

UP AGAINST THE ODDS:
**New York City's Homeless
Children Lose Out in School**

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Executive Summary

The numbers of children affected by homelessness in New York City are daunting. In 2005, more than 35,000 children lived in homeless shelters with their families in New York City. Almost 20,000 of those children were of school-age. Tens of thousands more of the City's homeless children and youth are living in domestic violence shelters, youth shelters, on the streets, or sharing the housing of others, known as living in "doubled up" situations.

Homelessness has a devastating impact on the lives of children and youth. Despite long-standing federal and state laws intended to promote school access and academic success for homeless students, children and youth experiencing homelessness in New York City perform dismally in school by most measures, including standardized test scores, attendance records and graduation rates. Homeless students experience unnecessary school transfers and miss a significant amount of school, often through no fault of their own. The impact of these problems is exacerbated by poor coordination between responsible City agencies and a failure to provide appropriate interventions and support.

Under the federal McKinney-Vento Act, the responsibility for identifying homeless children and youth and ensuring that they are enrolled and fully participating in school rests with the New York City Department of Education (DOE). While the DOE has recently made a concerted effort to improve the process of identifying and serving school-age children who are homeless, much work remains to be done to improve and better coordinate its efforts to meet the needs of homeless students and to ensure that their legal rights to education are being protected.

This report examines the available data on homeless children and youth in New York City and provides recommendations for improving the manner in which they are provided access to education.

Key Findings

Advocates for Children has documented the following problems in the delivery of educational services to homeless children and youth:

- Many eligible children and youth who are homeless and living in shelters are not being identified and provided services to which they are entitled under the McKinney-Vento Act as well as State and local laws.
 - The DOE appears to be significantly undercounting the number of homeless students living in shelters based on a comparison with figures provided by the Department of Homeless Services (DHS). Over the past four years the DOE's totals counted 22-25% fewer students than totals supplied by DHS, and that percentage differential doubles for high school students. These undercounted students are not being identified and served.

- Homeless children eligible for preschool are not being identified and provided with services: only 362 children in temporary housing enrolled in pre-k during 2004-2005.
- Most homeless children and youth living in domestic violence and runaway and homeless youth shelters are not identified as homeless by the DOE and are not provided with services to which they are entitled such as educationally related support services through Title I, services through McKinney-Vento-funded programs, free school transportation, and free lunches regardless of income. This includes the children of the 3,500 families who use domestic violence shelters annually as well as the estimated 5,000–10,000 youth living on New York City streets or involved with a runaway and homeless youth program.
- Finally, many of the more than 125,000 families who are living in the households of others because they have lost their housing, or must share housing due to economic hardship or other similar reasons qualify as homeless. Children and youth in these families are not being identified as homeless and are not provided with the services for which they are eligible, such as those mentioned above.
- Homeless children and youth suffer from excessive school transfers, poor academic performance, and high rates of absenteeism, which are exacerbated by the lack of appropriate interventions and by poor coordination between City agencies.
 - Roughly 50% of temporarily housed students transfer schools, reducing stability and negatively affecting school performance.
 - Educational continuity and stability are stymied by shelter placements outside of the school district of origin; from July 2002-June 2003, the last year for which published data is available, DHS placed only 10% of families in shelters located in the community school district where the youngest child was enrolled in school.
 - By changing its criteria for successful shelter placement from placement in the community school district where the youngest child was enrolled to placement in the borough where the youngest child was enrolled, DHS has obscured the true measure of educational disruption that students experience in the family shelter system.
 - Enrollment of homeless students drops precipitously from 9th grade to 12th grade;
 - Homeless students who do enroll in school suffer from much higher rates of absenteeism than housed students.
 - Homeless students in grades 3-8 performed significantly worse than all students in all tests at the end of the 2004-2005 school year.

- Homeless students passed at half the rate as all students on the 8th grade English Language Arts Exam and the 6th, 7th, and 8th grade Math Exams.
 - Less than 50% of homeless students passed the English Language Arts Exam in every grade and only 15% of the homeless 8th graders passed.
 - Less than 50% of homeless students passed the Math Exam in every grade except for the 4th and fewer than 20% passed in grades 6, 7, and 8.
- 39% of high school students who were homeless in 2004-2005 were held over in order to repeat a grade; 8% in grades 4-8; and 12% in grades 1-4.
- The DOE Chancellor's Regulations are outdated and do not comport with federal law, thereby restricting the rights of homeless youth as outlined in federal law.
- The DOE has failed to maximize federal funding that has been made available through the New York State Education Department to identify and serve homeless children and youth.
 - During the 2003–2004 school year, only 27 of the 34 NYC community school districts applied for federal funding, and of those, the majority undercounted the number of homeless students within their boundaries. Had all 34 districts applied for funding using figures that more accurately reflected the number of students in temporary housing, the DOE may have been eligible to receive as much as \$900,000 in additional funding to serve this population.

Recommendations

To remedy the problems identified in this report, AFC makes the following recommendations to the DOE and DHS as well as other service providers and agencies:

1. Implement new and improved systems to identify all children and youth experiencing homelessness, particularly those in shelters and those who are sharing the housing of others.
2. Implement efforts to reduce school transfers of homeless children.
3. Place more families in shelters in the school district where they previously lived to reduce disruption to schooling.
4. Revise local policies to conform with federal law.
5. Use all available funds to educate students experiencing homelessness in New York City.

6. Make a concerted effort to regularly train school-based staff, staff of the Students in Temporary Housing Program, and service providers working with homeless families and youth.
7. Institute systems to collect more reliable data and to use this data to hold schools and shelter personnel accountable for promoting the academic success of homeless children and youth.
8. Identify ways to improve the coordination and collaboration between the DOE's offices and among City agencies and service providers.

I. Introduction

Homelessness has a devastating impact on the lives of children and youth. Children and youth who are homeless are less likely to succeed in school and are more likely to have developmental delays than their housed peers. They are also more likely to suffer from anxiety and depression, develop behavior problems, and experience poor health.¹ Homelessness creates a chaotic living environment where children and youth are exposed to high levels of stress. It uproots them from their systems of support and care, which may include relatives, friends, teachers, schools, medical providers, and mental health providers. Unfortunately, children make up a significant portion of those experiencing homelessness. In fiscal year 2005, more than 35,000 children sought shelter with their families in New York City. Among these children, there were 19,496 school age youth.² These figures, however, do not accurately reflect the scope of the problem in New York City because they exclude the tens of thousands of other children and youth living in domestic violence shelters, runaway and homeless youth, and children and youth who are sharing the housing of others due to loss of housing or economic hardship. This last situation is commonly described as families who are doubled up with other households.

Recognizing that school is often the only stable and secure place for children and youth during this difficult time, and that homeless students are often excluded from school, the federal government enacted the McKinney-Vento Homeless Assistance Act in 1987. The Act is designed to ensure that children and youth experiencing homelessness have immediate access to educational services and have the support they need to succeed in school. To accomplish this, the Act encourages continued enrollment in the same school and mandates that each school district appoint someone to assist children and youth who are homeless, among other provisions.

Many of the barriers impeding the academic success of homeless children have existed for some time. Advocates for Children of New York (AFC) has a long history of working on behalf of New York City children and youth who are homeless to bring about systemic change. In the late 1980's and early 1990's, AFC issued two reports, *Learning in Limbo* (1989)³ and *And Miles to Go . . . Barriers to Academic Achievement and Innovative Strategies for the Delivery of Educational Services to Homeless Children* (1991)⁴ which described the educational experiences of students living in temporary housing. The first of these reports, *Learning in Limbo*, found that children and youth in temporary housing performed significantly worse than all other students in New York City and made many recommendations about what the Human Resources Administration, the New York City agency that was responsible for shelter placements at that time, and the former Board of Education (now the Department of Education) could do to address this poor academic performance. The recommendations of the second report, *And Miles to Go...*, echoed those made in the earlier report but focused on the former Board of Education and included more detail about how the Board could remove the educational barriers faced by this student population.

Continuing AFC's history of examining the experiences of, and advocating on behalf of, students experiencing homelessness in New York City, in February 2004, AFC launched the Homeless Educational Rights Project, which is designed to serve students who are homeless, to target the major issues impeding these students' success in school, and to bring about a change in the methods of service delivery that these students experience. The Project's work has included

direct representation of parents and students on educational issues; training on the educational rights of children and youth who are homeless for shelter staff, New York City Department of Education staff, social services providers, advocates, parents, and youth; legislative and policy advocacy on both the State and City levels on matters related to the education of children and youth who are homeless; creation and facilitation of a working group on homeless education for advocates in New York City; and participation in the New York State Education Department's Statewide Advisory Committee on Homeless Education.

This report is an effort to quantify issues that the Homeless Educational Rights Project identified in its advocacy efforts and data analysis. It also aims to document the extent to which the McKinney-Vento Act has been successfully implemented in New York City, using data from the New York City Department of Education, New York City Department of Homeless Services and surveys administered by AFC in late summer and early fall of 2005 to shelter providers, social service providers, and parents about their experiences accessing educational services for children and youth who are homeless.⁵

The findings demonstrate that while New York City has taken steps towards progress, it still needs to make significant changes not only to comply with the law, but more importantly, to better ensure that students experiencing homelessness have the resources they need to succeed in school.

II. Methodology

To write this report, AFC obtained data from several sources. These included the New York City Department of Education (DOE), the New York City Department of Homeless Services and several shelters for homeless families. The data includes information on enrollment, school transfers, academic performance, holdover rates, attendance rates, lateness rates, transportation, special education, preschool, and graduation rates for the 2001-2002, 2002-2003, and 2003-2004 school years; on the family shelter population in fiscal years 2002, 2003, 2004, and 2005; and opinions from shelter providers, social service providers, and parents regarding their experiences accessing educational services for children and youth who are homeless.

Most of the quantitative data in this report, unless otherwise noted, comes from the DOE. AFC submitted a Freedom of Information Law (FOIL) request for data on students identified as homeless by the DOE for school years 2001-2002, 2002-2003, 2003-2004, and 2004-2005. AFC asked for data on the schools attended, grade level, attendance, lateness, transportation services, suspensions, grade retention, summer school, performance on Citywide and Statewide exams, and high school graduation.⁶

AFC also asked for the same cumulative data for all students enrolled in the New York City public school system through a FOIL request in the summer of 2005. As of the date of this report, we have only received a partial response.⁷ Because of our inability to obtain all of the data we originally sought for this report, we were not able to undertake certain analyses.

It is important to note that some of the data provided by the DOE is incomplete and may be inaccurate. The DOE recognizes that the transportation data is flawed, and the data on special education most likely contains inaccuracies in light of findings contained in a recent report on the special education system in New York City.⁸ Additionally, some of the data the DOE provided in response to AFC's FOIL request is inconsistent⁹ and incomplete.¹⁰

In addition to the quantitative data, AFC also collected information via surveys sent to 21 shelter providers.¹¹ Their opinions of the services and programs available to families experiencing homelessness, as well as information gathered by AFC staff during interviews with 26 parents at the Women in Need Tier II shelter in East New York, Brooklyn, informs this report.¹²

III. Research Studies

Many studies have examined the impact of homelessness on the academic, social, emotional and psychological functioning of children and youth. The literature reveals that students experiencing homelessness score lower on standardized tests than their housed peers, even after controlling for students' socioeconomic status and prior academic achievement.¹³ In a study examining the academic functioning of homeless students in New York City, one researcher found that approximately 76% of the homeless children interviewed read below grade level while this was true for only 48% of the housed students interviewed.¹⁴

a. The Impact of Homelessness on Academic Performance

Students who have experienced homelessness are more likely to be held over in the same grade than their housed peers.¹⁵ Specifically, one report found that children who were homeless in New York City had a retention rate—the rate at which students are held over—of 20% while only 8% of their housed peers were retained.¹⁶ Another study in Los Angeles found similar disparities between rates of retention of homeless and housed students: 30% versus 18%.¹⁷ Accessing educational services also appears to be more difficult for children who are homeless than for other children. In 2001, one study reported that as many as 11% of homeless children in New York City were not enrolled in school at all.¹⁸ The same study found that more than a quarter of homeless parents find it difficult to enroll and keep their children in school. Another report found that of all the children in one shelter who merited a special education evaluation, only half had ever received an evaluation or special education services.¹⁹

Homelessness has a particularly acute effect on the educational experiences of very young children. A report from the U.S. Department of Health and Human Services asserted that preschoolers experiencing homelessness are more likely to suffer from delays in the development of their language, motor and social skills, and to exhibit aggression, shyness, or other behaviors that warrant mental health intervention.²⁰ The report also stated that “given these problems, preschool is especially significant for the homeless child.”²¹ Similarly, literature shows that the educational performance of older youth is severely affected by homelessness: research has found that up to 75% of older homeless youth have dropped out of school.²²

b. School Mobility Affects Homeless Students' Academic Results

Studies on student mobility can shed additional light on the experiences of homeless children and youth.²³ Student mobility is generally defined as any transfer between schools during the academic year or over the summer for reasons other than grade level promotion.²⁴ These studies suggest that mobility itself can be an impediment to some students' success, holding constant for other factors, like poverty, which can also negatively impact school performance.²⁵

Research has found that mobile students, like students who are homeless, perform less well on standardized tests than their stable peers.²⁶ Economists have suggested that this negative

effect may be particularly acute for lower income mobile students and mobile students of color.²⁷ Mobile students are also more likely to suffer from behavioral, emotional and social problems than stable students²⁸ and are more likely to be held over in the same grade.²⁹ Mobility can also harm students by preventing school personnel from identifying and addressing students' academic weaknesses or learning disabilities.³⁰ Several studies have also considered the effects of student mobility on graduation rates.³¹ While the conclusions of some studies differ, many reports suggest that students who frequently change schools are less likely to graduate and less likely to enroll in advanced courses than their stable peers.³² According to research, mobile students are also more likely to enroll in non-diploma granting educational programs or GED courses rather than continuing in traditional academic programs.³³

c. Mobility Rates Negatively Affect the Performance of All Students and Schools

The negative effects of student mobility are not limited to the students who move frequently. Several studies have highlighted the fact that mobility can have negative implications for stable students, schools, and districts as well.³⁴ Within the classroom, teachers may have to slow instruction for new students, which can hinder the progress of the entire class.³⁵ In addition, at the school and district level, administrators must devote time and attention to locating mobile students' records, assessing their ability and assigning them to schools and classrooms. This is time and effort that could otherwise be spent on instructional improvement initiatives.³⁶

The research seems to demonstrate that preventing school transfers is crucial to augmenting the academic success and emotional well-being of all students, especially those experiencing homelessness. Thus, school districts should have an even greater incentive to comply with the provisions of the McKinney-Vento Act that mitigate student movement, as doing so will yield positive results for students experiencing homelessness as well as for the entire school system.

