

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON EDUCATION
COMMITTEE ON FINANCE

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October 11, 2011
Start: 10:26 a.m.
Recess: 2:44 p.m.

HELD AT: Emigrant Savings Bank
49-51 Chambers Street

B E F O R E:

ROBERT JACKSON
DOMENIC M. RECCHIA, JR.
Chairpersons

COUNCIL MEMBERS:

Robert Jackson
Domenic M. Recchia, Jr.
Lewis A. Fidler
Helen D. Foster
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Jessica S. Lappin
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A P P E A R A N C E S

COUNCIL MEMBERS:

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Julissa Ferreras
Jimmy Van Bramer
Diana Reyna
James Sanders, Jr.
Melissa Mark-Viverito
Gale A. Brewer

A P P E A R A N C E S (CONTINUED)

Dennis Walcott
Chancellor
New York City Department of Education

Veronica Conforme
Chief Financial Officer
New York City Department of Education

David Weiner
Deputy Chancellor
Division of Talent, Labor and Innovation
New York City Department of Education

Lillian Roberts
Executive Director
District Council 37

Santos Crespo, Jr.
President
Local 372

Henry Garrido
Associate Director
District Council 37

Ernest A. Logan
President
Council of Supervisors and Administrators

Michael Mendel
Secretary
United Federation of Teachers

A P P E A R A N C E S (CONTINUED)

Alonzo Shockley
Parent Coordinator
Community Prep High School

Cliftonia L. Johnson
Community Associate
Marta Valle High School

Suprina Williams
School Aide
P.S. 223

Sharon McCorkle
Parent Coordinator
John Adams High School

Latasha Murray
School Aide
P.S. 256

CHAIRPERSON RECCHIA: Everyone
calmly find their seats.

[Pause]

CHAIRPERSON RECCHIA: Good morning
and welcome to today's Finance Committee hearing.
My name is Domenic M. Recchia, Jr. I'm the chair
of the Finance Committee. Today's Finance hearing
is joint with the Education Committee, chaired by
my colleague Council Member Robert Jackson.

Before we move forward, I'd like to
introduce all of my colleagues who have joined us
here this morning. To my left, in the front row,
we have Council Member David Greenfield. Sitting
next to Council Member Oliver Koppell, Council
Member Julissa Ferreras, Council Member Karen
Koslowitz, Council Member Jessica Lappin, Council
Member Fernando Cabrera, Council Member Mark
Weprin, Council Member Lew Fidler. On the second
dais, to my right is Council Member Vincent
Ignizio, Minority Chair Jimmy Oddo, Council Member
Al Vann. To my left is Council Member Tish James,
Council Member Margaret Chin. Sitting right next
to me is my co-chair Robert Jackson. I think we
recognized everyone.

1
2 Today, we'll have an oversight
3 hearing on the impact of support staff layoffs in
4 our city schools. This hearing is in direct
5 response to the 672 Department of Education
6 employees who were laid off this past Friday. The
7 Council needs answers as to why hundreds of
8 employees will be laid off when just a few months
9 ago the Council and the Administration worked
10 together to save thousands of teachers from the
11 chopping block.

12 I was proud of the way we worked
13 together then and I want to be proud of our join
14 efforts in the future to address and prevent
15 layoffs of employees in our schools.

16 While the employees were given pink
17 slips on Friday, they were not for teachers. They
18 were, however, employees who play a significant
19 role in the advancement of our children's
20 education and their social wellbeing by
21 establishing a bridge between students, parents
22 and the community.

23 These employees include school
24 aides, family workers, parent coordinators and
25 health service aides. The layoffs of these

1 employees are dangerous because if there is a cut
2 to the number of people in the schools who perform
3 crucial non-teaching services, then only three
4 things can happen: teachers will have devote less
5 time to teaching in order to perform these non-
6 teaching services or the DOE will have to contract
7 out for these services or the services simply
8 won't get performed.

9
10 According to figures provided by
11 the DOE, they will save approximately \$26.5
12 million as a result of the layoffs. However,
13 these savings are based on their original plan to
14 layoff 777 school employees.

15 The purpose of the hearing today is
16 four-fold. We want to hear DOE explain its
17 rationale for these cuts, explain its plan to
18 continue the services provided the laid off staff,
19 detail the amount of savings realized because of
20 these layoffs, discuss future collaboration with
21 the Council to find other non-crucial ways to save
22 money within DOE, such as contract services, which
23 is budgeted for \$4 billion.

24 We have a lot of people who want to
25 testify here today, including DOE Chancellor

1
2 Dennis Walcott. So, before we hear from
3 Chancellor Walcott, I'd like to turn the mic over
4 to my co-chair, who does a great job as chair of
5 the Education Committee. My co-chair Robert
6 Jackson.

7 CHAIRPERSON JACKSON: Thank you,
8 Chair Domenic Recchia. Good morning everyone.
9 First, let me apologize. One of our leaders in
10 our community in northern Manhattan Hazel O'Reilly
11 passed away and the wake and funeral was this
12 morning. So I had to go there to extend my
13 condolences to her family. So I apologize for
14 being a little late this morning.

15 As you know, this is a joint
16 committee hearing of Finance and Education on the
17 impact of staff layoffs in school. We're here
18 today because, as you know, 672 employees of the
19 New York City Department of Education lost their
20 jobs Friday, October 7th, the largest layoff at a
21 single agency since Mayor Bloomberg took office in
22 2002.

23 The people who lost their jobs last
24 week are mostly women, mostly women of color, and
25 mostly women who live in New York City. Most work

1 as school aides or family workers in our poorest
2 communities and high-needs schools. There were no
3 high-paid administrators or consultants on the
4 layoff list. School aides make about \$13 or \$14
5 an hour. Family workers start at just about
6 \$20,000 a year. The parent coordinators who lost
7 their jobs are the big earners in this group of
8 the school-based layoff list. Their average
9 salary is \$37,000 a year.

11 The Department of Education laid
12 these people off to save \$20 million this year.
13 These layoffs are just the latest in a long-
14 lasting series of damaging cuts to schools. The
15 Department of Education imposed an across the
16 board 3.2 percent cut to school funding this year.
17 Since 2007, school budget cuts have totaled almost
18 14 percent. During this period, we'll have lost
19 thousands of teachers and other school staff,
20 greatly increased class sizes and cut away again
21 and again and again after school programs,
22 enrichment activities and academic intervention
23 services.

24 This last school cut of \$178
25 million is the first to produce school staff

1 layoffs. As part of this year's budget agreement,
2 the City Council and the UFT successfully
3 negotiated with Mayor Bloomberg to save thousands
4 of teaching jobs. However, the Administration
5 points out that schools still had to absorb a \$178
6 million budget cut and that was up to each school
7 principal to decide what to cut
8

9 But that's not the whole story.
10 About 95 percent of the laid off workers are
11 members of one union, Local 372 of District
12 Council 37. According to the "New York Times" and
13 other media reports, DC 37 workers were targeted
14 for layoffs because the union's leaders had
15 previously refused a proposal to tap a multi-union
16 health fund to help close the budget gaps.

17 I'm outraged about this, because,
18 to me, it feels like our children are pawns in a
19 political game. I am also disturbed by the fact
20 that all of the DC 37 offers to avert these
21 layoffs were rebuffed. We will be asking the
22 Administration today to explain their reactions to
23 these offers.

24 My Council colleagues and I also
25 tried to help break the impasse. The Black,

1
2 Latino and Asian Caucus held a meeting with
3 Chancellor Walcott approximately two weeks ago,
4 and Speaker Quinn spoke directly with Mayor Mike
5 Bloomberg about the layoff, all were trying to
6 communicate to avert the layoffs.

7 The Department of Education
8 maintains that the layoffs will save about \$26
9 million. And DOE revised its savings estimate of
10 \$35 million late last Friday when it remembered
11 that unemployment benefit payments would offset
12 some of the savings. However, even that estimate,
13 in our opinion, is too high. The real savings
14 from layoff is closer to \$20 million.

15 It's difficult to believe that in a
16 budget, expense budget that is, of approximately
17 \$20 billion, the Department of Education couldn't
18 find any way to save \$20 million other than laying
19 off hundreds of low-wage women who provide direct
20 service to our children.

21 Further, I believe that it is
22 likely to cost the city even more money to provide
23 social services to these workers and families than
24 the savings obtained from the layoffs. Because
25 many of these employees, they will go to social

1 services to help pay their rent. They will go to
2 social services Medicaid for health insurance.
3 They will go for child care support. Basically,
4 their whole family structures are being turned
5 upside down.
6

7 I remember, clearly, watching the
8 news where two employees that were targeted for
9 layoffs were basically communicating what their
10 lives are going to be like. One individual was
11 crying at the press conference. This is a typical
12 example of the impact that these layoffs are going
13 to have on all of these individuals.

14 My main concern is, and always will
15 be, the welfare of the 1.1 million children in our
16 great city. The laid off staff are primarily
17 frontline workers who deal directly with our
18 students and parents as well as assisting
19 teachers, administrators and other school staff.
20 The vast majority of positions affected by layoffs
21 is school aides, 438; followed by family workers,
22 100; parent coordinators, 82; health service
23 aides, 23; and community assistants, 21.

24 These workers are vital to schools
25 and our children. Two schools in my own district,

1 PS 153 in West Harlem, which is called the Adam
2 Clayton Powell Junior School and IS 195 are among
3 those hardest hit by the layoffs. Frankly, I do
4 not know how they are going to manage without
5 these essential staff members.
6

7 The big question is who, if anyone
8 will perform all these critical tasks, duties and
9 responsibilities now that these workers are gone?
10 We're here today to get answers from the
11 Department of Education to this and other key
12 questions about these layoffs and their impact on
13 schools and children.

14 In addition, we will hear testimony
15 from unions, advocates, parents and others
16 regarding their concern. Of course, as my
17 colleague had said, everyone who wishes to testify
18 today, you must fill out a slip with the sergeant-
19 at-arms, located at the entry of the room at the
20 back. To allow as many people as possible to
21 testify, testimony will be limited to three
22 minutes per person. Because we have members from
23 two committees, Finance and Education, and four
24 agencies to question, I will be asking our
25 colleagues to limit their questions and responses

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2 from the agency heads to no more than five minutes
3 per member on the first round.

4 So with that, let me turn it back
5 over to our colleague, Council Member Domenic
6 Recchia.

7 CHAIRPERSON RECCHIA: Thank you,
8 Council Member Jackson. Before we hear from the
9 Chancellor, I would like to recognize we've been
10 joined by Council Member Jimmy Van Bramer and
11 Council Member Dan Garodnick. Chancellor Walcott,
12 welcome.

13 DENNIS WALCOTT: Thank you and good
14 morning. Good morning, Chairs Jackson and Recchia
15 and all the members of the Education and Finance
16 Committee here today. I am joined by Veronica
17 Conforme, the Department's Chief Financial
18 Officer, and soon to be Chief Operating Officer,
19 and David Weiner, our Deputy Chancellor of the
20 Division of Talent, Labor and Innovation.

21 Let me begin by saying the issue of
22 layoffs is a trying and a difficult topic for all
23 of us. It has weighed heavily upon me personally,
24 the Department, this Council and of course, the
25 men, the women and the families directly affected

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2 by the loss of employment. It's not something I
3 take lightly, and that's why I have personally
4 extended myself to meet and listen to all parties
5 involved in our schools, our partners in labor
6 and, of course, the City Council. In fact, just
7 the other week my staff and I met, as the Chair
8 indicated, with the members of the Council's
9 Black, Latino and Asian Caucus to discuss this
10 very issue.

11 To this end, I am happy to answer
12 further questions and respect the Council's
13 oversight authority. But I think it's important
14 to state right at the outset that nothing has
15 changed since we all stood together on the steps
16 in Tweed Courthouse on that late June evening to
17 announce the budget agreement that, while averted
18 teacher layoffs, included 1,000 non-uniform, non-
19 pedagogical layoffs.

20 When I last appeared before both
21 Committees in early June to discuss the Fiscal
22 Year 2012 proposed budget, I was clear that
23 despite the Mayor's unprecedented financial
24 commitment to education, the massive cuts to
25 federal and state funding in education would force

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2 the City, the Department and our schools to make
3 very painful choices. I also stressed the
4 importance of us all working together to protect
5 our students and our classrooms against the worst
6 effects of this ongoing economic uncertainty.

7 We initially thought that an
8 agreement could be reached between the City and
9 the Municipal Labor Council, and as part of these
10 discussions Deputy Chancellor Weiner met with
11 Santos Crespo, the President of Local 372, on June
12 21st and warned that given our schools' history of
13 excessing school aides and other 372-union staff,
14 he could see up to 1,000 layoffs of his members if
15 we didn't find enough savings to protect schools
16 from large budget cuts.

17 Along with Deputy Mayor Howard
18 Wolfson, I also met with District Council 37's
19 Executive Director, Lillian Roberts. But, as you
20 all know, those negotiations ultimately fell
21 through, and an agreement was not reached.

22 The United Federation of Teachers,
23 the UFT, however, stepped up to the plate, and as
24 a result of the efforts of this Administration,
25 the City Council and the UFT, we were able to

garner enough savings to avert teacher layoffs.

And as we all stood together that evening at Tweed to announce and applaud the budget agreement, it was also made clear, in our remarks and our joint press release that the budget deal still included 1,000 layoffs in non-uniform and non-pedagogical titles. This was reported in every major news story on the budget agreement.

I remind you all of this history because in the past week, the Mayor and I have been accused by some Members of this Council of turning our back on our workers. We have been accused of racial insensitivity and political retaliation, despite the fact that our school budgeting process is transparent and governed by a guiding principle that school leaders, not me or the Central administration, are empowered to make the best decisions for their students.

On June 27, a few days prior to the Council's final vote on the budget agreement, I communicated with schools that the central budget office would take a minimum cut of 11 percent, while schools would experience an average

reduction of 2.4 percent.

We advised schools that, as in the past, they should prioritize funding for instructional programs and try to identify reductions in non-instructional spending areas such as OTPS and contracted services. Principals had to make and made tough decisions about their staffing and programming patterns in accordance with their respective school needs and funding availability. Most schools chose not to layoff staff and instead absorbed the cut by decreasing expenditures in OTPS and scaling back programs.

While these are school-level decisions and are not managed or dictated centrally, we provided support to all the schools during this process, including guidance on ways to absorb the cut and strategies for maximizing resources and personnel. Networks and superintendents conducted final budget reviews and approvals.

Individual layoffs in a community school district are then determined by a variety of dynamic factors, including the decisions by principals on how to absorb their individual cuts,

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2 the total number of staff members exceeded in a
3 district, the total number of coinciding staff in
4 the district, and the total number of vacancies in
5 a district, and seniority by district as well.

6 During the 2009-2010 school year we
7 had to layoff approximately 530 DC 37 workers that
8 had been exceeded because of budget cuts. In
9 2010-11, we were able to avert laying off over 800
10 additional DC 37 staff as result of an infusion of
11 federal Edu-jobs funding.

12 This August, as a result of school-
13 based decisions on staff excesses, we announced
14 that 777 workers would be laid off, and took the
15 appropriate steps to communicate this information
16 to the unions and our employees. These layoffs
17 represented a portion of the larger \$178 million
18 in savings that schools needed to identify to
19 implement their individual 2.4 percent budget
20 reductions.

21 In the past few weeks, we worked to
22 match some of those workers with vacancies and
23 experienced some natural attrition, so the final
24 layoff number was, as indicated earlier by the
25 chair, was reduced to 672 workers.

Let me be clear: no one is pleased to have to layoff workers. We understand that these are not just numbers but these are individuals with families and mortgages and bills to pay.

I also understand that they do important work on behalf of our students. That's why we tried to find a way to maximize the cuts to school in June--minimize the cuts to schools in June and be candid about the potential consequences. Unfortunately, we have a very difficult budget reality and it's only projected to get harder.

Over the past several years, the Department has experienced ten rounds of budget tightening. Each time, we have always looked first for ways to reduce our expenses centrally in order to minimize the impact on our classrooms. Between 2008 and this past year, we reduced our costs centrally by 30 percent, or \$190 million, including the elimination of over 550 positions. Thus far in Fiscal Year 12, we have cut 11 percent from our central budget totaling \$74 million of additional savings.

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2 As many of you are aware from our
3 recent meeting, DC 37 came to us in mid-to-late
4 September after school budgets were finalized and
5 layoff notices were processed to offer two
6 proposals to attempt to stave off layoffs.

7 I welcomed meeting with our unions,
8 but I'll admit I was concerned before my staff
9 even sat down that they might lead to false hope,
10 especially since the school year was already
11 underway.

12 As I suspected might be the case,
13 both proposals they offered proved unacceptable to
14 me as they would have required a redistribution of
15 resources that would ostensibly amount to a second
16 cut for schools that didn't choose to excess
17 school aides or parent coordinators or other
18 staff, and would frankly undermine principal
19 autonomy by dictating staffing decisions from
20 Central. In addition, DC37's proposal did not
21 take into account the possibility of another mid-
22 year PEG, which has since come to fruition.

23 This was not a situation where I
24 felt we could simply think about finding a one-
25 time savings. The Office of Management and Budget

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2 has already directed us to find additional savings
3 in the Fiscal Year 12 budget and plan for cuts to
4 the Fiscal Year 13 budget. As always, we will do
5 our best to look for ways to reduce spending while
6 limiting the impact on our classrooms, but these
7 reductions of \$186 million this year and \$567
8 million next year will require continued
9 sacrifices from all of us.

10 No one is pleased about this. But
11 it is my hope that, moving forward, we can
12 continue to work together and have an open and
13 respectful dialogue about our collective budget
14 challenges.

15 Thank you and I look forward to
16 answering your questions.

17 CHAIRPERSON RECCHIA: Okay, Mr.
18 Chancellor, thank you for your testimony. I'm
19 sure my colleagues have lots of questions and so
20 do I.

21 I'm going to start off by getting
22 down into some numbers so we can be on the same
23 wavelength. There were supposed to be 777
24 layoffs, but you now went down on that number as
25 of Friday. So what is the new number of layoffs

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that we are facing?

DENNIS WALCOTT: It's 672 that I indicated in my testimony.

CHAIRPERSON RECCHIA: Okay. How much is that 672 going to cost? To put it another way, how much will it save the DOE?

DAVID WEINER: So the 672 layoffs will cost the DOE \$28,191,130, \$28 million.

CHAIRPERSON RECCHIA: \$28 million. Okay. Now that's the cost you're going to save?

VERONICA CONFORME: That's the savings represented in the schools' budgets. The way schools took their cuts, that's the representative savings from the schools' budgets.

CHAIRPERSON RECCHIA: So if we add up everyone that's being laid off, it would come out to \$28.1 million?

VERONICA CONFORME: Exactly.

CHAIRPERSON RECCHIA: Okay. Now, when someone gets laid off, they collect unemployment, correct?

VERONICA CONFORME: Correct.

CHAIRPERSON RECCHIA: And who pays for that?

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2 VERONICA CONFORME: The city. The
3 city pays for unemployment.

4 CHAIRPERSON RECCHIA: Okay. How
5 much is all the unemployment going to cost?

6 VERONICA CONFORME: Do you have
7 that?

8 DAVID WEINER: The unemployment
9 adds up to about \$7 million.

10 CHAIRPERSON RECCHIA: About \$7
11 million.

12 VERONICA CONFORME: A one-time cost
13 of \$7 million, because we would pay it from one
14 year.

15 CHAIRPERSON RECCHIA: I happen to
16 disagree with you. It's not a one-time cost,
17 because unemployment could go on for 99 weeks. So
18 it could go on for two years, am I correct?

19 VERONICA CONFORME: If people apply
20 for it, yes, it could go on for two years.

21 CHAIRPERSON RECCHIA: Right. And
22 if they go on food stamps, how much does that go
23 up?

24 VERONICA CONFORME: I don't have
25 that information.

CHAIRPERSON RECCHIA: Well, we have that number. That will go up to somewhere about \$11 million, from 7 to 11. That's what we're facing. Now, you come here and you talk about the layoffs. When was the first time you told this City Council that you were going to layoff school aides, family assistants and DC37 workers?

DENNIS WALCOTT: So, let me take a step back, and as I indicated in the testimony, based on the approval of the budget that was, as you well know, the end of June, and then in that announcement we talked about the potential of laying off 1,000 non-uniform and non-pedagogical workers. It wasn't defined as DC 37 or school aides. But we had talked all along about the potential of laying off individuals, and that was in our joint press statement. So that was always there.

CHAIRPERSON RECCHIA: We're going to get to that, Mr. Chancellor.

DENNIS WALCOTT: Well, no, but I'm getting to your question. So then the process is that we go out to our schools, Veronica and her team then talk to the schools. I had a webinar

1 with the schools talking about the 2.4 percent
2 average cut that they would have to absorb. Then
3 the schools had a timeline to make decisions, as I
4 indicated in my testimony, of where they would
5 achieve the savings within their own school
6 budget. So by the time that process was complete,
7 it was probably towards the end of August, mid-
8 August/end of August. And so that was the
9 middle/end of August and then they made their
10 decisions. We reviewed that and signed off.

12 So, again, with the Council itself,
13 we started probably talking to the Council
14 somewhere maybe in September, once we had all that
15 information. So that's when the process started.

16 CHAIRPERSON RECCHIA: But again--

17 DENNIS WALCOTT: [interposing] But
18 when the budget was adopted, we did not know the
19 number of layoffs specific to this particular
20 union would be, because the schools then had to
21 make those decisions.

22 CHAIRPERSON RECCHIA: That sounds
23 great but it doesn't answer my question. Prior to
24 passing the budget, were you aware that you were
25 going to have to layoff DC37 workers? Yes or no?

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COMMITTEE ON EDUCATION 27

DENNIS WALCOTT: Well, I did answer the question, because I said we put a general number out there of 1,000 non-uniform non-pedagogical workers. Specifically--

CHAIRPERSON RECCHIA: [interposing] And is it your testimony that that number of 1,000 was for--

DENNIS WALCOTT: [interposing] It would include--

CHAIRPERSON RECCHIA: --DOE employees?

DENNIS WALCOTT: It would include DOE employees.

CHAIRPERSON RECCHIA: All right, it didn't include no one else but DOE employees?

DENNIS WALCOTT: It would include. It didn't say exclusive. You said would it include, and I'm saying that number would include DOE employees.

CHAIRPERSON RECCHIA: Okay. So you--

DENNIS WALCOTT: [interposing] Not exclusive to DOE employees.

