

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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April 20, 2022
Start: 10:33 a.m.
Recess: 1:46 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 2

B E F O R E: Rita C. Joseph, Chairperson

COUNCIL MEMBERS:

Shaun Abreu
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Lincoln Restler
Pierina Ana Sanchez
Lynn C. Schulman
Althea V. Stevens
Sandra Ung
Gale A. Brewer

A P P E A R A N C E S

Dr. Jawana Johnson, Chief of School Culture,
Climate, and Well-Being, NYC DOE
Sarah Jonas, Senior Executive Director Office of
Community Schools, NYC DOE
Flavia Puello-Perdomo, Chief Executive, NYC DOE
Michael Hickey, Executive Director Students in
Temporary Housing, NYC DOE
Donna Brailsford, Citywide Coordinator for Child
Abuse Prevention, NYC DOE
Glenn Risbrook, Executive Director Office of
Pupil Transportation, NYC DOE
Jodi Sammons Chen, Chief of Staff Division of
School Operations, NYC DOE
John Hammer, Chief Executive Director Special
Education Office
Julie Farber, Deputy Commissioner Family
Permanency Services NYC Administration for
Children Services
Andres Asitimbay
Erika Palmer
Dr. Brenda Triplett
Melinda Andra
Caitlyn Passaretti
Joni Rivera
Karen Price
Joseph Alexander

2 SERGEANT KOTOWSKI: Computer recording
3 started.

4 SERGEANT POLITE: Recording to the Cloud
5 all set.

6 Good morning, and welcome to the remote
7 hearing on Education.

8 Will Council Members and staff please
9 turn on their video at this time?

10 Thank you. To minimize disruptions,
11 please place your cell phones and electronics to
12 vibrate.

13 To send testimony, send testimony to
14 testimony@council.nyc.gov. Once again, that's
15 testimony@council.nyc.gov.

16 Chair, we are ready to begin.

17 CHAIRPERSON JOSEPH: Thank you so much.
18 [GAVEL] Good morning, and welcome to today's virtual
19 Education Committee on Foster Care Students in DOE
20 System. I am Rita Joseph, Chair of the Education
21 Committee. This is the first time that the Education
22 Committee has held a hearing on students in foster
23 care, a subject that is very close and dear to my
24 heart as I've been a foster parent for 5 years and an
25 adoptive parent for 4 so I know all too well the

2 challenges faced by foster children. Most children in
3 foster care have suffered extreme trauma in their
4 lives, having been removed from their home and family
5 in response to exposure to some type of danger such
6 as physical abuse or neglect. While some children may
7 be placed with relatives, others are placed with
8 virtual strangers in foster home, group homes, or
9 other residential facilities. Children in foster care
10 are often moved to different foster homes and
11 placements, sometimes resulting in transfers to new
12 schools, and, with each school change, foster care
13 students can lose up to 6 months of academic
14 progress. In addition, research shows that students
15 in foster care have lower test scores as well as
16 higher rates of absenteeism, suspension, and grade
17 retention and more likely to drop out of school than
18 any other students. According to advocates, about
19 half the students in foster care in New York City
20 have a disability requiring special education
21 services. This extremely vulnerable student
22 population has largely been overlooked and ignored by
23 the New York City Department of Education for many
24 years. Not only have the needs of the student in
25 foster care have not been met, we don't even know how

2 many are currently enrolled in city schools because
3 the DOE doesn't report any data about students in
4 foster care.

5 Further, while DOE has long had an office
6 of Students in Temporary Housing to address the needs
7 of homeless students, they have never had an office
8 of staff members focused solely on meeting the needs
9 of students in foster care.

10 In 2016, the Council passed a Local Law
11 that required the city to create an interagency
12 foster care task which issued a report in 2018
13 recommending that the DOE create an infrastructure to
14 focus on students on foster care similar to the
15 Office of Students in Temporary Housing. Still, the
16 DOE did nothing until more than 3 years later when
17 advocates and child welfare organizations
18 successfully lobbied then-Mayor de Blasio last spring
19 to allocate funding in the fiscal 2022 budget to
20 create the office and provide other supports and
21 services for these students. Last December, the DOE
22 finally committed to hire the first ever team of
23 full-time staffers focused on students on foster
24 care. According to the Press Report, DOE's initial
25 plan was to hire half the new staff by the end of

2 January and the rest by the end of June, but, as far
3 as we know, not a single staff member has been hired
4 yet.

5 In the meantime, needs of students in
6 foster care continue to go unmet, especially
7 transportation needs. Federal law requires school
8 districts to provide transportation between a child's
9 foster care placement and their school so students
10 can stay in the original school unless it's
11 determined to be in their best interest to transfer.
12 Transferring schools cause additional disruption in
13 the lives of children in foster care while remaining
14 in their original school can provide a critical
15 source of academic and emotional stability. Yet, the
16 DOE doesn't currently guarantee bus service or
17 comparable transportation to students in foster care
18 except those who are designated to receive special
19 education transportation and those who can easily be
20 added to an existing bus route. This lack of
21 transportation (INAUDIBLE) foster care to transfer
22 schools because a metro card doesn't help children
23 too young to travel alone and many foster parents are
24 unable to transport children back and forth to school
25 every day.

2 Transferring schools provides extra
3 challenges for students in foster care since
4 approximately half have a disability making it more
5 difficult to find a school that can meet their
6 special education needs. Additionally, receiving
7 schools have discretion over how many credits are
8 granted for coursework from the sending school which
9 has a negative impact on students in foster care.

10 It is also important to note that COVID-
11 19 pandemic has really highlighted the academic,
12 social, and emotional difficulties already faced by
13 students in foster care. For children who have
14 previously experienced so much disruption in their
15 lives, the switch to full-time remote learning and
16 the loss of stability offered by the school
17 environment and the comfort of being familiar with
18 adults and peers was devastating.

19 At today's hearing, the Committee hopes
20 to learn more information about students in foster
21 care in city schools and what DOE has been doing to
22 meet their expansive needs, particularly in the area
23 of transportation. We'd like to hear details about
24 the plans to establish a new unit with the full-time
25 staff members dedicated solely to the needs of

2 students in foster care as well as any progress made
3 in hiring the staff and obstacles standing in the way
4 of that effort.

5 I want to thank everyone who is
6 testifying today. I want to thank the City Council
7 staff for all the work they put into today's hearing,
8 Michael Butehorn, Jan Atwell, Chelsea Baytemur, Masis
9 Sarkissian, and Frank Perez. I also want to thank my
10 staff, Sam Weinberger and Connor Irving (phonetic).

11 Now, I'll turn over to today's Moderator,
12 Malcolm Butehorn, Counsel to the Committee.

13 MALCOM BUTEHORN, MODERATOR: Thank you,
14 Chair Joseph. Good morning, everyone, and welcome. My
15 name is Malcom Butehorn, and I am Counsel to the
16 Education Committee.

17 I would first like to acknowledge Council
18 Members present for the record. We are joined today
19 so far by Council Members Schulman, Ung, Brewer,
20 Abreu, Stevens, Hanif, and Lee.

21 Before we begin testimony, I want to
22 remind everyone that you will be on mute until you
23 are called on to testify. I will be calling on public
24 witnesses to testify in panels after the conclusion
25

2 of the administration's testimony and Council Member
3 questions.

4 Council Members who have questions should
5 use the raise hand function in Zoom. You will be
6 called on in the order of which you've raised your
7 hand after the full panel has completed testimony. We
8 will be limiting Council Member questions to 5
9 minutes, and, please note for the purposes of this
10 hearing, we will not be allowing a second round.

11 For public witnesses, once your name is
12 called a member of our staff will unmute you and the
13 Sergeant-at-Arms will give you the go ahead to begin
14 after setting the timer so please listen for that
15 cue. For fairness for all present, all public
16 testimony will be limited to 5 minutes per person.

17 The following members of the
18 administration are here to testify and/or answer
19 questions today. From the New York City Department of
20 Education, Dr. Jawana Johnson, Chief of School
21 Culture, Climate, and Well-Being, Sarah Jonas, Senior
22 Executive Director Office of Community Schools,
23 Flavia Puello-Perdomo, Chief Executive, Michael
24 Hickey, Executive Director Students in Temporary
25 Housing, Donna Brailsford, Citywide Coordinator for

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2 Child Abuse Prevention, Glenn Risbrook, Executive
3 Director Office of Pupil Transportation, Jodi Sammons
4 Chen, Chief of Staff Division of School Operations,
5 John Hammer, Chief Executive Director Special
6 Education Office, and from the New York City
7 Administration for Children Services Deputy
8 Commissioner Julie Farber, Family Permanency
9 Services.

10 I will first read the oath, and after I
11 will call on each member from the administration
12 individually to respond.

13 Do you affirm to tell the truth, the
14 whole truth, and nothing but the truth before this
15 Committee and to respond honestly to Council Member
16 questions? Dr. Johnson.

17 DR. JOHNSON: I do.

18 MALCOM BUTEHORN, MODERATOR: Sarah Jonas.

19 SENIOR EXECUTIVE DIRECTOR JONAS: I do.

20 MALCOM BUTEHORN, MODERATOR: Flavia

21 Puello-Perdomo.

22 CHIEF EXECUTIVE PUELLO-PERDOMO: I do.

23 MALCOM BUTEHORN, MODERATOR: Thank you.

24 Michael Hickey.

25 EXECUTIVE DIRECTOR HICKEY: I do.

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2 MALCOM BUTEHORN, MODERATOR: Donna
3 Brailsford.

4 COORDINATOR BRAILSFORD: Yes, I do.

5 MALCOM BUTEHORN, MODERATOR: Thank you.
6 Glenn Risbrook.

7 EXECUTIVE DIRECTOR RISBROOK: I do.

8 MALCOM BUTEHORN, MODERATOR: Jodi Sammons
9 Chen.

10 CHIEF OF STAFF SAMMONS CHEN: I do.

11 MALCOM BUTEHORN, MODERATOR: Mr. John
12 Hammer.

13 CHIEF EXECUTIVE DIRECTOR HAMMER: I do.

14 MALCOM BUTEHORN, MODERATOR: Deputy
15 Commissioner Farber.

16 DEPUTY COMMISSIONER FARBER: I do.

17 MALCOM BUTEHORN, MODERATOR: Thank you.

18 Dr. Johnson, you may begin when ready.

19 DR. JOHNSON: Thank you. Good morning,
20 Chair Joseph and the Members of the Education
21 Committee here today. My name is Dr. Jawana Johnson,
22 and I am the Chief of School Culture, Climate, and
23 Well-Being at the Department of Education. I lead New
24 York City's Public Schools' effort to support our
25 students' social/emotional development and wellness

2 including specialized assistance for some of our most
3 vulnerable students. Those include our students in
4 foster care who we know face many challenges outside
5 of school and require help dedicated to their needs
6 in school. We share the Council's commitment to
7 ensuring that students in foster care receive all the
8 support they need to succeed, and we thank you for
9 the opportunity to discuss this important issue.

10 Joining me today are our partners at the
11 Administration for Children Services is Deputy
12 Commissioner Julie Farber and other leaders from the
13 DOE as introduced and sworn in.

14 Before I begin my testimony, I would like
15 to thank Chair Joseph and the City Council for your
16 leadership on behalf of children in foster care. I
17 would also like to thank the many advocates non-
18 profits, and city agency partners that continue to
19 support our students in foster care. We are looking
20 forward to continuing to collaborate with you to best
21 serve these students.

22 I am a lifelong educator, having served
23 proudly as a teacher, school leader in both DOE and
24 charter schools, and am now honored to be leading the
25 following New York City Public School Offices, Safety

2 and Youth Development, School Wellness Programs, the
3 Public School Athletic League, and Community Schools.

4 We are committed to offering an ecosystem
5 of care for the whole child that prioritizes student
6 well-being, ensures physical and emotional safety,
7 and supports students in reaching their full
8 potential. We understand the elevated needs of our
9 vulnerable students, including students in foster
10 care, and are redoubling our efforts to ensure that
11 we are meeting the social/emotional, and academic
12 needs of these and other vulnerable student
13 populations in each of our schools. My team oversees
14 the work of 4 offices dedicated to uplifting and
15 advancing this vision for better meeting the needs of
16 the whole child, and we are eager to move forward
17 with creating a new foster care team under my
18 leadership. These offices may seem to have vast and
19 varied portfolios, but at their core is a commitment
20 to whole child wellness. This means we support both
21 the physical and mental well-being of all of our
22 students, thus nurturing their healthy bodies and
23 minds.

24 Chancellor Banks has articulated a
25 dynamic vision for transforming the Department of

2 Education to lay the foundation for bright starts and
3 bold futures for all New York City Public School
4 students. As the Chancellor has made clear, our
5 students need to leave our schools with the knowledge
6 and skills that will propel them towards successful
7 careers and enable them to be engaged members of
8 their communities.

9 The trauma and instability of foster care
10 that our students in foster care have experienced in
11 many instances has led to lower attendance and
12 graduation rates amongst this group, and we realize
13 that this is an area that we must work hard to
14 significantly improve.

15 Children in foster care are highly
16 talented and resilient scholars who need our support.
17 We fully recognize that there is much work to be done
18 in collaboration with our agency partners and non-
19 profit providers to not only improve academic
20 outcomes but the overall well-being of these
21 students.

22 I want to take a moment to share a little
23 background on students in foster care. When a child
24 has been abused or neglected, to protect their safety
25 and best interests, a family court judge can order

2 that the child be removed from his or her home and be
3 placed in foster care. The New York City
4 Administration for Children Services manages the
5 city's foster care system, and there are currently
6 just over 7,000 students in foster care, down from
7 nearly 13,000 a decade ago and from over 40,000
8 twenty years ago. More than half of the children who
9 enter foster care today are placed with kin, meaning
10 relatives or close family friends. The remaining
11 children mostly live in family foster care homes with
12 caring New Yorkers with about 600 youth living in
13 residential foster care facilities. Children in
14 foster care live throughout the 5 boroughs. Almost
15 every one of our 1,600 schools has at least a small
16 number of enrolled students in foster care, and a few
17 of our schools, including our transfer schools, serve
18 a significant number of these students.

19 We collaborate in deep partnership with
20 our Colleagues at ACS and in the foster care
21 agencies, and we trust our Colleagues in ACS and the
22 foster care agencies to make decisions in the best
23 interests of these students in partnership with our
24 team.

2 The Every Student Succeed Act of 2015
3 mandates that local educational agencies like the New
4 York City Department of Education and child welfare
5 agencies collaborate to support educational stability
6 for children in foster care and provide these
7 students with the opportunity to achieve at the same
8 level as their peers. While each of these students
9 faces unique challenges, every student in foster care
10 has the right to receive a public education, to stay
11 in their current school or choose to attend a new
12 school, to enroll immediately in a new school if it
13 is determined that it is not in their best interest
14 to stay at the original school, to receive
15 transportation services to and from school, and to
16 access comparable educational services. In order to
17 ensure these rights are enforced, currently every
18 school has a designated liaison for foster care
19 students who serves as a point person to serve these
20 students and their families. The designated liaison
21 facilitates interagency communication and the sharing
22 of student information amongst the school, ACS, and
23 the foster care agency. Designated liaisons
24 participate every year in trainings on foster care
25 and meeting the needs of these students that include

2 instructions on providing information to foster care
3 agency, ensuring that students receive programs they
4 are eligible for, tracking credit for previous work,
5 and understanding the rights of parents to be
6 involved. When a child enters foster care, the foster
7 care agency and ACS notifies the child's school-based
8 designated liaison within 24 hours. Using a best-
9 interest standard, the child welfare system makes the
10 final decision around whether a child should stay at
11 the school of origin before entering foster care or
12 move to another one. If a transfer is deemed
13 necessary, the DOE works with ACS to facilitate this
14 transfer and secure transportation services to their
15 new school if needed. The overwhelming majority of
16 children entering foster care, nearly 86 percent in
17 the school year of 2020-2021, remain in their
18 original schools. When a student in foster care
19 transfers schools, the designated liaison also works
20 with that student to ensure that they receive all
21 necessary services and programs that that child is
22 entitled to and that the student's grades or credits
23 are transferred over. Additionally, for students in
24 foster care who are in grades kindergarten through
25 8th grade schools must designate someone to monitor

2 their attendance. If a child in foster care missed a
3 day of school without an adequately explained
4 absence, the attendance monitor conducts the
5 necessary followup action regarding family outreach,
6 escalating concerns to the foster care agency or ACS
7 and recording the absence in the DOE record system.

8 Our schools do a good job of ensuring
9 that these rights are met, but we need to go beyond
10 what these children are legally entitled to to give
11 them what they rightly deserve. Pursuing the
12 Chancellor's vision, we want to boldly re-envision
13 what we can do in service of our children in foster
14 care. Transportation services are critical to
15 ensuring students in foster care are able to get to
16 school. While there are some challenges, DOE provides
17 bussing or comparable alternative transportation for
18 all students in foster care who are in grades K-6 and
19 placed within the 5 boroughs as well as those with
20 IEPs for bussing. If we are unable to find a bus
21 route initially, we provide public transportation or
22 transportation reimbursement until we can find a bus
23 route. Fortunately, we are able to provide bussing to
24 the vast majority of students in foster care, and the
25 DOE works collaboratively with ACS and foster care

2 agencies to address transportation needs. We welcome
3 the opportunity to work collaboratively to further
4 strengthen transportation options for students in
5 foster care.

6 Across our system, we continue to invest
7 deeply in the mental health and well-being of our
8 students and school communities. With the Council's
9 leadership and partnership, we have worked to ensure
10 that every school has access to a social worker and
11 mental health support services. Every school benefits
12 from these resources including our students in foster
13 care who now have greater access to mental health and
14 social/emotional assistance at school more so than
15 ever before.

16 Students in foster care also receive
17 additional help from ACS and its foster care
18 providers. Along with support and guidance of the
19 Fair Futures Coalition, the Youth Board and Funders
20 through the Fair Futures Program. Through Fair
21 Futures, thousands of young people in foster care
22 ages 11 to 21 receive coaching, tutoring, educational
23 advocacy, and employment and housing assistance. The
24 goal of Fair Futures is to help prepare students for
25 major transitions including from elementary to

2 middle, middle to high school as well as the
3 transition from high school to college, vocational
4 training, and/or careers. Successfully navigating
5 these crucial passages puts these students on a path
6 to success after they leave foster care.

7 We as a city need to ensure that every
8 student in our child welfare system has access to
9 caring adults in the school building, a trauma
10 responsive school setting where teachers are well-
11 informed about the demands that foster care places on
12 children and families, mental health support
13 services, and whole child wellness assistance. We
14 have made significant strides in bringing these
15 support systems to schools for all of our students
16 and are now making investments to more holistically
17 lift up our foster care students.

