establishing the Citywide Leadership Team in New York City
<https://drive.google.com/file/d/1Kz0SKNmPq0hYxQvOMmny8CviLC7Nlavl/view?usp=sharing>
9. NYCPS response to QHSPC
<https://drive.google.com/file/d/1EoGmoAHe0GfcAUvpHC7kySpTx6ut2iRu/view?usp=sharing>

Educationally yours,

Shirley Aubin

Testimony for City Council
Committee on Children and Youth - Committee on Education
Oversight - Educational Access in NYC's Juvenile Detention Centers

November 19, 2025

Camille Casaretti
Public Education Advocate

Chair Stevens, Chair Joseph and members of the Committees, thank you for this opportunity to submit written testimony on a topic that has been a focus of my advocacy for a number of years. I am speaking specifically to the need for expanded educational access in NYC's juvenile detention centers.

My name is Camille Casaretti. I serve as the Brooklyn Borough President Appointee to the NYC Panel for Education Policy, as well as the Education Policy Chair to the Education Council Consortium, and am currently enrolled as a graduate student at Johns Hopkins University in their Education Policy program. I have held multiple roles as a parent leader over the last 12 years, of them: PTA President, SLT member, CEC15 President and Public Advocate Appointee to the Citywide Council on High Schools. I would like to state for the record that the opinions expressed here are my own and do not necessarily reflect the views of the aforementioned.

I offer this testimony to highlight essential changes needed to ensure that incarcerated students receive consistent, equitable educational opportunities. These proposed modifications to existing policy aim to strengthen educational continuity and support for incarcerated youth by extending instruction year-round, improving school-facility coordination, and empowering families with clear information. First, eliminating the July-August instructional gap would create a 12-month school year, addressing the significant learning deficits and low graduation rates among justice-involved students. Second, establishing a designated transition liaison - ideally a guidance counselor - at each student's home school would ensure accurate records and smoother education placement during the first 10 days of incarceration. Third, developing a family-facing guidance document would clarify students' educational rights during and after incarceration and connect families with supportive, non-justice resources, helping sustain engagement, hope and stability throughout the process.

New York State Education Law 207 requires that young adults up to age 21 be given the opportunity to continue their education while imprisoned and lays the groundwork for educational programs to exist within correctional facilities so that incarcerated youth, many of whom are teenagers, can continue their education. For these young adults, graduating with a high school or general equivalency diploma, exiting the correctional facility to return to either a community college or career ready, may prevent a relapse into criminal behavior. I believe, with the support of the City Council, changes to the State Law can ensure that a larger number of incarcerated youth are not only accessing education programs but graduating from high school.

Influential litigations like the *Handberry v. Thompson* class action lawsuit of 1996, and the 2004 case of *J.G. v Mills*, led to major changes in how New York educates incarcerated youth. The Department of Education was required to provide regular educational services on Rikers Island, including a minimum of three hours of daily instruction; systems were created to ensure smoother educational transitions when youth entered or left detention; special education services had to be identified and delivered consistently; a Special Populations Liaison was assigned to help students re-enroll in school after release; and the state moved to improve data tracking, funding, and procedures through new NYSED regulations that formalize these requirements.

Many of the policy details born out of these litigations led to reduced recidivism, increased high school graduation and GED rates among incarcerated young adults through greater access to education services, increased literacy levels, and a smoother transition back into the school system post discharge from the prison facility. While the State Education Department, the Department of Corrections, the Office of Children and Family Services and the local school districts, including NYCDOE play a role in the procedural functioning and outcomes of the prison education system in New York, elected officials and advocacy groups also create a positive impact.

For the most part, NYSED regulations fulfill state and court mandated requirements; however, the data does not give an accurate story. For example, in the school year 2021-22, the educational outcomes and graduation rates of students at New York City's Rikers Island penitentiary showed only 15% of young adults were enrolled in an education program, and fewer than 3% graduated. Many enter the criminal justice system under-credited. Some exit with earned credits and very few return to school to graduate post release.

One reason for under-enrollment in the education program is that the intake process for the prison system is life-challenging both emotionally and physically for these young adults. As they acclimatize to the prison setting they harbor feelings of anger, fear and uncertainty that impact their ability to think clearly. The first ten days of

incarceration coupled with the intake process is traumatizing. Episodes of violence are common. It is within this period and under these circumstances that they must choose to be educated in prison. For some, education may be their only chance for breaking the incarceration cycle yet challenges abound. Many of the youth are identified as having substance use disorders, in need of mental health services or enter with a disability that impacts future employment. Language can also be a barrier.

Incarcerated youth typically need more instructional time than their peers but receive far less. The law states that a minimum of 15 hours per week must be scheduled but non-attendance is common for a variety of reasons including court appearances and lock downs. Classrooms are oftentimes not as large as the Halls students are assigned to, forcing some to work independently for several days of the week without a teacher. Students move in and out of the system and may be blocked from accessing educational services due to bureaucracy during a short stay. Others that remain for multiple years awaiting trial would benefit from year-round instruction, although current regulations do not mandate summer programs.

These young adults need guidance and counselors whom they can access and an education liaison whom they can connect with on a personal level to help them and their family navigate through the prison education process. Currently, there is an education liaison appointed by the Department of Education at the time of release; however, there is no incoming person who works with the student and family to assure their entry and success in the education program. This is a position that would be critical to increasing the number of youth who graduate.

I would like to propose three recommendations for consideration:

Proposed change 1. Support instruction all year.

NYSED Chancellor's Regulations Section 118.4(a) states that "Instruction need not be provided in July and August." For students who are already behind, coupled with the year-round incarceration of youth, the need for additional class time is overwhelming. Given the low numbers of students graduating high school, a 12 month instructional year is necessary.

Proposed change 2: Support the creation of a school district role for an intake transition liaison.

Section 118.2 of the state education law 207 requires districts or departments to list educational services available in correctional facilities, and related regulations outline procedures for coordinating with facility staff upon discharge. A new subsection - similar to that for homeless students - could address the education of incarcerated youth and designate a staff member, ideally the student's guidance counselor, as the transition liaison. Having this

liaison at the student's school of record would streamline intake within the first 10 days of incarceration and ensure accurate, up to date records, for faster placement.

Proposed change 3: Support the creation of a family facing guidance document that explains the student's right to an education while incarcerated and upon release.

Section 118.5 would reference a new NYSED-developed document to guide young adults and their families in understanding how education continues within correctional settings. This document would provide non-justice system support resources, helping students maintain hope and resilience throughout incarceration.

Thank you for taking the time to review this testimony. Please do not hesitate to reach out should you have any questions.



Testimony from Patricia Crispino, District 79 district representative for the UFT, before the City Council Committees on Education and Children and Youth

My name is Patricia Crispino, and I am the district representative for District 79 at the United Federation of Teachers (UFT). On behalf of our members, I would like to thank Chair Rita Joseph and Chair Althea Stevens, as well as the committee members, for holding this hearing.

Contrary to the overwhelmingly positive testimony shared by the Department of Education and the Division of Youth and Family Justice (DYFJ), educators and students are facing many challenges at secure detention facilities. Educators at these sites do all they can to provide students with a high-quality education, but they are limited by space constraints. The deputy commissioner of DYFJ pointed out that there are 165 student inmates at Crossroads in Brooklyn and 163 student inmates at Horizon in the Bronx. However, she failed to mention that both sites were designed for only 100 students. Because of this overcrowding, classrooms are being converted into housing units and students scheduled for classes in those spaces are not receiving the educational services they deserve and need. At Crossroads, for example, five of the facility's 10 classrooms are routinely out of commission because students are sleeping in them.

This not only limits classroom space but also means that there are many students in the facility that our teachers rarely see. As educators do not enter the housing areas, staff from the Administration for Children's Services (ACS) must bring all students from their living quarters to their classrooms in the building. If students are sleeping in a classroom, it is considered a living space. Until ACS comes to get the students, educators cannot enter that classroom to wake the student up or to begin the class. In addition, the shortage of ACS workers means that the person designated to bring the student out of the classroom they are sleeping in sometimes cannot do so as they must monitor the other students' living quarters.

In practice, this combination of circumstances means that all the students assigned to that classroom must also stay in their living spaces until the classroom is available for use in instruction, and many students are unable to attend their classes (especially in the mornings) as a result. Teachers do the best they can by giving their students packets of work to complete, but without live instruction and the physical presence of an educator, educational progress is often stunted.

In addition, even when classrooms are available, they often lack adequate seating for all students, and ACS' tutors — many of whom are not licensed teachers — take students away from lessons with their teachers. In her testimony, the deputy



commissioner of DYFJ highlighted the team's supposed successes, but our educators have a very different perspective: The ACS tutoring program has taken significant physical space within these facilities and frequently distracts students from their regular schooling. Our students need to be taught by teachers during school hours, not by tutors. While the program could be beneficial if it were offered before or after school, tutoring is not a substitute for a high-quality education delivered by a licensed teacher.

The UFT is eager to be part of forging the path forward. We have repeatedly stated that we are willing to work with the city and District 79 leadership to help alleviate the problems, but we must have a seat at the table. Providing a high-quality education to every student within Passages Academy is our shared goal, and we should be in this together.

I look forward to our continued collaboration on these issues, and I thank you for your time.



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 and Youth and Committee on Education

RE: Oversight - Educational Access in NYC's Juvenile Detention Centers.

November 17, 2025

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Thank you for the opportunity to testify. My name is Rohini Singh, and I am the Director of the School Justice Project at Advocates for Children of New York (AFC). 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. Each year, we help thousands of families navigate the education system. Our work includes supporting court-involved youth in overcoming the significant challenges of accessing educational and special education services, both while they are in placement and as they transition back to their communities.

Young people in juvenile detention, placement, and adult jails need intensive, targeted educational services and therapeutic interventions. Ensuring strong educational programming in court-ordered settings is essential, not only for rehabilitation while in custody, but also for successful reintegration into the community. This morning AFC released a report: ***Reconnecting to Opportunity: Advancing Educational Equity for Court-Involved Students***, which offers an analysis of data from Local Law 21 passed by this Council in 2023. The data and our experience demonstrate that there is significant work to be done to address the needs of court-involved youth.

In total, Passages Academy served 810 young people between the ages of 13 and 20 at some point during the 2023–24 school year and 1,040 students over the course of 2024–25. The majority of students served by Passages belong to demographic groups that have historically faced barriers to education. Key takeaways from our analysis of the data include:

- Youth in juvenile detention or placement in 2023–24 and 2024–25 were almost twice as likely as their peers to have learning disabilities and more than *17 times* as likely to be labeled as students with emotional disabilities.
- At least half of students in juvenile detention or placement 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.



- One in six students with disabilities did not receive their *legally required* Special Education Plan within 30 school days of enrolling at Passages.
- 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.

Our report calls on the City to take several critical steps to better support students – before they enter detention or placement, while enrolled in Passages Academy, and as they return to their school communities:

First, we urge the City to provide students with critical services in their school communities to help them succeed in school with the added goal of preventing future contact with the juvenile or criminal legal systems, including by:

- Ensuring every school has a school-based mental health clinic or a partnership with a community-based mental health provider.
- Hiring at least one behavioral specialist per district.
- Creating more therapeutic school options and specialized programming within NYCPS for young people with behavioral or emotional challenges and expanding the number of schools and grade levels served by PATH, an existing specialized program that provides intensive social, emotional, and behavioral support for students with disabilities.
- Ensuring all middle and high school students struggling with reading receive intensive intervention.

Second, advocates have raised the alarm regarding the condition in secure detention facilities and the numerous barriers for students to attend school in these facilities. The City must ensure students are able to regularly attend school during their time in detention or placement and receive the special education services or English as a New Language instruction they need. For example, the City should hire additional school psychologists, related service providers, and special education personnel to ensure students with disabilities receive timely special education plans, evaluations, and services.

Finally, the City must improve the transition process for students coming out of detention or placement to ensure students can access appropriate educational programs and support their reengagement in school upon their return to the community. Many of our clients leave placement without a clear educational plan and placement, and parents struggle to navigate these systems on their own. To this end, the City should increase the number of transition specialists in secure detention facilities and train staff in NYCPS Family Welcome Centers on the unique needs of court-involved youth and the full range of educational options available.

Our full report is available at *Reconnecting to Opportunity: Advancing Educational Equity for Court-Involved Students*. Thank you for the opportunity to testify and thank you for highlighting this important topic.



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Center for Family Representation (CFR)
Testimony to the Children and Youth and Education Committees of the
New York City Council

Hearing Date: November 17th, 2025

Overview of CFR

CFR is the county-wide assigned indigent defense provider for parents who are facing ACS prosecutions in lower Manhattan, Queens, and Staten Island, and is a conflict-provider in the Bronx. Our model of representation combines in-court litigation with out of court advocacy—all of our clients are assigned an attorney and social work staff member who are supported by other staff, including parents with direct personal experience being prosecuted by the family policing system. In 2019, CFR also expanded its work to represent young people accused of crimes. Our goals are always to prevent children from entering the foster system or youth incarceration systems, shorten the time that families are separated, and help families stabilize when reunited.

Children in ACS Detention Are Not Having Their Educational Needs Met

Children learn best when they are in their communities, in their schools, and with their families. New York City must invest in more opportunities and programming to allow young people to successfully stay with their families and out of detention. When detained, New York City's inability to provide access to meaningful education to incarcerated young people is actively harming them. As attorneys and advocates for young people, it is often incredibly difficult for us to understand the reality of the educational experiences or access to school that our clients receive. Because nothing about our clients' education through Passages Academy looks like a traditional school day.

Our experience as Youth Defenders is in stark contrast to the testimony that City Council heard from ACS and NYCPS on November 17, 2025. Students who are incarcerated deserve the same or more protections and opportunities than their nonincarcerated peers. Right now, the fact that they are incarcerated is a main determining factor in how much education a child is getting, if any, let alone special education services.