CHAIRPERSON RECCHIA: But where did

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2 you come forward by saying we were going to layoff
3 these school aides? Okay, nowhere in the budget
4 does it say--you know what I'm going to do? I
5 withdraw my question. I'm going to show you the
6 Executive Budget, a page of the Executive Budget.
7 Show him this page. Show the Chancellor. Show
8 him. This comes out of your Executive Budget,
9 your November plan. I draw your attention--

10 DENNIS WALCOTT: [interposing] The
11 November plan of 2010?

12 CHAIRPERSON RECCHIA: 2011.

13 DENNIS WALCOTT: No, we're not in
14 2011 yet.

15 CHAIRPERSON RECCHIA: Yeah, I mean
16 2010, right.

17 DENNIS WALCOTT: 2010.

18 CHAIRPERSON RECCHIA: And if you
19 look down in DOE civilian, and look under layoffs,
20 okay? How many layoffs does it say in your
21 Executive Budget? What's the number there?

22 DENNIS WALCOTT: Civilian, 155, if
23 I'm reading it--

24 CHAIRPERSON RECCHIA: [interposing]
25 No, in the layoffs?

DENNIS WALCOTT: Layoffs, zero.

But then that's the November.

CHAIRPERSON RECCHIA: Zero. Zero.

DENNIS WALCOTT: But that's the
November--

CHAIRPERSON RECCHIA: [interposing]

No, no, no, this is the Executive Budget plan.

Okay, it was the same thing in November. It was
the same thing in the preliminary budget. Nowhere
in the Executive Budget did you say you were going
to layoff school aides.

DENNIS WALCOTT: No, but then we
had teachers. And so let's--

CHAIRPERSON RECCHIA: [interposing]

No, no, no--

DENNIS WALCOTT: [interposing] If
you're going to go back--

CHAIRPERSON RECCHIA: [interposing]

We're not talking about teachers today.

DENNIS WALCOTT: No, no, you have
to talk--

CHAIRPERSON RECCHIA: [interposing]

Mr. Chancellor?

DENNIS WALCOTT: You can't talk

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about it exclusive as DC 37.

CHAIRPERSON RECCHIA: No, no, no
because you made--

DENNIS WALCOTT: [interposing]
Because part of the deal, what part of the deal--

CHAIRPERSON RECCHIA: [interposing]
Excuse me, Mr. Chancellor--

DENNIS WALCOTT: [interposing] Part
of the deal in averting--

CHAIRPERSON RECCHIA: --I'm trying
to be respectable.

DENNIS WALCOTT: So am I.

CHAIRPERSON RECCHIA: Listen, in
the Executive Budget plan, okay, you--and I just
showed you--do not say you're going to layoff any
school aides. Yes or no?

DENNIS WALCOTT: That is correct.

CHAIRPERSON RECCHIA: Okay.

DENNIS WALCOTT: But then we talk
about laying off teachers in this.

CHAIRPERSON RECCHIA: All right.

DENNIS WALCOTT: And as you know,
as a result of the focus on--

CHAIRPERSON RECCHIA: [interposing]

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But today's not about teachers.

DENNIS WALCOTT: Well it has to be about teachers, because--

CHAIRPERSON RECCHIA: [interposing]
No, it's not. It's about school aides.

DENNIS WALCOTT: No, because as a result--

CHAIRPERSON RECCHIA: [interposing]
You were told what the hearing was going to be--

DENNIS WALCOTT: [interposing] No, no.

CHAIRPERSON RECCHIA: Mr. Chancellor, you were told today what the hearing was going to be about.

DENNIS WALCOTT: Of course.

CHAIRPERSON RECCHIA: The hearing was going to be about school aides, DC 37 workers. Okay. And we are here to discuss them. We're not here to discuss teachers.

DENNIS WALCOTT: No, you can't do it in isolation, because in your role as chair of the Finance Committee, part of our challenge from a budget perspective was that we still had a financial hole. And as a result of the

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2 discussions between the City Council, the UFT and
3 DOE, and City Hall, we were able to reach an
4 agreement to avert teacher layoffs. And I say
5 that in a context of--

6 CHAIRPERSON RECCHIA: [interposing]
7 Right.

8 DENNIS WALCOTT: I say that in the
9 context in this hearing is because once that
10 decision was reached and once we had an agreement
11 on that, we still had a fiscal responsibility to
12 plug a hole. We passed 2.4 percent of that cut to
13 our schools. And then schools had a decision to
14 make on how they would balance their budget with
15 the 2.4 percent. And individual schools then made
16 decisions that impacted DC37. So when you bring
17 out the November plan, the November plan--

18 CHAIRPERSON RECCHIA: [interposing]
19 No, no, this is the Executive Budget. This was,
20 as I said, also included the same numbers in the
21 executive plan, I mean in the November plan. But
22 you never told this City Council. I have your
23 testimony here, when you testified on June 1st.
24 Okay, I read it this whole weekend. Not once did
25 you say we had to layoff anyone else but teachers.

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2 DENNIS WALCOTT: But that was prior
3 to budget adoption. And as a result of the budget
4 adoption and the deal that was structured, we then
5 had to take off the table teachers. And that's
6 fine. But at the same time, we still had a budget
7 hole that we faced.

8 CHAIRPERSON RECCHIA: But you never
9 told us. Had you told us that school aides were
10 in danger, okay, we would have done something
11 about it. And you didn't tell us. Now, I sent
12 you a letter on June 8th asking are school aides
13 in danger of being laid off. Until today, I never
14 got a response. September 1st, I sent you a
15 follow-up letter asking you about school aides. I
16 never got a response. Why?

17 DENNIS WALCOTT: So let me respond
18 to that and then David can pick up on that as
19 well. As far as in September, once we knew the
20 number of aides that we would be laying off, we
21 had a responsibility to communicate directly with
22 the union first, and David can take you through
23 the process for that.

24 In June, June 7th, again, and I
25 know we're going back and forth Councilman, but in

1 June we just didn't have a sense. We knew the
2 number in the beginning of June of teachers that
3 we were talking about, and we had stayed
4 consistent, and you may be able to correct me on
5 this one, but once we adopted the budget and once
6 we had the Executive Budget, we had a certain
7 number of teachers we had identified. We did not
8 have aides on the table. But once that deal then
9 fell apart, as far as trying to resolve the issues
10 with the MLC then the UFT came forward, and then
11 we had to put the budget out to the schools
12 themselves.
13

14 As a result of that, and in August,
15 as I testified, that's when the numbers started to
16 flow in. And then in September, we had a
17 responsibility to communicate directly with the
18 unions on the impact to their respective unions,
19 because it's not just DC 37, it involves some
20 Teamsters as well. David, do you want to pick up
21 on that?

22 DAVID WEINER: Sure. Just to pick
23 up on the issues of when this was brought to the
24 attention of our union partners, we held--

25 CHAIRPERSON RECCHIA: [interposing]

No, no, no, not the union partners, us the City Council members.

DAVID WEINER: So we--

CHAIRPERSON RECCHIA: [interposing]
No one told us about it. And I wrote a letter on June 8th, specifically asking about this, follow up on September 1st. Why did I not receive a response back before the adoption of the budget? Had you responded, maybe we wouldn't be here today.

DENNIS WALCOTT: Go ahead, David.

DAVID WEINER: So, through our contractual requirements, we are required to inform the unions. We actually weren't sure of the exact number--

CHAIRPERSON RECCHIA: [interposing]
No disrespect, Deputy Chancellor. Again, I sent a letter on June 8th. I didn't get a response, talking about the layoff of school aides. September 1st, a follow-up letter, never received a response. What I'm just trying to point out here is that it's not in the executive plan; it's not in the preliminary budget. I specifically sent you letters about it. I don't get a

1
2 response. And then you come forward and you
3 ambush us, and it's not right.

4 DENNIS WALCOTT: So let me try, and
5 maybe I didn't articulate it properly, so let me
6 try again. With the June letter, at that point in
7 time, we had not had an adopted budget. So,
8 again, if we didn't respond, I apologize for that.
9 In the August letter, or the September letter, we
10 had a responsibility--and this is where David was
11 going--to communicate directly with the union
12 first. I mean that's the only proper thing for us
13 to do to make sure we get to the union as far as
14 the impact to their membership and where each
15 title classification would be.

16 Since that time, and tell me if I'm
17 wrong, we have responded to you. But at the same
18 time, it didn't meet the timeline and the
19 threshold that you're establishing and for that I
20 apologize.

21 CHAIRPERSON RECCHIA: No, no, you
22 never responded to those two letters. You
23 responded to a third letter that I sent before
24 this hearing. It's when I asked for details and I
25 asked for RFP information about this.

1
2 It's very frustrating when this
3 happens. It's very frustrating when we need to
4 know. We need to know information, every layoff
5 that's facing the schools today.

6 Now, you talk about principals
7 having their own budget and principals could cut
8 wherever they wanted. Is that correct?

9 DENNIS WALCOTT: Principals know
10 their schools, so therefore principals should make
11 the decision on how they're going to absorb a cut
12 and it shouldn't be micromanaged from Tweed.

13 CHAIRPERSON RECCHIA: Okay.

14 DENNIS WALCOTT: So we provide the
15 parameters, we provide the guidance, we provide
16 suggestions on areas to look at, but at the end of
17 the day, it should rest with the principal on how
18 she or he makes the decision for their particular
19 budget.

20 CHAIRPERSON RECCHIA: Okay. How
21 come principals cannot cut the salaries of the
22 network leaders, cannot cut the time of the
23 network leaders? I have principals and they would
24 love to cut out the network leaders. How come you
25 won't let them do that? If what you want to do is

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VERONICA CONFORME: Principals get
of \$50,000 per year in their budget
support and services of the
is a substantially reduced
the previous regional structure that
port. That's where, when the
ked about some of the savings, the
ome through various reductions in
ures.

And so, principals get an \$50,000. They pay \$35,000 for the network structure which we think is they need the support and guidance structure and operational support and by the network.

DENNIS WALCOTT: Also, principals
ty to choose their network as well,
price point and the services they
e from a particular network.

CHAIRPERSON RECCHIA: I understand

DENNIS WALCOTT: [interposing] And

1
2 again, just to continue with my theme. I mean,
3 again, we give them the ability to choose the
4 network and then make a decision once a year if
5 they want to choose different networks. So,
6 again, that flexibility is in there.

7 As Veronica indicated, we've cut
8 down the overall allocation, so we try to maximize
9 more money going directly to schools. So we've
10 tried to contain that as well.

11 CHAIRPERSON RECCHIA: But
12 principals still would love to cut the network
13 leader and cut out that money and use it so they
14 could hire support staff. And you're not allowing
15 them to do that. So when you're saying you allow
16 principals to do what exactly they want, it's not
17 necessarily correct.

18 DENNIS WALCOTT: We give them
19 parameters. And in reality, they make decisions
20 based on their internal process in working with
21 their school community as well. I mean and David
22 is a former principal, so David knows about the
23 process that we go through. Not every principal
24 wants to cut out a network. And again, I think--

25 CHAIRPERSON RECCHIA: [interposing]

1
2 You're correct.

3 DENNIS WALCOTT: I think over the
4 series of decisions we've had to make, we've had
5 to make some tough decisions that both involve
6 personnel, and as I indicated in my testimony, it
7 also involves making sure they have the
8 understanding of how to make decisions based on
9 OTPS costs as well.

10 CHAIRPERSON RECCHIA: I have more
11 questions for you, Mr. Chancellor, but I'm going
12 to turn it over to Rob Jackson for a few
13 questions, and then we're going to have other
14 Council Members ask questions. We've been joined
15 by Steve Levin and Diana Reyna.

16 CHAIRPERSON JACKSON: Thank you,
17 Chair Recchia. Chancellor, I need to ask you
18 these questions in order to get hopefully
19 definitive answers. I've read, I've watched on TV
20 and I've seen in the press that some people have
21 suggested that the Department of Education had
22 influence over principals' decisions to layoff
23 school support staff, particularly DC 37 workers,
24 because of a strained relationship between the
25 Administration and DC 37. Is that true? Did the

word go out officially or unofficially, meaning straight or underneath, that you had to lay off DC 37 workers?

DENNIS WALCOTT: No. And, again, someone had said that we had targeted folks. We have not targeted any particular union at all. So let me correct whatever information may be out there or in the press or in the grapevine that I and we did not say you must target a particular group. That we were very clear about at all, never ever did we establish a target for any, both above board or underground. That was never out there.

CHAIRPERSON JACKSON: Okay.

DENNIS WALCOTT: Again, and this is why, and I know it may have been frustrating when I raised the issue around averting teacher layoffs, when you took that off the table, then it just gave a very small parameter of where principals can make decisions. So, again, as I indicated in my testimony, in prior years DC 37 workers have been excessed. The last time, we were able to bring them back as a result of Edujobs. So, again, this is not the first time.

1 But, you know, the reality is that there's no
2 target, nothing put out there by me or any of my
3 staff. I would never ever tolerate anyone
4 targeting any one particular group because of any
5 supposed or real type of strain or relationships.
6 That's just fiction that's out there and that's
7 not the case.

8
9 CHAIRPERSON JACKSON: Now, I had
10 asked you this question when you met with us. An
11 agreement was reached with the teacher's union.
12 My understanding, that agreement basically said,
13 or the bottom result of it was that there would be
14 no layoffs with the teacher's union for one year.

15 DENNIS WALCOTT: That is correct.

16 CHAIRPERSON JACKSON: My
17 understanding, even though the whole entire
18 discussion during the preliminary budget,
19 executive budget was thousands of teachers, and
20 that's all you heard was teacher layoffs.

21 DENNIS WALCOTT: That's correct.

22 CHAIRPERSON JACKSON: That this
23 agreement not only refers to teachers but the
24 guidance counselors that are represented by UFT
25 and the school secretaries that are represented by

1 UFT. Is that correct? In essence, all titles
2 covered by United Federation of Teachers?

3 DAVID WEINER: That's correct. Our
4 agreement covers all UFT titles.

5 CHAIRPERSON JACKSON: David, if
6 it's possible, could you just pull your mic up so
7 you could speak a little louder. So the answer is
8 yes?

9 DAVID WEINER: The answer is yes,
10 that it covers all UFT titles.

11 CHAIRPERSON JACKSON: Now,
12 Chancellor, with respect to, if in fact all UFT
13 titles are off the table as far as reductions in
14 order to deal with your budget reduction, then
15 that left everything else? Meaning DC 37, what
16 other unions?

17 DENNIS WALCOTT: Teamsters, some
18 Teamster representation.

19 CHAIRPERSON JACKSON: Right.

20 DAVID WEINER: SEIU service--

21 CHAIRPERSON JACKSON: [interposing]
22 the But the majority of those in the school are--

23 DENNIS WALCOTT: [interposing] Are
24 DC37.
25

CHAIRPERSON JACKSON: --DC37.

DENNIS WALCOTT: That is correct.

CHAIRPERSON JACKSON: Okay. Let me just say that according to the New York Times article of October 5th, the Bloomberg administration officials said DC37 proposals to avert layoffs were too little too late, and those measures would have created havoc for school principals. Was that a quote from your administration or from the Mayor's Office?

DENNIS WALCOTT: It may have been from me even directly. Let me explain and elaborate on that. In that, again as I indicated in my testimony, I would never ever say no to talking to or listening to a union or any member from the Council. We may not be in agreement at the end of the day, but I will always sit down and listen. So, when we received an inquiry to sit down with the members of DC37 and Ms. Roberts and I talked a couple of times, but David met with the representatives from Local 372. We realized, as I indicted that it may create a sense of false hope.

So once we heard their proposal, one, it was after the start of school, so that was

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one thing. So you have principals--

CHAIRPERSON JACKSON: [interposing]

You mean the start of school September 8th.

DENNIS WALCOTT: That is correct.

CHAIRPERSON JACKSON: Okay, go ahead.

DENNIS WALCOTT: When we sat down with the representatives from DC37, specifically Local 372, it was probably mid-September if not towards the third week of September, give or take. So school had started, principals had made their decisions already.

And the initial proposal, and David can go into detail about this, would have not just impacted the schools where the principals made a decision to excess and layoff the DC37 workers, it would impact significantly more schools as far as the proposal they submitted. In that all the schools included in their proposal would have to have either furlough days or time off to their workers, and that would have a detrimental impact to schools that did not consider or include DC37 workers as part of their plan in hitting that 2.4 percent target.

CHAIRPERSON JACKSON: In essence, what you're saying to me, basically my understanding is that Local 372 of DC37 put forward certain proposals that if, in fact, you had agreed to that, in your opinion would wreak havoc overall throughout the system?

DENNIS WALCOTT: It would have had a domino effect throughout the system because then you would have had more schools that would have been impacted by cutting back on hours or potential furloughs or whatever the proposal included. Again, David can go into detail. But it would have a detrimental impact on multiple schools that did not identify any excessing or laying off of DC37 workers. I could not allow our school system to be put in that particular position. So instead of testifying today about the workers that we're talking about today, we would have had more schools that I would have been talking about today that would have been impacted by the proposal submitted by DC37.

CHAIRPERSON JACKSON: Were principals engaged in discussions about DC37 proposals? If so, what were their reactions and

1
2 opinions? I mean, did they feel that any of the
3 proposals would have created havoc for them so
4 much that they would rather just go ahead with the
5 layoffs rather than have the proposal put forward
6 by DC37 in place?

7 DAVID WEINER: That's a great
8 question.

9 CHAIRPERSON JACKSON: Pull your mic
10 up and speak a little louder.

11 DAVID WEINER: Sorry.

12 CHAIRPERSON JACKSON: That's okay,
13 David.

14 DAVID WEINER: So, generally the
15 large piece of their proposal, their initial
16 proposal on September 15th included two major
17 components. One was furlough days. They offered
18 two furlough days. Each furlough day was about
19 \$1.7 million. The bigger chunk of them is that
20 they basically proposed reducing every single
21 Local 372 member by one hour. So if someone
22 worked eight hours, they would work seven hours.
23 If someone worked seven hours, they would work six
24 hours.

25 So we took this, obviously,

1
2 seriously and we went out and we looked at
3 schools. I personally went out and met with
4 several principals to talk about this. This would
5 have actually impacted over 1,200 of our schools
6 that would have had a reduction in hours.

7 We found some schools like Curtis
8 High School that actually would have lost, on a
9 daily basis, 20 hours of staff time. They had 20
10 staff members that were working hours. They would
11 have lost--every one of those employees would have
12 lost an hour, 20 hours of staff time. We found
13 Bayside High School actually would have lost 44
14 daily hours of staff time. And Lehman High School
15 actually would have lost 55 daily hours, every
16 single day, of staff time.

17 When I brought this up with
18 principals just to talk about it, it was simply
19 not a feasible solution that would allow them to
20 continue to function in their school, covering
21 yard duty, covering recess, managing their
22 lunchrooms. From my very anecdotal conversations
23 with folks, it was not something that they were
24 going to be able to handle, you know especially
25 after the school year had started, after their

1
2 schedules had been worked out, after their plans
3 had been worked out.

4 CHAIRPERSON JACKSON: You mean to
5 tell me we could not have done this type of
6 organizational structuring before school started?
7 Because that's what I guess the average person
8 would ask: why didn't all of this happen before
9 school started so principals and everyone would
10 know exactly what it is so they'd schedule, so
11 forth and so on. And to the point where you're
12 three weeks or a month into the school year, if
13 I'm a principal, I can understand changes take
14 place, but I would want to have staff overall than
15 to not have staff.

16 DENNIS WALCOTT: So let me, if I
17 may, a couple of things.

18 CHAIRPERSON JACKSON: Yeah.

19 DENNIS WALCOTT: One, and I want to
20 be very clear about this, because I've seen where
21 my president of the CSA Ernie Logan has basically
22 thought that we were blaming principals. I want
23 to be clear, I'm not blaming principals.
24 Principals have very difficult jobs. They are the
25 ones in the schools. The basic principal that we

1
2 operate by is that principals should be the ones
3 making the decisions in the school. They know
4 their school better than us. So I say that in a
5 context. Anytime you hear us refer to a
6 principal, it's not that we're blaming them as the
7 bad people. They had to work within a parameter
8 that was established.

9 The second thing that, again, the
10 budget adoption and by the time the schools got
11 back to us, it was late in the process. I mean we
12 were a lot later in the process than in prior
13 years. It's not in the adoption to the budget,
14 but by the time we were able to deal with the
15 issue of teacher layoffs and what it meant,
16 because, as you know, and this has been quoted in
17 the newspapers as well. We had a variety of
18 scenarios, depending on how the budget would have
19 been adopted and how we would have to take out
20 cut. Because, again, no matter what scenario
21 we're talking about, we would have had to take a
22 cut.

23 I mean we are the largest agency,
24 and so when you're talking about balancing a
25 budget, no matter how much people may step up to

1 the table, we still have to absorb a cut and we
2 have to look at those scenarios on the
3 responsibility of how we carry out those cuts,
4 trying to minimize the impact to the classrooms.
5 I say that as far as the context. So by the time
6 the schools got back to us with their final
7 decisions on how they would absorb on average 2.4
8 percent cut, they made their decisions based on
9 what was best for them. So they took that into
10 consideration.

12 So then once we approved that
13 particular budget process for the schools, what
14 they did, then school was starting literally a
15 week and a half, two weeks after, give or take--
16 correct--two weeks after the final budgets were
17 accepted by us from the schools. And so that's
18 what we were moving. As indicated in my
19 testimony, David indicated to Santos on the 21st
20 of June, the 21st of June that the potential
21 existed where there may be 1,000 layoffs within
22 their membership.

23 Because, again, we looked at the
24 trend numbers as far as how principals made
25 decisions. Once we knew the potential existed

1 where teachers would not be part of this
2 discussion. So we didn't hear back from them.
3 And I understand it's been a very dynamic and
4 fluid situation we've all been going through,
5 until mid-September until after school has
6 started. Once school started, then we have a
7 responsibility to think of all of our schools as
8 far as what those principals decided in all those
9 schools and support our principals in that regard.
10

11 As David indicated, he met with
12 several of the principals and talked about the
13 loss of potential hours and the impact that would
14 have on their particular schools. That's why we
15 made the decision that we did.

16 CHAIRPERSON JACKSON: My final
17 question before we go to our colleagues. Just
18 looking at the proposed layoffs by districts, it
19 clearly shows that the poorer community districts
20 and the schools most in need have the highest
21 number of layoffs.

22 So, for example, in District 6,
23 Northern Manhattan, which I share with Ydanis
24 Rodriguez, P.S. 153, which was highlighted in the
25 news and I.S. 195, are two schools within my

1 district that have high numbers of layoffs. How
2 can you explain, or explain to me and the City
3 Council why the community school districts in
4 highest needs in the schools with the poorest
5 communities are hitting layoffs the hardest.
6 Please explain that to us.
7

8 DAVID WEINER: So, as the
9 Chancellor mentioned, this decision is really made
10 principals. Principals and school communities
11 really make the decision about who they're
12 excessing. When it comes to laying off, actually
13 there's a district-wide seniority process. Unlike
14 teachers, which are citywide seniority, so we're
15 going to be laying off the least senior teachers
16 citywide. DC37, most of their members, especially
17 the school aides are district-wide. So the
18 layoffs really are very varied.

