



COMMUNITY EDUCATION COUNCIL DISTRICT 3

154 West 93rd Street New York, New York 10025 - Room 204 Tel (212) 678-2782 Fax (212) 678-2804 Email: CEC3@schools.nyc.gov

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Resolution Calling on NYC to Suspend the 60-Day Stay Shelter Rule for Families with Children living in Temporary Housing

(Approved at the Dec. 13, 2023 Calendar Meeting by all Council members present (8) at the time of the Roll Call Vote)

Sponsors: Kristin Savov, Jill Rackmill, Sharon Collins, Dr. Ting Yuan, Josh Kross, Ramata Sakho

WHEREAS, in October 2023, Mayor Eric Adams imposed a 60-day stay limit for asylum-seeking families with children housed in city shelters (60-day rule), after which families would be forced to reapply for housing.

WHEREAS, many families with children staying in shelters have received 60-day notice of eviction letters, but have not received adequate caseworker support to help find alternative housing and resettlement.

WHEREAS, many asylum-seeking families with children will become homeless 10 days after Christmas.

WHEREAS, New York City Public Schools have enrolled more than 20,000 new asylum-seeking students, including more than 1,800 students in District 3 since July 2022. For many of these students school is their only stable environment.

WHEREAS, according to [New York State Education Department guidance](#) interpreting [federal legislation](#) related to the education of children and youth experiencing homelessness, *Children and Youth who are experiencing homelessness have the following rights guaranteed under the McKinney-Vento Act:*

- *The right to go to school, no matter where they live or how long they have lived there.*
- *The right to choose between the local school close to where they are currently living and their school of origin, which is the school they attended before losing their housing or the school where they were last enrolled.*
- *The right to be immediately enrolled and to participate in school without providing any documents, such as proof of residency, immunizations, school records, or other documents normally needed for enrollment.*
- *The right to transportation to and from the school where they were last permanently housed or last attended.*
- *The right to receive free meals at school, without filling out an application.*
- *The right to access the same special programs and services, if needed, as those offered to other students who are eligible to receive them.*

WHEREAS, the new rule will move homeless children from one shelter to the next every 60 days – to locations that may be far from the schools where they are currently enrolled and where transportation challenges will make it impractical or impossible to remain at their current school. Therefore, the 60-day rule is a policy that creates “barriers to the enrollment, attendance, and opportunity to succeed in school for homeless children and youth” that is inconsistent with 2015 amendments to the McKinney Vento act mandating that school districts remove such barriers.

WHEREAS, city shelters are at capacity and the Mayor has announced a plan to house 500 families with children in a semi-congregate facility at Floyd Bennett Field, even though New York City's Right to Shelter Laws prohibit housing families with children in congregate shelters.

WHEREAS, the Mayor has announced that the city is working to identify large outdoor spaces to construct additional shelters to house asylum seekers in make-shift shelter conditions.

WHEREAS, school bus delays and driver shortages have been endemic over the last several years creating significant barriers for students who wish to attend their school of origin after moving to a new shelter.

WHEREAS, Metrocards are often delivered late or in inadequate numbers for families who do not have school bus service and must rely on public transportation.

WHEREAS, many asylum-seeking families, including children, have experienced immense hardship and trauma - arriving after long journeys to escape violence, persecution, and natural disasters and forcing children to relocate mid-year will be detrimental to their mental health and well-being.

WHEREAS, the UFT has urged the Mayor to reassess the 60-day rule stating that it will further traumatize homeless children and undo the significant work that teachers and school communities have put into building relationships.

WHEREAS, forcing children to relocate mid-year will be detrimental to their educational progress, forcing them to start over again, with new assessments, teachers, classmates and curricula.

WHEREAS, schools already struggling to accommodate new arrivals will now face a "revolving door" of students who may be abruptly relocated after they have been enrolled. This is disruptive to individual school classrooms and entire school communities, and to vulnerable young students who need stability. These disruptions impact all students and hurt their chances at Bright Starts and Bold Futures, the core goal of Chancellor Banks' vision for our schools.

WHEREAS, the revolving enrollment door will wreak havoc with schools' budgeting, planning, and allocation of resources and personnel.

WHEREAS, the only way for schools to receive the necessary funding for new students enrolling after the October 31 cut-off date is through an arduous appeals process which creates uncertainty and delays for school staff and the students they serve;

THEREFORE, BE IT RESOLVED that CECD3 calls on The City of NY and the Mayor to rescind the new "60 day rule," requiring families with vulnerable young children enrolled in NYC public schools, who have experienced trauma, to relocate from the shelters where they are currently housed and schools where they are currently enrolled.