



**BROOKLYN
DEFENDER
SERVICES**

TESTIMONY OF:

**Keren Farkas, Esq. – Director, Education Unit
*BROOKLYN DEFENDER SERVICES***

Presented before

The City Council's Committees on Education and General Welfare

"Oversight: DOE's Support for Students who are Homeless or in Temporary Housing"

February 4, 2016

My name is Keren Farkas and I am the Director of Brooklyn Defender Services' (BDS) Education Unit. BDS provides innovative, multi-disciplinary, and client-centered criminal defense, family defense, immigration, civil legal services, social work support and advocacy to more than 40,000 indigent Brooklyn residents every year. I thank the New York City Council on Education and General Welfare for the opportunity to submit testimony.

BDS is fortunate to have the support of the City Council, as well as other elected officials and the Office of Court Administration, to supplement the services we provide as the public defense office in Brooklyn. We have developed a model of specialization to best represent certain types of clients, including adolescents. Through specialized units of the office, we provide extensive wrap-around services that meet the needs of these traditionally under-served clients in a comprehensive way. This includes helping young people and their families navigate the public education bureaucracy during and after contact with the criminal justice and family court system.

BDS' Education Unit provides legal representation and informal advocacy to our school-age clients. We work with young people impacted by the criminal justice and child welfare systems. As a legal and social work team, we work to improve our client's access to education, and a significant portion of our advocacy relates to school discipline, special education, reentry and alternative pathways to graduation.

Our multi-disciplinary staff has witnessed first-hand the trauma and instability often experienced by young people in temporary housing. The transition to temporary housing is characteristically stressful and problematic. Too often, families are removed from their familiar neighborhood and communities. They are placed in shelters or other temporary living arrangements in boroughs and neighborhoods hours from their accustomed surroundings. Further, shelter conditions can be unclean and lacking. School-age children experience particular hardships. After placement in temporary housing, their once local and zoned school is only accessible by long and unsustainable commutes. They are faced with the unfair choice between either an unfamiliar nearby school or remaining in their home school but enduring a long, potentially impossible, commute. Meaningful school stability, through a transfer to a shelter close to the child's home school or school bus transportation, is often only available when a family is working with an advocate. Further, regardless of school choice, these students may experience emotional distress that may manifest in educational or behavioral difficulties, requiring thoughtful and targeted interventions by school staff. Without increased attention, these students are more susceptible to absenteeism, school disengagement and poor academic performance.

Brooklyn Defender Services believes that improved collaboration between the relevant city agencies, namely Department of Education (DOE), Department of Homeless Services (DHS) and Human Resources Administration (HRA), is essential to positively impact the educational stability of students in temporary housing. While each agency has its own dedicated staff to consider McKinney-Vento Act compliance, there is an opportunity to better effectuate the interdependent responsibilities.

The remainder of my testimony will briefly highlight two critical pathways towards increasing school stability for students who are Homeless or in Temporary Housing:

1. Enhanced Coordination to Place Families Near Home Schools

Increased attention must be given to ensure families are placed in their home borough, near children's schools, upon initial admission to Prevention Assistance and Temporary Housing (PATH). Regularly, our clients contact us after applying to PATH to notify us that they were placed in an unfamiliar borough. Despite informing the staff at PATH that their child's school is in Brooklyn, they receive a placement in Queens or Manhattan. Among other things, they are worried about how their child will get to school the next day. Where a student has an Individualized Education Program and receives specialized services, this experience can be particularly distressing. Even if school transportation is offered, our clients question whether an hour long bus ride is appropriate for their young child. While considering school options, students face days or weeks of tardiness and absences, only compounding the problems they endure.

DHS and DOE, along with other relevant agencies, must create a more seamless path towards ensuring families can reside in a shelter close to their children's school. Although well-meaning, PATH/DHS staff and education liaisons can be discouraging and unhelpful towards effectuating transfers or school transportation. Parents often do not feel they have any option but to transfer their child to the local school, compromising their school stability. Through advocacy, BDS can often assist families transfer to shelters near their children's school. We are hopeful that DHS can create an easier and more transparent process where families can be initially placed or transferred to shelters so children can remain in their original schools.

2. Accessible and Practical School Transportation to Maintain School Stability

Accessible transportation is a crucial tool towards securing school stability for students in temporary housing. BDS is encouraged by DOE's efforts to identify bus routes for students in temporary housing to travel to their home schools. However, eligible students remain without school bus transportation. While DOE maintains that a MetroCard satisfies the McKinney-Vento Act's transportation responsibility, it is often deficient. In New York City, where transportation can involve multiple transfers in all forms of weather, MetroCard's often only offer impractical and unsustainable options, especially for younger children. Without feasible transportation options, parents often feel their only choice is to transfer their child to the nearby school, disrupting school stability. DHS and DOE, along with other relevant agencies, must create a quicker and more transparent process to secure yellow bus travel for students. While education liaisons typically do help parents apply for transportation, the timeline is often unpredictable. Additionally, parents are not kept informed of the process and potential options. The agencies should work together to create a transparent policy, including a timeline, to ensure eligible families receive sustainable transportation options so students can remain in their home schools.

Thank you again for the opportunity to submit testimony today. I would be happy to answer any questions you may have.