19 We found some districts in which--
20 for example, in District 3, there were eight
21 school aides in District 3 that were excessed and
22 there were only two vacancies in that District.
23 So District 3 had eight excessed school aides.
24 Six then were being laid off. In District 24,
25 they also had eight excessed school aides. But

1
2 they actually had eight vacancies within their
3 district, so they had no layoffs. So it varied
4 pretty dramatically among districts.

5 CHAIRPERSON JACKSON: What about
6 District 6?

7 DAVID WEINER: In District 6, they
8 had a higher number of school aides being laid
9 off, but they also have one of the highest number
10 of overall school aides. What we found is--

11 CHAIRPERSON JACKSON: [interposing]
12 Is that because of the need?

13 DAVID WEINER: It may be. It may
14 be because they get more Title 1 money. It may be
15 because they made determinations to spend more
16 money on these things. When we looked at
17 actually, although the numbers in some areas were
18 higher than others, what we found is in some of
19 our low income areas, the number of school aides
20 in these areas was actually much higher than any
21 other areas.

22 District 1, for example, is one
23 that has one of our lowest number of school aides,
24 versus District 6 has one of our higher numbers,
25 actually almost three times, almost four times as

1 many school aides exist in District 6 than in
2 District 1. So it really depends on district by
3 district. There are some districts that are not
4 laying off any school aides.
5

6 CHAIRPERSON JACKSON: Right, I
7 noticed that.

8 DAVID WEINER: Because they would
9 be able to pick up by vacancies.

10 VERONICA CONFORME: If I can just
11 add, there are schools in District 6, like 173,
12 who is also not laying off school aides, because
13 they chose to take the reductions in OTPS or in
14 other categories.

15 CHAIRPERSON JACKSON: All right.
16 Let me turn to our colleagues. Let me turn it
17 back to my Co-chair Domenic Recchia.

18 CHAIRPERSON RECCHIA: Before I call
19 on the first Council Member, I just want to say,
20 Mr. Chancellor, you knew on June 20th about the
21 layoffs and you did not contact this City Council.
22 You did not contact me or Rob Jackson that school
23 aides were going to be laid off, when I sent a
24 letter on June 8th. That is disturbing. That is
25 very, very disturbing to me. Council Member Tish

James?

COUNCIL MEMBER JAMES: Thank you.

First, Chancellor, let me just start out by saying that I respect you and your staff. I would hope that you treat my line of questioning as a reflection of my concern for the increasing rates of poverty in New York City and that you not take this as any personal affront. It just is a reflection of my deep and abiding concern for poverty rates and the impact that these layoffs will have on communities of color and women with children in particular.

Let me also go on to say that I reject the theme that I hear throughout your testimony, reject the theme of blaming the lowest paid workers in the City of New York. I reject the theme of pitting one union against the other. I reject the theme that you are attempting to vilify DC37. I also reject the theme that somehow we could not have averted these layoffs by looking at consultants, by looking at contracts and by looking at the offers that were put on the table by DC37.

I'd like to remind you that at the

1
2 last budget, and I was somewhat involved, it was
3 not DC37 that rejected the attempts to dip into
4 the health fund, it was, in fact, rejected by a
5 larger council, the Municipal Labor Council and
6 DC37 is but one member. They rejected the offer
7 simply because it would have led to higher co-
8 payments for the lowest paid city workers.

9 It is important to note, and this
10 is really important, that MLC, including DC37,
11 tapped into those same funds in 2009 and despite
12 tapping into those funds, the same funds that you
13 wanted to tap into last year, the Mayor of the
14 City of New York went on to lay off 500 school
15 aides. So it was a question and an issue of trust
16 that would have allowed you to tap into those
17 funds. They were concerned that you would have
18 laid off their workers anyway. That's why MLC and
19 not just DC37 rejected your offer.

20 Let me also go on to say you said
21 Teamsters were involved recently, but you also
22 know that the Teamsters redeployed their members
23 into other city agencies. Their members were not
24 laid off.

25 Let me also go on to say that the

1 offer that was put on the table where you said
2 that it would result in a disproportionate effect
3 on some high schools. Well, as you know DC37 came
4 up with another offer. They said that they would
5 limit the number of hours and that they would tap
6 into some additional furlough days, which would
7 have resulted in some savings. And that was
8 rejected.
9

10 So, the notion that DC37 is not
11 targeted is based on facts on the ground, and has
12 some merit. So, clearly, you could understand why
13 there are some individuals who thought that DC37
14 was targeted. My position is this: is that there
15 are alternatives and that the Administration
16 really should have looked at consultants,
17 contracts. They could have looked at perhaps
18 transferring some funds.

19 Chancellor, this weekend, I went to
20 the 75th anniversary of the NAACP. One of the
21 things that they talked about was the layoffs here
22 today. What they said is that despite
23 improvements in declining poverty rates and a
24 gradual increase in income, the racial income
25 divide in this city, in this nation, continues and

1
2 remains a large problem. So, if you rejected the
3 impact because of the impact of these high
4 schools, then why did you not take into
5 consideration the fact that this would just
6 aggravate poverty rates in the city, and that this
7 has a racial impact, which cannot be ignored and
8 obviously should have been taken into
9 consideration by this administration? Why is that
10 not a consideration of this administration?

11 DENNIS WALCOTT: So, in response to
12 your earlier point about rejecting the themes, I
13 understand your point of view. I don't
14 necessarily agree with your point of view. We did
15 not target. In the meeting that I had with Ms.
16 Roberts, she mentioned some of the things that you
17 mentioned as well. So I'm very clear about that.

18 I thought in my testimony I did
19 talk about the MLC as far as the deal is
20 concerned. It was just in the context of me
21 meeting with DC37, I referenced DC37 but I did say
22 in my testimony, and I thought response, about the
23 MLC rejecting the deal, thus we had to then face
24 another scenario to respond to as far as working
25 with the UFT. So all of that I tried to lay out

1
2 in both my testimony and my response to the
3 questions that were posed.

4 As far as the impact, both from an
5 income level as well as a race and ethnicity
6 level, you know I understand that. I mean, again,
7 as I indicated in my testimony, I don't take this
8 lightly at all. I mean, I know in this job I'm
9 going to have to make decisions that are not going
10 to be pleasing to people. I'm not here to win a
11 popularity contest. I'm making sure that our
12 children are getting a quality education and that
13 we have a balanced budget. I mean that's part of
14 the job. I'm just responding to your point.

15 So in that context, there are going
16 to be some decisions that people are not going to
17 be happy with. That goes with the territory.
18 That's fine. What we've tried to do is make sure,
19 as indicated when we first started with the 777
20 number, is to match up people with the openings
21 that take place to minimize and lower that number.
22 That's why we're now down to 672. And we will
23 continue to do that. Our HR people, under David's
24 leadership, will continue to reach out and offer
25 supports and see how we can place people in jobs

1
2 as jobs become available. But also we're
3 restricted based on the way the union's rules are
4 to operate within the districts as well. That's
5 just the parameters of how we have to operate.

6 As far as the NAACP conference, I
7 read in the newspaper where I wasn't invited, so I
8 don't know the specifics about that. But at the
9 same time, I think the reality is that in my past
10 work and my continued work, our goal is to make
11 sure that we're providing economic self-
12 sufficiency for people. But in the process of a
13 tough budget, both from the federal government
14 because they're wrestling with this, the state
15 government because they're wrestling with this,
16 and the city government, we're going to have to
17 make tough decisions that impact people. DOE,
18 being the largest agency with the largest budget,
19 will have to make some of these decisions that
20 will not make you and the other Council Members
21 and people happy.

22 It doesn't mean that I'm happy with
23 it. I mean I'm not happy with this, but this is
24 the reality we have to face.

25 COUNCIL MEMBER JAMES: Chancellor,

1 this is not a question of being happy, this is a
2 question with regards to making choices. So you
3 can never change things by fighting the existing
4 model. Oftentimes you have to really look outside
5 of the model and look at other realities. The
6 reality is that this is going to have a major
7 impact, again, on low income individuals and
8 particular women of color.
9

10 At the same time, the
11 Administration can't talk about addressing poverty
12 and then on the other hand engage in policies
13 which are just going to aggravate poverty in the
14 City of New York. It doesn't make sense. It's an
15 inconsistent message. All that I say to you is
16 that this is just going to further exasperate
17 poverty rates in the City of New York.

18 Let me also go on to say that I
19 believe that the Administration could have engaged
20 in private fundraising. The Mayor engages in
21 private fundraising for institutions, for
22 initiatives, for special events. Why, if he's not
23 concerned about poverty, why did he not engage in
24 private fundraising to save the jobs of low income
25 workers in the City of New York? It's a very

1 conflicting message in the City of New York.

2 I say that if had you come to the
3 City Council and partnered with us, we could have
4 averted these layoffs. It is unconscionable. As
5 someone representing one of the districts that is
6 going to be hardest hit, if the Mayor prides
7 himself on being the Education Mayor, then I say
8 to you, he has failed. He has failed miserably.
9 Thank you.

10 CHAIRPERSON RECCHIA: Okay--

11 DENNIS WALCOTT: [interposing]
12 Council Member, in regards to the question about
13 private--

14 CHAIRPERSON RECCHIA: [interposing]
15 A quick answer. We have to move on.

16 DENNIS WALCOTT: Sure. I'm sorry.
17 The Mayor has raised money privately to deal with
18 our Young Men's Initiative. Matter of fact, we're
19 making an announcement today about that. But the
20 reality is this is city tax levy money and we're
21 going to have to face additional tough choices
22 moving forward, as I indicated, with our PEG for
23 this year of roughly \$186 million and our PEG for
24 next year of \$573 million. The options that
25

1
2 you've put on the table are options we're
3 internally looking at as far as how we absorb this
4 year's PEG and taking a look at next year's PEG as
5 well.

6 CHAIRPERSON RECCHIA: Thank you
7 very much. We've been joined by Council Member
8 Foster, Council Member Sanders, and Council Member
9 Dromm. It's going to be Council Member Cabrera,
10 followed by Council Member Chin. Every Council
11 Member has five minutes.

12 COUNCIL MEMBER CABRERA: Thank you
13 so much.

14 CHAIRPERSON RECCHIA: Council
15 Member Cabrera?

16 COUNCIL MEMBER CABRERA: Thank you
17 so much to both Chairs and thank you so much for
18 setting up this hearing on such short notice. Mr.
19 Chancellor, thank you so much for coming. I first
20 want to thank you, along with your staff, for
21 meeting with the BLA. I thought it was a fruitful
22 meeting and it was very informative. I hope that
23 we can continue to do so in the future.

24 My question, really it's two quick
25 questions. One, just for a point of

1
2 clarification, was there any document that stated
3 the potential for DC37 members to be laid off?
4 Any document, not that it was verbalized but
5 document?

6 DAVID WEINER: Sorry. We are
7 required by contractual rules to provide them with
8 the document 60 days before the layoff. So the
9 Office of Labor Relations in City Hall, Jim
10 Hanley's office, provided that document on
11 September 15th to DC37. We had had verbal
12 conversations beginning, as the Chancellor has
13 mentioned, in June with the senior leadership of
14 DC37 and Local 372 to let them know that this
15 information was coming.

16 COUNCIL MEMBER CABRERA: I'm sorry,
17 Deputy Chancellor, I should have been more clear.
18 Given to the City Council, not to the unions, to
19 the City Council prior to the budget being agreed
20 upon in June?

21 DENNIS WALCOTT: I'm not aware of
22 any. But we had a joint press statement, as I
23 indicated in my testimony, where we identified in
24 our joint press statement from City Hall and the
25 City Council the 1,000 non-uniform non-pedagogical

1 potential for layoffs. So that document exists.

2 COUNCIL MEMBER CABRERA: So during
3 the hearings that we had, and I remember being
4 here for the Finance hearing along with the
5 Education Committee, there were no documents that
6 we could have looked over, stating to the
7 potentiality that DC37, and I believe also CWA
8 members, could have been laid off?
9

10 DENNIS WALCOTT: Again, I wasn't
11 part of the negotiating team, so I'm not aware of
12 any type of document. Again, all the attention
13 had been focused around teacher layoffs and
14 meeting our responsibility to have a balanced
15 budget. Then once a deal was established with the
16 UFT, then we still had a budget responsibility to
17 balance our budget and then we passed that
18 information on to the schools.

19 We absorbed our cut at Central and
20 then we had a cut of roughly 2.4 percent to the
21 schools. Then the schools had until mid-August or
22 so to get back to us on what those cuts would
23 represent. So, in our conversations with the
24 schools and the parameters that we established
25 with them, then they got back to us with the

1
2 information. But for a specific document to say
3 that there would be 1,000 or so layoffs, that I'm
4 not familiar with, aside from the press statement
5 and aside from the conversations that David had
6 with Santos around the potential that existed.

7 COUNCIL MEMBER CABRERA: So, you
8 know, people say history repeat itself and I think
9 people repeat history. Because of that, let me
10 ask you this question. We have a 2 percent cut
11 proposal for 2012 and 6 percent for 2013. Do you
12 plan to impose any mid-year cuts on school this
13 year? If so, can you be as specific as possible;
14 can you give us possible scenario as to what that
15 will look like?

16 DENNIS WALCOTT: So, we have until
17 October the 18th to submit our PEG recommendations
18 to OMB and then, as you know, with the PEG
19 recommendations to OMB, then they get back to us
20 what they accept and what they don't accept.
21 Internally, right now we're looking on how we're
22 going to meet our PEG requirement of 2 percent.
23 It's my goal not to touch the schools but anything
24 is possible. I mean, again, we're going through
25 an internal exercise at this particular point in

1 time on what that 2 percent PEG will look like.
2 Also, as part of that process, what the 6 percent
3 PEG will look like for the following school year.
4

5 COUNCIL MEMBER CABRERA: Can you
6 give me the worst case scenario?

7 DENNIS WALCOTT: Worst case
8 scenario? There's no such thing as a worst case
9 scenario. I mean anytime you're talking about
10 \$186 million, that's \$186 million.

11 COUNCIL MEMBER CABRERA: Well I'm
12 trying--

13 DENNIS WALCOTT: [interposing] And
14 so from a line item point of view, it is still too
15 early for us to tell. We're doing our internal
16 assessment on how we're going to do it and all
17 things internally we're looking at as far as how
18 we don't touch our schools. But I don't want to
19 pledge any guarantee at this particular point in
20 time unless we finish that internal process.

21 COUNCIL MEMBER CABRERA: I'm asking
22 in terms of worst case scenario in terms of
23 layoffs. What's the worst possible scenario in
24 terms of layoff? I'm sure you have analyzed
25 different scenario. What's the worst possible

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scenario that you picture in terms of layoff?

DENNIS WALCOTT: I'm being very direct; I don't have a worst case scenario because there are so many cases we're looking at as far as internally on how we meet our PEG target. It is my goal not to hurt schools at all. So we're pushing ourselves internally extremely hard on how we achieve that. So there aren't worst case scenarios because I'm putting the pressure on us to take a look at what we can do internally from a PEG point of view for this particular school year. So there aren't worst case scenarios.

When we talk about the following school year, you're looking at \$573 million, give or take, or \$576 million. Again, that's a large number. I mean that's a half a billion dollars. But right now I'm focused on this PEG, a 2 percent, and trying to make sure that our schools are able to continue operating as they exist without any impact on them directly.

COUNCIL MEMBER CABRERA: Thank you so much.

CHAIRPERSON RECCHIA: Thank you, Council Member Cabrera. Before we call on the

1 next Council Member, I just want to jump in here.
2 Again, Chancellor, you keep on referring back to
3 the press release. I distributed a copy of the
4 press release to every member. That 1,000
5 employees that we were talking about being laid
6 off, they were not the DOE employees. They were
7 the Parks Department. They were ACS. They were
8 not the DOE employees.
9

10 DENNIS WALCOTT: Sir, with all due
11 respect, I don't have the press release in front
12 of me. There's a line there that says 1,000 non-
13 uniform non-pedagogical. Is that the line that's
14 there?

15 CHAIRPERSON RECCHIA: Right. But
16 that was for the Parks Department--

17 DENNIS WALCOTT: [interposing] So
18 when you--

19 CHAIRPERSON RECCHIA: --because,
20 again, in the budget there was never a place hold
21 that you were laying off these workers.

22 DENNIS WALCOTT: But, sir, I'm
23 just--

24 CHAIRPERSON RECCHIA: [interposing]
25 I showed you the Executive Budget plan and it

shows zero. No, you know what I'm going to do--

DENNIS WALCOTT: [interposing]

Chair, in the press release--why would we specify non-pedagogical?

CHAIRPERSON RECCHIA: We're going to call the Mayor's Office and get their press person who wrote this here to testify. That's what we're going to do.

DENNIS WALCOTT: Well then you should have yours there too because it was a joint press release.

CHAIRPERSON RECCHIA: Listen. Let me just tell you something--

DENNIS WALCOTT: [interposing] It was a joint press release.

CHAIRPERSON RECCHIA: It did not have anything to do with the DOE employees.

DENNIS WALCOTT: Why would we say non-pedagogical?

CHAIRPERSON RECCHIA: Listen, because it does--

DENNIS WALCOTT: [interposing] Pedagogical means teachers.

CHAIRPERSON RECCHIA: I know what

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DENNIS WALCOTT: So then when

CHAIRPERSON RECCHIA: [interposing]

DENNIS WALCOTT: Well then what

CHAIRPERSON RECCHIA: Then if it

$$\begin{array}{c} 12 \\ 13 \\ 14 \end{array}$$

CHAIRPERSON RECCHIA: [interposing]

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CHAIRPERSON RECCHIA: [interposing]

DENNIS WALCOTT: I answered it when

CHAIRPERSON RECCHIA: [interposing]

DENNIS WALCOTT: Well I'll answer

it again. The exec budget was prior to adoption.

Is that correct?

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CHAIRPERSON RECCHIA: What?

DENNIS WALCOTT: The exec budget
was prior.

CHAIRPERSON RECCHIA: Yes, but
again--

DENNIS WALCOTT: [interposing] So
then as a result--

CHAIRPERSON RECCHIA: --you never
had any intention of laying them off. You never
told us.

DENNIS WALCOTT: Exec budget was
prior to adoption. And that press statement that
you're referring to has a specific line that says
1,000 non-uniform non-pedagogical.

CHAIRPERSON RECCHIA: Listen,
listen--

DENNIS WALCOTT: [interposing] Non-
pedagogical implies--

CHAIRPERSON RECCHIA: [interposing]
And it did not include the DOE. You know what
we're going to do, I am going to call up and
request that Mark Page, and maybe we should
continue this hearing and bring Mark Page here.
That's what I think we're going to do and we'll

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see what happens.

DENNIS WALCOTT: That is your
right, sir.

CHAIRPERSON RECCHIA: Okay,
Margaret Chin next.

COUNCIL MEMBER CHIN: Thank you,
Chair. Chancellor, I remember in the budget
negotiations, all the discussions were around
teacher layoffs. The school aides wasn't on the
table. I mean if it was, we would have fought
very hard. I'm looking at your testimony. So
that on June 21st before the budget was adopted,
you said that Deputy Chancellor Weiner talked to
DC37 about the potential of 1,000 layoffs. So
before the budget was adopted, you assumed that
you were going to be laying off the school aides
and school workers. That also was before the
principals submitted their budget.

So, am I to assume that you never
told the principals that layoff should be the last
resort? That you just sort of assumed that these
layoffs are coming, because you're telling them on
June 21st.

DENNIS WALCOTT: So let me, before

1 David gets into the detail, 70 percent of a
2 school's budget is based on personnel, 70 percent.
3 I've testified about that before, before the joint
4 committee. So when you operate from a principle
5 of 70 percent of a school budget is based on
6 personnel, and then you take away teachers and UFT
7 titles off the table, then you're dealing with
8 parameters that are extremely small as far as
9 where principals can make decisions. In our
10 guidance, we talked about OTPS and other types of
11 ways to address the budget. But at the end of the
12 day, we have to leave that decision up to the
13 principals as far as the school-based decisions.
14 Based on the history, and as I indicated in my
15 testimony before as well, if I remember the
16 figures correctly, one year it was 530--

17
18 COUNCIL MEMBER CHIN: [interposing]
19 No, no, you gave us the history. I don't need to
20 hear that again.

21 DENNIS WALCOTT: Okay.

22 COUNCIL MEMBER CHIN: I'm just
23 looking--

24 DENNIS WALCOTT: [interposing] So
25 based on the history, we project off of that.

1
2 COUNCIL MEMBER CHIN: Yeah, but I'm
3 just saying that before the budget was passed and
4 even before the principals submitted their budget,
5 you were already anticipating 1,000 layoffs--

6 DENNIS WALCOTT: [interposing]
7 Potentially.

8 COUNCIL MEMBER CHIN: --of these
9 school aides and school personnel, right?

10 DAVID WEINER: So that's correct.
11 We basically have historical records that show
12 basically depending on how much cut schools are
13 going to take, what percentage of people they're
14 either going to hire or lay off. So we can kind
15 of plan from an HR perspective.

16 At that point, we told Santos that
17 information so that he could get behind and
18 support the MLC deal. We needed additional
19 support for that deal.

20 COUNCIL MEMBER CHIN: But you never
21 gave that information back to the City Council.
22 That we are going to be looking at 1,000 layoffs
23 of school aides and school family workers and all
24 that, before we adopt the budget.

25 VERONICA CONFORME: This past year

1 was four years of school budget cuts. They have
2 cut many, many times OTPS, et cetera, et cetera.
3 And as David indicated, they have cut school aides
4 in the past to be able to submit their budget
5 cuts. This last round was another \$178 million in
6 their budgets and they had to identify places to
7 take those reductions.
8

9 COUNCIL MEMBER CHIN: Yes. Bottom
10 line is, Chancellor, is that whatever is going on
11 in Washington or the state, I wish--or New York
12 City needs to take the lead on this thing.
13 Because these kinds of jobs that's been cutting
14 and cutting are jobs that the community fought
15 very hard to get. These are union jobs, good
16 paying jobs in many of our communities where
17 people are making less than minimum wage. All the
18 struggle for these jobs and we're just seeing you
19 just automatically they should be cut. That's
20 unacceptable.

21 You have to do everything you can
22 to save these jobs in our community. By giving
23 the responsibility to the principal and if they
24 come back and they have to cut these personnel,
25 you need to take the leadership and find the money

1
2 somewhere else, whether it's in contracts,
3 whatever you can find to save these jobs in our
4 communities. That's what I expect of you,
5 Chancellor, to take the leadership on that.

6 DENNIS WALCOTT: We have taken the
7 leadership on that and we've taken a leadership on
8 giving money back to schools.

9 [Background noise]

10 CHAIRPERSON RECCHIA: Quiet. Wait
11 a minute. Chancellor, hold on a second please.
12 Ladies and gents, please, there's no booing and
13 stuff like that. If you have an opinion, when you
14 come up to give testimony if you disagree with
15 anything the Chancellor or anyone is saying,
16 that's your opportunity to be heard.