18 For the first time, the Department of
19 Education is creating an office exclusively dedicated
20 to supporting the needs of students in foster care.
21 The Office of Foster Care will seek to meet the
22 complex needs of students in foster care by
23 developing innovative policies to support schools.
24 This office is a subset of our current Students in
25 Temporary Housing Team under the Office of Community

2 Schools, which is a natural fit because it will draw
3 from existing knowledge, resources, and capacity and
4 is best positioned to make substantial and positive
5 impact on students in foster care. We're in the
6 process of hiring 4 individuals who will lay the
7 foundation for this new foster care team. This office
8 will have the ability to develop policy changes to
9 better support students in foster care, create
10 school-based professional learning opportunities and
11 guidance so that our students in foster care attend
12 schools and feel better equipped to be supported and
13 advocated for by school staff. This office will also
14 deepen partnerships with other city agencies and
15 nonprofit providers so that high quality youth
16 services are provided to all foster care students and
17 to build stronger connections with advocacy groups. I
18 am confident we will find the right, thoughtful
19 people who are also caring to work on this team and
20 greatly appreciate the resources that have been
21 provided.

22 We know that our nation's largest school
23 system can do better for our foster care students. As
24 I have shared earlier, we have a vision for our
25 school system where every school values each

2 student's family situation while providing structure,
3 stability, and whole child wellness supports,
4 removing the major barriers that impede learning. We
5 are continuing to invest in support systems
6 throughout our schools that will benefit all students
7 including those in foster care, focusing on
8 academics, mental health, college and career
9 readiness, post-secondary pathway options, and more.
10 Along with our new Office of Foster Care, these
11 investments will cultivate more enriching experiences
12 and better outcomes for our foster care students.

13 I want to thank the Council for your
14 support and attention to the needs of our students,
15 particularly when it comes to their overall well-
16 being. Thanks to the Council, we are making
17 incredible strides in increasing mental health and
18 social/emotional learning support services for all
19 students. We have successfully hired a number of
20 social workers across the system and implemented
21 social/emotional learning screeners this fall, and we
22 have our second screening this spring. This has
23 allowed schools to more successfully address the
24 complex needs of all students, especially more than 2
25 years after the COVID-19 pandemic caused so much

2 disruption and heartache. There is much more work to
3 be done, and, with this Foster Care Office, we are in
4 the beginning of this process. In collaboration with
5 our city partners, we will reimagine what we can do
6 to ensure our students in foster care get all the
7 support they need. I am sincerely grateful for your
8 leadership and collaboration in this effort, and we
9 are happy to take questions at this time. Thank you.

10 MALCOM BUTEHORN, MODERATOR: Turning over
11 to you, Chair.

12 CHAIRPERSON JOSEPH: Thank you, Dr.
13 Johnson, for your testimony. Just for the record, I
14 wanted to find out just some basic data. Do you know
15 how many students are enrolled in DOE schools that
16 are currently in foster care?

17 DR. JOHNSON: If you give me one moment, I
18 will find that data for you. We have 7,416 students
19 who are in foster care.

20 CHAIRPERSON JOSEPH: How many students in
21 foster care were enrolled in DOE schools at any point
22 last school year? Do you have that data as well?

23 DR. JOHNSON: Give me a moment, and I will
24 look that up.

25 CHAIRPERSON JOSEPH: No problem.

2 DR. JOHNSON: While we are looking for
3 that, I think as we look at 7,416 students, what we
4 found is that there was a greater concentration of
5 young people in the boroughs of the Bronx, Manhattan,
6 and Queens representing nearly 75 percent
7 collectively, and then Queens and Staten Island
8 representing a smaller amount. Slight correction,
9 that number of 7,416 was for last year. That was for
10 the 2020-2021 year. We are gathering the finalized
11 numbers for this year.

12 One of the things I will say is, I'll
13 pause for a second to give us a moment to gather that
14 information.

15 CHAIRPERSON JOSEPH: All right. Wonderful.
16 As a former educator, you know that 23 years in the
17 school system, I'm always in and out of the school
18 system so it's a system that I know inside out. Why
19 doesn't the DOE have any kind of data about students
20 in foster care on your website? You have one for
21 students in temporary housing, but you have none for
22 foster care. Can you elaborate on that for me?

23 DR. JOHNSON: I think that's a great
24 question. I think one of the reasons why is because
25 the number of students are disseminated and

2 distributed across the school system. It's a little
3 bit challenging to kind of collect it and organize
4 the data. It is one of the reasons why we have been
5 pushing to get the office started, and one of the
6 preliminary roles in this first phase of the work is
7 a person to help us to collate and organize the data
8 position, so it is a data and capacity building
9 position as part of the role.

10 CHAIRPERSON JOSEPH: Out of 7,416, since
11 you have no data, you wouldn't have them categorized
12 in age group and grade-wise.

13 DR. JOHNSON: We do have the data. We
14 just don't have it publicly available. With regard to
15 the number of students in care this year, as of March
16 we have 5,264 young people in foster care. In terms
17 of the breakdown, most of the data that I have will
18 be for last year in terms of the breakdown by grade,
19 and so roughly when we look at the age group of, the
20 majority of students are in the pre-K to 5 age band
21 and so there are about 44.7 percent who are in the
22 pre-K to 5 band and then the next largest band is 29
23 percent and that is high school, that's the 9-12, and
24 then the remainder sit in the middle grades.

2 CHAIRPERSON JOSEPH: All right. Educators
3 love to give themselves rubrics. How would DOE rank
4 themselves in terms of handling foster care? What's
5 the rubric, 1 through 4?

6 DR. JOHNSON: 1 through 4? What I would
7 say is that we are approaching the standard.

8 CHAIRPERSON JOSEPH: Okay.

9 DR. JOHNSON: If I had to give us, what I
10 will say is this. I think we recognize that there are
11 challenges with young people in foster care. I think
12 we recognize that there are opportunities. We have
13 the designated liaison so we have some systems and
14 some structures in place to provide some attention
15 and some oversight to it, but there definitely is
16 more that can be done, and, when we think about the
17 outcomes and the impact on the lives and the young
18 people, we do recognize that there's more that can be
19 done and so what we intend is for the Office of
20 Foster Care to really allow us to have a more
21 dedicated team to really look at some of the
22 challenges and provide both guidance as well as some
23 actual operational support to schools to really be
24 able to address this population.

2 CHAIRPERSON JOSEPH: Earlier, you
3 mentioned something about kinship gap. Most people
4 don't know what that is. That's when a foster care
5 child is placed with a family member. Sometimes we
6 find that in kinships that they're placed with older
7 family members, for example a grandmother, a
8 grandfather, someone who's older, sometimes it's
9 difficult for that parent, they mean well, the
10 grandparents mean well because I've seen that a lot,
11 especially as an educator, I've seen where
12 grandparents have to come in and take over, and,
13 without the proper support, they're lost. They mean
14 well, but they are usually lost because they don't
15 have any support or guidance so that's why it's so
16 important for this hearing today because I remember
17 talking to the Chancellor on March 23rd, he was
18 committed to hiring and putting this team together,
19 and yet I have not heard anything. I know there was
20 supposed to be a senior foster care support manager.
21 Can you tell us each of the positions? Will you be
22 posting, and why are they not posting? Why some are
23 posted and some are not posted?

24 DR. JOHNSON: I think that's a great
25 question. Thank you, Chair, for all of the questions

2 that you've been asking. We have core positions that
3 are currently posted. Those 4 positions are the
4 Senior Manager of Foster Care Support who will take
5 the lead in building the framework for ongoing school
6 and district-level supports, we have the Foster Care
7 and STH Interagency Coordinator which will support
8 our collaboration across various agencies as well as
9 non-profit partners, we have the Foster Care and STH
10 Training and Policy Associate and so what we
11 recognize is having a better understanding and
12 appreciation of both federal, local, and state law as
13 well as being able to build capacity for our schools
14 and school teams is going to be critically important,
15 and finally we will have the Data Manager for the
16 State Central Registry and Foster Care and
17 (INAUDIBLE) data management.

18 CHAIRPERSON JOSEPH: Okay. Wonderful.

19 What's the timeline for these positions? Now that you
20 have them out there, what's the timeline and what is
21 the timeline for hiring for each of these positions?

22 DR. JOHNSON: Each of these positions are
23 posted and so our typical process gives us, we'll
24 post them for several weeks. That will allow people
25 the opportunity to apply and interview and go through

2 a hiring process, but our goal is to really expedite
3 the process and so not to delay and so as we are able
4 to find qualified candidates who really are able to
5 jump in, to really get this work started.

6 CHAIRPERSON JOSEPH: I noticed you stated
7 some of the positions, what they'll be doing, so what
8 are the priorities once the team is put together,
9 what are the priorities? What are the first thing
10 DOE's going to start working on?

11 DR. JOHNSON: In this first year, some of
12 the key priorities are really looking at DOE policy
13 and refining it and offering policy changes and
14 guidance, really advancing school-based professional
15 development, and building school capacities to
16 understand and appreciate what are the best ways and
17 strategies to engage with young people here.

18 CHAIRPERSON JOSEPH: Students in foster
19 care, I noticed you mentioned a lot about mental
20 health. Will you also be providing professional
21 development for these mental health students'
22 support? The mental health people you plan to hire,
23 are you going to provide professional development for
24 them to meet the needs of the students in foster
25 care?

2 DR. JOHNSON: Thank you for the question.
3 We've provided school-level mental health support and
4 so we'll continue to provide those and amplify those.
5 I'm going to call on my Colleague, Flavia, to speak a
6 little bit more around some of the mental health
7 supports that are being provided and she can expand
8 on that.

9 CHIEF EXECUTIVE PUELLO-PERDOMO: Thank
10 you, Dr. Johnson, and thank you, Chair Joseph, for
11 listing the questions around mental health support.
12 What I will add is that thanks to the support of the
13 Council and the fact that we were able to hire many
14 more social workers this school year, we know that
15 every school now either has access to a full-time
16 social worker, a school guidance counselor, or a
17 mental health clinic. However, as you are pointing
18 out, for us, it's critical to ensure that in every
19 school that we have students with foster care which
20 are sprinkled across so you might have schools that
21 have 1 or 2 children versus schools that have 10 or
22 20 which I think is the highest that the adults both
23 in the classroom, teachers and the school counselors
24 and the social workers, are familiar with the needs
25 of these students. We work to ensure that the

2 designated liaison identify the students immediately
3 once they join their school, which is something that
4 Dr. Johnson pointed out, and that, depending on their
5 needs, if there is a desire or a need for additional
6 mental health that these students are either referred
7 to the school-based social worker or mental health
8 provider or that they're referred to our Colleagues
9 for the foster care agencies to also help with that
10 support. One of the things that I can say that we are
11 pleased with some of the efforts that we have made
12 including ensuring that over 75,000 educators in our
13 system were trained in trauma-informed practices and
14 continue to lead so that every student is welcomed in
15 a safe and supportive environment. We also have been
16 pioneering with the Healing Center Working Group and
17 adopting some of their recommendations to ensure that
18 we're also working with parents and other
19 stakeholders so that students are cared for and that
20 we account, as you mentioned, just for the trauma
21 that students experience as a result of COVID, but
22 the reality is just exposure that many of us now have
23 to even more of the challenges the students are
24 facing. That's a lot of what we're doing but also
25 really looking forward with the creation of this

2 office and this team to ensure that we're doubling
3 down on the targeted supports and interventions that
4 we're doing on a school-by-school basis and on an
5 individual student basis for this population.

6 CHAIRPERSON JOSEPH: Okay. Thank you so
7 much. From talking to foster care agency advocates,
8 they report that schools sometimes are unaware of the
9 rights of most parents to participate in school
10 meetings, have access to school records when their
11 children are in foster care and sometimes they're
12 unaware of rights of students in foster care so
13 there's never been like a, furthermore, when
14 questions are arising regarding students in foster
15 care, the parents, the school, the families, and the
16 foster care agencies don't have a point person to
17 address this situation. Can you please tell us your
18 plan for how the new DOE Foster Care team will
19 address these concerns?

20 DR. JOHNSON: Thank you for the question.
21 We will continue to have the designated liaisons,
22 but, with regard to the deepened support that would
23 be provided by the Office of Foster Care, I'm going
24 to ask my Colleague, Mike Hickey, to speak a little
25

2 bit more around the point person and interaction and
3 the connection there. Thank you.

4 EXECUTIVE DIRECTOR HICKEY: Thanks, Dr.
5 Johnson. Thanks, Chair Joseph and everyone for
6 joining us for the conversation today. It's a
7 pleasure to have this opportunity to share our
8 thinking with you.

9 First off, let me talk just a little bit
10 about the existing supports for students in foster
11 care in schools. One of our top priorities is to make
12 sure we're meeting our young people where they are
13 with necessary supports so every school has a
14 designated liaison who ensures the students in foster
15 care in that location have proper support in the
16 school community. As Dr. Johnson mentioned in her
17 testimony, most schools have just a handful of
18 students in foster care enrolled in that location.
19 The designated liaisons have historically been
20 trained by the Office of Safety and Youth Development
21 and we look forward to working with that office as we
22 build the Foster Care team to develop that training
23 and to make sure it's landing well with all of our
24 liaisons and additional school-facing personnel.

2 Schools receive a monthly list of their
3 students in foster care through a data-sharing
4 agreement through the Department of Education and ACS
5 and schools closely monitor attendance of students in
6 foster care in grades K through 8 and raise concerns
7 with the foster care agency if the student absences
8 so that they can be immediately investigated. This is
9 called the Tiered Response Protocol. It's an
10 established agreement between ACS and DOE, and
11 students in foster care technically fall under Tier 3
12 of this protocol. I'm happy to talk more about the
13 details of that if it's helpful.

14 As Dr. Johnson said, these liaisons will
15 remain in place. We'll continue supporting them. We
16 hope to find ways to deepen their awareness,
17 understanding, and ability to be effective partners
18 for these students, but, with the creation of this
19 new team, we really do have an opportunity to bring
20 other resources to bear in a more systemic way and
21 some of the objectives that we're talking about for
22 the first year include really drilling down on some
23 of the changes we'd like to see put in place
24 regarding student transportation, considering changes
25 to the Chancellor's regulations or perhaps the

2 creation of a new Chancellor's regulation specific to
3 students in foster care, making updates to the annual
4 tools that schools use to communicate about their
5 school planning including the consolidated plan which
6 names these liaisons, and then improving access to
7 student data by foster care agencies, parents, and
8 guardians.

9 In addition, we're hoping to really
10 expand what we're offering in terms of our training
11 and professional development so that parental and
12 foster care provider rights and responsibilities are
13 much better understood and schools and school and
14 district partners, that schools have guidance
15 regarding obtaining school credit for mid-year
16 transfers, on developing self-paced learning
17 materials for school personnel so that they can dip
18 into and out of this information as their schedule
19 allows, and engaging school district leadership to
20 create dedicated professional development sessions at
21 the district level.

22 All of this needs to be embedded in our
23 work, deepening partnerships with ACS, with foster
24 care provider agencies, and really improving
25 connections between schools and foster care providers

2 and our agency stakeholders. We think we have a lot
3 of potential here to build on this work, and we've
4 already had a number of conversations and we feel
5 very grounded in the partnerships that's going to be
6 necessary to take this work forward. Thank you.

7 CHAIRPERSON JOSEPH: Thank you so much.
8 Some of my advocates have always said that the
9 designated position, the liaisons, sometimes the
10 person at the DOE doesn't even realize their
11 responsibility, and, as of last night, we noticed
12 that of the positions for foster care, we only still
13 have 2 positions that are posted. Can you clear that
14 up for me, please?

15 DR. JOHNSON: I will confer with the team,
16 but, as of yesterday evening, all 4 positions were
17 posted. As of last week, there were emerging
18 postings, so it might be possible that they pulled
19 the information last week.

20 CHAIRPERSON JOSEPH: All right. We'll
21 verify that, and, if you could send that over to us,
22 that would be very, very helpful.

23 DR. JOHNSON: Absolutely.

24 CHAIRPERSON JOSEPH: I'm going to touch on
25 something that's been, it affected me, but, thank

2 God, we were able to overcome that, but not many
3 families in New York City was able to do that.
4 Transportation, bus servicing. We know that the
5 federal and state law require that the Department of
6 Education provide transportation between children in
7 foster care placement and the school the students can
8 stay in their original schools. DOE does not
9 guarantee bus service. It's not a guaranteed service
10 or comparable transportation to students. Many of the
11 students in foster care we know have IEPs as well so
12 currently how many K-12 students in foster care are
13 receiving bus services from the DOE to get to school?

14 DR. JOHNSON: Thank you, Chair.

15 Transportation is an important issue that the
16 administration is committed to addressing. As such,
17 my Colleague, Glenn Risbrook, from the Office of
18 Pupil Transportation, I'd like to defer to him to
19 provide a more detailed response.

20 EXECUTIVE DIRECTOR RISBROOK: Thank you,
21 Chair Joseph, for the question. Thank you, Dr.
22 Johnson. Using the snapshot file that we received
23 recently from ACS, we have 972 students that receive
24 curb-to-school bussing that are in foster care and

2 259 that receive stop-to-school bussing which is
3 generally general education students.

4 CHAIRPERSON JOSEPH: How many of those
5 students are IEP mandated? Do you know?

6 EXECUTIVE DIRECTOR RISBROOK: Yes, for the
7 curb-to-school, 791 of those are IEP mandated and
8 receive bussing not through the exception process.

9 CHAIRPERSON JOSEPH: Okay. Of those
10 students who receive bussing service from the DOE, do
11 you know how many have been placed in care outside of
12 New York City?

13 EXECUTIVE DIRECTOR RISBROOK: That exact
14 number I do not have. I'll bring that back to the
15 Committee. Thank you, again, for the question. For
16 the students who reside outside of New York City and
17 are placed there through foster care placement, we
18 provide public transportation to those students,
19 whether it's (INAUDIBLE) Metro North, New Jersey
20 Transit, whatever is the predominant transportation
21 service for the district that they reside in. For our
22 students who have IEPs, we work with the residing
23 district to provide the appropriate transportation at
24 a shared cost or, at times, the cost is fully
25 burdened by the Department of Education.

2 CHAIRPERSON JOSEPH: Thank you. Of those
3 many requests for bussing under the foster care
4 exception this year, of the requests how many
5 students received bussing?

6 EXECUTIVE DIRECTOR RISBROOK: During 2021-
7 22, we received about 762 students that applied for
8 the exception.

9 CHAIRPERSON JOSEPH: Okay, and what's the
10 average length of time being this year between
11 receiving an exemption request and beginning bus
12 service to students in foster care? What does that
13 (INAUDIBLE)

14 EXECUTIVE DIRECTOR RISBROOK: Thank you,
15 again, for the question, Chair. We expedite
16 processing of exception requests for students in
17 foster care because we understand the importance of
18 school stability and the role transportation plays
19 for a student remaining in the school of origin.
20 Transportation cannot be the impediment of students
21 getting an education. That said, given that we
22 receive multiple requests for students, particularly
23 those receiving multiple successive placements, where
24 they move from address to address, it's hard to drill
25 down on a length of time between requests and the

2 first day of riding. I will take that back to the
3 team. We'll do a further analysis, but it varies so
4 widely that it was hard to drill down on an average
5 time.

6 CHAIRPERSON JOSEPH: Sometimes because of
7 transportation, students have to withdraw the
8 transportation because they're placed in other homes
9 while waiting for bus service. Do you have any data
10 on that type of information?

11 EXECUTIVE DIRECTOR RISBROOK: We have
12 provided transportation to just about all students or
13 families that requested transportation through the
14 exception process. There are times when there is a
15 time lag when we have to investigate what bus routes
16 are available. The challenges there, usually students
17 that are in foster care sometimes have to traverse
18 long distances to their school which limits the
19 amount of available bus routes, but we have either
20 provided transportation for or are in the process of
21 providing transportation for all students that
22 requested bus services. It is our goal that
23 transportation will not be the reason why a student
24 has to change their school of origin.

