

Oversight: After-School Program Supports for Youth with Disabilities`
Joint Committees on Youth Services and Mental Health, Disabilities and Addiction
Department of Youth and Community Development
Deputy Commissioner Susan Haskell

November 27, 2023

Good morning, Chairs Stevens and Lee and members of the Committees on Youth Services and Mental Health, Disabilities, and Addiction. I am Susan Haskell, Deputy Commissioner for Youth Services for the Department of Youth and Community Development. I am joined by Wanda Ascherl, Assistant Commissioner for Community Centers. On behalf of Commissioner Keith Howard, thank you for this opportunity to discuss After School Program Support for Youth with Disabilities.

DYCD greatly values the importance of afterschool programs for the City's young people. We know that afterschool programs provide many benefits, such as development of positive self-esteem, identification of skills and interests, and social-emotional growth. Our dedicated network of non-profit providers serves youth with a range of diverse abilities in their programs.

As you know, DYCD's three largest afterschool programs are Beacon Community Centers, COMPASS, and Cornerstone Community Centers.

COMPASS is the largest afterschool program area and offers a mix of academic, recreational, and cultural activities for young people in the afternoons, on holidays and during the summer, serving elementary, middle and high school-aged youth. The nearly 900 programs are located in schools, community centers, Parks, detention facilities and NYCHA Centers.

In addition to COMPASS, **Beacon and Cornerstone community centers** offer comprehensive programs during the school year and summertime and include services for adults and families.

Launched under Mayor Dinkins, Beacons Community Centers have become a national model. Beacons are collaborative school-based community centers, operating services afterschool, in the evenings and on weekends. They were created in the early 1990's in response to concerns about crime in New York City. Currently, there are 92 Beacons.

Cornerstone programs offer services for public housing residents of all ages in 99 New York City Housing Authority community centers. Cornerstones help youth participants by offering academic and enrichment activities to help them thrive, including to graduate from high school, succeed in the workplace, and develop leadership and civic engagement skills to give back to the community. Activities include homework help, STEAM activities, high school and college prep, community beautification, mentoring, performing arts and sports.

Last year, COMPASS, Beacon and Cornerstones enrolled nearly 200,000 youth. These programs are complemented by other DYCD-funded initiatives, for example, "Saturday Night Lights" (SNL)

program. SNL is a summer program that provides access to free youth sports programming on Saturday nights at 140 locations throughout the city.

In addition, this past summer, the City enrolled more than 110,000 young people in **Summer Rising 2023**, a partnership between New York City Public Schools and DYCD. Students in Summer Rising received both academic and enrichment programming over the course of the day, including field trips, arts activities, and outdoor recreation.

Providing a Supportive Environment for all young people

Afterschool programs must provide all children an equal opportunity to participate in services. Equity and access to services is a hallmark of Commissioner Howard's vision for DYCD.

Commissioner Howard has met with Commissioner Curry from the Mayor's Office of People with Disabilities (MOPD) about training for non-profit organizations, such as how to build accessible program space. We are pleased to be joined by their General Counsel Emily Sweet.

As the Committees know, disabilities take many forms and include physical, learning or developmental challenges. Some young people, for example, have special education needs, mobility challenges, and visual and/or hearing impairment. A student's disability classification may not impact services or program participation. Rather, in compliance with applicable laws, DYCD and its providers focus on how each student can best be served in a program, and if necessary, what each youth requires as an accommodation in order to participate successfully in the program.

Parents and caregivers are in the best position to help programs understand their child's needs. To best meet those needs, upon application to a program, applicants have the opportunity to share information about their child, including in response to a series of Health and Disability questions, so our providers can tailor service delivery. This includes whether their child has a disability, any allergies, asthma, special health care needs, takes medication and whether there are activities the applicant cannot participate in, or if they will benefit from accommodation. Parents may choose to share the student's Individual Educational Plan (IEP) if they feel it will be helpful in better understanding their child's needs.

All DYCD-funded programs serve youth with disabilities. Some of DYCD's programs are funded specifically to serve students with special needs, and DYCD also funds organizations which specialize in serving youth with disabilities.

Training and Resources

DYCD offers trainings and resources to support programs to engage all young people actively in programming. DYCD has provided trainings to providers free of charge through our Capacity Building unit, including through providers like Vibrant, PASE and IncludeNYC.

DYCD also partners with City Agencies, including NYCPS Special Education Office (SEO), to train and support providers. For example, this spring, SEO provided coaching, in-person professional

learning, including how to develop a plan for working with Students With Disabilities, one focused on students on the autism spectrum; and a second session focused on related services and sensory supports.

