

**2022 Joint Legislative Budget Hearing**

Higher Education

February 7, 2022

My name is Jayne Bigelsen, and I am the Vice President of Advocacy at Covenant House New York (CHNY), where we serve runaway and homeless youth (RHY) ages 16 to 24. I would like to thank the New York State Legislature for the opportunity to submit written testimony for the Higher Education budget hearing.

CHNY is the nation's largest, non-profit adolescent care agency serving homeless, runaway and trafficked youth. During this past year, CHNY served over 1,600 young people in our programs. On a nightly basis, we provide shelter to approximately 200 young people, including, LGBTQ youth and pregnant women and mothers with their children as well as survivors of human trafficking/commercial sexual exploitation. Our youth are primarily people of color and over a third of our youth have spent time in the foster care system. Many of our youth have experienced abuse or neglect at the hands of parents or other caregivers, and a disproportionately high percentage of our youth struggle with the pervasive impacts of trauma, mental health issues, and substance abuse. We provide young people with food, shelter, clothing, medical care, mental health and substance abuse services, legal services, high school equivalency classes and other educational and job-training programs, as well as a safe house and specialized services for survivors of human trafficking/commercial sexual exploitation. All of

these services help young people overcome the trauma of abuse, homelessness and exploitation and move toward stability.

### **RHY Funding**

As the world continues to endure Covid 19, sadly but unsurprisingly, data from the pandemic has demonstrated that minority groups have been especially hard-hit and have faced a larger death toll respective to their representation in the greater population. As we know too well, global and national crises shine a spotlight on the inequalities that exist in our society with the most vulnerable among us often faring the worst. At CHNY, the most vulnerable among us are exactly who we serve: young people without homes, financial support, adequate vocational or educational skills and little-to-no safety net before they reach our doors. Our direct service staff cannot work from the safety of their home, and instead are essential workers who must directly care for our young people at our 41<sup>st</sup> St. and Bronx based shelters.

Many CHNY youth lost employment during the pandemic and mental health symptoms were exacerbated in an already traumatized population. Our talented workforce development and mental health teams were able to quickly pivot to find employment for our youth in industries less affected by the pandemic and seamlessly transitioned to providing teletherapy and socially distanced support groups. They also ensured that mental health support was available to our young people 24/7. But all of these additional services come at an increased cost.

For the last decade, NYS funding for RHY has been abysmal with a budget of less than \$5 million for the entire population of young people experiencing homelessness across the state.

OCFS funding for this population in 2020 was less than it was in 2007, despite in an overall increase in the number of beds. This means NYS is paying less per bed at the same time as RHY providers are incurring more costs. We were therefore incredibly grateful to Governor Hochul for proposing an increase of \$2 million dollars to RHY funding across the State. She is the first Governor to propose such an increase, and we are pleased that the Administration is committed to fighting youth homelessness. However, even with the proposed increase, the NYS RHY budget would still be under \$7 million, which is simply not enough to meaningfully reduce youth homelessness. Along with the Coalition for Homeless Youth, CHNY is requesting an increase of \$17 million to NYS RHY funding which is much closer, although still short of, the true costs of serving this vulnerable population.

#### **COLA increase for Human Service Workers**

First and foremost, we are asking that our essential workers/direct care staff, who have risked their lives every day of this pandemic caring for our young people experiencing homelessness and other vulnerable New Yorkers be paid a living wage. New York State has cut human services local aid since 2012. Sadly, it is the human services workforce that bears the brunt of the reduced funding, thereby leaving the average human services employee living at or below the poverty line. It is simply unacceptable for essential workers with full-time jobs, who are jeopardizing their own health to serve others in this pandemic, to be living at the poverty line. Additionally, low and stagnant wages due to insufficient state and city funding cause staff turnover rates in parts of the nonprofit sector that are over 40%. High turnover rates are detrimental to the young people we serve as it is important that our youth develop rapport with the adult staff who act as mentors and guides as they rise out of poverty. Frequent staff

changes can disrupt that rapport and make it more difficult for youth experiencing homelessness to leave poverty behind. We are therefore asking for a 3% increase on contracts and rates for the next five years.