2 CHAIRPERSON JOSEPH: Yeah, because you
3 know in foster care that creates the stability
4 knowing their peers and remaining in their schools.
5 That becomes very important in their social/emotional
6 stability while staying in place while they go
7 through this traumatic...

8 EXECUTIVE DIRECTOR RISBROOK: Agreed.

9 CHAIRPERSON JOSEPH: Being placed in
10 foster care is traumatic. I had my 2 boys, and it was
11 traumatic, and so we know what the outcomes are if we
12 provide the right services at the right time for
13 them.

14 At last month's budget hearing, the DOE
15 stated that they were looking for a model of
16 transportation in foster care but didn't have a cost
17 estimate for use at the time. Do you think you have a
18 cost estimate today for guaranteeing bus services or
19 comparable transportation for students in foster care
20 who need to stay in their schools?

21 EXECUTIVE DIRECTOR RISBROOK: Thank you,
22 again, for that question, Chair. No, we do not have a
23 cost estimate because, in my view, we are actually
24 providing transportation to all students that
25 requested in foster care. It's actually what we do

2 day-to-day so we haven't drilled down a cost
3 estimate. I will take that back to my team, though,
4 and see if we can drill down to something specific
5 and bring it back to the Council, but, at this point,
6 there are very few students that are waiting for
7 transportation, and, once we drill down on that cost
8 estimate something more specific, I'll bring it to
9 the correct.

10 CHAIRPERSON JOSEPH: All right. Thank you
11 so much for that. If you're providing bus service for
12 all the students in care who request it, can you
13 agree to guarantee bus service for students in care?
14 That's something, we're looking for a guarantee
15 because it's a make and break for a child being
16 placed in a new home, being placed with new families,
17 not all of them get a kinship. If they're lucky
18 enough, they can get a kinship, but not all children
19 get that unfortunately so is there a guarantee? There
20 has to be a guarantee that keep going to school and
21 being steady is possible because it's an
22 inconvenience for the family that takes them in with
23 an open heart that want to make sure that child has a
24 stable home until they get through the trauma that

2 they're experiencing at the time they're placed in
3 the home.

4 EXECUTIVE DIRECTOR RISBROOK: Thank you,
5 again, for the question, Chair. We currently
6 guarantee bussing or a comparable service for all
7 students in grades K through 6 that live within New
8 York City and go to school within the 5 boroughs.
9 Again, as I mentioned, for the students that have
10 been placed outside of New York City, we do provide
11 public transportation in the methods that I
12 previously mentioned, and, for our students that have
13 IEP mandating transportation we do work, again, with
14 those placement districts, but it is a resource issue
15 at the end of the day. I know we speak a lot of times
16 about some of the failures that we have. I kind of
17 want to point out what we're doing within the Office
18 of Pupil Transportation to address these issues, and
19 there's sort of a 3-track approach that we're having.

20 The first track is what we're developing
21 now is having the leaders within the Office of Pupil
22 Transportation and not just myself appear at hearings
23 this way or with the public advocacies or with
24 families, but actually the leaders of the different
25 units within the Office of Pupil Transportation

2 attend these meetings and enter these dialogues as
3 well. What that does is it bring the accountability,
4 not just to me and the Special Advisor to the
5 Chancellor and the Chancellor himself, but to the
6 public, and, when they do that, I think they feel in
7 a real way how this is impacting their decisions and
8 what they do every day impacts the families and the
9 children of New York so that's one track.

10 The second track we're doing is we have
11 invested millions of dollars in improving the
12 logistical software that we use and the communication
13 software, and we'll be rolling out that my
14 expectation should be in the fall. What this does is
15 it has provided caregivers the ability to virtually
16 be on the bus with their children so we know when
17 Little Johnny has gotten on the bus, we know how long
18 it's taking him to get to school, we know when he's
19 getting off the bus, and the schools have access to
20 that same data, and then we get feedback from
21 families to help improve the services so that's
22 another track that we're going down. What it also
23 does is it pulls back that veil that the bus
24 companies have between themselves and the DOE. We are
25 able to actually drill down on that resource issue I

2 just spoke about. We're able to understand in real
3 term where they're allocating their resources, where
4 we can reappropriate them so we can take full
5 advantage of the resources that we do have to provide
6 additional support to populations of students that
7 need additional support. That's the second track.

8 The third track is pretty much dealing
9 with these god-awful contracts we have with the bus
10 companies. Right now, what we're doing is we're going
11 through the particular contracts we have now and
12 we're developing a plan to how we're going to
13 negotiate contracts going forward. What I will say to
14 the Council and everyone here, you have an advocate
15 in me to ensure that the goals of these contracts
16 going forward are more in the line of the needs of
17 the families of the city of New York is and not
18 skewed to the needs of the bus companies so that's
19 the third approach.

20 Then we're working on different ways to
21 try to improve the staffing levels with the bus
22 companies. To just drill back on the initial
23 questions, it is a resource. We're working on those
24 issues so we can further provide additional support
25 to the families of the city of New York.

2 CHAIRPERSON JOSEPH: Thank you so much,
3 Mr. Risbrook. Malcolm, I will acknowledge my Council
4 Members that have joined. Council Member Aviles,
5 Council Member Dinowitz, Council Member Brewer,
6 Council Member Hanks, Council Member LOUIS, Council
7 Member Stevens, Council Member De La Rosa, Council
8 Member Sanchez, Council Member Menin, Council Member
9 Krishna, Council Member Gutierrez, Council Member
10 Abreu, Council Member Narcisse.

11 I'm going to open it up. If I missed
12 anyone, in my second round I'll come back and
13 acknowledge you. Malcolm, I can open up the floor to
14 my Colleagues for some questioning and then I'll come
15 back.

16 MALCOM BUTEHORN, MODERATOR: Other Council
17 Members who have joined us were Restler and Feliz.

18 I want to remind Council Members use the
19 raise hand function for questions. You will receive 5
20 minutes. There is no second round. We're going to
21 start with Council Member Dinowitz and then we'll
22 turn to Council Members Schulman, Louis, and Aviles,
23 but we'll first start with Council Member Dinowitz.

24 SERGEANT KOTOWSKI: Time starts now.

2 COUNCIL MEMBER DINOWITZ: Thank you,
3 Chair, for having this really important hearing and,
4 of course, to the foster parents out there and
5 especially to our kids in foster care who are often
6 facing immense challenges and trauma and, of course,
7 in school are expected to do the same schoolwork as
8 their peers who are often in more stable
9 environments.

10 I have 2 questions. One is you spoke
11 about the positions that are posted. It's, of course,
12 vital that we fill these positions to ensure the kids
13 in foster care could get the support that they need
14 and deserve. Where are these positions posted?

15 DR. JOHNSON: I will check with my team to
16 confirm. They are posted on the DOE website.

17 COUNCIL MEMBER DINOWITZ: Cool. I'd love
18 for you to share that link with me. I looked at
19 schools, to nyc.gov career job opportunities website,
20 and I looked at the nychb.teachersupportnetwork.com.
21 I was unable to find these positions anywhere on
22 either of these websites. I see a number of positions
23 that are posted for kids in the shelter system, for
24 other guidance positions per session, opportunities,
25 things dealing with Regent's exams. I couldn't find

2 anything about the 4 positions that you listed, the
3 Senior Manager of Foster Care Support, Foster Care
4 (INAUDIBLE) Training and Policy, Data Manager. I
5 couldn't find any of those so if you would please
6 share the link with me because if it's difficult to
7 find, it's going to be difficult to fill those
8 positions.

9 DR. JOHNSON: Understood. I was just going
10 to say they are currently internal positions so
11 they're internal candidates so I can share the link,
12 but it's currently an internal posting.

13 COUNCIL MEMBER DINOWITZ: Okay. Thank you.
14 My second question is we know our kids in foster care
15 have more needs typically than students not in foster
16 care. Is there a systemic way that teachers know that
17 our children in foster care would need more of that
18 emotional support, more mental health care similar to
19 the way if a student has an IEP it's listed on the
20 attendance record, it's listed in the student's
21 record that they have an IEP and the teacher may have
22 a little more information or know to look into it a
23 little more, look on CSIS, if a student's an English
24 language learner. Is the same sort of system set up
25 for kids in foster care?

2 DR. JOHNSON: Thank you, Council Member,
3 for the question. Within one day of a student being
4 placed in foster care, the designated liaison is
5 notified and the prosecuting agency submits a letter
6 to the designated liaison and it's indicated in the
7 ATS profile, which is the data system that the DOE
8 uses so schools do have data about which students are
9 in care.

10 COUNCIL MEMBER DINOWITZ: Is that data
11 transmitted directly to the teacher or is it possible
12 that data stays with the principal or with whoever
13 does ATS?

14 COUNCIL MEMBER DINOWITZ: I think that's a
15 great question. I would say, as a former principal,
16 one of the things I would say is when we think about
17 the supports that we provide for all of ours
18 students, I think it's critically important that we
19 ensure that all students get universal support, that
20 we enable teachers to be able to exercise a level of
21 judgement and assessment around what are the profiles
22 and what are the protocols. We want to ensure that
23 our young people who are in care have a level of
24 privacy and that we don't violate their privacy and
25 so what we want is to do the screeners for are there

2 any external indicators of trauma, are they aligned
3 with the social workers and the social work support
4 to ensure that if these young people are experiencing
5 any additional challenges that they have that, and
6 then we also work in partnership with ACS and our
7 provider agencies to really support young people,
8 particularly those who might demonstrate any level of
9 distress, but, outside of that, we really want to
10 preserve young people's privacy and, if there is a
11 special circumstance, as needed, we would disclose
12 that.

13 COUNCIL MEMBER DINOWITZ: Okay, so I just
14 want to summarize that. No. Right? I would just ask
15 what the line is between privacy because that line
16 doesn't exist for students who have an IEP or English
17 language learners or all sorts of other things so if
18 we need to pay special attention and special care to
19 students who have needs, I'm not sure where the line
20 is there for students in foster care...

21 SERGEANT KOTOWSKI: Time expired.

22 COUNCIL MEMBER DINOWITZ: Who are going to
23 need more support emotionally and academically. I'll
24 leave it there, and so the answer's to my questions
25 are the positions are not publicly posted and that

2 there is no way for a teacher to know beyond maybe
3 the principal sharing with them, there's no way for a
4 teacher to know automatically if that student's in
5 foster care and would then need more additional
6 attention.

7 DR. JOHNSON: What I would say in response
8 to that, thank you, again, Council Member, for the
9 question, is that it is important for us to ensure
10 that if a young person is exhibiting or demonstrating
11 any level or distress that we provide levels of
12 support for them. Every young person, like every
13 individual, is going to handle a change in location
14 differently, and, while it's a level of trauma, it's
15 a level of change and typically there are
16 circumstances that lead to it. What we don't want to
17 do is to stigmatize young people by giving them a
18 label if they've figured out ways to be resilient and
19 to manage whatever the current situation and the
20 circumstances are. What we do offer if opportunity
21 for our social work team, our school counselors, to
22 provide additional support so in terms of whether or
23 not the classroom teacher would need that
24 information, unless a young person is really
25 exhibiting some level of distress, I think for the

2 classroom, I think what we want is for them to be
3 caring and trusting adults for young people, we want
4 them to connect with the young people, we want them
5 to know our young people, and I think as we manage
6 kind of those external circumstances sometimes we
7 place things on young people that if they've started
8 to figure out how to manage and how to cope with it,
9 we don't necessarily want to create some additional
10 stigma.

11 COUNCIL MEMBER DINOWITZ: Just having been
12 a teacher, I always found it better to address
13 something before it becomes a problem and not wait
14 until a child is exhibiting externally the trauma and
15 wait for it to be addressed after the fact so I guess
16 we have different perspectives on how best to support
17 children. Thank you.

18 DR. JOHNSON: Thank you.

19 MALCOM BUTEHORN, MODERATOR: Thank you.

20 Next, we'll turn to Council Member Schulman.

21 SERGEANT KOTOWSKI: Time starts now.

22 COUNCIL MEMBER SCHULMAN: Thank you very
23 much. I want to thank Chair Joseph for holding this
24 important hearing. In my previous position in the
25 City Council before I became a Council Member I

2 worked very closely with foster youth so this is
3 something that's near and dear to me.

4 Dr. Johnson, I wanted to ask how is ACS
5 coordinating services with the DOE LGBTQ liaison,
6 Kalima McKenzie-Simms?

7 DR. JOHNSON: Thank you for that question.
8 I would defer to my Colleague, Julie Farber, from ACS
9 to share a little bit more expertise around how ACS
10 collaborates with our schools and school structures
11 and systems.

12 DEPUTY COMMISSIONER FARBER: Thank you so
13 much, Dr. Johnson, and thank you for all the
14 questions. I do want to just thank the Chair and
15 everyone for holding this hearing, and it's
16 wonderful, Chair Joseph, to have a foster and
17 adoptive parent on the Council. It's just fantastic.
18 Chair Joseph, I'm actually one of your constituents
19 and you knocked on my door when you were campaigning
20 so congratulations.

21 We are obviously very committed to
22 supporting young people in foster care in their
23 educational achievements. We're really excited to
24 work with DOE on the new office, and obviously we've
25 been working closely with DOE as I think Council

2 Member Dinowitz, school is a critically important
3 part of any child's life and particularly the case
4 for young children in foster care. I will also just
5 say that unfortunately many children arrive in foster
6 care already behind the curve academically for
7 various reasons, and so our efforts here collectively
8 are critically important to get children back where
9 they should be and so that they don't fall further
10 behind.

11 I do also just want to mention just in
12 terms of the prior conversation, teachers I think
13 would typically know that children are in foster care
14 in part because of it is part of the role of the
15 foster care agency working with the child to connect
16 with the teachers, see how the child is doing and so
17 forth, and so it is definitely very important for the
18 foster care agency and the teacher and other school
19 supports to be connected so that we can properly wrap
20 around the child.

21 In terms of LGBTQ children, and thank you
22 very much, Council Member, for the question. ACS is
23 implementing a very aggressive action plan pertaining
24 to LGBTQ children in foster care. There is a large
25 number of children who identify as LGBTQ, and we

2 conduct extensive training of the staff at the foster
3 care agencies as well as foster parents. We, of
4 course, require that all of our foster parents are
5 affirming, and we're implementing a range of new
6 initiatives that relate to training and updating our
7 policies and providing additional support for young
8 people, working with the Ackerman Institute and other
9 entities. We really look forward to working with the
10 new administration and the DOE's office to join
11 efforts around LGBTQ youth which really comprise a
12 relatively significant proportion of young people in
13 foster care so I really thank you for that question.

14 COUNCIL MEMBER SCHULMAN: Thank you, and
15 I'd love to see that information too. As one of the
16 open lesbians on the City Council, it's something
17 that's very important to me. Are there any specific
18 services DOE provides ACS-involved children
19 considering that, as you said, a lot of teens in
20 foster care are LGBTQ?

21 DEPUTY COMMISSIONER FARBER: I'll defer
22 that to my Colleagues at the DOE.

23 DR. JOHNSON: Thank you for the question.
24 The team that supports our LGBTQ population really
25 works closely, they are also part of this office, the

2 larger offices of the 4 within the portfolio, so they
3 fall within the Office of Safety and Youth
4 Development, and what we find is that it's critically
5 important to provide supports for all young people,
6 and our teams do work across offices to really think
7 about how to target and provide additional supports.
8 When we think about how we will align some of the
9 capacity building work, how we look at the data, how
10 we look at the different supports that we will
11 provide for young people that is definitely in the
12 area that we are committed to working on and very
13 happy to partnering with you and the Council on best
14 ways to really support and advance...

15 SERGEANT KOTOWSKI: Time expired.

16 DR. JOHNSON: To support and advance this
17 work.

18 COUNCIL MEMBER SCHULMAN: Thanks. My time
19 is up. I have other questions, but I'd like to meet
20 with you directly and we can talk about those.

21 DR. JOHNSON: Absolutely. I'll have the
22 team connect with you, Council Member Schulman.

23 COUNCIL MEMBER SCHULMAN: Thank you.

24 DR. JOHNSON: Thank you.

2 MALCOM BUTEHORN, MODERATOR: Council
3 Member Schulman, I'll send you Dr. Johnson's contact
4 info right now.

5 Next, we'll turn to Council Member Louis.

6 SERGEANT KOTOWSKI: Time starts now.

7 COUNCIL MEMBER LOUIS: Thank you, and
8 thank you, Chair Joseph, for holding this very
9 important hearing. Thank you to all those that are
10 testifying today and answering questions. My
11 questions are really aimed to graduation rates and
12 suspension rates among students in the DOE. The first
13 question is regarding to foster children and their
14 level of completion of grades during the COVID-19
15 pandemic, I wanted to know if there was any data that
16 DOE could provide to us today, and I ask this
17 question because according to a 2018 report of the
18 city's Interagency Foster Care Taskforce 22 percent
19 of foster care students repeated grades so I wanted
20 to know if we had updated statistics on that and if
21 we had, particularly, updated statistics during this
22 pandemic that you all could share. My second question
23 after that is in regards to graduation rates for
24 foster care students in NYC. We know that there's
25 been a staggering percentage, about 48 percent,

2 that's well below the citywide percentage of 81
3 percent of students that are not in foster care so I
4 wanted to know what steps DOE is taking to raise
5 graduation percentages for foster care students.

6 DR. JOHNSON: Thank you for the question,
7 Council Member. What we recognize, again, is our
8 young people who are in care are typically those who
9 have experienced traumatic incidents and challenges
10 and in many instances gaps in instruction and so
11 figuring out the ways to support them. Many of those
12 young people end up overaged and under-credited and
13 they end up at some of our transfer schools. We
14 provide targeted support for young people at our
15 transfer schools. I want to defer to my Colleague,
16 Flavia Puello-Perdomo, who is a former transfer
17 school principal who can speak specifically to some
18 of the experiences and some of the supports that are
19 provided for young people as part of the transfer
20 school experience where we find many of our students
21 in foster care.

22 CHIEF EXECUTIVE PUELLO-PERDOMO: Thank
23 you, Dr. Johnson, and thank you, Council Member. For
24 the record, I was not a former transfer school
25 principal, but I was a former transfer school deputy

2 super. I am a former New York City principal from
3 District 7. Thank you for listing that question which
4 I know is important to you and it's important to me
5 both as a former high school teacher and high school
6 in terms of like the work that we're doing to bolster
7 the academic support for the students in foster care.
8 I first want to emphasize that through the pandemic
9 and beyond the pandemic we had provided significant
10 amount of funding to school to ensure that they were
11 bolstering their academic strategy and really looking
12 at individualized needs of students. As Dr. Johnson
13 mentioned, roughly about 30 percent of the students
14 who are in foster care are high school students and
15 predominantly attending schools. What I can say about
16 transfer schools, from the moment a student joins is
17 that there is a rolling admission process which
18 supports the students at different times of the year
19 because of the trimester model that they have for
20 credits to be able to jump in, get acclimated and
21 then given opportunities to join the courses that
22 they need to make graduation requirements. In
23 addition to that, students who attend transfer
24 schools are partnered with an advocate counselor who
25 is oftentimes a member of our CVO learning partner

2 organization that works with the transfer school to
3 ensure that when you're working with a student you
4 first are working on reengaging, you are working on
5 the social/emotional needs of that student, and then
6 focus on the academics. Really thinking how do you
7 take care of, first, the self so that students can
8 achieve at the highest possible level. As you
9 mentioned, there's definitely work to do in that area
10 in terms of looking at improving academic outcomes,
11 particularly around high school graduation, so I am
12 personally looking forward to partner to work and
13 support the team under the guidance and leadership of
14 Dr. Johnson that is going to be working on building
15 the Office of Foster Care to ensure that we are
16 really accounting for every child and for each of
17 their needs.