NYCPS has a range of webinars available to CBO staff, including Introduction to Verbal Behavior, Executive Function, Creating Safe Spaces, and Strategies that Support Attention.

NYCPS Office of School Health also supports DYCD-funded programs, assisting to facilitate the 504 process where a student may be entitled to additional support in COMPASS school-based programs.

DYCD created a Disability Resource Guide to help CBO staff, youth and families access support in a range of areas, from education and housing, mental health and professional development.

As noted earlier, Summer Rising is a partnership between NYCPS and DYCD that enrolled more than 110,000 participants this past summer in a model that provides both academic and enrichment activities guided by teachers and CBO staff. Summer Rising offered new opportunities to expand summer services for students with disabilities, including students with Extended School Year (ESY) services and in District 75.

Roughly 30,000 students with disabilities enrolled in Summer Rising this year, including students with Autism Spectrum Disorder (ASD), and ESY and D75 students who participated in CBO-led enrichment activities.

DYCD and NYCPS, including through a partner organization, Change Impact, offered a range of live and self-paced workshops to support CBO line staff and leadership to better understand and accommodate special needs, such as Understanding Disability and Introduction to Autism Spectrum Disorder, Positive Behavior Management, Behavior and De-Escalation Strategies, and Modifying the Environment for All Learners. Trainings cover topics such as how to communicate successfully, how to use materials to make activities inclusive, how to establish routines, and how to break down tasks for students, and help them organize information.

Thank you once again for the opportunity to testify. We are pleased to answer your questions.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEES ON MENTAL HEALTH,
DISABILITIES & ADDICTION AND YOUTH SERVICES
NOVEMBER 27, 2023**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chairs Lee and Stevens and the members of the Committees on Mental Health, Disabilities & Addiction and Youth Services for holding this important hearing.

There are more than 900 after-school programs serving K-12 students in New York City,¹ which provide critically needed childcare for working parents and caregivers, as well as enrich students' lives with programs and activities ranging from the academic to the athletic. One segment of NYC school population, however, is often left out: students with disabilities. Though students with disabilities are not explicitly excluded from after-school programming—that would, of course, be in violation of city, state, and federal antidiscrimination laws—there are often structural barriers and service gaps that make it impossible for disabled students to participate in after-school programs.

After-school programs are hosted in schools, community centers, religious institutions, public housing and recreational facilities throughout NYC,² and many of these buildings are not accessible to people with mobility disabilities. Fewer than one in three (31.1 percent) NYC public school buildings are fully compliant with the Americans with Disabilities Act,³ meaning that some or all of a building cannot be accessed, for example, by a student using a wheelchair—and we have no data on the accessibility of non-school buildings in which after-school programming is hosted.

In their report on the state of accessibility in NYC schools, Advocates for Children calls for the city to allocate at least \$1.25 billion for school accessibility projects in the 2025-2029 Capital Plan, with the goal of making at least 50 percent of buildings that serve as the primary location for a school fully accessible. Whether or not students with disabilities attend a school or participate in an after-school program in their community should be a choice they make, not one that is made for them by an inaccessible building.

The accessibility of buildings would be less critical if students had reliable transportation to other programs that are accessible—but they do not. School bus services for students with disabilities are notoriously unreliable, often making kids late to school or leaving them stranded without a way to get to school or get home. Every day, about 350 school buses are delayed, showing up on

¹ <https://www.schools.nyc.gov/school-life/school-environment/after-school>

² <https://www.schools.nyc.gov/school-life/school-environment/after-school>

³ <https://storymaps.arcgis.com/stories/0cd31f41c8224f68a91b913b733bf46d>

average 41 minutes late.⁴ Students with disabilities, who receive vital and legally mandated services at school, are significantly more likely to miss school. This is unacceptable, and the city needs to prioritize remedying this problem—starting by addressing the school bus driver shortage by paying school bus drivers a living wage.

Support staff for disabled students at after-school programs is also not always guaranteed—and for the paraprofessionals and aides who do this work, payment is not always guaranteed. This past summer, many paraprofessionals working at Summer Rising sites reported that they had not been paid on time.⁵ These staff, who are integral to students with disabilities’ success in school, are already some of the lowest-paid employees in the education department, which perpetuates staff shortages and lowers the quality of the education disabled students receive.

Students with disabilities have the same right to access public services as their non-disabled peers, but when the city continuously undervalues the people and resources that make this possible, our students feel undervalued. The city has a legal and moral obligation to provide equitable services to all of NYC’s children, not just some of them.

Thank you.

