

Testimony of
Coalition for the Homeless
And
The Legal Aid Society

On

Oversight: Support for Homeless Students

Presented before

The New York City Council
Committee on Education
Committee on General Welfare

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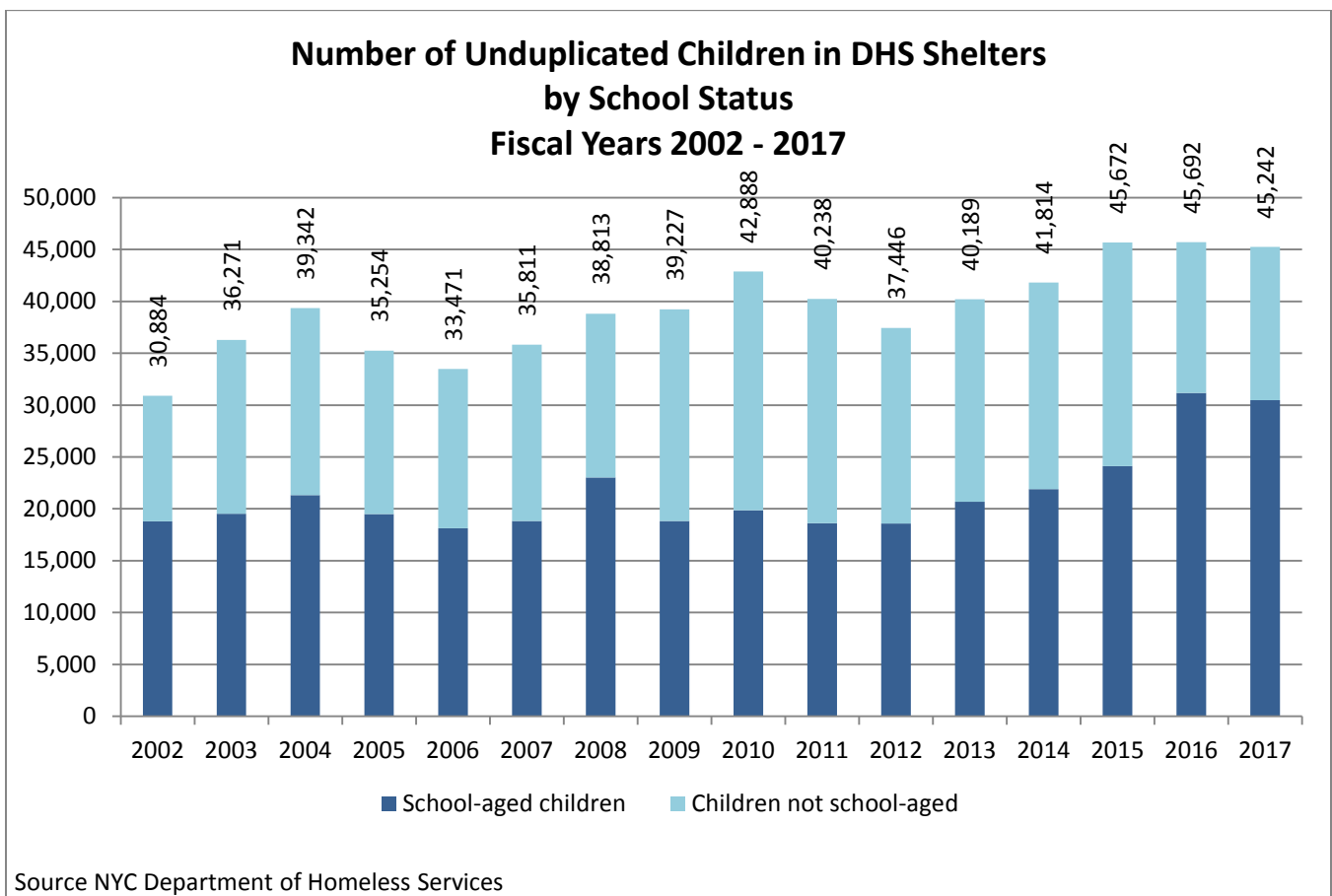
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The Coalition for the Homeless and The Legal Aid Society welcome this opportunity to testify before the New York City Council Committees on Education and General Welfare regarding support for homeless students.