IV. Analysis of Relevant Laws and Policies

A web of federal, state, and local laws, regulations, and policies detail the educational rights of children and youth who are homeless in New York City. Many are contradictory, creating further confusion for school administrators and DOE staff who are responsible for implementing the myriad laws and policies. Below is a brief description of those laws and policies with attention to those inconsistencies.

a. The Federal McKinney-Vento Homeless Assistance Act

All schools and school districts throughout New York State must abide by the McKinney-Vento Homeless Assistance Act, a federal law that sets out the educational rights of children and youth who are homeless, which was first enacted in 1987. It was reauthorized most recently in 2001 as a part of the No Child Left Behind Act, when a significant number of the McKinney-Vento Act's protections were created or expanded.³⁷

The Act defines homelessness broadly, because many children and youth experiencing homelessness are not living in shelters or other places traditionally associated with homelessness.³⁸ In addition to covering those in shelters and in transitional housing, the Act specifically includes those children and youth "sharing the housing of other[s] . . . due to loss of housing, economic hardship, or a similar reason" as well as youth living in cars, train or bus stations, and other public places.³⁹ Youth who are not in the physical custody of a parent or guardian who meet the definition of homeless are also protected under the law. These students are referred to as "unaccompanied youth."⁴⁰

Some of the key protections under the reauthorized Act include the right of children and youth who are homeless to:

- go to school, no matter where they live or how long they have lived there;⁴¹
- choose between the local school where they are living, the school they attended before they lost their housing, known as the school of origin, or the school where they were last enrolled, also known as the school of origin;⁴²
- immediately enroll and participate in school without providing proof of residency, immunizations, school records, or other documents normally needed for enrollment;⁴³
- receive transportation to the school of origin⁴⁴ and, to the extent that it is provided to permanently housed students, transportation to the local school;⁴⁵
- receive the same special programs and services, if needed, provided to all other students served in these programs;⁴⁶ and
- enroll and attend class in the school of their choice even while the parent and the school resolve disagreements about enrollment.⁴⁷

Students who decide to stay at the school they last attended or the school where they were last enrolled, both known as the school of origin, may remain in that school for the entire time they are homeless and through the school year in which they move into permanent housing, if it is feasible and in their best interest.⁴⁸

For students who decide to transfer to the local school, it is the enrolling school's responsibility to immediately contact the school last attended by the student to obtain the relevant academic and other records.⁴⁹ In addition, any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth must be forwarded in a timely fashion.⁵⁰ The state educational agency and school districts are also responsible for reviewing and revising any policies to remove barriers to the enrollment and retention of students experiencing homelessness.⁵¹

The Act requires that every school district or Local Education Agency (LEA)⁵² appoint a liaison whose responsibility it is to reach out to all children and youth experiencing homelessness and to ensure that they have access to appropriate educational services and the services they need to succeed in school. For the purposes of the McKinney-Vento Act, each of the 32 local community school districts and Districts 75 and 79 in New York City are considered their own LEA.⁵³ Some of the duties of the LEA liaisons include: assisting with enrollment, arranging for transportation, posting notices about the educational rights of students experiencing homelessness in all schools and shelters, assisting families and youth to quickly resolve disagreements with schools, helping enroll children in Head Start, Even Start or other pre-school programs, referring students to any medical, dental, mental health or other services they need, and coordinating with social services and housing agencies.⁵⁴

If a dispute arises over school selection or enrollment, students who are homeless should be immediately admitted to the school where enrollment is sought pending the resolution of the dispute according to the Act.⁵⁵ The school should give the parent or youth a written explanation of its decision with information about how to appeal the decision.⁵⁶ Then the parent or youth must be referred to the LEA liaison for assistance with the dispute resolution process.⁵⁷

b. Local Policies

In addition to federal and state laws, regulations, and policies, the Regulations of the Chancellor of the DOE also govern the education of children and youth experiencing homelessness. In some areas, the Chancellor's Regulations offer expansive protections that go beyond the rights articulated in the McKinney-Vento Act however, in others they are outdated and need to be amended.

In many respects, the Chancellor's Regulations go above and beyond the provisions of federal and state law. The regulations contain the following rights not currently required by the Act or state law:

- pre-k is available to all children in temporary housing regardless of availability of space;
- all students in temporary housing, regardless of whether they attend the local school or the school of origin, are entitled to transportation;⁵⁸

- all students, regardless of housing status, are permitted to remain in their current schools until they graduate from that school even if they move outside of the attendance area or community school district;⁵⁹
- all community school districts which have shelters or hotels located in the districts must have on-site staff to minimize educational disruption;⁶⁰
- all students in temporary housing who receive special education services are eligible for transportation services, which in New York City means busing; and⁶¹
- school district staff are to meet with families before they move out of the shelter and into permanent housing to ensure a smooth transition.⁶²

Nevertheless, the Chancellor's Regulation A-780 dated September 5, 2000, which governs students in temporary housing, does not reflect the changes to the McKinney Vento Act made in 2001. In particular, it does not include the expanded definition of "homeless," which includes among others, children and youth sharing the housing of others (sometimes referred to as doubled-up situations), which typically makes up approximately one third of the homeless population in school districts.⁶³ It also does not include those awaiting foster care placement in its definition of homeless.

The Chancellor's Regulations are also silent about the fact that each community school district must have a liaison responsible for ensuring that: all children and youth who are in temporary housing are identified; children and youth in temporary housing are enrolled in school; eligible children in temporary housing are enrolled in Head Start, Even Start, and preschool programs; parents and unaccompanied youth are informed about all of the educational transportation services available; public notices are posted in all schools and shelters on the educational rights of students in temporary housing; enrollment disputes are properly mediated; and transportation is arranged for all eligible students in temporary housing.⁶⁴ Although the absence of such provisions in the Chancellor's Regulations does not exempt the DOE from following the federal law, their omission and the fact that Chancellor's Regulation A-780 has not been amended since the McKinney-Vento Act was reauthorized in 2001, are serious concerns.

Recommendations for the DOE

- Revise Chancellor's Regulation A-780 to conform with the McKinney-Vento Act.

V. Family Homelessness in New York City

a. Demographics of Family Shelter Population

While the number of families experiencing homelessness in New York City has exploded over the past 20 years, in very recent years these numbers have started to decrease. In 1982, there were less than 10,000 individuals in shelters on an average day, but by 2003, there were more than 35,000.⁶⁵ Just in the last 4 years, from fiscal year 2002 to 2005, there was a 31% increase in the number of families in the shelter system.⁶⁶ This seems to have been a peak, and now the numbers seem to be declining. In fiscal year 2002 there were 7,111 families on average in shelters each day.⁶⁷ This jumped to an average of 9,347 families in shelter in 2004, but went down by 6% in fiscal year 2005 when there were 8,778 families on average in shelters each night.⁶⁸ Nevertheless, the average length of stay in the shelter system continues to rise: in fiscal year 2005 it was 344 days, an almost 10% increase from fiscal year 2002, when the average was 315 days.⁶⁹

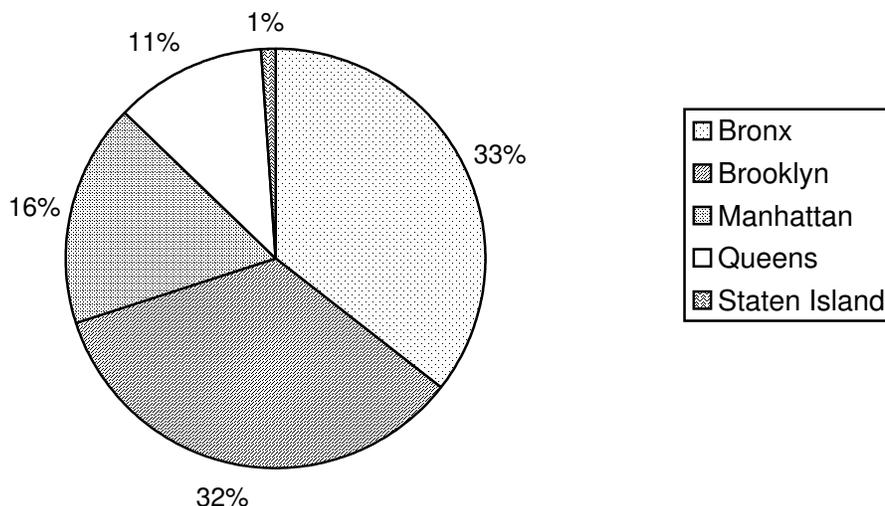
Children make up a significant portion of those housed in family shelters – in fiscal year 2005 they comprised an average of 54% of the entire family shelter population each day.⁷⁰ From July 2004 through June 2005, more than 35,000 children (ages 0-17) were placed in shelters with their families.⁷¹ Like the number of families in the shelter system, the number of school aged children (ages 6-18) was on the rise, but has recently declined: in fiscal year 2002 there were 18,803 school-aged children in shelters in New York City, in 2003 that number jumped to 19,532 and continued to climb to 21,309 in 2004, but in 2005 it went down to 19,496.⁷² These children were living with their families in the approximately 166 facilities throughout the city.⁷³

These figures do not, however, represent the tens of thousands of other children and youth living in domestic violence shelters, runaway youth, or families who are living with others in doubled-up situations in New York City: there are approximately 3,500 families housed in domestic violence shelters each year; service providers estimate that there are anywhere from 5,000-10,000 youth who are homeless or living on the streets; and according to the 2000 Census there were over 125,000 families living in the household of another person.⁷⁴

b. School Placements for Students in Temporary Housing

Most students in the family shelter system are enrolled in school in Brooklyn or the Bronx. Indeed the number of such students enrolled in these two boroughs comprised 65% of all students identified as homeless by the DOE in 2004-2005.⁷⁵ The next closest borough, Manhattan, had half the number of students in temporary housing as either the Bronx or Brooklyn.⁷⁶ Moreover, community school districts 8, 9, and 10 in the Bronx had 21% of the total number of students in temporary housing with the other 79% spread across the other 31 districts in 2004-2005.⁷⁷

School Enrollment of Students Living in Temporary Housing by Borough for SY 2004-2005⁷⁸



Recommendation for the DOE

- Ensure that resources are properly allocated based on distribution of students in family shelters, so that the districts, schools, and students who are homeless receive adequate support.

c. Placement of Families in the Shelter System

While the New York City Department of Homeless Services (DHS) and the DOE have taken significant positive steps to ensure that families are placed in shelters in their communities of origin, continued oversight and tracking is needed to ensure placements of families in their communities of origin, reduction of school transfers, and school absenteeism.

Families seeking shelter in New York City must apply at an intake center in the South Bronx called the PATH center, which is operated by DHS. Families who have recently applied for shelter, but have been found ineligible, may reapply at the Emergency Assistance Unit, another intake center located in the South Bronx.⁷⁹

In the past, one major problem for many families was that DHS often placed them in shelters far from their home communities, leaving them disconnected from their schools, medical providers, friends and family members. In fiscal year 2003, the last year for which published data is available, DHS reported that it successfully placed only 10% of families in the community school district of origin.⁸⁰ This problem is echoed in qualitative data collected by AFC. In a survey of families living in temporary housing in September 2005, AFC found that fewer than half of the respondents were placed in shelters in the same school district where their children had previously attended school.

The survey results also showed that while many shelter staff have tried to contact the DOE and/or DHS to request a transfer of a family so that they could be closer to a specific school, few have succeeded in securing such transfers. In contrast, as part of our casework services, AFC often secured shelter transfers (after significant follow up) for families to emergency or temporary housing facilities in the school district of origin precisely because the change enabled children to continue attending the same school. Our advocacy demonstrates that shelter capacity was most likely not the reason for others' failure to get shelter transfers, rather this situation likely occurs because transfers require a significant amount of diligence, as there is no formal process for requesting them. In addition, DHS discourages shelter transfers as they are generally destabilizing for families.

Recently, DHS and the DOE have jointly taken steps to increase shelter placements in the school district of origin. In the summer of 2005, DHS signed a memorandum of understanding with the DOE which provides DHS employees at the intake centers limited access to the DOE's student records database. Since September 2005, this change has enabled DHS staff to look up information about where a child attends school and to use that information to try to place the family in the school district of origin.

It is difficult to assess DHS' success with this initiative because of a change in DHS' definition of a successful placement. In fiscal year 2003, DHS defined a successful placement as one in a shelter in the community school district where the youngest child was enrolled. However DHS has changed the definition of a successful placement to one in the borough in which the youngest child was enrolled.⁸¹ While this does not mean that there has been a concurrent shift in policy or priorities within DHS, this change in definition obfuscates the true degree of disruption children face, especially with regard to their education. Each borough, except for Staten Island, has between 6 and 12 community school districts and placement within the same borough, while better than outside it, does not necessarily enable school continuity.

Recommendations for DHS

- Create a system for requesting and implementing transfers for families by DHS or the DOE to shelters in the school district of origin if initial placement there is not possible.
- Increase rate of placement of families in the community school district of origin.
- Develop clear benchmarks and an accountability system to measure placement of families in shelters in the community school district of origin, rather than placement in borough or Region.

VI. Funding Sources for Programs Serving Students in Temporary Housing

a. McKinney-Vento Act Funding

To implement the McKinney-Vento Act, the federal government apportions money to states based on the amount of funding that the state receives to educate disadvantaged students under Title I of the Elementary and Secondary Education Act. In 2004, New York State received \$5,983,471 to educate homeless children and youth.⁸² Under the Act, most states, including New York, may keep no more than 25% of the federal funds and must distribute the rest (at least 75%) to Local Educational Agencies (LEAs), or school districts, to assist with the costs of implementing the Act.⁸³ LEAs that receive funding have additional responsibilities according to the Act, including coordinating with local social services providers and local and state housing agencies to “(i) ensure that homeless children and youths have access and reasonable proximity to available education and related support services; and (ii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.”⁸⁴

Eighty-seven (87) of the more than 800 LEAs in New York State applied for McKinney-Vento funding, and the New York State Education Department funded 78 of the 87 LEAs that applied for the 2004-2007 funding cycle. In total, the State appropriated \$17,913,755 for the education of children and youth who are homeless for the three year funding cycle, with grants for the 2004-2005 school year ranging from \$25,000 to \$100,000, which is the maximum grant amount per year as determined by the New York State Education Department.⁸⁵ The 78 funded LEAs include school districts, several Boards of Cooperative Educational Services (BOCES), and most of the 34 districts eligible for funding in New York City (this includes the 32 local community schools districts; District 75, the citywide district for special education; and District 79, the district for Alternative High Schools and Programs).⁸⁶ Although the DOE is usually considered one LEA,⁸⁷ for the purposes of the McKinney-Vento Act, each local community school district is considered a separate LEA, and each applies independently for funding. In determining the amount of the sub-grant awarded to the LEAs, NYSED looks at the total number of students experiencing homelessness who were enrolled in the district the previous year and the number to be served by district.