18 One thing that I can say that since the
19 pandemic, we have seen a slight reduction in the
20 number of overage, under-credited students that are
21 in foster care.

22 SERGEANT KOTOWSKI: Time expired.

23 CHIEF EXECUTIVE PUELLO-PERDOMO: I think
24 this is like data worthwhile monitoring and
25 continuing to look through because what happened with

2 the pandemic is that under the guidance of the
3 Regents at the state level we were able to do things
4 like waiver to Regent's and really leverage multiple
5 opportunities to get our students to the finish line
6 so I welcome an opportunity, as I know Dr. Johnson
7 too, to partner with Council, with you, and to
8 continue to work on building our supports and
9 infrastructure that will lead to better outcomes for
10 this student population.

11 COUNCIL MEMBER LOUIS: Thank you for that,
12 and I'm happy to hear that you're working on that.
13 Chair, if it's okay for me to ask one more question
14 because I know that was a little long response, but I
15 did have one last questions regarding the
16 superintendent suspension for students in foster
17 care. Flavia, I don't know if that's the same
18 response because we're still in the middle of a
19 pandemic, but if you could respond to that, and thank
20 you for answering the question, and thank you for
21 being here.

22 CHIEF EXECUTIVE PUELLO-PERDOMO:
23 Absolutely happy to respond to that, I'm equally here
24 and beyond. This hearing is a moment in time, and I
25 hope that this work is long-term and systemic for us

2 to continue to build the outcomes that we want. What
3 I can say is that 6.4 percent of the unique students
4 who have been suspended with a principal suspension
5 are students in foster care compared to 93.6 percent
6 which are not students in foster care and that 8.5
7 percent of students that received a superintendent
8 suspension are students in foster care compared to
9 91.5 percent. I think as an administration, this
10 Chancellor has been very clear about ensuring that we
11 continue to build supportive systems and that we're
12 keeping, especially students who have been impacted,
13 gone through trauma, have been removed from their
14 homes, stable and, for many of the young people, and
15 I can talk from my experience being a school leader,
16 sometimes the schoolhouse is one of the most stable
17 places that they have and where they have some other
18 more consistent relationships so I know that we
19 continue to build on that so that we actually are
20 focused on practices that are non-punitive and keep
21 our kids and keeps our young people in the
22 schoolhouse where sometimes it's like the most stable
23 place that they have at this moment in time, but
24 happy to answer any additional questions beyond this
25 hearing.

2 MALCOM BUTEHORN, MODERATOR: Thank you. Go
3 ahead, Deputy Commissioner.

4 DEPUTY COMMISSIONER FARBER: I just wanted
5 to add. Council Member Louis, thank you so much for
6 your question about high school graduation rates.
7 It's an area that we're very concerned about and
8 wanted to mention that in addition to all of the work
9 that DOE is already doing and planning and Dr.
10 Johnson mentioned this in her testimony, over the
11 last couple of years ACS has implemented a major
12 initiative called Fair Futures which is providing
13 tutoring, coaching, educational advocacy, vocational
14 training, internships, career readiness, intensive,
15 intensive support for young people in foster care
16 ages 11 to 21, and we are starting to see some
17 positive impact of those efforts and all of that.
18 That's about a 20 million dollar program right now.
19 That is in an important, important piece of
20 specialized attention to children in foster care
21 who've experienced trauma that overlays on top of
22 everything that the DOE is doing and planning as I
23 mentioned.

24 COUNCIL MEMBER LOUIS: Thank you, Chair. I
25 appreciate it. Thank you.

2 MALCOM BUTEHORN, MODERATOR: Thank you.

3 Next, we will turn to Council Member Aviles.

4 SERGEANT KOTOWSKI: Time starts now.

5 COUNCIL MEMBER AVILES: Thank you so much,
6 Chair Joseph, for this hearing and this very
7 important topic.

8 I actually wanted to make a quick
9 statement and then kind of follow along the lines of
10 some questioning already. In terms of transfer
11 schools, what we have been finding is that because of
12 the rolling admissions element of transfer schools
13 what we see is that the money is not following the
14 students, and transfer schools, unfortunately, are
15 also finding themselves in these constant budget
16 deficits because students are transferred in after
17 the enrollment deadlines so the schools, we have a
18 school in our district that is very much constantly
19 experiencing this budget problem so this is something
20 we absolutely have to address. It is unfair to the
21 schools who are trying to provide as much resource as
22 possible to our most vulnerable students and yet we
23 have this funding mechanism that simply is just not
24 doing its work. I would love to hear some feedback
25 around how we can address this chronic issue,

2 particularly related to transfer schools, and also
3 would like to hear a little bit more about in terms
4 of the suspension, I'm glad to hear that it is a
5 smaller portion of the overall group. I'd like to
6 know of the 7,000 children, what is the proportion or
7 the number of children that are experiencing
8 principal suspension, to understand within the
9 confines of the population itself what that
10 percentage looks like. I'll stop there.

11 DR. JOHNSON: Thank you for the question,
12 Council Member. With regard to transfer schools, I
13 think the funding, to your point, funding is
14 allocated and defined by that October 31st deadline
15 to determine population, but there are also
16 enrollment adjustments and funding adjustments that
17 happen mid-year, around February, but I do think that
18 how we understand and appreciate the funding formula,
19 the funding sources for transfer schools is an
20 additional area for additional conversation and
21 discussion so I definitely would look forward to
22 partnering with you and other Members of the Council
23 to have a better understanding of it as well as to
24 think about ways where we might be able to think
25 about it more creatively.

2 With regard to question of the number of
3 young people, the percentage of the 7,000 young
4 people, just give me one moment, we are looking to
5 see if we have the data available now or we may need
6 to get back to you on that particular data point. Not
7 because it's not available; I just don't have it at
8 my fingertips right now.

9 COUNCIL MEMBER AVILES: Right. I'd
10 definitely love to see that data and hear a little
11 bit more definitely to discuss the Healthy Schools
12 Initiative. I know I'm calling it the wrong thing, it
13 was just mentioned, but certainly would love to drill
14 down a little bit more to understand what are the
15 restorative justice practices, what does it truly
16 look like on the ground because often what we hear on
17 the ground from our communities and students is very
18 different than the picture that is being painted or
19 at least the intention that is being put out in terms
20 of these programs, and there is such a discrepancy
21 between the lived realities of staff members and CBOs
22 who are taking kids to school because they can't
23 figure out the bussing or suspensions or any of these
24 elements compared to kind of the vision. We need to
25 figure out how to bring these 2 things together so

2 I'd love to talk more about ensuring that
3 suspensions, that we are finding solutions and we are
4 stopping suspensions and we are doing the best we can
5 by our students in care and all vulnerable students
6 across New York City.

7 DR. JOHNSON: Thank you, Council Member.

8 COUNCIL MEMBER AVILES: Thank you.

9 MALCOM BUTEHORN, MODERATOR: Next, we will
10 call on Council Member Sanchez.

11 SERGEANT KOTOWSKI: Time starts now.

12 COUNCIL MEMBER SANCHEZ: Good afternoon,
13 everyone. I'm sorry I have to be off-camera for this
14 question, but thank you so much to the Chair for
15 first just sharing your story and holding this
16 hearing. It's so important.

17 Completely want to agree with Council
18 Member Aviles on suspension reduction rates. I wanted
19 to ask about grade retention. According to the 2018
20 report on the city's Interagency Foster Care
21 Taskforce, 22 percent of students in foster care had
22 a repeated grade compared to 6 percent of students
23 citywide. Huge disparity there. Do you have updated
24 statistics for this disparity from the 2018? How many
25 and what percentage of students in foster care were

2 held over last year? How does that compare to
3 students not in foster care? How many and what
4 percentages of students in foster care are promotion
5 in doubt already this school year? How does that
6 compare to students not in foster care, and,
7 importantly, what is the administration, what is the
8 DOE doing about it?

9 DR. JOHNSON: Thank you for the question,
10 Council Member. What I will say is I think when we
11 look at the last 2 years and what has happened during
12 the last 25 months or so, a lot has changed. We were
13 able to think creatively and offer young people some
14 different options and outcomes. We were able to
15 engage in Regent's waivers, we were able to engage in
16 a different way and a different approach to allow
17 young people multiple opportunities to really
18 demonstrate success. As such, we started to see some
19 shifts in terms of retention and retention rates as
20 well as some increases in promotions and reductions
21 in promotion in doubt. What we do recognize is that
22 we still have not yet met the number or hit the
23 threshold that we want. What we want is for 100
24 percent of our young people to demonstrate success
25 and what we want is for 100 percent of our young

2 people to have a range of post-secondary options
3 available to them.

4 When we think about the ways that we
5 would categorize or organize this data, with regard
6 to middle school and high school performance, we
7 would look at those young people who are overage and
8 under-credited, and so, if we were to look at the
9 numbers from 2021-2021 for the number of young people
10 who were, of the 7,416, about 6.5 percent were
11 overage and under-credited, which the citywide rate
12 which was about 2 percent so they were slightly in
13 excess, and in the pandemic, at the height of the
14 pandemic, what we saw was that we had about 18
15 percent so we did see a bit of a reduction in that
16 transition from the pandemic years to the 2021 year
17 and then we would still be in the midst of this year
18 so we wouldn't have any current data for this year.
19 Thank you.

20 MALCOM BUTEHORN, MODERATOR: Did you have
21 anything else, Council Member Sanchez?

22 COUNCIL MEMBER SANCHEZ: I'm good. Thank
23 you, Malcom.

24 MALCOM BUTEHORN, MODERATOR: Okay, thank
25 you. Next, we'll turn to Council Member Restler.

2 SERGEANT KOTOWSKI: Time starts now.

3 COUNCIL MEMBER RESTLER: Firstly, I just
4 would like to thank our Chair, Rita Joseph, for her
5 leadership here, for her sharing her personal
6 experience, and shining a light on this issue. I
7 think that we would all agree that the 7,000 young
8 people who are in our foster care system in our
9 public schools are in need of additional resources,
10 attention, and advocacy, and, while I welcome the DOE
11 finally having a dedicated team of professionals who
12 are focused on supporting our young people in foster
13 care and their families, I'm a little concerned that
14 we still haven't staffed up and just wanted to try to
15 get some additional clarity on where we are in the
16 hiring process. I think if I heard correctly, Dr.
17 Johnson, you indicated these were not public
18 postings. They are not positions that members of the
19 public are able to apply for, they're only internal
20 postings. Is that right?

21 DR. JOHNSON: They are public posting, but
22 they are postings for internal DOE candidates, yeah,
23 so it is internal DOE candidate.

24 COUNCIL MEMBER RESTLER: Only for DOE
25 personnel.

2 DR. JOHNSON: Yes.

3 COUNCIL MEMBER RESTLER: And that's
4 because of a hiring freeze that has inhibited your
5 ability to recruit outside talent (INAUDIBLE) to
6 headcount?

7 DR. JOHNSON: There is no hiring freeze.
8 What I would say is what we want to do is we want to
9 tap on the expertise and familiarity of those within
10 the population. We also should say, when we say
11 internal, it also extends not just to the DOE but
12 anyone who falls within the civil service title, so
13 it would broaden across multiple city agencies, but
14 just think in terms of timeline and expedition, we
15 just found that the internal posting was, it just was
16 easier to post and be able to identify candidates who
17 have both the experience with young people in the
18 educational space as well as young people who are in
19 foster care.

20 COUNCIL MEMBER RESTLER: When did these
21 internal postings go up?

22 DR. JOHNSON: The final posting went up
23 yesterday.

24 COUNCIL MEMBER RESTLER: Yesterday?

25 DR. JOHNSON: Yes.

2 COUNCIL MEMBER RESTLER: Are you're not
3 making these positions open to the public to apply
4 because you think it'll be faster to move internal
5 candidates into these roles? Otherwise, the only
6 thing that I could understand is that you don't have
7 the ability to add additional headcount so you can
8 take staff from other positions for these roles, but,
9 if that isn't the rationale and, as you're saying,
10 it's for expediency to move people into these
11 positions, then is that right? I'm just trying to
12 understand why you wouldn't be offering the
13 opportunity to broadly post these positions and move
14 people into the roles.

15 DR. JOHNSON: What I will say is that we
16 make these decisions in collaboration with our team
17 members and so in looking at the experience of the
18 Office of Students in Temporary Housing we took the
19 recommendations so I'm going to defer to my
20 Colleague, Mike, to help to clarify if there are any
21 areas that were unclear about what I've just said.

22 EXECUTIVE DIRECTOR HICKEY: Thanks,
23 Council Member Restler, for the questions. Yeah,
24 there are some concerns or things that we're
25 navigating around civil service requirements that do

2 require the DOE to post these internally here first.
3 We can certainly share the links. If you all have
4 Colleagues in the Department of Education you think
5 would be eligible candidates and are permanently
6 placed in the titles required for these positions, we
7 would very much like to hear from them. If folks have
8 further questions about how civil service operates
9 here in the Department of Education, we're certainly
10 available to respond to those questions as well, but
11 it's one of the quirks of working within the civil
12 service structure that we have to post these
13 positions internally here at the Department of
14 Education first.

15 COUNCIL MEMBER RESTLER: Okay. Do you have
16 a timeline for when you expect to be fully staffed
17 up?

18 EXECUTIVE DIRECTOR HICKEY: It does depend
19 a little bit on that process. For some of the titles,
20 we are following the hiring pool protocols that are
21 put together by Division of Human Capital and DCAS
22 and so we're somewhat subject to their timelines.
23 That being said, I think we're confident that we will
24 have these positions brought in over the summer.

2 COUNCIL MEMBER RESTLER: Okay. Appreciate
3 it, Mike and Dr. Johnson. I think that it's clear...

4 SERGEANT KOTOWSKI: Time expired.

5 COUNCIL MEMBER RESTLER: With Chair
6 Joseph's leadership here that we're going to as a
7 Council really focus on the DOE doing everything they
8 possibly can to support this population, and so we
9 want to see that team staffed up, we want to see that
10 team supported, and we want to do everything we can
11 to help our young people in foster care succeed so
12 thank you very much. I really appreciate the work
13 that you're all doing.

14 MALCOM BUTEHORN, MODERATOR: Thank you,
15 Council Member Restler. Next, we'll turn to Council
16 Member Brewer.

17 COUNCIL MEMBER BREWER: Thank you very
18 much, Chair Joseph. I have a couple of questions, and
19 I've been in and out so I hope I'm not repeating.
20 Number 1, as the parent of many foster care and
21 adopted children, what I dealt with constantly in a
22 very positive was the Students in Temporary Housing.
23 I guess my question is when was that department, and
24 they were excellent, I have to tell you, fully funded
25 and when, because my understanding and my experience

2 is that particular group of individuals took kids on
3 college tours and then did all the support that so
4 many young people need so I'm just wondering how did
5 that work during this span when nobody has been home
6 to make sure that this same group of students had
7 support. That's my first question.

8 My second one is how does Fair Futures,
9 which we love, we're delighted that the Mayor has
10 supported them, how do they fit in to the work that
11 you're going to be doing, particularly if there's
12 nobody at DOE? How does that all fit together?

13 DR. JOHNSON: Thank you, Council Member.
14 Since we do have the Director for the Office of
15 Students in Temporary Housing on the call, I actually
16 will defer to him to really speak a little bit more
17 to this challenge, but we do recognize the additional
18 supports and the opportunity to partner with both ACS
19 as well as our non-profit partners. Mike, will you
20 respond?

21 EXECUTIVE DIRECTOR HICKEY: Thank you,
22 Council Member Brewer, for the question. I'm glad to
23 know that you hold the work of the Students in
24 Temporary Housing team in such high regard. The team
25 has been around for a long time and (INAUDIBLE) I'm

2 the current Executive Director of that work and have
3 been for the past 3 years. I think one of the
4 structural challenges that we've faced is that
5 students in foster care were actually moved from the
6 federal definition of McKinney-Vento in 2016. As a
7 result of that change, they were no longer covered
8 under McKinney-Vento, and that placed limitations on
9 the kinds of resources we could leverage to support
10 that portion of the population. We've continued to
11 offer all the same supports that I think you remember
12 well to students that are otherwise qualified as
13 being housing unstable or affected by homelessness.
14 As a matter of fact, I think that work has
15 dramatically expanded since your interaction with
16 them in the 1980s. There are currently 324 STH
17 positions citywide to include social workers,
18 community coordinators, and DOE personnel who operate
19 in shelters so it's very extensive work and one of
20 the benefits of bringing the foster care team into
21 the Office of Students in Temporary Housing, there's
22 2 important things. One is many of our legacy team
23 members predate that 2016 time period so they
24 actually have direct experience working with students
25 in foster care and still carry that expertise and

2 they'll be partnered now with the new members that
3 we're bringing into this work. Second is we'll be
4 able to leverage all the things that we know about
5 supporting students in temporary housing and there
6 are strong parallels in the supports needed for
7 students in foster care we really think we can bring
8 to bear so we think the alignment is very compelling
9 and powerful and we think that will help us kind of
10 leapfrog to some of the supports that you mentioned
11 that results in direct services that students in
12 foster care really feel in a daily way that improves
13 their lives and experiences.

14 COUNCIL MEMBER BREWER: Okay, but what
15 you're saying is that the foster care, 11 positions
16 that are being filled according to civil service and
17 I knew that was going to be the challenge, so that
18 will be within STH, is that what you're saying, but
19 you also have some vacancies in your Bronx office
20 right now.

21 EXECUTIVE DIRECTOR HICKEY: Yes, that is
22 correct.

23 COUNCIL MEMBER BREWER: I can tell you
24 exactly who's vacant and what the positions are so
25 I'm trying to be nice but how are you going to fill

2 those? Do you have other vacancies? I have foster
3 care and STH kids. They know exactly what's going on.

4 EXECUTIVE DIRECTOR HICKEY: You're correct
5 on both points. On the first point, we will be
6 integrating the Students in Foster Care work with the
7 Students in Temporary Housing, all of that work will
8 roll up to my directors and to me.

9 We also do have other STH team vacancies
10 that we've been working to fill for some time. Those
11 are, again, there are challenges related to civil
12 service that have limited our ability to move quickly
13 to fill those positions.

14 COUNCIL MEMBER BREWER: Okay, but I'm just
15 saying that we should be helping with civil service.
16 I know it's a challenge. I know exactly what the
17 issues are, but you really do need to fill these
18 positions so if we can help let us know. I think
19 maybe we're more apt to be able to do it than you
20 are. How does Fair Futures fit into all this?

21 DR. JOHNSON: I think that's a great
22 question, and our Colleague, Julie Farber, from ACS
23 can speak more about Fair Futures.