Throughout the school year, our clients consistently report receiving packets or worksheets in lieu of live instruction in a classroom. For example, this school year, one of our clients was housed in a classroom, instead of a hall, at Horizon and given packets to complete. As is often the case, there was not a clear reason for why this student received worksheets instead of actual schooling. Furthermore, our client was a Spanish-speaking ELL (English Language Learner) student. Per the data reported by Local Law 21 of 2024, we know that 26% of ELLs did not receive language appropriate instruction. The data reported that there were under 5 certified ENL teachers that provided services to 67 students. There must be more transparency as to what this language access looks like and how these services are being provided to ELL students.

Thanks to Local Law 21 of 2024, we know that NYCPS' own data also reveals that for 1 in 5 students, their pre-existing IEP is not implemented within 30 days of being incarcerated. While NYCPS testified that parents are often the cause of the delays of implementing Special Education Plans, that is contrary to our experience representing families. **Parents consistently report that they are not contacted regarding Special Education Plans and that they have no information regarding the services their child is receiving while incarcerated.** Young people in jail experience education deprivation at a time when supporting them and providing them with stability is essential. These students deserve the same, or more, education than they would receive in the community - not far less.

Students with Special Needs Are Left Even Further Behind

Many of our clients have been classified as special education students with an Emotional Disability and are entitled to a paraprofessional to assist them in their classrooms under federal law. According to Local Law 21 of 2024, there are five paraprofessionals employed by four Passages Academy sites. For students who struggle to stay engaged with learning in their educational environments, paraprofessionals are a basic and essential support.

Recently, one of our thirteen year-old clients classified as a student with an Emotional Disability reported being in a larger classroom with significantly older students. In the community, this student is in a 12:1:1 District 75 classroom with students their own age. This student would also have a 1:1 paraprofessional for behavior support in their community school. These services are lacking while our client is in detention and the effect is compounding; we see how our clients deteriorate in carceral settings, and it is even more so when their education and behavioral needs are not being met.

Parents Are Being Left Out

An essential piece of educational success is parent and family involvement. When students are incarcerated, families are cut off from participating in a student's education the same way that they could in the community. Parents often do not receive updates from Passages, and have little to no information about special education services and progress of their children. This fall, parents across the city participated in parent teacher conferences for their students. But not parents of incarcerated students. Our clients' parents consistently report receiving no information regarding their child's schooling. At a minimum, these types of instrumental conferences are do-able while students are incarcerated, and better prepare families when students return to the community. NYCPS and ACS must do better to incorporate parents in their student's education; communication and standards should not change due to a young person being detained. If anything, we should be leaning in more to this student population and raising the bar of what we can offer them and their families.

Transitions Are Handled Poorly

Similarly, transitions in and out of Passages Academy are some of the most harmful educational times. The DOE often struggles to re-enroll students who are released from incarceration and returned to their original school communities. It is hard to re-engage students in the community after they experience disruption to their education, loss of social connection, and the trauma of incarceration. For example, in September 2025, one of our clients missed approximately a week of the beginning of the school year after being discharged from Passages Academy because they were not re-enrolled on their community school roster. These failures further perpetuate the disproportionate harm Black children face within the criminal legal and public education systems.

NYCPS must approach transitions in a more meaningful, successful way. Students should be able to have access to virtual learning in the event there are any delays in their re-enrollment in community schools. No student should be

marked absent due to a failure to be returned to a NYCPS roster. Transition counselors should be able to issue enrollment letters to assist with any necessary transfers as students exit Passages and detention centers. Often students and families report receiving suggestions, such as transfer schools. However, navigating the transfer school admissions process is opaque and extremely complicated, often leaving students disengaged from school for months.

Conclusion

When we know that incarceration harms young people, disrupts their educational progress, deprives them of special education support, and sends them unsupported back to their communities, City Council must think critically about whether incarcerating young people is ever an appropriate response. At a time when Raise the Age legislation is under attack, we should critically examine how our city's failure to provide appropriate education in carceral settings plays a role in the critiques of this law.

For questions, please contact Supervisor of Policy and Early Defense, **Hannah Mercuris** (hmercuris@cfrny.org)



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TESTIMONY OF:

Anna Arkin-Gallagher – Associate Director, Civil Justice Practice

BROOKLYN DEFENDER SERVICES

Presented before the New York City Council

Committees on Education and Children and Youth

Educational Access in New York City’s Juvenile Detention Centers

November 17, 2025

My name is Anna Arkin-Gallagher, and I am the Associate Director of the Civil Justice Practice at Brooklyn Defender Services (BDS). BDS is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. For nearly 30 years, BDS has worked, in and out of court, to protect and uphold the rights of individuals and to change laws and systems that perpetuate injustice and inequality. After 29 years of serving Brooklyn, we expanded our criminal defense services in Queens. We are proud to bring the same dedication and excellence to Queens. We thank the Committees on Education and Children and Youth and Chairs Joseph and Stevens for the opportunity to address the Council about educational access in New York City’s juvenile detention centers.

BDS’ Education Unit delivers legal representation and informal advocacy to our school-age clients and to parents of children in New York City schools. Many of the people we serve are involved in the criminal legal system or in family court proceedings. A significant number of the students we work with qualify as “over-age and under-credited” and have been retained at least one grade, and more than half of the students we work with are classified as students with disabilities. We also represent parents in Article 10 proceedings in family court and advocate for their children to access educational resources while placed in the foster system. As an interdisciplinary legal and social work team, we work to improve our clients’ and their children’s access to education. A significant portion of our advocacy is to ensure youth have access to the special education services they are entitled to as well as to defend youth in school discipline proceedings to ensure they have access to an education. We also have expertise in educational

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matters related to those who are in detention and jails and work to ensure our clients who are incarcerated or leaving incarceration are able to access the education to which they are entitled or alternative pathways to graduation.

Decarcerate Youth Detention Facilities

We believe that children and young adults learn best when they are in their homes, and not behind bars. The best way to provide educational supports to the young people we serve would be to avoid putting them in detention and focus on diverting them from the criminal legal system all together. Incarceration, even short stays in detention, is extraordinarily harmful to young people and does not achieve public safety. Young people who have experienced incarceration have lower high school graduation rates, decreased employment opportunities, and poorer health in adulthood, compared to their peers. Youth released from incarceration experience high rates of recidivism—with longer stays in confinement, raising these rates even higher. Additionally, the conditions within youth detention facilities are increasingly harmful. Given the Administration for Children's Services' (ACS') continued staffing and management challenges, the potential for harm in facilities must be front of mind as we focus our efforts on minimizing young people's entry into detention. To decrease the population of incarcerated youth and break the cycle of re-arrest it is imperative that the city focus on alternatives to detention and keeping young people in the community with their families, while providing the supportive services they need.

In 2017, New York enacted the Raise the Age (RTA) law which created new protections for young New Yorkers, preventing 16- and 17-year-olds from automatically being tried as adults and bringing New York State law in line with 48 states across the country. The juvenile legal system was created to rehabilitate youth who have committed illegal acts and ensure community safety. Raise the Age is responsible for a consistent decrease in youth crime since its implementation in 2018. In New York City alone, since 2013, there has been a 48% decrease in adolescent arrests for serious offenses. Evidence from implementation across the State clearly shows how the law has improved community safety and youth well-being. Calls to rollback parts of the Raise the Age law to prosecute more 16- and 17-year-olds as adults won't make our communities safer. New York spent decades treating 16- and 17-year-olds as adults in criminal court, which did not result in reduced crime rates. Evidence shows that community-based programs and services for young people who have contact with police is the surest way to promote community safety. We ask the Council to support Raise the Age and protect New York's children from incarceration.

Educational Services in Juvenile Detention

Students who attend Passages Academy at Crossroads Juvenile Center and Horizon Juvenile Center have long struggled to access high-quality educational services and have sometimes been unable to access educational services at all. Young people have reported to us occasions in which

Brooklyn Defenders

individual students—and sometimes even entire units—have been prevented from attending school for disciplinary reasons, due to staff shortages, and—most recently—sleeping accommodations. When students have been unable to go to school, they have not received adequate alternative instruction, as required by law.

Missed Instructional Time

At least one young person our office is working with at Crossroads reports that he has not been to school since the start of the current school year. Another student at Crossroads reports that he has frequently been receiving worksheets in place of live instruction, and a young person at Horizon told us that his access to school was inconsistent; in late October he told us he had only been to school five or six times.

We thank the Council for passing Local Law 21 of 2024, which requires New York City Public Schools (NYCPS) to report data that further sheds light on the issues with education in juvenile detention facilities. The recently released data for the 2024-25 school year indicates that students missed hundreds of days of school for all but one month of the school year due to the ACS failing to take them to school.¹ ACS and NYCPS must work together to ensure that young people are able to attend school every day, as required by law.

Special Education Services

The missed instructional time for students at Passages Academy is particularly alarming considering the significant academic remediation and supports that many of the students in detention require. The data obtained through Local Law 21 indicates that the average functional level of students at Passages Academy is in the bottom twentieth percentile, and at least one third of the students entering Passages Academy receive special education services.²

During the time we have been working with students at Passages Academy, we have seen a number of students with disabilities fail to receive the special education services to which they are entitled. The Special Education Programs (SEPs) that are created for students are nearly identical to one another, and students rarely have their Individualized Education Programs (IEPs) updated annually as required by federal and state law. The data indicates that last year fewer than five students enrolled at Passages received their mandated three-year evaluations, and fewer than five students received their annual reviews.³ Passages must increase staffing to ensure that there are sufficient school psychologists, special education teachers, and related services providers so that students can receive their special education services and evaluations.

¹ New York City Public Schools, “Educational Programming for New York City Juvenile Delinquents, Juvenile Offenders, and Adolescent Offenders – Local Law 21 of 2024” (Sep. 30, 2025), at 13.

² *Id.* at 3-4.

³ *Id.* at 6.

General Educational Issues

At Passages, students attend classes based on what housing unit they are placed in. This often results in students working at many different grade levels being placed in classes together. We have worked with some students who have entered Passages Academy and who have been enrolled in classes they have already taken, or who have not been able to access the classes they need to graduate. Other students have reported feeling disengaged in classes where students are performing at vastly different grade levels, either unable to keep up with coursework or bored by work at too low a level. NYCPS must work to ensure every student at Passages has access to varied and engaging educational services and programming, as well as the supports they need to be successful in school. When a student enters detention, NYCPS must quickly evaluate which classes an entering student needs to graduate and ensure that any class needed by a student to make progress towards graduation is available.

Transitional Services

Students at Passages are also often not given the transitional support they need to reintegrate into their home schools or transfer into appropriate schools when they leave Passages and return home. The data reported through Local Law 21 indicates that the average attendance rate for most students after they leave Passages Academy is less than 50%.⁴

We have worked with a number of students who have been unable to seamlessly reenroll in their former school after leaving Passages. When students are released from detention, NYCPS is supposed to immediately place these students back on the roster of their home school, but we have seen some cases in which this did not happen, and students were thus unable to attend school until the NYCPS corrected this issue. In other cases, students have desired to switch schools upon returning home—either to enroll in a credit-recovery school or to obtain a new start in a different school than that which they attended before their incarceration—and were left on their own to figure out how to transfer schools. In all of these cases, students have missed days or weeks of school while waiting to begin school again, and in some cases have lost the opportunity to earn credits as a result of delayed reenrollment. Our office worked with one student leaving Passages at the end of last school year who missed days of school simply waiting for emails to go back and forth from the enrollment team to the transition team at Passages to confirm his school enrollment. Another student our office represented wanted to enroll in a transfer high school. While transition staff at Passages discussed transfer high schools with this student in general terms, they gave him no actual support to enroll him in a transfer high school. Our office was able to help him enroll in a transfer school only after contacting a number of schools, finding a school with space, and helping him to set up an interview and gather the necessary records. The process of helping him get into a transfer high school took weeks, during which he was receiving no educational services.

⁴ *Id.* at 9.



Dedicated school staff at Passages should work with students before their release to plan for education upon their return home and assist students in securing their desired educational placement to minimize any disruption for students. NYCPS should consider allowing guidance counselors and transition staff to enroll students directly in schools and should strengthen connections with transfer high schools—including giving priority for enrollment to students leaving Passages.

Conclusion

Students at Passages Academy have been ill-served by the educational services they have received, or, in too many cases, failed to receive. The city must ensure that every young person entitled to receive educational services can consistently access high-quality educational services. Thank you for holding this important hearing and for your consideration of our comments. If you have any questions, please feel free to contact me at aarkingallagher@bds.org.

THE BRONX DEFENDERS

New York City Council
Committee on Children and Youth Jointly with the Committee on Education
Oversight – Educational Access in NYC’s Juvenile Detention Centers
November 17, 2025

Written Testimony of The Bronx Defenders
By
INTRODUCTION

Our city’s young people are told at every turn that education is the way to better their lives. We cannot abandon this idea when it comes to the young people who arguably need consistent, quality, and intentional education the most – those whose lives have intersected with the criminal legal system.

Young people are being failed by the city. Our young, detained clients regularly share with us that they are not taken to school every school day despite wanting to go. Often this is because the classrooms cannot be used as classrooms because young people are forced to sleep in them. Sometimes our clients are not given a reason why they aren’t brought to school. And when they aren’t brought to school, they are given paper packets that aren’t reviewed or graded by teachers.

Our detained clients working towards their GED report more consistent access to school, while those working towards high-school diplomas report going to school less frequently. This may be because those working towards their GED do computer-based work, often without an instructor present.

