



ANNUAL REPORT

2023

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## ABOUT NCYL

**NCYL's vision is a world in which every child in America thrives and has a full and fair opportunity to achieve the future they envision for themselves.**

Founded as a nonprofit law firm during the civil rights movement in 1971, over decades NCYL's work has evolved to include legal advocacy, policy advocacy, coalition building, direct service work, and community building.

We are transforming systems – classrooms, courts, the justice system, and health care spaces – to extend equity, dignity and care for children and youth.

## MESSAGE FROM EXECUTIVE DIRECTOR SHAKTI BELWAY

I am thrilled to be NCYL's Executive Director during this exhilarating time of progress for our organization and the movement for children and youth as a whole.

As the first woman, the first person of color, and the first mother in this role, I look forward to working with our staff, community partners, and supporters as we continue to break barriers together.

Three months into the role of Executive Director, I now know more than ever how important our work is to our shared future.

*Every child is extraordinary and holds within them immense potential and a chance. A chance for us to work collectively and in partnership with children and youth to build a better world.*

NCYL's unwavering mission is to help children and youth reach that potential, both for themselves and to build that better world.

On the pages that follow we share highlights of our work. From our roots as a small nonprofit law firm, we've evolved over the last five decades, achieving incredible milestones. Our victories expanding the care and dignity afforded to children and youth are made possible by their determination and courageousness.

We are honored to be trusted partners, and will proceed into 2024 with admiration and respect for young people in our nation who are most directly impacted by injustice, unfairness and denial of opportunity.

This is a new era — for all of us, as well as for the children and youth we serve. I am honored and excited to stand with youth as we build a future where justice, fairness, and dignity are extended to all children and youth, from coast to coast.

We stand ready to confront new challenges in partnership with you.



**SHAKTI BELWAY**

# OUR WORK

## CENTERING YOUTH AS WE WORK FOR A MORE JUST, EQUITABLE, AND COMPASSIONATE SOCIETY

*The National Center for Youth Law believes in the incredible power, agency, and wisdom of youth.*

For more than 50 years, we have worked to center the voices and experiences of youth blocked from educational, health, and social well-being opportunities, particularly Black youth and youth of color, LGBTQ youth, disabled youth, immigrant youth, and youth in child welfare and juvenile justice systems.



### LEGAL ADVOCACY

We work strategically and collaboratively with impacted children and youth, families, communities, co-counsel and organizational partners, and courageous, history-making plaintiffs to bring impact litigation that transforms lives.

### POLICY ADVOCACY

We lead policy advocacy at the federal, state, and local levels in partnership with youth and communities. Our work includes policy development, lobbying, and community organizing.

### COLLABORATION & PARTNERSHIPS

We build coalitions, grassroots infrastructure, and government partnerships to advance youth-centered policies and implement practices that support children and youth well-being.

### YOUTH-LED INITIATIVES

Working directly with young people, we prioritize lived-experience experts and community members throughout our work.

# DEEP EXPERTISE ON THE ISSUES THAT AFFECT CHILDREN & YOUTH

NCYL staff are experts in their focus areas and are frequently asked to share their expertise and recommendations with public and private partners. In 2023, NCYL was called on to share its expertise in local, state, and national forums, including:



Throughout 2023, NCYL also hosted virtual and in-person seminars and trainings as part of its own robust public programming, reaching thousands on the issues at the forefront of advocacy in partnership with and for children and youth.

1

A national conference convened by HHS Office of Population Affairs

2

Forum convened by The MacArthur Foundation

3

Advancing Child Rights Strategic Litigation Project “Exploring ‘Wins’ in Child Rights Strategic Litigation”

4

American Bar Association & Kids in Need of Defense “Unaccompanied Children’s Service Provider Training”

5

Vera Institute of Justice, Acacia Center, & Young Center’s “Cross-System Convening to Better Serve Unaccompanied Youth with Mental Health Disabilities and Trauma-related Care Needs after Release from ORR Custody”

# ADVOCATING FOR EQUITABLE, SAFE & POSITIVE EDUCATION ENVIRONMENTS FOR ALL CHILDREN AND YOUTH



## FIGHTING AGAINST THE GROWING ATTACKS ON EDUCATION

NCYL is working to highlight the anti-critical race theory (anti-CRT) movement as more than isolated book bannings by parent groups, but to frame the growing effort as part of a burgeoning anti-civil rights and anti-human rights campaign.