24 SERGEANT KOTOWSKI: Time starts now.

2 DEPUTY COMMISSIONER FARBER: I'm happy to
3 take that. Hi, Council Member Brewer. Nice to see
4 you. I know you have a long history as a foster
5 parent (INAUDIBLE) thank you for all that.

6 COUNCIL MEMBER BREWER: BCW, that was my
7 agency. Go ahead.

8 DEPUTY COMMISSIONER FARBER: That's right.
9 Okay, yeah. Thank you so much for that and really
10 appreciate your incredible commitment to individual
11 children but also the system. In terms of Fair
12 Futures, as I mentioned, it has been a truly
13 incredible infusion of resources. It's now gone from
14 12 million to 20 million, and that funding is
15 supporting intensive tutoring. It's supporting
16 coaches for young people. It's supporting education
17 specialists and career specialists and internships
18 and technical assistance and professional development
19 for staff, and what's really critical is that the
20 coaches are really exclusively dedicated to the young
21 people. Currently, when you have a foster care case
22 planner, they're responsible to the foster parent,
23 they're responsible to the parent, they're having to
24 go to court, they're doing all of the different
25 pieces that are required on a foster care case and

2 what's important about the Fair Futures resources is
3 that these are dedicated resources exclusively
4 focused on the young people's educational well-being,
5 employment, growth, and so forth and so part of what
6 happens is there are case coordination meetings that
7 can involve teachers and tutors and the DOE that
8 really bring everyone around the student.

9 COUNCIL MEMBER BREWER: If I talk to Fair
10 Futures, are they going to tell me there's no
11 bureaucratic problems, this is all working very well?

12 DEPUTY COMMISSIONER FARBER: That's a
13 great question, Council Member. I think that what's
14 fabulous about Fair Futures is, like I said, because
15 you have a coach who is dedicated to the young person
16 and the coaches are really trained with sort of the
17 by-any-means-necessary approach so coaches are on the
18 phone in the middle of the night...

19 COUNCIL MEMBER BREWER: They have to be.

20 DEPUTY COMMISSIONER FARBER: They are
21 doing whatever needs to be done.

22 COUNCIL MEMBER BREWER: You have to be,
23 you have to be. I don't want to take any more time.
24 Thank you very much.

2 MALCOM BUTEHORN, MODERATOR: Thank you,
3 Council Member. Chair Joseph, I will turn it back to
4 you. There are no further hands.

5 CHAIRPERSON JOSEPH: Wonderful. Thank you
6 so much. I wanted to get back to something really
7 interesting. I was looking at my data again as an
8 educator and anyone on here know that data always
9 drives our assessment and our policy making, and I'm
10 noticing that around 50 percent of our students are
11 in special education currently and what the
12 percentage of students in foster care in New York
13 have IEPs. Does that include students in charter
14 schools, students placed by the DOE in state-approved
15 non-public school or only students in district
16 schools?

17 DR. JOHNSON: Thank you for the question,
18 Chair. To really talk about the special education
19 population, I'm going to defer to my Colleague, John
20 Hammer, from the Office of Special Education.

21 CHIEF EXECUTIVE DIRECTOR HAMMER: Thank
22 you, Dr. Johnson. Thank you, Chair Joseph, for that
23 question. During the 2020-2021 school year, a total
24 of 3,306 students in foster care were also students
25 with IEPs. That is roughly 44.6 percent of all foster

2 care students, and that number of 3,306, that
3 includes students in charter schools and non-public
4 school settings.

5 CHAIRPERSON JOSEPH: Oh wow. Okay. How
6 many of the percentage of students with IEPs are
7 placed in self-contained special education classes,
8 and how does that compare to students who are not in
9 foster care?

10 CHIEF EXECUTIVE DIRECTOR HAMMER: Chair
11 Joseph, thank you for that question, and we're
12 absolutely committed to continuing to provide the
13 supports and services that our students need across
14 all settings, including our most vulnerable students.
15 As of May 31, 2021, roughly 49.7 percent of students
16 with IEPs in foster care were recommended to receive
17 instruction in a special class compared to 30 percent
18 of students with IEPs not in foster care. Our goal is
19 to center the unique needs of our students with
20 disabilities while ensuring equitable access and
21 inclusion for all students across our city.

22 CHAIRPERSON JOSEPH: In terms of, the
23 numbers are not good, people. This is not good. How
24 many of the students are also placed in District 75
25 schools, if any? Do you have data on that as well?

2 CHIEF EXECUTIVE DIRECTOR HAMMER: As of
3 May 31, 2021, a little over 20 percent of students
4 with IEPs in foster care were recommended to receive
5 instruction in a District 75 program. That compares
6 to a little under 10 percent of students with IEPs
7 not in foster care.

8 I understand your concern here, Chair
9 Joseph, and we are taking several steps to ensure
10 that our IEP teams in schools are prepared to support
11 students that have entered the foster care system and
12 are vulnerable and at risk of experiencing adverse
13 childhood experiences. Back in November 2021, we
14 issued guidance and training on considering trauma in
15 special education evaluations and IEP development.
16 The guidance is aimed at providing a trauma-informed
17 framework of best practices regarding how a student's
18 experience with trauma should be considered during
19 the special education evaluation and IEP development
20 process. Our best practices guide for IEP teams works
21 with families during the transition to kindergarten,
22 includes taking into account environmental and other
23 stressors in initial eligibility determination as
24 well. We've made training opportunities available to
25 support IEP teams in considering the possible impact

2 of trauma on an individual student. This asynchronous
3 training is available to all staff members who are
4 part of the IEP team including but not limited to
5 special education teachers, general education
6 teachers, related service providers, administrators,
7 school psychologists, and social workers.
8 Additionally, we've conducted annual trainings over
9 the last several years to highlight
10 disproportionality in all forms in special class
11 recommendations. Along with increasing awareness
12 through training on disproportionality, we've
13 conducted trainings on the topic of surrogate parents
14 as a joint initiative with Advocates for Children and
15 Legal Aid. The last training in June 2021 was
16 attended by over 2,700 staff members. This training
17 has informed attendees on the data as it relates to
18 special class recommendations for students in foster
19 care and supported our IEP teams in knowledge and
20 awareness of this highly impacted subgroup of
21 students. We are planning to continue this commitment
22 to this initiative to ensure students in foster care
23 are provided equal opportunity to be educated and
24 inclusive in all classrooms. Thanks, again, for your
25 commitment to this issue, Chair Johnson.

2 CHAIRPERSON JOSEPH: Thank you. I'm just
3 wondering, someone has a lot of noise in the
4 background, I'm just wondering when I'm looking at
5 the data and I'm analyzing it and as I was reviewing
6 this data I'm realizing that it's a disproportionate
7 representation of students in foster care that are
8 placed in the most restrictive special education
9 setting so can someone talk about that for me? I
10 would love to see that just as the suspension rates,
11 the supports, it's everything geared back to the
12 foster care students and they get the brunt of
13 everything, so can you speak to that restrictive
14 special education, how is that determined, why are
15 more students in foster care placed in restrictive
16 special education settings?

17 CHIEF EXECUTIVE DIRECTOR HAMMER: I spoke
18 a little bit about the work that we're doing with our
19 IEP teams in training around considering trauma in
20 the evaluation process and IEP development. I think
21 it's also important to note that we're doing a lot of
22 trainings with our related service providers to
23 ensure that they are really trained to provide
24 trauma-informed care, and this is training that we've
25 provided to all DOE speech occupational therapists

2 and physical therapists, training on creating self
3 and accepting environments and training them to
4 provide environments to ensure that students can feel
5 safe and supported within their therapy sessions,
6 training on the importance of having a daily routine
7 and predictability, training around asking the
8 student what their needs are and how they can support
9 as well as training on self-regulation. We're also
10 training our therapists on use of self and asking our
11 therapists to be cognizant of their own verbal
12 language, using non-threatening physical stance, and
13 also to be cognizant of their tone and voice. On all
14 of these issues, we understand that we continue to
15 have work to be done and really are excited and
16 committed to continuing to partner with Mike and his
17 team as that team grows out to ensure that the needs
18 of students with IEPs are made clear and integrated
19 in all the trainings that him and his team will be
20 doing through overall DOE efforts to support the
21 student population.

22 CHAIRPERSON JOSEPH: Is the SBS teams at
23 the school, the school-based support team, are they
24 also being trained when these screenings are
25 happening, and how do you determine so many numbers

2 of our black and brown, these are black and brown
3 students that look like myself that end up in special
4 ed and those restrictive settings (INAUDIBLE) how
5 does that happen, how do you determine that? That's
6 why I wanted to know is the school-based support team
7 also part of this conversation when these decisions
8 are being made and is the foster parent around the
9 table or how does that happen? Because I'm really,
10 really, these numbers are bothering me a lot.

11 CHIEF EXECUTIVE DIRECTOR HAMMER: I
12 understand and understand that we have work here to
13 do on these data, and our commitment is to continue
14 to provide services in inclusive settings to the
15 greatest extent possible. Absolutely the SBST teams
16 are included in all of these trainings. Really the
17 guidance around considering trauma in the evaluation
18 processes and in the IEP development is specifically
19 intended for SBST teams and our CSCIP teams and
20 really helping them to consider the impact of trauma
21 across the special education evaluation process
22 beginning at the social history update and working
23 with families to ensure that they are clear on any
24 impact of trauma they have had, that that student may
25 be exhibiting in the home through the initial

2 evaluation and supports that can be provided
3 throughout this process. Absolutely, our SBST team is
4 being engaged throughout this process.

5 CHAIRPERSON JOSEPH: Are the parents that
6 are attending these meetings, the foster parents, are
7 they also trained on the information? Because
8 sometimes these agencies, are they telling the
9 parents that they're attending an IEP meeting, are
10 their rights told to them, what they have to do
11 before they decide to sign on, and what's alarming
12 here is the suspension rates with students in care is
13 high, absenteeism rate with (INAUDIBLE) I mean these
14 kids are already leaving such a traumatic space, and
15 school is supposed to be the safest space for them
16 and all of these things are being thrown at these
17 kids. Can you speak to that? Are the foster parents
18 informed? Do they also know what they're signing? Who
19 has the right to sign for these things?

20 DR. JOHNSON: John, I'm going to pick up
21 this. Thank you for the question, Chair. I'll say
22 this. We agree and we recognize and we acknowledge
23 that the experience of these young people, the
24 students in foster care, that they are not only
25 experiencing trauma but they are also are not

2 necessarily maximizing their academic and
3 social/emotional experiences through schools. We do
4 recognize the challenges in many of the areas that
5 you've identified, and it is the intention of this
6 office to really be able to provide the level of
7 guidance and support to really start to provide a
8 real solution and a way forward. I think prior to
9 this, those numbers have existed, and we've seen
10 those numbers, and we recognize and we put smaller
11 interventions in, but we still require some more. I
12 think this is a step towards really making a
13 concerted effort to really push to not only ask the
14 questions, to uplift the data, to implement the
15 strategies, to increase the training, to make certain
16 that people are better aware, better informed around
17 what are the policies and practices and expectations
18 but also to deepen the relationship so that
19 ultimately we shift and transform the experience for
20 these young people who are in care and who are a part
21 of our school system and school structure. We stand
22 committed to this, and we also stand committed to
23 working in partnership with you and other Members of
24 the Council, other agency partners, our non-profit
25 partners to really figure out how do we have some

2 real measurable and impactful change for these young
3 people. I understand that people are concerned and
4 that people are downright outraged around what is
5 happening, and, to a certain degree, it is a
6 understandable, but the beauty of it is we are here
7 having this conversation and this dialogue to figure
8 out a way to move forward and we started with some
9 action. We're hoping and relying on you to continue
10 to push us, to ask the questions and then push us to
11 get the results and to see shifts in outcomes not
12 just for us and not just for the record books or the
13 newspapers but for the young people and the families
14 whose lives are impacted by this. I really just
15 wanted to say that before really kind of deferring to
16 your question around what the parent experience is,
17 and, because ACS does a lot of the interaction and
18 engagement with the parents and families, I really
19 want to defer that question to Julie from ACS to
20 really speak a little bit more closely to it. Thank
21 you so much for the question, Chair, and I definitely
22 appreciate both your passion, commitment to this
23 issue and matter.

24 CHAIRPERSON JOSEPH: Thank you.

2 DEPUTY COMMISSIONER FARBER: Thank you,
3 Dr. Johnson. I appreciate that. Children are not
4 islands, and they're growing up with parents and
5 foster parents and so it is essential to be fully and
6 completely and comprehensively involving parents and
7 foster parents, and parents, when they still have
8 their legal rights to their children, retain full
9 rights in being involved in educational decision-
10 making and so our foster care agency staff are
11 trained around that. I believe the DOE does training
12 for its staff around that and so it really is a joint
13 effort and joint responsibility of both the DOE and
14 the foster care system to ensure that parents and
15 foster parents are invited to meetings, provided with
16 documents, IEPs, provided with assessments, and for
17 them to receive information and then, certainly with
18 parents, to be consulted about decision-making and so
19 the key there is just constant education and support
20 of both DOE staff and foster care agency staff to
21 ensure that parents and foster parents are receiving
22 the information they need. We also have an office at
23 ACS, the Office of Education and Employment
24 Initiative, that provides technical assistance to
25 parents to use (INAUDIBLE) to foster parents, that

2 works with the DOE very closely, that works with the
3 legal advocates who play a very important role in
4 terms of advocating for the needs that children have
5 for their education, but I just want to underscore
6 your point, Chair, that the engagement of parents and
7 foster parents, whoever the caregivers are, kinships
8 that you mentioned which is a really important goal
9 for ACS, to increase kinship and reduce trauma so
10 thank you for mentioning that, but it's a critical
11 piece of the work is engaging with parents in
12 addition to being legally required but also really,
13 really important.

14 CHAIRPERSON JOSEPH: Dr. Johnson, of
15 course, we will work together to uplift this
16 vulnerable community of students in our schools with
17 all of the partners on the ground, whether it's
18 advocates, you need advocates to raise and shine the
19 light on this very important topic, we need you to
20 come in and make sure these kids are getting the
21 services that they need, the CBOs to do their part
22 and all of the foster care agencies as providers to
23 come in so we each play a role but together we can
24 uplift this vulnerable population, and that's the
25 reason why we're here today, to make sure that this

2 is highlighted, people are aware of it, and we work
3 to make sure that the needs are being met. I have a
4 small little question. There was a manual that came
5 out in 2011 in collaboration with the DOE, ACS,
6 several different agencies, but we notice that it's
7 2022 and that manual has not been updated since. I'm
8 looking for a timeline to be updated with new
9 information, training the staff on the information in
10 that manual. The manual is the Guidelines and
11 Procedures for the Assignment of Surrogate Parents.

12 DR. JOHNSON: Thank you for the question.
13 I think one of the reasons, one for the office but
14 also how we thought about prioritizing roles for the
15 office was why we insisted upon ensuring that both
16 that policy and capacity building, that was one of
17 our first actions. This notion of how we have an
18 understanding of what are the rules and expectations
19 and how are they refined and what are the nuances of
20 it and then how then are we going to get people
21 trained because it's great to have a manual but if
22 people don't have access to it, if people don't have
23 an understanding or appreciation for it, then it too
24 can collect dust. I will defer to my Colleague, Mike
25 Hickey, to give a little bit more insight on this

2 matter, but I think in terms of the guidance there we
3 really want to ensure that we provided all of the
4 references, the resources, and the supports to both
5 our educators as well as our public and family. Mike
6 or John, if either of you want to jump, I think that
7 would be great.

8 CHIEF EXECUTIVE DIRECTOR HAMMER: Dr.
9 Johnson, I can jump in here. I agree with everything
10 you said about how important it is for our IEP teams
11 to ensure that birth and adoptive parents remain
12 involve in the special education process when their
13 child is in foster care, absent termination or
14 limitation of parental rights. It's also of critical
15 importance that our IEP teams know, as you mentioned,
16 Chair Joseph, and understand the process for securing
17 a surrogate parent when necessary. The publication of
18 an updated Surrogate Parent Manual is a priority for
19 us and is something that we are hoping to be able to
20 release before the end of this school year. As Dr.
21 Johnson said, we will accompany that with a wide
22 range of training including publicizing the
23 completion of that Surrogate Parent Manual in
24 Principal's Digest and Field Support Weekly. We'll
25 also conduct trainings for our field support staff or

2 our CSE chairpersons and leadership teams, our
3 administrative special education, our supervisor of
4 school psychologists, and our psychologists and
5 social workers. We appreciate you lifting that here
6 today and are working very hard to have that manual
7 finalized and published by the end of the school
8 year.

9 CHAIRPERSON JOSEPH: And you plan on
10 training the staff and all of the..

11 CHIEF EXECUTIVE DIRECTOR HAMMER:
12 Absolutely.

13 CHAIRPERSON JOSEPH: All of the
14 stakeholders in this space for students in care?

15 CHIEF EXECUTIVE DIRECTOR HAMMER:
16 Absolutely.

17 CHAIRPERSON JOSEPH: I had another
18 question about, well, I have a lot of questions about
19 accessing student records. I know when I was in the
20 foster care system it was hard for me to access my
21 son's records when the parents are TPR'd, their
22 rights are terminated, I know it takes a long time
23 for me to have access. Matter of fact, when my boys
24 came to care they came with no papers at all,
25 nothing, so it was hard. They came just as they were.

2 No birth certificate, nothing. It was hard for me to
3 access those records. It was hard for me to get
4 information from the schools even though my name was
5 on the papers and they said all of this, she's not a
6 foster parent, how do you ensure that parents like
7 myself, other parents across the city who want to be
8 foster parents, that they can access these school
9 records? It's usually, I think the parents must wait
10 45 days for it to happen so will DOE commit to having
11 a new foster care system to change the practice to
12 ensure parents and foster care agencies have access
13 to educational records of students in foster care,
14 and, if you do, what are the timelines and what is
15 that looking like?

16 DR. JOHNSON: Thank you for the question,
17 Chair. We intend to take a deep look at this issue,
18 and I think it's one of the reasons why we've
19 launched this office is to really understand the
20 experiences and then figure out what are the
21 strategies and systems to put in place to mitigate
22 those. I will defer to my Colleague, Mike, who has
23 had greater experience with accessing the student
24 records, and he'll give us an explanation of some of
25 the work.

2 EXECUTIVE DIRECTOR HICKEY: Thanks, Dr.
3 Johnson. Thanks for the question, Chair Joseph. I
4 would say 2 things about this. Certainly, in our work
5 with students in temporary housing, we're very
6 familiar with the challenges around enrollment for
7 instance. In those instances, fortunately, we're kind
8 of protected by McKinney-Vento which includes the
9 right for students to enroll immediately even without
10 full documentation in a school once they relocate. I
11 will be honest here. I am new to the work around
12 students in foster care, and I need to, myself, get
13 familiar with the obligations that the DOE has to
14 ensure things like prompt enrollment and support with
15 accessing the appropriate documentation for students.
16 I see Julie's hand raised so I will defer to her in
17 just a moment, but I do want to say that just
18 complete agreement here with Dr. Johnson that we want
19 to ensure that schools very consistently hold this
20 knowledge so that we don't run into those exceptions
21 where a school secretary or an enrollment team member
22 is somehow confused or misconstruing guidance around
23 supporting enrollment and dealing with documentation,
24 which still remains a challenge, and we're very
25 hopeful that this new team can bring much deeper

2 consistency and fidelity to the schools and districts
3 so that we don't run into these same issues on a
4 consistent basis. Julie, I'll turn to you.

