

Testimony of  
Coalition for the Homeless  
and  
The Legal Aid Society

on

**Coordination Between DHS, DOE and DYCD to Ensure  
Homeless Children and Youth Are Properly Educated**

Presented before

The New York City Council  
Committee on General Welfare,  
Committee on Education, and  
Committee on Youth Services

Giselle Routhier, Policy Analyst  
Patrick Markee, Senior Policy Analyst  
Coalition for the Homeless

Jane Sujen Bock, Senior Staff Attorney  
Homeless Rights Project, The Legal Aid Society

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Coalition for the Homeless and the Legal Aid Society welcome this opportunity to testify before the New York City Council regarding coordination between The New York City Department of Homeless Services (DHS), Department of Education (DOE), and Department of Youth and Community Development (DYCD) to ensure that homeless children and youth are properly educated.

### About the Coalition and the Legal Aid Society

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,000 homeless New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which now continues past its third decade. The Coalition also struggles to protect the rights of homeless people through litigation around the right to emergency shelter, the right to vote, and appropriate housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates twelve direct-services programs that both offer vital services to homeless, at-risk, and low-income New Yorkers, and demonstrate effective, long-term solutions. These programs include supportive housing for families and individuals living with AIDS, a job-training program for homeless and formerly-homeless women, a Rental Assistance Program which provides rent subsidies and support services to help working homeless individuals rent private-market apartments, and apartment buildings in Manhattan which provide permanent housing for formerly-homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen distributes 900 nutritious meals each night to street homeless and hungry New Yorkers. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention assistance, client advocacy, referrals for shelter and emergency food programs, and assistance with public benefits.

The Coalition also represents homeless men and women as plaintiffs in Callahan v. Carey and Eldredge v. Koch. In 1981 the City and State entered into a consent decree in Callahan in which it was agreed that, "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason to physical, mental or social dysfunction is in need of temporary shelter." The Callahan consent decree and Eldredge case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless adults.

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

The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of 850 of the brightest legal minds. These 900 Legal Aid Society lawyers work with 600 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 25 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society's legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society's Pro Bono program. With its annual caseload of more than 300,000 legal matters, the Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

The Legal Aid Society's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, the Society's law reform representation for clients benefits some 2 million low income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact.

### Homeless Children and Education in New York City

Amidst record homelessness, high unemployment, and the lingering effects of the economic crisis, homeless students in New York City face enormous challenges. And it is clear that the City agencies charged with ensuring that homeless kids get a decent education have failed to do this in significant ways. Our testimony will highlight the following aspects of this problem:

- Worsening child and family homelessness in New York City, and the failures of the Bloomberg administration to enact common-sense, cost-effective policies to help homeless kids and families move from shelters to permanent housing.
- Systemic errors made by the City in determining families' eligibility for shelter, and the harmful impact on homeless children's education.
- The wealth of research and evidence showing that homeless children have a much harder time in school than other low-income children.

#### 1. Record Child and Family Homelessness in New York City

Each year, more than 40,000 unique children sleep in New York City's municipal shelter system, and tens of thousands more live in doubled-up, overcrowded housing. Currently more than 16,000 children bed down each night in municipal homeless shelters, and thousands more reside in City-administered domestic violence and youth shelters. And City

data show that more than 40,000 students in New York City's public school system currently meet the Federal definition of homelessness – residing in shelters or in temporary or overcrowded housing.

According to City data:

- In FY 2010 a record 113,553 homeless people slept in municipal shelters, an 8 percent increase from the previous year and a 37 percent increase from FY 2002 when Mayor Bloomberg took office.
- During the same period a record 42,888 children slept in municipal shelters, a 9 percent increase from the previous year and 39 percent more than when the Mayor took office.
- During the same period a record 28,977 families slept in municipal shelters, a 10 percent increase from the previous year and a remarkable 81 percent more than when Mayor Bloomberg took office.

Despite the growing homeless population in New York City, Mayor Bloomberg and City officials continue to embrace the same failed policies that have led to record homelessness. Most troubling, the City currently has no housing assistance in place to help homeless families move from shelters back to the community.

For more than six years, the Bloomberg administration has denied homeless New Yorkers access to Federal housing programs, despite overwhelming evidence that those programs successfully help homeless families move from costly shelters to long-term, stable housing. In contrast, previous New York City mayors, from Ed Koch through Rudy Giuliani, all allocated a modest share of New York City's scarce Federal housing resources to move homeless children and adults from the shelter system to stable homes. Mayor Bloomberg also reduced the number of apartments assisted by the Department of Housing Preservation and Development (HPD) which are allocated to homeless households.

Mayor Bloomberg replaced proven Federal housing programs and HPD-assisted apartments with a series of untested, time-limited rent subsidy programs – first the abandoned Housing Stability Plus program, and then various versions of the recently-terminated Advantage program. Those programs provided limited, restricted subsidies and then cut off rental assistance even when formerly-homeless families were too poor to afford their apartments.

The results of the City's experiment with time-limited rent subsidies are clear:

- Thousands of formerly-homeless children and families have been forced back into homelessness, with some making a third trip through the shelter system;
- The homeless shelter population has reached all-time record levels;

- City and State taxpayers have paid hundreds of millions of dollars more in shelter expenses than if the City had maintained the policy of using Federal housing programs; and
- Thousands of children who would have lived in secure, stable housing where they have a better chance at obtaining a decent education were forced into homelessness.

The single best way to address the problems affecting homeless New York City students is to reduce the number of homeless children. And the proven way to do this is to return to the successful policies used by previous mayors of targeting Federal and City housing resources to help homeless children and families move from shelter to permanent housing.

As Coalition for the Homeless recommended in its “State of the Homeless 2011” report, the City should:

1. Immediately begin to use “one in three” available public housing apartments and Federal housing vouchers to help homeless families and individuals move from shelters to permanent housing.

- This can be swiftly accomplished by using the existing priority system for both the public housing and voucher waiting lists, which makes households referred by DHS the highest priority applicants.
- In addition, the New York City Housing Authority (NYCHA) should act to restore the separate “emergency priority” for all homeless households that was reduced in 2005.

2. In coming years, the City should set aside at least one in ten City-assisted apartments created or preserved by the Department of Housing Preservation and Development for homeless families and individuals.

- This policy would build on the success of Mayor Koch’s ten-year “Housing New York” program which allocated 15,000 affordable apartments – 10 percent of all housing units created or preserved under the program – for homeless New Yorkers.
- Currently Mayor Bloomberg’s “New Housing Marketplace” plan allocates only around 4 percent of all City-assisted apartments to homeless people, even at a time of much worse homelessness.

2. The City’s Systematic Errors in Processing Family Applications for Shelter

Rising numbers of New York City children are becoming homeless and have no choice but to apply with their families for shelter at the City’s PATH office in the Bronx, the only intake center for homeless families with children. More than half of them are pre-school or school-age. Despite decades of litigation, the City’s shelter application process remains broken, with the result that children caught up in that process are forced to miss or be late to school and to go without adequate sleep and food necessary to succeed in school. Families remain in a state of limbo for weeks or months while they have to repeatedly apply for

shelter, being relocated from shelter to hotel from night to night or week to week across the City, and therefore students cannot establish themselves in school settings and obtain necessary services until their eligibility for shelter is established.

As you know, pursuant to the New York State Constitution, every New Yorker who has no other place to stay is entitled to decent, habitable shelter. These rights were established in the class actions Callahan v. Carey (for homeless single adults) and McCain v. Koch and Boston v. City New York (for homeless families). The Legal Aid Society is counsel in these actions and also counsel for Coalition for the Homeless.

The process DHS uses to assess family eligibility for shelter, despite being located in a shiny new building in the Bronx, remains rife with error. Every day the City rejects the applications of families who should have been eligible for shelter. Some of these families are later denied shelter placements when they re-apply. The City's own statistics on the DHS website -- which DHS has failed to update since January, show that about 40 percent of the families who are eventually found eligible for shelter have to file between two and six (or even more) applications.

As Coalition for the Homeless reported in a May 2011 briefing paper (attached to this testimony), during the past year the Bloomberg administration has turned away more children and families from the municipal shelter system than at any time since the City began keeping records. In the City's own terminology, last year the City deemed fewer applicant families "eligible" for shelter than at any time before.

City data shows a dramatic increase both in the number of families with children who were not deemed "eligible" for shelter by the City of New York, and in the rate of such non-eligibility determinations:

- In 2010 an all-time record number of families with children applied for shelter. Last year an average of 2,972 families with children applied for shelter each month at the PATH family intake office, a 6 percent increase over 2009 and a remarkable 61 percent increase compared to 2006.
- At the same time, DHS turned away more families with children than at any point since the City has kept records.
- In 2010 an average of 1,855 families with children were not deemed "eligible" for shelter each month by DHS, a 16 percent increase over 2009.
- The number of families with children not deemed "eligible" for shelter each month in 2010 was a remarkable 76 percent higher than in 2006.