**Through the Education Civil Rights Alliance, NCYL is facilitating collaboration with more than 80 organizational members to address these harmful policies and practices, which include broader issues of censorship and anti-equity policies that contribute to hostile school environments for students, especially students of color and LGBTQ youth.**

NCYL is also working to identify school district-level resource inequities that contribute to learning and opportunity loss for groups that have been historically discriminated against in thousands of districts across the country, and to confront and remedy the school to prison pipeline.

This year, NCYL also issued a national report, published numerous op-eds opposing such legislation in several states, and presented on the anti-CRT movement to the UN Forum on People of African Descent. Several of its Teachers-of-the-Year Fellows also testified against anti-CRT legislation in 2023, including helping to stop a bill in Tennessee.

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## HIGHLIGHTING RACIAL DISPARITIES IN RATES OF LOST INSTRUCTION IN THE CONTEXT OF SCHOOL DISCIPLINE IN CALIFORNIA

NCYL's joint publication (with CCRR at UCLA) on school discipline in California highlights the racial disparities in rates of lost instruction due to out-of-school suspension among youth who are homeless, in the foster system or from economically disadvantaged backgrounds.

***In California, Black youth in the foster system lost more than 120 days of educational instruction due to disciplinary exclusion.***

The report highlights how school discipline especially harms students whose lived experience reflects the confluence of racial discrimination with other categories of disadvantage, such as lower income, homelessness or the foster system. The data in the report were shared with advocates and directly used in two disparate discipline lawsuits against the California Department of Education for inaction on this topic.

# NCYL's Compassionate Ed Systems Monterey model increased graduation rates to

# 95.1%

## MAJOR, MEASURABLE IMPACT IN CALIFORNIA

NCYL's Compassionate Ed Systems Monterey model has proven that innovative and compassionate approaches to education can produce extraordinary results: **the model has increased graduation rates to 95.1% (+ 12.7%) and decreased suspension rates to 0.1 (- 4.8%)** for all students experiencing homelessness within Monterey Peninsula School District, even as that population has grown from 11% to 22% of the district population. In 2023, NCYL was invited to present its Monterey model to leaders across the state at the Statewide California Homeless Education Conference.

Across California, NCYL strengthened collaboration across community and public agencies to ensure that youth have a meaningful voice in educational decisions made on their behalf, feel welcome in their school communities, experience greater school stability and receive increased access to internships, workforce training, and other opportunities to achieve their career aspirations. NCYL Education Liaisons – co-located in school districts, child welfare agencies and community settings – engaged in deep partnership to ensure that **more than 760 students received individualized advocacy** across Los Angeles, Monterey and Santa Clara counties, engaging 1,480 family members, teachers, social workers in service to significant educational goals for students.

NCYL also expanded its impact through its youth-centered work this year, **launching a youth advisory board** in Monterey and a California Youth Connection chapter in the Antelope Valley.

## STATEWIDE REACH AND IMPACT, FOSTERED ARIZONA

In Arizona this year, NCYL helped to produce a statewide report analyzing the education outcomes of students in foster care across the state. In 2023, NCYL worked in several counties to support nearly 500 students, engaging more than 1,376 adults as advocates for these students, celebrating the completion of nearly 775 significant educational goals and milestones for youth. Since 2017, NCYL has directly served nearly 2,000 youth in 88 school districts across Arizona.

**In 2023, NCYL hosted Arizona's first ever statewide Foster Care and Education conference, with sold out attendance of 500 professionals and advocates across the state – students, teachers, social workers, family members and community advocates.**

Over the last year, NCYL has also provided 1:1 expert council to more than 850 professionals and trained more than 1,500 teachers, social workers and other professional on laws and practices that support educational needs of students in foster care, while also directly serving 480 youth in foster care over the past year.