5 DEPUTY COMMISSIONER FARBER: Thank you,
6 and I know our teams from ACS and DOE are working
7 very closely together on this issue so I know it's an
8 issue that both ACS and DOE are very focused on. I
9 think the issue has been is that typically the
10 systems to provide access to the adult with whom a
11 student resides and so obviously when a child is in
12 foster care, they're residing with a foster parent
13 and my understanding is that our teams have been
14 working together to ensure that the foster parent has
15 access, the parent has access, and the foster care
16 agency has access so that all 3 of those parties have
17 access to the various systems that have information
18 about the student and that when there are issues or
19 challenges with that that our office works with your
20 office, I think it's the Academic Policy and Systems
21 Office and Student Information System with
22 troubleshooting, but the goal is that all 3 of those
23 entities, when appropriate, would have access to
24 those various systems.

2 CHAIRPERSON JOSEPH: Okay. I will come
3 back to that question. Thank you for that. Thank you.
4 My Colleagues earlier spoke about transfer schools. I
5 wanted to find out in these meetings are language
6 access available for non-English because I do get
7 calls about, as a Council Member, as an educator, I
8 do get calls as families that are now looking for
9 culturally relevant placements, are language access
10 available for students through the DOE and through
11 the different agencies, ACS, you can answer that for
12 me as well if you have an answer. Is language access
13 available for children coming into care that English
14 is not their first language?

15 DR. JOHNSON: Thank you for the question,
16 Chair. I'll allow Julie to start the information
17 around kind of the initial experience of families.

18 DEPUTY COMMISSIONER FARBER: The answer to
19 this is yes, for sure. Language access is absolutely
20 available for children and for parents either through
21 staff who speak the language and/or through
22 translation services. It's obviously critically
23 important to be able to communicate in the children's
24 and parents' languages so we have a whole function
25 related to that.

2 CHAIRPERSON JOSEPH: So the staff that's
3 hopefully pulling together this 11-member foster care
4 staff will also have some type of language access for
5 our immigrant families who do enter the foster care
6 system? We do get a lot of immigrant families because
7 I do get the calls. I do get the calls through my
8 office either for language access or for some type of
9 representation so this office will also have language
10 representation, the manuals and the information that
11 will be placed on the DOE website will also have
12 these types of information available?

13 DR. JOHNSON: Thanks, again, for the
14 question, Chair. As part of the DOE and our
15 communications, we work with the translation team to
16 ensure that DOE communications are provided in
17 multiple languages, and we do so within the timeframe
18 that it takes for us to really be able to secure the
19 translation resources and analyze those supports. At
20 each of our schools, there are individual language
21 supports that are available as a line to the school
22 and the school community, but it's definitely an area
23 that I think may require some additional attention,
24 and we too would be happy to have a better
25 understanding of what the experience has been of

2 families. If there are any opportunities for us to
3 think about this more deeply, we would absolutely
4 love to hear and learn more about that.

5 CHAIRPERSON JOSEPH: Wonderful. Thank you
6 so much. Earlier we talked about transfer schools.
7 How are transfer schools providing support for our, I
8 noticed that in 2019 there was a report from ACS that
9 numbers 1 in 4 students were placed in transfer
10 schools. Can you tell us how many of the percentage
11 of students are foster care students, and what are
12 the changes, they change schools at least once a
13 year, what are the percentage on the students that
14 are changing once they arrive at the transfer
15 schools?

16 DR. JOHNSON: Thank you for the question,
17 Chair. As we look at the data for transfer schools,
18 what I will say is that most of our young people who
19 are in care, over 80 percent of the young people who
20 are in care really do not end up changing schools.
21 There's a smaller percentage of young people who do
22 experience a change in school. We are gathering some
23 of the data around the transfer school demographics
24 and so I will likely have to get back to you on that
25 specific data for this particular population.

2 CHAIRPERSON JOSEPH: Wonderful. I noticed
3 that earlier you mentioned that each of the schools
4 has a foster care coordinator or a liaison or point
5 person, does the foster care student themselves know
6 that there's a liaison available to them to support
7 them while they're in the schools.

8 DR. JOHNSON: I will defer that question
9 to Mike. Thank you for that question. Mike, if you
10 could respond to this question.

11 EXECUTIVE DIRECTOR HICKEY: Thanks, Dr.
12 Johnson. Historically, the training that's provided
13 to liaisons always includes information about how to
14 coordinate communication with students and with
15 families as well as with foster care providers so
16 we're trying to ensure liaisons are equipped in how
17 to approach from a trauma-informed perspective
18 interactions with students and families and, as Dr.
19 Johnson said before, approach those with an awareness
20 of balancing student privacy and the challenges of
21 avoiding a stigma with when a child is indicating
22 that they are in distress, carrying an awareness of
23 the additional risks or challenges they may be facing
24 in their life to provide an informed intervention.

2 CHAIRPERSON JOSEPH: Basically they do
3 know and they don't know that there's someone
4 available for them because of privacy laws or do they
5 know that they can reach out to someone, let's say
6 someone goes to a school, do they know who their
7 point person to guide them through, to be a support?

8 EXECUTIVE DIRECTOR HICKEY: I appreciate
9 the clarification. The liaisons themselves are
10 disclosed by the school to the school community.
11 They're also disclosed to foster care providers. We
12 actually update the list of liaisons and share that
13 with foster care providers about quarterly each year.

14 DR. JOHNSON: I would just add that we
15 also have Donna Brailsford on the line who is our
16 interim Citywide Coordinator for Child Abuse
17 Prevention so she can add a little color to this
18 response as well.

19 COORDINATOR BRAILSFORD: Thank you, Dr.
20 Johnson. The designated liaison is actually the
21 liaison for all child welfare involved cases. They
22 are the liaison between ACS and the DOE and
23 specifically in individual schools. As mentioned,
24 there are a small number of foster children in any
25 one particular school. However, that liaison is the

2 point person that the agency would reach out to if
3 they need any support. That individual is not
4 directly known to the child per se but more to the
5 agency and the foster parent.

6 CHAIRPERSON JOSEPH: And the school, is
7 the person also identified to the school as well?

8 COORDINATOR BRAILSFORD: Yes, definitely.
9 All staff in the school would know this individual.
10 This is the point person should any agency
11 involvement need connections to the school system.

12 CHAIRPERSON JOSEPH: Thank you so much for
13 that. Let's talk about attendance. Attendance does
14 not look good for my students in care. I noticed that
15 the average, ACS has a website and the average
16 attendance for 16-20 year olds in care was only 58
17 percent last year, and that's not the average
18 citywide. What is the average attendance rate for
19 students in foster care so far this school year, and
20 how does that compare to students who are not in
21 foster care?

22 DR. JOHNSON: Thank you for the question,
23 Chair. What we recognize is that as you talk about
24 attendance that it is critically important. We cannot
25 educate young people who are not present. Joining us

2 on the call is Sarah Jonas and citywide attendance
3 within one of the areas of her supervision so I'm
4 going to ask Sarah to speak a little bit around
5 absenteeism and attendance for our young people.

6 SENIOR EXECUTIVE DIRECTOR JONAS: Sure.
7 Thank you so much, Dr. Johnson, and thank you, Chair.
8 Thank you for the question. Our year-to-date
9 attendance for students in foster care is about 79
10 percent right now. Of our students that are currently
11 in foster care, about 34 percent have missed 20
12 percent or more of their total days and around 23
13 percent missed 30 percent or more so we know that
14 these are real challenges. I'm going to speak a
15 little bit about sort of the process for addressing
16 attendance issues because I know you raised that as
17 well, and we certainly know that our students in
18 foster care face barriers to attendance that go
19 beyond of their housing-stable peers.

20 All of our schools closely monitor the
21 attendance of the students in foster care in grades K
22 through 8, and they raise concerns to the foster care
23 agency if there are student absences so that they can
24 be immediately investigated, and this is done through
25 that tiered response protocol that several of our

2 Colleagues have mentioned on the call today. Students
3 in foster care fall under Tier 3 of that tiered
4 response protocol and on the 3rd consecutive day of
5 absence on which the parent or foster parent can't be
6 reached or for situations where no explanation or no
7 adequate explanation for the absence is provided, and
8 that's determined by the principal in consultation
9 with the staff that are doing the outreach, on that
10 3rd consecutive day, that assigned school staff
11 person for that attendance monitoring must do 2
12 things. One, they must immediately report the
13 student's absences and the results of that outreach
14 to the child's foster care case planner, or, if the
15 school is unable to reach the case planner, the ACS
16 Office of Education and Employment Initiatives. Two,
17 they must record the school's contacts with either
18 that foster care case planner or the ACS Office of
19 Education Support in the DOE mainframe so those are
20 some of the required actions to take there.

21 I think also important to note, as may
22 have been mentioned earlier, is that the DOE and ACS
23 have a data-sharing agreement and so the DOE receives
24 the names of students in foster care monthly from ACS
25 to disseminate to school communities and DOE also

2 provides ACS and foster care agencies monthly reports
3 of student data regarding attendance as well. This is
4 obviously a critical issue, and these are some of the
5 ways that we're currently supporting that work as
6 well.

7 We also continue to support all of our
8 schools with strong attendance taking practices and
9 having, again, those up-to-date lists of students in
10 foster care, and we continue to work with district
11 teams and schools to ensure that they have that. We
12 also are supporting innovative attendance data tools
13 to monitor attendance, and this is a best practice
14 that we're continuing to grow and model in part on a
15 pilot that we have with DHS on scaling some of our
16 data tools to shelters over this past year.

17 We're also very focused on making sure
18 that our students have personalized one-to-one
19 supports and that the foster care students have that
20 personalized support to ensure that the right support
21 is delivered at the right time. This could include
22 things like mentors, advisories, tutoring, other
23 types of support, any kind of whole child supports
24 that our students would need to address any barriers
25 they're facing to attendance and to encourage and

2 support them in regular school attendance and
3 engagements.

4 Lastly, as has been mentioned here, we
5 all recognize, I know that everyone here does as
6 well, the critical importance of connecting our
7 schools, students, and families to community
8 resources and partnerships including through city
9 agencies and community partners and, again, how
10 critical these are to removing barriers to attendance
11 for our students and their families and forging those
12 really strong community connections.

13 CHAIRPERSON JOSEPH: Wonderful, thank you.
14 Thank you for that. Appreciate it. We talked about
15 also earlier about grade retention. When we reviewed,
16 especially when I reviewed the Interagency Foster
17 Care Taskforce, I realized that 22 percent of our
18 students in foster care have repeated a grade
19 compared to 6 percent of the students citywide. Do
20 you have an updated figure for these statistics?

21 DR. JOHNSON: Thank you for the question,
22 Chair. I will have to get back to you with the actual
23 updated number, but we do know that our young people
24 continue to experience challenge, and that challenge
25 is reflected in academic performance as well as

2 behavioral outcomes and so we'll definitely get back
3 to you with that data.

4 CHAIRPERSON JOSEPH: Okay. Earlier my
5 Colleague was talking about suspension rates. We
6 notice that students in foster care, they get
7 principal suspensions compared to students that are
8 not in foster care, they get superintendent
9 suspensions as well. Is there any type of restorative
10 justice versus suspensions put in place for students
11 in foster care, especially coming in from the
12 environment, trauma, how do we do transformative work
13 with them versus suspended versus principal and
14 superintendent, and these things go on their records?

15 DR. JOHNSON: As I mentioned at the start,
16 the Office of Safety and Youth Development is also
17 part of my portfolio, and one of the things that the
18 team has worked on over the last few years is really
19 transforming the ways in which the school responds
20 to, I don't even want to call it noncompliance, but
21 disruptions, and what we realized is that there were
22 a significant number of instructional days being lost
23 and over the last 2-1/2 years we've really worked to
24 really offer sets of alternatives to suspension but
25 also challenging both school leaders to think

2 creatively around interventions and social/emotional
3 supports that they can put in place prior to
4 reverting to suspensions. While I can share the data
5 with you at another time, we've made significant
6 reductions in the number of suspensions, both
7 principal suspensions and superintendent suspensions.
8 We also revamped the citywide behavioral
9 expectations, which is a shift from calling it a
10 discipline code so it's not necessarily what you do
11 wrong and how we're going to punish but just this
12 idea of how do we set a clear set of expectations and
13 how do we ensure that young people are able to meet
14 those expectations that we've set forth.

15 I've worked in partnership with my
16 Colleague, Flavia Perdomo, and so she can speak a
17 little bit more to that, but I just wanted to lift
18 that up, that across the city we've made considerable
19 interventions to really reduce how principals think
20 about the practices as well as thinking about
21 integrating and expanding the number of restorative
22 justice practices at schools that are in place.
23 Flavia.

24 CHIEF EXECUTIVE PUELLO-PERDOMO: Thank you
25 again, Chair Joseph, for listing the question. What I

2 will continue to add here is as Dr. Johnson mentioned
3 that the focus has been on both changing policy,
4 changing practice and ultimately the other priority
5 is like changing hearts and equipping educators on
6 the ground to ensure that they have the tools, they
7 have the skills to pivot to other ways that we can
8 address behaviors in non-punitive ways. When it comes
9 to the policy, as she mentioned, there were a lot of
10 bold changes that have been done in the recent years
11 to change the amount of days that a student could be
12 suspended and also look at infractions in an approach
13 that's through grade-band so that we can be grade
14 appropriate, and that has, as a result, allowed us to
15 see some of the reductions that we have seen, which I
16 know we report to the Council twice a year on this
17 area. In terms of your question specific about what
18 are the supports on the ground, I think what we have
19 really started to elevate in the recent years and
20 continue to elevate now under the leadership of Dr.
21 Johnson is to think through children and the support
22 in the school and the young people to a peer
23 approach. When there's work that we're doing across
24 the board for all of the students to strengthen core
25 instruction in social/emotional learning for students

2 in a targeted approach with some of our students in
3 foster care will fit in that category or just
4 individualized support and ensuring that for our 6th
5 through 12th students that we are allowing for
6 opportunities to staff members and school leadership
7 to be trained on restorative practices and for our
8 young people that we are listing some of the
9 partnerships that we have with things like Harmony
10 which create routines and rituals that allow us to
11 embed SCL practices into the school classrooms in a
12 way that align to Castle which is sort of like our
13 best standard for (INAUDIBLE) indicators and
14 alignment so I think it's both ensuring that the
15 policies really speak to our value as an organization
16 at the DOE but also ensuring that if we want the
17 adults to pivot to practices that are more non-
18 punitive and focused on restoring that we train them
19 on that, and I think I will echo what I believe you
20 may have listed earlier continuing to monitor that
21 those practices are actually yielding the results
22 that we expect to see. It's critical. Also, figuring
23 out ways to have student voice at the table,
24 especially when we think about the 30 percent of the
25 students that are impacted by being in foster care

2 and trying to figure out what works for them so that
3 they're also a part of the solution or part of the
4 things that we're putting in place and that we get
5 feedback and have cycles that we can monitor the
6 implementation of all of these practices that we're
7 listing.

8 CHAIRPERSON JOSEPH: Thank you. I'm going
9 to read a little data for you. In 2021, 4-year
10 graduation rate of New York City students in foster
11 care was only 43 percent, which we talked, as
12 compared to 81 percent for our students not in foster
13 care. 17 percent of students in foster care dropped
14 out, the highest dropout rate of any student group in
15 New York City. Given these data, what is the city
16 doing to improve graduation rates, reduce dropouts
17 specifically for students in care?

18 DR. JOHNSON: Thank you for the question,
19 Chair Joseph. Really appreciate these thoughtful
20 questions. As we look at the dropout rate and what we
21 are doing specifically for young people, I think much
22 of that is the work that we will be exploring and
23 deepening and developing as part of the office and
24 working in collaboration with our other teams and
25 Colleagues. I think, currently, some of the supports

2 that we offer is we provide a list of students who
3 are in care to our BCOs and schools use this to
4 monitor the students, their attendance in accordance
5 with our Chancellor's Regulation A-750. We also have
6 the tiered response protocol which Sarah mentioned
7 which is another way to kind of monitor and
8 prioritize young people's attendance who are involved
9 in the structure. I think there are additional
10 supports that are offered. I'm going to connect to
11 Mike to talk a little bit more around some of the
12 DOE-wide commitments and supports and then I'm also
13 going to ask Julie to jump in to talk a little bit
14 around some of the supports provided as part of Fair
15 Futures. Mike, can you speak to some of those?

16 EXECUTIVE DIRECTOR HICKEY: Yep. We're
17 obviously very aware of these trends and concerned by
18 them. In fact, the DOE allocated about 350 million
19 dollars in academic recovery funding to schools, and
20 these funds were targeted for students with the
21 highest needs, including a weighting for students in
22 foster care and school locations so, just to be
23 clear, that 350 million dollars was allocated to
24 schools with a priority given to schools that had a
25 identified students in foster care or we knew that

2 had students in foster care enrolled in those
3 locations. These funds are designed to support the
4 targeted acceleration of student achievement coming
5 out of the pandemic and includes strategic
6 implementation of some evidence-based interventions
7 that are matching students to social, emotional, and
8 academic needs in cases where the needed student
9 support would help meet the graduation requirements.
10 Targeted funding, targeted interventions specific to
11 graduation results. Julie, did you want to add
12 something?

13 DEPUTY COMMISSIONER FARBER: Sure, and
14 thank you, Council Member, for raising the issue
15 about high school graduation rates. This is an area
16 where we all need to pull together and do everything
17 that we possibly can to assist young people. As I
18 mentioned, unfortunately, many children when they
19 enter foster care are already behind academically and
20 so we need to do everything we possibly can to get
21 them back up to where they should be and to ensure
22 that they're not losing further ground. The other
23 thing that I think has also been discussed in the
24 hearing is that about 40 percent of the young people
25 are in special education, and I think, Chair, you

2 were pointing out earlier that the concerns with the
3 disproportionate representation, and I think what I
4 would add to that is that what we want to make sure
5 is that children who need special education services
6 are getting them, but we certainly don't want
7 children to be over-included in special education if
8 they can be served in mainstream. Not sure if there's
9 a right number for the proportion, but the key is
10 making sure that each child, of course, is evaluated
11 individually and is getting the services that they
12 need.

13 The supports that we have been providing
14 over the last couple of years really are in the Fair
15 Futures bucket as Michael mentioned with additional
16 intensive tutoring that is specifically designed to
17 be working with kids who have experienced trauma,
18 coaching as I mentioned, having dedicated coaches for
19 older youth who are doing everything from calling
20 them in the morning saying hey, you're going to
21 school, how's your afterschool program going, let me
22 help you with an internship, sort of the by whatever
23 means necessary approach with the coaches. There are
24 also middle school specialists. I just also want to
25 mention that. There are middle school specialists in

2 Fair Futures because the transition obviously from
3 middle school to high school is a moment, and
4 students, first of all, need help with the high
5 school selection process and so there's a lot of help
6 being provided to students, parents, and foster
7 parents around that so sort of the combined efforts
8 of what's happening through Fair Futures and the
9 additional supports that our Colleagues at the DOE
10 are providing are essential and must continue and
11 only accelerate in order to move this group of
12 children forward academically.