Background: Homeless Children and Students in New York City

New York City is currently facing an unprecedented homelessness crisis. There are currently over 60,000 men, women, and children sleeping each night in the City’s municipal shelter system, including nearly 23,000 children. The number of children who spent at least one night in a DHS shelter over the course of the year was over 45,000 in fiscal year 2017. Although the number of children in DHS shelters has levelled off the past three years, the number of school-aged children has grown since 2015. For the past two school years, there were over 30,000 school-aged children who spent time in DHS shelters.

According to the New York State Education Department, 111,562 New York City public and charter school students were homeless during the 2016-17 school year, including those living in shelters, doubled up, or unsheltered– the highest number since data collection began.



Homeless Students in Shelters: Steps the City Must Take

In addition to undergoing the trauma of homelessness, homeless students and their families face many school-related challenges while living in shelters. These challenges include, but are not limited to, being placed in a shelter far from their current school, missing school days because of required appointments, long commutes to and from school, and uncertainty about the permanency of shelter placements. These challenges are even more pronounced for students with special needs and also have ripple effects on parents, including exacerbating risks for job loss and engagement with child protective services. Moreover, many parents may not know the extent of their child's rights as a student in temporary shelter. Individually and combined, these challenges make it harder for children to focus on school. Many academic studies have confirmed that homeless students are more likely than their housed peers to fall behind in school and experience health and developmental problems stemming from homelessness.

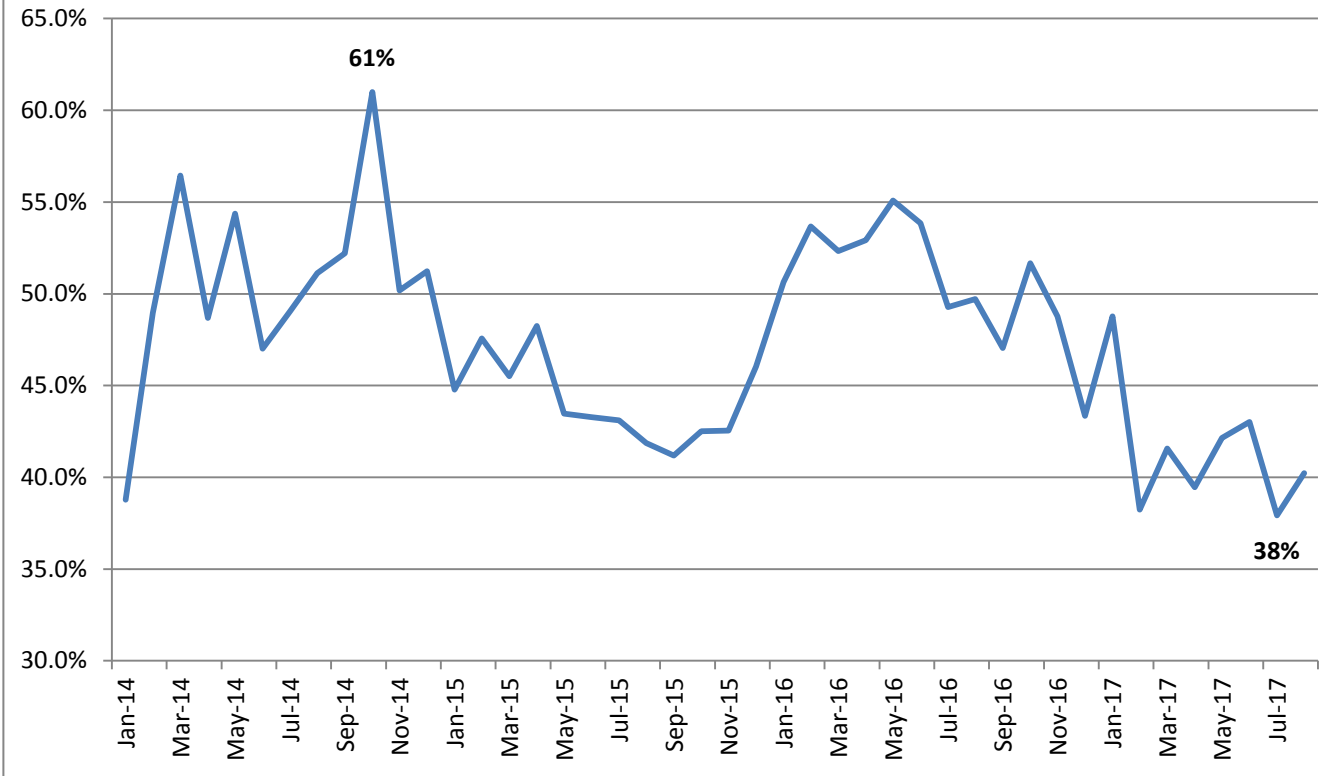
The City must take immediate steps to make it easier for homeless students to continue school with minimal interruption and provide resources and engage in better coordination to make sure homeless students have access to the supports they need. Over the past few years, the percentage of homeless children placed in shelters according to the school location of their youngest child has decreased significantly and the average school attendance rate has not improved, according to data reported by the Department of Homeless Services¹.