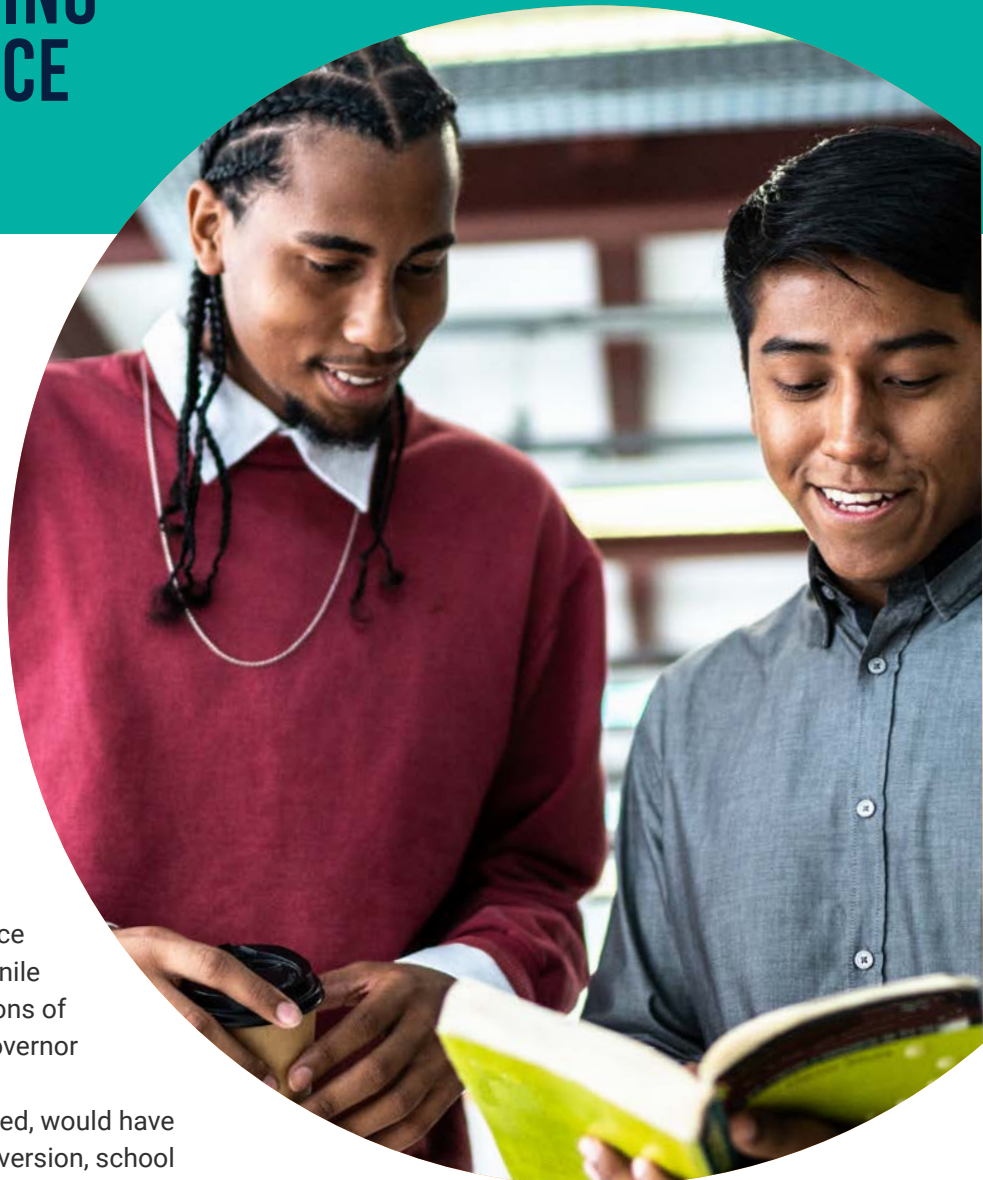


# FIGHTING FOR JUSTICE & EQUITY AND TRANSFORMING THE YOUTH JUSTICE SYSTEM

## ADVOCATING FOR NEW LAWS THAT CENTER YOUTH

In California this year, NCYL helped pass two key bills:

- **AB 505** created more opportunities for community involvement in local implementation of reforms realigning the state juvenile justice system and increased the authority of the Office of Youth and Community Restoration and the Juvenile Justice Ombudsperson to investigate juvenile facilities and allegations of violations of incarcerated youths' rights. The governor signed this bill.
- **AB 912**, which was ultimately vetoed, would have allocated \$220 million for youth diversion, school based mental health, and community violence reduction programs across the state. It was vetoed for budgetary reasons, but NCYL will continue to fight for the reforms reflected in the bill.



NCYL also continues to focus on under-served regions of the state, including the Central Valley, South Bay Area, and the Inland Empire, and was awarded a grant from the California Office of Youth and Community Restoration for \$400,000 over two years to build the capacity of community-based organizations in underserved regions to serve youth involved in or at risk of involvement in the juvenile justice system.