17 DENNIS WALCOTT: Thank you, Chair.
18 Over the years, we have taken money out of Central
19 and we've devolved it to the schools where the
20 schools have gotten more money. As indicated
21 though, over the last, say, four years, we've had
22 to have severe budget cuts and we've had to absorb
23 it both centrally and at the school level.

24 As a result of the Mayor putting in
25 an additional \$2 billion, we were able to avert

1
2 even larger layoffs and impacts to the schools
3 directly.

4 COUNCIL MEMBER CHIN: I know you
5 have--

6 DENNIS WALCOTT: [interposing] So
7 we've been able to both from a central point
8 devolve money from the central administration to
9 schools to give schools more money to operate
10 from. And as you well know, from a city/state
11 portion, the city has increased its share of
12 percentage dollars to the schools.

13 COUNCIL MEMBER CHIN: I know,
14 Chancellor, you have testified--

15 DENNIS WALCOTT: [interposing] So
16 we have given more and more. So that's what I
17 mean by the leadership.

18 COUNCIL MEMBER CHIN: You have said
19 that many, many times.

20 DENNIS WALCOTT: We have stepped to
21 the table as far as giving more money, but at the
22 end of the day when you look at 70 percent of a
23 school's budget is based on personnel, then they
24 have tough decisions. But we have a
25 responsibility as well, and part of that

responsibility I take very seriously, and that's the leadership that we'll be providing--

COUNCIL MEMBER CHIN: [interposing]
My last point to that is--

DENNIS WALCOTT: --for this PEG and the next PEG.

COUNCIL MEMBER CHIN: --that Chancellor you knew about it on June 21st. Okay, that's way before school start. Why did not you engage the union to try to save these jobs? And now you're coming back to us and you're saying that they're giving you a proposal after school have started and now it's too late. But June 21st you knew that it was going to come, so why didn't you just engage them to find a solution to save these jobs?

DENNIS WALCOTT: We knew the potential and we laid out that potential to the union. But again, we did not know until mid to end of August how schools would be taking their 2.4 percent cut. So that's the decision that schools made as far as absorbing the 2.4 percent cut. They're the ones who felt, based on either the limits or the options they have available--

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CHAIRPERSON JACKSON: Thank you.

COUNCIL MEMBER CHIN: [interposing]

But if that's in August--

DENNIS WALCOTT: [interposing]

That's the mid to the end of August.

COUNCIL MEMBER CHIN: That's still
before school started.

CHAIRPERSON JACKSON: Thank you.

COUNCIL MEMBER CHIN: My just point
is that you should have engaged the union to try
to save these jobs.

DENNIS WALCOTT: We always--David--

CHAIRPERSON JACKSON: Okay. Excuse
me. Excuse me.

DENNIS WALCOTT: Mr. Chair, I just
want to convey one thing. We have, through me and
through David in particular and his team engaged
the union in conversations on a regular basis.

CHAIRPERSON JACKSON: Thank you.

DENNIS WALCOTT: Whether we've seen
eye to eye, that's a different discussion.

CHAIRPERSON JACKSON: Thank you.

DENNIS WALCOTT: But we have
engaged with them.

CHAIRPERSON RECCHIA: Thank you, Chancellor. Thank you. Council Member Lew Fidler, followed by Council Member Lappin.

COUNCIL MEMBER FIDLER: Good morning, Chancellor Walcott.

DENNIS WALCOTT: Good morning, sir.

COUNCIL MEMBER FIDLER: You know, we've been sitting here for about an hour and a half now and I think the Chairs did a particularly good job of taking you through the economics of this and whether or not this makes economic sense.

But for the first hour and a half, I don't think I've heard the word student used at this hearing. The obvious question is what services to our students are being cut by this loss of employees? I'm going to narrow that down so we can actually begin the discussion, because quite frankly your department is about serving students, educating kids. That's ultimately why these people were employed.

You and I have had this discussion here. We all know what makes schools work well: strong leadership at the top, smaller class size, a quality teacher in front of every classroom and

1 strong parental involvement. When you guys rolled
2 out your model for how the schools were going to
3 operate a number of years ago, I wasn't a big fan.
4 You created a position called parent coordinator
5 and the job of the parent coordinator was to
6 stimulate parental involvement, to coordinate
7 between parents and schools, to facilitate strong
8 parent, you know, involvement in the education of
9 their children.
10

11 You're eliminating 94 parent
12 coordinators in this plan. Am I correct?

13 DAVID WEINER: We originally were
14 laying off 82. That number is now down to 66.

15 COUNCIL MEMBER FIDLER: Okay, 82,
16 66, I guess that matters significantly to about 16
17 people. What are you going to do in the 66
18 schools that don't have parent coordinators for
19 parental involvement, since it's, you know, we
20 agree, a critical part of a quality school?
21 What's the alternative going to cost, I might add.

22 DENNIS WALCOTT: So we, as you know
23 since we helped create it, believe in parent
24 coordinators and we basically have devoted roughly
25 \$75-\$80 million for parent coordinators in all

1 schools with students above 200. With this round
2 of cuts, we had in prior years restricted parent
3 coordinators from being touched. This year, what
4 we did was said for high schools, they had the
5 ability to take a look at the parent coordinator,
6 but we still restricted in the middle schools and
7 elementary schools. So we just gave the
8 flexibility to the high schools, just to put that
9 out there to the Council and the audience itself.

11 So the principal will still have
12 part of her or his responsibility to show us how
13 they're going to increase parental involvement and
14 I'll be announcing some new stuff at the end of
15 this month to monitor and measure that as well, as
16 far as their effectiveness in doing that. In a
17 high school, we felt there was a little more
18 flexibility with other staff there to focus on how
19 they would bring parents to the fold and making
20 sure they're engaged in what's going on in the
21 schools, especially with the implementation of
22 Common Core.

23 So we didn't take it lightly as far
24 as loosening the ability of principals making
25 decisions about parent coordinators in schools.

1
2 Then there are some schools, probably not a lot
3 though, where some schools made a decision to have
4 two parent coordinators. So some may have had two
5 and decided to lay off one of those particular
6 parent coordinators. So it's up to the principal,
7 again, to decide on how she or he is going to
8 manage their engagement with parent coordinators,
9 but we only did it for the high schools.

10 COUNCIL MEMBER FIDLER: Perhaps,
11 Deputy Chancellor, you can tell us how many of the
12 66 are in schools that had more than one parent
13 coordinator?

14 DAVID WEINER: We don't know that
15 number. It's probably less than 10 though.

16 DENNIS WALCOTT: Yeah, that's why I
17 said very small.

18 DAVID WEINER: It's a small number.

19 COUNCIL MEMBER FIDLER: So, first
20 of all, I don't really understand why you would
21 think that parent involvement at the high school
22 level is any less significant than it is at the
23 intermediate school or the elementary school. I
24 think I've shared this with you, Chancellor. My
25 mother was the president of the PTA of every

1
2 school I went to, including my high school. You
3 know, I consider parental involvement to be
4 extraordinarily important in making sure that a
5 school and its administration have their feet kept
6 to the fire.

7 DENNIS WALCOTT: I totally agree
8 with you. I mean I--

9 COUNCIL MEMBER FIDLER:
10 [interposing] So, in 56 schools now there's no one
11 to do that under your model of parental
12 engagement. You haven't put anything in place
13 yet, because you said you're going to have an
14 announcement later in the month. You said other
15 people can do this job. What jobs are they doing
16 now? And what will they not do? I mean all of
17 this is about delivery of service, Chancellor, to
18 kids. If you are telling me there are other
19 people in high schools who can be doing the parent
20 coordinator's job, what were they doing now? Did
21 they have any free time? If they're not, then
22 you're not doing something else with that time.
23 That's the question we really need to drill down
24 on.

25 DENNIS WALCOTT: So let me try to

1
2 respond to that. One thing that I want to be very
3 clear about, I didn't say their job was less
4 important in high schools. I obviously didn't say
5 that parent involvement in high schools is less
6 important. If anything, it's more important as
7 the children get older. So I want to not convey
8 that at all.

9 All of us are going to be asked to
10 do more with less. I mean that's just part of the
11 reality, the budget reality we live in. Part of
12 the principal's job is to see how they task their
13 staff to compensate for those individuals who may
14 not be there. In all areas, whether it's in
15 schools or whether it's industry or here at city
16 government, we're going to have fewer staff than
17 every before. Part of our responsibility is to
18 constantly expand ourselves to do more with less.
19 I expect that of our principals in our schools as
20 well in the workers that they have available to
21 them.

22 As you well know, in high schools
23 in particular, on average, they have a larger
24 budget and they have a little more flexibility as
25 far as some staffing patterns are concerned. The

1 reality is even they're facing tough times. It's
2 part of a manager's job to make sure that they're
3 able to use this staff and expand their staff's
4 capability of reaching parents or whatever staff
5 that may be not be there now that were there
6 before. That's what we expect of all of us.

8 COUNCIL MEMBER FIDLER: I would
9 look forward to that announcement later this
10 month.

11 DENNIS WALCOTT: Sure.

12 COUNCIL MEMBER FIDLER: Because I
13 think the devil is in the details. I would also
14 look forward to your follow-up analysis after that
15 announcement as to what services are not provided
16 because of the responsibilities that are
17 additionally being put on these other personnel,
18 unnamed personnel to do a job that was a full time
19 job up until a month ago.

20 DENNIS WALCOTT: Understood, yes,
21 sir.

22 CHAIRPERSON RECCHIA: I recognize
23 Council Member Helen Foster. Can we get her a
24 microphone? Yeah, there's a mic right there.
25 Hand her the handheld. We're going to do the

Oprah Show now. You see, Chancellor, Diane Foster is going to be, you know.

COUNCIL MEMBER FOSTER: Good morning. It's still morning. My question is going to be brief because I think we have talked about notice, and who wasn't information, and what went on. Specifically, right now, knowing that the largest number, I believe, from what I've seen, come from school District 9, which is the bulk of my Council district. Knowing, my mother being a retired elementary school principal, I understand how difficult the decision is.

At this point, we're dealing with people's lives. Am I correct with that number?

DAVID WEINER: No, Community School District 9 actually that's one of our lowest number of layoffs. There are nine school aides being laid off, which is about 3 percent of the total population.

COUNCIL MEMBER FOSTER: That makes me feel better. That's not the number I initially saw. But nonetheless, these people have been laid off. It's real. What can be done now? Is there anything that can be done now to get these jobs

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2 back? We're talking about future, but in terms of
3 the people that are laid off now, what's going to
4 happen? They really aren't concerned about--I'm
5 just interested what can we do as a DOE, as a
6 Council, where can we look to try to get money to
7 get these people back into work?

8 DAVID WEINER: So, unfortunately,
9 Friday was the day that these folks were laid off.
10 We have contractual agreements that allow us to
11 bring people back when we do have vacancies, based
12 on a seniority list. We still are bringing people
13 back since the layoffs in 2009. So these people
14 will be added to that list.

15 COUNCIL MEMBER FOSTER: Let me just
16 jump in. Excuse me. So the Friday layoff people
17 now go to the bottom of the "bring you back" list.

18 DAVID WEINER: The recall list,
19 yes.

20 COUNCIL MEMBER FOSTER: Recall
21 list.

22 DAVID WEINER: It's district wide.
23 So some districts have no one that's on that
24 recall list and these people will be first, by
25 seniority order. For districts that may have had

1
2 people that were being recalled, these people
3 would be added to that list, correct.

4 COUNCIL MEMBER FOSTER: So they go
5 on this recall list and as vacancies become
6 available, then they are called up?

7 DAVID WEINER: That's correct.
8 However, it is important to note that last week
9 during the new PEG, there has been a hiring freeze
10 put into place for all city agencies. So we
11 actually--

12 COUNCIL MEMBER FOSTER:
13 [interposing] So the reality, this really means
14 nothing because of this hiring freeze. The
15 reality is they're put on this list and it looks
16 like due to the hiring freeze they'll just be on a
17 list.

18 DAVID WEINER: For the time being,
19 yes, until the hiring freeze is lifted. When the
20 hiring freeze is lifted, we'll be able to call
21 these people back. We actually had intended to
22 hold a hiring fair for these people to see if we
23 could match them up with different types of
24 positions outside of their district, which we're
25 contractually not able to do right now, to see if

1
2 we could actually find more matches for these
3 folks, so we would have a lower number of people
4 that were laid off.

5 COUNCIL MEMBER FOSTER: It's been
6 said, and I think it's important to reiterate.
7 I'm not questioning your integrity in terms of
8 this. My concern, though, and it has to be as an
9 elected official who represents the poorest
10 Council District, Maria Arroyo and I kind of
11 battle in terms of which one is going to be the
12 poorest this year. These layoffs are cutting at
13 the core. So when everyone else is asking to do
14 more with less, we were already doing much more
15 with much less.

16 My office happens to be right next
17 to HRA building, so I see the numbers of people
18 standing outside and the need is greater. So when
19 we are laying off these people that aren't making
20 a lot of money anyway, it means on the other end
21 that we are going to see numbers in terms of
22 people needing housing because they can't pay
23 rent. And I know you know all this, but somehow
24 we've got to do better.

25 Those of us sitting around this

1
2 table that know every two weeks we're going to get
3 a check have to do better because while we sit
4 here and we talk, there are people out here, even
5 in this audience that are struggling to pay their
6 bills. We've got to find a way that we stop
7 making those who are starting will less do less
8 already.

9 So I hope as we go forward--I know
10 you're coming out with some proposals in terms of
11 parent engagement and things like that--we find a
12 way that we start cutting where there is more fat,
13 and that's at the top and not at the bottom.
14 Thank you.

15 CHAIRPERSON RECCHIA: And under
16 five minutes. Mr. Chancellor, would you like to
17 make a comment in response to Ms. Helen there?

18 DENNIS WALCOTT: I agree with what
19 the Councilwoman is saying. I mean part of the
20 exercise we're going through right now is looking
21 at how we cut without impacting our schools and
22 our workers. But I'm not going to guarantee that.
23 But part of the internal challenge is looking for
24 our PEG, as I said earlier, for this year and our
25 PEG for next year on some areas where we can take

1 money. At the same time, I don't think any
2 decision that we will make will be totally
3 satisfying to the entire Council or to the body
4 itself. I mean there will be difficult decisions
5 that will not please people. We understand that.
6

7 Again, just going to the Chair's
8 point, we will be, and I've always been as open as
9 possible in testifying and being available to
10 testify in that regard.

11 CHAIRPERSON RECCHIA: Council
12 Member Sanders, to be followed by Council Member
13 Levin. We've been joined by Melissa Mark-
14 Viverito.

15 COUNCIL MEMBER SANDERS: Thank you,
16 sir.

17 CHAIRPERSON RECCHIA: Five minutes.

18 COUNCIL MEMBER SANDERS:
19 Absolutely. Good afternoon, Chancellor.

20 DENNIS WALCOTT: Thank you, sir.

21 COUNCIL MEMBER SANDERS: I trust
22 that you have recovered from the run of yesterday?

23 DENNIS WALCOTT: That was Sunday.
24 Yes, I recovered from my half marathon.

25 COUNCIL MEMBER SANDERS: Good. I

1
2 congratulate you again.

3 DENNIS WALCOTT: Thank you for
4 asking. Thank you, sir.

5 COUNCIL MEMBER SANDERS: According
6 to the DOE on September 28th, we are going to save
7 approximately \$35 million from the layoff of these
8 workers. What is the total amount of the
9 consultants' budget at the DOE? I'll even take a
10 ballpark figure, your best.

11 VERONICA CONFORME: Sure. The
12 average amount that we spend on contracts and
13 consulting services is between \$3.5 and \$4
14 billion. That is inclusive of our transportation
15 contract, which is approximately \$1 billion; our
16 related services that we provide to our students
17 with special needs that includes occupational
18 therapy and physical therapy; our food contracts;
19 our facilities contracts. All of those roughly
20 total up to about \$3 billion. So that's in
21 context.

22 COUNCIL MEMBER SANDERS: Thank you.
23 Isn't it true that there is a type of claw back
24 provision in the contracts that in the event of a
25 budget turndown such as we are experiencing, we

1
2 could lower or decrease them by around 10 percent
3 or some figure of that nature?

4 VERONICA CONFORME: If we consume
5 the services, we have to pay what the contract
6 value says.

7 COUNCIL MEMBER SANDERS: Well, I'm
8 speaking in the future, before services are
9 consumed.

10 VERONICA CONFORME: Right. If we
11 want to reduce the contract, then we would have to
12 reduce the services that we're purchasing.

13 COUNCIL MEMBER SANDERS: No, no,
14 no, I've done contracting also. In a budget like
15 we have out here, you have a lot of flexibility
16 with consultants.

17 VERONICA CONFORME: Well, we are
18 definitely looking at the way we use the contracts
19 and the way we use the services and figuring out--
20 that's exactly the exercise the Chancellor is
21 talking about, that we're engaging in.

22 COUNCIL MEMBER SANDERS: I'm glad
23 we're going through that exercise. But please,
24 when it comes to contracts, I know that in a
25 budget like this when everyone is looking for

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2 work, you have a lot of--I'll be kind--far more
3 flexibility than you have stated.

4 VERONICA CONFORME: In 2009, we
5 asked contracted vendors to come back with reduced
6 numbers. In total, we got about \$7-\$9 million in
7 reductions, just asking them to come back with
8 reductions. So that's just--

9 COUNCIL MEMBER SANDERS:
10 [interposing] I would encourage you that while \$7-
11 \$9 million may sound like a worthy number, if I
12 had that budget and my staff came back to me with
13 \$7-\$9 million, they're not going to stay with me
14 long. Out of billions of dollars, they're not
15 going to stay with me long. Can I encourage you
16 all that if we just did a one percent cut to those
17 total monies that you spoke of, you will save more
18 than the \$35 million, if you just did a one
19 percent? If you could do a 5 percent, you'll put
20 the city in good standing.

21 DENNIS WALCOTT: So, we are taking
22 very seriously on how we focus on consultants and
23 contracts. But I think also, as Veronica laid
24 out, that a lot of the services that are
25 identified in the consulting contracted area are

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1 try to find savings there as well. So all
2 contracts and consultants are being looked at, but
3 some we are mandated to provide and we have to be
4 conscious of that.
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6 COUNCIL MEMBER SANDERS: To
7 conclude, Mr. Chair, as a former president of
8 School Board 27 for ten years, I understand that
9 much of your consultants you have to do. There
10 are laws and a lot of them that we have to comply
11 with. I understand that. That's why I said a 1
12 percent or even a 2 percent will get you far more
13 than this \$35 million. And if all we're doing is
14 getting \$9 million by asking them, we're not using
15 our leverage, we're not asking in the right way.
16 Thank you very much, Mr. Chair.

17 CHAIRPERSON RECCHIA: Thank you.
18 Council Member Levin, to be followed by Council
19 Member Dromm.

20 COUNCIL MEMBER LEVIN: Thank you,
21 Mr. Chairman. Thank you, Chancellor, very much
22 for testifying today. Good afternoon. I have a
23 number of questions, so I'll get right to it.

24 Mr. Chancellor, of the 672 workers
25 that have been laid off, how many of those workers

1	COMMITTEE ON EDUCATION	100
2	are women?	
3	DAVID WEINER: I'm not sure of the	
4	exact numbers that are women, but it's the	
5	majority of them.	
6	COUNCIL MEMBER LEVIN: The vast	
7	majority?	
8	DAVID WEINER: I'd say it's over 60	
9	percent.	
10	COUNCIL MEMBER LEVIN: Over 60	
11	percent?	
12	DAVID WEINER: Yes.	
13	COUNCIL MEMBER LEVIN: If we could	
14	get that information, that would be helpful. How	
15	many of those individuals are minorities?	
16	DAVID WEINER: Again, over 60	
17	percent, probably over 80 percent.	
18	COUNCIL MEMBER LEVIN: Over 80	
19	percent. So over 60 percent are women, over 80	
20	percent are women of color. Is that right?	
21	DAVID WEINER: That's correct,	
22	although I can get you the exact figures.	
23	COUNCIL MEMBER LEVIN: How many of	
24	those women are heads of household?	
25	DAVID WEINER: We don't have that	

1 kind of data unfortunately.

2
3 COUNCIL MEMBER LEVIN: The reason I
4 ask these questions is that this is going to have
5 clearly a truly disproportionate impact on
6 families that are minority families. It is my
7 suspicion that this is going to have a
8 disproportionate impact on their children and it's
9 going to be something that we are going to see the
10 cost on the other end because these families, this
11 is a significant portion of their income. I don't
12 know if that's appropriately recognized.

13 I would like to talk a little bit
14 about how we got to this point with regard to our
15 budgeting process last year. The cut that is
16 coming forth as a result here is roughly \$20
17 million or \$25 million. That represents one one-
18 thousandth of the Department of Education's
19 budget. That's .1 percent.

20 I think the reason why you see so
21 much outrage right now is that we are doing such
22 a--in my opinion is a drastic and unnecessary
23 action here, in order to make up one one-
24 thousandth of the school's budget.

25 In the Executive Budget this past

1
2 year, there's \$159 million increase in charter
3 schools. Did you look at that time at increasing
4 that amount a little bit less? That's not just
5 mandated expansion for charter schools. That's
6 expansion above and beyond. Was that looked at,
7 increasing that a little bit less?

8 DENNIS WALCOTT: That's a state-
9 driven formula.

10 COUNCIL MEMBER LEVIN: Well, no, we
11 had, in fact there was an additional--Medicaid
12 reimbursement, we made a discretionary decision to
13 allocate 25, an additional \$25 million into
14 charter schools. In the preliminary budget, we
15 moved \$45 million from fringe benefits and
16 collective bargaining; those are union
17 appropriations 461 and 491, over to charter
18 schools unit of appropriation 472. So that's \$25
19 million on top of a \$45 million reallocation to
20 charter schools. Did we even look at increasing
21 our charter budget a little bit less? Did we even
22 look at that?

23 DENNIS WALCOTT: So, I'll let
24 Veronica get to the specifics of your question. I
25 guess the underlying principle of your question is

1
2 it sounds like it's wrong for us to fund charter
3 schools. I'm not sure if that's what you're
4 saying.

5 COUNCIL MEMBER LEVIN: No, no, no,
6 no.

7 DENNIS WALCOTT: Okay, I just
8 wanted to be very clear about that.

9 COUNCIL MEMBER LEVIN: No, no, no.

10 DENNIS WALCOTT: Because it goes
11 back to what Councilman Fidler was talking about.
12 I mean charter schools is one of the options for
13 our students. I just want to be clear.

14 COUNCIL MEMBER LEVIN: Mr.
15 Chancellor, I appreciate that.

16 DENNIS WALCOTT: Oh, okay.

17 VERONICA CONFORME: Unit of
18 appropriation 472 includes charter contracts and
19 foster care. So there was a shift from OMB is
20 usually about what they think the projected number
21 would be. In terms of the payments to the charter
22 schools, they are directly payments that are
23 associated with state mandated per capita.

