



**TESTIMONY OF MELISSA CLARKE  
YOUTH JUSTICE AND CHILD WELFARE POLICY ASSOCIATE  
CHILDREN'S DEFENSE FUND-NY**

**Submitted to the New York City Council**

**Executive Budget Hearing-Finance**

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The Children's Defense Fund-NY would like to thank you Chair Dromm, and members of the Committee on Finance for the opportunity to offer this written testimony.

At Children's Defense Fund-NY, our mission and sole purpose is to ensure every child receives a healthy start, fair start, safe start, and moral start in life so that they are able to achieve a successful passage into adulthood with the help of caring families and communities. We provide a strong, effective, and independent voice for all children who cannot vote, lobby, or speak for themselves. Our unique approach to improving conditions for children combines research, public education, policy development, community organizing and advocacy activities, making us an innovative leader for New York's children, particularly in the areas of health, education, early childhood, child welfare and youth justice.

As a member of the Dignity in Schools Campaign-NY, we work with young people and other advocates to create an equitable education system for all our City's students. Now, more than ever in the recent history of our City, is a critical time for students and families.

We need a just City budget that prioritizes youth and refuses to balance cuts on their backs. We call for fully funded initiatives at the Department of Education (DOE) that honor inclusion, community, relationship-building, mental health, and collaborative leadership to better serve our students in school. We also call for a fully funded Summer Youth Employment Program to promote youth development, and support their career growth in our neighborhoods and communities. Finally, we ask that the City make important investments to support the education of students in foster care.

**Expanding Restorative Justice and Building a Mental Health Continuum for Students**

The COVID-19 pandemic has showcased how important mental health, peer and adult relationships, and school communities are to our young people. The City's commitment to restorative justice, expanded to all high schools and middle schools this past year, is a central part of building and strengthening those relationships. Restorative justice allows for us to create schools centered on mediation rather than punishment, providing our students with the skills to respond to conflict. We cannot lose the momentum

we have gained with regard to improving school climate, and we must go deeper. **It is essential that DOE bring restorative justice training and supports to teachers and students, as well as families, to engage all aspects of the school community in the City's reforms.** Expanding training beyond senior administrators in school buildings is an essential step toward embedding these practices and moving away from punitive discipline.

Our schools must be places where we are raising the whole child, academically, socially and emotionally. Research shows that embracing restorative justice fosters a sense of belonging and creates safe, positive school climate.<sup>1</sup> **To reach this goal means rejecting the hiring freeze on teachers and social workers proposed in the Citywide Savings Plan, and baselining funding to ensure one social worker and guidance counselor per 150 students.**

Reforming school-based discipline, investing in improving school climate, and supporting student social and emotional learning are tied to meeting the mental health needs of students. The COVID-19 crisis, which has had a disproportionate impact on communities of color and those living in poverty, has visited significant trauma on our City's children. Schools need support now, and next fall, to respond to these new and heightened needs with targeted mental health interventions.

To do this, **the City must baseline \$15 million in the FY2021 budget to launch and sustain a Mental Health Continuum to support the significant behavioral health needs of students in designated neighborhoods and high-need schools.** Students across New York City are not receiving the mental health services they need. The administration's efforts to address this issue continue to fall short.

With more than 1 million students, 76 school response clinicians working with 300 schools is totally inadequate. The City's own data demonstrates the impact of unmet mental health need on school disruption. During the 2019-2020 school year (prior to the onset of remote learning in March), the NYPD reported intervening in 1,756 incidents involving students in emotional distress.<sup>2</sup> Students of color continue to be overrepresented with nearly half of those interventions involving Black students. By investing in a mental health continuum for vulnerable youth instead of police we can meet students' needs in the community and limit the time that children are separated from their teachers and peers in the classroom.

### **Summer Youth Employment Program**

The cancelation of the Summer Youth Employment Program (SYEP) impacts over 75,000 young people across our City. Summer programming is essential to keep youth engaged; especially during COVID-19. It will minimize our youth interactions with police, and help address the isolation, loneliness, and trauma they are experiencing daily. SYEP provides young people with the opportunity to gain new skills and experiences when school is out while helping to support their families financially.

**We must restore SYEP and provide youth with \$1,000 stipends for remote jobs, training courses, or career-readiness programs.** While some community-based organizations have already started retooling

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<sup>1</sup> Archibold, Estelle (2014) "Restorative Approach in Schools: Systemic Approaches to Building Positive School Climates," Journal of Pedagogy, Pluralism, and Practice, available at: <https://digitalcommons.lesley.edu/jppp/vol6/iss1/6>.

<sup>2</sup> NYPD, New York City Student Safety Act, 4<sup>th</sup> Quarter 2019 Reporting, available at: <https://www1.nyc.gov/site/nypd/stats/reports-analysis/school-safety.page>.

summer jobs and programming for youth to work remotely and provide youth with needed financial support, other organizations will need up-front funding to work quickly to develop similar capabilities to engage young people. Organizations need both flexible funds and guidance now to create programs that can be effectively administered for youth this summer.

As our young people are subject to confinement in their homes for longer and longer periods of time due to the pandemic, they have fewer contacts with supportive adults in their community, who are a cornerstone of positive youth development. Many SYEP provider organizations and City partners have expertise in youth development, family engagement, counseling and mental health. **The City should identify and preserve funds for remote engagement with young people, including check-ins, mentorship, and, where necessary, referrals to other community-based services and supports.**

Taking SYEP away from our City's young people, many of whom come from the most vulnerable communities impacted by COVID-19, shows a lack of commitment to the needs of youth. It is time we invest in a budget that supports the well-being of young people and divest from policies and practices that criminalize them and cause harm.

### **Supporting Students in Foster Care**

Youth in foster care have been significantly impacted by the COVID-19 crisis. Stay at home orders and family court slow-downs have interrupted visits with parents and siblings, delayed opportunities for return to family or other forms of permanency, and disrupted what is, for many, an important source of stability in their lives: school.

This fall, when students return, DOE must ensure that all youth can get to school. Although the 2020 adopted budget stated that "the Administration has agreed to use existing resources to ensure bussing for students in foster care," the DOE has refused to guarantee bus service or similar transportation to students in care. Without bus service, too many young children in foster care are forced to change schools. **We ask the City Council to ensure that the final budget includes adequate funding for DOE to provide bus service or other door-to-door transportation to students in foster care who need it to maintain school stability.**

Students in foster care have unique needs that reflect their family separation and other vulnerabilities. They also have specific legal rights. Unfortunately, DOE does not have a member of its senior leadership dedicated to foster youth. Two years ago, the City's Interagency Foster Care Task Force, which included both DOE and ACS, recommended that the DOE establish an office to focus on students in foster care. However, DOE has not yet established such an office, and the Executive Budget does not include any funding for this purpose. It is critical that now, as we respond to and recover from the COVID-19 crisis, DOE must, at a minimum, have a senior staff member working on behalf of students in foster care. **We ask you to ensure that the final budget includes funding for a DOE senior staff member focused full-time on behalf of students in foster care.**

Thank you for your leadership during the COVID-19 crisis, and for your consideration of this testimony.

If you have any questions concerning this testimony, please contact Melissa C. Clarke, Youth Justice and Child Welfare Policy Associate, at [mcclarke@childrensdefense.org](mailto:mcclarke@childrensdefense.org).