Importantly, of the 34 districts in New York City, only 27 applied for funding and only 10 were awarded the maximum grant of \$100,000.⁸⁸ Seven school districts did not apply for funding even though there were 1,523 students in temporary housing enrolled in these districts during the 2003-2004 school year, the year preceding the first year of the grant, according to the data the DOE provided to AFC.⁸⁹ In addition, it appears that the 17 districts that received grants of less than \$100,000 indicated that they were only going to serve 5,071 students, which is less than half of the 10,827 students who were identified as homeless in those districts during the 2003-2004 school year.⁹⁰ The discrepancies between the number of students that the DOE claims to serve in each district and the number of students it identifies as homeless in each district is significant. Had all 34 New York City districts applied for subgrant funding with figures more accurately reflecting the number of students in temporary housing, they may have been eligible for up to \$900,000 in additional funding.

Analysis of data from the New York State Education Department also reveals that New York City was significantly under-funded for 2004 even based on its depressed numbers. The DOE identified 17,838 students as homeless in the 2003-2004 school year, which represents 62% of the total number of students in New York State to be served by the McKinney-Vento subgrants.⁹¹ In their applications for subgrant funding, the New York City districts indicated that they intended to serve 48% of the total number of students in New York State, but were only awarded 38% of the sub-grant money.⁹²

Given the significant numbers of students experiencing homelessness, the DOE has not received an appropriate share of funding available through McKinney-Vento subgrants. It is in the interest of the DOE to seek out all available funds and for the New York State Education Department to revise its method for allocating funding throughout the State.

b. Title I, Part A Set-Aside Funding

In addition to McKinney-Vento funds, school districts that receive Title I money must use a portion of the appropriation to assist students experiencing homelessness. Students who meet the definition of homeless under the McKinney-Vento Act are categorically eligible for Title I services. School districts in receipt of Title I, Part A monies must set aside a portion of those funds, before making any allocations to schools, to provide services to students experiencing homelessness.⁹³ Services that can be provided under the provision include educationally related support services such as tutoring or counseling services for children and youth in shelters.⁹⁴ Community school districts in New York City have used set-aside funding for a variety of services, including academic and recreational activities. There appears to be little oversight and management of how effectively these funds are being used.

c. Attendance Improvement/Drop-out Prevention Funding

The community school districts in New York City also have additional funding streams available to help them provide services to homeless children and youth. One type of additional revenue stream is Attendance Improvement/ Drop-out Prevention (AIDP) Shelter funding that the State provides to the DOE. For the 2005-2006 school year, the state allocated \$7,010,600 in AIDP funds to New York City, a figure that exceeds the amount of funding provided to the DOE through the McKinney-Vento subgrants.⁹⁵ The DOE's Office of Youth Development, School and Community Services, in turn, distributed this AIDP money to its ten Regions to be used to support the Students in Temporary Housing (STH) program, which is described below.⁹⁶ The grants to the regions, ranging from \$53,125 to \$1,135,075, were determined using a formula that considered the number of children housed in family shelters attending school in the Region; the number of family shelters in the Region; and the need for personnel from the STH program to facilitate summer school attendance and outreach. The Regions are entitled to use the AIDP funding to pay for personnel who ensure that students in shelters are registered and attending school; staff who offer after-school math and reading enrichment programs at shelters; and central office services that support DOE staff at the shelters.⁹⁷

Recommendations for the DOE

- Ensure that all community school districts should apply for McKinney-Vento subgrant funding.
- Use accurate numbers in all applications for funding to the New York State Education Department in order to receive its share of McKinney-Vento subgrant funding.
- Inform STH Program staff, parents who are homeless, and advocates about the availability of Title I set-aside funds for students who are homeless and the nature of services that may be provided through the use of such funds.
- Monitor use of McKinney-Vento sub-grant, Title I, Part A set-aside, and AIDP funding and establish performance indicators to measure the effectiveness of the programs using such funds. Indicators could include:
 - percentage of students experiencing homelessness in the district who were served by the program(s)
 - decreased transfer rates of students served by program(s)
 - improved attendance rates of students served by program(s)
 - improved academic performance of students served by program(s) as measured by pre and post testing
 - decreased retention rates of students served by program(s).
- Share data about model programs with STH Program staff to encourage replication.

Recommendations for New York State Education Department

- Implement a sub-grant application review process that more equitably distributes funding based on the number of homeless students in each LEA, provided that the LEA can demonstrate that it will use the funds effectively.

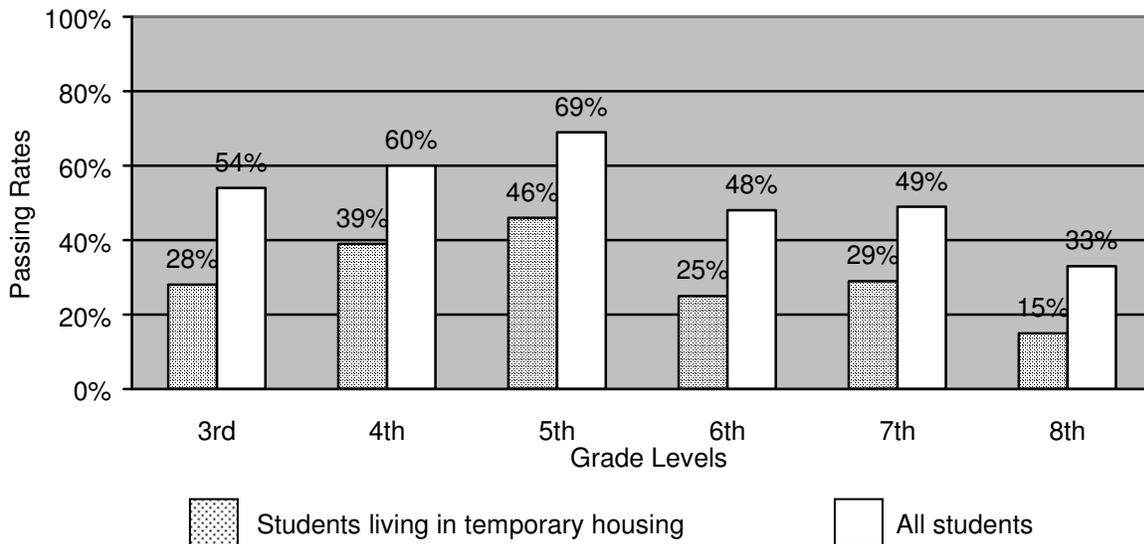
VII. Academic Experiences of Students in Temporary Housing

Analysis of data provided by the DOE suggests that many students in temporary housing are performing less well than their housed peers in a number of academic areas. Based on this data alone, it is not possible to know whether these students' homelessness is a contributing factor in their academic struggles. However, the data demonstrate a high need for intensive outreach and supportive services to ensure that schools provide these students with the highest quality educational programs.

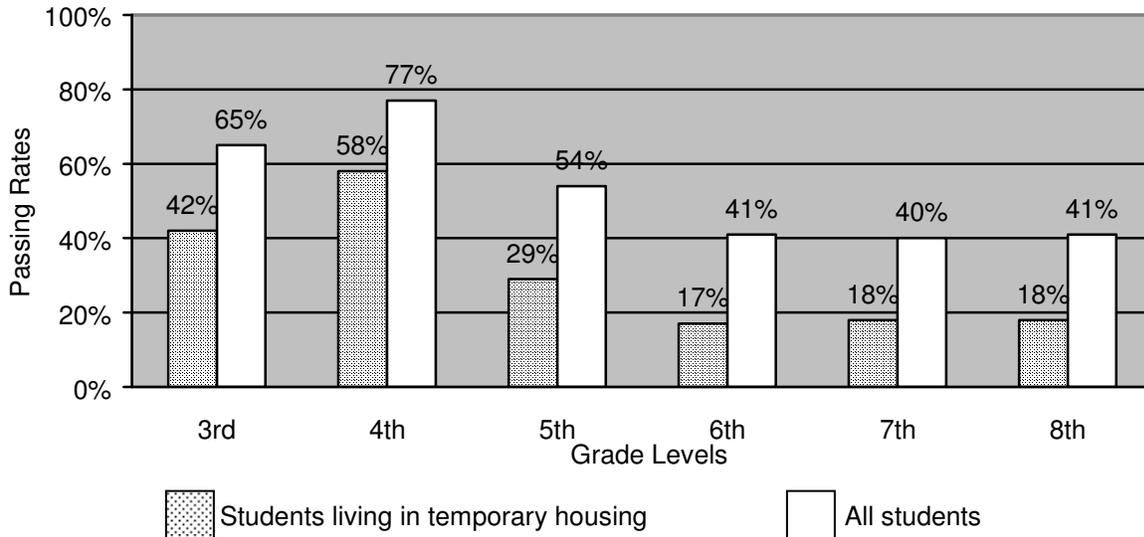
a. Standardized Test Performance

According to assessment data provided by the DOE and available on its website, students experiencing homelessness performed less well than the district averages on every test given in grades 3-8 during the 2004-2005 school year. In some grades, the percentage of all students who passed the tests was more than double the percentage of students in temporary housing who passed the tests.⁹⁸

Percentage of Students Passing English/Language Arts Exams in School Year (SY) 2004-2005⁹⁹



Percentage of Students Passing Math Exams in SY 2004-2005 ¹⁰⁰



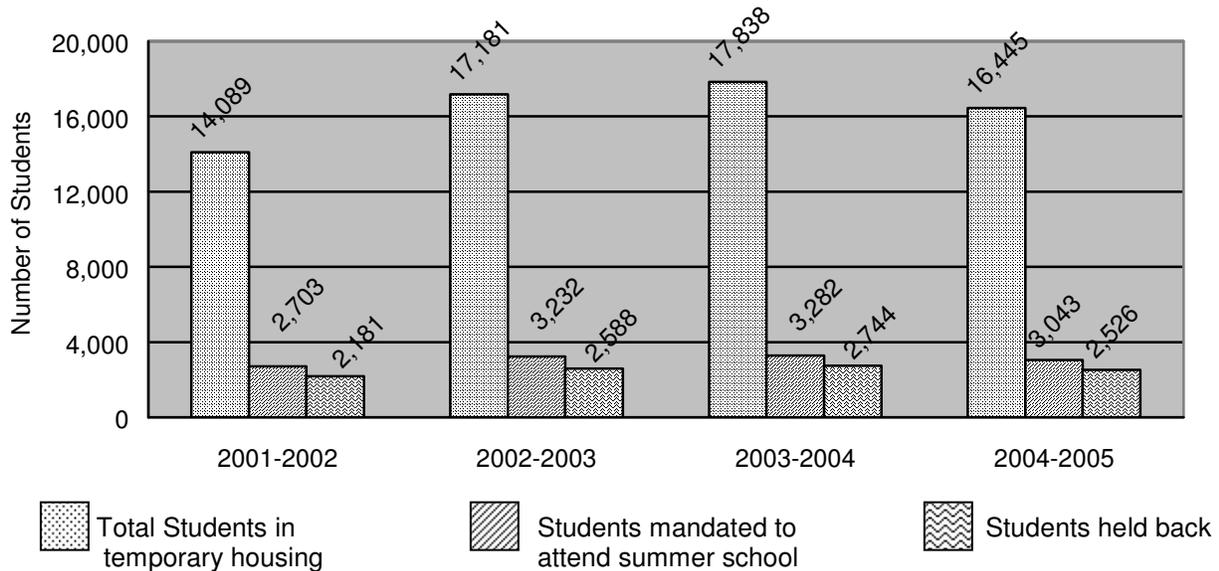
Recommendations for the DOE

- Provide targeted academic assistance to students experiencing homelessness. *For example, the DOE should use its Title I set-aside funds to specifically help students experiencing homelessness to pass the Citywide and Statewide exams.*
- Train school-based staff and STH staff to inform parents experiencing homelessness that students in temporary housing who do not transfer schools do better on standardized tests than those students who do transfer.

b. Summer School/Retention

Nineteen percent of students experiencing homelessness were required to attend summer school from 2001-2005 and 15% were ultimately retained in the same grade.¹⁰¹ The retention rate is of particular concern because it has been found that retained students perform no better academically than low-achieving students who are promoted and that retention leads to poor attendance and an increased likelihood that the student will drop out of school.¹⁰²

Summer School and Retention of Students in Temporary Housing ¹⁰³



The retention rates were especially high for students in high school. For example in 2004-2005, 39% of students were held over in grades 9-12, 12% of students were held over in grades 1-4, and 8% were held over in grades 4-8.

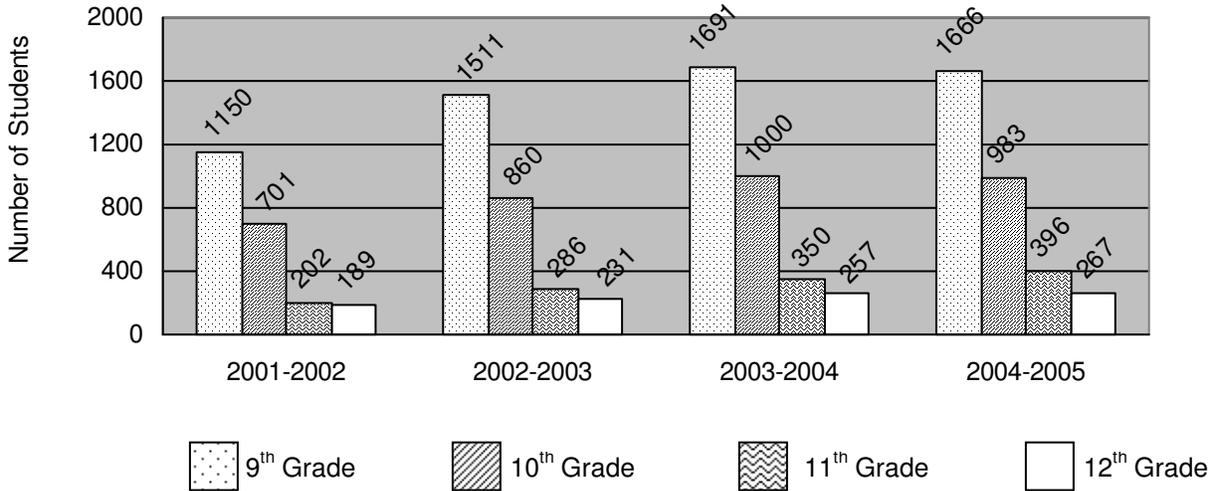
Recommendations for the DOE

- Provide targeted academic assistance through the McKinney-Vento subgrants and Title I set-asides to students at risk of being retained.
- Reach out to parents of homeless children and youth to ensure they understand the importance of school stability for promotion.

c. High School Outcomes

There is a precipitous drop in enrollment between the 9th and 12th grades of students living in temporary housing. For example, in 2004-2005, there were 1,668 students in the 9th grade, 983 in the 10th, 396 in the 11th, and only 267 students in the 12th grade. Based on the significant difference in enrollment between the 9th and 12th grades that cannot be accounted for by the retention rate, it seems clear that most students experiencing homelessness drop out well before reaching the 12th grade.

