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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

## ***Ahead of City Council Oversight Hearing, Legal Aid Society Calls on the City to Address Severe Educational Failures in Juvenile Detention Facilities***

(CITY HALL) — The Legal Aid Society released [testimony](#) today ahead of a New York City Council [oversight hearing](#) on educational access in New York City’s juvenile detention centers, urging immediate action from the City to address systemic barriers to education for young people incarcerated in the City’s juvenile detention and placement facilities.

Legal Aid represents approximately 90 percent of youth involved in New York City’s juvenile and adult legal systems, and clients and their families report persistent failures by the Administration for Children’s Services (ACS) and New York City Public Schools (NYCPS) to provide legally required educational access, especially for students with disabilities.

“Youth in New York City’s juvenile detention and placement facilities, many of whom are disproportionately Black and brown, living in poverty, and overwhelmingly students with disabilities, are being systematically denied access to the education they are legally entitled to receive,” said **Melinda Andra, Attorney-in-Charge of the Education Advocacy Project at The Legal Aid Society**. “We consistently hear from the young people we serve that they are not taken to school, that entire units are kept from attending because one or two young people refuse, and that instead of instruction they are handed packets no one explains or reviews. The City is failing in its most basic obligation to provide these young people with not only consistent access to school, but appropriate special education services and meaningful transition supports when they return to their communities.”

Young people collectively missed thousands of days of school at Passages Academy, the New York City public school program that serves students in juvenile detention and placement. These absences were largely caused by ACS or its contracted agencies failing to transport them to class. Many reported that if one peer refused to attend school, the entire unit would be kept back, leaving them with only unmonitored paper packets instead of instruction. As [reported](#) last month, there remains severe and well-documented overcrowding in secure detention, where young people are sleeping on plastic “boats” in hallways and classrooms and at times are not enrolled in school at all.

Over 60 percent of students at Passages have documented disabilities, yet they are denied services they are entitled to under federal law, including the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, a civil rights statute that prohibits disability-based discrimination and requires schools to provide the accommodations and services students need to access their education. The City routinely fails to conduct required evaluations, update or implement IEPs (legally mandated Individualized Education Programs that outline a student’s needs and the services and supports they must receive), or provide the related therapies these students are entitled to.

Passages employs only 13 certified special education teachers across four sites, leaving countless students without legally required instruction and supports. Many students with speech, language, counseling, occupational therapy, or paraprofessional mandates receive no services at all while in detention.

Legal Aid also detailed ongoing failures in transitioning youth back to their community schools after release. Many are discharged with no updated IEP, no placement information, and no coordinated communication between Passages and the receiving school, leading some students to be turned away when they try to return.

Legal Aid urged ACS and NYCPS to take immediate steps to:

- ensure consistent, daily access to school for all youth in detention and placement;
- conduct required initial, annual, and triennial evaluations for youth with suspected or documented disabilities;
- provide special education and related services in accordance with federal law; and
- develop robust, individualized transition plans so every student leaves detention with a clear school placement and current IEP.

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*The Legal Aid Society is a nonprofit organization that exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For nearly 150 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities.*

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