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<https://www.chalkbeat.org/newyork/2023/3/15/23630378/nyc-schools-students-with-disabilities-bus-delays-chronic-absenteeism/>

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<https://ny1.com/nyc/all-boroughs/education/2023/08/04/doe-fails-to-pay-paraprofessionals-on-time-for-summer-work>



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Testimony on After School Program Support for Youth with Disabilities

November 27, 2023

To the Committees on Youth Services and on Mental Health, Disabilities, and Addiction:

My name is Molly Senack, and I am testifying today on behalf of the Center for Independence of the Disabled, New York (CIDNY) as their Education and Employment Community Organizer.

The challenge of providing students with disabilities all the related services they are entitled to predates the pandemic. With ongoing and widespread shortages in school psychologists, students and their families struggle to receive the evaluations needed to determine eligibility and placement in related services. The shortages in special education teachers severely limit access to those related services. And the shortages in administrators and hearings officers result in students and their families struggling to obtain the compensatory services they are owed, when the initial related services are not fully provided.

The New York City Department of Education (DOE) has faced multiple lawsuits in the last twenty years over the backlog of thousands of missed or interrupted services. First filed in November of 2020 and revived in 2023, *Z.Q. v. the New York City Department of Education* calls on the DOE to make its process of providing compensatory related services faster and more efficient for the tens of thousands of disabled students who were unable to access the services they were entitled to during the pandemic. However, this was an already existing problem. In 2003, eight families filed a similar lawsuit against the New York City DOE. The lawsuit was settled in 2007, and the DOE was ordered to expedite the provision of compensatory related services. In the 16 years since, it has struggled to adhere to this ruling so much so that, in the summer of 2023, a federal judge ordered the Department to implement a 40-step plan to initiate the process. These lawsuits show that fully and fairly educating students with disabilities is an uphill battle on both sides: for the adults who wish to provide that education as well as the students who are hoping to receive it.

While these problems existed before the pandemic, virtual and remote learning greatly exacerbated them, resulting in a 57% drop in special education evaluations, and 24,000 students unable to fully receive services like physical and occupational therapy that are impossible to deliver remotely.

After school programs, whether launched by individual schools or centralized, like SEED (Sensory Exploration, Education & Discovery), are designed to fill gaps amid chaos. They provide services that are inaccessible during the school day. They may address children's academic needs, fill the gaps for therapies the schools cannot provide, and address sensory needs that might not otherwise have a designated place in the school system to be addressed at all.

The question shouldn't be whether or not to support after school programs for students with disabilities. Many New York City public school families cannot afford private tutors, therapists, or lawyers to navigate the compensatory service hearings process. These programs are a necessary option for families, especially as budget cuts and expiring federal funds force a reduction of what is offered during the school day. The only question should be on what support for these programs looks like: continuing to expand initiatives that encourage teachers to enter the field of special education to reduce the risk of teachers burning out from overtime; increasing enrollment in these programs by providing transportation to and from them when necessary; improving transparency and communication between the providers of these programs and the parents of the students who will benefit from them; or making funding available for subcontracts to outside organizations, like CIDNY, to help provide the evaluations that will identify students in need of these programs. With these supports, you will be helping to safeguard programs that ensure that students with disabilities receive an education that is substantive, appropriate to their needs, and evens the opportunities for success with their non-disabled peers. Thank you for your time.

Sincerely,

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New York City Council Oversight Hearing on After School Program Support for Students with Disabilities

November 27, 2023

We thank the New York City Council's Committees on Youth Services and Mental Health, Disabilities, and Addiction for holding this important oversight hearing on after school program support for youth with disabilities. My name is Lori Podvesker and I am the Director of Disability and Education Policy at INCLUDEnyc.

INCLUDEnyc is the leading source of training and information for young people ages 0-26 with known or suspected disabilities, their parents, and the professionals who support them. We have helped New York City families navigate the complex special education service and support systems for 40 years.

We commend this administration's ongoing commitment to improving special education and outcomes for students with disabilities within our schools. However, their commitment should also apply to all publicly funded after school programs, including DYCD-funded and those operated in community settings, and otherwise. So all publicly funded programs should accommodate all students of all school ages including the majority of students with Individualized Education Programs (IEPs) who receive services in special class programs in District 1-32 schools and students attending citywide specialized programs such as District 75 programs who have more involved academic, behavioral, emotional, cognitive, physical and/or medical needs. No child should be excluded from participating in after school programs because they need additional support or have a Section 504 accommodation.

Most publicly funded after school programs not operated by the Department of Education have limited experience supporting students with disabilities. Community-based providers often do not have formal training or experience working with students who receive special education services and do not have access to appropriate professional development opportunities. As a result, many community providers far too often are not able to accommodate students with disabilities because they do not think they can appropriately support them with their existing staff and they do not receive funding to hire additional qualified staff, including paraprofessionals and nurses.