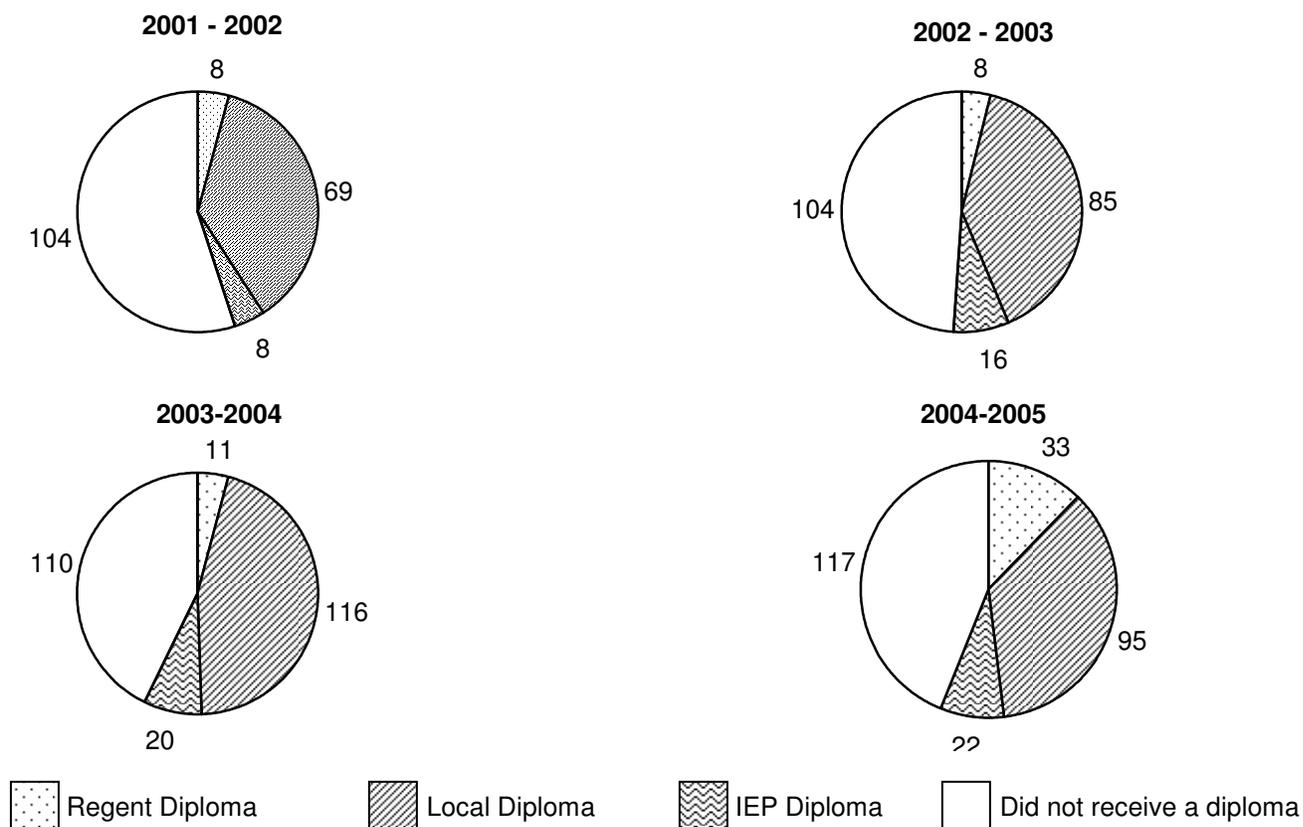
High School Students Living in Temporary Housing By Grade ¹⁰⁴



For those students in temporary housing who were enrolled in the 12th grade in 2004-2005, only 56% graduated.¹⁰⁵ This percentage reflects the number of students in the 12th grade who graduated in the same year. It does not capture the number of students entering high school who eventually graduated. The percentage of 12th graders who graduated in 2004-2005 remained relatively constant from 2003-2004 when 57% of 12th graders graduated, and was an improvement from 2002-2003 and 2001-2002 when the rate was 51% and 45% respectively.

In 2004-2005, the percentage of 12th graders receiving a Regents diploma tripled from the previous year, going from 4% to 12%. Nevertheless, there are far too few students in temporary housing graduating with a Regents diploma.

Types of Diplomas Awarded to 12th Graders Living in Temporary Housing¹⁰⁶



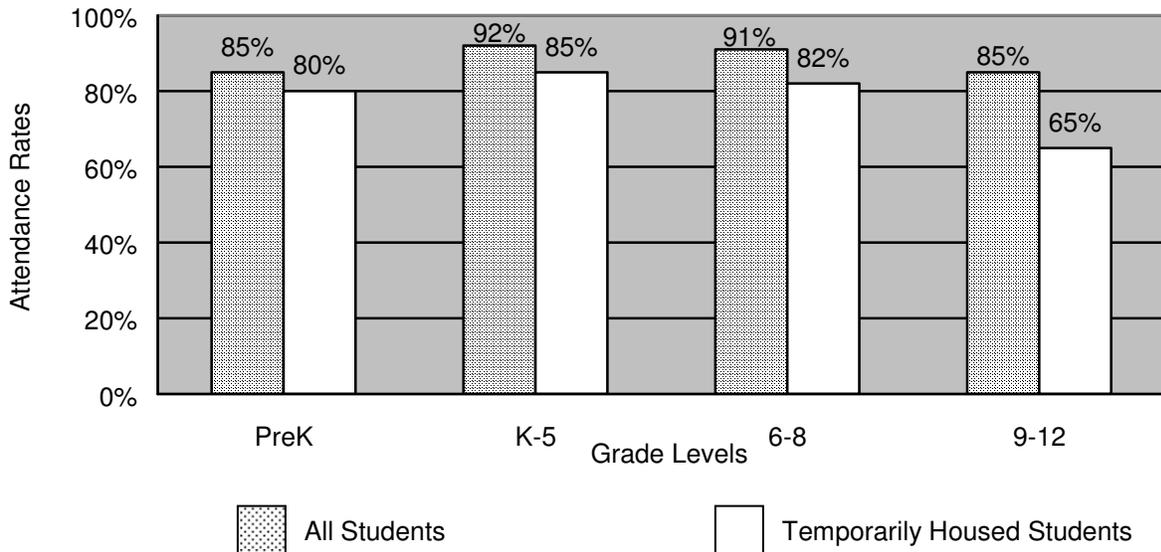
Recommendations for the DOE

- Conduct research to determine why so few students in temporary housing are graduating with Regents Diplomas
- Provide support services, such as counseling and tutoring, to ensure that students in temporary housing stay in high school and that 12th graders graduate.

d. Attendance Rates

Students living in temporary housing struggle to attend school regularly. Their attendance rates were 5% lower than the citywide average for pre-k, 7% lower for grades K-5, 9% lower for grades 6-8, and 20% lower for grades 9-12. The dramatically lower attendance rates for high school students in temporary housing, combined with the significant drop in enrollment between students in temporary housing in the 9th grade compared to the 12th grade, indicate the need for better outreach to older students on the part of the DOE and more services tailored to the needs of this population.

Attendance Rates for All Students compared to Students Living in Temporary Housing for SY 2004-2005 ¹⁰⁷



The 85% attendance rate for students in grades K-5 represents 27 missed days of school, 82% for 6-8th graders represents 32 missed days, and 65% for 9-12th graders represents 63 missed days.

Shelter providers who responded to AFC’s survey during the late summer and early fall of 2005 reported that the need for parents to attend appointments at welfare offices and family stress both hinder regular school attendance among students in temporary housing. Providers also felt that a lack of alternative school placements for older students, weak outreach to families by school personnel, and social and emotional issues such as anxiety, depression, and social isolation contributed to absenteeism. More than half of the respondents to AFC’s survey of shelter workers felt that better access to day care services and other alternative programs would help to improve attendance among teenaged parents experiencing homelessness.¹⁰⁸

Parents who were surveyed stated that the biggest problems contributing to poor attendance were the need to purchase school uniforms and supplies, and to obtain MetroCards. Parents also echoed the providers in stating that the need to attend appointments, and the fact that children were tired and stressed, added to the challenges of attending school regularly.

Recommendations for the DOE

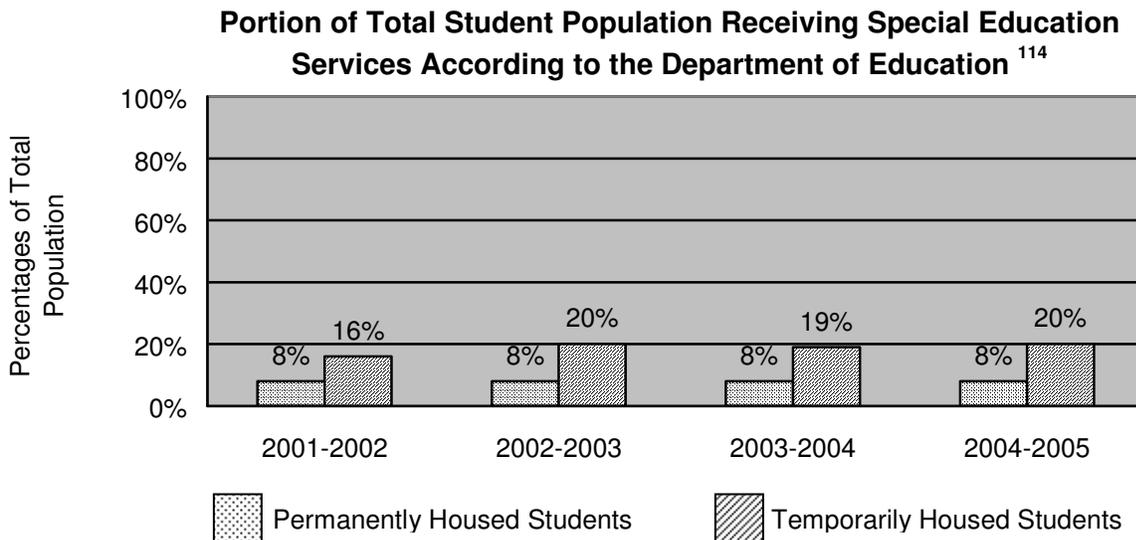
- The STH Program should collaborate with the Attendance Office to develop specific strategies to improve the attendance of students in temporary housing, particularly older students.
- The DOE should set goals for attendance and hold STH Coordinators accountable for reaching those goals.

- Mandate collaboration between STH Program and the Alternative High Schools and Programs District to facilitate the transfer of students who are failing in traditional settings to alternative settings where they might do better.

e. Special Education Supports and Services

Approximately 20% of students temporarily residing in family shelters receive special education supports and services (16% in SY 2001-2002, 20% in SY 2002-2003, 19% in SY 2003-2004 and 20% in SY 2004-2005.)¹⁰⁹ In most cases, this is double the rate of students receiving special education services throughout the City generally; in each year between SY 2001-2002 and SY 2004-2005 the DOE reported that 8% of the entire school district population was receiving some kind of special education services.¹¹⁰ Likewise, almost 50% of the families surveyed by AFC had children who were receiving special education services.¹¹¹ It should also be noted that given the problems with the data systems referenced above, the special education data collection may not be reliable.¹¹²

In addition to high rates of special education placements, shelter staff identified a number of barriers to regular school attendance that are unique to special education students living in temporary housing. The most frequently cited barriers included transportation delays, family stress and insensitivity of school staff. Shelter staff also said they were more likely to experience delays enrolling students with special needs in pre-k and k-12 classes than when placing general education students.¹¹³

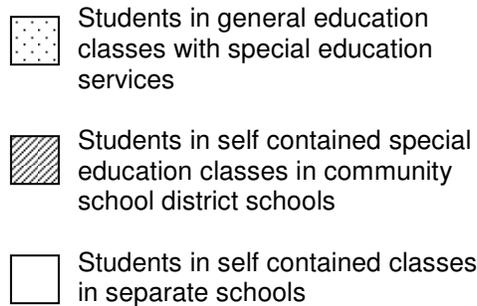
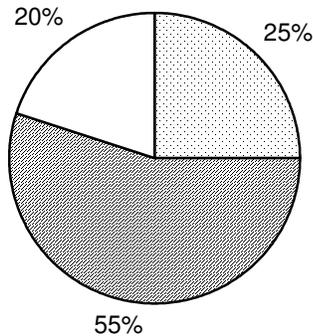


Moreover, those students receiving special education services who are identified as living in temporary housing are almost twice as likely to be in a more restrictive setting than the rate for all students receiving special education services from the DOE.¹¹⁵ For example in 2003-2004, 9% of all students receiving special education services were educated outside of a community school in a public or private facility, residential or hospital setting, whereas 20% of students with

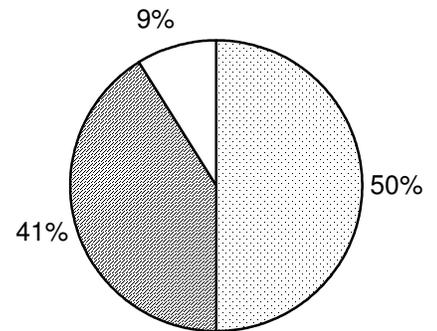
disabilities in temporary housing were in such settings that year; 41% were in separate classes within community schools (otherwise referred to as self-contained classes), compared to 52% of students in temporary housing; and 49% of students were in general education classrooms and were pulled out for services, compared to 28% of students in temporary housing.

**Special Education Supports and Services of
All Students and Students Living in Temporary Housing in SY 04-05 ¹¹⁶**

Students Living in Temporary Housing



All Students



It is not possible to know, based on the data received, why more students living in temporary housing receive special education services and are placed in more restrictive special education settings. One theory is that students teachers' or administrators are more likely to view students experiencing homelessness as more severely disabled due to other academic, social or emotional problems that could be a result of their housing situation. Alternately, it could mean that students in temporary housing have more severe disabilities than those who are housed, although there is no research to suggest that this is the case.

Recommendations for the DOE

- Ensure that STH staff are well-informed about the special education system.
- Ensure that the STH staff are knowledgeable about, and able to make referrals for, students with disabilities, such as Intensive Case Management Services, Article 16 services, Parent Resource Centers, Parent Training and Information Centers, and legal services.
- Examine whether students in temporary housing are placed in the least restrictive environment, and, if they are not, take appropriate action to remedy overly restrictive placements.

VIII. New York City Department of Education's Students in Temporary Housing Program

Faced with a burgeoning homeless population in city shelters, the DOE created the Students in Temporary Housing Program in the 1990's to help children and youth in these shelters enroll in and attend school. Although the McKinney-Vento Act has been expanded to include many other children and youth in homeless situations such as families living with other families, the DOE has not altered the mission of the STH Program; it continues to serve children and youth temporarily residing in family shelters almost exclusively.