13 CHAIRPERSON JOSEPH: Thank you. You were
14 going to say something, Dr. Johnson?

15 DR. JOHNSON: Yes, Chair Joseph. Thank you
16 for allowing me. I just wanted to add if we speak
17 specifically around this population, we also
18 communicate. We're share academic data to our foster
19 care agencies, around promotion in doubt, summer
20 school requirement and assignments, but I also would
21 say that a key contributor to the reduction of
22 dropout rates is young people wanting to come to
23 school and so we think about kind of some of the
24 supports and the wraparounds that are afforded to
25 them through Fair Futures but also through innovative

2 school models and school practices like transfer
3 schools and so in these smaller settings where they
4 are often real intentional community-based
5 partnerships, structured supports, they create the
6 conditions that make young people feel at home, and,
7 as a former educator, as I was told we're never
8 former educators, as a current educator one of the
9 things that you know is the conditions that are
10 created, I think the teams at transfer schools have
11 an appreciation for young people who have experienced
12 challenges, both academic, but we know with those
13 academic challenges comes social challenges and other
14 experiences and so there's a level of love, care, and
15 attention that is afforded by both the leadership and
16 the teams in that space that really enable us to
17 really provide some impact and some intervention for
18 those young people, but there still is more to be
19 done because 17 is still a number that is too high
20 and how we think about our strategies and systems
21 that we put in place. I just wanted to add that to
22 the response.

23 CHAIRPERSON JOSEPH: Thank you so much.
24 Quick question. During COVID-19, what types of
25 support were afforded to students in foster care

2 (INAUDIBLE) technology in terms of support, wi-fi, we
3 know that was one of the biggest challenges our
4 students faced. I was in the middle of that hot mess
5 that the pandemic created, setting up iPads and
6 Chromebooks and all of that. How did we support our
7 students in care during COVID and still to this time?

8 DR. JOHNSON: Thank you for the question,
9 Chair. Much of that work was coordinated through our
10 team so I'm going to defer to Mike to speak a little
11 bit more around what some of those coordinated
12 supports would've been.

13 EXECUTIVE DIRECTOR HICKEY: Thanks, Dr.
14 Johnson, and thanks for the question, Chair Joseph.
15 At the very beginning of the pandemic, we knew that
16 we were potentially facing a very significant crisis
17 in terms of access to the technology that students
18 and families would need to support remote learning.
19 In fact, at that time, the DOE went through a very
20 fast process of acquiring, you might recall, iPads
21 that were equipped with a cellular plan so it
22 wouldn't rely on wi-fi service in a given location,
23 whether it was a shelter or otherwise, and, for older
24 students, iPads that came with cases that included a
25 keyboard and stylus just acknowledging that older

2 students have different interaction needs than
3 younger students. In the first 2 weeks of the
4 pandemic, we issued more than 20,000 iPads including
5 to all of our students living in shelters and all the
6 students we identified as living within foster care
7 so the DOE, I think, was very quick off the mark in
8 recognizing the need of getting devices out there.
9 Now, over the course of the following spring and
10 summer, ultimately we distributed over 800,000
11 devices, just an extraordinary number of devices over
12 this past couple of years, but we've also built in
13 dedicated technical support. For our shelter
14 partners, this meant including real-time in-person
15 technical support on-site in shelters, and we worked
16 very closely with both shelter and foster care
17 providers to ensure that they were able to direct
18 young people and families to the dedicated help lines
19 for supporting those populations. Julie, did you want
20 to add something as well?

21 DEPUTY COMMISSIONER FARBER: Yeah, I do
22 want to say that DOE and ACS partnered together
23 extremely effectively and really did, I want to
24 underscore what Mike said about getting devices to
25 young people in foster care and then, as additional

2 young people came into foster care, we had a process
3 to make sure they were getting devices. The other
4 thing I want to mention is that throughout the
5 pandemic ACS and DOE have collaborated on a number of
6 occasions to host information sessions for parents
7 and foster parents who just were trying to figure out
8 remote learning and COVID and all of the various
9 things that all of us who had children in school were
10 dealing with throughout the pandemic and so those
11 were very well attended and very effective, and we
12 are continuing to collaborate to host sessions like
13 that unrelated to the pandemic because it's obviously
14 a great opportunity to share information with parents
15 and foster parents about school-related issues, but
16 it was very impactful during the pandemic in
17 particular.

18 CHAIRPERSON JOSEPH: Thank you for that. I
19 think that's all of my questioning. If I have any
20 questions, I'll send them over. Malcom.

21 MALCOM BUTEHORN, MODERATOR: Thank you,
22 Chair. That concludes testimony from the
23 administration. Thank you everyone from DOE and ACS
24 that was here today.

2 Next, we're going to turn to public
3 testimony. I'll just remind members of the public to
4 wait for the Sergeant-at-Arms to give you the cue to
5 go ahead.

6 We're first going to hear from Andres
7 Asitimbay, Erika Palmer, Dr. Brenda Triplett, and
8 Melinda Andra, and then we will hear from Caitlyn
9 Passaretti, Joni Rivera, Karen Price, and Joseph
10 Alexander, and we just ask folks that right before
11 they begin their testimony to say their name and the
12 organization they're with for the record.

13 First, we will turn to Andres Asitimbay.

14 SERGEANT KOTOWSKI: Time starts now.

15 ANDRES ASITIMBAY: My name is Andres
16 Asitimbay, youth in Good Shepherd Services. I was
17 told to answer 2 questions for my testimony. The
18 questions were what is coaching for you and how do
19 you feel (INAUDIBLE) about aging out of care. To
20 (INAUDIBLE) coaching experience, I always that Crosby
21 is my life coach mainly because that is the most apt
22 way of describing how she guides me. She connects me
23 with great opportunities for me to expand my skills.

24 MALCOM BUTEHORN, MODERATOR: Andres, you
25 keep cutting in and out. If it happens again, you may

2 want to turn off the video but keep going but you
3 keep cutting in and out, just wanted to let you know.

4 ANDRES ASITIMBAY: I'll turn off my video
5 for more stability. I'll just say my final sentence
6 to my first question. I'm grateful for her guidance
7 and her support in my final years (INAUDIBLE) in the
8 foster care system. As someone who has lived in New
9 York all my life, my greatest fear was homelessness.
10 My years in foster care have lessened my fear.
11 However, I'm occasionally anxious that once I do have
12 a place to live it will not last long. (INAUDIBLE)
13 while I'm anxious, I don't doubt (INAUDIBLE) a bright
14 future for myself.

15 I can answer any (INAUDIBLE)

16 MALCOM BUTEHORN, MODERATOR: Andres, it
17 keeps cutting in and out..

18 ANDRES ASITIMBAY: Other questions you
19 have for me.

20 MALCOM BUTEHORN, MODERATOR: Andres, we
21 didn't get everything because you kept cutting in and
22 out so if you want to restart your computer go ahead
23 and I can call on you again so you can just repeat
24 once more what you said so if you want to try to
25 restarting your computer because it cut out

2 throughout the whole time and then when I see you
3 come back on we'll turn back to you.

4 ANDRES ASITIMBAY: I'm currently in my
5 room in my foster home, and I don't get the best
6 signal from this spot in the house so I don't think
7 restarting will help me any.

8 MALCOM BUTEHORN, MODERATOR: Okay, and I
9 know you did submit testimony for the record so, I
10 saw that in our inbox so we'll make sure it gets
11 included.

12 ANDRES ASITIMBAY: I can send you the
13 written form of testimony if you'd like.

14 MALCOM BUTEHORN, MODERATOR: We already
15 got it but just go ahead and send it again. For
16 anybody else watching, testimony should be emailed to
17 testimony@council.nyc.gov, but, Chair, I think he
18 just points to a great example of the challenges
19 faced by students in foster care.

20 CHAIRPERSON JOSEPH: Absolutely.

21 MALCOM BUTEHORN, MODERATOR: He wasn't
22 even able to testify at this hearing. Thank you,
23 Andres. Next, we'll turn to Erika Palmer.

24 SERGEANT KOTOWSKI: Time starts now.

2 ERIKA PALMER: Thank you. My name is Erika
3 Palmer. I'm a Supervising Attorney at Advocates for
4 Children, and I direct our foster care projects. In
5 recent years, the city has begun to recognize the
6 unique needs of youth in foster care. With the
7 backing of the Council, funding for Fair Futures has
8 enabled foster care agencies to hire staff to support
9 students' education and employment goals. However, we
10 need to see an equal commitment on the part of the
11 Department of Education. To fully address the needs
12 of students in foster care, the DOE must guarantee
13 transportation for these students and move forward
14 with its plans to hire the full team for Students in
15 Foster Care. I want to point out that of the 4
16 positions Dr. Johnson mentioned earlier today, only 1
17 seems to be solely focused on students in foster
18 care. The other 3 positions seem to combine
19 responsibilities for students in foster care and the
20 much larger population of students experiencing
21 homelessness. Despite its legal obligation, the DOE
22 does not guarantee bus service or comparable
23 transportation to students in foster care currently.
24 Reimbursing for car service is not comparable. The
25 DOE allows students in care who do not meet other

2 criteria to apply for bussing using an exceptions
3 request form and will provide bus service if a
4 student can be added to an existing route. However,
5 foster care agencies are finding that it can take
6 months for a student to be placed on a bus if a route
7 exists at all. While students in foster care are
8 waiting for bussing, the DOE will provide a Metro
9 card or reimburse foster care agencies for the cost
10 of car service. For students who cannot travel alone,
11 this requires an adult to accompany the student, and
12 that is where the system is breaking down. Foster
13 parents who have a job or other children in the home
14 simply cannot commit to spending 4 hours each day
15 bringing their child to and from school, at least not
16 long-term. Just last week, I learned of a student who
17 had to change schools because of their foster
18 parents' work schedule. That student who has an IEP
19 was suspended after attending their new school for
20 only 1 day. Foster care case planners also cannot
21 fulfil their job responsibilities to reunify families
22 and keep children safe if they have to spend hours
23 every day bringing children to school.

24 Finally, although the DOE will reimburse
25 foster care agencies for the cost of car service,

2 they will not reimburse agencies for the cost of
3 chaperones to accompany students. While the DOE has
4 made progress in transportation, these changes
5 ultimately do not help students if they are not
6 promptly provided with bus service following their
7 placement in foster care.

8 Moving forward, the DOE must provide bus
9 service or other door-to-door transportation to
10 students in foster care who need it to maintain their
11 school placements.

12 I'd like to spend the rest of my time
13 telling you about a middle school student whom I'll
14 call Daniel. Daniel came into foster care during the
15 pandemic. Like many young people in care, he
16 struggled adjusting to his new home, has moved
17 several times before settling into his 3rd foster
18 home. Luckily, Daniel was able to maintain his school
19 placement. Academically, Daniel is an average
20 student, but he sometimes had behavioral outbursts at
21 school, likely because of the trauma he had
22 experienced. This past winter, Daniel was reunified
23 with his mother on a trial basis. Daniel's mother
24 struggles with mental health needs that became worse
25 when he went home. Ultimately, Daniel had to come

2 back into foster care when his mother threatened him
3 with a knife. Shortly after that incident, Daniel
4 received a superintendent suspension from his school.
5 We tried to explain Daniel's situation to his
6 principal, but the principal refused to listen. In
7 fact, he hung up the phone before we could share the
8 details of Daniel's story. Daniel was reinstated in
9 school soon after the suspension hearing, but, at
10 that point, the damage had been done. He began
11 refusing to go to school, his attendance has
12 decreased dramatically, and he started staying out
13 after curfew to the point where his foster parent
14 became concerned for his safety and he actually had
15 to be hospitalized. What difference could a DOE team
16 for students in foster care make for students like
17 Daniel? Such a team could analyze suspension data for
18 students in foster care, identify schools that need
19 training on how best to support youth in care, and
20 identify schools that need monitoring to change their
21 practices. A team could also propose a policy change
22 requiring schools to take a child's foster care
23 status into account when determining their
24 disciplinary response. If a school refused to do so,
25 parents, foster care agencies, and advocates would

2 have somewhere to go for help. Nearly every week I
3 hear about another student like Daniel. Based on the
4 stats Miss Puello-Perdomo cited earlier, 8.5 percent
5 of superintendent suspensions go to students in
6 foster care even though students in foster care make
7 up less than 0.7 percent of DOE students overall. Let
8 that sink in. If we want to improve long-term
9 outcomes including attendance and graduation rates
10 for students in foster care, we must ensure that
11 school is a place where students in care feel safe
12 and supported rather than a place where they feel
13 unsafe, unwanted, and let down. This will not happen
14 magically. The DOE needs people whose job it is to
15 make it happen. I'm glad to hear that the DOE is
16 hiring some...

17 SERGEANT KOTOWSKI: Time expired.

18 ERIKA PALMER: Previously envisioned
19 positions, but we want to ensure all the promised
20 positions move forward. Thank you.

21 MALCOM BUTEHORN, MODERATOR: Thank you.
22 Next, we will turn to Dr. Brenda Triplett.

23 SERGEANT KOTOWSKI: Time starts now.

24 DR. BRENDA TRIPLETT: Brenda Triplett,
25 Children's Aid. Thank you, Chair Rita Joseph, and the

2 Members of the Education Committee for this important
3 opportunity to present testimony to you today about
4 youth in foster care in the city of New York's
5 Department of Education. My name is Dr. Brenda
6 Triplett. I am the Director of Educational
7 Achievement in Partnerships in the Child Welfare and
8 Family Services Division of Children's Aid, one of
9 the largest and oldest childcare welfare agencies in
10 New York City.

11 I am a retired public school educator,
12 administrator with approximately 35 years of public
13 school service and someone who also proudly served as
14 a foster parent for several years. I bring a very
15 unique perspective to the issues impacting children
16 and youth who attend public school and who also
17 happen to be a part of the foster care system in New
18 York City. I have firsthand accounts of these very
19 real challenges, and, in my time today, I will share
20 a few of the stories that illustrate the urgency of
21 these needs.

22 Students in foster care who are
23 disproportionately black and come from the city's
24 poorest communities are among the most likely to
25 repeat a grade, be chronically absent, or leave high

1 school without a diploma. You've heard the testimony
2 today. These chronic absences have real stories and
3 experiences behind them. Take for instance the story
4 of a young high school student, I'll call her Aliyah,
5 who was in foster care who suffered a severe PTSD and
6 had experienced domestic violence and trauma. She was
7 an honor student, and she was placed in foster care
8 in a home quite a distance from her high school.
9 Because she was a teen, the DOE only provided her
10 with a Metro card to travel back and forth from
11 school. However, due to her severe anxiety fueling
12 her fear of traveling alone, this was not a viable
13 option for Aliyah. Her team at Children's Aid
14 submitted a request to the Office of Pupil
15 Transportation to safely get her to and from school
16 via bussing. However, it took over a month for a
17 route to be identified to serve this student. In the
18 meanwhile, Aliyah was absent from school and has now
19 fallen severely behind in major content areas. While
20 Aliyah was once excited about school and was actually
21 thriving academically, she has now lost her
22 motivation to even graduate, and she no longer
23 expresses an interest in college.
24

2 Students in foster care experience a lack
3 of stability in many areas of their lives. However,
4 (INAUDIBLE) guarantees youth in foster care the right
5 to school stability. Yet, the DOE has refused to
6 guarantee needed transportation to students in foster
7 care. To address their needs, the DOE must move
8 forward with plans to hire the full-time team it
9 promised and then to focus on students in foster care
10 and guarantee the critically needed transportation in
11 order to maintain school stability. This lack of
12 transportation, it impedes the progress and success
13 of our students in care.

14 Another story I'd like to share is that
15 of a first grader, I'll call him Scotty, who has an
16 IEP and he was placed in an ICT classroom in
17 Brooklyn. He was a good student but presented some
18 behavioral concerns due to trauma. His school was
19 actually working to update his IEP with additional
20 supports and they were working on creating a BIP, a
21 behavioral intervention plan, to support his needs.
22 Scotty was making progress, and the staff and faculty
23 at the school had a clear interest in the student's
24 success. However, when the student's home was
25 unexpectedly changed from Brooklyn to a school out of

2 the borough, his progress was put in jeopardy. It was
3 clearly in the student's best interest to remain in
4 his Brooklyn school with familiar teachers, peers and
5 staff who knew him and cared for him. Accordingly,
6 the child's welfare agency applied for
7 transportation. The DOE was unable to identify an
8 existing route so the student was not granted
9 transportation. Instead, the DOE advised that private
10 transportation could be set up to transport Scotty to
11 and from school and that the DOE would simply
12 reimburse the agency for travel expenses. Well, it's
13 not that simple. As a first grader, Scotty required a
14 chaperone to ensure his safe transport. The new
15 foster parent, however, was unable to transport the
16 child back and forth to school as she was responsible
17 for other young foster youth in the same home, and
18 her backup was employed so she was unable to help
19 with the transport in the morning hours. Still, his
20 team at Children's Aid went to great lengths to
21 transport the student...

22 SERGEANT KOTOWSKI: Time expired.

23 DR. BRENDA TRIPLETT: To and from school.

24 In my closing, I would just like to say that

25 Children's Aid, we recognize early on that we can't

2 do this work alone. We need to more closely align
3 policy with practice. Thank you, again, for the
4 opportunity to testify today and please consider
5 Children's Aid as a thought partner in this effort.
6 Thank you.

7 MALCOM BUTEHORN, MODERATOR: Thank you.
8 Next, we'll turn to Melinda Andra.

9 SERGEANT KOTOWSKI: Time starts now.

10 MELINDA ANDRA: Thank you. Good afternoon.
11 My name's Melinda Andra. I'm an Attorney in the
12 Education Advocacy Project at the Legal Aid Society.
13 The Juvenile Rights Practice at the Legal Aid Society
14 represents about 90 percent of New York City children
15 in foster care, and I want to thank the Education
16 Committee and Chair Joseph for holding this hearing,
17 focusing on the needs of a vulnerable student
18 population that is often overlooked.

19 I want to address 3 areas where the
20 Education Committee has the opportunity to have a
21 positive impact on the lives of children in foster
22 care. The first is by providing funding and oversight
23 to the DOE to ensure that students in foster care up
24 to grade 6 have safe and reliable yellow bus
25 transportation from their foster homes to school. Mr.

2 Risbrook earlier testified that most students who
3 requested an exception receive transportation, but
4 data provided by the DOE pursuant to Local Law 34
5 shows that during the period from January to June
6 2021 35 percent of the students who requested
7 transportation received a Metro card. Giving a young
8 child a Metro card, or worse a ticket for Metro North
9 as Mr. Risbrook described, is not adequate. The
10 guarantee of yellow bus transportation would provide
11 students with school stability which they need and
12 which they are legally entitled to.