A student cannot learn if they aren’t given actual, instructional time in a classroom. When our clients are brought to school, they often do not get to stay the full school day or attend all the required classes for similarly-graded students who are not detained. And while ACS has worked to bring in additional educational programming into the detention facilities, these programs seem to be offered in a somewhat haphazard manner and vary greatly from semester to semester. Our clients have tremendously enjoyed previously-offered college courses and we commend ACS for working with local colleges and universities to make this a possibility. By beginning to offer these courses more regularly, more young people would remain engaged in and excited about their education.

While detained in a juvenile detention facility, a student with a disability is entitled to a special education plan (SEP). An SEP is a modified version of a young person’s IEP that accounts for some limitations due to their incarceratory setting. However, SEPs have to be written timely, and they still have to be uniquely tailored to meet the individual students needs. Too often, are SEPs not being written, created as a one-size fits all. NYCPS should to hire OTs, speech therapists, and other supportive staff to ensure a students mandated IEP services can be provided, rather than simply removing them from student SEPs.

Many young people with disabilities need new evaluations while they are in detention or close to home facilities. There are not enough school psychologists to fill the need, so there are delays or refusals when requests are made to get students evaluated or re-evaluated. This is a high needs student population and there should be additional psychologists to ensure the need is met.

Students who do not speak English or have lower English proficiency should not be denied an education based on available staffing. Our clients have told us horror stories of how they are forgotten about, how groups of Spanish speaking students are denied access to school routinely, this is unacceptable and should never be the case.

There should be zero children in Horizons or Crossroads. However, until all children in this city are free, the very bare minimum they should receive is access to consistent, quality and intentionally uplifting education.

Our recommendations are:

1. Stop utilizing classrooms for housing students to ensure there is enough classroom space for students to learn in. Children sleeping on cots in classrooms is unacceptable.
2. Intentionally hire bilingual teachers and staff to ensure students that speak Spanish are not deprived of an education while detained because of a lack of staffing.
3. Ensure SEPs are made timely and with input from students and their parents without removing necessary and available services.
4. Fulfill their responsibilities under Child Find.
5. Conduct new psycho-educational assessments in a timely manner as well as other necessary evaluations, and update students IEPs and SEPs.
6. Increase access to engaging college courses.
7. Increase access to vocational skill building and certifications.

Unfortunately, once these young people are released from a detention facility, access to education continues to be a challenge. Many students face discrimination based on their involvement in the criminal legal system. Students are sometimes asked in transfer school interviews about their criminal cases and then denied entry to high schools with specialized programs designed for them. These persistent barriers severely limit the resources and opportunities available for the young people we serve.

For young people who have re-engaged in school while in detention we want their momentum to continue upon release. There is not an intentional system of support to ensure they transition to their home school, or enroll in a new school upon release. To truly support these students, there should be a dedicated staff person in each facility that can issue enrollment letters, or finalize enrollment in transfer high schools.

Our recommendations for young people who have been released from juvenile detention facilities are:

1. NYCPS must develop an approach to assisting young people who transition out of juvenile facilities and ensuring support by reimagining the role of a transition counselor. This counselor needs to have the **authority** to issue enrollment letters, grant safety transfers, and to place students in transfer high schools. NYCPS must develop a virtual transition school connected to Passages Academy so students can continue to stay engaged in school daily until a new school placement is secured. Sometimes the transfer school application process can take months, and students lose crucial momentum. For students who have been studying for their GED with an online program, they should be given a computer and support to complete their GED studies.
2. NYCPS in conjunction with transfer high schools must create additional openings and **guaranteed seats** at transfer schools and specialized programs such as ReStart for middle school and high school students transitioning out of juvenile facilities.

These young people deserve to be free, and they deserve our resources and our support. Many of the programs to serve these young people already exist, but unnecessary barriers are created to deny them access. Let's break down those barriers, any and everywhere they exist, and support these children to access the education that will truly help them be successful and reach their full potential.

NYC Council - NYC CLT Testimony 11.17.25: Dr. Jackie Cody

Thank you, NYC Council, Education Committee under the leadership of Councilwoman Rita Joseph for Resolutions #1017, 1018, and 1019 urging NYS Legislators to pass the NYC Citywide Leadership Team Bills.

Briefly, here are some top reasons why the Citywide Leadership Team CLT is necessary:

- The CLT provides a Model and Support for School Leadership Teams.
 - There are 1800+ Schools to be Accountable and Transparent; and since funds go directly from central to schools- it is imperative to have direct insight to provide necessary support to SLTs that need it. The Chancellor visiting every SLT every year is impractical and highly improbable.
 - The CLT is Already in the Regs: NYS Commissioners Regulations 100.11 and the NYC Chancellor's Regulations A655.
 - Furthermore, according to New York State Education Department's recommendations from their April 9, 2024 [Report](#) on Mayoral Control, NYC Stakeholders are calling for the CLT- Citywide Engagement, Shared-decision-making, Accountability and Transparency.
 - The School Principal has a team, the District Superintendent has a team, why wouldn't the Chancellor have a team that includes representation of all New York City stakeholders: Educators, Unions, Elected Officials, CBOs, and most importantly, parents and students?
- Parent and student Engagement is a must for School success. Studies have shown that parent and student involvement in shared decision making enhances academic achievement, provides a comprehensive support system, promotes accountability, develops valuable skills, improves student behavior and well-being, empowers students, increases student engagement in their own education, and provides unique insights that working in silos cannot fathom.

We must have opportunities to remain informed and invested in our children's education.

Nelson Mandela famously said, "There can be no keener revelation of a society's soul than the way it treats its children." The CLT's slogan is:

WE ARE ALL ACCOUNTABLE! The late President Mandela also said that EDUCATION IS THE MOST POWERFUL WEAPON WHICH YOU CAN USE TO CHANGE THE WORLD! Every student deserves direct access to high-quality educational opportunities and programs to reach their own full potential of success.

Again, thank you for listening, for your support, and for these resolutions.



Thank you NYC Council for the Resolutions 1017, 1018, and 1019 urging NYS Legislators to pass the Citywide Leadership Team Bills into law.

On April 9, 2024, when the New York State Education Department released their [findings](#) from the Mayoral Control Hearings that took place in all 5 boroughs, the recommendations were clear - The City of New York is calling for the passage of the Citywide Leadership Team Bills into NYS Education Law just like the School Leadership Teams!

We were right all along and never stopped working. We have held:

- *Successful summits every other month for over 4 years;*
- *Three successful Legislative Conferences - In Manhattan, Brooklyn, and Queens; We will be in the Bronx this year, and Staten Island next year!*
- *A successful virtual Citywide Education Forum;*
- *And our two successful Citywide Leadership Team Advocacy Days in Albany, NY. in January 2024 & 2025.*
- *The NYC CLT is also the reason for the NYCPS Chancellor delivering the 1st State of the Schools Address in September 2023, and every year thereafter.*

Your support for the Citywide Leadership Team gives greater opportunities for each and every New York City Public School student to have direct access to high quality educational programs to reach their own full potential of success.

Kindly see the NYS PTA [Campaign](#) push for the NYC CLT, and reach out if any additional information is needed.

We are All Accountable!

One NYC District advocating for all students on the City, State, and National levels.

One NYC,
Citywide Leadership Team (CLT)
Co-Developers
Dr. Jackie Cody
Lorraine Gittens-Bridges
Monique Lindsay
NYC.CLT1@gmail.com



Council of Family and Child Caring Agencies

**Written Testimony Presented by:
Katelyn Greco, Director of Prevention, Juvenile Justice and Equity**

**New York City Council
Educational Access in NYC's Juvenile Detention Centers
Monday, November 17th, 2025**

The Council of Family and Child Caring Agencies (COFCCA) serves as the principal representative for nearly all nonprofit organizations that provide foster care, adoption, family preservation, and juvenile justice services in New York State. COFCCA comprises over 100 member organizations, ranging in size from small community-based programs to the nation's largest multi-service agencies, including the five agencies that provide Close to Home programming across here in New York City. On behalf of our member agencies, the thousands of employees, and tens of thousands of children and families served, thank you for the opportunity to testify at today's hearing on education access in NYC's juvenile detention facilities.

Although, today's hearing is primarily focusing on young people accessing education in secure detention facilities run by the Administration for Children's Services (ACS), it is imperative to include Close to Home in this conversation. Close to Home programming is run by nonprofit organizations across the City, which contract with ACS. Both young people in Close to Home and ACS secure detention, receive their education through Passages Academy as part of District 79. Moreover, both populations face similar barriers to receiving quality education.

In today's testimony, we will:

- Highlight the value of Close to Home programs;
- Illustrate the current barriers for young people to receive quality education while in Close to Home;
- Provide recommendations to increase quality and access of education while in Close to Home.

Close to Home Programming

Close to Home was created in 2012 as a commitment from the City to keep juvenile justice involved young people close to their families, communities and support systems while in placement. Furthermore, Close to Home is an acknowledgement by the City that young people deserve the opportunity to be equipped with the tools needed to create healthy choices and decision making. Because of this, all Close to Home

programming uses a trauma-informed approach and a focus on developing crucial prosocial skills such as social emotional intelligence, emotion coping, and conflict resolution¹.

According to ACS' October Flash Report, as of September 30th, there were 112 young people in Close to Home Placement. 92 young people were residing in non-secure placement (the least restrictive facility in Close to Home), and 20 in limited-secure placement (a more secure facility for young people with complex needs). On average, there were 109 young people in placement under Close to Home from January through September of this year².

Barriers to Accessing Quality Education

Quality and accessible education is a key component to the Close to Home model. Unfortunately, Providers have reported to COFCCA various barriers as outlined below that have significantly impacted the quality of education young people receive in placement.

Since Raise the Age legislation has been implemented, Close to Home Providers have older youth in their care. Often times, older youth have been disengaged from school for years by the time they enter a Close to Home facility. During the 2022-2023 school year, New York City had a chronic absentee rate of 35.6% amongst all students grades 9-12 enrolled in a traditional public school (Districts 1-32). The chronic absentee rate was 47.7% when specifically looking at low-income neighborhoods. Chronic absenteeism is defined as students who were enrolled in at least 10 school days, present for at least one day, and were present less than or equal to 90% of the time³. Unfortunately, many young people residing in Close to Home have fallen into this category. Because of this, youth are often placed on the GED- or high school equivalency-track.

¹ <https://www.risingground.org/close-to-home/>

² <https://www.nyc.gov/site/acs/about/flashindicators.page>

³ <https://www.ibo.nyc.gov/content/publications/rates-chronic-absenteeism>

Providers have reported to COFCCA that not every young person on the GED-track receives instructor-led learning while at school. In fact, in some cases, young people are placed in a classroom with middle- or high school-tracked students who are receiving instructor-led teaching and the GED student is left to complete their GED coursework on a self-paced computer program. Not only is this extremely disruptive for all students, but it poses a real challenge for engaging students on the GED-track who may already be experiencing disinterest in continuing their education.

Additionally, older youth in care are often wanting to learn skills that will prepare them for the job market once they transition back into the community post placement. Providers raised to COFCCA the need to partner with vocational programming at Passages Academy. Providing vocational programming will not only prepare young people for the job market post placement, but will also incentivize them to continue their education, as most jobs require a high school diploma or equivalent for employment. Moreover, bringing in different vocational programs can expose young people to various career pathways, expanding their horizons and hope for the future.

Recommendations

1. **Provide GED Instructors for all GED-Tracked Students:** Every student should have access to instructor-led learning, regardless of what track they are on.
2. **Incorporate Vocational Programming into the School Day:** GED-tracked students are required to be in a seat for three and half hours, compared to high school – and middle school-tracked students who are required to be for five and half hours. Those two extra hours could be utilized for vocational programming.
3. **Invest in Career Exposure Opportunities for Students:** Providing different career exposure opportunities can increase school engagement and hope for the future. All students in Close to Home should have the opportunity to learn about different careers that they otherwise may not be exposed to, such as culinary, arts, STEM, etc.
4. **Expand Partnerships with Community-Based Organizations to Enhance Access to Learning Opportunities:** Expanding investments in partnerships with

community-based organizations will allow young people to access different learning opportunities located in the communities they reside. Creating such opportunities will provide young people a larger support network when they transition back into the community.

Thank you for the opportunity to testify. COFCCA welcomes the chance to engage with the Council in a discussion about our testimony and to answer any questions.

Katelyn Greco
Director of Prevention, Juvenile Justice and Equity
Council of Family and Child Caring Agencies
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(212) 929-2626, ext. 207
254 West 31 Street, 5th Floor
New York, NY 10001

From: [Victoria Medelius](#)
To: [Testimony](#)
Cc: [District26](#); [District25](#); [District22](#)
Subject: [EXTERNAL] Testimony Opposing Resolution 1017
Date: Thursday, November 20, 2025 12:43:30 PM



☐ ECC & CPAC Memo of opposition...

☐ CCHS Final-Resolution-opposin...

Dear Members of the New York City Council,

My name is **Victoria Medelius**, and I write to express my strong opposition to Resolution 1017, which supports the creation of a *Citywide Leadership Team (CLT)* under Senate Bill S2967/A1799.

While the stated goal of expanding parent participation in school governance is admirable, the proposed CLT would, in practice, **undermine New York City's existing parent leadership framework**, adding bureaucracy without accountability and diluting the voices of parents who are already duly elected and committed to represent their school communities.

Existing Structures Already Fulfill CLT's Intended Role

New York City's educational governance ecosystem, which includes **School Leadership Teams, District Leadership Teams, Community and Citywide Education Councils, Presidents' Councils, and the Chancellor's Parent Advisory Council (CPAC)**, already provides parents with multiple levels of representation. These bodies are composed primarily of **current public-school parents and guardians** and meet regularly to advise, collaborate, and ensure accountability in decision-making.

Creating another layer of oversight would **duplicate responsibilities, confuse reporting structures, and diminish the value** of existing parent-elected bodies.