24 COUNCIL MEMBER LEVIN: I'm just
25 going to ask, there's an increase of \$706 million

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2 in our contract budget. Mr. Chancellor, we are
3 reading every day in the papers, organizations
4 like Future Technology Associates, where we see
5 there is actual fraud in contracts with the
6 Department of Education, or at least there's
7 alleged fraud by the City Department of
8 Investigations. I mean are we taking a hard look?
9 \$700 million increase in our contract budget.
10 That's an increase. That's not looking at the
11 overall budget, which is in the billions, but this
12 is the increase year after year.

13 My point is this, we asked our
14 principals to do a 2.4 percent cut that could not
15 come out of the teachers' budget, it could not
16 come out of administration budget, it could not
17 come out of network budget. We asked them to take
18 a 2.4 percent cut and then we gave them no other
19 option but to layoff the lowest paid workers and
20 the neediest workers in our schools. Did we look
21 at the contract budget, did we look at the charter
22 budget and tell those folks that they have to take
23 a 2.4 percent cut?

24 DENNIS WALCOTT: As I indicated in
25 my testimony, from a central point of view, we

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2 took a, I think, an 11 percent cut this past year
3 and 2.4 for the schools directly. And as part of
4 our 11 percent, we also reduced headcount
5 centrally. Then we take a look at budgets from
6 the different contracts and consultants as well.
7 And as I indicated to Councilman Sanders, we will
8 do that even more so this coming fiscal year.

9 With the overlay of your question
10 around fraud, I mean obviously fraud is
11 unacceptable and people who commit fraud against
12 our students should be put in jail and be dealt
13 with. So, unfortunately, you're going to have
14 people who are trying to rip off the system.
15 We're going to make sure we work with the
16 authorities to punish those individuals. But the
17 majority of the contracts that we have out there,
18 people are providing the services that those
19 contracts call for. Those contracts also benefit
20 our schools and our students.

21 So I mean when you have individuals
22 who are bad people, who rip off the system and rip
23 off our students, we want to punish them. But at
24 the same time, the majority of the people who are
25 out there providing contracted or consultant

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2 services are providing a service that benefits our
3 schools and our students in the long run.

4 COUNCIL MEMBER LEVIN: Just one
5 last point, Mr. Chancellor. You mentioned in your
6 testimony about DC37 coming to DOE in mid to late
7 September. I met with Santos Crespo on September
8 5th and I asked him if he was engaging with the
9 Department of Education. What I was told was that
10 on August 25th they were notified by DOE. That
11 they tried to get a meeting, that two meetings
12 were canceled by the time that they had a
13 September 16th meeting.

14 That's what I was told. That there
15 was supposed to be a September 9th meeting, there
16 was supposed to be a meeting before that. They
17 had requested a meeting immediately after hearing
18 on August 25th. I met with him on September 5th.
19 So you met, you said mid to late September. When
20 I talked to Mr. Crespo on September 5th, he told
21 me that that was well underway. So can you
22 clarify that please?

23 DAVID WEINER: Sure. Thanks for
24 the question. So, in mid to late September was
25 when they actually put their proposals to us.

1
2 However, we met with them seven times. The first
3 meeting was actually not on the 25th but on August
4 22nd. I met with Lillian, Santos and about nine
5 members of their senior leadership. I then met
6 with them about six other times between the 22nd,
7 and our final meeting was on September 27th. So
8 we had actually quite a few conversations. This
9 is in addition to phone conversations and emails
10 we also exchanged.

11 COUNCIL MEMBER LEVIN: This was
12 after the August 25th notification to them about
13 layoffs?

14 DAVID WEINER: We did not meet with
15 them on August 25th. We met with them on August
16 22nd.

17 COUNCIL MEMBER LEVIN: Right. But
18 they weren't informed until the 25th. When was
19 the next meeting after that?

20 DAVID WEINER: I informed them on
21 the 22nd in a meeting with Lillian, Santos and
22 about nine members of their executive staff that
23 we were expecting layoffs. I told them that the
24 city, you know, Office of Labor Relations in the
25 City would be having their official meetings with

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2 them on September 15th but that we wanted to give
3 them at least a heads-up. We then engaged them in
4 numerous conversations. We met with them on the
5 29th. We met with them on September 9th. We met
6 them on the 15th. We met with them on the 26th.
7 We met with them on the 27th. We met with them
8 pretty repeatedly between the end of August and
9 the end of September.

10 The difference here though is that
11 the first official proposal to try to avert the
12 layoffs did not come until mid-September. So that
13 was September 15th when we first officially got
14 their notification.

15 COUNCIL MEMBER LEVIN: Thank you,
16 Deputy Chancellor. Thank you, Mr. Chancellor.

17 CHAIRPERSON RECCHIA: Council
18 Member Dromm, to be followed by Council Member
19 Greenfield.

20 COUNCIL MEMBER DROMM: Thank you.
21 I always feel like where there's a will there's a
22 way and had you really wanted to avoid these
23 layoffs you could have. Did you meet after the
24 27th or have conversations after the 27th with
25 DC37?

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2 DAVID WEINER: So we had several
3 phone conversations with them. At that point,
4 they had put forth their second proposal and we
5 had costed it out and determined if we could
6 actually implement it. And we told them on the
7 phone that it was not a proposal that we were
8 going to be able to implement.

9 COUNCIL MEMBER DROMM: So there
10 were no other discussions beyond that point after
11 that?

12 DAVID WEINER: We had several phone
13 conversations, but--

14 COUNCIL MEMBER DROMM:
15 [interposing] But no sit down?

16 DAVID WEINER: --we did not have an
17 in-person meeting. That's correct.

18 COUNCIL MEMBER DROMM: No sit
19 downs. Did you ask for one?

20 DAVID WEINER: We did not, no.

21 COUNCIL MEMBER DROMM: Did they?

22 DAVID WEINER: No, they did not.

23 COUNCIL MEMBER DROMM: Okay. I'm
24 just wondering, did you send out a memo to the
25 principals? Because I find it very hard to

1 believe that the principals--you know, I was a
2 teacher for 25 years, I don't know if you know
3 that--but that the principals would want to give
4 up aides, because they do a tremendous amount of
5 work in the schools. Principals rely on them;
6 teachers rely on them. They're a vital and
7 important part of any school community. I think
8 the last thing in the world that principals would
9 want to give up, and I think it's kind of unfair
10 to put this--from your statement--to say the
11 principals decided that this is the way that they
12 wanted to go.

14 I'm just wondering, did you put out
15 any memo with suggested ways to meet the cuts that
16 you were talking about, which included an amount
17 per teacher aide and what that would mean in terms
18 of their budget?

19 DENNIS WALCOTT: No. I'm not sure
20 if you were here earlier when I said this is not
21 to badmouth principals at all. I mean quite
22 frankly, we know principals had very difficult
23 decisions to make. But you had some principals
24 that made a decision to lay off aides and some who
25 did not. So it was in the hands of the principal,

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based on the parameters of having on average a 2.4 percent cut that they had to make for their schools.

COUNCIL MEMBER DROMM: I know we were talking before a little bit about the contracts and looking at different contracts. I think that you still have these learning networks. Maybe they're called a little bit different now.

DENNIS WALCOTT: Networks.

COUNCIL MEMBER DROMM: Networks. Each school pays into that to buy that network to come into their school. Those networks cost about \$40,000 to \$50,000, \$60,000, probably, depending on the size of the school. Am I correct on that?

DENNIS WALCOTT: Or the services that they buy.

COUNCIL MEMBER DROMM: That they provide.

DENNIS WALCOTT: That they provide from that--

COUNCIL MEMBER DROMM: [interposing] Have you thought about eliminating those networks and saving the jobs by saving that expense to the school?

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DENNIS WALCOTT: I'm sorry.

COUNCIL MEMBER DROMM: I mean if there's \$40,000, \$50,000, \$60,000, in each school, if you had, you know and aides making \$13,000, that's three or four aides that could have been prevented not having been fired--laid off, excuse me.

DENNIS WALCOTT: Veronica talked about this a little earlier, but let me have Veronica talk about the networks again. Then I'll elaborate on what Veronica was talking about.

VERONICA CONFORME: Sure. Each school receives a specific allocation of \$50,000 for the network team specifically. That is devolved to the schools as we moved from a regional structure to a network structure. That was the money that was essentially designed to pay for all the school support portion. It is substantially a reduced model the regional structure that existed. They are the people that are responsible for rolling out the Common Core work and all of the instructional support to schools. It's on average \$35,000 that each school pay.

1
2 COUNCIL MEMBER DROMM: To be honest
3 with you, as a teacher, I rarely ever saw them in
4 the school. I was the UFT chapter leader and I
5 think that that's an area that you should have
6 looked at.

7 DENNIS WALCOTT: When were you in
8 the schools? I'm not asking--

9 COUNCIL MEMBER DROMM:
10 [interposing] Up until two years ago. Up until 18
11 months ago, I was a teacher.

12 DENNIS WALCOTT: All right. I mean
13 with our principal satisfaction survey, 92 percent
14 of the principals rate very satisfactorily their
15 networks. That number has gone up over the years.
16 So they are deriving a benefit from the networks
17 in the schools on a regular basis, and they
18 provide professional services. At the same time,
19 as Veronica indicated, it's really an amount
20 that's roughly, on average, \$35,000-\$40,000, maybe
21 max \$50,000. They're providing professional
22 services to the schools.

23 COUNCIL MEMBER DROMM: Chancellor,
24 they may be getting satisfaction out of it, but
25 you know in these hard times, I think the priority

1 really should have been on having staff people in
2 the schools rather than having these types of
3 support teams. Because, to be honest with you,
4 you also have superintendents who would really, in
5 the past, were providing that type of help to the
6 schools. To be honest with you, I think
7 principals with all--I have a lot of respect--they
8 know how to run their schools and in these
9 difficult times, that type of contracting out, I'm
10 not sure really how valuable it is.

12 DENNIS WALCOTT: Well that's why we
13 left the decision up to the principals because
14 they know how to run their schools. Principals
15 need a variety of weapons in their arsenal to make
16 sure they are effectively providing the services
17 to the students. These networks provide valuable
18 services to make sure that students are receiving
19 high levels of service in teaching.

20 COUNCIL MEMBER DROMM: But in many
21 ways, Mr. Chancellor, you're really giving them no
22 choice. Because, really, what should be done is
23 that we should be investing in our schools and
24 making sure that our schools have the adequate
25 resources that are necessary. I'm a member of the

1
2 Progressive Caucus of the City Council. We have
3 put out many proposals about increased taxation
4 and about making sure that the wealthy pay their
5 fair share of tax dollars. If we had that, we
6 would not even be talking about this issue here
7 today.

8 [Applause]

9 CHAIRPERSON RECCHIA: Thank you.

10 COUNCIL MEMBER DROMM: I do have a
11 question. I thought I heard a buzzer. So let me
12 just finish up with my last one. Do you have any
13 idea how many of these aides will be going on
14 public assistance when they leave now? Many of
15 them come from public assistance, came into the
16 system. They were parents in the area. Now
17 they're going to probably be forced, many of them,
18 to go back onto public assistance. So one way or
19 the other, we are going to wind up paying for
20 them. I think it would have been much better to
21 have them working rather than being on public
22 assistance.

23 DENNIS WALCOTT: I would not assume
24 that the families are on public assistance or it
25 would force the families to be on public

1 assistance. I don't know the family income level
2 of these aides themselves and I want to make sure
3 that we don't stereotype them in that regard as
4 well. So, I mean, we need to be very careful
5 about how we identify these aides. We do know the
6 salaries of these aides. We do know, as we
7 indicated, both the percentage of women as well as
8 the ethnic and racial breakdown. But to then make
9 a leap to that they're going to qualify for public
10 assistance, I wouldn't do that at all.

12 COUNCIL MEMBER DROMM: Mr.
13 Chancellor, this will be my last one. Thank you,
14 Mr. Chair, for allowing me to ask it. You know,
15 for teachers, there are a legal number of students
16 that can be in the classroom. There are class
17 size caps, et cetera. Is there any sort of a
18 number for aides? Because what happens is when
19 you cut out aides, you're going to see in the
20 cafeterias, now where you had four aides or five
21 aides you're going to have two or three aides with
22 200-300 kids. What is the rule on that and how
23 few aides are enough aides to cover the work that
24 they have?

25 DAVID WEINER: We have no

1 contractual or legal requirements on the number of
2 aides per students in a building. It's really up
3 to a school community or a principal to determine
4 how to best use these aides. One school could
5 decide that, you know, they want some of the aides
6 in for morning arrival or dismissal, and someone
7 else could decide they want more in the cafeteria.
8 But there are no legal requirements or contractual
9 requirements that list a certain number of aides
10 per student ratio.
11

12 COUNCIL MEMBER DROMM: If you could
13 just follow up with us, because I know Council
14 Member Fidler had questions in a similar vein in
15 terms of who's going to be doing that work. I
16 think that's critically important here--

17 DAVID WEINER: [interposing] Sure.

18 COUNCIL MEMBER DROMM: --so that we
19 don't find ourselves in dangerous situations where
20 children are being left unsupervised. Thank you.

21 DENNIS WALCOTT: A valid point,
22 yes, sir.

23 CHAIRPERSON RECCHIA: Thank you,
24 Council Member Dromm. Before we move further, I
25 just have two announcements to make. Council

1
2 Member Charles Barron would have loved to have
3 been here, but is unable to attend today, because
4 due to a shooting in his district. He's attending
5 to that right now, as we speak. Inez Dickens had
6 a death in her family and unfortunately she could
7 not join us today.

8 I just want to follow up on one
9 thing quick, Mr. Chancellor--

10 DENNIS WALCOTT: [interposing]
11 Sure.

12 CHAIRPERSON RECCHIA: --on what Mr.
13 Dromm said. I want to make sure I understood you
14 correctly. He asked you did any letters go out
15 about the layoffs. Is that correct, Council
16 Member Dromm--right, any suggestive
17 recommendations to make the cuts to the
18 principals?

19 VERONICA CONFORME: No, there was
20 no letter that went out that said this is how you
21 should take the cut.

22 CHAIRPERSON RECCHIA: Did anything
23 go out?

24 VERONICA CONFORME: There are tools
25 that network teams, the budget people on each team

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used to support principals and guide them through the process.

CHAIRPERSON RECCHIA: No, but he asked you did anything go out?

DENNIS WALCOTT: The thing I put out is--you know, the Principal's Weekly would be glad to produce that--that talked about the--I would put out a weekly memo to principals.

CHAIRPERSON RECCHIA: Yeah.

DENNIS WALCOTT: So we talked about the cut. It was a follow-up I think, or maybe either a follow-up or prior to the webinar--

CHAIRPERSON RECCHIA: [interposing]
But he wanted to know, did you make any recommendations to principals that, you know, this is the way you should cut and you should excess school aides?

DENNIS WALCOTT: No.

CHAIRPERSON RECCHIA: Did you put anything out like that?

DENNIS WALCOTT: I don't think I did. No, not that I'm aware of.

VERONICA CONFORME: The guidance was to try to preserve the classroom staff as much

1 as possible. That is general guidance that we
2 provide to principals.

3 CHAIRPERSON RECCHIA: I'm not
4 getting a straight answer here. Did you or did
5 you not put out anything in writing to lay off the
6 school aides?
7

8 VERONICA CONFORME: That I recall,
9 no, we did not put anything out to specifically
10 lay off school aides.

11 CHAIRPERSON RECCHIA: Well, in my
12 hand, I have--

13 DENNIS WALCOTT: [interposing] It
14 was a set up question.

15 CHAIRPERSON RECCHIA: Okay. I have
16 the school budget allocations from the Chancellor
17 on June 27th, a PowerPoint presentation where it
18 clearly states that school aides and how to lay
19 off school aides. It doesn't talk about, in this
20 Power Point presentation, about cutting OTPS
21 instead of school aides. It talks about
22 excessing. I just want to set that for the
23 record.

24 DENNIS WALCOTT: No, no, since you
25 raise it--

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2 CHAIRPERSON RECCHIA: [interposing]

3 Yeah, since I raised it--

4 DENNIS WALCOTT: [interposing] Hold

5 on, no, no, it's not--

6 CHAIRPERSON RECCHIA: [interposing]

7 Go ahead.

8 DENNIS WALCOTT: No, no, no, I mean

9 it's guidance on process. We have a

10 responsibility to provide the guidance but we

11 didn't tell them to target--

12 CHAIRPERSON RECCHIA: [interposing]

13 Well you don't put in here to cut OTPS. The only

14 one you put in here--

15 DENNIS WALCOTT: [interposing]

16 That's a personnel guidance.

17 CHAIRPERSON RECCHIA: But this is

18 the only thing you say is to cut the school aides.

19 DENNIS WALCOTT: Does it say--

20 CHAIRPERSON RECCHIA: [interposing]

21 This is the only way in here.

22 DENNIS WALCOTT: It's a personnel

23 guidance on process.

24 CHAIRPERSON RECCHIA: But it

25 doesn't say any place else to cut--

1
2 DENNIS WALCOTT: [interposing] But
3 we have a responsibility. I talked about in my
4 testimony earlier about parameters and making sure
5 we lay out the parameters for our principals.
6 That's a parameter of what they need to factor in,
7 in their consideration in making a determination.
8 That's plain and simple. I mean, we provide the
9 parameters on how schools should operate as far as
10 any type of layoffs. That's our responsibility.

11 CHAIRPERSON RECCHIA: You didn't
12 put in here if you have an extra AP you could cut
13 the AP. Did you? No. You didn't put in here--I
14 could go down the list of other places. If you
15 have an outside contract maybe you don't want
16 anymore, you could cut that. That's not in here.
17 I could go down this PowerPoint presentation about
18 other places that they could cut in order to save
19 these school aides. But I've said enough. Mr.
20 Greenfield?

21 COUNCIL MEMBER GREENFIELD: Thank
22 you, Mr. Chairman.

23 [Applause]

24 CHAIRPERSON RECCHIA: Keep it down.
25 We're not here for applause. I'm here to try to

1
2 get 672 school aides back to work.

3 COUNCIL MEMBER GREENFIELD: Thank
4 you, Mr. Chairman. Chancellor, I want to thank
5 you for your testimony today. I do want to note
6 that obviously it's a heated hearing. Any time
7 people are losing their jobs, it's painful for us
8 as Council Members. Of course, we try to make it
9 as painful as possible for the administration,
10 speaking frankly.

11 You've always been someone who's
12 been very forthcoming and we're grateful for that.
13 We're grateful for the work that you've done.
14 Clearly, just to restate the obvious, it's a
15 significant improvement over the past. So I want
16 to thank you for that.

17 In that spirit though, and you're
18 someone who has always been very transparent,
19 generally in your dealings with us. And I think
20 that's why many of us are a little bit surprised
21 today about some of the details. The devil is
22 always in the details. For example, I heard from
23 principals who I spoke to off the record that they
24 really felt like, whether it was official or
25 unofficial, the basic message was that school

1
2 aides had to be cut and that there really weren't
3 any other good options, like I think Council
4 Member Dromm before mentioned, for example,
5 cutting network support. There was that sort of
6 implication.

7 I say this for two points. One,
8 because I think in a lot of the hearing, it's
9 almost like we're blaming the principals which is,
10 of course, ludicrous; because principals had their
11 budgets cut and therefore had no choice. The
12 other concern is that, and I think this is really
13 what the Chairman was obviously getting to before,
14 is, you know, was there a way for them not to cut
15 school aides? So let's just work at it backwards.

16 DENNIS WALCOTT: Sure.

17 COUNCIL MEMBER GREENFIELD: Was
18 there a way for them to say no school aides and
19 make the cuts completely elsewhere? Was that
20 practical? If that's not the case, then perhaps
21 we can all agree that, in fact, the likelihood was
22 that the school aides were going to be cut, and
23 that might be the source of our frustration, which
24 was that we weren't aware of that particular
25 detail. Like I said, the devil is in the details,

1 and that's what concerns us.

3 DENNIS WALCOTT: So the majority of
4 the schools did not cut school aides. So let's be
5 very clear about that. So when we talk about the
6 decisions by the principals. And again, I am not
7 trying to bad mouth our principals. We try to
8 give them as much latitude as possible. When you
9 take a look at the facts and the figures, the
10 majority of the schools did not layoff DC37
11 workers. You had principals who made decisions
12 based on their individual schools, whether
13 teachers were excessed, not laid off, excessed, or
14 they decided to increase class size a little, or
15 they decided to take it from OTPS. That was the
16 ability of the principal to make that decision.

17 So backing into the question the
18 way you posed it, then the responsibility was with
19 the principal in making the decision, and the
20 majority of them did not take the option that's
21 being presented in part of the hearing today of
22 laying off school aides.

23 COUNCIL MEMBER GREENFIELD: We
24 spoke specifically about network support. I
25 believe you said before something to the effect

1
2 that up until recently you restricted whether
3 parent coordinators would be laid off. Is that
4 fair?

5 DENNIS WALCOTT: That is correct.

6 COUNCIL MEMBER GREENFIELD: So it
7 is fair to say that principals do not have
8 complete autonomy over their budgets. So to give
9 that impression that they literally can do
10 whatever they want, when there are certain
11 restrictions on what they can and can't do, does
12 in fact pigeonhole them.

13 DENNIS WALCOTT: It's very limited
14 in that regard, but you are correct in for the
15 first time when we were faced with a budget cut,
16 we lifted the restriction on high school parent
17 coordinators and maintained it at the elementary
18 and middle school level because that's how
19 strongly we felt about parent coordinators.

20 COUNCIL MEMBER GREENFIELD: I just
21 think it's important to point out that's
22 consistent with the feedback that's consistent
23 with the feedback that I received from principals
24 that they don't have a complete free hand when it
25 comes to budgeting. But I'm running out of time,

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so I just want to ask a specific question.

There have been many reports, including reports in the media that the support staff members, many of them had multiple language skills which were essential in terms of serving as effective liaisons both to the parents and the children. Are you concerned about this cut right now in terms of the impact that it's going to have on bilingual parents and bilingual children? If so, what steps have you taken to mitigate that?

DENNIS WALCOTT: So, in regards to the bilingual question, I mean I'm assuming, and we'll do our due diligence follow-up, that the principals took in consideration having other staff who had that ability as well to have the bilingual needs met within their particular schools so those populations would not be impacted at all. Through the networks as well as through our existing school personnel and through HR, we're constantly monitoring that.

COUNCIL MEMBER GREENFIELD: Okay. That's a very big assumption, Chancellor, so I would ask that if possible you could just follow up and actually--

DENNIS WALCOTT: [interposing]

Without question.

COUNCIL MEMBER GREENFIELD: --focus

on that issue. We're very concerned about it.