13 The second issue is the DOE team for
14 Students in Foster Care. Legal Aid created a
15 specialized unit to address the needs of students in
16 foster care more than 22 years ago. ACS soon followed
17 and created a dedicated unit to promote educational
18 success of youth in foster care 18 years ago. We're
19 still waiting for the DOE to create their unit. Dr.
20 Johnson and Mr. Hickey testified about the foster
21 care liaisons, but the names and contact information
22 for those individuals does not appear anywhere on the
23 DOE website, making it difficult for us or parents or
24 foster care staff to contact them. When we have been
25 able to identify and contact the designated liaisons,

2 it's our experience that these staff members are
3 often surprised to learn that they are the designated
4 liaison. They're not aware or actively engaged in
5 informing their DOE Colleagues of the rights or needs
6 of students in foster care. Just last week, I was
7 consulted on the case of a 4-year-old child in foster
8 care. The child attends a pre-K program at a New York
9 City public school, he has behavioral challenges, and
10 the foster parents are getting phone calls before 11
11 o'clock almost every day asking her to come pick him
12 up. In October, his foster parent, the foster care
13 agency, and his teacher agreed that he needed an
14 evaluation for special education services, but his
15 parents' whereabouts were unknown and there was no
16 one to sign consents for him. What should have
17 happened is that a surrogate parent, probably the
18 foster parent, should've been appointed as the
19 decision maker so that this child would have someone
20 in his life who could make decisions for him, but no
21 one at his school, including the designated liaison,
22 knew the steps they had to take to appoint a
23 surrogate so this child has languished all year long.
24 Had the school staff been trained in how to appoint a
25 surrogate parent, had there been an office they could

2 consult in the DOE, had the DOE ever finalized and
3 distributed the Surrogate Parent Guide, which has
4 been drafted but under review for about 4 years, this
5 child might have already been evaluated and might've
6 been receiving the services that he needed. He
7 might've been in school for full days all year long,
8 and he could've had a chance at starting kindergarten
9 in September on par with his peers, but none of that
10 has happened. During his testimony before this
11 Committee on March 21st, Chancellor Banks stated that
12 hiring would begin for some of the positions for the
13 team for Students in Foster Care, but only one of the
14 positions that has been described today focuses
15 entirely on students in foster care. That's not
16 sufficient to address the needs, and we ask the
17 administration to prioritize the hiring for the
18 entire team.

19 The third issue I want to talk about is
20 the use of exclusionary discipline. While before the
21 pandemic there had been progress in reducing the
22 number of out-of-school suspensions, this year we are
23 seeing our clients being suspended at higher rates
24 than ever before. Students in foster care are
25 disproportionately subjected to exclusionary

2 discipline practices that push them out of school and
3 into the school-to-prison pipeline. These students
4 have caseworkers and legal representatives who want
5 to support them at suspension hearings and
6 manifestation determination reviews, but it is rare
7 that foster care agencies and birth parents are
8 informed and receive written notice of these
9 proceedings before they happen. They usually only
10 hear about them if they happen to speak with the
11 school or if a foster parent informs them. When
12 parents and foster care agencies are informed about
13 the proceedings, they can support students. They can
14 arrange for students to have representatives at
15 hearings, and they can ensure that the professionals
16 working with children have the opportunity to provide
17 input at school meetings so we're asking the City
18 Council to consider amending Chapter 19 of the New
19 York City Administrative Code (INAUDIBLE) reports on
20 discipline and certain emergency transports of
21 children, to require the DOE to report on the number
22 of students in foster care being suspended or
23 transported by EMS, and we also ask the City Council
24 to require the DOE to report on whether the parent,
25 foster parent, and foster care agency received

2 written notice. Thank you for listening, and thank
3 you for considering the needs of the city's most
4 vulnerable students.

5 MALCOM BUTEHORN, MODERATOR: Thank you.

6 Next, we will now turn to Caitlyn Passaretti, Joni
7 Rivera, Karen Price, and Joseph Alexander. We'll
8 first start with Caitlyn.

9 SERGEANT KOTOWSKI: Time starts now.

10 CAITLYN PASSARETTI: Thank you. My name is
11 Caitlyn Passaretti. I'm a Policy and Advocacy
12 Associate from the Citizens Committee for Children of
13 New York, an independent, multi-issue child advocacy
14 organization dedicated to ensuring that every New
15 York child is healthy, housed, educated, and safe.
16 I'd like to thank Chair Joseph and all the Members of
17 the Committee on Education for holding this hearing
18 on student in foster care and the Department of
19 Education.

20 In part due to the trauma of their lives
21 being uprooted through the child regulation system,
22 students in foster care are more likely to be
23 chronically absent or leave high school without a
24 diploma, which was discussed in length in the hearing
25 today. In fact, 20 percent of students in foster care

2 repeat a grade compared to only 6 percent of all DOE
3 students. Students in foster care were also impacted
4 particularly hard by the closure of schools during
5 the pandemic and still in 2021 only 43 percent of
6 students in foster care graduated from high school
7 within 4 years, which is 38 percentage points lower
8 than students not in foster care. Addressing the
9 needs of students in foster care is fundamentally an
10 issue of equity, particularly given the
11 disproportionate representation of black and brown
12 students in the foster care system. It is evident
13 that there is a need for devoted staff to help
14 support coordination, policy development,
15 transparency, and overall increased efficiency and
16 support for students in foster care and their
17 families in support networks. This past fall, the DOE
18 finally announced that it would hire a small team of
19 staff to focus on students in foster care. While on
20 this hearing we were told the job postings are
21 available, we still want to ensure that all the
22 promised positions move forward, specifically those
23 focused solely on students in foster care.

24 Furthermore, the DOE has received an
25 increase in state and federal funding, meaning there

2 is no reason to impose or slow hiring for positions
3 designed to support one of the most marginalized
4 groups of students. The administration's desire to
5 find cost savings and efficiency should not and
6 cannot come on the backs of students in foster care.
7 We urge you to ensure the DOE hires its first ever
8 team focused on students in foster care as
9 expediently as possible.

10 The next issue I want to draw your
11 attention to is the issue of transportation to
12 school. While both federal and state law require the
13 city to provide transportation to students in foster
14 care so they can remain in their original schools,
15 the DOE is not guaranteeing any form of consistent
16 transportation to these students. This is causing
17 severely deeply harmful disruptions for students in
18 foster care including forcing them to transfer
19 schools or foster homes to be able to access an
20 education. Being in foster care is disruptive enough
21 for a young person. The DOE must do everything in its
22 power to ensure that students in foster care are
23 supported and, at the bare minimum, can get to
24 school. During the 2019-2020 school year, 1 in 5 New
25 York City students had to change schools upon their

2 initial placement in foster care. This disruption of
3 students' lives and education is unacceptable and
4 unjust. We ask the City Council to ensure that the
5 city budget include 5 million dollars for the DOE to
6 provide bus service or other door-to-door
7 transportation to students in foster care who need it
8 to maintain the school stability. I thank you for
9 this opportunity to provide testimony and happy to
10 answer any questions you might have.

11 MALCOM BUTEHORN, MODERATOR: Thank you.

12 Next, we'll hear from Joni Rivera.

13 SERGEANT KOTOWSKI: Time starts now.

14 JONI RIVERA: Good afternoon, everyone. My
15 name is Joni Rivera, and I'm the Assistant Vice
16 President of Educational Services at the New York
17 Foundling. The Foundling is one of New York City's
18 oldest and largest non-profit providers of human
19 services, and, with support from the city, our
20 education programs provide tutoring and educational
21 advocacy services to students involved with the child
22 welfare system. At the Foundling, we have made a
23 major commitment to education and believe it is one
24 of the primary components of a child's well-being.
25 Without an adequate education, our children cannot

2 thrive and suffer increased risks of mental health
3 issues, poverty, homelessness, and encounters with
4 the criminal justice system.

5 Funding for education in the foster care
6 system is a critical need, one that had become even
7 more apparent during the global pandemic. COVID-19 is
8 creating new obstacles for students in foster care
9 with routines disrupted and foster parents often
10 struggling to juggle their own jobs with their
11 children's school. Our students are also forced to
12 navigate the school system without proper support and
13 resources. Approximately 50 percent of students in
14 foster care have an individualized education program,
15 or IEP. Without proper support, these challenges
16 often fly under the radar, and our students do not
17 receive the services that they need to be successful
18 in the classroom. The current global pandemic has
19 also exacerbated these already dismal academic
20 outcomes for students in foster care. Students in
21 care are going to emerge from the COVID crisis
22 further behind academically than ever before. We are
23 asking that we have a fully staffed dedicated office
24 at the Department of Education for students in foster
25 care. It is imperative to improving educational

2 outcomes for our students. A dedicated office and
3 knowledgeable staff can assist in closing the
4 achievement gap by providing students in foster care
5 with the support and resources they need to be
6 successful. Education staff with training in trauma-
7 informed practices, foster care policies and
8 practices as well as the rights of students and
9 families in foster care is integral to properly
10 support students in the DOE. These resources will
11 provide students and families with access to special
12 education supports in a timely manner, minimize
13 educational disruptions and transitions, and bolster
14 confidence and trust within the education system for
15 families experiencing child welfare involvement.

16 Transportation is another significant
17 need for students in foster care. The DOE must
18 provide bus services or other door-to-door
19 transportation to the relatively small number of
20 students in foster care who need it to maintain
21 school stability. Students experience a multitude of
22 transitions and moves during time spent in care.
23 Educational disruptions can result in months of lost
24 learning, gaps in special education services, and
25 increase trauma already experienced by entering into

2 foster care. With so much in transition, it is
3 imperative to keep students stable in their school
4 environment with teachers and staff that they trust,
5 services they need to be successful, and friendships
6 that they rely on to thrive. Consequently, our
7 students need improved transportation services to
8 ensure that they're able to remain in their schools
9 of origin and minimize disruptions so days are not
10 lost waiting for bussing or managing car service for
11 a family with multiple children. These issues can
12 weigh heavily on our foster parents who are often
13 working full-time and caring for multiple children,
14 all while trying to provide the best care for their
15 children. For example, we had a student whose bussing
16 was removed from his IEP last year due to the
17 pandemic and the switch to remote schooling. However,
18 at the start of this year, he required bussing to
19 return to in-person, and his school refused to put it
20 back on his IEP. Being that he is now in the 7th
21 grade, he fell into the exception policy but was not
22 granted the exception to bussing from the DOE. As a
23 result, his bussing was not put into place
24 immediately, and he required months of car service

2 which put an undue strain on his foster family to
3 provide car service back and forth to school.

4 I want to close by thanking the City
5 Council for its support of many of our programs, but
6 we need to do more. We look forward to continuing our
7 partnership with the City Council to prevent students
8 in foster care from falling through the cracks. Thank
9 you for your time.

10 MALCOM BUTEHORN, MODERATOR: Thank you.

11 Next, we will turn to Karen Price.

12 SERGEANT KOTOWSKI: Time starts now.

13 KAREN PRICE: Good afternoon. Thank you
14 everyone. My name is Karen Price. I'm a Foster Parent
15 Coach with Graham Windham, and I'm here to share some
16 stories from our foster parents so thank you so much.

17 During the pandemic when schools shut
18 down and children were remote, there were three 4th
19 and 5th graders who were able to attend remotely,
20 but, when schools went back in session, they could
21 not get to school because there was no bussing in
22 place because there was no contract between DOE and
23 OPT. Foster parent, Mrs. M we'll call her, was
24 determined to get these 3 kids to school. They had
25 been isolated long enough. She had no choice but to

2 take taxis for 2 hours going to multiple schools to
3 drop off and pick up the children. She had to drop
4 one 5th grade student off so early that it was before
5 school breakfast, the child would be staying with the
6 staff at the school office, and then she would rush
7 to the second school so that child could get to
8 school on time. Let me mention this longstanding
9 foster parent has underlying health conditions, and
10 these schools were on the opposite side of Brooklyn.
11 This went on for over a month before bussing was put
12 in place. The foster parent had an educational
13 neglect case called in on her for her own children
14 because she was struggling to get everyone to school
15 on time.

16 Allow me to share another example.

17 Another foster parent asked for bussing for her 3
18 special needs children. One child went to a
19 specialized school in the Bronx, one went to
20 Manhattan, and the third child went to school in
21 Brooklyn. The foster parent worked very hard to make
22 sure all the children would have all the services and
23 supports they needed to feel confident in school, and
24 so she was determined to get everyone to school on
25 time. Bussing was not in place. It was a strain to

2 her and her family, and she ended up having to leave
3 her job. It was just too much for her to juggle at
4 that time.

5 Finally, I want to share one more story,
6 one that even today we are still fighting. A foster
7 parent is caring for a 2nd grader who needs bussing.
8 ACS provided bussing for the first 2 weeks and then
9 it ended, even though they knew that there was no DOE
10 transportation in place. The 2nd grader was given
11 work to take home, which was great, but was marked
12 absent from school for the month that she was without
13 bussing.

14 These are just a few of the painful and
15 heartbreaking stories where our city's systems are
16 actually disorganized and communication is not clear.
17 Bussing is fundamental for students and for the
18 foster parents who care for them. The delays create
19 the undue stress, placement disruptions, and a few
20 foster parents have even considered and have closed
21 their homes because the supports are not supporting
22 them and their families. Thank you so much for this
23 opportunity.

24 MALCOM BUTEHORN, MODERATOR: Thank you.

25 Next, we'll turn to Joseph Alexander.

2 SERGEANT KOTOWSKI: Time starts now.

3 JOSEPH ALEXANDER: Thank you for your
4 time. I'm Joe Alexander from the CEC District 15. I'm
5 also a parent of 3 children. I'm a foster parent and
6 recently adoptive parent of a teenager.

7 Professionally, I am the supervising clinical
8 psychotherapist for the New York Foundling. I provide
9 mental health treatment and therapeutic foster care.

10 If you're not familiar with that term, that's
11 generally our kids at the highest level of need in
12 New York City, kids with significant trauma and
13 experiences that really led up to their mental health
14 issues. I should also mention that I'm a former
15 foster child and youth myself. We've heard a number
16 of approaches today, and, as I've sat here listening,
17 I've been kind of confused like am I not aware of any
18 specific targeted opportunities for the kids I work
19 with or my own kid and then it really kind of struck
20 me today that a lot of the things that we're talking
21 about, for instance the social/emotional growth, the
22 screeners, the trainings that are being implemented,
23 the curriculum, hiring of a massive amount of social
24 workers, and increasing the number of guidance
25 counselors that are in the schools. If we woke up

2 tomorrow and magically foster care didn't exist,
3 those programs would still exist. They're not
4 targeted at kids in foster care with foster kid
5 experiences. That's just programs serving the general
6 DOE population. It adds nothing to the kids that
7 we're here to discuss today. The only program that I
8 can think that we've talked about today that actually
9 does address specific needs of kids in foster care is
10 Fair Futures, and that's Fair Futures that does that
11 work. Thank you for what they do. I'm really
12 disappointed, and I would imagine there's a fair
13 number of people on this call that are disappointed,
14 that we can just say oh, a kid can foster care, we
15 take their IEP needs really seriously, and it's like
16 that's not been my experience. As a CEC member, I
17 talk to parents in my own community and earlier this
18 year on one single block I was talking to 2 parents
19 that live about 5 doors down from each other. They
20 both own a brownstone in Windsor Terrace, a very nice
21 neighborhood. One of their kids was accused of being
22 a bully and this had been going on for a long time,
23 he was bullying kids in his school, and this other
24 child had some language issues as far as like
25 pragmatic speech is concerned, and both parents were

2 dissatisfied by how the school is handling it. One
3 family enrolled their kid in a 40,000 dollar a year
4 school, private school in New York City. The other
5 one was like 30 grand. They paid out of pocket for
6 this tuition. Their kids go to this school, and then
7 they sued the DOE. DOE's is going to foot the bill
8 until they graduate. For bullying. Now, if this were
9 a foster kid, this would be suspension after
10 suspension. DOE would probably put this kid in a D75
11 school. I think the really shocking part of this to
12 me was that I've never met a foster kid who is given
13 that kind of consideration. Professionally, in the
14 CEC, I've never seen it so I do want to say that I
15 worked with one kid, I manage her caseload, I'm not
16 her therapist, what is April 20th, she has speech
17 language pathology on her IEP and she's never had a
18 session. Thank you.

19 MALCOM BUTEHORN, MODERATOR: Thank you,
20 Mr. Alexander. I'm just going to say for anyone that
21 is in the Zoom that I have neglected to call on,
22 people have been coming in and out throughout today's
23 proceedings, if you'd just use the Zoom raise hand
24 function, and I will call on you in the order with
25 which you raised that hand.

2 Not seeing any hands, Chair Joseph, I'll
3 turn to you if you have any questions or comments for
4 our panelists and then your closing thoughts on today
5 and then adjournment.

6 CHAIRPERSON JOSEPH: For me, the comments
7 today was heavy, as it's always been heavy on my
8 heart, to see that this vulnerable population that I
9 was happy to be part of the foster care family and
10 eventually adopting my 2 boys so anyone who knows
11 this, this is close to my heart, and it's something I
12 will continue to fight. I want the advocates and the
13 families to know that they have an ally, they have a
14 champion who will make sure that I always raise my
15 voice. I always get really mushy about this because
16 the fixes are here. They're simple. Some of the asks
17 are very simple. They're not a lot. They're already
18 in place. Just make them work, partner up with the
19 right people to make sure that these are happening. I
20 was blessed enough not to go through some of the
21 stuff that I'm hearing, and you're right, Joseph
22 Alexander, that child would've been suspended many
23 times over. The agencies would have to step in. They
24 would have to go and fight for him, but that wasn't
25 the case, and we see that, and I repeated that in my

2 testimony, the suspension rate, the graduation rate,
3 the absenteeism rate, the transportation. Those are
4 basic of what I'm asking for. A fully staffed contact
5 person at the DOE to make sure that these students
6 are receiving the resources and the support that they
7 need on every level. Being moved from one home, I go
8 on vacation and I'm traumatized on my first night
9 arriving wherever I go because I'm like a little
10 anxiety, but being pulled away from the only home
11 you've ever had, the only family you've ever had to
12 go live with strangers, sometimes not everybody a
13 kinship like I mentioned before. Not everybody gets
14 an opportunity to have a kinship. These are
15 strangers. I'm getting to know new people. This is a
16 new home, new family, how do I adjust, how do I live,
17 and school is supposed to be the safest place on the
18 planet and to have these barriers for these students,
19 these are barriers we can easily remove, meeting,
20 talking, and making sure the needs are set out there.
21 I can't stress that enough, that it's not rocket
22 science, what we can do for our children. There are
23 7,000 of them, and 2 of them used to belong in that
24 system were mine, my very own, so for the kids I will
25 continue to fight for you, for the advocates you have

2 a support, for the parents thank you for doing what
3 you do with your heart, opening your heart and your
4 homes to this vulnerable population. I can't thank
5 you enough. For all those who testified, we hear you.
6 I hear you, and I listen to you. That's all I have to
7 say today.

8 MALCOM BUTEHORN, MODERATOR: Before you
9 adjourn, Chair, I did forget, I don't want the
10 Speaker to call me in her office, I forget to
11 recognize Council Member Gennaro. Circled on my pad,
12 just forgot the whole time.

13 CHAIRPERSON JOSEPH: Yes, you will be
14 called to the principal's office. Again, thank you
15 again for everyone that joined us today, and we're
16 going to adjourn, and that's it, right Malcolm?
17 Here's my gavel. [GAVEL]

18 MALCOM BUTEHORN, MODERATOR: Thank you
19 everyone.

20 CHAIRPERSON JOSEPH: Thank you.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 23, 2022