In July 2002, AFC sent a letter to Corporation Counsel and the DOE's Office of Legal Services detailing many of the ways that the STH Program was out of compliance with federal and state law. Since then, AFC has met regularly with officials from the DOE to assess the progress being made to remedy the problems. The DOE has gradually taken significant action to address some of the shortcomings of the program. These accomplishments include the creation of a new transportation policy described below, the design and distribution of a poster and handouts detailing the rights of students who are homeless, and the creation of a new dispute resolution process for matters involving students in temporary housing.

a. Structure of the Students in Temporary Housing Program

There are currently 12 Coordinators of the STH Program, one in each of the ten regions and two who work with District 75, the citywide special education district, and District 79, the citywide district for Alternative High Schools and Programs. The STH Coordinators serve as the McKinney-Vento LEA liaisons for each of the local community school districts in the Regions. The STH Coordinators report to the directors of the Office of Regional Student Placement and Youth and Family Support Services (SPYFSS). There are ten SPYFSS directors, one in each Region, and they report to the Regional Superintendents. At most of the family shelters throughout the city, family assistants who are DOE staff work with the STH coordinators. Unfortunately, none of the domestic violence shelters or runaway and homeless youth shelters has the benefit of on-site family assistants, although the DOE has provided MetroCards to such shelters, and caseworkers there are supposed to refer parents and youth to the STH Coordinators for assistance with matters such as enrollment and transportation.

In addition to the Regional staff, the STH Program has staff at the DOE's central office. The central office staff provides technical assistance to the STH Coordinators and family assistants, trouble shoots on particular cases, assists with data collection and analysis, and manages the overall STH program. There are two staff members who work exclusively on the STH Program: a program manager and a program assistant. Both positions are located in the Office of Youth Development, School, and Community Services. Several other high-level managers in the Office of Youth Development also have devoted a significant amount of time resolving individual issues and addressing policy concerns.

Generally, the STH Coordinators manage the family assistants, and the family assistants are responsible for ensuring that all the children and youth in the shelter where the family

assistant is assigned are enrolled in school, have appropriate transportation, and attend school regularly. Family assistants must interview all parents within 24 hours of their arrival at the shelter and gather information about their children's previous school, grade level, special education services, and transportation needs. The intake sheets used to gather this information also require family assistants to ask about where the children will be going to school while they are living in the shelter, and where they will be living and attending school after they leave the shelter. Copies of these intake forms are maintained at the shelter site, and are delivered to the central STH staff and STH Coordinators on a weekly basis.

Unfortunately, the family assistants do not have access to the DOE's student records database, ATS, which means that they cannot make any changes of address in students' files, register students, or request transportation directly. To accomplish these tasks, the intake forms are forwarded to the STH Coordinator who is responsible for putting the change of address and school enrollment information into ATS. For students who have never been enrolled in public school in New York City before, the STH central staff puts their information into ATS, rather than the STH Coordinators. To access transportation, family assistants must either contact the Office of Pupil Transportation (the agency responsible for student transportation throughout the city), the school where the child is enrolled, or ask that the parent go to the school to request transportation.

b. Reorganization of the Department of Education Reduced Resources for Homeless Students and Families

In 2002, Mayor Bloomberg reorganized the school system and created the DOE. In September 2003, as a part of the reorganization of the DOE, Chancellor Klein consolidated the 32 community school districts and five high school superintendencies into ten Regions. As a result, the number of STH Coordinators was dramatically reduced. Prior to the reorganization, there were 34 STH Coordinators, one for each of the local community school districts and Districts 75 and 79. Now, post-reorganization, there are only 12 STH Coordinators: one for each Region and Districts 75 and 79. The number of central office staff working on homeless issues was also reduced from 3 to 2 people and clerical responsibilities were shifted from central staff to the STH coordinators. Thus, STH coordinators are now responsible for three times as many students as they were before and have additional duties. According to conversations AFC staff members have had with STH Coordinators, many feel overwhelmed by the paperwork and believe that it weakens their ability to serve students appropriately.

The reorganization has also taken its toll on the leadership of the STH program. For many years the central office staff that managed the program remained constant. However, since 2003 there have been three new program managers for the STH program and the fourth program manager recently began at the DOE after the position went unfilled for many months. While other senior level DOE staff attempted to fill this void, in addition to their other responsibilities, this vacancy created further problems for the STH Coordinators because they often times lacked an effective leader to mediate disputes in the Regions.

Recommendations for the DOE

- Reorganize the STH program in order to better allocate and leverage resources to improve the delivery of educational services for students experiencing homelessness.
- Give family assistants limited access to ATS for the purposes of expeditiously enrolling students in school and arranging for transportation and cutting back on needless paperwork for STH Coordinators¹¹⁷

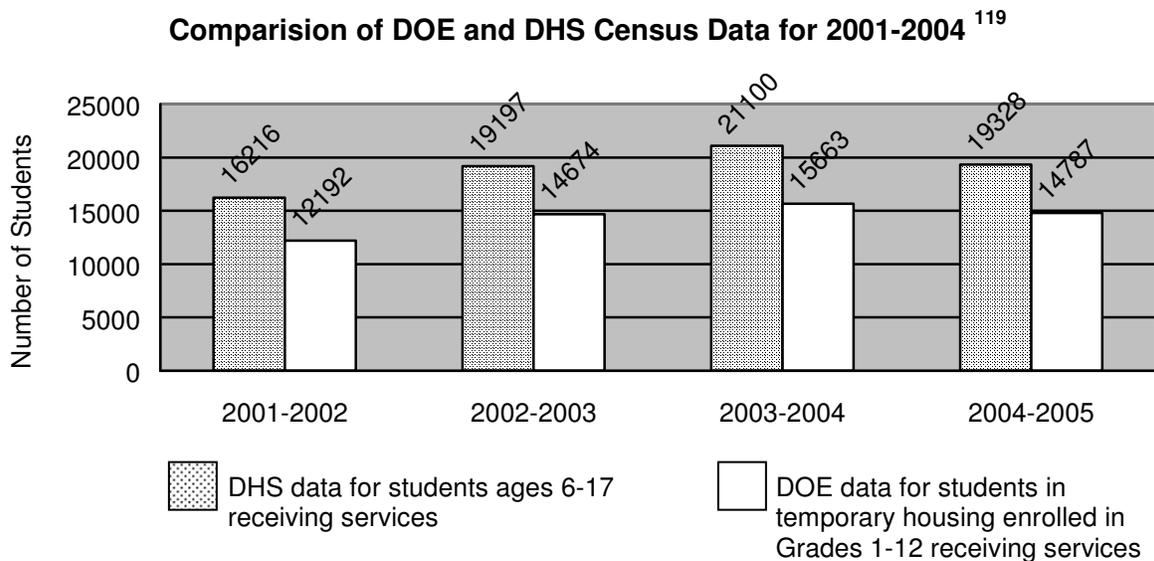
IX. Challenges Related to Identifying Students Living in Temporary Housing

Identification of students in temporary housing is key to the provision of services, such as immediate enrollment, free transportation, educationally related support services through Title I, services through McKinney-Vento-funded programs, free lunch regardless of income, and comparable services to those offered to permanently housed students. Unfortunately, it seems that there are a number of settings in which students in homeless situations are not identified as such by the DOE. Without identifying these students, it is difficult to discern whether they are receiving the educational programs and supports to which they are entitled.

a. Students Living in Family Shelters are Not Being Identified

It appears that not all of the students living in family shelters throughout New York City are being identified. Yet, this is the specific population the DOE is required to assist. In comparison to the figures published by the DHS, the DOE significantly undercounts the number of children and youth in temporary housing who are mandated to attend school by a quarter.

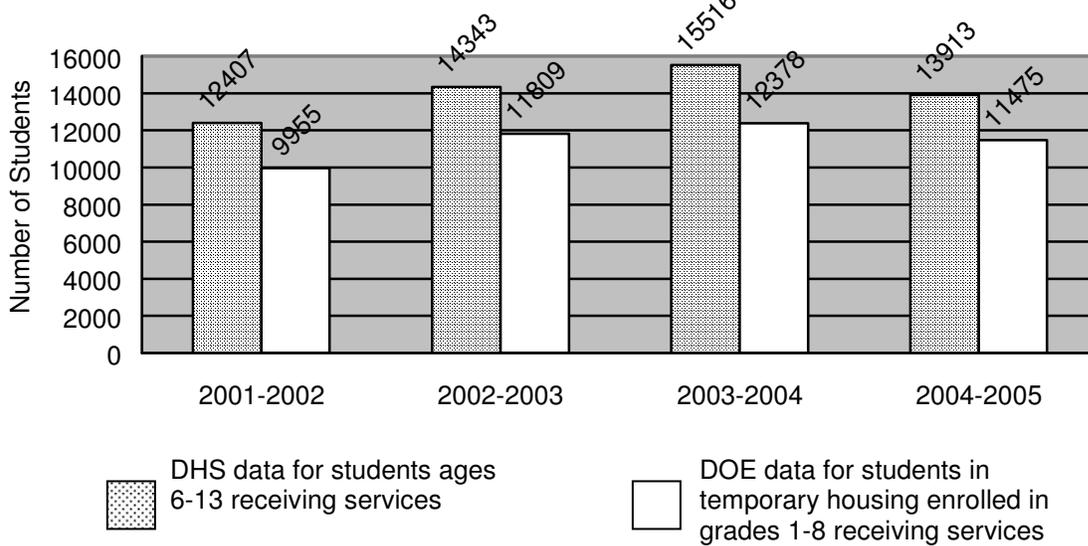
According to DHS there are significantly more school-age children residing in NYC shelters than the DOE has identified. For example in 2004-2005, DHS identified 19,328 children ages 6-17 years old who resided in the family shelter system.¹¹⁸ However the DOE counted approximately 24% fewer students in grades 1-12. All the children identified by DHS should have been identified by the DOE and enrolled in school because they are all of compulsory school age. In addition to the compulsory school age students who are homeless, there are many other older students in shelters who continue to attend high school past their 17th birthday. Thus, the DOE is likely under-identifying children and youth who are homeless even further than the above figures indicate.



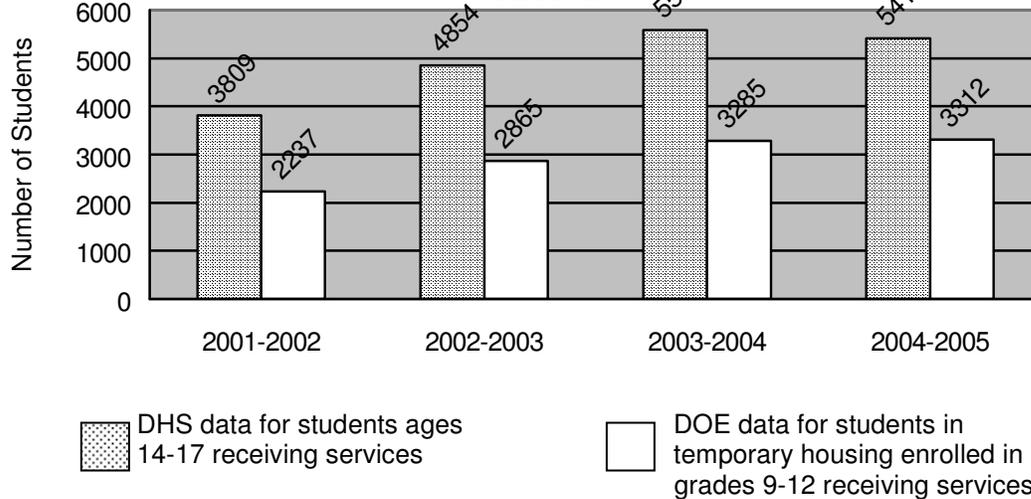
The discrepancy between the DHS and DOE figures is twice as large for high school aged students as it is for elementary and middle school aged students. From 2001-2005, the

DOE counted 19% fewer children in grades 1-8 than the DHS identified ages 6-13; whereas the DOE counted 40% fewer children in grades 9-12 than DHS identified ages 14-17.¹²⁰ One would expect that the DOE's numbers would be significantly higher because it is based on the number of students in high school, and a significant number of high school students are over 17 years old, whereas the DHS figures only reflect the number of residents between the ages of 14 and 17. The discrepancy is also of particular concern because all students must be enrolled in school through the school year in which they turn 17 years old in New York City. Therefore the difference between the figures cannot be explained away because of discharges.

Comparison of DHS and DOE Census Data for Elementary and Middle School Students¹²¹



Comparison of DHS and DOE Census Data for High School Students¹²³



If the DOE cannot properly identify students as being in temporary housing, it is unable to provide them with services. Therefore it is crucial that they examine these discrepancies.

Recommendations for the DOE

- Improve coordination between DHS and the DOE to determine why there is such a large discrepancy between the numbers of students they identify as homeless.
- Determine whether discrepancies between DHS and DOE data are due to drop-outs, and if so, conduct extensive outreach to re-enroll these youth in school, particularly because they are of compulsory school age.
- Improve tracking of students in family shelters through better information sharing between the DOE and DHS.

b. Students Living Outside of the Family Shelter System who are Homeless are Not Being Identified

Currently there are no on-site family assistants at domestic violence (DV) shelters, which are overseen by the New York City Human Resources Administration (HRA), or at any of the emergency shelters or transitional living programs for unaccompanied youth who are homeless, which are overseen by the New York City Department of Youth and Community Development (DYCD). While DOE staff met with representatives from HRA and DYCD in the fall of 2005 and gave them copies of posters and handouts for staff, parents, and youth, AFC has received calls from parents and shelter staff that make it clear that the DOE must improve its outreach efforts and better coordinate with DV shelters and runaway and homeless youth programs to promote better access to educational services and transportation.

To date, the STH program has not reached out to facilities that house unaccompanied youth who are homeless, such as runaway and homeless youth shelters, transitional living programs from runaway and homeless youth, and shelters that house single adults where many youth who are still eligible for educational services reside, other than to distribute materials as mentioned above.¹²³

The STH program also does not reach out to children and youth sharing the housing of others. By failing to reach out to these students, not only are young people deprived of services, such as immediate enrollment, free transportation, free meals, and Title I services, but the DOE loses out on funding that it would receive if it properly documented and served the large number of students experiencing homelessness.

Moreover, the New York State Education Department has required that all school districts receiving Title I funds amend their enrollment forms to include information about students' housing status in an effort to identify students experiencing homelessness. The DOE has yet to do this, but plans to in the near future according to DOE officials.

In another positive development, in September 2005, the DOE distributed posters and handouts on the educational rights of children and youth experiencing homelessness to HRA, DYCD, DHS, and the STH coordinators for distribution at all shelters. This should increase the

DOE's ability to identify children and youth in homeless situations by ensuring that parents and youth in such circumstances are made aware of their educational rights.