The final point, just because I'm running out of

time is that you mentioned before that obviously

there are going to be different challenges

including special ed and related services in terms

of the growth. I've actually heard reports from

some schools where some of the children--the

parents of children have told us that some of

their children have yet to receive related

services, around a month into the school year.

Are you aware of that? Is that intentionally

being done as some sort of cost cutting measure?

Or are you not aware of it and it's some sort of

fluke that I can revolve through our friend Lenny?

DENNIS WALCOTT: With specific

school cases, I would talk to Lenny or to Laura

Rodriguez around special related services. It's

not being done as a result of any type of cost

containment. It's also as a result of

availability of a specific service, whether it's

speech or OPT or something along that line and

1
2 DAVID WEINER: The cost would be
3 the same bringing them back on. So the \$34
4 million, \$34.6 million, which was originally in
5 that \$28.1, we would have to bring them back for
6 that amount of money--

7 COUNCIL MEMBER GREENFIELD:
8 [interposing] So there wouldn't be any additional
9 training costs or anything else related to that?

10 DENNIS WALCOTT: No, because we,
11 again, have the contractual requirement based on
12 seniority, people who are experienced--

13 COUNCIL MEMBER GREENFIELD:
14 [interposing] The same people--

15 DENNIS WALCOTT: --and them coming
16 back. Basically, we can't hire for those
17 particular positions and have David do the job.
18 It has to go to the list of individuals due to our
19 recall agreement.

20 COUNCIL MEMBER GREENFIELD: Thank
21 you very much.

22 CHAIRPERSON JACKSON: Thank you.
23 Council Member Al Vann, followed by Council Member
24 Letitia James.

25 COUNCIL MEMBER VANN: Good

1
2 afternoon, Chancellor and DOE staff. I arrived
3 early and I've been here most of the time sitting
4 and listening.

5 Most parents and, indeed, most New
6 Yorkers are not really aware of DOE's policy
7 dealing with layoffs. They're not acquainted with
8 union regulations as it affects layoffs and so
9 forth. So their perception is that parent
10 advocates and assistant teachers are not valuable
11 or not valued and that they're not an important
12 part of the education that occurs that's in the
13 schools because they're the ones that are losing
14 their jobs.

15 If you represent a community where
16 your community people are being laid off who
17 happen to be women of color, many of whom are
18 heads of households and so forth, that's a
19 tremendous negative impact within the community
20 itself, just looking at it from that perspective.

21 In addition to that, it must affect
22 the quality of service provided to the child,
23 which is really what this is all about, bottom
24 line. So that I've come, and maybe sometimes you
25 have to go back to go ahead, so we have gone

1 through all of this, how it occurred, why it
2 occurred, the delegation to the principals, all of
3 that. It helps to clarify the problem but it does
4 not add to the solution.
5

6 I've come to see how we're going to
7 deal with this because my community is being
8 affected by it very seriously. So I know I
9 appreciate all the dialogue and all the insight
10 and so forth but I'm disappointed in that I don't
11 see how my people are going to get their jobs back
12 and how that's going to help to make our schools
13 better. We're not dealing with solutions here;
14 we're dealing with why we have this problem.

15 Another aspect of this, which is
16 very unique is that Paul Roberson High School, for
17 instance, is in my district and it's being phased
18 out. So, by definition and designation there are
19 less students and therefore they already have lost
20 personnel, both teachers and others. With the
21 increased savings or cut, as you will, they've
22 lost all of their non-teaching personnel.

23 So I'm speaking for all schools
24 that may be in a phased out condition, there
25 should have been something to protect them even

1
2 beyond the normal, because they already have lost
3 personnel because they're phased out, and then
4 with the additional cuts they're losing even more
5 personnel. There is not the same regard, if you
6 will, for those students who happen to be in
7 schools that are being phased out, as I see it.

8 That's something I'd like to bring
9 to your attention because there is no procedure or
10 no delegation of authority that will help us to
11 accept the fact of how they're being affected by
12 this increased additional cuts in the budget. I
13 hope I'm making my point that beyond the normal
14 there, that category of phased out, and the
15 students who are in those phased out schools who I
16 think are being really disserved because of the
17 process and procedure of the budget cuts.

18 VERONICA CONFORME: So, we've taken
19 a special look at the phase out schools,
20 specifically for the purposes of ensuring that
21 they have what they need in order to operate.

22 The second thing I'll say is that
23 Title 1 is on a one-year lag. So the school is
24 receiving the dollars associated with the kids
25 they had the year before. That provides the phase

1
2 out schools, who are losing register year by year,
3 with an extra amount of money. Paul Roberson
4 being a Title 1 school, for example.

5 Yes, we're taking a specific look
6 at phase out schools to ensure that they're able
7 to operate, both because we've brought many of
8 those schools into one network and have them
9 working with one specific person to provide that
10 oversight and support.

11 COUNCIL MEMBER VANN: Thank you.
12 Are you saying that the Title 1 will actually
13 offset the cut that would--

14 VERONICA CONFORME: [interposing]
15 No, I'm not saying that it would offset. But I'm
16 saying that they have resources and dollars from
17 Title 1 for the students that they no longer have
18 in their school.

19 COUNCIL MEMBER VANN: But they
20 would have that anyway.

21 VERONICA CONFORME: Right. Well,
22 because they're losing register. So if they had
23 600 students last year and they have 500 students
24 this year, they're getting Title 1 for 600
25 students.

1
2 COUNCIL MEMBER VANN: I appreciate
3 that, and that's helpful in terms of the Title 1
4 support. But it does not help us in terms of
5 having to cut further personnel, right? You agree
6 on that. What I'm saying is they already have a
7 reduction and they should be looked at uniquely in
8 how do we protect and preserve the numbers there
9 because they're already having a negative impact
10 because of the lesser number coming into those
11 particular high schools. I'm referring to high
12 schools in particular. All right, thank you,
13 appreciate it.

14 CHAIRPERSON JACKSON: Thank you.
15 Next is Council Member Melissa Mark-Viverito of
16 Manhattan and the Bronx.

17 CHAIRPERSON RECCHIA: We have been
18 joined by Eric Ulrich from Queens.

19 COUNCIL MEMBER MARK-VIVERITO:
20 Thank you, Mr. Chair. I'm just sitting here and
21 I'm just really perplexed. I think really the
22 human element is being lost here, I mean not to us
23 but I think on the other side. We've been hearing
24 lately about the poverty figures in the city
25 actually increasing. We're talking about a large

1 percentage of our children are living in poverty.
2 We talked about, and Council Member Levin asked,
3 in terms of the families that are impacted by this
4 decision. You know, we also have to look at what
5 decisions are we making as an administration that
6 is really feeding into having a dire situation in
7 this city.
8

9 Last I heard we lived in a
10 democracy, not an oligarchy. What is happening
11 here and what we see happening at Occupy Wall
12 Street, that's not dying down anytime soon. This
13 is a movement and a mobilization that is growing
14 that it is the majority in this country that are
15 being neglected, that are being forgotten. It's
16 at the expense of very vulnerable populations.

17 So we have to look, and I hope that
18 this mayor will take some leadership and speak out
19 for the majority in this city and not just for
20 that one percent which he really seems to want to
21 protect at all costs. We're seeing the education
22 of our children being impacted. We're seeing
23 families driven into poverty, having to ask for
24 public assistance because of these types of
25 decisions that we're making, just because we don't

1 want to ask those that have the greater ability to
2 contribute to this democracy to contribute a
3 little bit more.
4

5 I really don't think that we have
6 done enough in this case to avert these layoffs.
7 It's been mentioned about the contracts. We've
8 mentioned that time and again here and really
9 pulling back on the networks and on really trying
10 to figure out if we can reallocate that money to
11 keep the line staff in place. There are many
12 recommendations that we can contribute and that if
13 we had been part of the conversation maybe could
14 have averted these layoffs.

15 Mr. Chancellor, I appreciate, you
16 do make yourself available at all times. But this
17 is just getting to be more dire of a situation.

18 Question also, because looking at
19 our analysis here, we're talking about potentially
20 for 2013 Fiscal Year, \$576 million potentially in
21 cuts. Where is that going to come from? Where
22 are we going to after this? You know, what is the
23 perspective and the outlook that your agency has
24 given about next year? Are we going to see
25 midyear cuts now in this current fiscal year? I

1 mean I really would like to get a greater
2 perspective on how much more thought has been
3 given to this.
4

5 DENNIS WALCOTT: Sure. As we
6 indicated earlier, with this PEG for this year,
7 it's roughly \$182 million for this current PEG.
8 We're looking internally. We have until the 18th
9 of October to submit our PEG recommendations to
10 OMB. We're looking internally at Central and our
11 offices to absorb that. I'm not guaranteeing that
12 at this particular point. We're going through a
13 very thorough internal review. It is our goal to
14 not touch schools, but again, we can't guarantee
15 that. So we're analyzing a variety of ways we can
16 meet our PEG target for this year.

17 As far as--

18 COUNCIL MEMBER MARK-VIVERITO: So
19 do you see within this year more layoffs?

20 DENNIS WALCOTT: I don't know. I
21 mean we're looking at it now.

22 COUNCIL MEMBER MARK-VIVERITO: How
23 about next year?

24 DENNIS WALCOTT: Again, we're going
25 through that exercise right now.

COUNCIL MEMBER MARK-VIVERITO: \$567 million.

DENNIS WALCOTT: It's a lot of money. I said that earlier, I mean it's a half a billion dollars. Again, we have a responsibility to meet the target. But also, the bottom line is how we preserve a quality education being taught for our students. So we just don't know at this particular point because we haven't met the deadline yet as far--haven't really reached the deadline of October 18th. I will submit something to OMB by the prescribed period of time. Right now, we're looking internally on how we absorb it. But it is a lot of money. I don't shy away from that.

COUNCIL MEMBER MARK-VIVERITO:
Well, I appreciate that. Obviously, we're going to continue to fight. There are conversations happening at a national level right now. Senator Reid has proposed a very, very reasonable surcharge on people that are making more than a million dollars. I would hope that we have leadership from this mayor, considering the amount of money that that would mean in terms of revenue

1
2 for this country, which would translate to
3 additional money for this city and this state,
4 that our mayor would take leadership and really
5 speak out for the majority of us that are hurting
6 and that continue to hurt.

7 So you can have your conversations
8 internally. I'm sure these decisions are not
9 easy. It's harder on the families that are here,
10 harder on the families that got the layoff as of
11 Friday. We really need some solid leadership on
12 behalf of this city. So thank you very much, Mr.
13 Chancellor.

14 DENNIS WALCOTT: Thank you.

15 COUNCIL MEMBER JAMES: Mr.
16 Chancellor, the last proposal that was offered by
17 DC37 would have generated \$42 million. The
18 proposal was modified to cap the number of hours
19 that a school would lose to no more than three
20 hours. Again, it would have generated \$42
21 million. Why was that proposal rejected?

22 DAVID WEINER: The first proposal,
23 as you noted, actually had an unlimited cap. The
24 second proposal, actually, they did not specify a
25 cap. They said to us they wanted to cap the

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2 number of hours any particular school could lose,
3 but they didn't actually give us any sort of cap.
4 They--

5 COUNCIL MEMBER JAMES:

6 [interposing] But now that they're willing cap,
7 why did you reject it?

8 DAVID WEINER: Well, in either
9 case, it still would have caused schools to lose
10 daily staff hours. If Lehman High School, instead
11 of losing 55 daily staff hours, they lost 40 daily
12 staff hours or 30, it still is a loss midyear that
13 that school was going to face. We did not believe
14 that this would allow schools to be able to
15 function they wanted to.

16 COUNCIL MEMBER JAMES: But wouldn't
17 it have been better to lose some hours as opposed
18 to losing school aides altogether?

19 DENNIS WALCOTT: Well, it depends
20 on how you define the impact to our students.
21 Because, again, the schools made a decision on how
22 they felt best to meet a budget target that would
23 allow them to carry out their services to their
24 students.

25 COUNCIL MEMBER JAMES: What about

1 those schools where there's a reported case of
2 violence? They will lose school aides, and
3 obviously the school aides are critical to trying
4 to address the level of violence. A significant
5 number of these schools have a reported increase
6 in violence. By laying off these workers, aren't
7 you concerned about that impact.
8

9 DENNIS WALCOTT: I'm not sure where
10 you're drawing your facts from as far as the
11 school aides and the violence. I mean, obviously,
12 there will be a number of things impacted by not
13 having those people there. But at the same time,
14 to draw a direct correlation that you lose an
15 aide, therefore violence is going to go up.

16 COUNCIL MEMBER JAMES: No, that's
17 not the correlation.

18 DENNIS WALCOTT: Okay.

19 COUNCIL MEMBER JAMES: My question
20 to you is these schools where there is a
21 significant number of school aides that are going
22 to be left off, is it fair to say that a
23 significant number of these schools have reported
24 increases in violence. Yes or no?

25 DENNIS WALCOTT: I have not seen a

1 correlation between violence and these school
2 aides being laid off at all.

3
4 COUNCIL MEMBER JAMES: Don't you
5 think that you would have obviously done an
6 analysis, one, of the racial impact, and two,
7 whether or not these schools have a reported
8 increase in violence and whether or not the
9 decision to lay off all of these--

10 DENNIS WALCOTT: [interposing] Well
11 you can't have an increase if the aides were still
12 there, I mean--

13 COUNCIL MEMBER JAMES:
14 [interposing] I understand, but the school aides
15 that are being laid off, are they in schools where
16 there is a reported increase in violence? If you
17 have not done the analysis, should you have done
18 that analysis prior to your decision to lay these
19 school aides off?

20 DENNIS WALCOTT: But you're drawing
21 a correlation to these aides and whether there is
22 or is not violence there at all. The reality is,
23 again, that there are a variety of factors that
24 went into the decisions by the school on laying
25 off the aides. We have a responsibility to look

1
2 at--

3 COUNCIL MEMBER JAMES:

4 [interposing] Chancellor, the list of schools
5 where there is a reported increase in violence was
6 printed in the newspaper. When you look at the
7 schools where there's a reported increase in
8 violence, and if you look at that related to where
9 the layoffs are happening, there is a correlation,
10 Mr. Chancellor, there's no way to avoid it.

11 DENNIS WALCOTT: Not directly to
12 the aides, it's directly to--

13 COUNCIL MEMBER JAMES:

14 [interposing] It's not directly to the aides but
15 obviously the aides can assist--

16 DENNIS WALCOTT: [interposing] But
17 you're drawing the--no, no, you're drawing the
18 correlation to the violence and the aides. And if
19 there's an increase in the level of violence in
20 the schools, then we have a responsibility to
21 address that through a variety of mechanisms, but
22 it's not through the aides.

23 COUNCIL MEMBER JAMES: Don't you
24 think the school aides assist in that area?

25 DENNIS WALCOTT: Well, they provide

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a role but it's not a direct correlation.

COUNCIL MEMBER JAMES: I understand that. Recognizing that they assist in that area, don't you think that you should have been concerned about the possibility that increase would increase with these--

DENNIS WALCOTT: [interposing] With any type of issue we will face in making decisions, we're always concerned with a variety of scenarios on the what-ifs. But again, at the end of the day, our what-ifs can't drive the decision making. That's part of a number of factors that take into consideration on how decisions are reached.

COUNCIL MEMBER JAMES: Last two questions, Chancellor, why was the last offer offered by DC37 rejected?

DAVID WEINER: As I noted before, this would have had an impact on over 1,000 schools of losing staff hours, so we couldn't-- felt that we would basically have a second cut to these schools, schools that had already taken a cut over the summer and that these schools would be taking a second cut. We were unwilling to have

1
2 a disruption in the loss of staff hours at over
3 1,000 schools.

4 COUNCIL MEMBER JAMES: I think you
5 should have taken into consideration the
6 disruption in our poverty rates or the increase in
7 poverty rates in the city. Last question is on
8 the day that you laid off 600 and some odd school
9 aides on Friday were any individuals across the
10 street in Tweed laid off?

11 DENNIS WALCOTT: We had laid folks
12 off. I had indicated that--

13 COUNCIL MEMBER JAMES:
14 [interposing] I asked you, on Friday?

15 DENNIS WALCOTT: On Friday, no,
16 because we did that prior to the--

17 COUNCIL MEMBER JAMES:
18 [interposing] Do you anticipate laying off any
19 individuals from Tweed?

20 DENNIS WALCOTT: No, we already
21 took that into our consideration and our budget
22 making. Don't forget, this started in July. The
23 budget that you adopted and we signed off on was
24 effective July 1. So therefore, the cuts at Tweed
25 in our central administration took effect in July.

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COUNCIL MEMBER JAMES: But
Chancellor, on the same day that you laid these
individuals--

DENNIS WALCOTT: [interposing]
You're asking on Friday.

COUNCIL MEMBER JAMES: --off, you
have 100 postings, job postings online for the
same positions. Why are you laying these
individuals off at the same time posting 100 jobs?

DAVID WEINER: That's a great
question.

COUNCIL MEMBER JAMES: Yes. The
evidence is in the hands of the chair. Why are
these jobs posted?

DAVID WEINER: Sure. So--

COUNCIL MEMBER JAMES: Is there a
freeze on these jobs?

DAVID WEINER: So it's a great
question. So as I mentioned before, we--

COUNCIL MEMBER JAMES:
[interposing] And I want a great answer.

DAVID WEINER: --we agreed to hold
a hiring fair to see if we could get the laid off
workers matched up with the existing job

descriptions and the existing jobs --

COUNCIL MEMBER JAMES:

[interposing] These are the job postings.

DAVID WEINER: Since that point there has been a hiring freeze put into place. So those positions will not be hired. If those positions were still--

COUNCIL MEMBER JAMES:

[interposing] Parent coordinators, community assistants, well these individuals who lost their jobs on Friday, will they be given top priority for these positions? Yes or no?

DENNIS WALCOTT: Once--

COUNCIL MEMBER JAMES:

[interposing] The answer is a yes or a no.

DENNIS WALCOTT: No, it isn't. No, I'm not going to get into the yes and no. There is a hiring freeze. Once a hiring freeze is lifted and those postings are able to be filled, then based on the contractual requirements that we have with the union, the individuals who have been laid off will be hired based on seniority. Again, we have certain rules--

COUNCIL MEMBER JAMES:

1 [interposing] When do you anticipate that the
2 hiring freeze will be lifted?

3 DENNIS WALCOTT: I have no
4 projection on when the hiring freeze is going to
5 be lifted because we have an additional PEG of
6 \$182 million this year. That's why I'm not
7 getting into the yes and no type of response.

8 COUNCIL MEMBER JAMES: But
9 Chancellor, it is so insensitive to lay these
10 individuals off and the same day they go online to
11 look for jobs and their same jobs are posted.

12 DENNIS WALCOTT: The jobs are not
13 the same. It's the same classification. It's not
14 in the same schools. Again, when these were
15 posted, it was with the goal of making sure we
16 provided as much opportunity for the people who
17 were either excessed or laid off to have the jobs
18 and placing them in there. That's how we were
19 able to reduce the 777 down to 672.

20 CHAIRPERSON JACKSON: Thank you.

21 COUNCIL MEMBER JAMES: Chancellor,
22 you are nonplus, you're wonderful, you're very
23 good at answering but the reality is that this
24 administration has engaged in a pattern and
25

practice of privatizing government, period.

CHAIRPERSON JACKSON: Thank you,
Council Member. So, Chancellor--

[Applause]

CHAIRPERSON JACKSON: Ladies and
gents, please, no applause or boos please, if you
don't mind. Chancellor, let me ask a couple of
questions. We're finalizing. It's going to be my
questions, along with Co-Chair Domenic Recchia.
We thank you for your cooperation in responding to
all of the questions.

Now, my understanding is there are
certain positions that are not exempt from the
hiring freeze. So, for example, when the word
went out as far as parent coordinators, parent
coordinators were only vulnerable at the high
school level and that principals in k-8 did not
have the authority, for example, if they wanted
to, to lay off parent coordinators. Is that
correct?

DENNIS WALCOTT: That is correct.

CHAIRPERSON JACKSON: Now, what
position--

DENNIS WALCOTT: Hold on, I'm being

clarified.

DAVID WEINER: There is one exception. There are several k-8 schools that had more than one parent coordinator.

CHAIRPERSON JACKSON: I see.

DAVID WEINER: For example, my school where I was principal, we hired two parent coordinators. We did allow schools that had more than one to pull back on one, at about ten schools.

CHAIRPERSON JACKSON: It was my opinion also--not opinion, my understanding is that there were no teacher layoffs, but there were actually over 2,000 reductions in teachers that went to the ATR, the Alternate Teacher Reserve. Is that correct? In essence, they were released from their school but not laid off. They would still have a job, they're still being paid, but they're being funneled somewhere else. Is that correct?

DAVID WEINER: That's correct. So in the middle of July we had about 3,300 teachers that had been excessed from their schools.

CHAIRPERSON JACKSON: Right.

1
2 DAVID WEINER: The vast majority of
3 those people have since found other teaching jobs
4 in other schools. So the number of teachers in
5 excess is significantly, over 2,000 reduced from
6 the high number in July.

7 CHAIRPERSON JACKSON: Now that's
8 teachers. What about other titles protected by
9 the one year situation? Were there, for example,
10 reductions in the school and then they went on
11 some sort of reserve also? Like, for example,
12 guidance counselors, for example, school
13 secretaries, were some of them let go from schools
14 but also are continuing on the payroll?

15 DAVID WEINER: It's any UFT title,
16 any UFT title. Our agreement with the UFT was
17 that we would not have any layoffs of UFT titles.
18 So, any positions, guidance counselors, if they
19 were excessed from a school, they could go around
20 and find another job at a school that might need a
21 guidance counselor. So that occurred throughout
22 the summer.

23 CHAIRPERSON JACKSON: But the bulk
24 of those were teachers, is that correct?

25 DAVID WEINER: The vast majority of

those are teachers, yes.

CHAIRPERSON JACKSON: So, now, I know Friday afternoon you sent to us, our staff, data about 777 projected layoffs. And now, as of this morning, based on all the information we have, that number is 672. Is it possible you can submit to us by title, school aides, community associates, so forth, family workers, how many actual reductions occurred in each title, and the cost factor for each title grouping? You don't have a whole lot of titles?

DAVID WEINER: Yes.

CHAIRPERSON JACKSON: The answer is yes?

DAVID WEINER: Yes.

CHAIRPERSON JACKSON: Okay. I guess my final question, before I turn to my colleague is I guess a question that I'm asking of not only you, I'm asking privately, confidentially, any way possible to get a real sense from principals and others who is going to carry out the duties and responsibilities and tasks of all these school aides that are being laid off.

So, for example, I got one response. The response was: I'm sorry, I've got to go, because, you know, they were emailing me but I've got to go because I've got to get down to the cafeteria, the lunchroom. This is a principal. So I guess my question to you is who is really going to carry out all of the loss, the value of those employees in carrying out the duties and responsibilities.

