

Center for *Children's* Advocacy

Testimony of Stacey Violante Cote, Director, Teen Legal Advocacy Project, Center for Children's Advocacy to the Education Committee

Raised House Bill No. 5553 An Act Concerning Elementary and Secondary Education Issues

This testimony is submitted on behalf of the Center for Children's Advocacy, a statewide private, non-profit legal organization. The Center provides holistic legal representation for poor children in Connecticut's communities through individual representation and systemic advocacy. I am an attorney at the Center and Director of the Teen Legal Advocacy Project, where I provide direct legal representation to teens throughout the state. In addition, I am the chair of the Homeless Youth Workgroup of the Reaching Home Campaign, the statewide campaign for preventing and ending homelessness.

I write today to urge you to amend Bill No. 5553, An Act Concerning Elementary and Secondary Education Issues, to include language that would remove the barriers that homeless students are facing in our schools. Specifically, language is needed to:

- ensure the State Department of Education has a plan to address the needs of these students;
- provide an opportunity for the Legislature and the State Board of Education to review this plan as well as the State's progress in identifying these students; and lastly,
- allow students who are on their own to access and release their own school records. (Please see attached suggested amendments.)

CT ranked 49th in the country in identifying and educating homeless students in a 2015 study from the Institute for Children, Poverty & Homelessness:

http://www.icphusa.org/PDF/americanalmanac/Almanac2015_017_Connecticut.pdf.

This Study utilized objective measures to determine if states are fulfilling federal obligations under the McKinney-Vento Homeless Assistance Act to identify students who are homeless. It reviewed key indicators and measured against poverty percentages in creating a national ranking system. The Study warns that a low statewide number of homeless students often does not mean that there are less students experiencing homelessness; it may mean that schools are not identifying these students. That is the case in Connecticut, as seen by our ranking as second to last in the country. Only Hawaii is worse than us. (Please see attached Study.)

We also know this is the case from our recent data. In 2013, Yale University's Consultation Center, interviewed 98 homeless youth in Connecticut and found:

- 25.5% were special education students;
- 29.6 % had dropped out of school; and
- 10.2 % reported that their school told them they could no longer attend.
- For students who were attending school, they found school to be an important source of support.¹



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¹ Gordon, D, Hunter, B. (2013). "Invisible No More: Creating opportunities for youth who are homeless." Pp 13-14. Available at: <http://www.psychousing.org/files/InvisibleNoMoreReport.pdf> .

Students who are experiencing homelessness and housing instability often do not know that they have legal rights to stay in the school they were attending before they became homeless or to get special supports. It is this lack of knowledge that contributes to them remaining silent about their

living situation, performing poorly in school and ultimately dropping out. It is crucial that schools identify these students through best practices published by the National Association for the Education of Homeless Children and Youth or other support organizations and provide awareness and education in our schools. Furthermore, recent federal law ("Every Student Succeeds Act", PL 114-95) requires states to monitor school districts' identification of homeless students. Now is the time for us to specify those requirements.

Another common problem is the difficulty faced by students who are minors and on their own (termed "unaccompanied homeless youth" in the law) who need access to their own education records in order to progress academically and get access to other supports (ie: counselors, tutors, legal advocacy). The federal law requiring that educational files be kept confidential ("Federal Educational Rights and Privacy Act" (FERPA)) does permit states to extend rights to students who are under age 18 as long as any action does not supersede the rights of parents. However, without an explicit law stating such rights, most school districts do not allow students to access their own records or consent to their release. Implementing these provisions would make Connecticut law in-line with protections and rights afforded under the federal McKinney-Vento law which already grants "unaccompanied homeless youth" many rights including: the right to enroll in school on their own, the right to choose which school options are in their best interest, and the right to challenge a school district's denial of their homeless status through a residency hearing.

Lastly, I would be remiss if I didn't share the voices of the students experiencing homelessness. Theresa is one such student who is 17 years old and cannot live at home due to safety concerns with an unstable sibling in her home. She is staying with a friend in a different school district. She did not know that she had a legal right to transportation so she often did not attend school when she did not have bus fare. She also had a recent trauma occur, in addition to not being able to live at home, and is in need of counseling support. However, she cannot access her own educational records to determine the exact number of absences or release her educational records to her supports (legal or counseling). As a result of all these barriers, she is currently failing in school.

I urge you to provide protections for these extremely vulnerable students.

Respectfully Submitted,

Stacey Violante Cote
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