Perhaps most disturbingly, the eligibility rate for families applying for shelter reached a new low under Mayor de Blasio's tenure this past July: Just 38 percent of families with children applying for shelter were found eligible. Moreover, 43 percent of these families had to submit more than one application before ultimately being found eligible. The application process is often the most traumatic and daunting period for homeless families because it is filled with stress and uncertainty. It is not uncommon for children to miss a significant amount of school during the application process, which at a minimum lasts ten days, but can go on much longer for families who must submit multiple applications.

Lastly, the City still requires children to be present when their family first applies for shelter at the PATH intake office in the Bronx, often forcing them to miss school to do so. There is no reason for children to be at PATH, a crowded and tense facility that offers no services to support them during their visit. If the City needs to verify the identity or well-being of a family's children, it could consult their teachers or the shelter case workers. Children should not miss school so that DHS can easily confirm that they exist.

¹ NYC Mayor's Management Report, Department of Homeless Services (2017).

**Percentage of Families with Children Found Eligible for Shelter
2014 - 2017**



It is clear more needs to be done to address the wellbeing and educational needs of homeless students. Specifically, the Department of Homeless Services and the Department of Education must:

1. Implement a less onerous shelter intake process in which applicants are assisted in obtaining necessary documents and recommended housing alternatives are verified as actually available and pose no risks to the health and safety of applicants;
2. Revise the shelter intake process so that homeless children are totally excused from appearing at PATH so that they do not have to miss school in order to be present when the family applies for shelter;
3. Place families in shelters near their child’s school at the outset of the application process, to minimize commutes and school transfers and to avoid shelter transfers that may further disrupt schooling;
4. Transfer any families that have long school commutes to a closer shelter facility;
5. Place additional DOE staff at PATH. These additional staff members should provide families with information on school selection, school transportation options, and the rights of students with special needs. These staff members should also have the ability to process busing requests, assist students and families to fill out DOE Residency Questionnaires, write letters of excused absence, and disseminate Metrocards. DHS staff should also assist with these duties when DOE staff cannot be made available;

6. Eliminate or minimize the placement of families with school-aged children in commercial hotels;
7. Continue enhanced funding for busing for homeless students; and
8. Expand after-school programming for students in shelters.

The best solution to helping homeless students in temporary housing maintain engagement in school is to transition families to permanent housing as quickly as possible. We therefore urge the City to immediately increase access to permanent affordable housing for homeless families. Specifically, the City must double the number of homeless families placed in NYCHA apartments from 1,500 per year to at least 3,000 per year. Only through the provision of sufficient permanent, affordable housing resources can we begin to reduce the number of homeless children and families in New York City.

About Coalition for the Homeless 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 3,500 homeless New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to the crisis of modern homelessness, which is now in its fourth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, and life-saving housing and services for homeless people living with mental illness and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term solutions and include: Supportive housing for families and individuals living with AIDS; job-training for homeless and formerly-homeless women; and 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 over 900 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx. Finally, our Crisis Intervention Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries.

The Coalition was founded in concert with landmark right to shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981 the City and State entered into a consent decree in *Callahan* through which they agreed: "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 of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *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, and the City has also authorized the Coalition to monitor other facilities serving homeless families.

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 more than 1,100 lawyers, working with some 800 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 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 more than 1.7 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.

The Legal Aid Society is counsel to the Coalition for the Homeless and for homeless women and men in the Callahan and Eldredge cases. The Legal Aid Society is also counsel in the McCain/Boston litigation in which a final judgment requires the provision of lawful shelter to homeless families.