We have appreciated the opportunity to testify before the Council on the types of errors that DHS routinely makes in denying shelter to truly needy homeless families – for instance, the finding that domestic violence survivors can return to homes where their batterers can find them, the denial of shelter to families on the ground that they can double up in New York

City Housing Authority (NYCHA) apartments from which they are legally barred, and the deeming that applicant families can move back with friends and relatives who no longer will have them, just because they previously let them stay, even for periods as short as a night. The serious medical needs of applicant families and primary tenant families are routinely ignored by DHS, as are findings of other City agencies like the Administration for Children's Services (ACS) and the Department of Housing Preservation and Development (HPD) that housing is unsafe.

News report, court papers, and the affected families themselves have also described the hardships endured by families wrongly denied shelter. When the City fails to deem a family "eligible" for shelter, many families are forced to re-apply and endure weeks, sometimes months, of continued bureaucratic stonewalling. Most of these families are moved from one shelter placement to another, often to different placements each night, causing particular hardships for children and adults with health problems. Children miss school, parents miss days of work, and many families find themselves in a sort of bureaucratic limbo. Sadly, many families give up and return to unsafe living arrangements. And for some families – under a 2005 policy proposed by the Bloomberg administration and approved by State officials under the Pataki administration – the City denies any shelter placements whatsoever, forcing many of these families to sleep in parks, on subway trains, or in other public spaces.

State courts, legal experts, the New York State Legislature, and the New York City Council have all examined systematic errors in the City's handling of family applications for shelter. Most recently, an October 2010 New York City Council hearing uncovered the failure of DHS to coordinate with NYCHA in cases where subsidized housing program rules prohibit homeless families from residing with unwilling relatives and friends.

Whatever the reason for the erroneous denial of shelter, the impact on children's education is the same: disruption and absence, missed tests and poorer school performance.

DHS requires every child to be present to at the initial PATH assessment interview, every single application, even if the child has to miss school. While PATH is technically open for applications 24/7, assessment interviews are scheduled during limited hours, which frequently forces families to pull their children out of school.

While children are technically only required to be present for one interview during each ten-day application period, in fact parents frequently have no choice but to bring them to PATH for numerous other appointments. Follow-up appointments and conferences are routinely scheduled at times that conflict with taking children to school or picking them up. It is not unusual for families to have to return to PATH on four or more days of their ten-day applications to attend appointments with their DHS family worker, the NOVA domestic violence unit, the Human Resources Administration (HRA) Diversion office, the Administration for Children's Services, or the Resource Room. Even when appointments are scheduled during the middle of the day, parents are often not called for them until many hours after they are scheduled, so they often have to bring their kids to PATH for the entire day rather than risk being late to pick them up at school, especially when the school is far from the Bronx.

If the family is not at PATH when they are called for their appointment, even if it is many hours after the scheduled time, DHS will deem them to have withdrawn their entire shelter application, and they will have to re-apply all over again (again, with all the children present). Similarly, if parents are late to their 9 a.m. conferences to challenge DHS' determination that they are ineligible for shelter because they took their children to school, DHS will find them to have defaulted.

The damage to the education of homeless children caused by the City's shelter application process was highlighted in the New York Daily News last year, which reported that high school senior Rosa Bracero was not permitted to take her English Regents exam because she was forced to spend the day applying for shelter at the PATH office with her family instead. (Please see copy of article attached to this testimony.) An article in City Limits from last year also described the problems homeless children and their families experience (please see article attached).

### 3. Academic Research Shows Harmful Effects of Homelessness on Children and Education

Scholarly research over the last three decades has shown the deleterious effects of homelessness on children, particularly children's educational outcomes.

One of the earliest literature reviews, conducted in 1991, detailed research findings showing that homeless children experience an array of problems in their health, development, behavior, and schooling.<sup>1</sup> Authors Rafferty and Shinn reported that homeless children were more likely to experience acute and chronic health problems, including respiratory infections, ear disorders, and gastrointestinal disorders. Additional health problems were attributed to hunger and poor nutrition among homeless children.

Homeless children were also found to have greater instances of developmental delays, likely due to disruptions in child care and instability in shelter placements. Levels of clinical depression, anxiety, and behavior problems were also found to be higher among homeless children than their poor housed peers.

Not surprisingly, many of these negative factors also contribute to underachievement in school for many homeless children, who have been found to miss more school days, perform lower on tests, and be more likely to repeat grades. Rafferty and Shinn did a follow-up study in 2004 focusing solely on academic achievement among homeless adolescents. The study found that homeless students changed schools more frequently, repeated grades more often, and reported worse school experiences than their housed peers. Additionally, homeless children "scored approximately 6 percentile points worse than housed children on both reading and mathematics achievement, controlling for earlier achievement" prior to their shelter stay.<sup>2</sup>

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1 Rafferty, Y. Shinn, M. The Impact of Homelessness on Children. (1991). *American Psychologist*, Vol. 46, No. 11.

2 Rafferty, Y. Shinn, M. Weitzman, B. Academic achievement among formerly homeless adolescents and their continuously housed peers. (2004). *Journal of School Psychology* 42.



A 2008 literature review examined updated research on the effects of homelessness on children and the results were nearly identical to what had been published before.<sup>3</sup> In almost all studies, homeless children performed worse on measures of academic achievement than their poor, but housed peers. And again, health and developmental problems showed up more frequently among homeless children.

Both the 2004 and 2008 studies also brought up an additional concern for homeless children: separation from their mothers and/or caregivers. In 2004, Rafferty et al. found that 44 percent of the homeless mother participants had become separated from one or more of their children during their time of homelessness. Five years later, 79 percent of the children were still separated from their mothers at the follow-up interview.

A 2002 study looked at the issue of mother/child separation more closely.<sup>4</sup> It was found that homeless mothers experienced separation from their children at a vastly higher rate than housed mothers – 44 percent versus 8 percent. Other factors such as maternal drug dependence, domestic violence, and institutionalization predicted mother-child separations, but no predictor was as strong as homelessness, which was equivalent in size to 1.9 other risk factors. Perhaps the most important takeaway from this study was its implication for past and future research—highlighting the fact that studies on homeless children may underestimate negative consequences if they exclude separated children.

Overall, the impact of homelessness on children has become clear through decades of study. While poverty alone creates health, developmental, behavioral, and educational problems for children, homelessness compounds these problems by adding additional stress and instability to children's lives.

The good news is that children who experience homelessness can rebound fully from its challenges with a return to stable and permanent housing. Rafferty's 2008 study showed that declines in educational achievement among homeless children did not continue upon their return to permanent housing. It is important to note, however, that most homeless families in the study received permanent subsidized housing. They did not leave shelter on their own or receive a time-limited subsidy. At the follow up interview, these formerly-homeless families were just as stable as families that had been consistently housed.

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3 Buckner, J. Understanding the impact of homelessness on children. (2008). *American Behavioral Scientist*, Vol. 51, No. 6

4 Cowal, K. Shinn, M. Weitzman, B. et al. (2002). Mother-child separations among homeless and housed families receiving public assistance in New York City. *American Journal of Community Psychology*, Vol. 30, No. 5.