Recommendations for the DOE

- Improve coordination with HRA, the City agency that oversees the domestic violence shelters, and DV shelters to increase identification efforts, to ensure that the DOE provides services to all children and youth in domestic violence shelters, and to ensure that the DOE provides trainings to DV shelter staff and parents on educational rights.
- Improve collaboration with DYCD (which oversees the Runaway and Homeless Youth shelters and transitional living programs in New York City), and the shelters and transitional living programs for youth to increase identification efforts, to ensure that the DOE provides services to all youth in shelters, and to ensure that the DOE provides trainings to shelter staff and youth on educational rights.
- Make posters about the educational rights of homeless youth available at single adult shelters with contact information for STH Coordinators.
- Post notices with the educational rights of students experiencing homelessness in Housing Court.
- Coordinate with DHS to identify students in doubled-up situations.
- Revise its enrollment form to inquire about housing status.
- Develop a clear policy about doubled-up families and train staff on this policy.

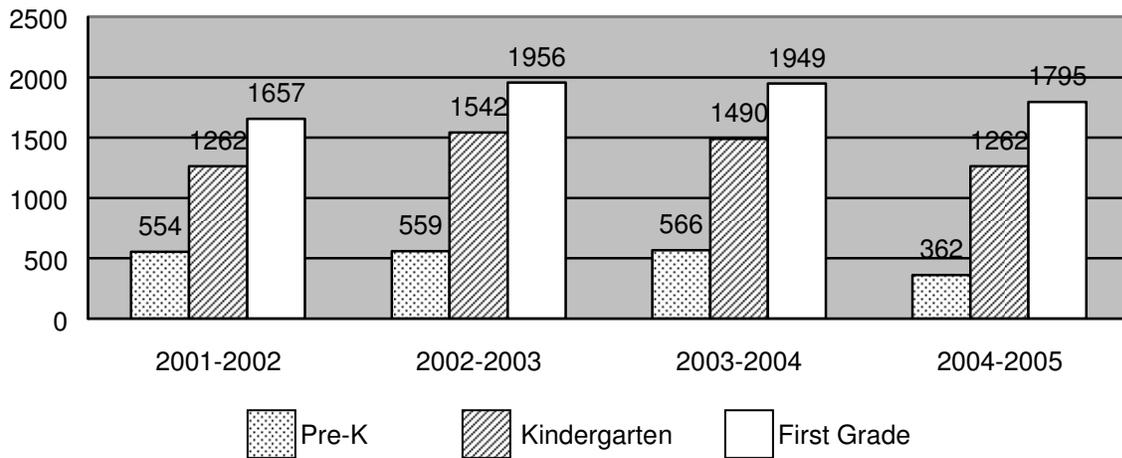
c. Homeless Children Eligible for Preschool, Head Start, and Even Start Services are Not Being Identified

Children between the ages of 0-5 comprise the largest segment of the population in family shelters, yet it seems that they receive the fewest educational services despite being entitled to such services. Moreover, research has shown that early childhood education is crucial to the later academic success of children.¹²⁴

In New York City, universal pre-k and kindergarten are available for all four and five year olds who are homeless pursuant to Chancellor's Regulation A-780. Nevertheless, by comparing shelter census data from DHS and pre-k enrollment data from the DOE, there appears to be significantly more children residing in family shelters who may be eligible for pre-k services than are actually enrolled. In FY 2005, there were 15,926 children ages 0-5, which accounted for 23% of the total population housed in the family shelter system (69,062 children and adults). The DOE, however, only identified 362 children in temporary housing enrolled in pre-k in 2004-2005.

Even though it cannot be determined how many of the 0-5 year olds counted by DHS were eligible for pre-k, clearly there were more than four hundred. Indeed, the number of children enrolled in pre-k in 2004-2005 represented only 29% of the number of children enrolled in kindergarten and 20% of children enrolled in 1st grade, the first year of compulsory education in New York State. This is especially notable, because as previously indicated, all children in temporary housing eligible for pre-k services should be enrolled upon request by the parent regardless of space constraints.¹²⁵

Young Children in Family Shelters Enrolled in School ¹²⁷



Survey data as well as outside research suggests that many preschool-aged children who are residing in temporary housing are not being enrolled in programs.¹²⁷ Out of the sixty-seven children represented by the survey data, thirteen were under the age of five, however only six were enrolled in any form of preschool (Even Start, Head Start or pre-k). Shelter providers also confirmed that though there are many young children living in their facilities, few enroll in preschool programs. Providers suggested that one of the main reasons for this situation is that parents are not aware of the services available.

Although it is a mandate of the McKinney-Vento Act, the DOE does not meaningfully coordinate with providers of preschool services, including Head Start and Even Start, to ensure that homeless children can enroll in such services. In fact, the DOE does not even track the number of children who are homeless and enrolled in Head Start or Even Start programs.

Recommendations for the DOE

- Revise policies to indicate that the STH program is responsible for ensuring that children are enrolled in pre-k, Head Start, and Even Start. Provide the STH program with staff and other resources to implement these policies.

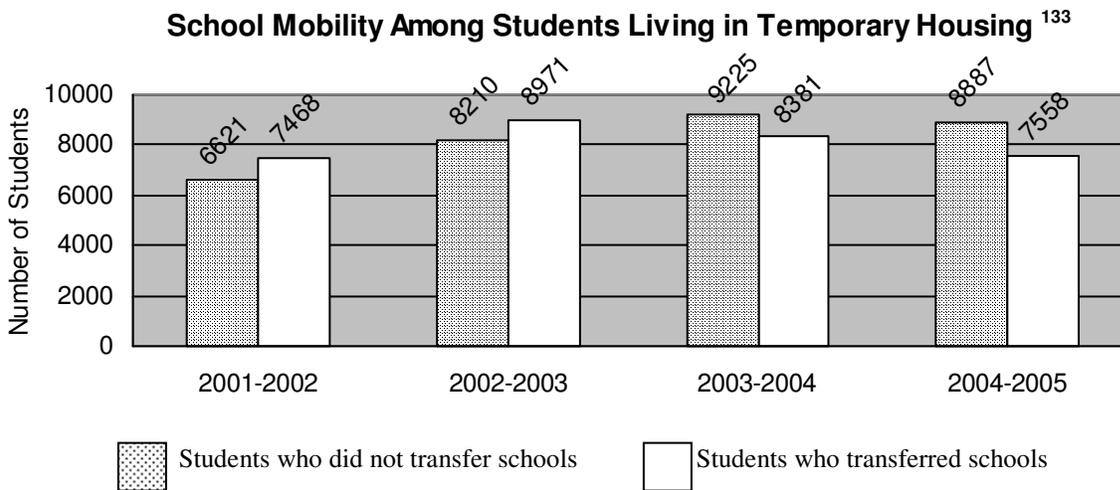
- Ensure that parents are aware of pre-k, Head Start and Even Start programs in the area and provide them with assistance in enrolling in these programs.
- Undertake outreach efforts to encourage parents to enroll their children in pre-k programs.
- Establish coordination between Head Start and Even Start Programs to ensure greater participation of children in temporary housing.
- Track temporarily housed children enrolled in Head Start and Even Start, and private preschool programs.
- Set clear goals for enrollment of children eligible for Head Start, Even Start, and pre-k for STH Coordinators and ensure that the STH staff assists in meeting these goals.

X. Potential Strategies to Improve Educational Opportunities for Students Experiencing Homelessness

a. Reduce School Mobility Rates of Students Experiencing Homelessness

Data from a variety of sources suggests that students who are living in temporary housing suffer academically when they change schools rather than remaining in their school of origin.¹²⁸ The rate at which students in temporary housing transfer schools is alarmingly high although it has shown improvement from 2001 to 2005.¹²⁹

According to the DOE, approximately half of all students stayed in the school of origin, while the other half transferred schools (47% remained in the school of origin in 2001-2002, 48% in 2002-2003, 52% in 2003-2004, and 54% in 2004-2005).¹³⁰ AFC's survey results mirror this data: approximately half of the families changed schools when entering temporary housing and the other half remained in their original school. According to the survey data, the parents who chose to change their children's schools after moving into temporary housing cited several reasons for their decisions including the fact that they were told they had to change schools by the DOE, that the commute to the old school was too far, and that they did not have the time or money to commute with their children to the old school. Interestingly, none of the parents queried said that the reason they transferred was that they did not like their children's previous school.¹³¹ Given that students perform better academically if they remain in their school of origin, the DOE must look for ways to encourage and facilitate school stability.



While students in temporary housing did significantly worse than their housed peers as discussed previously, those experiencing homelessness who transferred schools performed less well on standardized tests than homeless students who did not transfer, especially on the math tests. For example in 2004-2005, students who stayed in their school of origin performed:

- 9% better than those who transferred on the 8th grade Math and English tests;
- 9% better on the 7th grade Math tests;

- 10% better on the 5th grade Math tests; and
- 9% better on the 3rd grade Math tests.

In fact, in both subjects, in every grade except for 6th (where there was virtually no difference) students who remained in their school of origin performed better on standardized tests than students who changed schools.

Of those students who transferred in the 2004-2005 school year, more than three quarters only transferred once. A significant number transferred twice (1061 students), and although relatively small, far too many students made 3 or more transfers (218 students).

The retention rates also show differences, although small, between students who stayed in the school of origin and those who transferred schools. Most notably, in 2004-2005:

- First graders who transferred were 6% more likely to be held back¹³³;
- Second graders who transferred were 8% more likely to be held back¹³⁴; and
- Eleventh graders who transferred were 6% more likely to be held back.¹³⁵

These findings are in accordance with the previously discussed research on school mobility and are also reflected in the sentiments of most of shelter providers surveyed by AFC, who said that in general it is best for students to remain in their same schools.

Given the DOE's new transportation policy, described below, coupled with the sharing of school data between the DOE and the DHS to better place families in shelters located in the school districts of origin, school mobility rates should drop. However, to truly make an impact on this important issue, the DOE must make this a priority in allocation of resources and policy-making.

Recommendations for the DOE

- Create a campaign to reduce school transfers (for example, one Texas school district implemented a drive entitled "One child, one school, one year").
- Set target transfer rates and hold school placement officials (School Placement Youth and Family Support Service Directors for grades K-8 and Office of Student Enrollment Planning and Operations Director for grades 9-12) responsible for making progress towards those targets.
- Incorporate the importance of minimizing school transfers into trainings for STH Staff.
- Ensure that STH Staff are informing parents about the importance of minimizing school transfers and assisting parents to do so.

b. Improve Transportation Options and Availability for Students Experiencing Homelessness

The availability of transportation, along with the location of the shelter, are key factors for parents deciding whether to transfer their child to a local school. The availability of transportation also impacts attendance. According to AFC's surveys, both shelter providers and parents experiencing homelessness cited transportation as a major barrier preventing children and youth living in temporary housing from enrolling in and attending school regularly. These transportation challenges included delays in arranging for school bus pick up, difficulty securing student and adult MetroCards to use to travel to school, and difficulty getting bus service routed to a shelter if necessary.¹³⁶

Until recently, the DOE did not systematically offer busing for general education students living in family shelters despite the mandate from Chancellor's Regulation A-780. Some students attending local schools were offered busing when it was available to permanently housed students, however students traveling across district boundaries were told to request a transportation pass from school allowing them to take public transportation. In cases where the student was unable to travel by themselves (in most cases, because of the student's age), the DOE family assistants referred the parents to public assistance centers to apply for transportation grants to help pay for bus and subway passes.

Unfortunately, however, most parents were denied transportation grants from the public assistance centers. In the spring of 2005, the DOE determined that it, rather than HRA, was responsible for providing transportation to parents who wish to accompany their children to school.¹³⁷ Several months later, in September 2005, the DOE enacted a new policy whereby parents who must accompany their children to school on public transportation are given a weekly unlimited MetroCard to do so and reaffirmed its commitment to offering busing in accordance with Chancellor's Regulation A-780, which states that busing should be offered to students in grades K-6 provided there is an available route. If a route is not available, the student should be given a full-fare MetroCard from her school and the parent should be given an unlimited weekly MetroCard to accompany the student on public transportation. Older students continue to be eligible for full-fare MetroCards.¹³⁸

Although the data produced for this report does not reflect the performance of the DOE under its new policy, it does illustrate some of the persistent difficulties it has had providing transportation to students in temporary housing. For example, even though all students in temporary housing are categorically eligible for full-fare MetroCards,¹³⁹ over the past 4 years, 4,798 Reduced Fare MetroCards were given to students in temporary housing (1,060 in 2001-2002, 1,264 in 2002-2003, 1,322 in 2003-2004, and 1,152 in 2004-2005). This means that families who were homeless had to pay for their children's transportation even though the students were eligible for free transportation.

Based on the number of MetroCards issued by the DOE, it appears that a significant number of children who were eligible for transportation did not receive this service. As mentioned previously, children in temporary housing in grades K-6 are entitled to busing if there

is an appropriate route; however, in 2004-2005, 3,198 such students received MetroCards rather than busing. While it is impossible to determine at this point whether there was an appropriate busing route for any of these children, it is safe to assume that many of them could have received busing.

Additionally, the arrangement of busing for the large majority of students was due to the mandates governing special education rather than adherence to transportation policies for students who are homeless. For example, of the 1,498 students in temporary housing who received busing in 2004-2005, 1,105 were students receiving special education services.¹⁴⁰

With the DOE's new transportation policy, combined with the better placement of families in shelters in the school district of origin through the sharing of data between the DOE and DHS, many of these problems should be largely resolved. Nevertheless, ongoing vigilance and oversight is needed to ensure that these policies are successfully implemented.¹⁴¹

Recommendations for the DOE

- Monitor data on transportation services for students in temporary housing to ensure that all eligible students are being offered available services in a timely manner. Monitoring should include:
 - Whether any students in temporary housing were incorrectly given a reduced-fare MetroCard
 - How long it takes to arrange for busing
 - How many students in grades K-6 receive MetroCards rather than busing
- Continue collaboration between the DOE and DHS to place families in shelters located in the Community School District where the youngest child previously attended school and maintain pressure on DHS to do so.

c. Provide Enhanced Training to School and Shelter-based Staff

The DOE has not sufficiently trained its administrative staff or school-based staff on the requirements of the McKinney-Vento Act and state law and local policies regarding the education of children and youth who are homeless.