## **Lifting Homeless Youth Out of Poverty**

### **College Transcripts**

In addition to funding for much needed services and staff for the RHY community, changes in policy and law are needed to remove some of the obstacles in our youth's ability to overcome poverty. For many youth, higher education is the most important tool in their quest for self-sufficiency and independence. However, it is an undisputed fact that the cost of a college education is exorbitant even for youth who are not experiencing homelessness. Many of the young people we work with are often recruited by private for-profit colleges that do not provide an adequate education. Others have attended reputable private non-profit colleges and universities, often with some parental financial support, only to later have that support taken away by parents after coming out as a member of the LGBTQIA community. This can leave them with insurmountable levels of debt. Overall, there are myriad of reasons why are young people fall behind in tuition payment.

At Covenant House, we often encourage our young people to transfer to NYC and NYS colleges which are significantly less expensive. However, when students leave school and owe a past debt to their previous college, whether an unpaid tuition bill, or an overdue library fee, colleges withhold official transcripts as a tool for debt collection. The consequences of losing access to their transcript are severe: transcripts are often needed to transfer to another

college, receive credit for completed courses, complete degrees, obtain certain professional licenses, and secure a job. How do colleges expect the debts to be paid off if a young person cannot complete their degree or obtain living wage jobs due to their inability to pay prior college debt? We support Governor Hochul's Executive Budget proposal (ELFA, Part I) to end transcript withholding by private institutions of higher education, including her Executive action to ban the practice for SUNY and CUNY schools. We also support the existing legislation that would ban this practice by all institutions of higher education in New York (S5924/A6938A.) CHNY supports these efforts to end the poverty cycle created by this hidden form of debt collection and ban the practice of transcript withholding.

## **Health Care**

### **Consent for Health Care of youth under 18**

Under New York law, children under the age of 18 need the consent of a parent/guardian for most health care decisions. This make sense when a minor is being appropriately cared for. Unfortunately, 16- and 17-year-olds who are living in a RHY shelter are in a legal limbo. This is because they are living separately from their parent/guardian who often cannot or will not care for them, and yet the RHY shelter staff has no legal authority to act as the minor's guardian. For most health matters other than reproductive and mental health care, doctors are only allowed to treat minors without parental consent if the situation is considered urgent. This means that technically under the law, a doctor cannot treat a 16–17-year-old for a minor medical problem, such as an infection, without parental consent, until the infection has turned into an emergency and becomes life threatening. This is not only nonsensical but can place the child's life in danger.

Additionally, transgender 16- and 17-year-olds without a parent to consent for them must wait until their 18<sup>th</sup> birthday before they can receive hormonal therapies. The True Colors

Fund, a national organization dedicated to combatting LGBTQ youth homelessness, has recommended that New York State enact law that would explicitly allow unaccompanied youth under 18 to apply for health insurance coverage and receive health care without parental consent. Transgender youth, who have received medical counseling and information, should not be made to wait for hormonal therapy that is crucial to their wellbeing, simply because they do not have appropriate parental care. CHNY is therefore seeking legislation that will allow youth living in a RHY shelter or under the care of child welfare the right to consent to their own medical care, including gender affirming care. Eventually, we would like to see that right extended to young people living at home who have parents who are not supportive of their LGBTQI identity. We are supportive of the Governor's Executive Budget proposal contained in HMH, Part P, which recognizes the need for youth in RHY shelters to be able to make their own health care decisions. We also support efforts that will expand the right to consent to medical care to any young person who has been informed of all options and can understand the medical consequences of their decisions.

### **Partial Decriminalization of Prostitution**

There is a movement by a small but vocal coalition of people who are advocating for the full decriminalization of prostitution in NY State. The passage of such legislation would be especially dangerous for youth experiencing homelessness. At CHNY, we see every day how pimps and other traffickers/exploiters target young people experiencing homelessness. Decriminalizing the buying or promoting/pimping of sex would increase the numbers of sex buyers and put more money into the hands of pimps and traffickers, thereby giving them more financial incentive to exploit greater numbers of vulnerable people, especially homeless youth. On the other hand, treating those who sell sex as criminals is not in the best interest of justice. We therefore are hopeful that NYS will pass the Sex Trade Survivors and Justice Act, S6040/A7069, which will decriminalize those who sell sex and offer services to those who wish to leave the sex trade while still holding sex buyers, promoters and other exploiters accountable.

We thank you for the opportunity to submit this written testimony.

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