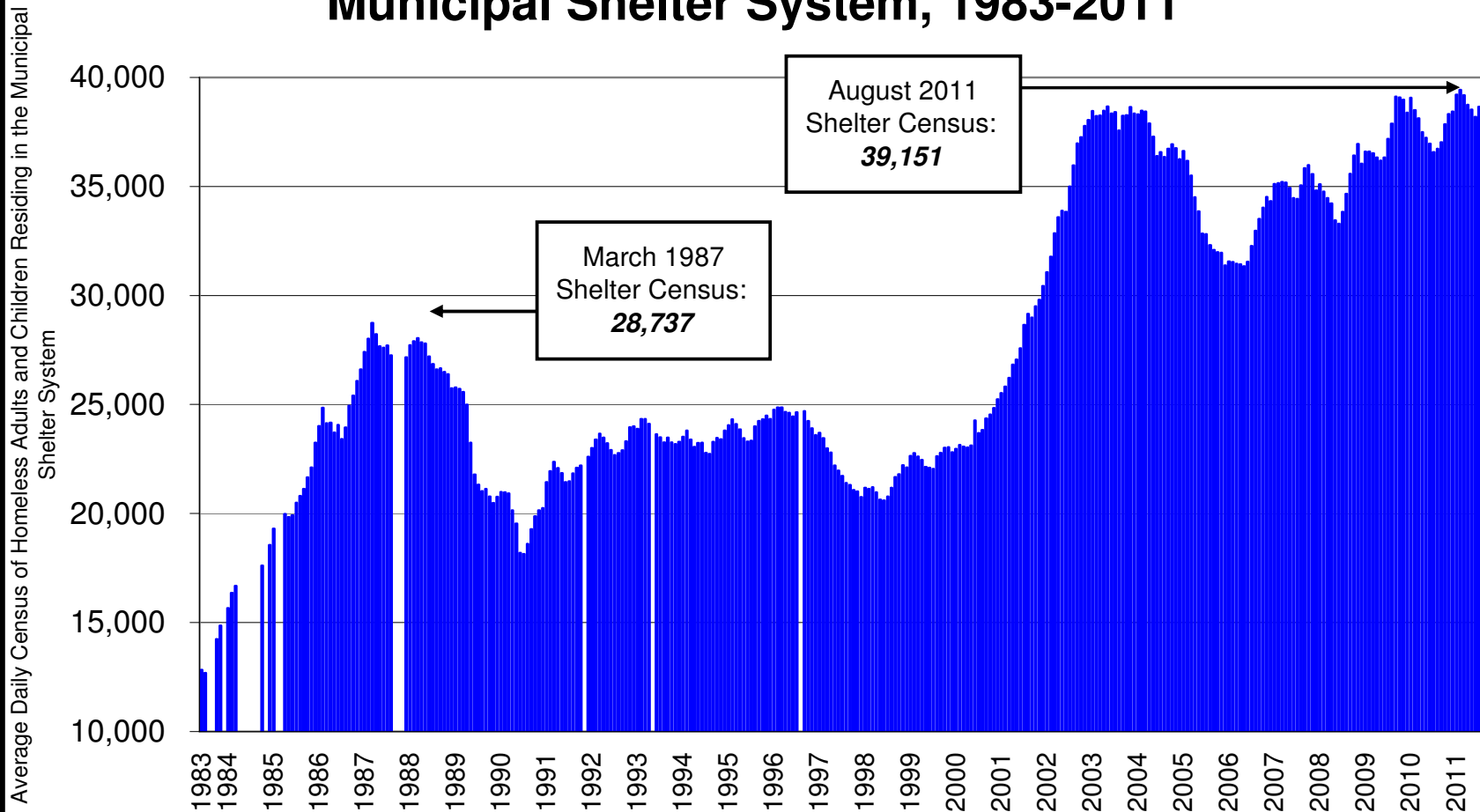
Thank you for the opportunity to share this testimony. And, as always, we look forward to working with the committee and the City Council in the coming months and years on efforts to reduce New York City's homeless population and help homeless children and adults.

Submitted by,

Giselle Routhier  
Policy Analyst  
Patrick Markee  
Senior Policy Analyst  
Coalition for the Homeless  
129 Fulton Street  
New York, NY 10038  
Tel: 212-776-2004  
pmarkee@cfthomeless.org

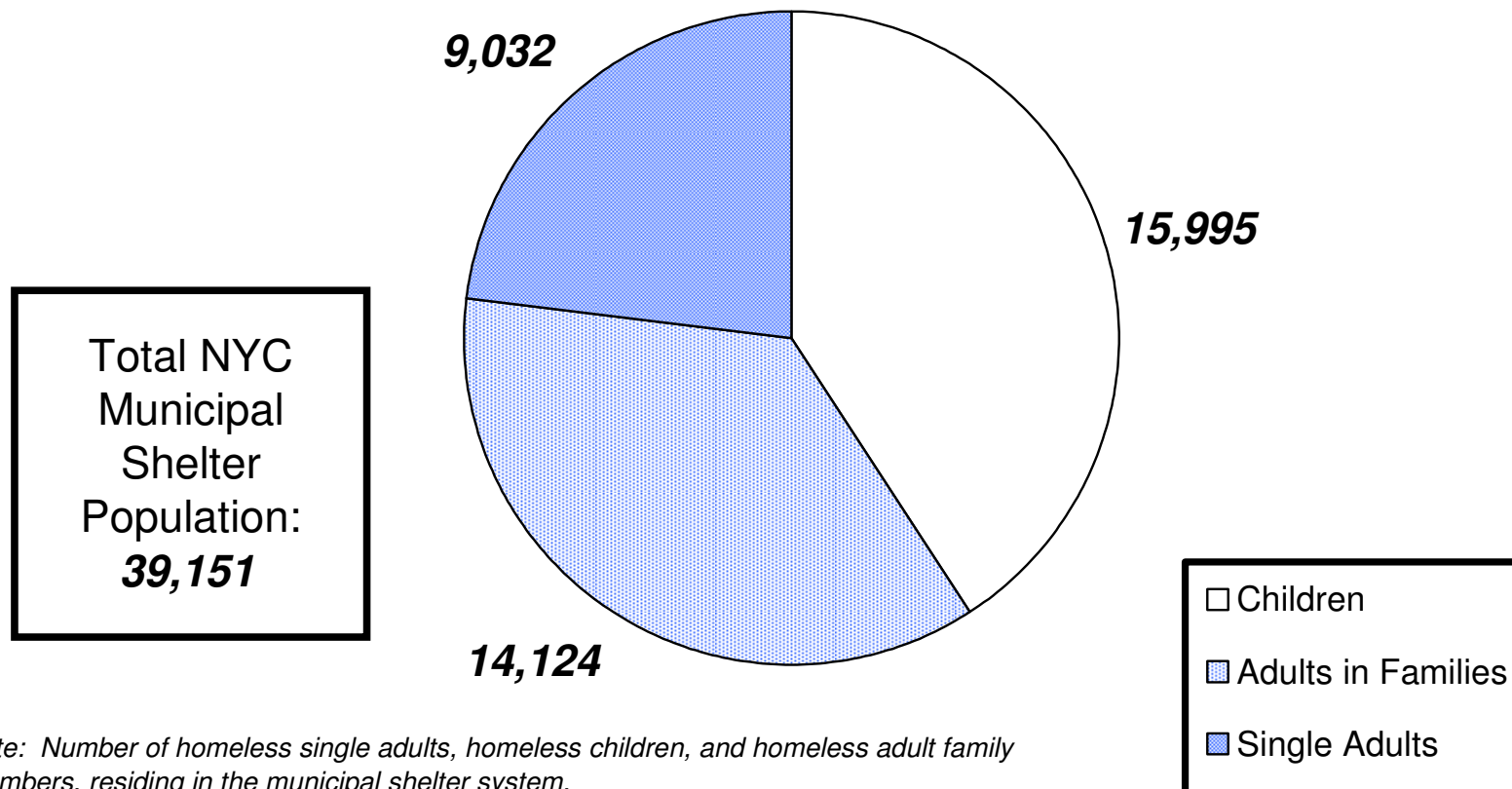
Jane Sujen Bock  
Senior Staff Attorney  
The Legal Aid Society  
199 Water Street  
New York, New York 10038  
Tel: 212-577-3305  
jbock@legal-aid.org

## New York City: Census of Homeless People in the Municipal Shelter System, 1983-2011



Source: New York City Department of Homeless Services and Human Resources Administration, shelter census reports  
Prepared by Patrick Markee, Coalition for the Homeless, 212-776-2004