I do know that part of your response earlier--when I say you, the collective you--was that it's up to each school to determine how to run the school. But the bottom line is, though, I guess, I would want to know who's going to carry out those responsibilities. You had said that there is no staffing ratio, for example, of school aides. But then it comes to a point where if you're at a certain minimum number, the safety issue becomes a problem. It's a safety issue.

So I raise that and I guess I would love to have a specific answer, but if you don't have a specific answer, a general answer as to who's going to carry out all of the duties, responsibilities and tasks of 672 Local 372

employees that were let go.

DAVID WEINER: As the Chancellor mentioned earlier, schools are going to have the right to be able to determine this as best they can. But it is really important for the Council to know that there is not one specific person who handles all roles in this particular school. Parent coordinators provide an absolute crucial role for parent engagement but they are not the only employee at a school that does parent engagement. Teachers, school aides, the principal, the secretary, all of these types of people are involved when it comes to engaging parents in activities and work.

So at any school, you pretty much will have a team of people that are working to engage parents. It's not simply the parent coordinator. That is the type of--you know, schools are going to have to make determinations about how to make up for the loss of, you know, whether it's a school aide or a parent coordinator or whatever it may be, to still be able to provide an excellent education to the children and involvement of the parents in their school

community.

CHAIRPERSON JACKSON: I truly understand what you're saying because if you only have x amount of people, you say we have to work as a team to get the job done. But correct me if I'm wrong, it's still my understanding, going back from agreements that were reached with the various unions, or one union, that teachers cannot be forced to go down to do cafeteria duty. Is that still correct? Am I right or wrong? Forced to, even though some may want to, in order to do the teamwork approach?

DAVID WEINER: So that's not exactly accurate.

CHAIRPERSON JACKSON: Okay, then--

DAVID WEINER: [interposing] We actually do have a process in our contract that allows us to have teachers do a variety of different duties within a school community.

CHAIRPERSON JACKSON: I'm sorry, is there an agreement where they don't have to go down if they're asked to go down?

DAVID WEINER: Our teachers are covered by the UFT contract. The UFT contract

allows--there's a process by which principals are allowed to assign teachers to various duties at the school, including cafeteria duty, for example.

CHAIRPERSON JACKSON: Okay. So the answer is that they can be assigned to basically cover lunchroom if there are not enough personnel there?

DAVID WEINER: There's a process in place by which the assignment can occur. Correct.

CHAIRPERSON JACKSON: Okay.

DENNIS WALCOTT: The flexibility is there.

CHAIRPERSON JACKSON: Just for the record, and before I turn to my colleague, we received testimony from Arthur Cheliotas, the president of Local 1180, the Communication Workers of America, regarding today's hearing. My Co-Chair Domenic Recchia for concluding questions and statement.

CHAIRPERSON RECCHIA: Okay, Mr. Chancellor, we're almost done. But I just want to follow-up one thing with the Chancellor, what you said about the UFT contract, about the teachers doing lunchroom duty. The teacher has to agree to

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that. If not teacher agrees to--

DENNIS WALCOTT: [interposing]

Right. There's flexibility, right.

DAVID WEINER: So we have a process called Circular Six by which teachers can be assigned duties outside of their normal schedule, which could include lunch duty--

CHAIRPERSON RECCHIA: [interposing]

And what do they get in exchange for that?

DAVID WEINER: Part of their teaching program for the--

CHAIRPERSON RECCHIA: [interposing]

So they teach fewer classes.

DAVID WEINER: No.

DENNIS WALCOTT: No.

CHAIRPERSON RECCHIA: They teach fewer classes.

DENNIS WALCOTT: No, not at all.

CHAIRPERSON RECCHIA: Listen, I know how the school system works.

DENNIS WALCOTT: And we're giving you the answer.

CHAIRPERSON RECCHIA: Believe me, I was president of a school board. I know the in

and outs.

DENNIS WALCOTT: Right.

CHAIRPERSON RECCHIA: You're not going to take me on. I know what I'm saying.

DENNIS WALCOTT: Sure, I can take you on when we have a disagreement. And the disagreement is that the flexibility is there and we were just responding to the Chair's question. That is built into the contract.

CHAIRPERSON RECCHIA: Okay. I have two things and then we'll close--

CHAIRPERSON JACKSON: [interposing] While David was consulting with another staff member; I need clarity in Domenic's question. By assigning that, then are they relieved of additional classroom responsibility?

DAVID WEINER: No, they're not. They're not relieved. They're relieved of other professional responsibilities, which do not include instructing students.

CHAIRPERSON JACKSON: Okay. So in essence, basically that's the flexibility aspects.

CHAIRPERSON RECCHIA: So, wait, wait, wait--

CHAIRPERSON JACKSON: [interposing]

That's the flexibility aspects around other professional responsibilities. Is that correct?

DAVID WEINER: Circular Six basically lists a menu of different professional responsibilities that teachers can engage in. One of those may include, you know, doing cafeteria duty. This is not in lieu of other teaching responsibilities. These teachers still would have teaching responsibilities.

CHAIRPERSON JACKSON: Okay, we'll look at Circular Six.

CHAIRPERSON RECCHIA: I just want to follow up. We've been joined by Council Member Gale Brewer.

I just want to make sure I understand you right. If this is the way I think it is, is that you're saying that a teacher that does lunch duty is going to teach those five periods that they are required to do.

DENNIS WALCOTT: Yeah.

DAVID WEINER: That is correct.

CHAIRPERSON RECCHIA: In addition to the lunchroom.

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2	DAVID WEINER: Correct.	
3	CHAIRPERSON RECCHIA: If they're	
4	assigned.	
5	DENNIS WALCOTT: The flexibility--	
6	CHAIRPERSON RECCHIA: [interposing]	
7	I just want to--listen, because I am going to get	
8	this testimony--	
9	DENNIS WALCOTT: [interposing] The	
10	flexibility--	
11	CHAIRPERSON RECCHIA: [interposing]	
12	Wait. I am going to get this testimony. I'm	
13	going to get the transcript and I'm to meet with	
14	all the principals and all the teachers and let	
15	them know about this now.	
16	DENNIS WALCOTT: The flexibility is	
17	in the contract.	
18	CHAIRPERSON RECCHIA: Because think	
19	about what you just said.	
20	DENNIS WALCOTT: The flexibility--	
21	CHAIRPERSON RECCHIA: [interposing]	
22	It's not about flexibility. He just said that if	
23	a teacher does cafeteria duty that they still have	
24	to teach five periods.	
25	DENNIS WALCOTT: Chair, we'll send	

you the information. I mean we'd be glad to. I mean we're not trying to--

CHAIRPERSON RECCHIA: [interposing]
I know Circular Six, but I think, you know, this
is--

DENNIS WALCOTT: [interposing] No, no, I mean it's not--I'm not trying to be in a gotcha position.

CHAIRPERSON RECCHIA: I got you.

No, you know what I'm trying to do? I'm trying to get back 672 jobs.

DENNIS WALCOTT: Can I talk and clarify one point? Because when you identified earlier the piece in the PowerPoint presentation and I want to be very clear, because one thing I've done with the Council Members and the committee, I've logged in probably more time both as deputy mayor and as chancellor before this body. And I've always tried to be consistent in my word and not be duplicitous in my word.

So, when you mentioned and it sounded like somewhat of a gotcha that, you know, I talked about the school aides and community coordinators and had this document, the other part

1
2 of the document talks about human resources and
3 pedagogical excesses and our roles and
4 responsibility. It lays it out.

5 It talks about non-pedagogical. It
6 talks about Title 1 and Title 2 eligibility. It
7 talks about Fair Student funding. It talks about
8 enrollment growth, register reserve policy. It
9 talks about the changes in Fiscal Year 12 adopted
10 budget. And it talks about the Executive Budget
11 overall, and it talks about the historical funding
12 charts.

13 Why I'm raising that is because
14 it's not just around the non-pedagogical as you
15 identified. We also talked about the parameters
16 around pedagogical as well. So it was a very
17 detailed--

18 CHAIRPERSON RECCHIA: [interposing]
19 Where does it say in there that you could excess
20 AP's? Where does it say you could cut down other
21 positions? You could cut OTPS?

22 DENNIS WALCOTT: It talks about
23 pedagogical. It talks about all the options--

24 CHAIRPERSON RECCHIA: [interposing]
25 But you do not say specifically about other

positions. You know how to lay out school aides, family assistants and that's the point I'm trying to--

DENNIS WALCOTT: [interposing] No, no, it's pedagogical and non-pedagogical and then it talks about--

CHAIRPERSON RECCHIA: [interposing] All right, it's a play on words.

DENNIS WALCOTT: No, it's not. Because it ties in and goes back to our debate earlier in the discussion around what was in the joint press release as well, and non-pedagogical--

CHAIRPERSON RECCHIA: [interposing] You know what, I'm glad you brought that up. I'm glad you brought that up.

DENNIS WALCOTT: Sure.

CHAIRPERSON RECCHIA: Because even though you keep on saying that the Council knew about the layoffs because of the press release you issued--

DENNIS WALCOTT: [interposing] No, you asked about a document.

CHAIRPERSON RECCHIA: [interposing] Listen. The budget that the Council voted on did

1 not have a headcount reduction. The number for a
2 headcount reduction in the adopted budget as shown
3 in the supporting schedule is exactly the same as
4 the headcount in the Executive Budget. So the
5 Council was unaware. When we adopted the budget,
6 we rely on the budget, not a press release. So
7 the Executive and the adopted headcount is the
8 same.
9

10 DENNIS WALCOTT: It's not--

11 CHAIRPERSON RECCHIA: [interposing]

12 So if you were going to say we were going to
13 layoff your school aides and family assistants,
14 the headcount in the adopted budget should have
15 been less.

16 DENNIS WALCOTT: So now--

17 CHAIRPERSON RECCHIA: [interposing]

18 And you did not have that. And I rely on the
19 budget--

20 DENNIS WALCOTT: [interposing] No,
21 that's not in contradiction to what I said. It's
22 not in contradiction to what I said. Because,
23 again, once the budget was adopted, then we passed
24 the information on to the schools as far as the
25 parameters, and then the schools made a decision--

CHAIRPERSON RECCHIA: [interposing]

But on June 20th, you said you knew that you had to layoff.

DENNIS WALCOTT: No, we had the potential--

CHAIRPERSON RECCHIA: [interposing]

On June 20th, your testimony was on June 20th you knew that you had to layoff the school aides.

DENNIS WALCOTT: I did not say that. You did not hear me--

CHAIRPERSON RECCHIA: [interposing]

Yes, you did.

DENNIS WALCOTT: No, I said the potential of--no; I did not say school aides. I did not. I did not. I said in our joint press release we talked about 1,000 non-uniform non-pedagogical staff. Then I talked about the process that unfolded over the determination of what would be taken by the schools with a 2.4 percent. Once we knew what the adopted budget was, then we knew what we would absorb and what the schools had to absorb. Then once the schools knew what they had to absorb, our fiscal staff worked with our schools and provided parameters

1 and what you're quoting here and then they came
2 back to us with their determination.

3 I was very clear in my both
4 testimony as well as my back and forth with the
5 various Council Members around--it was towards the
6 mid, toward the end of August, we knew the exact
7 number of what it would be. At that particular
8 point in time, it came out to be 777, which is now
9 672. I was very clear.

10
11 CHAIRPERSON RECCHIA: You said the
12 end of August?

13 DENNIS WALCOTT: Mid to end of
14 August is when the schools got back to us. I
15 think I said that earlier as well.

16 CHAIRPERSON RECCHIA: Well, you
17 know, the end of July, all right, you submitted
18 the budget to networks and you met with Council
19 staff on August 2nd. And on that day, we had
20 excess and vacancies and it doesn't show that.
21 This is from your office. It doesn't show that.

22 DENNIS WALCOTT: What date is that?
23 You said August 2nd.

24 CHAIRPERSON RECCHIA: August 2nd.

25 DENNIS WALCOTT: And I said the mid

1
2 to end of August.

3 CHAIRPERSON RECCHIA: You just said
4 the middle to the end of August.

5 DENNIS WALCOTT: August 2nd is the
6 beginning of August to me.

7 CHAIRPERSON RECCHIA: You did not
8 say the beginning of August. You said the middle
9 to the end of August.

10 DENNIS WALCOTT: Right. And you're
11 saying August 2nd.

12 CHAIRPERSON RECCHIA: Right.
13 August 2nd you gave us documentation that doesn't
14 show that there's going to be vacancies.

15 VERONICA CONFORME: And that's the
16 preliminary status of the excessing in schools.
17 That's preliminary. Remember, they got their
18 budgets and the end of June. We had to give them
19 time to put it together.

20 CHAIRPERSON RECCHIA: You know
21 what, I don't see anything on here that says
22 preliminary. Nothing over here says preliminary.
23 Again, I rely on documents that we get. I rely on
24 the documents that we get from the DOE. We could
25 go back and forth on this, but this is something

1
2 that had we known, we would have put the money
3 back in the budget to save these jobs. That's
4 what breaks my heart. That's the problem that we
5 all have here.

6 I'm going to tell you right now, in
7 this upcoming budget, this will never happen to us
8 again. We are going to take actions so that this
9 will never happen to us again. I'm just telling
10 you. I'm giving you a heads-up. Okay? The units
11 of appropriations, all right, we are going to go
12 into those in great detail. I'm going to tell
13 you, you're going to have to break those down.
14 Don't think you're going to come in and lump
15 things together like you always do in the past
16 years, because we are not going to stand for that.
17 I am putting you on notice now, okay, because
18 what's happening here is not right. It's not
19 right that these people in these tough economic
20 times are being laid off when it could have been
21 avoided. That's the problem that we have.

22 DENNIS WALCOTT: So, in response to
23 your point about the units of appropriation and
24 not having this repeat itself, I think I've been
25 very clear, both to the committee as well as to

1 Council Members individually and when I've sat
2 down along with my staff and the City Council
3 staff as well that we look forward to working with
4 you. We do not want to be in an adversarial
5 position. This is a collective process.
6

7 But at the end of the day, we will
8 respond to the way you want us to lay it out to
9 you. But again, we're dealing with a budget
10 situation that as you well know, Mr. Chair is not
11 a rosy picture. It has a number of issues that we
12 have to face. As a result of that, we're going to
13 have to make tough decisions that are not going to
14 be popular by people and we understand that.

15 CHAIRPERSON RECCHIA: Listen. I
16 know that. I know that. But you know what, give
17 us a chance, you know we have a voice in this
18 budget.

19 DENNIS WALCOTT: And I've always
20 been there--

21 CHAIRPERSON RECCHIA: [interposing]
22 Our voice has been taken away, to save these jobs,
23 that's the way I feel. That's the way many of my
24 colleagues feel. We weren't given the opportunity
25 to save these jobs. I want to thank you for

coming in today.

DENNIS WALCOTT: Thank you, sir.

CHAIRPERSON RECCHIA: We look forward to working with you.

DENNIS WALCOTT: Thank you, sir.
Thank you, Council Members.

CHAIRPERSON RECCHIA: We have to keep the dialogue going. I want to thank Mr. Weiner, Deputy Chancellor Weiner and, of course, Veronica, thank you so much.

CHAIRPERSON JACKSON: Thank you.

DENNIS WALCOTT: Thank you very much.

DAVID WEINER: Thank you.

CHAIRPERSON JACKSON: Thank you.
We're next going to hear from Lillian Roberts, the Executive Director of DC37, the President of Local 372, Santos Crespo and Henry Garrido, the Associate Director of DC37. With that, we're going to take a three minute break to transition in there. Thank you, a three-minute break to transition in.

[Pause]

CHAIRPERSON JACKSON: All right,

1
2 let's come back to order please. We're getting
3 ready to resume the hearing.

4 So ladies and gents, as I indicated
5 before we took a short break, let's resume now.
6 We have in front of us leaders of DC37, Lillian
7 Roberts the Executive Director of District Council
8 37 and Santos Crespo, the President of Local 372
9 of DC37. And 372, if you don't know, is the union
10 that represents all the school employees within
11 District Council 37 in schools. And also, we have
12 Henry Garrido, who is the Associate Director at
13 DC37. So with that, we, our colleagues, turn to
14 DC37 for the testimony. Whoever wants to begin
15 first, please just identify yourself and you may
16 begin your testimony.

17 LILLIAN ROBERTS: My name is
18 Lillian Roberts. I'm the Executive Director of
19 District Council 37.

20 Good afternoon. I'd like to thank
21 Committee Chairs Domenic Recchia and Robert
22 Jackson and the members of the City Council for
23 holding this important hearing. With me today is
24 my Associate Director, Henry Garrido.

25 We are here today to right a

1
2 terrible injustice. Last Friday, the city laid
3 off nearly 700 of its lowest paid workers, mainly
4 black and Latina women, many of them single
5 parents, for no valid fiscal reason. Their
6 careers, their families and the education of the
7 children of New York City became collateral damage
8 in a calculated, political maneuver by Mayor
9 Michael Bloomberg.

10 The Mayor's Department of Education
11 claimed these layoffs, which targeted primarily
12 poor and minority districts, were necessary to
13 close a gap in its \$23 billion budget. I am here
14 to tell you that these layoffs were financially
15 unnecessary.

16 DOE said laying off nearly 700
17 school aides, paraprofessionals and other support
18 staff would save \$38 million. Union calculations
19 based on Office of Management and Budget criteria
20 put the actual savings at \$22 million.

21 This was the largest single agency
22 layoff since Mayor Bloomberg took office, but city
23 negotiators rejected union proposals that would
24 have produced equal savings without layoffs and
25 other proposals that would have cut the layoffs in

half at no cost to the Department of Education, a strange legacy for the would-be educational mayor.

In our effort to avoid the layoffs, while generating the savings DOE needed, DC 37 and its affected locals, including Local 372, negotiated responsibly. The savings we proposed: cutting hours for all hourly employees in the unit and scheduling unpaid furloughs for more than 10,000 members on days when no students were in attendance, would have caused great economic pain for our members, who average only \$19,000 a year but were willing to sacrifice to save their coworkers.

Our proposals, which were consistent with DOE's agreement with the United Federation of Teachers that averted the June teacher layoffs, would have more been enough to prevent all of Friday's layoffs, but DOE refused to cancel the layoffs, showing clearly that the motivation was political, not financial.

During this process, an old lie resurfaced as a vicious attempt to drive a wedge between District Council 37 and its members. This outrageous accusation blames DC 37 and myself for

1 the Municipal Labor Committee's rejection this
2 spring of a mayoral plan to tap into the Health
3 Insurance Stabilization Fund--money set aside to
4 protect members' benefits--to pay teachers'
5 salaries.
6

7 The UFT and the mayor subsequently
8 agreed on a plan to prevent the threatened teacher
9 layoffs. But the mayor apparently held a grudge
10 based on the distorted view of reality that was
11 repeated most recently this weekend, when
12 Chancellor Dennis Walcott told the New York Times
13 the current layoffs were necessary because the
14 union would not work with us.

15 The stabilization fund was never
16 part of the recent layoff discussions, and any
17 suggestion that DC 37's participation in a MLC
18 decision caused these layoffs in a fiscal sense is
19 totally false. We made realistic proposals, but
20 the DOE was never seriously engaged in an effort
21 to prevent the layoffs and never put forth any
22 alternative proposals. The mayor rejected union
23 offers for adequate alternative savings and
24 deliberately fired 700 dedicated workers for his
25 own political reasons.

As we attempted to negotiate in good faith, the DOE posted online nearly 100 vacancies for the same positions the workers were laid off from, and retirements of almost 200 school aides and family paraprofessionals from June 1 to September 30, 2011, created 200 more vacancies. District Council 37 and Local 372 proposed letting members on the layoff list apply for the vacancies, cutting the layoffs by 300 at no cost to DOE. DOE refused, demonstrating again that these layoffs were not about money.

CHAIRPERSON JACKSON: Are you saying in your testimony--and I'm sorry to interrupt--but you're saying that they posted jobs that employees would fill in right away, more than 200 vacancies, which would reduce the total number of layoffs to like 300 but that DOE refused to allow these people to transition into the same title, the same job?

LILLIAN ROBERTS: Absolutely.
That's right.

CHAIRPERSON JACKSON: Is that what you're telling us?

LILLIAN ROBERTS: Yes, I am.

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CHAIRPERSON JACKSON: Okay,
continue. I'm sorry.

LILLIAN ROBERTS: It is a crime
that DOE keeps hiring high-priced managers and
paying more to outside contractors while it fires
low-paid employees. An analysis by my staff shows
that DOE has increased the number of managers to
about 1,400, with over half averaging more than,
\$130,000 a year. In the last year, DOE raised its
budget for outside contracts by about \$700
million, more than 20 times the total pay of all
700 laid-off workers, to a staggering \$4.5
billion.

As I speak, the DOE has advertised
a request for proposals for student support
services, including the same services many of our
laid-off members provided, such as attendance,
family outreach and support and conflict
resolution.

Over the last two years, the city
has squandered \$1 billion on inflated costs and
outright fraud in contracted-out projects like
CityTime, NYCAPS and DOE's deal with Future
Technology Associates, all paid for by our

1
2 taxpayers. With those 700 layoffs, the mayor
3 continues balancing the resulting deficits on the
4 backs of the working men and women who provide
5 vital services to the most vulnerable segment of
6 our population. I say, enough is enough.

7 These layoffs were engineered by
8 the Mayor in an end-run around the City Council's
9 role in the budget process. We deserve more
10 democracy than that, and we deserve a government
11 that puts people's needs ahead of the greed of a
12 select few.

13 We ask our friends in the City
14 Council, as they have done in the past, to reverse
15 this injustice for the safety and future of our
16 children. We ask you to restore the funds and to
17 insist that the mayor rescind the firings.

18 I want to thank you for listening
19 to us, and we're here to answer any and all
20 questions.

21 CHAIRPERSON JACKSON: Thank you.
22 Next please?

23 SANTOS CRESPO: Good afternoon,
24 Chairman Jackson and Chairman Recchia. On behalf
25 of Local 372, I would like to thank you for having

3 My name is Santos Crespo. I am the
4 president of Local 372 of District Council 37. I
5 think you have my written testimony. With your
6 permission, what I'd like to do is to kind of
7 expand on that, and in particular, confront the
8 lack of candor of the prior presenters from the
9 DOE.

20 During that discussion, however,
21 David Weiner presents the carrot. And that carrot
22 that he dangles had to do with the question of the
23 MLC and the stabilization fund. That money could
24 be saved, that there was a possibility of massive
25 layoffs if we did not come to an agreement

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2 know because I'm--and my colleagues are--we're
3 very interested in like the timeline. You know,
4 before the budget, after the budget, during the
5 summer. When you mention meetings, just give us a
6 timeline.