Parents Would Become a Minority on the CLT

As the **Citywide Council on High Schools (CCHS)** noted in its formal 2022 resolution, only **6 of the proposed 29 CLT members need to be current NYC public school parents**. This structure would make parents a **minority voice on a body purported to represent them**, while the majority of seats would be appointed rather than elected. I've also attached this resolution for your review.

Such a model contradicts the democratic intent of the state's existing **Education Law § 2590-A**, which deliberately empowers elected parent leaders to provide oversight, issue reports, and advise on policy.

A Redundant and Confusing Bureaucracy

Both **CPAC and the Education Council Consortium (ECC)** reaffirmed in their February 2024 memorandum that the CLT is an “**unnecessary additional layer of bureaucracy**,” offering no substantive improvement to parent engagement while risking inefficiency and jurisdictional confusion. I've also attached this memorandum for your reference.

Moreover, because the CLT is proposed through amendments to the **NYC Administrative Code** rather than the **State Education Law**, it could create **conflicting systems of governance** and further blur lines of authority under mayoral control—precisely the opposite of the transparency and empowerment that families deserve.

Instead of establishing a new and duplicative entity, the City and State should focus on:

- **Strengthening and resourcing existing councils** to enhance their advisory and policy-shaping capacity;
- **Ensuring equitable parent representation across** boroughs and school types; and
- **Collaborating with elected parent bodies**, including CECs, CPAC, and the Citywide Councils, to co-design meaningful reforms to school governance.

I personally serve as a PTA President, an SLT member, a Presidents Council officer and CEC Co-President. The parents and guardians that make up these bodies **should be supported and uplifted**. We should not have our voices and efforts lessened or dwindled by constructing a new body.

For these reasons, I respectfully urge the Council to **vote NO on Resolution 1017**. True empowerment comes not from creating new structures, but from improving **and strengthening the democratic ones that already exist**, those led by the parents alongside the district leaders who know our schools best who continue to put in the work to ensure the success of all of our children.

Thank you for your time and for your continued commitment to ensuring authentic parent voices in public education.

Sincerely,

Victoria Medelius

Co-President, Community Education Council District 30
Parent, NYC Public Schools

From: [Whitney Toussaint](#)
To: [Testimony](#)
Cc: [District26](#); [District25](#); [District22](#)
Subject: [EXTERNAL] Testimony Opposing Resolution 1017
Date: Thursday, November 20, 2025 9:18:39 AM
Attachments: [ECC & CPAC Memo of opposition CLT_02_05_24.pdf](#)
[CCHS Final-Resolution-opposing-the-creation-of-CLT.pdf](#)

Dear Members of the New York City Council,

My name is **Whitney Thomas Toussaint**, and I write to express my **strong opposition to Resolution 1017**, which supports the creation of a *Citywide Leadership Team (CLT)* under Senate Bill S2967/A1799.

While the stated goal of broadening parent participation in school governance is admirable, the proposed CLT would, in practice, **undermine New York City's existing parent leadership framework**, adding bureaucracy without accountability and diluting the voices of parents who are already duly elected to represent their school communities.

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As the **Citywide Council on High Schools (CCHS)** noted in its formal 2022 resolution, only **6 of the proposed 29 CLT members need to be current NYC public school parents**. This structure would make parents a **minority voice on a body purported to represent them**, while the majority of seats would be appointed rather than elected. I've also attached this resolution for your review.

Such a model contradicts the democratic intent of the state's existing **Education Law § 2590-A**, which deliberately empowers elected parent leaders to provide oversight, issue reports, and advise on policy.

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2024 memorandum that the CLT is an “**unnecessary additional layer of bureaucracy**,” offering no substantive improvement to parent engagement while risking inefficiency and jurisdictional confusion. I've also attached this memorandum for your reference.

Moreover, because the CLT is proposed through amendments to the **NYC Administrative Code** rather than the **State Education Law**, it could create **conflicting systems of governance** and further blur lines of authority under mayoral control—precisely the opposite of the transparency and empowerment that families deserve.

Instead of establishing a new and duplicative entity, the City and State should focus on:

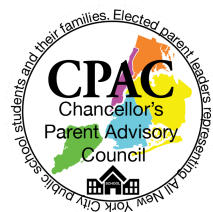
- **Strengthening and resourcing existing councils** to enhance their advisory and policy-shaping capacity;
- **Ensuring equitable parent representation** across boroughs and school types; and
- **Collaborating with elected parent bodies**, including CECs, CPAC, and the Citywide Councils, to co-design meaningful reforms to school governance.

For these reasons, I respectfully urge the Council to **vote NO on Resolution 1017**. True empowerment comes not from creating new structures, but from **improving and strengthening the democratic ones that already exist**, those led by the parents alongside the district leaders who know our schools best.

Thank you for your time and for your continued commitment to ensuring authentic parent voices in public education.

Sincerely,

Whitney Thomas Toussaint
Co-President, Community Education Council District 30
Parent, NYC Public Schools



MEMORANDUM OF OPPOSITION

The Education Council Consortium and the Chancellor's Parent Advisory Council urge the NYS Legislature to reject A1799/S2967 establishing the Citywide Leadership Team in New York City

February 6, 2024

The Education Council Consortium (ECC) and the Chancellor's Parent Advisory Council (CPAC) strongly oppose A1799/S2967 establishing a Citywide Leadership Team. The ECC consists of members from the Citywide and Community Educational Councils, members of the PAs/PTAs and School Leadership Teams, educators and advocates in New York City. The ECC's mission is to develop and support NYC public school parent leadership through education, networking and organizing. The CPAC consists of presidents of District and borough PTA Presidents' Councils from all 32 Community School Districts and the five boroughs. The CPAC's mission is to advise the Chancellor on issues of importance to parents of New York City public school students.

New York City desperately needs a new form of School Governance. We have advocated for a real seat at the table of education policy making for parents in the public school system. We have advocated for ending Mayoral control and developing a truly democratic school governance system with parents as decision makers. The Central Leadership Team (CLT) is a circumlocutory attempt to subvert Mayoral Control without actually changing or removing it. **The CLT is not the solution to the deeply flawed school governance system.**

Our organizations deem the CLT an unnecessary additional layer of bureaucracy without substantially improving how parents participate in the decision making process. Currently the NYC school governance structure consists of School Leadership Teams, District Leadership Teams, Citywide & Community Education Councils, CPAC and the Board of Education (aka., PEP), the majority of whose members are NYC public school parents. Parent leaders are involved in various capacities and across different organizations throughout the DOE from the school level to the citywide level. Collectively these entities have the responsibilities proposed for the CLT in the bill.

We further question the efficacy of amending the NYC Administrative Code rather than amending the NYS Education Law. It is New York State Education Law that outlines the governance structure and authorizes Mayoral Control; amending anything other than the Education Law simply adds to an already bloated bureaucracy, and still leaves the ability to devalue parent voice in the hands of one person. How are we to ensure two systems created by the City's Administrative Code and NYS Education Law coordinate efficiently?

We urge the Legislature to **reject A1799/S2967** and instead work with parent leaders to develop an alternative to Mayoral control.

Contact: NeQuan C. McLean, President, at nequanmclean@cec16.org

Shirley Aubin, Co-Chair, CPAC, at infocpacnyc@gmail.com



Citywide Council on High Schools

New York City Department of Education
90-27 Sutphin Blvd | Jamaica, NY 11435 | cchs@schools.nyc.gov

President: Karen Wang
First Vice President: Ephraim Zakry
Second Vice President: Kin Mark
Secretary: Deborah Kross
Treasurer: Alysa O'Shea

Council Members: Selina Rochelle Atteberry
Kenneth Bo
Elaine Garcia
Ted Leather
Victoria Pisarevskiy

Resolution No. 2021-2022-10

Resolution opposing the creation of Citywide Leadership Team

Co-Sponsors: E. Garcia, D. Kross, K. Mark, K. Wang

WHEREAS, two bills have been introduced in the NY State Senate¹ and the NY State Assembly², to establish the citywide leadership team ("CLT") "to ensure that parents' voices are represented in all education decision-making, ensure education policies considered or implemented are conducive to promoting student achievement and enhancing the overall quality of education for students attending public schools in the city of New York";

WHEREAS, such a proposed CLT would consist of at least 29 members, an unwieldy size which would limit its efficiency and productivity;

WHEREAS the following table summarizes the proposed breakdown of the CLT and highlights significant flaws:

¹ Bill S7180: <https://www.nysenate.gov/legislation/bills/2021/S7280>

² Bill A08194: <https://nyassembly.gov/leg/?bn=A08194&term=2021>

Parent of NYC preK-12 public school children?		
1	Selected by Chancellor	no requirement
1	Selected by Council of School Supervisors and administrators	no requirement
1	Selected by UFT	no requirement
1	Selected by DC37	no requirement
1	Selected by local 237	no requirement
17	Parent reps, of which:	
	2 Selected by co-chairs of CPAC	no requirement
	5 Selected by voting members of CPAC	Yes - K-8 parents
	5 Selected by each Borough's Presidents council	no requirement
	1 Elected CEC (elected by CEC presidents)	Implicitly yes as <i>elected</i> CEC members must be parents
	4 Citywide council members selected by such councils	no requirement (appointed would not have to be a parent)
7	Students Selected by Chancellor	no
29	Total Members	of which parents: 6

Namely:

- Only 6 of the 29 proposed members are required to be parents of children in grade pre K to 12 in public schools, resulting in a parent oversight body where parents are effectively a minority of the members, and a resulting majority with no current relevant experience or direct vested interest in policies and structures that it would have oversight on;
- The overwhelming majority of members would be appointed as opposed to elected, allowing for no direct parent input into their representation; and
- 7 of the 29 proposed members would be students, who would be given oversight over the school system and its administrators despite not yet having completed a high school education;

WHEREAS New York State Education la Section 2590-A ³established Community Education Councils and Citywide Councils to allow for directly elected parent leaders to give a voice to parents; such councils have the following powers and responsibilities:

- Advise and comment on any education or instructional policy;
- Issue an annual report on the effectiveness of the city district in providing services to students and making recommendations, as appropriate, on how to improve the efficiency and delivery of such services;
- Hold at least one meeting per month open to the public and during which the public may discuss issues facing schools.

WHEREAS such a CLT would only serve to undermine the comprehensive list of existing structures already in place to give parents a voice (Panel for Educational Policy, Citywide and District Community Education Councils, District Leadership Teams, School Leadership Teams, Presidents Councils, Chancellor's Parent Advisory Council) by adding oversight without accountability, increasing bureaucracy, and creating further unnecessary burden on stakeholders to add another set of meetings to attend;

THEREFORE BE IT RESOLVED that the CCHS urges the New York State Senate and Assembly Education Committees to not allow S7180 and A08194 out of the respective committees; and

³ <https://www.nysenate.gov/legislation/laws/EDN/2590-A>

BE IT FURTHER RESOLVED that the CCHS continues to urge the NYS Senate and Assembly to give New York City high school parents direct representation on the Panel for Education Policy as it has done for the other Citywide Councils, and not leave one third of NYC families without representation.

BE IT FINALLY RESOLVED that the CCHS urges the Department of Education to strengthen and uplift all parent voices by working with elected CECs and Citywide Councils in a more transparent and collaborative process by which

- (1) Appointments to working groups are done in a transparent way by which members can nominate themselves and composition of such groups represents a balanced and wide range of views of parents across the city
- (2) Changes to policies are developed in a collaborative manner in which parent leaders have a seat at the table and are engaged in an iterative decision-making process

This resolution was adopted by roll call vote of the Citywide Council on High Schools on October 12, 2022, by a vote of: 8-0.

VOTING RECORD

Selina Rochelle Atteberry – not present

Yingkan ‘Kenneth’ Bo - Yes

Elaine Garcia – Yes

Deborah Kross – Yes

Ted Leather – not present

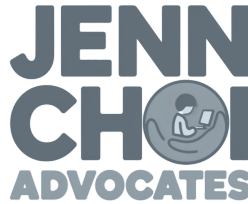
Kin Mark – Yes

Alysa O’Shea – Yes

Victoria Pisarevskiy – Yes

Karen Wang – Yes

Ephraim Zakry – Yes



Jenn Choi Advocates, LLC | New York City | 917-432-4323 | jchoi@jennchoiadvocates.com

Testimony for T2025-4340
Oversight - Educational Access in NYC's Juvenile Detention Centers

Testimony on Faulty Support and the School-to-Prison Pipeline in NYC Schools

Dear Chairs Joseph and Stevens and members of the NYC Council Committee on Education and Committee on Children and Youth:

My name is Jenn Choi, founder of NYC Parents of Teens with Disabilities, a 2,000-member parent group, and a special education non-attorney advocate who supports families navigating the New York City public schools' IEP process.

The main purpose of this testimony is to share the experiences of these students before they enter juvenile detention centers. This will provide the Council with a family's perspective on how these students are not receiving appropriate services and illuminate the starting point of the school-to-prison pipeline.

The Beginning of the Pipeline:

Just this past week, our organization received desperate calls from parents whose children, some as young as six, were continuously hitting peers and teachers, needing to repeat grades, and avoiding school. Parents were being visited by the Administration for Children's Services (ACS), despite being in communication with the school to help their child return.

Schools do not know what to do with these students. Some of the attendance teachers who visit these students do not even talk to them and give little advice to the parents. They are not licensed mental health counselors either. It is questionable whether these individuals are qualified to support students with disabilities, as their own [50-page guidance](#) does not include the words "IEP," "evaluation," "disability," or even "emotional."

Many schools suggest home instruction, even for students with IEPs, failing to understand that home instruction does not directly support students in returning to

school when they are suffering from emotional disorders. It should come as no surprise to you that the parents I spoke with this week alone are parents to young Black boys who were adopted, some having gone through the foster care system. These students were also exposed to drugs in utero.