## New York City: Census of Homeless People in the Municipal Shelter System, August 2011

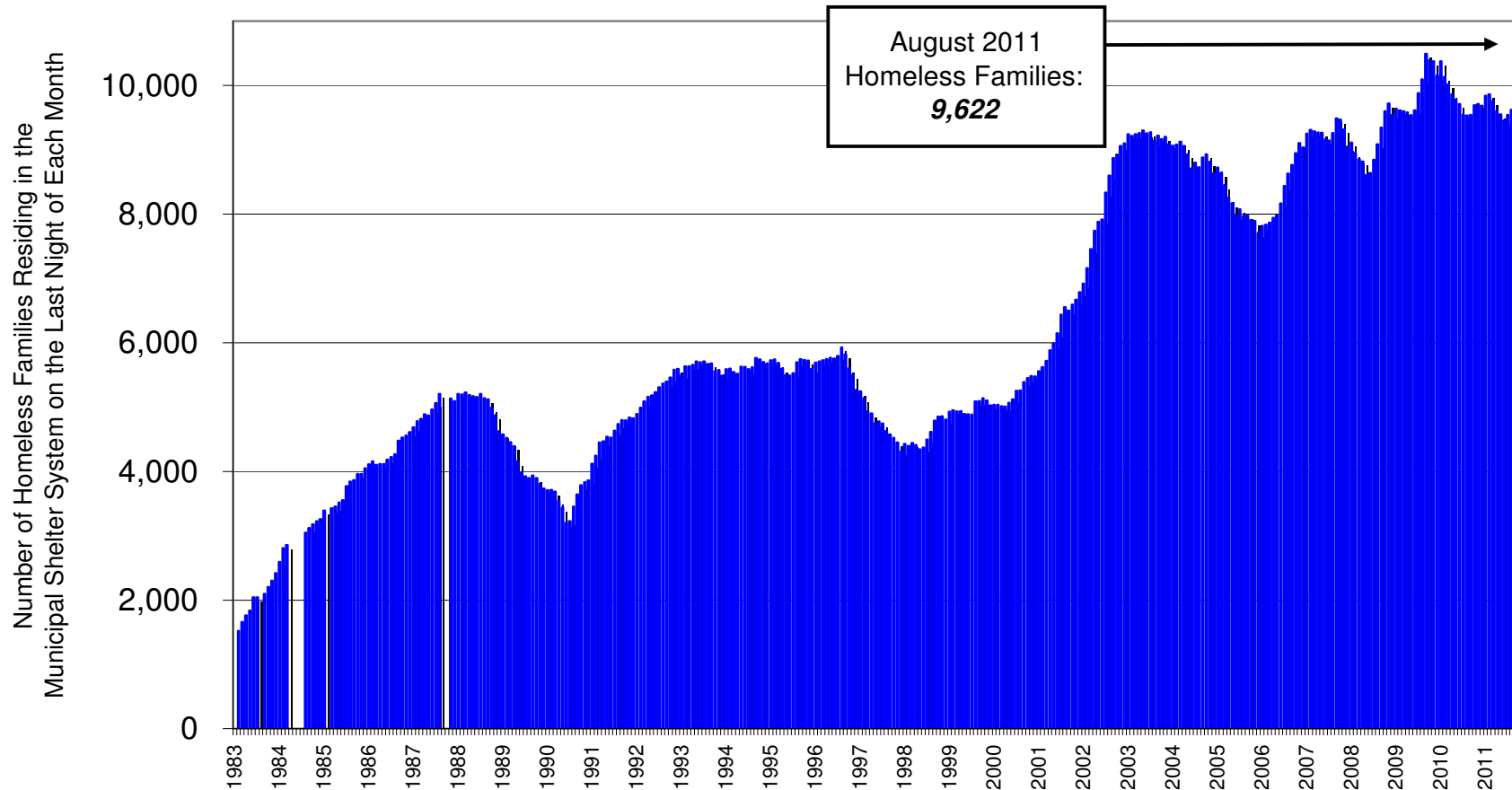


*Note: Number of homeless single adults, homeless children, and homeless adult family members, residing in the municipal shelter system.*

*Source: New York City Department of Homeless Services, shelter census reports*

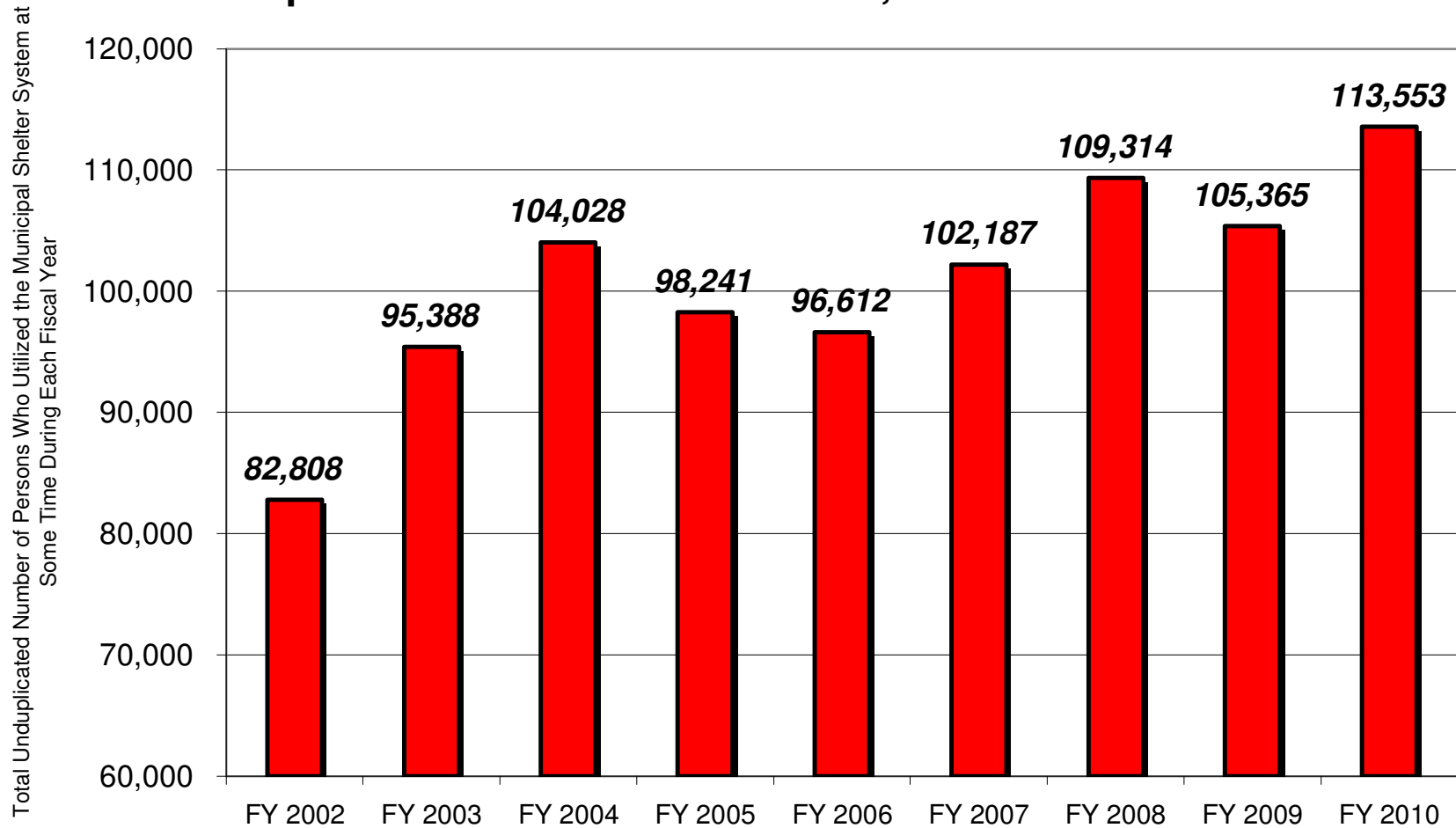
*Prepared by Patrick Markee, Coalition for the Homeless, 212-776-2004*

## Number of Homeless Families in the New York City Shelter System, 1983-2011



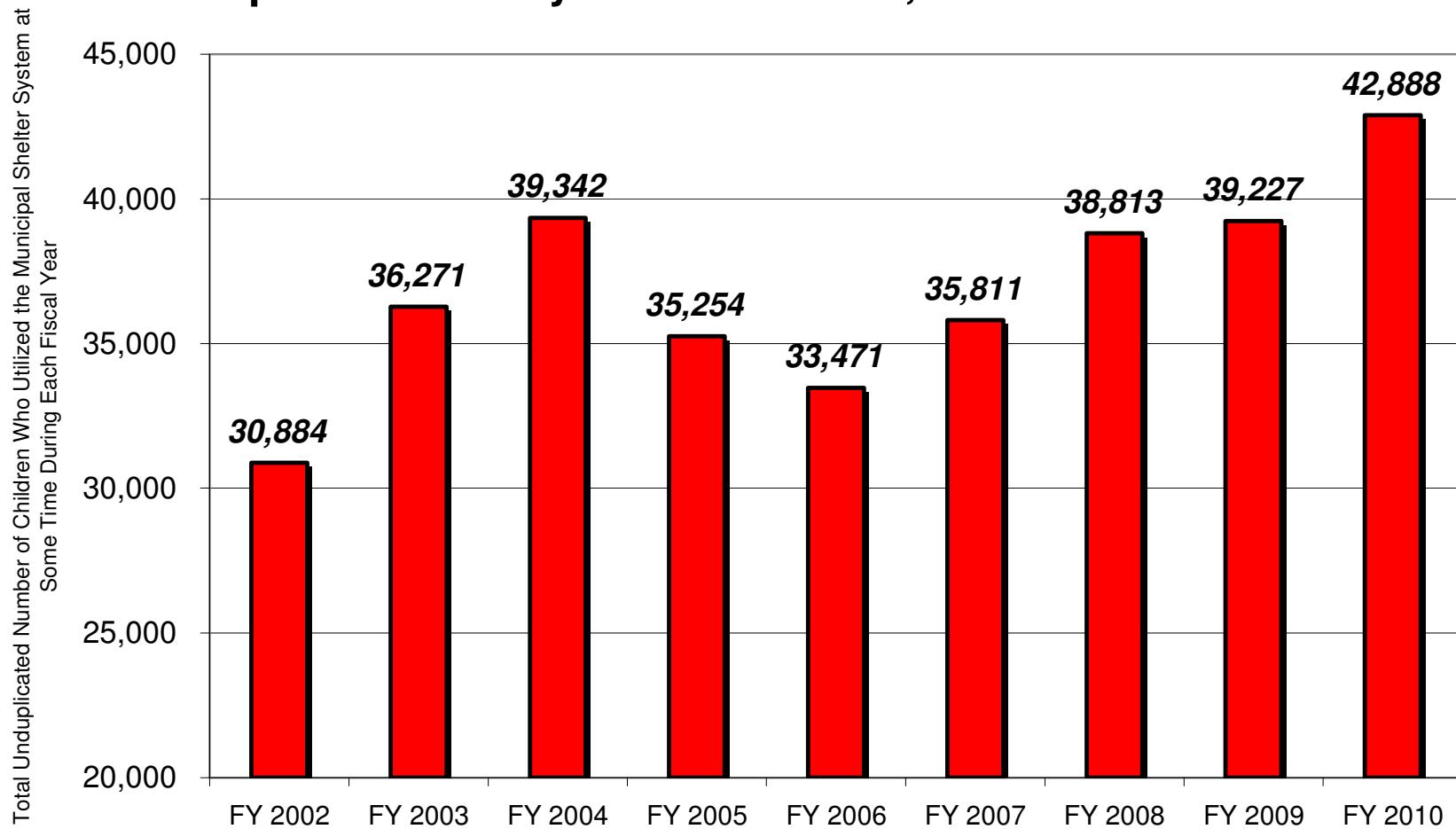
Source: New York City Department of Homeless Services and Human Resources Administration, shelter census reports  
Prepared by Patrick Markee, Coalition for the Homeless, 212-776-2004