A professional development session for all family assistants and STH Coordinators was held in January 2005 where AFC presented a training on the educational rights of children and youth who are homeless. It was clear that widespread misunderstandings existed about the requirements of the law and policies and about who was responsible for their implementation. During the fall of 2005, the DOE held another training for all STH Coordinators, and the STH Coordinators were in turn expected to train their staff. In December, AFC did a training which several family assistants attended, and it was clear that while some family assistants have received appropriate training, others have not. Moreover, it does not appear that the DOE has

trained any of the pupil personnel secretaries or parent coordinators. The need for this type of training was confirmed by AFC's survey of families and shelter providers. Providers indicated that insensitivity of local school personnel is a barrier to homeless children and youth attending school, and that sensitivity training for teachers and other school personnel on the needs of homeless children and youth would help prevent academic problems. More than half of the shelter providers surveyed also said that they would like additional training on the educational rights of homeless children. Training is also essential for parents: many of the parents AFC surveyed were unaware of key rights they are guaranteed, including their right to enroll their children in school immediately without having to show residential or academic documents, their right to receive MetroCards to use to accompany their children to school, and their right to appeal enrollment decisions.

Recommendations for the DOE

- STH Coordinators should have quarterly trainings for family assistants, pupil accounting secretaries, parent coordinators, and shelter staff. To ensure attendance, the SPYFSS (Office of Student Placement, Youth and Family Support Services) directors should mandate that appropriate school-based staff attend these trainings.
- STH Coordinators should collaborate with central staff of the STH Program and NYS Technical and Education Assistance Center for Homeless Students in developing the curricula for such trainings.
- STH Coordinators should organize monthly trainings in the evenings for parents at shelters to discuss the educational system and parents' rights and responsibilities within that system.

d. Create Mechanisms to Hold STH Coordinators Accountable for Student Identification, Placement, and Federally Mandated Responsibilities

The DOE does not have data-driven accountability measures for STH Coordinators. For example, STH Coordinators are not held accountable for how long it takes students in temporary housing to be enrolled in school or to receive transportation, how many absences or latenesses they have, or the number of school transfers they experience. The Coordinators are also not held accountable for identifying all of the children and youth living in shelters even though their progress on this point could easily be measured by looking at the data already collected by Department of Homeless Services (family shelters), Human Resource Administration (domestic violence shelters), and Division of Youth and Community Development (runaway and homeless youth shelters and transitional living programs). Also, there is no oversight over the content, length, or regularity of trainings given by STH Coordinators to family assistants or anybody else, even though information dissemination is an integral part of the LEA liaison's role.

Finally, there is a degree of uncertainty about the scope of the STH Coordinators' responsibilities, given the large bureaucracy at the DOE, which makes holding the Coordinators

accountable difficult. Under federal law, the Coordinators are responsible, among other things, for ensuring that all school-aged children experiencing homelessness are immediately enrolled in school and receive transportation services, as well as providing services, to a more limited degree, to pre-school age children. However, based on conversations AFC has had with STH Coordinators, many do not believe that their role extends to serving high-school age youth, children and youth receiving special education services, and pre-school age children, as mentioned previously. Moreover, the most recent STH Program Manual that AFC has seen from 2004 also does not make clear the extent of the responsibilities of the STH staff. It appears that this confusion stems from the STH program's lack of coordination with branches of the DOE bureaucracy, such as the Committees on Special Education and the Office of Student Enrollment Planning and Operations which oversees the High School Registration Centers.¹⁴²

Recommendations for the DOE

- Revise the STH Manual to clearly define the scope of responsibility of the STH Coordinators. These should include identification of and service provision to all school-age students and pre-k students, clear training requirements for STH staff, and training of others by STH staff.
- Appoint a staff person in each Regional High School Registration Office and Committee on Special Education Office to be available and responsive to STH staff on a daily basis.
- Design data-driven accountability measures to better track the performance of the STH program.
- Provide better support and oversight to STH Coordinators regarding the provision of trainings.

XI. Conclusion

As the data amply demonstrates, students in temporary housing perform significantly worse in school and have greater need for services as compared to all students in New York City. They do worse on standardized testing, have poorer attendance rates, are almost twice as likely to receive special education services, are almost twice as likely to be in more restrictive special education settings, have a 15% retention rate, and a very small number graduate from high school.

Clearly, the terrain is complex: it is difficult to track homeless children and youth, their families are often in crisis and not able to prioritize education, the level of training about the rights of homeless children and youth with respect to education is lacking at the schools, at shelters, and among affected families. In addition, the responsibility for serving this population is split between several different New York City government agencies.

Given this bleak picture, the DOE must redouble its efforts to identify and reach homeless families with programs and policies that facilitate keeping their children in appropriate schools. Most importantly, it must take concerted action to address the excessive number of school transfers, which is linked to academic performance. Collaboration with other city agencies, especially the Department of Homeless Services, is key to the DOE's progress on this point. Similarly the DOE must work together with DHS, DYCD, HRA and other social service providers to address the large numbers of youth experiencing homelessness who are failing in and dropping out of school. Finally, it must comply with federal law: the DOE has to revise its regulations, train all staff on the updated regulations, and design and implement policies to reach out to students experiencing homelessness.

¹ Buckner, J.C., Bassuk, E.L., Weinreb, L.F., & Brooks, M.G. (1999). Homelessness and its relation to the mental health and behavior of low-income school-age children. *Developmental Psychology*, 35(1), 246-257.

² DHS Critical Activities Report, Fiscal Year 2004. Retrieved November 30, 2005, from <http://www.nyc.gov/html/dhs/html/statistics/statistics.shtml>.

³ Available at www.advocatesforchildren.org.

⁴ Available at www.advocatesforchildren.org.

⁵ Data collected from NYC DOE included information on enrollment, school transfers, academic performance, holdover rates, attendance rates, lateness rates, transportation, special education, preschool, and graduation rates.

⁶ On December 22, 2004, AFC submitted its FOIL request. On May 17, 2005 and July 26, 2005, AFC received data on school years 2001-2002, 2002-2003, and 2003-2004. On January 20, 2006, AFC received data on school years 2001-2005.

⁷ On August 31 2005, AFC received a FOIL response which contained information about the number of students enrolled in school, the number of students in each grade, and the rates of attendance for students in pre-k, elementary school, middle/junior high school, and high school.

⁸ Hehir, T., Figueroa, R., Famm, S., Katzman, L. I., Gruner, A., Karger, J., Hernandez, J. (2005). Comprehensive Management Review and Evaluation of Special Education. Available at <http://www.nycenet.edu/NR/rdonlyres/0E84335C-D6B5-4B56-81AB-FDDE8EC61278/6227/FinalHehirReport0920052.pdf>.

⁹ For example, the total number of students identified as living in temporary housing reported in the two separate FOIL responses differs by approximately 50 students for years 2001-2002, 2002-2003, and 2003-2004.

¹⁰ For example, the grade level was not reported for approximately 30-40 students for each year (except for school year 2002-2003 when there were significantly more students without a grade level).

¹¹ AFC originally sent surveys to 166 shelter providers, but only received 21 responses.

¹² As of the date of this report, only one shelter granted AFC permission to interview parents for this report.

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- ¹³ Hanushek, E.A., Kain, J.F., & Rivkin, S.G. (2004). Disruption versus Tiebout improvement: the costs and benefits of switching schools. *Journal of Public Economics*, 88, 1721-1746; Rafferty, Y., Shinn, M., & Weitzman, B.C. (2004). Academic Achievement Among Formerly Homeless Adolescents and their Continuously Housed Peers. *Journal of School Psychology*, 42, 179-199; Rafferty, Y. (1995). The Legal Rights and Educational Problems of Homeless Children and Youth. *Educational Evaluation and Policy Analysis*, 17(1), 39-61; Rafferty, Y., & Shinn, M. (1991). The Impact of Homelessness on Children. *American Psychologist*, 46(11), 1170-1179; Rubin, D.H., Erickson, C.J., Agustin, M. San, Cleary, S.D., Allen, J.K. and Cohen, P. (1996). Cognitive and Academic Functioning of Homeless Children Compared with Housed Children. *Pediatrics*, 97(3), 289-294.
- ¹⁴ Rubin, D.H., et al. (1996). Cognitive and academic functioning of homeless children compared with housed children. *Pediatrics*, 97(3), 289-294.
- ¹⁵ Rafferty, Y., et. al. (2004).; Rafferty, Y. (1995); Rubin, D.H., et al. (1996); Wood, D., Halfon, N., Scarlata, D., Newacheck, P. Nessim, S. (1993). Impact of Family Relocation on Children's Growth, Development, School Function, and Behavior. *The Journal of the American Medical Association*, 270(11), 1334-1338.
- ¹⁶ Rafferty, Y., et. al. (2004).
- ¹⁷ Wood, D., Valdez, R., Hayashi, T., Shen, A. (1990). Health of Homeless Children and Housed, Poor Children. *Pediatrics*, 86(6), 858-866. Another study in Massachusetts found that 36% of homeless children have repeated a grade, twice the rate of other children. Better Homes Fund. (1999). *Homeless Children: America's New Outcasts*. (Newton, MA).
- ¹⁸ Institute for Children and Poverty: Homes for the Homeless. (2001). Déjà vu: Family Homelessness in NYC. Available at www.homesforthehomeless.com/index.asp?CID=3&PID=18.
- ¹⁹ Zima, B.T., Bussing, R., Forness, S.R., & Benjamin, B. (1997). Sheltered homeless children: eligibility and unmet need for special education evaluations. *American Journal of Public Health*, 87(2), 236-240.
- ²⁰ U.S. Department of Health and Human Services, Administration for Children and Families. (1992, June). Information Memorandum.
- ²¹ Ibid.
- ²² Cauce, A.M., Paradise, M., Ginzler, J.A., Embry, L., Morgan, C.J., Lohr, Y., Theofelis, J. (2000). The characteristics and mental health of homeless adolescents: Age and gender differences. *Journal of Emotional and Behavioral Disorders*, 8(4), 230-239.
- ²³ Wood, D., et al. (1993).
- ²⁴ Rumberger, R.W. (2002). Student mobility and academic achievement. *ERIC Clearinghouse on Elementary and Early Childhood Education*. EDO-PS-02-1. Retrieved November 30, 2005 from <http://ceep.crc.uiuc.edu/eearchive/digests/2002/rumberger02.pdf>.
- ²⁵ It is important to mention that students who have high rates of school mobility owing to their families' involvement in the military or foreign service are an exception to these findings. Their academic performance does not appear to suffer as a result of frequent school transfers. See Strobino, J. & Salvaterra, M. (2000). School Transitions Among Adolescent Children of Military Personnel: A Strengths Perspective. *Children and Schools*, 22(2), 95-107.
- ²⁶ Hanushek, E. et. al. (2004).; Heinlein, L.M., & Shinn, M. (2000). School Mobility and Student Achievement in an Urban Setting. *Psychology in the Schools*, 37(4), 349-357; Mantzicopoulos, P., & Knutson, D.J. (2000). Head Start Children: School Mobility and Achievement in the Early Grades. *The Journal of Educational Research*, 93(5), 305-311.
- ²⁷ Hanushek, E. et. al. (2004).
- ²⁸ Wood, D., et al. (1993).
- ²⁹ Ibid.
- ³⁰ Rafferty, Y. (1995).
- ³¹ Popp, P.A. (2004). Reading on the go! Students who are Highly Mobile and Reading Instruction. *National Center for Homeless Education*; Rumberger, R.W., & Larson, K.A. (1998). Student Mobility and the Increased Risk of High School Dropout. *American Journal of Education*, 107(1), 1-35.
- ³² Buckner, J.C., Bassuk, E.L., & Weinreb, L.F. (2001). Predictors of Academic Achievement Among Homeless and Low-Income Housed Children. *Journal of School Psychology*, 39(1) 45-69; Swanson, C.B., & Schneider, B. (1999). Students on the Move: Residential and Educational Mobility in America's Schools. *Sociology of Education*, 72(1), 54-67; Popp, P.A. (2004).; Rumberger, R.W., et. al. (1998).
- ³³ Rumberger, R.W., et. al. (1998).; Swanson, C.B., et. al. (1999).
- ³⁴ Hanushek, E.A., et. al. (2004).; Rumberger, R.W. & Thomas, S.L. (2000). The distribution of dropout and turnover rates among urban and suburban high schools. *Sociology of Education*, 73, 39-67; Kerbow, D. (1996).

Patterns of Urban Student Mobility and Local School reform. *Journal of Education for Students Placed at Risk*. Retrieved September 16, 2004, from <http://www.csos.jhu.edu/crespar/techReports/Report5.pdf>.

³⁵ Kerbow, D. (1996).

³⁶ Rumberger, R.W. et. al. (2000).

³⁷ The McKinney-Vento Act was reauthorized as a part of the No Child Left Behind (NCLB) Act of 2001.

³⁸ The term "homeless children and youths"-- means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and includes -children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C)); children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii). *See* 42 U.S.C. § 11434a (2005).

³⁹ 42 U.S.C. § 11434a.

⁴⁰ 42 U.S.C. § 11434a(6).

⁴¹ 42 U.S.C. § 11431(1).

⁴² 42 U.S.C. § 11432(g)(3)(A).

⁴³ 42 U.S.C. § 11432(g)(3)(C)(i).

⁴⁴ 42 U.S.C. §§ 11432(g)(1)(J)(iii).

⁴⁵ 42 U.S.C. §§ 11432(g)(4)(A).

⁴⁶ 42 U.S.C. §§ 11432(g)(1)(A), (g)(1)(F), (g)(4).

⁴⁷ 42 U.S.C. §§ 11432(g)(3)(E).

⁴⁸ 42 U.S.C. § 11432(g)(3)(A). In determining whether it is in the best interest of the child or youth to attend the school of origin or the local school, the LEA must "to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian." 42 U.S.C. § 11432(g)(3)(B)(i).

⁴⁹ 42 U.S.C. § 11432(g)(3)(C)(ii).

⁵⁰ 42 U.S.C. § 11432(g)(3)(D).

⁵¹ 42 U.S.C. § 11432(g)(1)(I).

⁵² For the purposes of the McKinney-Vento Act, each of the 32 local community school districts in New York City is considered its own LEA. They separately apply for and receive McKinney-Vento funding from the New York State Education Department as described below. The local community school districts are referred to as both LEAs and school districts throughout this report.

⁵³ The local community school districts and Districts 75 and 79 separately apply for and receive McKinney-Vento funding from the New York State Education Department as described below. These districts are referred to as both LEAs and school districts throughout this report.

⁵⁴ 42 U.S.C. § 11432(g)(6)(A).

⁵⁵ 42 U.S.C. § 11432(g)(3)(E)(i).

⁵⁶ 42 U.S.C. § 11432(g)(3)(E)(ii).

⁵⁷ 42 U.S.C. § 11432(g)(3)(E)(iii).

⁵⁸ New York City Department of Education Chancellor's Regulation A-780.

⁵⁹ New York City Department of Education Chancellor's Regulation A-101.

⁶⁰ New York City Department of Education Chancellor's Regulation A-780.

⁶¹ Id.

⁶² Id.

⁶³ The U.S. Department of Education estimated in FY 2000 that as many as 35% of homeless children and youth lived doubled-up with family or friends. U.S. Department of Education. (2000). Education for Homeless Children and Youth Program: Report to Congress FY 2000. Available at <http://www.ed.gov/programs/homeless/rpt2000.doc>.