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## BUILDING INFRASTRUCTURE IN COLORADO

NCYL has established and mobilized a first-of-its-kind statewide youth justice advocacy coalition in Colorado that seeks to establish a minimum age of juvenile court jurisdiction at age 13 and advocates for increased resources and opportunities for youth development outside of the juvenile justice system. **That coalition now includes approximately 40 community organizations working on youth justice issues.**



#DEBTFREEJUSTICE

# \$480 million in fees & fines eliminated

NCYL's work with the #DebtFreeJustice campaign has helped unburden families of almost half a billion dollars in fees and fines

## WORKING TO CREATE MORE EQUITABLE SYSTEMS

In 2023, NCYL launched the first cohort of six Debt Free Justice (DFJ) Transformative Justice Fellows, justice-impacted transition aged youth who have committed to strengthen DFJ's efforts to end court fees and fines.

In Illinois and Michigan, NCYL worked this year with Debt Free Justice coalition partners to secure passage of critical legislation. In Illinois, **SB 1463** eliminates fees and fines imposed against youth and their families, including youth transferred to adult court and automatically cancels outstanding debt and collection efforts. In Michigan, **SB 428/429** and **HB 4636/4637** abolish most fees and fines in the juvenile justice system and are part of a package of historic youth justice reforms.

NCYL also received final approval of the class action settlement in *Freeman v. Riverside County*, the first class action case in the country to result in reimbursement of families for illegally charged juvenile court fees.

## LEGAL ADVOCACY AGAINST THE TRAUMATIZATION OF STUDENTS

In 2023, NCYL also settled *Black Parallel School Board vs. Sacramento City Unified School District*, a case which addressed imposing excessive exclusionary discipline for behaviors caused by student disabilities, especially Black students with disabilities. Through the settlement, the District will engage an expert team to achieve student inclusion on a wide range of metrics.

NCYL's litigation against Florida's Palm Beach County School District also saw major developments in 2023. NCYL's claims were largely sustained in a court opinion that is among the first to address multiple legal questions concerning the use of involuntary psychiatric examination on schoolchildren. These include whether parents have a right to consent to such examination, when it is illegal to handcuff children during transportation to a psychiatric hospital, and whether failure to use known deescalation strategies can be disability discrimination.



# WORK TO ENSURE THAT ALL CHILDREN HAVE EQUITABLE ACCESS TO WHOLE-HEALTH CARE AND SUPPORT THAT MEETS THEIR PHYSICAL, EMOTIONAL AND PSYCHO-SOCIAL NEEDS



## INCREASING EQUITY IN ACCESS TO CARE AND FOCUSING ON PUBLIC EDUCATION FOR THE CRITICAL EARLY YEARS

In 2023, NCYL co-sponsored and led a coalition supporting **AB 665**, a landmark California bill that increases equity in access to mental health care by ensuring that youth ages 12 and older using their Medi-Cal benefits need not meet a higher standard than their privately-insured peers in order to self-consent to outpatient mental health services. The bill was signed into law by Gov. Newsom, **expanding access to mental health services for millions of young people**

At the end of 2023, NCYL also launched **an innovative podcast on early childhood mental health and well-being, *A Flourishing Start***, to help educate and empower families and communities supporting children ages 0-5.

## CREATING VALUABLE RESOURCES FOR SCHOOLS, HEALTHCARE PROVIDERS, AND LAWMAKERS

- Published a **Youth Insights Report and Supportive Schools Toolkit**, informed by input from 90+ middle and high school students.
- Released the **Foster Friendly HealthCare Toolkit**, to help healthcare providers center youth in their individual practice and champion change within their clinics and health care systems.
- Authored and issued **state-specific guides to adolescent health access law** for family planning and school-based health care providers in Montana, Indiana, Arkansas and Nevada, in collaboration with community providers and partners.

# Centering youth & educating the public

In 2021, California Governor Gavin Newsom signed the Healthy Futures for Foster Youth Act (AB 172) into law. **AB 172** was a historic win for foster youth and their advocates. It requires the California Department of Social Services and the Department of Health Care Services to release an annual report detailing reproductive & maternal health outcomes for youth in care. The first report was released on September 26, 2023. In addition to an initial report response, [NCYL's Reproductive Health Equity Project hosted a webinar to break down the data and share policy and practice recommendations.](#)

NCYL also continued its production of two landmark podcasts: [Fostering Parenthood](#), which helps caregivers talk with youth and teens in foster care about their sexual health and reproductive rights, and [Self Taught](#), a podcast for foster youth, from foster youth, with unfiltered conversations about sex, health, and life.