## Number of Different Homeless Adults and Children Who Slept in NYC Shelters Each Year, FY 2002-FY 2010



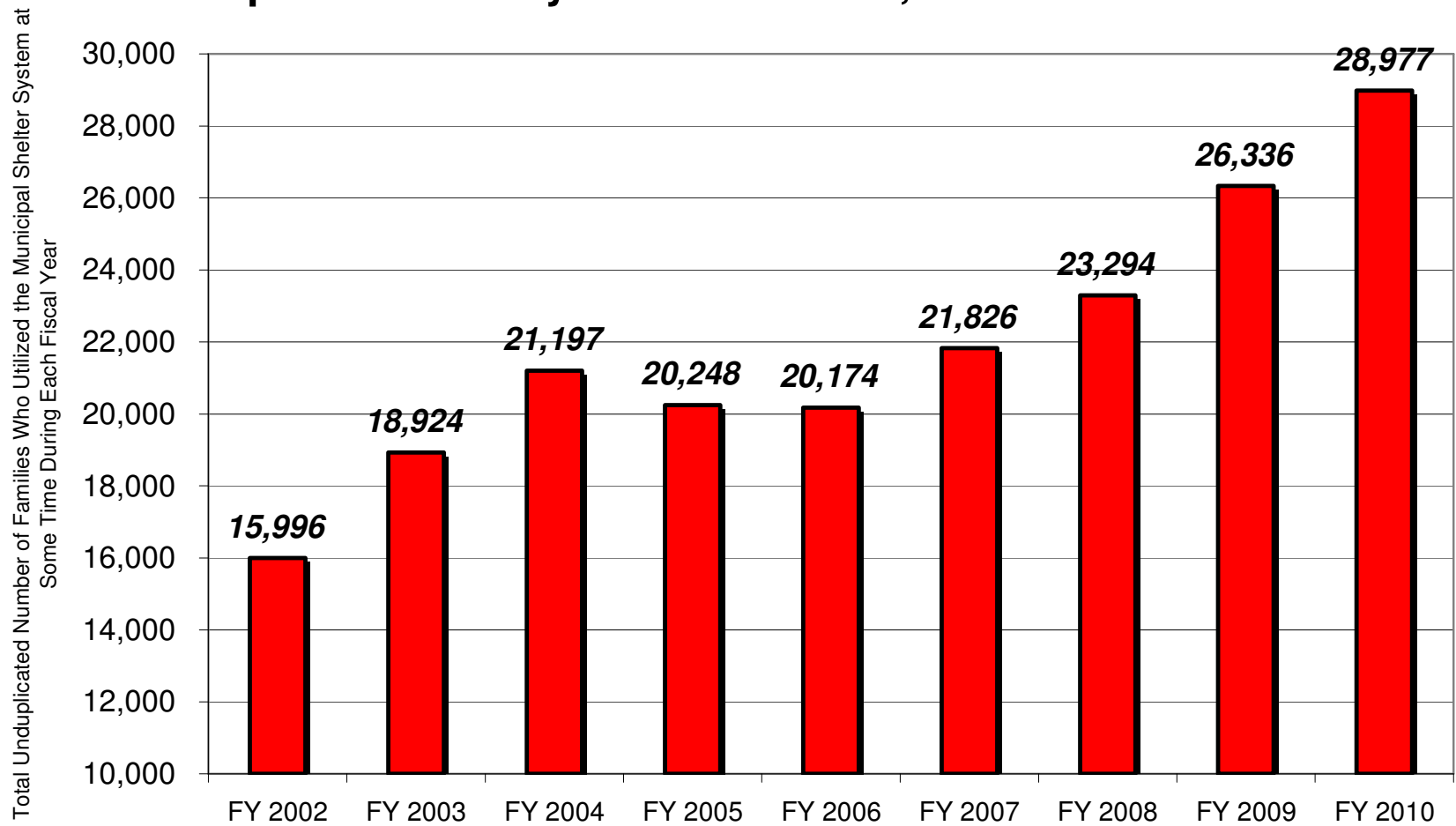
Source: NYC Department of Homeless Services, Critical Activities Reports

## NYC: Number of Different Homeless Children Who Slept in Shelter System Each Year, FY 2002-FY 2010



Source: NYC Department of Homeless Services, Critical Activities Reports

## NYC: Number of Different Homeless Families Who Slept in Shelter System Each Year, FY 2002-FY 2010



Source: NYC Department of Homeless Services, Critical Activities Reports





BRIEFING PAPER

## While More New York City Families and Children Seek Shelter, the City Turns Away More Families Than Ever

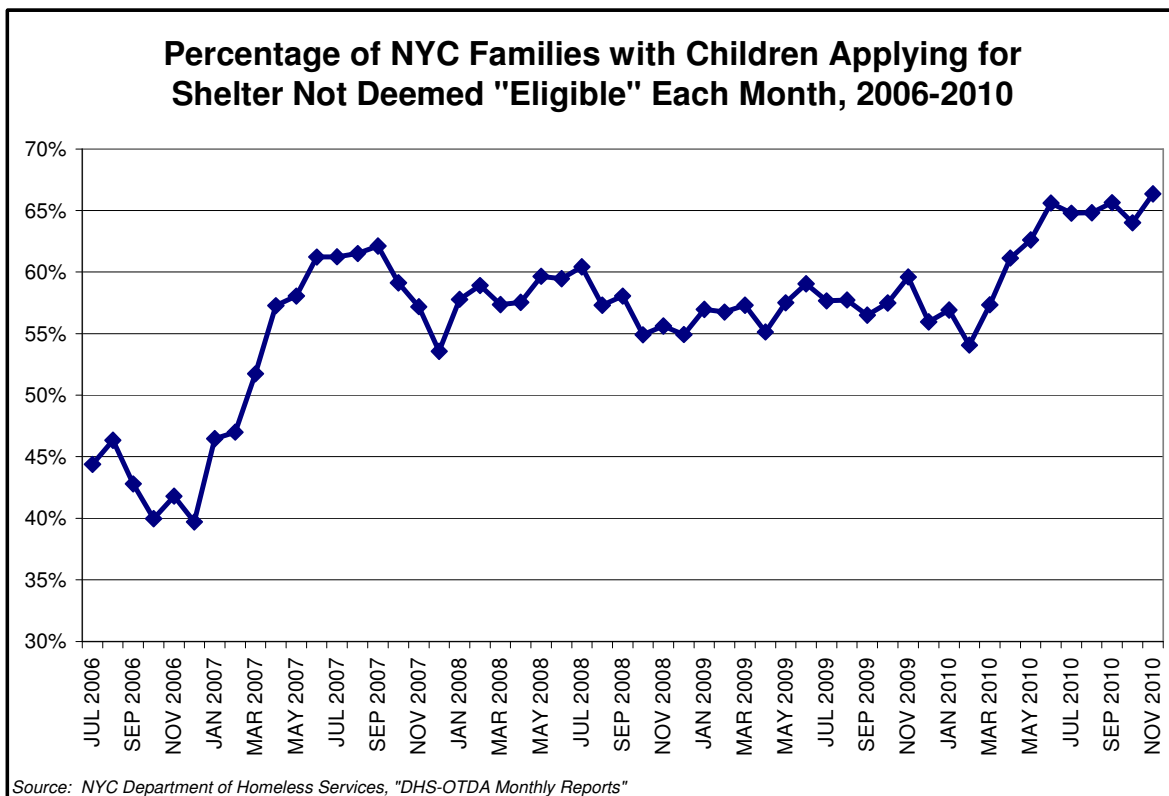
May 2, 2011

By Patrick Markee, Senior Policy Analyst

Amidst high unemployment and the loss of affordable housing, **a record number of New Yorkers sought help at municipal homeless shelters last year.** However, the Bloomberg administration's response was to **turn away a record number of families and children at the shelter door.**