Furthermore, many students with disabilities can not attend after school programs even if they want to. Transportation is not available to them from these programs to their home despite being entitled to receive specialized transportation services from the City to and from school, based on the individual nature of their disabilities and mandated in their IEPs. We sadly have data to support this as less than 35% of students with disabilities participated in the City's post-pandemic Special Education

Recovery Services initiative (SERS) due to lack of transportation and staffing shortages.

Every year we hear from many parents of students with disabilities who want their child to attend an after school program but they do not know where they exist and/or the admissions process for students who need specialized support in order to appropriately access enrichment or recreational programs. As a result, for the last nearly 40 years, INCLUDEnyc has held an annual fair showcasing educational, recreational, and transition-related programs that support young New Yorkers with disabilities. Over 2000 people registered for our two virtual fairs this year and last, and over 1600 families attended.

In addition, we recommend the City:

- Adequately funds after school programs so they can:
 - Equitably accommodate all students
 - Hire additional staff accordingly
 - Provide basic trainings and ongoing professional development to all after school program staff on how to support students with disabilities
- Provide all schools and after school programs exemplar models of excellence on inclusive practices in education and recreational programming
- Create publicly funded citywide specialized after school programs for older students with developmental disabilities
- Explore possible additional funding sources such as billing Medicaid or partnering with the New York State Office for People with Developmental Disabilities (OPWDD)
- Publish annual guidance to schools no later than August 15 each year and to families by September 15
- Establish a public awareness campaign for families

Thank you for taking the time to consider these important matters. We look forward to partnering with you to improve equity and access for all students with disabilities in New York City.

Respectfully submitted,



Lori Podvesker
Director of Disability and Education Policy



**New York City Council
Joint Hearing on Youth Services & Mental Health, Disabilities and Addictions
Testimony by Diane Colonna, Vice President of Downstate Operations
Monday, November 27, 2023**

Special Olympics New York currently serves more than 42,000 athletes – children, youth and adults with intellectual disabilities – across the state. Approximately half of our athletes and their families reside in New York City.

We provide opportunities for people with disabilities that aren't readily accessible to them elsewhere: authentic sports training and competition, leadership development, even health screenings in eight critical disciplines. We also partner with hundreds of schools to offer Unified Sports, where students with and without disabilities compete as teammates. Beyond these cost-free services, we offer an inclusive community where our athletes quickly discover friendship, support, and fun.

Special Olympics athletes are more confident, happier and healthier. Ask any one of our athletes and they will tell you: Special Olympics has changed their life.

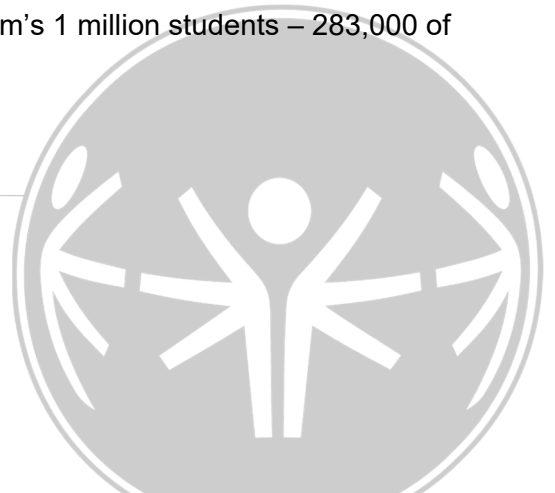
It has long been at the top of Special Olympics New York's priority list to immerse its inclusive programming into NYC Public Schools in order to improve the lives of students with disabilities. In March 2023, we had a breakthrough. In partnership with Chancellor David Banks, we launched two new Unified Sports leagues in the city's middle and high schools involving nearly 50 schools and 1,000 students. We also made our inclusive PE programming available in 31 new District 75 schools.

For a majority of these students, it was the first time they interacted with their peers as an equal. The shift in school climate was immediate and palpable. School leaders tell us this is the most rewarding work of their tenure. They report better attendance rates, less bullying and improved school climates. Students are forming friendships that will last a lifetime, with peers they may never have met had it not been for our program. This was after just one season of sports offered to only a fraction of the system's 1 million students – 283,000 of whom have some type of disability.

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NYC Public Schools is the largest public school system in the country. It has also historically been among the most segregated for students with disabilities, as the majority of these students spend the entire day in a self-contained District 75 school. Students with disabilities rarely – if at all – see their neuro-typical peers, let alone have the opportunity to get to know them or share in a group activity. 100% of the students in District 75 schools have a disability; 70% of them are black or Hispanic and 90% are economically disadvantaged.