# INNOVATING COLLABORATIVE RESPONSES TO COMMERCIAL SEXUAL EXPLOITATION

## CENTERING THOSE IMPACTED BY CSE

In 2023, NCYL co-led **an Advisory Board of lived experience experts**, which has completed 120 consultations in the three years directly influencing policy and practice. The Advisory Board was recognized on the floor of the California Senate for its contributions as well as by the California Child Welfare Council. NCYL continued centering youth by co-hosting a Virtual Art Gallery featuring the art by individuals impacted by commercial sexual exploitation.

## CREATING INNOVATIVE PRACTICES ON THE GROUND

This year, **NCYL produced a Victim Witness Testimony Protocol to support young people called to testify against their exploiters in adult criminal proceedings**. The protocol defines roles and responsibilities of key individuals in a young person's life to support them prior to, day of, and post testimony. NCYL also launched a partnership with the Vera Institute of Justice and California's Office of Youth and Community Restoration to reduce incarceration of girls and gender-expansive youth.

## POLICY EDUCATION AND DIRECT PRACTICE TRAININGS

**In 2023, NCYL presented at four national conferences, held coalition meetings with more than 100 attendees each, and trained more than 300 people on harm reduction**

In addition, NCYL researched and published issue briefs focused on commercial sexual exploitation of boys and LGBTQ+ children and youth – groups of children deeply harmed yet vastly under identified and underrepresented among advocacy efforts.

## INTERNATIONAL ACCLAIM FOR EFFECTIVE EDUCATION

In 2022, NCYL developed a comprehensive toolkit for collaborative action to more effectively respond to commercial exploitation. Blending advocacy and design, the toolkit is a valuable resource to spur system change with and on behalf of youth and families. The Toolkit, which won a 2021 International Design Excellence Award, has been so well received, that in October NCYL was asked to present its approach to awareness building, advocacy, and visual design in Berlin, Germany at the Service Design Global Conference.



# DISMANTLING PRACTICES THAT HARM CHILDREN IN FOSTER CARE

## NATIONAL THOUGHT LEADERSHIP ON ENDING THE HARMS OF THE CHILD WELFARE SYSTEM

In 2023, NCYL focused its child welfare work on **promoting a national conversation and strategy about stopping and mitigating the harms of the child welfare system**, including working with a professional network of organizations and individuals focused on infant mental health to ensure young children and their parents receive non-carceral supports that are actually helpful.

NCYL also co-convened a strategy group with others working on child welfare system impact litigation to identify **new legal strategies that promote racial and social justice and support a child's constitutional right to family integrity and association**.

The national effort also included an op-ed for the Barbara McDowell Foundation on how "Ending Systemic Harm by the Child Welfare System Requires a Different Investment in Children and Families."



## PARTNERING FOR A CHILD'S RIGHT TO FAMILY INTEGRITY AND ENDING FAMILY SEPARATION

Family connections are critical to supporting the healthy development of children. Forced family separation is a harmful invention to children and their parents. The child welfare system, better referred to as the family regulation or family policing system, was historically designed to separate families and to control and punish parents of color and those living in poverty. **NCYL partnered with the ACLU on an amicus brief to the California Supreme Court arguing for the rights of children and parents to family integrity and describing the harms of family separation for young children and their parents**. Strategic partnerships also led to the passage of **SB 578**, a California bill that would require judicial officers to weigh the harms of removing children from their families at an initial court hearing.

# AT THE FOREFRONT OF PROTECTING CHILDREN IN FEDERAL IMMIGRATION CUSTODY



In 2023, NCYL worked tirelessly to uphold and expand the rights of immigrant youth detained in federal custody and to educate and guide systems that serve immigrant children more broadly.

## FIGHTING TO END UNACCEPTABLE CONDITIONS & CHILD LABOR ABUSES

After more than a year of monitoring emergency intake sites all across the United States – during which NCYL attorneys interviewed more than 170 detained unaccompanied children – NCYL issued a new briefing with recommendations to decrease the government’s reliance on unlicensed facilities and restore the protections of state licensing for children in federal immigration custody. Additionally, in response to explosive reporting that hundreds of released unaccompanied children were working in hazardous conditions, NCYL collaborated with partners to create policy recommendations for government officials and agencies.

