

What Children and Youth Need Now: Addressing Education and Youth Justice During the COVID-19 Pandemic



NEW YORK'S YOUTH ARE STRUGGLING

The COVID-19 pandemic has destabilized our economy and exacerbated the inequities that exist in our communities state-wide. Our justice and education systems must swiftly adjust to serve youth effectively during the crisis and prioritize them as part of our collective plans for recovery.

With schools closed, communities sheltering in place, and over 1.4 million New Yorkers on unemployment, families across the state struggle daily. In the shadow of this crisis, we must address new needs while continuing to remedy underlying poverty, disenfranchisement and racial disparities for all students and justice-involved youth.

To address the needs of New York's youth, Children's Defense Fund-New York recommends the following:

"The youth we serve in our Beat the Odds program are challenged with remedying the shortcomings of the failing school system they inherited. Increased school workload, coupled with decreased instructional time and poorly resourced schools, has left many of our students struggling to maintain their academic achievements intact."

- Maria Caba

Youth Leadership & Advocacy Coordinator

PROTECTING JUSTICE-SYSTEM-INVOLVED YOUTH

Release as Many Youth as Possible from Facilities

The City and State have already taken steps to reduce the number of youth in detention and placement facilities across New York, including secure juvenile detention and adult jails, as a result of individualized case reviews and court advocacy by young people's attorneys. All state and local youth justice stakeholders must continue to keep adolescents and young adults out of these facilities as often as possible, and continue to evaluate opportunities for early release for those who have underlying conditions that make them especially vulnerable to the virus, are close to their release or discharge date, and those who can be safely released into the community with appropriate housing and supports. We must also increase support to our community-based organizations providing alternative to detention/incarceration programs and supportive services for youth.

Youth Policing and Enforcement of Social Distancing

In order to reduce exposure to and spread of COVID-19, we must stop custodial arrests of youth for all but the most serious charges. At this point, every custodial arrest puts both young people and police officers at risk of contracting and spreading COVID-19. To this end, local and county police departments should:

- Immediately stop enforcement of all low level and "quality of life" offenses. ⁽¹⁾_(SEP)
- Prioritize warnings, and, when necessary, utilize the least disruptive tools, such as summonses.

Local law enforcement must also ensure that enforcement of "social distancing" orders do not lead to young people being targeted for harsh policing responses, stops or searches, harassment, or monitoring. Young people must be able to safely practice social distancing outdoors without fear of police intervention. With the approach of summer, and the limited opportunities for youth to be in the community, this is more critical than ever.

Protect Youth and Staff in Facilities

For youth who remain in facilities during the COVID-19 crisis, we must mitigate the effects of precautions necessary to protect health on their rights to family contacts, education, programming, recreation, and physical and behavioral health. Youth must have access to telephonic and video visitation, as well as remote learning and education supports. Facilities must comply with updated public health guidance around proper testing and medical treatment, and provide all staff with the support, training and personal protective equipment they need to stay safe while working with our youth.

ENSURING EDUCATION JUSTICE

Address Mental Health Needs

In addition to impacting educational progress and learning, losing the academic, social and emotional support that can be found in school communities is causing our young people to experience collective trauma during the COVID-19 crisis. New York must:

- Expand availability of remote counseling and other mental / behavioral health services for students now, through the summer, and into the fall school-year.
- Develop a trauma-informed plan for the return of all students when schools re-open.
- Ensure that teachers and other school staff have the training and support they need to welcome youth back to school communities, and respond to predictable youth behavior following this crisis.

“Some of our Beat the Odds students in NYC have not been able to meet academic deadlines during distance learning because of delays in the delivery of iPads and Chromebooks. Many students report having limited internet access that often causes system crashes.”

**- Hassanah Smith
Youth Leadership & Advocacy Coordinator**

Bridge the Technology Gap and Ensure Continuing Supports for Older Youth

The resources provided to support young people and their families through remote learning must be continued far after COVID-19 has gone. Equitable access to technology and high-speed internet is fundamental for student success. The technology gap that exists for low-income and marginalized students must be closed immediately. Those impacted daily by this inequity are the ones being hit the hardest by COVID-19.

Moreover, many young people who are overage and under-credited have lost an opportunity to achieve a high school diploma due to the academic disruption COVID-19 has caused. To remedy this, New York must:

- Allow high school students to complete current work through the end of summer 2021.
- Allow students aging-out of school this year to return for another year and provide per pupil funding for these students to ensure that schools and districts have necessary resources during 2020-21.

Summer programming and financial supports, now in jeopardy because of shelter in place orders and budget reductions, are essential for our older youth and their families. New York must provide robust summer programming to keep youth engaged, minimize police contact, and provide income replacement.

Divest from Punitive Discipline

School closures and remote learning have exacerbated school disconnection among youth. During the COVID-19 crisis, our education system must shift away from exclusionary discipline. This requires:

- Reinstatement of all students to their home classes, regardless of suspension or discipline status.
- Permanent withdrawal of suspensions pending at the time remote instruction began.
- A moratorium on new suspensions during periods of remote learning.