Evidence has shown that young adults with IDD are more likely to have depression than their peers without IDD, and that they tend to have lower levels of physical activity, on average. Special Olympics provides the unique opportunity for young adults with IDD to increase their physical activity while developing social skills and supporting friendships. Comparing the rate of depression in young adult Special Olympics participants with IDD to non-participants with IDD, research has concluded that Special Olympics participants experience depression at half the rate.

It has been an incredible year for the Special Olympics New York partnership with NYC Public Schools. Since our kickoff in March, we have had 400 new students from 30 schools begin playing unified. We have recruited 35 new coaches and added 40 more competitions in just five months. The best news is that 100% of the schools that participated in the spring are returning for the 2023-24 school year.

The progress we have made so quickly is staggering. This school year, we have:

- 10 new D75 schools and 4 new D1-32 districts involved;
- 17 new schools competing in bocce;
- 11 new basketball teams;
- Enhanced existing programs with new activities such as flag football, soccer skills, and developmental sports;
- Planned our first-ever youth leadership summit for middle school students; and
- Hosted our first-ever MATP bocce event for students with more severe disabilities

The expanded partnership with the DOE is everything we hoped it would be and more. This is the right work, as we knew it would be, but it is expensive. Special Olympics New York is committed to supporting every school interested in playing unified by providing cost-free uniforms, transportation and equipment, and by paying stipends for the needed officials and coaches. We don't want to turn anyone away. The program is too critical.

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**New York City Council
Committee on Youth Services jointly with
Committee on Mental Health, Disabilities & Addiction**

**Oversight – After School Program Support for Youth with Disabilities
November 27, 2023**

Testimony of The Legal Aid Society

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Prepared by:
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The Legal Aid Society submits the comments below to New York City Council Committees on Youth Services and Mental Health, Disabilities & Addiction regarding After School Program Support for Youth with Disabilities. We thank Chairperson Althea Stevens, Chairperson Linda Lee as well as the entire Committee on Youth Services and the Committee on Mental Health, Disabilities and Addiction for holding this hearing focusing on supporting the needs of students with disabilities for access to afterschool programs.

We welcome the creation of programs that allow for participation of youth with different abilities and better align after school programs that work directly with New York City's District 75 youth and other student populations. Our proposal would ensure staff receive appropriate training on working with youth with different abilities and add methods to engage youth to participate in programs that do not involve seclusion or removal.

About the Legal Aid Society

The Legal Aid Society, the nation's oldest and largest not-for-profit legal services organization, is an indispensable component of the legal, social, and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for law reform.

The Legal Aid Society operates three major practices — Civil, Criminal and Juvenile Rights Practice through a network of borough, neighborhood, and courthouse offices in 26 locations in New York City. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States, and it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society provides educational advocacy for thousands of children and young people with disabilities and parents of children with disabilities who are not getting the supports and services they deserve under the law. Our Criminal, Civil and Juvenile practices all engage in special education advocacy for children and young people with disabilities. Many of our clients with criminal cases in Criminal Court and Supreme Court are school-age teenagers and young adults with disabilities who need and are entitled to receive appropriate educational services. Our Civil Practice includes representing children and adults with disabilities through the Disability Advocacy Project and the Education Law Practice. Legal Aid's Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. A very significant percentage of these are children who have disabilities. The Kathryn A. McDonald Education Advocacy Project provides representation to Juvenile Rights Practice clients in their educational matters, including special education advocacy and advocacy in disciplinary proceedings with the NYC Department of Education.

In addition to its individual representation, The Legal Aid Society also seeks to create broader, systemic change through its law reform efforts. Our perspective comes from daily contact with children, parents, and families, and from our frequent interactions with the courts, social

service providers, and State and City agencies. Our experiences engaging in courtroom and other advocacy on behalf of our clients as well as through coalition building with other stakeholders informs our testimony.

Inadequate Access to Afterschool Programs For Students With Disabilities

While all students can benefit from afterschool programs, students with disabilities are particularly likely to benefit. Afterschool programs offer the opportunity to enhance the development of social and emotional skills and to provide enrichment. Unfortunately, children with disabilities are frequently excluded from these programs because the programs lack the necessary training and resources to support these children. This is true even though it is discriminatory under the American with Disabilities Act to exclude children with disabilities from participating in the enrichment activities that other students are receiving. NYC must ensure that children with disabilities are given access to the same afterschool programming as children without disabilities.