Faulty Support from the Beginning:

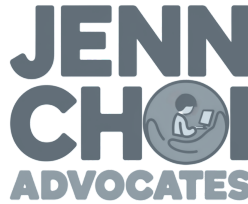
The purpose of the Individualized Education Program (IEP), which is borne from the Individuals with Disabilities Education Act (IDEA), is not simply to help a student get on grade level. The purpose is to investigate all suspected disabilities and ensure the student receives appropriate services and accommodations in order to access the needed learning and prepare for further education, employment, and independent living.

Therefore, if a student is hitting another child or teacher repeatedly, they may actually still be getting A's, but that child's disability is hindering their ability to appropriately access and pursue further education, employment, and prison-free **independent living**. Advocates and parents in New York City do not see this happening in New York City public schools. My clients, some as young as second grade, who are autistic and never received a Functional Behavior Assessment (FBA), have been handcuffed by school safety officers.

Functional Behavior Assessments (FBAs) and the Flawed Process:

When parents ask for Functional Behavior Assessments (FBA) to investigate the causes of a child's behavior, these assessments are often done by a team that is not led by behavior specialists. Instead, they are led by the same people who have been present at the school and have not made an impact on the child, or who even referred the child for the FBA in the first place. Parents cannot help but question whether the staff, as well-meaning as they are, are qualified to analyze behaviors and create effective plans for the student.

These are the same schools where kids are sent home early, go to the nurse's office, the principal's office often, and come to school late repeatedly. Why don't these children also receive FBAs? Why do schools wait only for aggressive behaviors, which are often the next phase for a child with emotional dysregulation? The parents who called me this week alone were never able to even participate in their child's Behavior Intervention Plan (BIP), which is created after the FBA is completed. The entire process is faulty from the beginning. It is destined to fail.



Jenn Choi Advocates, LLC | New York City | 917-432-4323 | jchoi@jennchoiadvocates.com

Who on the Pipeline doesn't go to Prison?

Parents with the means and time to research and hire evaluators and lawyers constantly communicate and share resources with one another. In these groups, you will find middle and upper-class parents with the time, education, and income to challenge the school system, file impartial hearings, and pay for mental health services to get their children the needed support. While one might assume their lives are easier, speaking with them reveals they, too, are barely surviving. The trauma caused by the denial of a Free and Appropriate Public Education (FAPE), the inability to have private providers collaborate with the school, and the lack of effective transition services—even at the independent private school level—leaves even parents with resources feeling hopeless and alone.

How to Move to a Better Place:

I wholeheartedly support all the recommendations from Advocates for Children's latest report, specifically:

- **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** (We suggest more specialists depending on the number of FBAs and students with Emotional Disability classifications in the district.)
- **Create more short- and long-term therapeutic school options.** There are so few of them, and the less parents know about them, the less likely they are to be utilized until a crisis point is reached, making repair even harder.
- **Expand access to intensive reading intervention** as academic difficulty also fuels more maladaptive behaviors, to the extent that it can become difficult to discern if the student is upset because they are not learning, or if they are not learning because of their emotional disability.

In addition: We would be grateful for the Council to consider holding a hearing on School Avoidance/Chronic Absenteeism. Please see the chart below using data from the DOE. School Avoidance represents a period when families and students are desperate and require intense support.

Thank you,

Jenn Choi, Principal, Director of Training

Jenn Choi Advocates, LLC

Founder, NYC Parents of Teens with Disabilities (2K+ members as of Nov 2025)

jchoi@jennchoiadvocates.com

Grade	Category	Year	% Chronically Absent	Percentage Points Difference of SWD more than "Not SWD"
All Grades	Not SWD	2018-19	23.6	
All Grades	SWD	2018-19	37.3	13.7 more
All Grades	D75	2018-19	51.4	27.8 more
All Grades	Not SWD	2019-20	22.4	
All Grades	SWD	2019-20	35.1	12.7 more
All Grades	D75	2019-20	51.0	28.6 more
All Grades	Not SWD	2020-21	26.8	
All Grades	SWD	2020-21	40.4	13.6 more
All Grades	D75	2020-21	54.8	28 more
All Grades	Not SWD	2021-22	36.9	
All Grades	SWD	2021-22	52.1	15.2 more
All Grades	D75	2021-22	68.1	31.2 more
All Grades	Not SWD	2022-23	33.2	
All Grades	SWD	2022-23	46.6	13.4 more
All Grades	D75	2022-23	61.0	27.8 more
All Grades	Not SWD	2023-24	32.0	
All Grades	SWD	2023-24	44.8	12.8 more
All Grades	D75	2023-24	60.0	28 more

Source: End-of-Year Attendance and Chronic Absenteeism Data as of 11.18.2025 on NYC DOE Website:

<https://infohub.nyced.org/reports/students-and-schools/school-quality/information-and-data-overview/end-of-year-attendance-and-chronic-absenteeism-data>



NABSE - NORTHEAST REGION

<https://nabse.org/board/>

<mailto:regionalrepresentativetraker@gmail.com>

National Alliance of Black School Educators – Northeast Regional Representative

This testimony is in support of the NYC Council Resolutions 1017, 1018, and 1019, which are being heard on Monday, November 17, 2025.

As a Board member of NABSE, we work to improve the outcomes for all students in public education. For several years, we have been working with the CLT Co-Developers, Cody, Gittens-Bridges, and Lindsay, to achieve the NYC Citywide Leadership Team (CLT) goal of creating a more equitable and effective public school system by elevating parent and community voices to a citywide level and delivering on this work through tangible measures.

The CLT Co-Developers understand that shared decision-making and school governance must be aligned at all levels in public education. They have achieved this by involving stakeholders, including the school, parents, families, and the community. The City-Wide Leadership Team – NYC Council Resolution 1017 establishes a policy for transparency and accountability across all schools, aiming for equitable outcomes. NYC Council Resolutions 1018 and 1019 are the respective additions to the Citywide Leadership team, ensuring alignment with student representation and maintaining an Open Meeting status in accordance with the Open Meeting Law.

Signed,

Adrian Straker, MS Ed - NABSE, Northeast Representative



TESTIMONY OF THE NEIGHBORHOOD DEFENDER SERVICE

before the

Committee on Children and Youth

and

Committee on Education

Oversight Hearing on Educational Access in NYC's Juvenile Detention Centers

by

Melissa Accomando

Education Staff Attorney, Civil Defense Practice

November 17, 2025

Introduction

My name is Melissa Accomando and I am an education attorney in the Civil Defense Practice at Neighborhood Defender Service of Harlem (NDS). NDS is a community-based public defender office that provides high-quality legal services to residents of Northern Manhattan. Since 1990, NDS has been working to improve the quality and depth of criminal and civil defense representation for those unable to afford an attorney through holistic, cross-practice representation. As an education attorney, I incorporate an interdisciplinary approach to protecting the educational rights of students during the pendency of their criminal court case. I work closely with my colleagues in the criminal defense practice to advocate for the educational needs of our adolescent clients, including those in secure detention.

Background

NDS is grateful for the opportunity to participate in today's City Council meeting to address our concerns regarding educational access in the City's secure detention facilities. In speaking with our clients, we have learned that education access at Passages Academy – the Department of Education program housed at Crossroads and Horizon detention facilities – is often inconsistent and insufficient. Students are routinely denied the appropriate special education supports and services. Due to overcrowding, understaffing and other logistical issues, students often miss mandatory instruction time. As a result, many fall behind academically and are at risk of being “over-aged and under-credited.” Furthermore, students are often released from detention without a concrete plan for reintegrating into a community school, causing delays in re-enrolling students in school and in creating updated and appropriate Individualized Education Programs (IEPs). Both the Department of Education (DOE) and the Administration for Children's Services (ACS) must do more to support these young people who are particularly vulnerable and at risk of dropping out of school.

Attendance and Quality of Education Issues

NDS represents many adolescents who are enrolled in Passages Academy at Crossroads and Horizon. These young people consistently report similar experiences and issues. Many students are not taken to class or are taken to class late and therefore miss required instructional time. ACS and DOE each play a role in ensuring youth in detention can access their education. It is the responsibility of ACS to take the students to the school floor, where instruction is then provided by DOE staff.

Late last month, one client reported that he had not attended school at all since being detained at Crossroads for three weeks. The client, who is in eleventh grade, was eager to continue working towards his high school diploma and was concerned that he would not be able to earn the credits he needs this school year. Upon reaching out to DOE staff, NDS learned that B Hall at Crossroads had not been taken to school due to facility issues preventing students from going to their assigned classroom. We are concerned that many students, who do not have access to an education advocate, are being deprived of an education without any recourse. In our experience, having an advocate is

sometimes the reason why someone is taken to school more regularly. ACS and DOE need to ensure that all students are taken to school on a daily basis.

This is unfortunately not a unique situation. Access to education is often impacted by facility conditions such as overcrowding and understaffing. Despite the fact that DOE staff marks all students as needing to go to school, they are often deprived of that opportunity. When ACS fails to bring students to the school floor, DOE does not mark students as present or absent. This can be confusing at court appearances when judges ask about a client's school attendance. It can be unclear what is actually happening in the detention facility and can negatively impact our clients if it seems they are unwilling to attend school. The converse is actually true – our clients frequently tell us how much they want to attend school but are unable to do so due to conditions out of their control. On days when students are not taken to the school floor, they are often provided with packets of work to do on their own in their cells. This is a deprivation of the required number of school hours that they are entitled to.

In addition to issues with ACS staffing concerns, the detention facilities are often so overcrowded that classrooms are used as overflow housing units. Access to programming also impacts students over the summer, impeding their ability to participate in summer school and the Summer Youth Employment Program (SYEP). In summer 2024, a client reported that he had not been participating in summer school or SYEP. Residents were reportedly sleeping in classrooms and other common areas due to overcrowding in some halls. The client expressed disappointment that he would not have the opportunity to earn credits or participate in his internship. After following up with DOE staff, it was confirmed that the summer school program was unfortunately heavily impacted by ACS staffing issues. My client's hall was only brought to class three times in the first three weeks of summer school. Other halls had similar attendance rates. As a result, Passages staff made the regrettable decision to suspend summer school elective courses.

ACS must address staffing concerns in order to ensure students are brought to school. The City must also address the overcrowding in these facilities so that classrooms can be used for their intended purpose – for students to learn and participate in the required number of school hours that they are entitled to. Paper packets completed alone without instruction or supervision is not an adequate substitute. ACS and DOE have the opportunity and obligation to engage students enrolled in Passages Academy and provide them with the opportunity to make educational progress.

Failure to Provide Appropriate Special Education Services

A large proportion of students at Passages Academy are students with disabilities who are entitled to receive special education supports. The quality of special education services at Passages is lackluster and inadequate. Many students fall far behind academically while in detention which makes transition back into a community school environment even more challenging. While in detention, students with an IEP are entitled to a Special Education Plan (SEP). In our experience, there are often significant delays in holding a meeting to create the SEP. When the meeting is held, parents are often not included and are thus deprived of meaningful participation in their child's education as mandated by the Individuals with Disabilities Education Act (IDEA).

The following is a client experience that is illustrative of the issues with properly evaluating students at Passages and providing the services necessary for students to make progress. In November 2023, I began working with a client who was detained at Horizon. The following month, we were told that the school psychologist – the only one working for Passages Academy at that time – was beginning the process of conducting a psychoeducational evaluation. Initial testing did not begin until the end of January 2024. Under the IDEA, school districts must complete evaluations within sixty days of receiving consent. The DOE failed to provide reasons for the delays from the outset. The psychologist noted that our client seemed distracted by news related to his court case and there were issues with motivation during testing. Students in detention are under extraordinary stress and are removed from their support systems – their family, their peers and their school community. Conducting special education evaluations in such a setting is less than ideal and these circumstances should be considered when analyzing the results.

The evaluations were reportedly completed at the end of February 2024 and we were told an IEP meeting would be scheduled soon. In April 2024, we were told that there were delays in scheduling the meeting due to difficulties obtaining certain necessary data. The DOE did not provide clarification about the difficulties or the specific data. NDS sent multiple emails to DOE staff at regular intervals. Emails often went unanswered for weeks at a time. The responses NDS did receive provided no explanations for the delays or answers to our specific questions. A meeting was finally scheduled for mid-May 2024. The meeting unfortunately did not happen because necessary DOE members were not present in the building and we could not proceed without their participation. When NDS followed up about scheduling another meeting date as soon as possible, we were again met with unresponsiveness and further delays. Our client was released from Horizon and an IEP meeting was not held until he was enrolled in a community school. This young person was in detention for over half a year and never received the special education supports he needed due to the DOE's endless delays.

The DOE must ensure that students are properly evaluated in a timely manner. Special education needs of young people in detention must be prioritized. It is unacceptable that creation of SEPs are delayed and that students are not able to be thoroughly evaluated while in detention. Upon release, every student should go back to the community with a current and thoughtful IEP to ensure meaningful educational progress. Throughout the process, parents must be included. Without their participation, the voices of parents are being denied.

Transition Planning

When students are released from Crossroads or Horizon, they are often underprepared and unsure of next steps regarding re-enrolling in school. Our clients often do not know who their guidance counselor or social worker is at Passages. Relationships are not established and our clients are unaware of how these staff members can support with transition planning. Conversations should be taking place prior to a student's release to ensure that they enroll in a program that can adequately meet their needs.

Although students are entitled to re-enroll in the last school they attended prior to detention, there are often issues with re-enrolling in that school. Many students had negative experiences at school prior to detention. Many felt unsafe and were either bullied by fellow classmates or unfairly

targeted by school staff. Many students had a history of school suspensions and felt pushed out by their home schools. In addition, due to the DOE's failure to conduct initial evaluations or to create meaningful IEPs, many students are in schools that do not meet their academic needs. As a result, students often struggle with reintegration in their school community.