## DEFENDING THE FLORES SETTLEMENT’S PROTECTIONS FOR CHILDREN

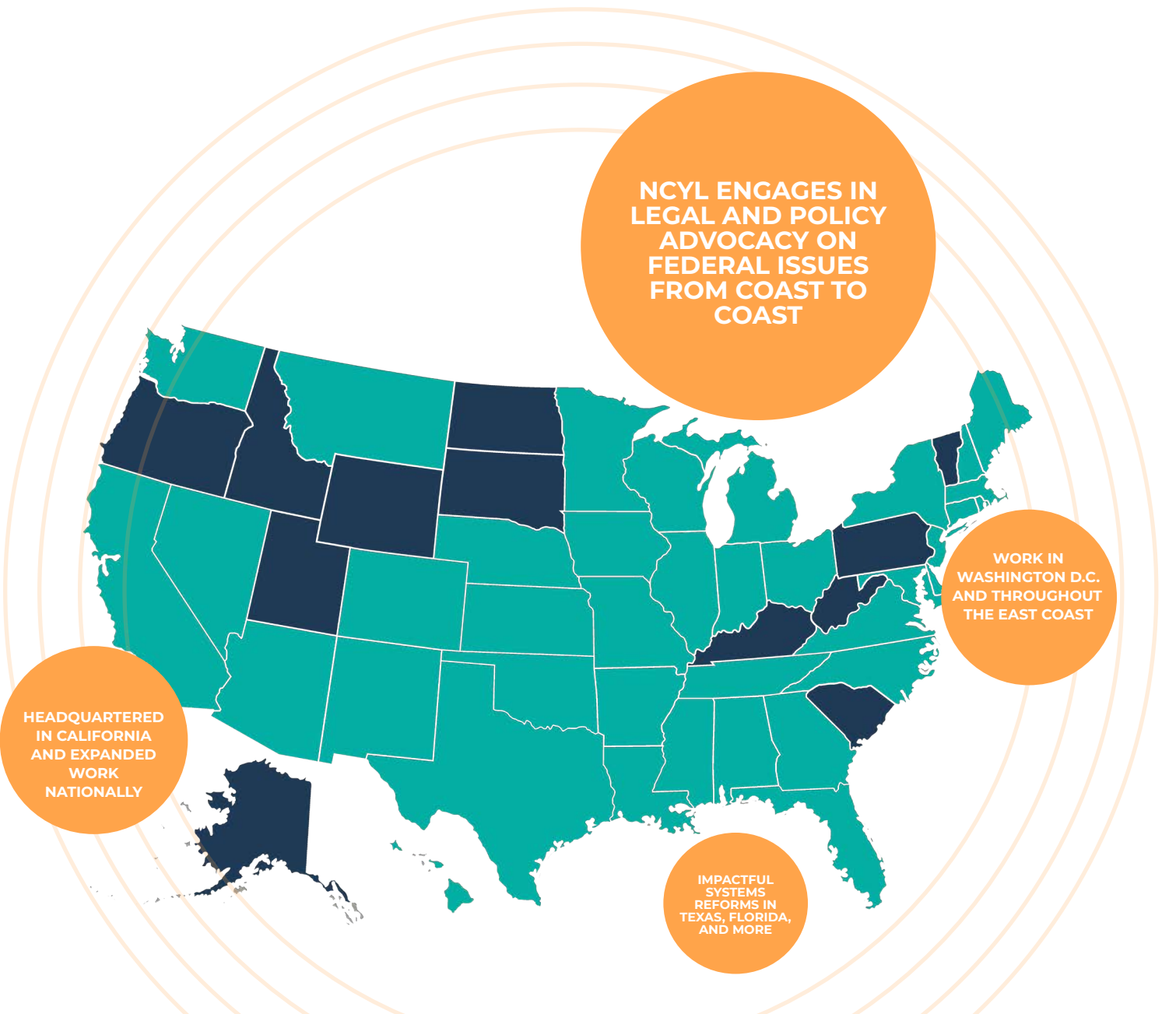
In October 2023, the Biden administration proposed regulations to codify protections for immigrant children held in government custody. The regulations could lead to the termination of parts of the *Flores* Settlement Agreement, which for more than 25 years has set minimum standards for the placement, treatment and release of immigrant children in federal custody. In response, **NCYL worked closely with a coalition of advocates to produce extensive comments on the proposed regulations to ensure that they not only guarantee the protections of the Flores Settlement, but also raise the standards of care for children to reflect the best practices in the fields of child health, safety, and development.**