The most glaring omission in the availability of afterschool programs in NYC for children with disabilities is for children in District 75 schools. District 75 schools are schools specifically designed to provide instructional and behavioral support for students with significant challenges that impact their learning. Black students are enrolled in District 75 at a rate disproportionate to their presence in the general New York City public school student population: In the 2016-2017 school year, Black students made up 26.5 percent of New York City public school students, and 28.2 percent of students receiving special education, but 36.7 percent of the District 75 student population. Because District 75 schools generally lack *any* afterschool programming for their students, the students with the highest need for socialization and enrichment activities, a disproportionate number of whom are also students of color, are disproportionately affected by the paucity of after school programs and services for students with disabilities.

Staff At Afterschool Programs Need Adequate Staff and Training To Accommodate Students With Disabilities

In order to ensure that afterschool programs successfully include students with disabilities, program staff must receive appropriate training. Some children may need individual assistance, including medical or physical assistance. Centralized training for staff from multiple afterschool programs may be a cost-effective way to ensure that training is provided. In addition these programs must be adequately staffed to ensure that staff have the ability to provide structure and support to students with disabilities to enable their participation.

Families of Children with Disabilities Experience Economic Hardship

Families of children with disabilities often experience economic hardship due to the lack of afterschool programs for their children. Some parents employ the services of a babysitter to assist with childcare after school until they return home from work. Other parents adapt their work schedules, compromising their employment, or are unable to maintain a regular nine to five

work schedule because there are no alternatives for their children. Many low-income families cannot find or afford a nanny or babysitter who has the requisite training to work with a child with a significant disability. As a result, parents may be forced to shorten their work hours, which affects the financial resources available to the family, or may even affect their ability to maintain employment. As a result, the challenge of raising a child with disabilities is made even greater by the lack of available afterschool programming.

The Impact of a Lack of After School Programming on Foster Children

Many children in foster care who also have disabilities are represented by the Legal Aid Society in their family court matters, are also disproportionately affected by the lack of programs that serve students with disabilities. Working foster parents face the same challenges as working parents when it comes to finding after school care for a child with special needs. Approximately 47 % of New York City foster children are identified as students with disabilities. If a foster child with a disability is excluded from their school's after school program, due to a lack of training, accessibility or adequate personnel to meet the needs of children with special needs, it may create a barrier to foster parents which destabilizes the home placement.

Conclusion

We implore NYC to ensure that afterschool programs allow for the participation of youth with disabilities, are adequately staffed and provide adequate staff training to serve all the needs of New York City's differently abled students.

TESTIMONY: UJA-FEDERATION OF NEW YORK

Oversight-Afterschool Program Support for Youth with Disabilities

**New York City Council Committee on Youth Services
Honorable Althea Stevens, Chair**

and

**New York City Council Committee on Mental Health, Disabilities and Addiction
Honorable Linda Lee, Chair**

Submitted by:

Faith Behum, UJA-Federation of New York

November 27, 2023

Thank you, Chairperson Stevens, Chairperson Lee and members of the Committee on Youth Services and Mental Health, Disabilities and Addiction for holding this hearing and for the opportunity to submit testimony. My name is Faith Behum, and I am a Senior Advocacy and Policy Advisor at UJA-Federation of New York.

Established more than 100 years ago, UJA-Federation of New York is one of the nation's largest local philanthropies. Central to UJA's mission is to care for those in need—identifying and meeting the needs of New Yorkers of all backgrounds and Jews everywhere. UJA has more than 50 thousand engaged donors in the New York area, supports an expansive network of nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services, and allocates over \$150 million each year to strengthen Jewish life, combat poverty and food insecurity, nurture mental health and well-being and respond to crises here and across the globe.

UJA's nonprofit partners oversee SONYC and/or COMPASS programs in every borough of New York City. Many of these same nonprofits provide services to people with disabilities including afterschool programs. Some have experience with both serving people with disabilities in city funded programs as well as fee for service programs. In many instances, providers find it easier to meet the needs of people with disabilities in their fee for service programs because they are not forced to follow DYCD guidelines. For example, in non-DYCD program registration papers, providers can ask specifically if the child has an IEP. At one of UJA's nonprofit partners, when it is indicated that a child has an IEP, an employee of the afterschool program will follow up with the family to gather more information about the child's specific needs and draft a service plan that will be shared with all staff that interact with that child. The DYCD Connect registration portal does not give families the option to indicate if their child has an IEP or needs additional support at a COMPASS or SONYC program. This lack of information makes it extremely difficult for providers to develop the resources they need to ensure a child with disabilities will be successful in their program. Parents or guardians should have the option to include information about their children's specific needs in DYCD Connect, framing this as a request for information from families that ultimately help providers better serve their children.