One of our clients was recently released from Horizon. After his NDS team spoke to the client about school options, he decided to return to his previous school. He took it upon himself to return to the school the day after he was released. After speaking with someone in the school's main office, he was told to go to a Family Welcome Center (FWC) to ask for a school placement since he did not appear on the school's roster. After several email exchanges with Passages Academy and FWC staff, NDS learned that the client had remained on the Passages roster for days after his release, preventing him from re-enrolling in his school. Our client was unable to attend school for a couple of weeks as a result of this avoidable administrative error.

The DOE also needs to provide additional opportunities for students who are interested in alternative school placements, such as transfer high schools or GED programs. As previously mentioned, many students leaving detention have become disengaged in school or have fallen behind academically. Many times, this is a result of the DOE's failure to properly evaluate students suspected of having disabilities or pushing students out through punitive disciplinary responses. Many of these students benefit from alternative school programs that can help them to get back on track academically. In conjunction with increased access to transfer high school and GED programs, the DOE should expand opportunities for vocational training. When students have been disengaged in school for years, it can be extremely difficult to incentivize them to attend school. In addition, many young people are experiencing other hardships such as housing instability and taking care of family members. Vocational training that provides the practical skills young people need to join the workforce can be extremely motivating.

Transition planning and reentry into a community school environment is a crucial moment to support and empower these young people. Staff at Passages Academy should work collaboratively with students, parents and FWC staff to ensure a smooth transition to an appropriate and safe educational environment. This process can be confusing and overwhelming, especially as these young people navigate other obstacles in the transition back to their communities. The DOE should assist and follow through to ensure that school is a source of stability and support.

Conclusion

NDS is grateful to the Committee on Children and Youth and the Committee on Education for hosting this hearing and working to address this important issue. Youth in detention deserve quality access to education, including legally mandated special education services. There also need to be improved efforts to support transition planning when young people return to their school communities. Thank you for your time and consideration of our comments. We look forward to further discussing these and other issues that impact the clients we serve. If you have any questions, please feel free to contact me at maccomando@ndsny.org or (917) 359-2213.

NOVEMBER 17,2025

TESTIMONY OF DAREK ROBINSON

VICE PRESIDENT OF GRIEVANCE AND LEGAL SERVICES

SOCIAL SERVICE EMPLOYEES UNION LOCAL 371

GOOD MORING, MY NAME IS DAREK ROBINSON AND I AM THE VICE PRESIDENT OF GRIEVANCE AND LEGAL SERVICES FOR THE SOCIAL SERVICE EMPLOYEES UNION LOCAL 371. OF BEHAVE OF THE PRESIDENT ANTHONY WELLS, OFFICERS, STAFF AND OUR 20,000 MEMBERS THAT WE REPRESENT. WE WOULD LIKE TO THANK THE CHAIRS THE HONORABLE ALTHEA STEVENS COMMITTEE ON CHILD AND YOUTH AS WELL AS HONORABLE RITA JOSEPH COMMITTEE ON EDUCATION FOR THE OPPORTUNITY TO GIVE TESTIMONY.

SSEU LOCAL 371 REPRESENT THE YOUTH DEVELOPMENT SPECIALIST TITLE SERIES, CASE WORKERS, PROGRAM COUNSELORS AS WELL AS THE CHILDREN CENTER. I MYSELF SERVED AS A TOUR COMMANDER (YDSII) FOR ACS DYFJ FOR 24 YEARS.

I WOULD LIKE TO ACKNOWLEDGE OUR YOUTH DEVELOPMENT SPECIALIST AND PROGRAM COUNCELORS ARE INTEGRAL TO THE WELFARE AND REHABILITATION OF THE YOUTH IN THEIR CUSTODY. THEY PROVIDE NOT ONLY SUPERVISION BUT ALSO MENTORSHIP AND GUIDANCE, FORSTERING AND

ENVIRONMENT WHERE GROWTH AND POSITIVE CHANGE ARE POSSIBLE. DESPITE THEIR TIRELESS EFFORTS, THERE ARE SIGNICANT CHALLENGES THAT IMPEDE THEIR MISSION TO SUPPORT THESE YOUTH EFFECTIVELY.

OUR FACILITIES OFTEN FACE OVERCROWDING, WHICH COMPLICATES THE ABILITY TO DELIVER PERSONALIZED CARE AND ATTENTION. THIS ENVIRONMENT CAN HINDER EFFECTIVE COUNCELING EFFORTS TO AND CONCERN AT DETENTION.

INCIDENTS OF YOUTH ON YOUTH AND YOUTH OF STAFF ASSAULTS ARE DISTRESSINGLY COMMON. SUCH SITUATIONS NOT ONLY ENDAGER THE WELL-BEING OF EVERYONE INVOLVED.

TO ADDRESS THESE ISSUES, WE PURPOSE WE EXPLORE A BROADER RANGE OF EDUCATIONAL AND VOCATIONAL OPPORTU[NITIES TAILORED TO THE INTERESTS AND APTITUDES OF THE RESIDENTS IN ACS DYFJ CARE. IMPLEMENTING TRADE SSCHOOLS WITHIN THE JUVENILE DETENTION FACILITIES CAN PROVIDE INVAUABLE SKILLS AND OPEN UP CAREER PATHS IN FIELDS SUCH AS MECHANICS, PLUMBING,CARPENTRY,

AND ELECTRICAL WORK. THESE TRADES OFFER STABLE EMPLOYMENT OPPORTUNITIES UPON RELEASE AND CAN SIGNIFICANTLY REDUCE INCIDENTS WITHIN BOTH FACILITIES.

IN CONCLUSION, I URGE THE COUNCIL TO CONSIDER THESE RECOMMENDATIONS TO ENHANCE OUR CURRENT SYSTEMS AND ESTABLISH A MORE COMPREHENSIVE APPROACH TO YOUTH DEVELOPMENT. TOGETHER, WE CAN FOSTER A SAFER ENVIRONMENT THAT PRIORITIZES THE WELL-BEING AND FUTURE OF OUR YOUNG INDIVIDUALS WHILE SUPPORTING THE DEDICATED STAFF WHO WORK TIRELESSLY TO GUIDE THEM ON THEIR JOURNEY.

THANK YOU FOR YOUR ATTENTION AND FOR CONSIDERING THESE CRUCIAL STEPS TOWARDS IMPROVING THE OUTCOMES OUR YOUTH DEVELOPMENT SPECIALIST AND RESIDENTS THAT RESIDE IN JUVENILE DETENTION.

INSOLIDARITY,

DAREK ROBINSON

VICE PRESIDENT GRIEVANCE/LEGAL SERVICE

SSEU LOCAL 371

The New York City Council

The Committee on Education and Committee on Children and Youth



Educational Access in NYC's Juvenile Detention Centers

City Hall

November 17, 2025



Testimony of

Jeremy C. Kohomban, PhD
President and CEO, The Children's Village
President, Harlem Dowling

Good afternoon Chairs Stevens and Joseph, and Committee members,

I am Jeremy Kohomban, President and CEO of The Children’s Village and President of Harlem Dowling. Two organizations, founded in New York City in the early 1800s with a unified mission, to ensure that all children are with people who provide them unconditional love and belonging.

There is no denying that the quality of education and the overall approach to education in our detention facilities require urgent attention. But we must be clear-eyed: achieving meaningful improvement will not be easy. We have too many young people in detention, multiple and sometimes conflicting regulatory demands, too few qualified staff, and an extraordinarily wide range of learning needs that cannot be fully addressed in detention settings alone.

For many of the youth in our detention facilities, the disruption and loss of education did not begin at the point of detention, it began years earlier. For some, detention is the final stop after poor-quality early education, repeated suspensions, instability in the foster care system, and frequent school changes caused by the loss of a home. Each of these experiences compounds harm, leaving young people unprepared for traditional education, where the fear of embarrassment or shame often prevents them from participating at all.

We also now have data confirming what we have long observed. Thanks to Council Member Rita Joseph, we have a report showing that although overall suspensions in NYC schools declined in the 2024–25 school year, suspensions for Black students, students with disabilities, and homeless and foster youth increased sharply. These groups continue to be disproportionately subjected to suspensions—especially longer-term “superintendent’s suspensions”—prompting advocates to raise concerns about equity within the disciplinary system. In fact, in NYC, long-term suspensions for students in foster care were six times higher than for their peers. These educational failures are a component of the pipeline to detention, and our youth are paying the price.

But we should not lose hope. We cannot repair every part of the broken system overnight, but we can take steps right now to ensure that young people in detention do not fall even further behind.

Two evidence-supported approaches are already proving effective:

First, build trust. Research shows that when young people feel connected to a teacher, tutor, mentor, peer, or even to the subject matter itself, they are far more likely to stay engaged. Our young people lean-in when at least one trusted adult believes in them. That single relationship can be the spark that ignites their willingness to learn.

Second, invest in exposure. Most young people cannot fully recover years of lost education while in detention. Some do, but most need more time. What we can do is expose them to a wide range of skills, trades, and vocational opportunities. When a student discovers even one thing they love to do,

they become motivated. That inspiration is often what makes the hard work of remedial learning possible.

The Children's Village has implemented educational and vocational services in one of NYC's secure detention centers. Our youth coaches and tutors have been able to work directly with youth to understand their interests and that allows us to align our efforts accordingly. The facility serves approximately 170 youth annually. We began this intensive programming in late 2023 and each year since the number of youth who have received Vocational Certificates and increased substantially: 0 in 2023, 110 in 2024, and 157 in 2025.

Our results show that when trust is built and young people are exposed to opportunities that transformational opportunities can happen and set a clear pathway for their future.

Our young people deserve more than containment. They deserve the chance to discover their abilities, rebuild trust, and return to their communities with hope and direction. With targeted, individualized support, we can make real progress.



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TESTIMONY

The Legal Aid Society
to
The New York City Council
Committee on Education
And
Committee on Children and Youth

Oversight:
Educational Access in NYC's Juvenile Detention Centers.

November 17, 2025

Prepared by:

Melinda Andra, Esq.
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Justice in Every Borough.

I. Introduction

The Legal Aid Society welcomes the opportunity to testify and thanks Chairs Joseph and Stevens, along with the Committees on Children and Youth and Education for their leadership on crucial education issues affecting New York City young people. We especially thank the committee for focusing today on the educational needs of young people in New York City's Juvenile Detention Facilities.

The Legal Aid Society is the nation's largest and oldest provider of legal services to low-income families and individuals. Throughout our 150-year history, The Legal Aid Society (LAS) has been a tireless advocate for those least able to advocate for themselves. The Legal Aid Society is built on one simple but powerful belief: that no New Yorker should be denied the right to equal justice. From offices in all five boroughs, the Society annually provides legal assistance to low-income families and individuals in nearly 200,000 legal matters each year, including education advocacy for school-age children and youth. We seek to be a beacon of hope for New Yorkers who feel neglected -regardless of who they are, where they come from, or how they identify. Our practice encompasses three practice areas: the Criminal Defense Practice, the Civil Practice and the Juvenile Rights Practice.

The Criminal Defense Practice is the premier public defender program in the country, handling 125,000 criminal matters in a typical year. Our victories in and out of the courtroom protect the constitutional rights of our clients and strive for greater humanity in the criminal legal system. Many thousands of our clients with criminal cases in Criminal Court and Supreme Court are school-age

teenagers and young adults who need and are legally entitled to receive educational services and many of them are young parents with children who also require educational services.

The Civil Practice provides specialized, comprehensive, legal assistance across a range of civil legal practice areas that benefits more than 135,000 New Yorkers each year. Through our efforts, we secure essentials of life such as ensuring our clients have stable housing, family law assistance, access to health care, life-changing immigration law assistance, and public benefits so our clients can effectively care for themselves and their families. Many clients of the civil practice are parents of children who attend New York City Public Schools.

The Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear in New York City's Family Court due to involvement with the family regulation system, the juvenile legal system, and other proceedings affecting children's rights and welfare. Our Juvenile Rights staff typically represents a total of more than 30,000 children each year. Our work with these most vulnerable New Yorkers keeps them safe and makes our city's families and communities stronger.

Our Civil, Juvenile Rights, and Criminal Defense Practices engage in educational advocacy for our clients, in the areas of special education, school discipline, and school placement and programming through the Education Advocacy Project in the Juvenile Rights and Criminal Defense Practices and the Education Law Project in the Civil Practice. In addition to representing these children each year in administrative hearings, appeals, and court proceedings, we also pursue impact litigation and other law reform initiatives on behalf of our clients.

Our perspective comes from our daily contacts with children, youths, and their families as well as our frequent interactions with courts, social service providers, and NYC agencies, including the New York City Public Schools (NYCPS), the Department of Health and Mental Hygiene (DOHMH), and the Administration for Children’s Services (ACS) and their contract agencies.

II. Youth in New York City Juvenile Detention and Placement Facilities

Youth with court involvement are a particularly vulnerable population. They are disproportionately Black or brown youth living in communities affected by poverty.¹ Youth with disabilities are overwhelmingly overrepresented in the population of youth who are held in juvenile detention and placement. Out of the 824 youth who were enrolled at Passages Academy in the 2024-2025 School year, 506 (61.4%) were youth with documented disabilities.² In reality, the percentage of incarcerated youth with disabilities is likely higher, given their appallingly low levels of academic achievement as reported by the DOE. We see many young people involved in the juvenile legal system who are very far behind academically, but who have never been formally evaluated to determine whether they require special education services (a likely violation of the NYCPS’ child find obligations under the Individuals with Disabilities Education Act (IDEA)). Many of these young

¹ Ending the Poverty to Prison Pipeline, FWPA, April 2019, reported that 80 percent of incarcerated persons self-identified as living in poverty, <https://www.fpwa.org/wp-content/uploads/2023/05/FPWAs-Ending-the-Poverty-to-Prison-Pipeline-Report-2019-FINAL.pdf> (citing “Who Pays: The True Cost of Incarceration on Families, a 2018 study by the Ella Baker Center available at <https://ellabakercenter.org/wp-content/uploads/2022/09/Who-Pays-FINAL.pdf>)

² Local Law 21 of 2024 Report for SY 2024-2025: Educational Programming for New York City Juvenile Delinquents, Juvenile Offenders and Adolescent Offenders, 9/25/30 (hereinafter will be referred to as “LL21 Report”), <https://infohub.nyced.org/docs/default-source/default-document-library/local-law-21-d79---09-29-25.pdf>

people have never received appropriate educational interventions or mental health services in their communities. Many have become disengaged from their education, often because they were poorly served.