### LUCAS R. LITIGATION

# Substantially expanded due process rights & protections

NCYL and co-counsel – the Center for Human Rights and Constitutional Law, UC Davis Immigration Clinic, and Cooley LLP – announced three major settlements in *Lucas R. v. Becerra*, their 2018 case challenging the federal government’s unconstitutional treatment of children in immigration custody. The three groundbreaking settlements significantly expand the rights of three classes of youth in immigration custody: youth with disabilities, youth prescribed psychotropic medication, and youth seeking assistance from legal counsel. Together, these agreements represent a fundamental shift in how the federal government treats these young individuals.

# EFFECTIVE ADVOCACY FROM COAST TO COAST



**NCYL has advocated  
in 38 states and on the  
federal level**

# MAJOR WINS ON BEHALF OF CHILDREN & YOUTH IN 2023

Eliminated more than \$480 million in fees & fines through work in the #DebtFreeJustice Campaign

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Highlighted racial disparities in rates of lost instruction in the context of school discipline in California

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Passed key bills in California, including fighting for accountability in juvenile facilities and investigations of allegations of violations of incarcerated youths' rights

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Co-sponsored AB 665 in California, a law increasing access to mental health services for millions of youth in the state's Medi-Cal program

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Produced a Victim Witness Testimony Protocol for youth impacted by commercial sexual exploitation to support young people called to testify against their exploiters and traffickers in adult criminal proceedings

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Supported the passage of SB 578, a California bill that would require judicial officers to weigh the harms of removing children from their families at an initial court hearing

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Trained more than 1,500 professionals on laws and practices that support the educational needs of students in foster care

Substantially expanded due process and rights and protections for children in federal immigration custody



# CENTERING YOUTH & MAKING AN IMPACT



*Centering youth is essential to our work at NCYL. We work to uplift youth voices by ensuring that young people are at the table, truly valuing their perspectives, and appreciating that policy and programs are their most just, equitable, and powerful when they are shaped by those who will be impacted by it.*



- Cindy Cruz, Director of Health

## DEBT FREE JUSTICE TRANSFORMATIVE JUSTICE FELLOW

"Thank you all for putting me in position to come in D.C to help with DFJ. This moment is still unreal like I say two years ago I was on my bunk [locked in a detention facility]. I'm so geeked to continue to learn about laws and policy. I really enjoyed learning the information you guys are giving me to make sure... young people have equal rights!!! This was very emotional [I was] behind closed doors from 2012-2022, 98 percent of people forgot about me and now my whole community got they eyes on me. You guys are not just changing my life you are changing...my community through me!! That's a generational difference."

## CSEC ACTION ADVISORY BOARD MEMBER

"NCYL and WestCoast Children's Clinic has been the most trauma informed space I've ever been involved in - paid or unpaid."

## ISAIAH JIRON, YOUTH JUSTICE LIVED EXPERIENCE ADVOCACY FELLOW

"Change isn't fast. The movement really takes years to generate. I learned the whole process. I learned how to influence change. There were opportunities to affect bills that I wasn't ready for at this time. But still, I learned about how to change the law. I learned how to use my influence to support a positive outcome. I also got more practice on relationship building with people who are already making change within the community."

# NCYL BOARD OF DIRECTORS

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The breadth and depth of NCYL's expertise are unparalleled, and in 2023, that expertise was on full display as our efforts had profound and positive impacts on children and youth across the country.

On issue after issue, NCYL continues to be at the forefront of impact litigation, policy advocacy, and infrastructure building to build the type of future America's youngest generation deserves.

I'm incredibly thankful for the compassion and commitment shown by NCYL's staff this year, and I'm excited to continue to work with them as we center youth and elevate young people's voices and experiences to drive change in 2024 and beyond.

**MARY BISSELL**

BOARD PRESIDENT

The logo consists of two white curved lines that meet at the top and bottom, forming a partial circle around the text.

# National Center for Youth Law

National Center for Youth Law  
1212 Broadway, Suite 600  
Oakland, CA 94612

(510) 835-8098  
[info@youthlaw.org](mailto:info@youthlaw.org)