DYCD's emphasis on rate of participation impacts SONYC and COMPASS providers' ability to serve children with disabilities. Children with disabilities may not be able to attend an afterschool program five days a week. Providers should not be negatively impacted if a child with disabilities is enrolled and cannot attend their

afterschool program daily. Especially if they are missing the afterschool program for doctor appointments or ongoing therapies.

Providers also need to be able to be creative with staffing patterns when serving children with disabilities. In instances when a child requires a one-on-one paraprofessional, this must be made available for the child while they are attending a city funded afterschool program. In some instances, a child may not need one-on-one support constantly but may have to leave the classroom or need specialized attention depending on the activity. One fee for service provider in UJA's network, has floating staff who have experience working with people with disabilities. These staff are not counted towards the staffing ratio but are available to help children with disabilities who require additional assistance at any point of the day. This fee for service program has the funds available to have a floating staff member. COMPASS and SONYC programs have fewer financial resources, and it is difficult to add additional staff based on the current rates for these programs. A new COMPASS and SONYC RFP is expected to be released in the coming year and must include an increase in rates to cover the true cost of overseeing services for all the participants of these programs.

Ongoing technical assistance and training for COMPASS and SONYC staff is also needed to provide individuals with the tools they need to serve children with various needs. Additional technical assistance and training may reduce the need for more specialized staff in programs. A lot of the previous issues were seen in the Summer Rising program where nonprofits felt that they were inadequately prepared to support participants with disabilities. First, nonprofits did not have access to IEPs and received little information on the needs of the participants with disabilities who attended their programs. Updated medical forms were not shared for any of the participants, meaning details like participants' food allergies were not reliably communicated to nonprofits. DOE paraprofessionals were supposed to be available during the enrichment part of the day, but nonprofits had no protocol to follow when paraprofessionals were not available to work with participants who needed them.

Nonprofits are committed to welcoming children and youth with disabilities into their afterschool programs. They need their partners in the government to provide them with the resources they require to properly serve this population. The recently released November Budget Modification included a \$1.53 million cut in FY24 and a \$6.9 million cut in FY25 to COMPASS resulting in a 3,538-slot reduction to the program. It is difficult to address how children and youth with disabilities can better access afterschool programs when resources are being cut from COMPASS at the same time. Any reductions to COMPASS and/or SONYC will result in fewer children or youth benefiting from these programs and require providers to continue to meet the vast needs of their communities using inadequate financial resources to support this important work.

Conclusion

UJA-Federation of New York respectfully urges your consideration and support of the recommendations listed in this testimony. Thank you for your time and if you have any questions, please contact me at behumf@ujafedny.org.



FOR YOUTH DEVELOPMENT®
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**New York City Council
Committee on Youth Services, Honorable Althea Stevens, Chair
Committee on Mental Health, Disabilities, and Addiction, Honorable Linda Lee, Chair**

**Testimony of YMCA of Greater New York
Submitted by Chelsea Baytemur, Director of Policy and Advocacy**

Oversight Hearing – After-School Program Support for Youth with Disabilities

November 27, 2023

I respectfully submit the following testimony on behalf of the YMCA of Greater New York.

The YMCA of Greater New York is committed to empowering youth, improving health, and strengthening community. With 24 YMCA branches and more than 100 community sites across New York City, the YMCA is among the City's largest providers of human services spanning from infancy to older adult — and an important anchor, convener, and catalyst for transformational change in our communities.

The YMCA is also a proud member of the Campaign for Children and the New York State Network for Youth Success and as a member of these networks and alliances we support their policy agendas as they relate to this hearing.

One of the primary ways the YMCA supports and uplifts New York City families is through our youth programming, which aids in getting our kids on the path to success by developing essential life, community building, and leadership skills. Across our various youth programs, the YMCA helps young people expand on the academic knowledge they acquire during school hours, develop their social and emotional learning, build rapport with their peers, and increase confidence, all of which empower our youth to excel both inside and outside of our program sites. Additionally, during a time where the need for childcare and afterschool programming is at an all-time high, working parents can rest assured that their children are being safely cared for by highly skilled and trained staff. Through our programs, participants develop a ferocious love of learning and an excitement to try new things, as well as gain access to information, resources, and people that will amplify their potential.

The Y Afterschool program, which includes six Beacon, eight SONYC, 26 COMPASS, ten Community Schools, and one Cornerstone site, empowers nearly 8,000 children and teens each day. Despite these astounding figures, the YMCA still has lengthy waitlists at many of our program sites, demonstrating the dire need for investment in the afterschool and childcare system. Across

the city, the YMCA is committed to ensuring our programs are equitable and accessible to all those who wish to participate, including young people with disabilities.