As Coalition for the Homeless noted in our recent "State of the Homeless 2011" report, City data show that a **record 113,553 homeless people slept in municipal shelters in FY 2010, an 8 percent increase from the previous year and a 37 percent increase from FY 2002 when Mayor Bloomberg took office.** This includes a **record 28,977 homeless families, a 10 percent increase from the previous year and a remarkable 81 percent more than when the Mayor took office.** And by the end of February of this year, **the nightly census of homeless adults and children in the municipal shelter system – 39,553 people – reached the highest point ever recorded.**

In addition, last year an **all-time record number of New York City families applied for shelter.** In 2010 the number of families with children applying for shelter each month was **6 percent higher than the previous year and 61 percent higher than four years ago.**

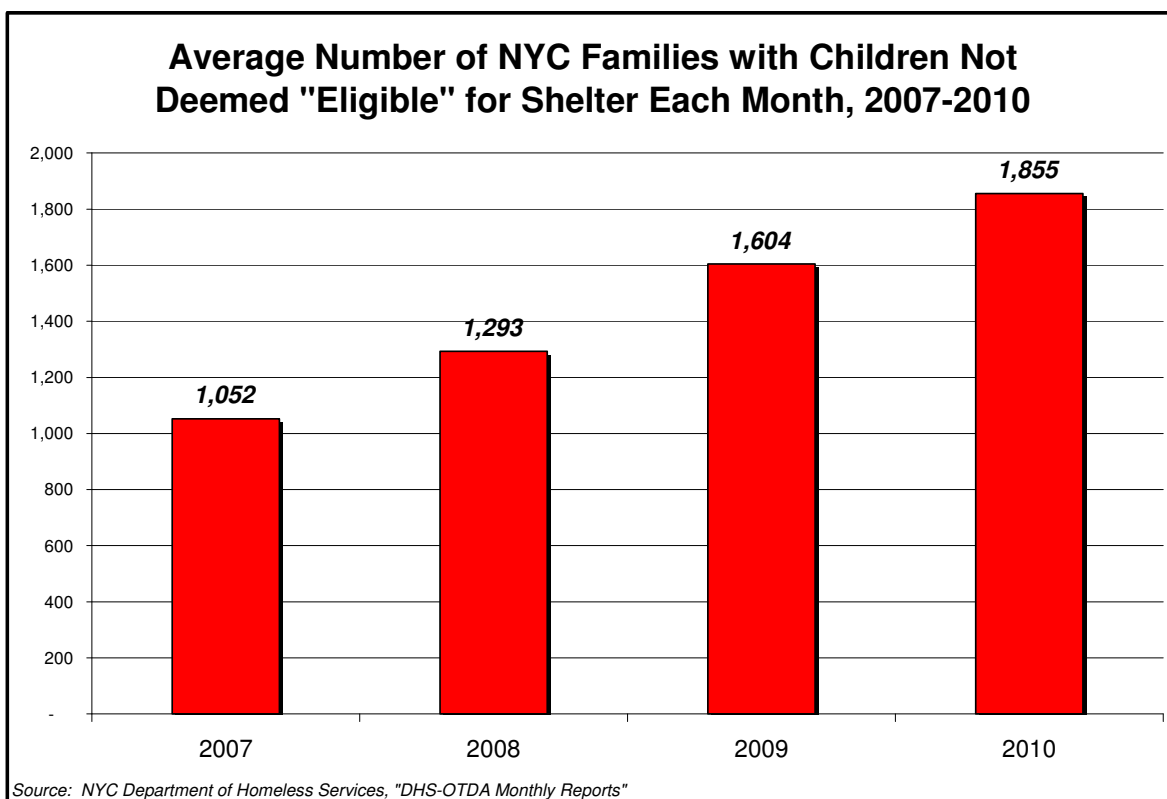


However, at the same time that a record number of New York City families and children were seeking shelter, City data shows that the New York City Department of Homeless Services is turning away more families than ever. ***In 2010 the City denied shelter to 16 percent more families with children than the previous year, and 76 percent more families with children than four years ago.***

***Therefore, in the midst of high unemployment and the lingering effects of the worst economic downturn since the Great Depression, the Bloomberg administration is turning away a record number of children and families seeking help in the homeless shelter system.***

This month, the City will open a new intake facility for homeless families in the Bronx, a welcome improvement over the notorious old center. However, ***a new “state-of-the-art” facility will do little to help homeless children and families if the Bloomberg administration fails to address systematic errors that block vulnerable families from securing shelter and vital services.***

The following paper analyzes City data showing the alarming rise in the number of children and families turned away from shelter, and outlines sensible reforms to eliminate systematic City errors in the handling of family applications for shelter.



### The Rising Number of New York City Families and Children Turned Away from Homeless Shelters

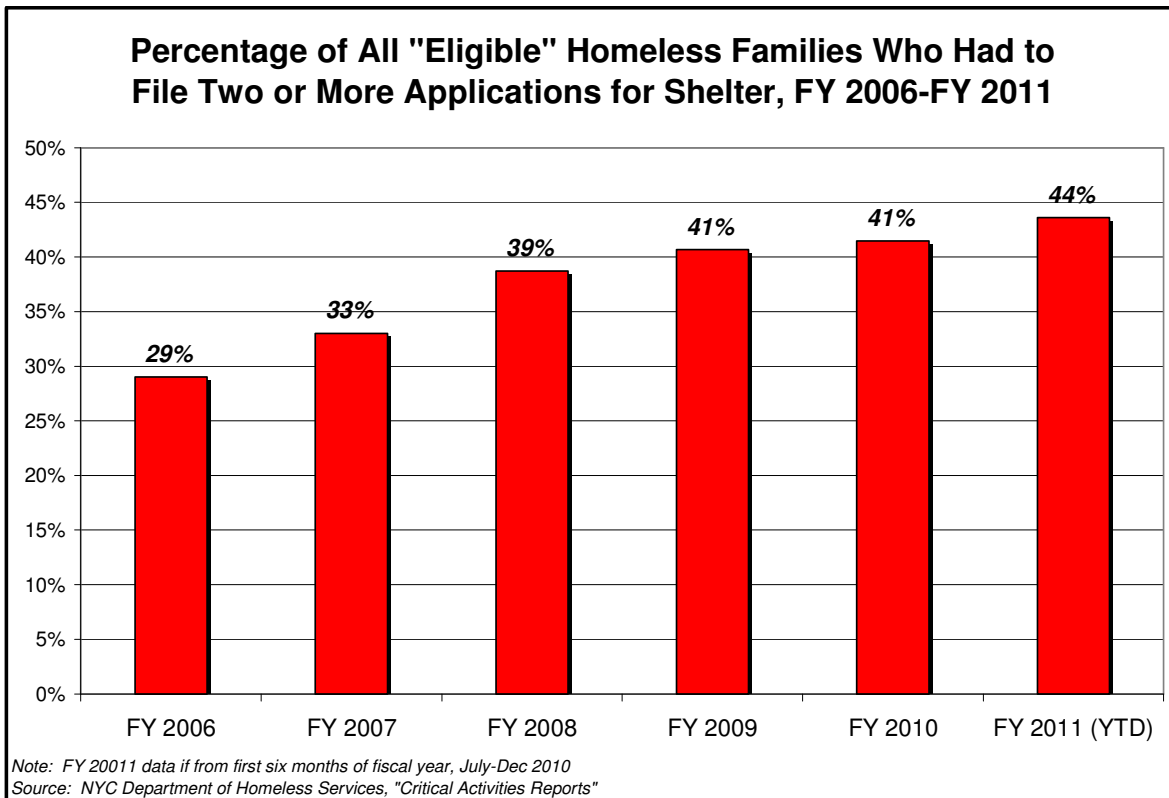
During the past year, the Bloomberg administration has turned away more children and families from the municipal shelter system than at any time since the City began keeping records. In the City's own terminology, ***last year the City deemed fewer applicant families “eligible” for shelter than at any time before.***

City data shows a dramatic increase both in the number of families with children who were not deemed “eligible” for shelter by the City of New York, and in the rate of such non-eligibility determinations:

- ***In 2010 an all-time record number of families with children applied for shelter.*** Last year ***an average of 2,972 families with children applied for shelter each month*** at the NYC Department of Homeless Services' family intake office, ***a 6 percent increase over 2009 and a remarkable 61 percent increase compared to 2006.***
- At the same time, the NYC Department of Homeless Services ***turned away more families with children than at any point since the City has kept records.***
- ***In 2010 an average of 1,855 families with children were not deemed "eligible" for shelter each month*** by the NYC Department of Homeless Services, ***a 16 percent increase over 2009.***
- The number of families with children not deemed "eligible" for shelter each month in 2010 was a remarkable ***76 percent higher than in 2006.***
- While the number of families with children turned away from shelter has reached record levels, ***the percentage of families not deemed "eligible" has also increased at an even faster pace.***
- In November 2010 (the most recent month for which the City has released detailed data), ***66 percent of all families with children seeking shelter was not deemed "eligible" for shelter.*** This is a dramatically higher rate than in November 2009, when 60 percent of families with children was not deemed "eligible" for shelter, and November 2006 – before the economic recession – when only 43 percent of families with children was not deemed "eligible" for shelter.
- Over the past year, the ***number of families with children turned away from shelter grew at a much faster pace than the number of families seeking shelter.***

| <b>MORE NYC FAMILIES WITH CHILDREN SEEKING SHELTER AND NOT DEEMED "ELIGIBLE" FOR SHELTER</b>           |  |   |                      |
|--|--|---|----------------------|
|  | Average Number of Families Applying for Shelter Each Month | Average Number of Families Not Deemed "Eligible" Each Month | Non-eligibility Rate |
| 2007   | 1,850  | 1,052   | 56%                  |
| 2008   | 2,248  | 1,293   | 58%                  |
| 2009   | 2,798  | 1,604   | 57%                  |
| 2010*  | 2,972  | 1,855   | 62%                  |
| <b>Change 2007-2010</b>  | <b>61%</b>   | <b>76%</b>  |                      |
| <b>Change 2009-2010</b>  | <b>6%</b>  | <b>16%</b>  |                      |
| *Data through November 2010<br>Source: NYC Department of Homeless Services, "DHS-OTDA Monthly Reports" |  |   |                      |

- Between 2009 and 2010, *the average number of families with children applying for shelter each month grew by 6 percent while the number of families with children not deemed “eligible” for shelter grew by 16 percent.*



### Why the City Turns Away More Families from Shelter: Systematic Errors and Deterrence Policies

For many years, Coalition for the Homeless, the Legal Aid Society, and others have documented the persistence of ***systematic errors in the City’s handling of applications for shelter by families.***

News reports, court papers, and the affected families themselves have also described the hardships endured by families wrongly denied shelter. When the City fails to deem a family “eligible” for shelter, many families are forced to re-apply and endure weeks, sometimes months, of continued bureaucratic stonewalling. Most of these families are ***moved from one shelter placement to another, often to different placements each night, causing particular hardships for children and adults with health problems.*** Children miss school, parents miss days of work, and many families find themselves in a sort of bureaucratic limbo. Sadly, many families give up and return to unsafe living arrangements. ***And for some families – under a 2005 policy proposed by the Bloomberg administration and approved by State officials under the Pataki administration – the City denies any shelter placements whatsoever, forcing many of these families to sleep in parks, on subway trains, or in other public spaces.***

State courts, legal experts, the New York State Legislature, and the New York City Council have all examined systematic errors in the City’s handling of family applications for shelter. Most recently, an October 2010 New York City Council hearing uncovered the ***failure of the NYC Department of Homeless Services to coordinate with the New York City Housing Authority (NYCHA) in cases where subsidized housing program rules prohibit homeless families from residing with unwilling relatives and friends.***

However, recent City data shows that, if anything, a bad situation has gotten worse and the rate of error has increased.

- During the first half of the current City fiscal year, **44 percent of all homeless families with children who were ultimately deemed eligible for shelter had to file two or more applications for shelter.**
- In FY 2010, **41 percent of all homeless families with children deemed eligible for shelter had to file two or more applications.** In comparison, in FY 2006, **only 29 percent of homeless families deemed eligible for shelter had to file two or more applications.**
- At the October 2010 City Council hearing, NYC Department of Homeless Services officials testified that they **routinely deem families “ineligible” for shelter claiming that the families can live with friends or relatives in NYCHA-administered public housing or Section 8 apartments – housing programs with strict Federal rules on occupancy.** The homeless services officials said that they require families seeking shelter to produce a NYCHA denial document in order to prove that they cannot live with relatives and friends in subsidized housing.
- However, **at the same hearing NYCHA officials testified that they will not process such requests from families seeking shelter – only from residents of NYCHA-administered housing.** And additional testimony showed that, in many cases, relatives and friends of families seeking shelter fear eviction and reprisals from NYCHA if they submit such requests – thus leaving homeless families caught between two City bureaucracies with different requirements.
- All in all, **the City places the burden on homeless families to prove their homelessness.** For instance, the City frequently find families ineligible for shelter **solely based on the fact that they have not provided enough detailed documentation about their past housing histories – whether or not this documentation is available to them – and even when no alternative housing options have been identified.**

#### How to Protect Homeless Children and Families from Wrongful Denial of Shelter

To date Bloomberg administration officials have provided no explanation for why, in the midst of high unemployment and rising poverty, the City is denying shelter to more children and families than ever. However, a series of **sensible reforms of the City’s family application review policies would reduce systematic errors and ensure that vulnerable homeless children and families secure the shelter and help they need.**


As the City prepares to open its new homeless family intake center in the Bronx, the Bloomberg administration should implement the following reforms:

1. The NYC Department of Homeless Services should **re-investigate the alleged housing options of families it deems “ineligible” for shelter to ensure that the housing is both actually available and suitable to the needs of the applicant family.**
2. The City should **reform its eligibility review rules involving cases where an alleged housing option is in subsidized housing administered by the New York City Housing Authority or other public agencies.** This includes eliminating the requirement that applicant families produce NYCHA denial forms which they are, under NYCHA’s own rules, unable to obtain.
3. Reform eligibility review rules to **prevent families from being found ineligible solely because they were not able to provide detailed documentation of their housing history.**

4. Finally, in those relatively small number of cases where a dispute still exists over the alleged housing option of a family seeking shelter, ***the City should have a trained worker escort the applicant family to the alleged housing and assess firsthand whether the housing is truly available and suitable, and whether the owner or primary tenant will actually allow the applicant family to stay there.***

*For more information please visit our website:*

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# Officials are not buying Rosa Bracero's reason for missing Regents exam - she was homeless

BY MEREDITH KOLODNER  
DAILY NEWS STAFF WRITER

Thursday, February 4th 2010, 4:00 AM



DelMundo for News

Rosa Bracero, who couldn't take the Regents exam, gets hug from her mom, Rosario.

Cold-hearted officials aren't buying a Brooklyn high school senior's excuse for missing her final exam before graduation - homelessness.

Rosa Bracero couldn't take the English Regents exam last week because her family had been evicted the same day, and staff at a homeless intake center said they'd be denied shelter if the teen left.

"I'm homeless so I have to be set back in my goals for my life?" asked Rosa, 17. "Isn't it enough that I'm homeless?"

Rosa, a student at Brooklyn's High School for Civil Rights, told staffers at the city's central family intake center she needed to take the 1:15 p.m. exam to earn her diploma.

The workers told her the entire family - her mother, brother, sister-in-law and two baby nieces - had to be on hand for the seven-hour process.

Rosa's mother, Rosario, was stunned.

"I told them she needed to take this test to graduate," her mother said. "I couldn't believe

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what I was hearing."

Because the family had nowhere to go, Rosa missed her exam. While her school allowed her to take the test Friday, the state invalidated the results because regulations forbid makeup Regents exams to discourage cheating.

The testing debacle compounds an already difficult situation for Rosa and her family. Her mom lost her job as an administrative assistant last April and has been working as a temp ever since, causing the family to fall three months behind on rent.

Rosa's family had been homeless more than a decade ago, leading to her being bounced between shelters and four elementary schools before getting accepted into a gifted and talented program in Manhattan.

To help ease her family's economic problems, Rosa worked hard to finish all of her credits in 3-1/2 years, and had been on track to graduate this week.

She was even accepted into Lincoln Technical Institute and aced the entrance exam, scoring a 490 out of a possible 500 on the English assessment. But she still has no high school diploma.

"I'm tired of being without a home," said the aspiring automobile technician. "I love learning ... but I want to further my education so I can get a job. I want to help take care of my family."

A spokeswoman for the Homeless Services Department said staff followed protocol. "It is necessary for [the department] to have the entire family present for evaluation when applying for shelter to make a full assessment and offer services for each family member's needs," said Heather Janik.

A state Education Department spokesman said Rosa can take the exam in June.

mkolodner@nydailynews.com

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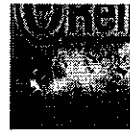
7:13:56 PM Feb 4, 2010 I cannot believe the idiots in the education system would do this to a child. Children are our future regardless of what their circumstances is in life they should not be hold back or deny anything to do with school. The way the economy is now it is no surprised that there are more homeless people with children. This just show the education system have not done their homework on working on how to solve this problem with the Homeless Service.