When a judge detains a youth charged as a juvenile delinquent, juvenile offender or adolescent offender,³ those youth are held in an ACS-run facility.⁴ Most of these youth are entitled to educational services through NYCPS. These services are provided under the umbrella of Passages Academy (Passages), a New York City public school. Passages has four primary sites. Two are located in ACS secure detention facilities, Crossroads Juvenile Detention Center in Brooklyn and Horizons Juvenile Detention Center in the Bronx. The other two, Belmont Academy and Bronx Hope, are located in the community and serve youth who are remanded to nonsecure detention and youth “placed” (the juvenile equivalent of sentencing) in non-secure Close to Home facilities.⁵ ACS’s contract agency running these facilities are responsible for providing daily transportation to Belmont or Bronx Hope.

³ Juvenile Delinquents (JD) are youth who are charged with having committed an offense when they were 7 through 17 years old that if committed by adults, would be a crime. Adolescent Offenders (AO) are youth who are charged with committing a felony offense when they were 16 or 17 years old. Juvenile Offenders (JO) are youth who are charged with having committed a serious felony offense when they were 13 through 15 years old.

⁴ In recent years, New York City has reduced the availability of effective programs providing community-based interventions as alternatives to juvenile detention and placement. See written testimony of The Legal Aid Society submitted to the New York City Council Committee on Criminal Justice for its Oversight Hearing: Alternatives to Detention and Incarceration in New York City, held November 30, 2023.

⁵ Youth in limited secure placement are provided teachers in their facilities. 01:25:34

Notably, most youth placed in detention and placement facilities live with a cohort that is determined by ACS based on the current population and needs of the facility or system. They attend classes with their peers in their housing unit or facility and are not sorted based on grade level or special education needs. As a result, when they are taken to a classroom, the teacher is required to try to address students with varying levels of education attainment and need at the same time. Needless to say, this makes the challenge of teaching youth who are being incarcerated and facing the myriad stresses of their circumstances even more challenging.

III. Lack of Access to Education to Youth in NYC Juvenile Detention Facilities

The Legal Aid Society represents approximately 90% of New York City youth who are involved in the juvenile or adult legal systems through either its Juvenile Rights or Criminal Defense Practices. As such, we have frequent contact with many young people who are held in secure or non-secure detention facilities and in non-secure or limited secure placement facilities. Although these young people stand to greatly benefit from engaging or re-engaging in the education, all too often, they are being denied consistent access to education.

According to the reporting required by the City Council under Local Law 21 of 2024, approximately 824 young people cycled through Passages Academy from September to June of the 2024-2025 school year. While some of those youth were in the program for a short period of time, others were there for months, or for the entire school year. The DOE documented 6,863 absences, of

which 4,049 (59%) were not due to youth being ill, taking exams or having court dates, but rather "Due to Host Agency" (meaning that ACS or their contract agency simply failed to bring them).⁶

Legal Aid Society staff hear complaints, primarily from teen-aged clients in secure detention, that they are not taken to school even though they would like to attend. Clients frequently tell our staff that if one or two people in their housing unit refuse to attend, no one in the unit is taken to school. Our clients report that when they do not go to school, they instead stay in their hall where they talk, watch tv or play video games. They report that sometimes when they are not taken to school, ACS staff gives them packets of work, which no one ever explains, corrects, or goes over with them. Some youth in secure detention have also reported being taken to school for just one or two periods and then being returned to their residence hall (possibly so they could be counted as "present").

On one occasion, Legal Aid staff visited a secure detention facility for an organized tour only to find that *no one* is in school that day. When we inquired, we were told this was due to a security incident in one of the residence halls. No one explained why, even if an incident had to be deescalated or investigated in one unit, that should prevent youth in the other units from attending school. On another occasion, Legal Aid staff visited another secure detention facility at 10:00 to find that no one was in school. When we asked, we were told that they would be brought later because it was a Friday.

The experience of one 17-year-old Legal Aid client provides a distressing example of the ramifications of the lack of access to school. \This young man, who had been working toward earning his Regent's diploma, recently told his attorney that although he asked to go to school every day, he

⁶ LL21 Report, p. 13.

was never taken. Eventually one of the staff members working in his housing unit suggested to him that instead of asking to go to school, he should enroll in the high school equivalency program because they would take him to that program more regularly. Presumably, this advice was given because the GED programs are conducted by computer, rather than live instruction, and therefore the facility has greater flexibility in scheduling this programming. As a result, this eager student opted to drop out of high school to enroll in the GED program instead.

Two of our lawyers reported that in the youth part, poor school attendance while youth were in secure detention, was used as a reason for the prosecutor to recommend placement at the disposition of a case, even though the youth had no control over whether he was brought to school or not.

One likely reason for the lack of consistent access is the egregious overcrowding that is currently occurring in secure detention. At present, Crossroads and Horizon are almost 30% over their capacity. Due to overcrowding, many young people held in secure detention (Horizons or Crossroads) are not assigned to a housing unit and are sleeping on plastic “boats”⁷ on the floors in classrooms, hallways, or other offices. These youth are called “travelers” by detention staff. Many of these youth report not having been enrolled in school or assigned to a classroom at all.

One 13 year old Legal Aid client, who was a voracious reader, placed at Crossroads reported to his lawyer that he was always tired because as a traveler he was assigned to sleep in a hallway where staff made noise and where he could never feel safe enough to sleep. During that time, he was not

⁷ ACS provides many of these youth with “Barker Bunks,” a plastic base with a foam pad on top. See www.bobbarker.com/barkerbunk

assigned to a classroom and did not attend school for approximately a month. Once he was assigned to a housing unit, he began attending school and slept more, but was still tired because he was being woken at 5:00 a.m. and told to vacate his bed so that one of the “travelers” could sleep for a few hours. He also complained that the other young people who were told to sleep in his room would take his books.

In addition, our young clients in non-secure juvenile detention or placement report that they are routinely brought to school late, so that they miss one or more class periods at the start of the day. We therefore suggest that in addition to requiring ACS and the NYCPS to fully comply with Local Law 21 of 2024 by resubmitting the 2024-2025 report with all required data, that the reporting requirements be amended to require further disaggregation of data regarding whether youth are in secure detention, non-secure detention, or placement.

ACS must meet its most basic obligation of providing students in its care with access to education.

IV. Systematic Denial of FAPE for NYCPS Students Attending Passages Academy

New York City is not only failing to provide students in juvenile detention and placement access to school, it is also systematically failing to provide special education services to the many children with disabilities in these facilities even though the law is clear that these students are entitled to the full protections of the IDEA.

The failure of the DOE to provide the services that students in detention and placement are entitled to sadly has a long history. In 2004, The Legal Aid Society and Advocates for Children filed a lawsuit known as *J.G. et al. v. Mills* against the New York City DOE and NYS Education

Department.⁸ The lawsuit alleged that court-involved youth with disabilities did not receive adequate educational services while in detention in New York City and addressed the issue of education transitions of students returning to the community after placement with ACS or the Office of Child and Family Services (OCFS). Under the terms of that settlement, when a student enrolled in Passages, the program was required to create Education Plans within five school days of admission, determine whether the student needed an annual IEP review or mandatory triennial evaluation (and begin that process for any youth there more than 60 days), and provide all related services in a student's most recent IEP unless there was a documented basis for a change in services. The District was also required to ensure timely transitions for youth returning to the community or going to the custody of OCFS. Monitoring of the *J.G.* Settlement ended in 2016. We are distressed to see the same problematic and deficient services again occurring.

As mentioned above, the law is clear. In 2014, the United States Department of Education Office of Special Education Programs and Rehabilitative Programs ("OSEP") issued guidance that confirmed that youth in correctional facilities are entitled to all the protections of the Individuals with Disabilities Education Act ("IDEA") (20 U.S.C. § 1400 et al.) and Section 504 of the Rehabilitation Act of 1973 ("Section 504").⁹ According to OSEP guidance "[w]hen a student with an existing

⁸ *J.G. et al. v. Mills*, 995 F. Supp. 2nd 109 (E.D.N.Y. 2004).

⁹ "Dear Colleague" Letter from Director Office of Special Education Programs and Assistant Secretary for Office of Special Education and Rehabilitative Services, U.S. Dep't of Educ. (Dec. 5, 2014), <https://sites.ed.gov/idea/idea-files/osep-dear-colleague-letter-on-the-individuals-with-disabilities-education-act-for-students-with-disabilities-in-correctional-facilities/>, citing 20 U.S.C. § 1400 et. seq. and 29 U.S.C. § 794, 34 C.F.R. § 104.

[Individualized Education Plan] IEP from another public agency arrives in a correctional facility in the same State, the facility either must implement the existing IEP or hold an IEP Team meeting to modify the contents of the IEP (34 CFR §300.323(e)).”¹⁰

Despite the J.G. settlement and the clear guidance of the U.S. Department of Education, NYCPS continues to fail to provide appropriate special education services to youth attending NYCPS schools in juvenile detention and placement.

a. Child Find Violations

The IDEA requires local education agencies, including NYCPS, to actively identify, locate and evaluate all children with disabilities through age 21. Passages Academy is conducting STAR assessments (computer based standardized assessments designed to show whether a student is meeting the expected achievement for their grade). These assessments show a median reading level on the 12th percentile, and a median math level on the 11th percentile amongst all Passages students.¹¹ Yet, NYCPS systematically fails to use that information to identify which students require initial evaluations in all areas of suspected delay and conduct those evaluations. These evaluations are necessary in order to determine whether the young person has a disability requiring special education services. While the District is eager to represent the STAR assessment as a dyslexia screening tool, when the STAR assessment reveals that a student has a low reading level, the District takes no action to conduct the follow up evaluations that would determine the reason for the low reading level, and to

¹⁰ Id.

¹¹ LL21 Report at p.3.

develop an Individualized Education Program (IEP) to ensure that the student receives the services they need in either Passages, or, following their discharge, in the community school.

In the LL21 Report, NYCPS reported that “fewer than 5” initial evaluations were completed of youth in juvenile detention and placement.¹² It is our understanding and experience that this is because Passages does not conduct such legally mandated evaluations, even if a parent requests them.

b. Failure to Conduct Annual or Triennial Reviews

Not only does NYCPS fail to conduct initial special education evaluations of youth in Passages, but it also fails to routinely conduct annual and triennial special education reviews. The IDEA (20 U.S.C. § 1400 et al.) requires that local education agencies find and identify children between the ages of 0 and 21 who may have a disability, complete comprehensive evaluations in all areas of suspected delay, create individualized education plans, and provide a free and appropriate education to children with disabilities. In response to Local Law 21 detailed reporting requirement for “the number and percentage of children and youth in ACS division facilities who have individualized education programs and have received special education evaluations while in custody, disaggregated by (i) the type of evaluation, including initial evaluation, mandated triennial reevaluation, or related service evaluation and (ii) whether such children and youth have been detained in secure or non-secure facilities,” NYCPS’ entire response was “less than 5.”

Rather than complying with the requirements of the IDEA when a young person is enrolled at Passages Academy, NYCPS has adopted the practice of substituting the existing IEP with a Special

¹² Id. at 6.

Education Plan (“SEP”). The process around the SEP is opaque and upon information and belief, the entire IEP team is not included in their creation. Frequently, parents are not included as full participants in these meetings (if they are lucky, they may receive a phone call informing them of the outcome). The resulting SEPs often remove services that the student’s home school had identified as required to ensure provision of a free and appropriate public education (FAPE), and do not include measurable goals or the frequency and duration of services. In short, the SEPs are neither individualized, nor reasonably calculated to meet the needs of the student.

Indeed, the NYCPS Local Law 21 report effectively confirms this practice. While the Local Law requires NYCPS to report on the provision of these IEP services in detail,¹³ the District reported that fewer than 5 students identified with disabilities (out of the 506 students with disabilities attending Passages) received IEP reviews during their time at Passages.¹⁴

The result is a system in which youth do not receive a free and appropriate public education as mandated by the IDEA during their time in juvenile detention and placement. Nor do youth leave the facility with an appropriate and timely recommendation as to the educational setting and services they will require upon their return to the community. Instead, our young people are pushed through a revolving door, in which children with disabilities are underserved, which results in behaviors that

¹³ NYCPS must report “the number and percentage of children and youth in ACS division facilities who have individualized education programs and have received special education evaluations while in custody, disaggregated by (i) the type of evaluation, including initial evaluation, mandated triennial reevaluation, or related service evaluation and (ii) whether such children and youth have been detained in secure or non-secure facilities.” Local Law 21.

¹⁴ Local Law 21 of 2024 Report at p. 6.

result in legal system involvement, and then they are returned to their home schools with no assessment or plan as to how their needs could be better met, too often resulting in disengagement from school and additional legal system involvement.

c. Failure to Provide Access to Certified Special Education Teachers

Although roughly 61% of the young people who attend Passages are identified as youth with disabilities, the program employs only 13 teachers with special education certifications. Four of those special education teachers are placed at Horizon and five at Crossroads. The remaining four special education teachers are split between the Bronx Hope and Belmont Passages sites.