As a lead provider in the afterschool space, we aim to provide all our participants with the individualized attention and support they need to succeed in our programs. However, the lack of coordination between the New York City Public Schools (NYCPS) and the Department of Youth and Community Development (DYCD), coupled with a lack of shared information with providers, leaves us ill prepared to best support our participants, particularly those students with an IEP, or those enrolled in District 75. While we understand that by law-NYCPS is prohibited from sharing IEP information with providers, unless a parent or guardian volunteers consent, the lack of transparency to parents regarding this process prevents us from adequately and holistically serving our children. We believe NYCPS and DYCD could do a better job at explaining to parents and guardians the added value of disclosing this information to afterschool providers. This can look like an optional question to disclose if a student has an IEP during the afterschool application process, or visible information on the agency website. With over 20 percent of the New York City Public Schools student population identified as having an IEP, it is irresponsible to think that the need for individualized support for students ends after the traditional school day. By disclosing IEP information to providers, NYCPS can better enable the continuation of school day services into the enrichment portion of the day.

Additionally, New York City must not allow a lack of available comprehensive support to deter children and their families from participating in afterschool. Providers not having enough information regarding the legally mandated needs of our participants, as well as a lack of support from NYCPS and DYCD, makes it more difficult for us to appropriately staff our program sites. One of our biggest challenges is the shortage of available paraprofessionals (paras) to support students with IEPs. NYCPS and DYCD committed to providing staff support for students with IEPs, including a para for all children who need one, for afterschool and summer programs. However, both agencies have failed to provide paras to all afterschool participants, in turn leaving the burden to hire paras on community-based organizations. The lack of coordination between the agencies, school staff, and providers, coupled with a limited workforce pool of paraprofessionals, also pits community-based organizations against NYCPS in hiring paras, with the obvious hiring advantage being with NYCPS. NYCPS is able to offer higher wages and a more robust benefits package to candidates than CBOs, partially due to the budget levels set by our contracts. This leaves providers unable to appropriately staff programs and, in some cases, pushes us to turn away students if we do not have a paraprofessional available. The detriment to these students and their families, who must be turned away from participating due to a dysfunctional system, is truly an issue of equity and access.

Furthermore, there is a lack of robust DYCD training to aid us in our ability to successfully engage, educate, and support students with disabilities. We at the YMCA recognize the importance of continuous learning and growth for our professionals, especially in the world of child development, and as research progresses and best practice methodology shifts, we want to

ensure we are prepared to meet the needs of all participants to the best of our ability. DYCD should offer training to afterschool providers specific to serving students with disabilities. This would ensure that providers across the city are equipped with the same guidance, and that we have the tools and knowledge necessary to best meet the needs of our participants.

We thank the Council and both Chair Stevens, as well as Chair Lee, for bringing awareness to these important issues and holding this hearing. Childcare and afterschool programs are a vital part of New York City's social service ecosystem, as these programs allow parents to go to work, support the development and enrichment of their children, and enhance the quality of life for some of our most vulnerable communities. To sustain this ecosystem, as well as meet the growing need for youth programs and childcare, community-based organizations like the YMCA need seamless support from our agency partners.

This means: 1) access to more robust and comprehensive trainings to support students with disabilities who want to enroll in afterschool and summer experiences; 2) more collaboration and information sharing between NYCPD, DYCD, and community-based organization partners; 3) well-rounded communication between providers, parents, and school staff as to how to better support our students with disabilities in the afterschool and summer space; and 4) ensuring providers have the resources needed to meet a child's specific needs (accessibility equipment, consistent paraprofessional staff presence, clear escalation protocols, and additional layers of support such as a parent coordinator). We share the collective goal of empowering our kids and their families and to do so we must work together to ensure a seamless transition from school day to afterschool programs.

We appreciate your support, leadership, and partnership in helping deliver quality youth services, and helping more youth learn, grow, and thrive. Thank you so much for fighting for children, families, teachers, and non-profit providers across New York City. We look forward to working with you and the Committee in addressing these barriers and better supporting our students with disabilities.

If you have any questions, please contact Chelsea Baytemur, Director of Policy and Advocacy, at cbaytemur@ymcanyc.org

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Name: Emily Sweet

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I represent: Mayor's Office for People with Disabilities

Address: _____ (MOPD)

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Name: Molly Smack

Address: [redacted] Eastern Parkway, Brooklyn NY

I represent: Center for Independence of the Disabled, NY

Address: 1010 Avenue of the Americas, NY NY



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Name: Nora Moran

Address: _____

I represent: United Neighborhood Houses

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