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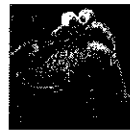
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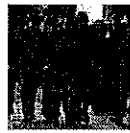
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8:20:14 PM Feb 4, 2010 heartless DHS bureaucrats doing what they do best, ruining people's lives because they hate their jobs, my message to Rosa is don't loose heart this is only a temporary obstacle. You are a very brave young woman for exposing the city's shameful incompetence.

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**mfoley93**

9:28:16 PM Feb 4, 2010 Tomfredy, they were homeless twice in over 10 years, that's hardly constantly. Bureaucracy is going to be the death of civilized society. This problem is caused by opposing policies in two bureaucracies that this family has become dependent on for some unfortunate reason, the worst day of my life will be the one when I become reliant on a government bureaucracy. The worst part of this story is that both institutions are run by the state of New York, so they should be able to coordinate their efforts to help homeless students, not hurt them with conflicting policies that no one is willing to bend, even when it is clear they should be.

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**senor muchismo**

11:06:52 PM Feb 4, 2010 ardreg you are the reason america fails now, everybody looks at a homeless person and thinks that they are failures and dont deserve the least bit of help so they should suffer for it. God bless America

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**Kimera**

11:34:56 PM Feb 4, 2010 Stewie Griffin: The city has been moving for the past ten years to abolish the local diploma and make all students pass exams for the regents diploma in order to graduate. I can't be certain, but I believe that an English regents is now mandatory to achieve graduation. If that is the case that one or both of these beaurocracies need to figure out a way for this young lady to take a make up exam, since they not her created the problem.

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**BigJake**

12:57:58 AM Feb 5, 2010 No one here seems to have considered whether there is a rational basis for the policies of either Homeless Services or the State Education Department. Have there been cases where people brought someone else's kids into the intake office to seek shelter? I have read that people brought borrowed babies into welfare offices to apply for benefits. Going through the interview process should prevent this. Have next-day exam takers ever been accused of cheating? I've read stories about this in other exam contexts. With all the fraud that occurs in the real world, these policies may actually be sensible.

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**SilentGoddess**

4:15:27 AM Feb 5, 2010 Ardeg---This is a child. Should she be held responsible for the many times her family has been homeless? She can not balance her parent's checkbook or pay the bills! Why should she be punished because for whatever reason her parents have for not being able to supply her shelter?

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**walkingsnake**

8:43:40 AM Feb 5, 2010 >> MarcDonato -- MAY YOU LIVE LONG and PROSPER!

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**Tomfredy**

10:16:48 AM Feb 5, 2010 She only need to pass six regent exams to qualify for a Regent certificate in NYS. She can get her high school certificate if she has completed the school and the NYC board of Ed requirements. She can retake her Regent in June besides most city offers Regent make up one or two wks after the original test. I suspect there is more to this. It looks like either a mental disorder , drug abuse or both called Mentally Ill, chemically addicted.(MICA).

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**justice02**

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11:38:31 PM Feb 9, 2010 Everyone, PLEASE - - this isn't a matter of some "bureaucrats" being "heartless" or "cold-hearted", it isn't a matter of policy legitimacy, it IS a matter of utter incompetency on the part of David Steiner, the NY Dept. of Education, and the staff at the Homeless Intake Center. We all need to stop using the words "bureaucracy" and "bureaucrats" because they are so ambiguous - there are real people behind these words, real people who need to be called out by name and held accountable for their incompetence, negligence, corruption, obstruction, whatever the charge may be. In this case it is Incompetence. Maturity, professionalism, and commonsense should supersede policy and protocol. It is absurd that Rosa would need to be present at the homeless center for seven hours without being granted an exception for the amount of time required to take the exam. Protocols are guidelines, they are meant to have exceptions, and this is absolutely a situation where an exception is warranted. All HIC

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## IN SCHOOL, HOMELESS KIDS FACE A DIFFERENT TEST

**Homeless children struggle with more than reading and math. They're challenged to stay connected to schools as their families search for shelter.**

Dale Eisinger and Alana Casanova-Burgess



Marc Fader/City Limits

Brothers Erickson Morales, 10, Erick Morales, 9, and Roeriel Morales, 5, pose outside the PATH Center in the Bronx, where they are currently living. They are enrolled in PS 399 in Brooklyn in the fall, but they do not know where they will be living when school starts.

High Bridge - > On a weekday evening this spring, Shaquana Walston walked out of the PATH Center in the Bronx, New York City's intake office for homeless families, her three kids in tow.

They had waited hours in the office, only to be told she and her children—Skye, 10, Drachir, 12, and Devin, 15—were ineligible for shelter housing. Because she technically had a place to stay, in her mother's apartment, she was not deemed to be homeless.

Despite being homeless for 11 months and living in three different shelters, Kimetra Dantzler's

kids were still attending school. But with constant disruptions, it's hard for them to focus on schoolwork, she said. Dantzler, 32, is a mother of four and has two children in the sixth grade at Promise Academy Charter School in Harlem. "They've been teased about being homeless, being in the shelter system," Dantzler said.

"I hate the fact that I have to put my kids through this," Walston said, with her children standing next to her. "I had to take my kids out of school today to come over here. Tonight I guess they'll study in the car."

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**Watch, hear and read more about homeless youth at the  
New York City News Service**

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Walston says she and her children have moved four times in the last three years because of her trouble finding a job and being forced from home to home at the behest of relatives. "I know this is stressful on my kids," said Walston, who often shuttles her children around when looking for shelter.

The city's Department of Homeless Services (DHS) says it tries to minimize disruptions in the lives of its clients. In February, according to DHS statistics, 85 percent of families were placed in the same borough as their youngest child's school. Boroughs, however, are large. Statistics were not available on how many children were placed in shelters in the same community district—a smaller geographic area—as their school.

According to numbers posted on the DHS website, in April (the latest reported month) 8,118 children age 6 to 17 received homeless services –down from 9,699 the previous April.

"It's just incredibly difficult and stressful for kids," said Jennifer Pringle, director for the New York State Technical Education Assistance Center for Homeless Students (NYS-TEACHS). "There's no privacy, there's no quiet space where kids can do their homework. And then the stress the parents are under in finding permanent housing and dealing with having just lost their housing. These kinds of emotional stresses that are on families are just incredible, and I think that manifests itself in many different ways on kids."

Homeless students miss school more often, have higher dropout rates, lower graduation rates, and are held back more often than students with permanent housing, Pringle said. Her statement is echoed in reports and articles by educators, advocates for the homeless, and researchers.

"The biggest problem that homelessness causes for academics is that kids end up moving schools," said Dr. John Buckner, an assistant professor of psychology at Harvard Children's Hospital. Buckner has studied the effects of homelessness on children for more than thirty years. He said children missing school because of the complications parents face in chasing down a home is all too common.

And of course, grades and other indicators of performance suffer.

"The simple correlation between mobility and educational performance is disturbing," said Amy Ellen Schwartz, director of the N.Y.U. Institute for Social Policy. She published a paper on homelessness and education last November.

"Whether it's moving schools or moving neighborhoods, or moving neighborhoods and schools, kids who move schools do so much poorer than students who move less often," Schwartz said.

One teacher in New York City's public school system – who still works part-time and asked to remain anonymous for fear of losing her pension – said educating homeless students is difficult because of the simple lack of a paper trail.

"The children would move so much their records never actually caught up with them, so as a teacher I had to constantly try to figure out what each child knew," she said. "Many of these children had such spotty attendance it was nearly impossible to decide on promotion. Very often the children would be in Queens one day and next in the Bronx if an apartment was available. No thought or consideration was given to consistency in their education."

But even beyond dealing with mobility, living without permanent housing can be incredibly straining.

"They can't do the things they want to do when they come from school because we have to be over there in case people from DHS have questions for me," Walston said.

According to education specialists and child development experts, Walston's children and the thousands of other homeless kids and teenagers across the city are negatively affected in academic performance. The lack of stability is the main detriment, as children constantly moving face stress from the rigors of mobility and adapting to shelter life.

"We have to get up earlier and when we go to school we come from a shelter when everyone else is coming from home," said 12-year-old Drachir quietly.

But strong role models can help keep these students stay on top. In 2003, Buckner published a study on "resilient" homeless students, finding that many who succeeded in school had strong parental support. Students were deemed resilient based on mental health and self-regulatory skills. The numbers are low – only 29 percent of students in homelessness were considered resilient, meaning they had the emotional well-being and support systems necessary to succeed in school.

Walston's children represent both sides of the academic struggle. Her two daughters were doing well.

"She's on honor roll, we just found out today," she said, pointing to Drachir, who was in 6th grade. And Skye, then a 4th grader, is a "peer mediator."

Though 15-year-old Devin was having a harder time – he was in 8th grade and in a class for

kids with learning disabilities – he too is getting support from his mom.

"I'm tired of jumping around with my kids," Walston said. "They need stability."

*With reporting by Eleanor Miller*

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