⁶⁴ 42 U.S.C. 11432(g)(6)(A).

⁶⁵ City of New York. (2004). Uniting For Solutions Beyond Shelter: The Action Plan For New York City. Available at <http://www.nyc.gov/html/endinghomelessness/downloads/pdf/actionbooklet.pdf>.

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- ⁷⁰ New York City Department of Homeless Services. (2005). Critical Activities Report Family Services – Fiscal Year 2005. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.
- ⁷¹ New York City Department of Homeless Services. (2005). Top Ten – Fiscal Year 2005. Retrieved June 19, 2006, from <http://www.nyc.gov/html/dhs/downloads/pdf/toptenfy05.pdf>.
- ⁷² New York City Department of Homeless Services. (2004). Critical Activities Report Family Services – Fiscal Year 2004. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.
- ⁷³ New York City Department of Homeless Services. (2005). Critical Activities Report Family Services – Fiscal Year 2005. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.
- ⁷⁴ According to the 2000 Census there were 125,518 “subfamilies” living in the household of another individual or family. “Subfamily” is defined as “a married couple with or without children, or a single parent with one or more never-married child under 18 years old. A subfamily does not maintain their own household, but lives in the home of someone else.” See 2000 Census available at <http://www.census.gov/population/www/cps/cpsdef.html>. See also Blueprint to End Homelessness in New York City, June 2002 Full Report, Supportive Housing Network of New York. (2002). p.11 (a “conservative estimate” is 85,000 doubled-up families in New York City); New York City Family Homelessness Special Master Panel. November 2003. Family Homelessness Prevention Report, p. 31 (reports based on 1999 figures found that the number of crowded families and severely crowded families were 75,715 and 215,000 respectively and that the number of doubled-up households was 221,000). Also, as noted infra footnote 76, nationally, approximately 35% of children and youth who are homeless are living in doubled-up situations.
- ⁷⁵ Data provided by the DOE in response to AFC’s FOIL Request.
- ⁷⁶ Data provided by the DOE in response to AFC’s FOIL Request.
- ⁷⁷ Data provided by the DOE in response to AFC’s FOIL Request.
- ⁷⁸ Data provided by the DOE in response to AFC’s FOIL Request.
- ⁷⁹ Families coming in through the PATH center or the Emergency Assistance Unit are then either placed in one of the family shelters with on-site social services, called Tier II shelters; a private apartment rented by DHS, called a scatter-site apartment; or an overnight placement. Families placed in overnight placements are eventually transferred to a Tier II or scatter-site apartment if they are found eligible for shelter, otherwise they must go back to the Emergency Assistance Unit to re-apply for shelter or leave the shelter system.
- ⁸⁰ New York City Department of Homeless Services. (2003). Critical Activities Report Family Services – Fiscal Year 2003. Available at <http://www.nyc.gov/html/dhs/downloads/pdf/familyfy03.pdf>.
- ⁸¹ Compare NYC Department of Homeless Services. Category Definitions: Family Services, p.18. Retrieved December 13, 2005 from <http://www.nyc.gov/html/dhs/downloads/pdf/familydefs.pdf> with NYC Department of Homeless Services. Family Category Definition, p.17. Retrieved November, 2002 from <http://www.nyc.gov/html/dhs/downloads/pdf/familydefs.pdf>.
- ⁸² U.S. Department of Education. (2006). Fiscal Year 2001-2006 State Tables for the U.S. Department of Education. Available at <http://www.ed.gov/about/overview/budget/statetables/index.html>
- ⁸³ This applies to all states except those funded at the minimum level, which must distribute not less than 50% of their funding to LEAs.
- ⁸⁴ 42 U.S.C. § 11432(g)(5).
- ⁸⁵ U.S. Department of Education. (2006). Fiscal Year 2001-2006 State Tables for the U.S. Department of Education. Available at <http://www.ed.gov/about/overview/budget/statetables/index.html>.
- ⁸⁶ In addition there are several more school districts that may have been eligible for funding, such as District 71 (Manhattan High Schools), District 72 (Bronx High Schools), District 73 (Brooklyn High Schools), District 74 (Chancellor’s High School District), District 76 (Brooklyn and Staten Island High Schools), District 77 (Queens High Schools), District 85 (Chancellor’s District). These districts have been subsumed into the ten Regions of the

Department of Education as described below. However, it is unclear whether they are still considered separate LEAs for the purposes of McKinney-Vento funding. These districts had 3,858 students enrolled in them during the 2003-2004 school year.

⁸⁷ For example, under the IDEA, Title I, and No Child Left Behind, the three largest pieces of federal education legislation, the New York City Department of Education is considered one LEA, not the community school districts.

⁸⁸ Information obtained by Advocates for Children from the New York State Education Department.

⁸⁹ It appears that the DOE did not apply for funding for these seven districts because there are no family shelters located in these districts.

⁹⁰ The 10,827 figure comes from data provided by the DOE to AFC.

⁹¹ Information obtained by Advocates for Children from the New York State Education Department.

⁹² This data was obtained by AFC from NYSED and details the amount of funding requested by each LEA that applied for a McKinney-Vento sub-grant and how many students each LEA purported to serve with the sub-grant funds.

⁹³ 20 U.S.C. § 6313(c)(3). Title I does not specify what formula school districts should use in making the set aside. Four proposed ways include: 1) identify homeless students' needs and fund accordingly; 2) obtain a count of homeless students and multiply by Title I, Part A per-pupil allocation; 3) reserve an amount of funds greater than or equal to the amount of the district's McKinney-Vento subgrant request; and 4) reserve a specific percentage based on the district's poverty level or total Title I, Part A allocation. Four Methods for Determining New Mandatory Title I, Part A Set-Aside for Homeless Children. *NCLB Financial Compliance Insider* (Nov. 2003).

⁹⁴ 20 U.S.C. § 6313(c)(3).

⁹⁵ NYC Department of Education. (2005, May). School Allocation Memorandum No. 17, FY 06 From Bruce E. Feig.

⁹⁶ When Mayor Bloomberg took control of the New York City Board of Education and created the Department of Education in 2002, he consolidated the 32 community school districts into 10 Regions. Although the community school districts still continue to exist, their authority is largely subsumed by the Regions.

⁹⁷ NYC Department of Education. (2005, May). School Allocation Memorandum No. 17, FY 06 From Bruce E. Feig.

⁹⁸ DOE data and test score data available on the district's Division of Assessment and Accountability website. Available at <http://www.nycenet.edu/daa/>.

⁹⁹ Student performance data on two different city and state mandated tests is represented on this graph. In grades 3,5,6, and 7 students take the New York City Department of Education's TEM exam and in grades 4 and 8 they take the New York State ELA exam. Data for all students comes from a Department of Education Report entitled "Summary Report on the 2005 Results of the NYC ELA and Math Assessments (Grades 3, 5, 6, 7)" Retrieved from http://www.nycenet.edu/daa/2005ela38/pdf/Summary%20Report_2005_ELA_Math.pdf.

¹⁰⁰ Student performance data on two different city and state mandated tests is represented on this graph. In grades 3,5,6, and 7 students take the New York City Department of Education's CTB exam and in grades 4 and 8 they take the New York State STM exam. Data for all students comes from a DOE Report entitled "Summary Report on the 2005 Results of the NYS Math Assessment (Grades 4 and 8) and Combined NYS and NYC Math (Grades 3 - 8)" Retrieved from

<http://www.nycenet.edu/daa/2005math38/pdf/2005%20State%20and%20City%20Math%20Results.pdf>.

¹⁰¹ Although AFC had requested comparison figures for the entire student population, the DOE was unable to produce them.

¹⁰² Advocates for Children. (2004). An Overview of Research on the Effectiveness of Retention on Student Achievement For New York City Schoolchildren. Available at <http://www.advocatesforchildren.org/pubs/2005/retention.pdf>.

¹⁰³ Data provided by the DOE in response to AFC's FOIL Request.

¹⁰⁴ Data provided by the DOE in response to AFC's FOIL Request.

¹⁰⁵ The rate of graduation for 12th graders should not be confused with the 4-year or 7-year graduation rates, which track the percentage of students entering 9th grade who graduate in 4 or 7 years. The rate cited above only measures the percentage of students in the 12th grade who graduate.

¹⁰⁶ Data provided by the DOE in response to AFC's FOIL Request.

¹⁰⁷ Data provided by the DOE in response to AFC's FOIL Request.

¹⁰⁸ AFC survey.

¹⁰⁹ This was calculated using the total number of general education and special education placements. Because some students had more than one placement during the year, there are slightly more placements than there are students. For example, in 2001-2002 there were 14,089 students identified as living in temporary housing and there were 14,134 placements. In 2002-2003 there were 17,181 students and 17,236 placements, and in 2003-2004 there were 17,838 and 17,897 placements.

¹¹⁰ Hehir, T., et al. (2005) District wide data came from NYC Department of Education Statistical Summaries Website. <http://www.nycenet.edu/Offices/Stats/Register/CurrentRegisterbyGrade/>

¹¹¹ AFC parent survey.

¹¹² Hehir, T., et al. (2005).

¹¹³ AFC shelter survey.

¹¹⁴ Data provided by the DOE in response to AFC's FOIL Request.

¹¹⁵ Under the Individuals with Disabilities Education Act, a federal law, school districts have an obligation to place students with disabilities in the least restrictive environment to meet their needs. 20 U.S.C. § 1412(a)(5). In New York City, there is a continuum of special education services ranging from the least to the most restrictive setting. A less restrictive setting would be a general education classroom where a student with a disability is educated with his non-disabled peers and a more restrictive setting would be a self-contained classroom where only students with disabilities receive instruction.

¹¹⁶ Students with disabilities are typically educated in one of three types of settings. General Education with Special Education Supports and Services refers to a setting in which students with disabilities are educated in a general education classroom alongside their non-disabled peers. These students may receive special education services and/or supports in the classroom or may be pulled out of their classes to receive services during the school day. Self-contained Special Education in a Community School District School refers to a more restrictive setting in which students with disabilities are educated in classes only with other students with disabilities in a school that also has classes for non-disabled students. Self Contained Special Education in Special School and Other Settings refers to the most restrictive settings in which students with disabilities are usually educated in classes only with other students with disabilities, in schools that only contain these types of classes. This characterization also refers to placements at private school facilities, home instruction, and hospital-based instruction.

¹¹⁷ There is concern on the part of the DOE about giving family assistants access to ATS because many do not have the skills to use such a computerized record keeping system. The DOE should explore whether more highly trained staff, such as social workers, would be able to complement, or replace in some cases, family assistants at the shelters.

¹¹⁸ New York City Department of Homeless Services. (2005). Critical Activities Report Family Services – Fiscal Year 2005. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.

¹¹⁹ The DOE data in this chart is based on AFC's FOIL Request. The DHS data in this chart was found in New York City Department of Homeless Services. (2005). Critical Activities Report Family Services – Fiscal Year 2005. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.

¹²⁰ New York City Department of Homeless Services. (2005). Critical Activities Report Family Services – Fiscal Year 2005. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.

¹²¹ The DOE data was provided in response to AFC's FOIL Request. The DHS data in this chart was found in New York City Department of Homeless Services. (2005). Critical Activities Report Family Services – Fiscal Year 2005. Available at <http://home.nyc.gov/html/dhs/html/about/car.shtml>.

¹²² Ibid.

¹²³ In New York State, all youth have the right to attend high school through the school year in which they turn 21, provided they have not already received their high school diploma. N.Y. C.L.S. Educ. § 3202 (2006).

¹²⁴ Mantzicopoulos, P., et. al. (2000).

¹²⁵ Chancellor's Regulation A-780.

¹²⁶ Data provided by the DOE in response to AFC's FOIL Request.

¹²⁷ Mantzicopoulos, P., et. al. (2000).; Institute for Children and Poverty: Homes for the Homeless. (2001), Déjà vu: Family homelessness in NYC. (2001). Available at www.homesforthehomeless.com/index.asp?CID=3&PID=18 .

¹²⁸ Hanushek, E.A., et. al. (2004).; Heinlein, L.M., et. al. (2000); Popp, P.A. (2004).

¹²⁹ In its response to AFC's FOIL request, the DOE provided data on each school attended by each student who was homeless during each of the three school years. The DOE coded each school either "Local," indicating the school close to the temporary housing location, or "Origin," indicating the school the student attended previously or the school attended when permanently housed. Students for whom the only school attended was a "Local" school were counted as having transferred once, and one school transfer was added for students who attended several different

schools beginning with a “Local” school. The transfer rates do not take into account whether the students transferred after moving into permanent housing.

¹³⁰ Data provided by the DOE in response to AFC’s FOIL Request.

¹³¹ The surveys asked parents who transferred their children to a local school which of the following reasons explained their decision: “You were told by the Department of Education worker you had to; The commute to the old school was too far; You didn’t have the time to go with your child to the old school (because of work, housing appointments, etc.); You didn’t have money to pay for carfare to go with your child to the old school; You didn’t like the old school; Other.” Parents were asked to pick more than one reason if applicable.

¹³² Data provided by the DOE in response to AFC’s FOIL Request.

¹³³ 13.4% of first graders who stayed in the school of origin were held over compared to 19.5% who transferred schools.

¹³⁴ 8% of second graders who stayed in the school of origin were held over compared to 16% who transferred schools.

¹³⁵ 17% of eleventh graders who stayed in the school of origin were held over compared to 23% who transferred schools.

¹³⁶ Some of the responses from shelter providers were received in late August before the new transportation policy, described below, was put into effect.

¹³⁷ This announcement was made almost a year after the Homeless Education Working Group, housed at AFC, brought this problem to the attention of the Human Resource Administration (HRA), the New York City agency that oversees these centers, the DOE, the State Education Department, and the Office of Temporary and Disability Assistance—the New York State agency that oversees the Human Resource Administration.

¹³⁸ All age and distance requirements that normally apply for students seeking full-fare MetroCards are waived for students in temporary housing. New York City Department of Education Chancellor’s Regulation A-780.

¹³⁹ *Id.*

¹⁴⁰ Data provided by the DOE in response to AFC’s FOIL Request.

¹⁴¹ For example, well after the new transportation policy went into effect, as recently as November 2005, AFC has heard reports of family assistants continuing to direct parents in temporary housing to public assistance centers to apply for transportation assistance to accompany their children to school. And in February 2006, AFC heard from one STH Coordinator who mistakenly believed that inter-district busing was not available for general education students in temporary housing.

¹⁴² The Department of Education has centralized the decision-making process for students seeking high school transfers. Instead of requesting a transfer from the previous school attended, or from the school where enrollment is sought, all students must go to a High School Registration Center to secure a transfer. Centers are located in each of the ten Regional offices and in additional locations during the month of September.