Many Passages students whose IEPs mandate full time instruction by a special education teacher (such as in an integrated or self-contained class) are not receiving that support.

d. Failure to Provide Students with Disabilities with Required Related Services

Students with disabilities attending Passages are routinely deprived of the related services to which they are entitled. The LL21 Report for school year 2024-2025 states that of the 506 students identified as having disabilities, 223 received some amount of counseling services (75 in secure detention and 148 in non-secure detention).¹⁵ It is not clear whether having a “related service encounter” means that the student received one session or was fully served.

Although 36 students were classified as Speech or Language Impaired (and presumably others had a mandate to receive speech and language services in their IEPs) only five students in secure

¹⁵ LL21 Report at p.6.

detention received any amount of speech and language therapy. Twenty-four students in non-secure detention received this service.¹⁶ The report does not indicate that any related service therapists (including speech and language therapists) are assigned to Passages Academy sites.¹⁷ To our knowledge, none of our clients who were previously mandated to receive para-professional support, occupational or physical therapy have continued to receive those services while attending Passages Academy. While the LL21 Report does not give exact figures, it does report that “fewer than five” Passages students received hearing education, paraprofessional support, or any other supplementary aid or service and the report does not mention *any* student receiving occupational therapy or physical therapy while enrolled at Passages. One Legal Aid staff member was told that “Passages South” (Crossroads and Belmont Passages sites) did not offer occupational or physical therapy because those services are “only for younger students,” although this is simply not true.

In addition, parents of children with disabilities are impeded in their attempts to advocate for their children while they are in juvenile detention or placement. They have limited input into SEPs, and full IEP reviews are almost never held at Passages. The legal remedies usually used by parents of a child with a disability (such as using due process procedures to request a non-public school placement or compensatory services) are not available as effective remedies because the parents do not have the option of taking their children to private providers.

V. Effective Transitions

¹⁶ Id. at p. 6.

¹⁷ Id. at p. 7.

One issue our clients frequently report that negatively affects their reengagement with their home school communities is the lack of communication around transitions upon discharge from detention or placement. NYCPS did not respond fully to LL21 inquiry #25 by providing attendance figures for both six months and one year post release.¹⁸ However, the limited response the District did give (that that students with disabilities will have a 40% post program attendance and students without disabilities will have 45% attendance after 60 days)¹⁹ clearly documents the need for better transition planning and post-dispositional supports for youth.

Many students are discharged from Passages without knowing whether they can return to their home schools or whether they can attend a new school. Sometimes our clients tell us they have attempted to return to their home schools only to be turned away because they are still on the Passages roster. One parent reported to us that she waited weeks after her child was released to her to hear which school he should attend. No one reached out until her child's attorney intervened. As a result, her son missed too much of the summer session to earn credits for his work.

Students with disabilities face an additional hurdle. Because Passages is not doing regular IEP reviews, students with disabilities leave the program without a current IEP that accurately describes their needs. As a result, these students return to programs that failed to adequately address their needs prior to entering detention or placement.

¹⁸ Id. at 9.

¹⁹ Id.

The Assistant Principal in Charge of Transitions at Passages has been helpful in securing a placement when we have escalated cases to her, but sometimes a young person's experience of being turned away is enough to discourage them, particularly when they are already struggling with school reengagement. After the J.G. settlement was reached, Passages hired transition coordinators who assisted students with their transitions back to their community schools. That position no longer exists. We understand that in some cases, social workers are now filling this role, but too often our clients and their families leave Passages not knowing the child's school plan. Passages staff should have a thoughtful conversation with every young person leaving the program and their family about the transition plan, and each student returning to the community should leave with a current IEP--if they have disabilities--and a letter clearly stating where they will attend school the next day.

VI. Conclusion

ACS and Passages Academy have a unique opportunity to help young people who have legal system involvement reengage with school, receive needed supports, and return to their communities with appropriate plans to provide them with the education services they need. This starts with ACS ensuring regular access to school, and with NYCPS ensuring appropriate evaluations and IEPs of all students suspected or known to have a disability, providing special education services when needed, and assisting with thoughtful, timely transition services back to their communities. This is not only a requirement of the law, but it is the right thing to do for New York City youth. It is past time to meet this essential need.

We thank Chairs Joseph and Stevens, as well as the Committees on Education and the Committee on Children and Youth for their concern for one of our most vulnerable student populations and for the opportunity to provide testimony. We are happy to answer any questions you may have.

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Juvenile Rights Practice
The Legal Aid Society
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TESTIMONY

Parent of Youth in Passages Academy and ACS Care

to

The New York City Council

Committee on Education

And

Committee on Children and Youth

Oversight:

Educational Access in NYC's Juvenile Detention Centers

November 17, 2025

Prepared by:

Sharlena Clough, Parent

Good afternoon, city council members, administrators, educators & parents

My name is Sharlena Clough. I am a single mother who passionately advocates for my child because he is my world my everything! I have an incredibly bright 15 year-old who's passionate about trains & photography. Honestly, I can say that the educational system has failed my child not once but twice in several ways.

Since moving to NYC from Maryland, I've become more frustrated with the lack of consistent policies, educational services and programs for my child despite him being in a regular public school or detention facility setting. Limited educational access has hindered the development of my child in addition to our vulnerable students.

When my child was a student at passages, my child was not attending school and or not arriving to school on time on a regular basis due to employee shortages at detention

facilities. Whenever there was a situation at the facility with a juvenile, other children including my child had missed time from school because according to SCO rule all students must travel to and from school together. my child was not given the opportunity to make up his schoolwork due to no fault of his own.

I noticed staff members did not have a sense of urgency obtaining students IEP. Passages disregarded my child's IEP after waiting a whole school year for his IEP to be converted over from Maryland to New York. I've consistently had to push for evaluations and IEP meetings for support services, such as a tutor for math and AT device for English to be implemented & amended onto IEP.

What's most alarming about my experience with Passages was when my child informed me, a day later, he was not allowed to take Biology regents exams on June 10, 2025.

Throughout the duration of my child's time in juvenile detention, I've consistently communicated with both passages teachers and SCO staff. Passages Academy and SCO failed to mention my child was at risk of not being able to sit for the exam especially having a closer home conference and a final IEP meeting with passages 2 weeks prior to June 10th regents exam

There was no action plan in place for my child and other students at passages to complete the required lab work prior to the exam nor after the exam was administered on June 10th. This would not have happened at a regular public school. Teachers from a traditional public school would have communicated with families and made special arrangements for students to complete the missing lab work before the day of exam.

As they almost got away with this, I was the 1st parent to address both passages Academy and SCO staff about the misappropriation of this situation and how the problem was going to be resolved. There was no accountability! Both parties blamed one another as there still was no plan after the students missed the exam for them to complete the lab work by the end of the school year.

The principal from passages academy plan to rectify the situation for my child was for him to complete the missing lab work and present the work to the homeschool once my child transitions back into the community and it would be up to the decision of my child's home school to accept the lab work. My proposal to passages was for my child to complete the lab work at SCO since it was final week and passages give him credit for the completed lab work before he transitioned out of passages.

This is a disadvantage for my child and other students as they shouldn't be penalized because of passages failed providing the necessary supports to enable students to complete the lab work why wasn't the lab work completed during class time or other times

at school or SCO? Where was the open line of communication amongst passages in SCO staff?. Its bad enough my child is forced to wait until January or June of next year just to sit for regents exam. Not only does he have to remember what he's learned from last school year there are no support to prepare him for exam.

Since my child left Passages, the transition hasn't been easy. He continues to struggle with the routine of it all. Support services on his IEP have yet to be fully implemented as we're still waiting for AT device and it been almost a year. The delay of this has caused my child to fall behind even more with class work as certain class require extensive essay writing. Certainly, this problem has caused my child to dis engage.

Public schools have standards they are held to but this is not the case for passages why is helping students not a priority at passages? It's it because they are in detention centers? Our failed patched educational system does not anticipate juveniles to pursue higher education than high school. Why aren't there any goals for students at passages to strive for excellence? why are our students' voluntary contestants of double jeopardy and double punishment game at passages?

Administrators do not realize that all prior systems have failed our students which led them to become juveniles in the first place. Our students sustained Trauma before ended up in the system.

Passages overlook addressing these issues by restricting the number of services provided to students who have learning attention and emotional disabilities our students with these issues their IEP are disregarded the most. when it comes to our students transitioning back into public school, they are shell shocked and completely lost once they go back to public school since passages and public schools are two very different systems. the cycle continues

This is not fair! This is a CRISIS!! This is a problem! This must stop!

To all members of City Council, administrators, educators, and parents would you tolerate these intolerable conditions at passages if it were your own child

Parents like me that fiercely advocated, legally followed governing laws, legally done everything correct by the book.

I felt disrespected by administrators of our failed systems as they wanted me to accept these deplorable conditions for my child at face value .

These systems must not expect parents especially of minority, to be highly educated In addition to knowing their legal rights either. As a college graduate of Temple University's Fox School of Business & Management, the most valuable and quite extensive lesson i've learned was to "never accept things at face value because of value of a dollar is not always worth a dollar!"

Lastly, our failed educational system make it harder to reinforce morals I always instilled in my child. "I don't want my child to like me, be better than me. Go conquer the world because it's yours!" Who my child is on paper is truly not who he is in person!! As a kid, my child always known he wanted to drive trains for NYC MTA mass transit system as it was exciting, thrilling & correct! My child will always & forever be the train. Our failed educational system has deterred my child from successfully reaching the last stop on his train route towards becoming a successful due to limited resources & lack of empathy!

CONCLUSION: Enough time has been wasted! The this is NOW to change our reality of a failed educational system. Prioritize education within detention facilities as they are under resourced. Our students deserve quality education & they are not receiving it!

I think it is important to commit to our student who truly needs it the most. Help our student become a better brand & image of themselves instead of shattering their dreams & images for them to be successful! improve the level of support our students receive our passages, fully implement IEP for students improve special, educational services and make them all available. Make sure the students get to school on time enhance the transitional plan out of passages and back into the community. better prepare students towards a smoother effective transition when entering communities. The reflection of change, opportunity and growth will shine within. I hope for a brighter-tomorrow for our vulnerable students to be treated equal, evolve freely & succeed. Look into our future! Invest in it!

Thank you all for allowing me to be a voice for the unheard. Thank you all for your time,

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Katelyn Greco

Address: _____

I represent: COFCCA

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 11/17/2025

(PLEASE PRINT)

Name: Donato Rame

Address: [REDACTED] NY NY 10033

I represent: _____

Address: _____

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Appearance Card

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Date: 11/17/25

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Name: Melinda Andrea

Address: 40 Worth St

I represent: Legal Aid Society

Address: _____

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Appearance Card

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☒ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Horraine Gittens-Bridges

Address: 245-10 135th Ave, Rosedale, NY 11422

I represent: CLT Co-Developer / NYC Community Special Education

Address: SAME AS ABOVE

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

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Date: 11/17/2008

(PLEASE PRINT)

Name: Derek Robinson

Address: 125 Barclay Street NY NY 10007

I represent: Vice President of Grievances - Legal Services

Address: Local 376, SSFV, DC37

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 1617, 18, 19

☒ in favor ☐ in opposition

Date: 11.17.25

(PLEASE PRINT)

Name: Dr. Jackie Cody

Address: Brooklyn, NY

I represent: _____

Address: _____

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12

Appearance Card

11/17/25

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Belhus Rivera

Address: _____

I represent: Youth Education

Address: _____

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Appearance Card

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☐ in favor ☐ in opposition

Date: 11/17/2025

(PLEASE PRINT)

Name: Melissa Accumando

Address: _____

I represent: Neighborhood Defender Service of Harlem

Address: _____

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Appearance Card

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☒ in favor ☐ in opposition

Date: 11/17/2025

(PLEASE PRINT)

Name: Derek Robinson

Address: 1501 Broadway suite 430

I represent: Social Service Employees Union

Address: L.371

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Appearance Card

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☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Alexandra Rapisarda

Address: 40 Worth St. Suite 605, New York

I represent: Center for Family Representation

Address: _____

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Appearance Card

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☐ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Anna Arkin-Gallagher

Address: 177 Livingston St Bklyn NY 11201

I represent: Brooklyn Defender Services

Address: 177 Livingston St Bklyn NY 11201

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. n/a Res. No. n/a

☒ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Rohini Singh

Address: 151 West 30th St 5th Fl 10001

I represent: Advocates for Children of New York

Address: 151 West 30th St 5th Fl 10001

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☐ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Sharlene Clough

Address: Self

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Melinda Andra

Address: 40 Worth St Rm 1002

I represent: Legal Aid Society

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Katelyn Greco

Address: _____

I represent: COFCCA

Address: _____

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☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Danisia Brown

Address: [REDACTED] NY NY 10032

I represent: _____

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: Nov 17, 2025

(PLEASE PRINT)

Name: Nancy Ginsburg, Deputy Commissioner

Address: _____

I represent: Administration for Children's Services

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Chris Tricarico, Senior Executive Director of

Address: Office of Food and Nutritional Services

I represent: NYCPS

Address: _____

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☐ in favor ☐ in opposition

Date: 11/17/2025

(PLEASE PRINT)

Name: Superintendent Glenda Espinosa

Address: _____

I represent: NYCPS

Address: _____

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☐ in favor ☐ in opposition

Date: 11/17/2025

(PLEASE PRINT)

Name: Meredith McDermott, Chief Sustainability

Address: Officer

I represent: NYCPS

Address: _____

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Appearance Card

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☐ in favor ☐ in opposition

Date: 11/17/25

(PLEASE PRINT)

Name: Shareef Rashid, Principal of Passage

Address: Academy

I represent: NYCPS

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 11/17/2025

(PLEASE PRINT)

Name: Mary Merkel

Address: _____

I represent: The Bronx Defenders

Address: 360 E 161st St, Bronx NY



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