7 SANTOS CRESPO: Sure.

8 CHAIRPERSON RECCHIA: That'd be
9 very, very helpful.

10 SANTOS CRESPO: The meeting that we
11 first had was right after school closed, so it was
12 approximately--and Henry would probably have a
13 more precise date--but it was the end of June.
14 That meeting, again, was with David Weiner and
15 David Brodsky and it was not related to, at any
16 point, except for them bringing them, I went there
17 for a specific issue, and that was when school
18 would open.

19 The next meeting that had been
20 scheduled was for July to meet the Chancellor and
21 his staff. And the Chancellor canceled that
22 meeting. He cancelled that meeting because he
23 claimed that he had a meeting on that day with the
24 Mayor. So we then tried to schedule another
25 meeting, to no avail.

1 Here comes August. We tried to
2 have another meeting, August. This is after the
3 principals have approved their budget. You need
4 to understand that the budget that the principals
5 have to put together, the original deadline was
6 July the 15th. They got an extension until July
7 the 22nd. We then schedule a meeting with David
8 Weiner and David Brodsky, which gets cancelled.
9 Now, they already know that these layoffs are
10 coming. They cancelled the meeting.

12 Second meeting, actually now it's
13 the third meeting, we have, again towards the end
14 of August. And in that meeting, they then present
15 to us these numbers that had to do with them
16 saying there's a possibility that they may be laid
17 off but right now we're looking at excessing.

18 We then say to them that first of
19 all we're disheartened to even hear that and that
20 we are willing and prepared to sit at the table
21 and begin discussion to save these members from
22 losing their jobs. They then said they're glad to
23 hear that and that they will reschedule another
24 meeting.

25 The other meeting that gets

1
2 rescheduled, they want to cancel. We said no,
3 we're not going to cancel that meeting, because
4 now you presented us with some numbers. We made
5 specific requests from the DOE so that we can make
6 a logical analysis as to how we can best save
7 these members. We asked them for an updated
8 seniority list because the list that we had was up
9 to march.

10 We asked them how many principals
11 had, in fact, filed appeals on their budget,
12 meaning that principals that put in for their
13 budget and were rejected had the right to file an
14 appeal. We wanted to know. And the reason why we
15 wanted to know was that we suspected that
16 depending on how sophisticated--which is another
17 way of saying how long a principal has been
18 around--they know how to move money around and
19 kind of get the best bang for their buck. So we
20 needed to have those numbers. We also needed to
21 know overall what the budgets were across the
22 board.

23 We have that meeting again, they
24 had absolutely no information available for us,
25 had none of the information that we requested.

1
2 However, they wanted us to put a proposal on the
3 table immediately, similar to what UFT did. I
4 said to them, then I said I hope that you're not
5 asking for parity with a bargaining unit versus
6 us, just in terms of the economics alone, you
7 cannot have that. Second, we asked you for
8 information and you haven't given it to us. So
9 how are we then going to be able to logically put
10 our proposal together?

11 CHAIRPERSON JACKSON: You said that
12 because clearly the salary difference between the
13 bargaining units.

14 SANTOS CRESPO: Yes.

15 CHAIRPERSON JACKSON: Okay.

16 SANTOS CRESPO: Yes, yes, yes. We
17 then put together a proposal, a first proposal and
18 we put it on the table and we have the discussion.
19 They then claimed to us that we had too much money
20 in the pot.

21 I said, really, too much money?
22 Okay. Let us go back. We'll modify this proposal
23 and try to hit the target as close as we possibly
24 can.

25 In between then, however, they--

2 CHAIRPERSON JACKSON: [interposing]

3 What's the timeframe for that?

4 SANTOS CRESPO: Okay, we're now in
5 September.

6 CHAIRPERSON JACKSON: Okay.

7 SANTOS CRESPO: We're now in
8 September.

9 CHAIRPERSON JACKSON: After school
10 started?

11 SANTOS CRESPO: After school
12 started.

13 CHAIRPERSON JACKSON: Okay.

14 SANTOS CRESPO: Now, but you also
15 need to understand that the first time we put a
16 proposal on the table was at the meeting at the
17 Office of Labor Relations where this is basically
18 a formality where we go through the actual figures
19 and sometimes they'll decrease in terms of those
20 that are being laid off. We put the actual
21 package on that table. They then said to us, and
22 David Brodsky, representing the board and I think
23 there were two other folks, indicated to us that
24 they were not prepared then. That they had to go
25 back to their principals, right, and I'm not

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1 Well, here's how they got back to
2 us. We get a call from one of the news media,
3 wanting a response from us about the DOE not
4 wanting to go forth with that proposal and how do
5 we feel about it. That was the first time that we
6 heard that they had rejected the second offer.
7 Not that they called us and contacted us, we have
8 to get that news from a reporter that wanted to
9 know what was the deal here.

11 In terms of the postings that
12 Chairman Recchia alluded to, those are the same
13 exact positions and jobs of those folks that got
14 laid off on Friday. There is no difference. For
15 the Chancellor to say that they're different is
16 really being disingenuous.

17 Also, earlier on, when he indicated
18 that only the high school, when it came to the
19 parent coordinators, was going to be impacted
20 because they have the option, well when did it
21 become an option? That's one of the other mystery
22 questions here, because the arrangement that was
23 made between the state and the mayor in order for
24 the mayor to get control was to have those parent
25 coordinators in place. All of the sudden they

1 became an option for high schools. If any of the
2 school needs it more so, it's the high schools.
3 Why would you want to give them an option, which
4 then sends the signal to the principal when it
5 comes to making a budget at crunch time, they
6 would now have to consider the possibility of
7 utilizing that option. That, to me, is not an
8 option.
9

10 So I needed to clarify some of the
11 points that were made earlier by the Chancellor
12 and his people, because they seriously lack
13 candor. Nine meetings, 15 meetings, I wish.
14 Maybe we would not even be sitting here. And had
15 they not canceled the other prior meetings, we
16 probably wouldn't be sitting here.

17 They actually prolonged and waited
18 for school to start to then allow to put all of
19 the marbles on the table and say, well this is
20 what you got and this is how you're going to play
21 and if you don't like it, well the layoff stands
22 as is. Thank you.

23 CHAIRPERSON JACKSON: Well, let me
24 thank both of you leaders for coming out and
25 giving clarification to us regarding the layoff of

1
2 all these hundreds of employees, and many of them--
3 -the majority all of them--women, women of color,
4 the poorest--not the poorest--the least paid out
5 of the majority of all of the employees.

6 I want to ask one question and then
7 we're going to turn to our colleagues for
8 questions. The question that we constantly ask,
9 and maybe you can shed some light on this, who in
10 your opinion, and especially if you union leaders
11 have talked to either teachers or principals or
12 other staff in the schools, who do you think is
13 going to carry out the tasks, duties and
14 responsibilities of these approximately 672
15 employees that were laid off?

16 SANTOS CRESPO: Well, since you
17 have secretaries and they're not going to be able
18 to do that because they need to make sure that the
19 information flows out of the principal's office,
20 you're then left with your pedagogue staff, which
21 means that you're now going to withdraw a teacher
22 out of a classroom to do these jobs. Our position
23 has always been if you allow the teachers to teach
24 then you'll get success. But that's not what's
25 been--that's not what has been happening here.

1
2 You know, wherever the need is--and I understand a
3 principal's first concern is not education; it's
4 actually the safety of those kids. All right?
5 They may need to have that teacher make sure that
6 the kid is safe. That's understandable. But to
7 think that that's what's going to happen and
8 that's going to be the trend of the norm is
9 unacceptable.

10 CHAIRPERSON JACKSON: We asked that
11 question and you were here listening. Dennis
12 Walcott, in response to Co-chair Domenic Recchia's
13 question as far as this means that they're going
14 to be reducing their teaching time, and their
15 response was absolutely not. Their teaching load
16 will continue but they will be relieved of other
17 professional, I guess, duties and/or
18 responsibilities and that Circular Six allows them
19 that flexibility to basically reassign to, let's
20 say, lunchroom duties or wherever else is needed.
21 Any comments on that?

22 SANTOS CRESPO: Well, Chairman, I
23 have a colleague here from the UFT that would be
24 delighted to answer that question better than I.

25 CHAIRPERSON JACKSON: The papers

1 reported and Executive Director Lillian Roberts,
2 you even alluded to--not alluded--say that in your
3 testimony that, I guess, DC37 feels this is a
4 political hit on DC37 for allegedly DC37 not
5 agreeing to what, I guess, the city wanted the
6 Municipal Labor Council to agree to with the
7 multi-union health fund. Is this clearly your
8 opinion based on your assessment? Because I
9 wasn't at the table, I don't know what was
10 discussed. But you were. So why do you feel that
11 that is true, that it's a political hit?

12 LILLIAN ROBERTS: Well, the city
13 has for a long time tried to get into the
14 stabilization fund. The last time that they did,
15 they did not keep their commitment. It costs now
16 people a certain amount of money for going to the
17 emergency rooms and things of that nature.

18 This time, I took a position
19 myself, along with the other I'd say two-thirds of
20 the Municipal Labor Committee that we would not
21 play with a fund that had been negotiated for the
22 sole purpose of the health to our members.
23 Mainly, it would have been heavy loaded on the
24 people that are being laid off, because they might
25

1 have had to wind up paying for their health care.
2 Because if take too much out of that fund, that's
3 what would happen. So I took a position that we
4 wouldn't do it, and of course, the others
5 followed. So they blamed us.

6 But there's one other thing. I
7 think the city probably has had it in for our
8 council for a long time, because we have been
9 doing the research that's brought about the
10 investigation that has brought about so far, only
11 the beginning, one billion dollars worth of fraud
12 and thievery of taxpayer money that falls back on
13 our communities when they're being laid off. If
14 the money was there, they wouldn't be laid off.

15 CHAIRPERSON JACKSON: So you're
16 referring to all of the white papers that you
17 produce on the contracting out, not only in DOE
18 but the City of New York which--

19 LILLIAN ROBERTS: [interposing]
20 Absolutely.

21 CHAIRPERSON JACKSON: --had been
22 publicized in all of the papers as far as people
23 stealing money--not \$5, \$10--millions of dollars--

24 LILLIAN ROBERTS: [interposing]
25

That's right.

CHAIRPERSON JACKSON: --of taxpayer dollars.

LILLIAN ROBERTS: Absolutely.

CHAIRPERSON JACKSON: That's what you're referring to.

LILLIAN ROBERTS: Yes. We have other contracts that we're having looked at as well. They don't like it. They don't respond to it. This has been eight years in the making; trying to get them to look at the waste that has impacted on New York City and on the poorest communities and they refuse to do so. So we will continue. I'm sure they'll continue to try to take it out on us, but we're up to the task.

CHAIRPERSON JACKSON: We collectively have said that in our opinion by laying off these employees, some of the least paid in the system, that many of them would turn to the city itself in order to survive.

LILLIAN ROBERTS: Absolutely.

CHAIRPERSON JACKSON: So, for example, some may turn to social services, which when I grew up we called it welfare, but it's

1 social services, for help to pay the rent, to pay
2 the Con Edison bill, to put food on the table, so
3 they're getting food stamps. They may depend on
4 Medicaid; they may depend on child care. It's my
5 assessment, and I want to know your opinion as
6 union leaders, is the city overall, not DOE, is
7 the city overall saving money as a result of
8 letting these employees go?

10 LILLIAN ROBERTS: I'm going to say
11 absolutely not, because whenever they lay off
12 workers of this nature, and we find that in some
13 of the district, 50 percent of that district is on
14 welfare. It simply means that some of the workers
15 will be homeless. By the way, our homeless
16 population is growing every day and there are
17 33,000 of our children in the shelter, in the
18 public schools.

19 I think that's a disgrace, in one
20 of the richest cities in the United States that we
21 have a poverty area supported and probably pushed
22 into poverty because of the policies made on the
23 part of this mayor. I'm really upset about it.
24 So we will wind up paying for those services,
25 because when the monies are less in those areas,

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2 they raise the taxes to all of us, the ordinary
3 person working, in order to have funds, in order
4 to have a food pantry and some of the things that
5 our workers do not want. They want their jobs.

6 SANTOS CRESPO: Chairman, there's
7 another economic impact that does not get
8 discussed too often either in relationship to
9 this. That is, in our communities rather than
10 having local business--real small business owners
11 continue to get the flow economically from 700
12 plus folks in this case, that drops considerably.
13 In other words, rather than to go to the local
14 grocery store, the local bodega two, three times
15 out of the week, it's now down maybe to once, you
16 know, in a month, and the same thing all the way
17 across the board.

18 Then where's the tax base? There
19 is not enough money coming in to collect the taxes
20 on, so you start losing on the tax break. I know
21 what that's like. I was laid off in 1976.
22 Luckily, if it wasn't for a union--I was on a
23 recall list for two years. It is one of the most
24 humiliating experiences you can have, because you
25 never seem to get from under. You're in debt to

1
2 your eyeballs. Luckily, I always had people that
3 looked after me and made sure that I worked
4 somewhere. But economically in this period, jobs
5 are very, very, very scarce.

6 CHAIRPERSON JACKSON: I received an
7 email, because I'm trying to get assessments not
8 from DOE directly but from the people--as they
9 say, the people on the street, meaning in the
10 schools. One of the comments that I received in
11 reading an email today during this hearing was,
12 "Okay, I'm being laid off. I'm being offered
13 Cobra. I can't afford Cobra. So as far as I'm
14 concerned I'm not going to have any health
15 insurance because I can't afford the \$15,000
16 because I can't even afford to pay my rent."

17 Henry, can you comment, as
18 associate director, and I know you do stats. You
19 were the point person for the union, in my opinion
20 based on everything and I know with the white
21 papers, but how much is it going to cost these
22 employees in order to try to go to Cobra in order
23 to have health insurance with their family? Can
24 they afford it?

25 HENRY GARRIDO: Well, good

1
2 afternoon, Mr. Chairman. I think that much of
3 this discussion has been about the issue of cost
4 associated with these layoffs. I think most
5 people don't realize that in some instances the
6 Department of Education has an obligation
7 contractually to continue to pay for the health
8 insurance of many of the people that are on the
9 layoff list. They will continue to do that even
10 though the people are not in school. That is a
11 cost that was never associated with this exercise.
12 So as of now for the paraprofessionals, DOE will
13 continue to do that.

14 Second to that, we estimate that
15 the cost of unemployment insurance is actually
16 closer to \$8 million, which as the Chairman
17 pointed out before, can be extended for up to 99
18 weeks without the DOE receiving the benefit.

19 If I may, I want to go back to a
20 point that Santos made, because I think he's being
21 kind in calling DOE a lack of candor. It seems
22 the motto of this administration is that if you
23 repeat a lie outright multiple times then somehow
24 that fiction is going to become reality.

25 I want to read to you a posting

1 which came to me from the Department of
2 Education's own website. They never forward it to
3 us. It's calling for 40 positions, up to 40
4 positions centrally in the Department of Education
5 family assistant title. The student with support
6 services is posting number 28. And it--

8 CHAIRPERSON JACKSON: [interposing]
9 And when was it dated?

10 HENRY GARRIDO: This was dated
11 September the 9th. The deadline for that posting
12 was October the 6th; it was the day before the
13 layoffs. I'm providing those for the Chairmen and
14 the committee to review. The only criteria, for
15 providing these students with temporary services,
16 within this posting is you have to be an actual
17 family paraprofessional on the job. You can see
18 the period in which this was done.

19 A second posting: a DC37
20 paraprofessional in the YABC program. Again, the
21 only requirement is you have to be either a school
22 aide or a paraprofessional. Six positions. A
23 third posting, 20 jobs on the GED proctoring test.
24 You're proctoring a test for school aides, right;
25 this is a centrally located position, up to 20,

1 and a community assistant, and so on and so forth.
2
3 There are about at least 40 positions that were
4 posted here for the very same titles that we're
5 talking about.

6 So I want to set the record
7 straight. What you heard here from the
8 administration about their willingness to set up a
9 hiring hall is an outright lie. They outright
10 deny out requests to have a hiring hall so that
11 those people who were going to be laid off had the
12 ability to apply for these positions.

13 What they said about us having
14 these seniority rules by district, another lie.
15 We agreed to waive the seniority provisions of the
16 districts in order to allow people not to lose
17 their jobs. It makes no sense for us to hold off
18 to a district seniority process when people are
19 hitting the streets.

20 CHAIRPERSON JACKSON: So you mean
21 you would have gone to a citywide?

22 HENRY GARRIDO: We agreed that
23 anybody who was on the layoff list that was
24 willing to apply within any position--

25 CHAIRPERSON JACKSON: [interposing]

Wherever.

HENRY GARRIDO: --within any district, as long as they had a job, we would agree to all that. DOE then turned around and said we don't know how many positions we're going to have, but it is our intention to reduce the number of layoffs by the number of vacancies. So there are over 200 people who retire in the Board of Ed retirement system, according to their records, between June and September. In addition to that you had 100 postings that were up here.

So we suggested, hey listen, that's 300 vacancies that you have. If the intention is to do this right, set up a hiring hall. We would agree to waive any rules that would allow these people to arrive citywide as long as they have a job. Again, they refused.

CHAIRPERSON JACKSON: They refused?

HENRY GARRIDO: They refused. Not once, not twice but three times.

CHAIRPERSON JACKSON: Wait a minute. I'm trying to understand this. You have identified, they have identified vacancies, the same position that people retired in, the same

1 title. You requested they have a hiring hall.
2 This is the most massive layoff in the entire
3 Bloomberg administration, over 700 employees.
4 They refused to have a hiring hall for the
5 employees?
6

7 HENRY GARRIDO: That's correct,
8 just as they refused outright our proposals. We
9 talked about those. You heard the Chancellor
10 mention the hours and how that would have affected
11 the schools and all that other stuff. Now, I
12 would have liked to hear from him why then did he
13 reject the proposal for the two days of furloughs
14 which would have saved DOE \$3.4 million by their
15 own account, without adding the third day. They
16 never came to us and said we'll take that, which
17 is at a day when no school is in session--the
18 children are not in session, the teachers do a
19 professional day--we will take those and we will
20 reduce the layoff by that amount. It never
21 happened.

22 CHAIRPERSON JACKSON: So in
23 essence, it would not have caused any chaos
24 because the schools were not open. So in essence,
25 you take the total amount of money of those two

1
2 days in which schools are closed, let's round it
3 off to \$3.5 million, equate that to even take
4 their numbers as far as the 34 or whatever amount
5 of money it is, how many jobs that is, let's save
6 those jobs. You put that forward?

7 HENRY GARRIDO: That's right.

8 CHAIRPERSON JACKSON: And they
9 said?

10 HENRY GARRIDO: They said no.

11 CHAIRPERSON JACKSON: Why? I'm
12 sure if I'm at the table I'm going to say wait a
13 minute, we're not interrupting the school day.
14 We're going to add more employees and it's going
15 to cost out employees the day off, the union \$3.5
16 million. Why are you saying no? You must have
17 asked that question. What kind of answer did you
18 get?

19 HENRY GARRIDO: We got the same
20 generic answer you got today. This would have
21 caused a disruption of the school and overall we
22 think this is the right thing to do for the
23 schools and the principals made the decision and
24 that's the end of that.

25 CHAIRPERSON JACKSON: But wait a

1 minute, if you follow common sense, if you're
2 adding employees full time or part time, whatever
3 they are, and you're not reducing the number of
4 hours of other people because the schools are
5 closed, it flies in the face. It doesn't make
6 common sense.
7

8 HENRY GARRIDO: Mr. Chairman, this
9 would have been a great pain to our members, but
10 we consider this to be a no-brainer in terms of
11 negotiations. But it turns out that was exactly
12 what it was. It was a no-brainer because they
13 never had any intention in the negotiations that
14 we were in there. They never put proposals of
15 their own. They never rejected--

16 CHAIRPERSON JACKSON: [interposing]
17 They didn't put proposals on their own?

18 HENRY GARRIDO: No.

19 LILLIAN ROBERTS: None.

20 HENRY GARRIDO: Never, not one.

21 CHAIRPERSON JACKSON: So this is
22 why you conclude that this is a political hit?

23 LILLIAN ROBERTS: Absolutely.

24 CHAIRPERSON JACKSON: Based on all
25 of what you're saying?

1
2 HENRY GARRIDO: That and every
3 response that we've heard from City Hall regarding
4 the request from the press has been referenced to
5 the June negotiations with the MLC. Never once
6 did they comment this only to say that it was too
7 little too late. We first received notification
8 from DOE August the 25th.

9 CHAIRPERSON JACKSON: David, the
10 labor relations person, said he spoke to Santos
11 around June 20th or 22nd and said that there's a
12 possibility that there may be 1,000 reductions.
13 He basically, he gave you notice. He said it
14 here, he said it to the Black, Latino and Asian
15 Caucus, he said it to other people. At that time
16 he gave you notice that there could be an impact
17 of 1,000 employees. Isn't that true or not true?

18 SANTOS CRESPO: Well, yes and no.
19 And I'll give you the yes and no.

20 CHAIRPERSON JACKSON: Okay.

21 SANTOS CRESPO: I'm sorry I have to
22 do it that way.

23 CHAIRPERSON JACKSON: That's okay,
24 we just want clarity.

25 SANTOS CRESPO: Right. The meeting

1 was not an intended meeting to discuss this at
2 all. This was the carrot being dangled regarding
3 the MLC with the related--or the stabilization
4 fund I should say, and my wanting to straighten
5 out when school was going to start and payroll.
6

7 The broadside to that was there is
8 a possibility, not facts, no figures, nothing
9 official, that you may lose over 1,000 folks, a
10 possibility.

11 CHAIRPERSON JACKSON: Possibility,
12 okay.

13 SANTOS CRESPO: Of course, what
14 would actually bring that forth, whether it
15 actually would happen or not, was whether or not I
16 could convince my leader to forgo her position on
17 the MLC and go with their position to use the
18 stabilization fund. That's what that was about.

19 CHAIRPERSON JACKSON: So they're
20 trying to put pressure.

21 SANTOS CRESPO: That's correct.

22 HENRY GARRIDO: Yes.

23 CHAIRPERSON JACKSON: Okay.

24 SANTOS CRESPO: I said you're not
25 throwing my leader under the bus, and go talk to

the other 98 percent that are saying no.

CHAIRPERSON JACKSON: Okay. Now that's clear. So we hear it clearly from you as to the communication because it's important that we have clarity and transparency in this process because you've heard the saying "the truth will set you free."

So let me turn to my colleague Domenic Recchia, who may have some questions, along with our colleague Letitia James of Brooklyn. Letitia James of Brooklyn. Thank you.

COUNCIL MEMBER JAMES: Thank you. So, as was mentioned before, obviously my concern is regarding the growing inequality in our system and the increasing rates of poverty. My position is that we should not measure the prosperity of the city and/or the nation based on the number of millionaires, but the number of people who unfortunately are living under the weight of poverty.

Based upon that equation, obviously this administration, unfortunately, has failed miserably. They cannot wear the banner of being the education administration and the mayor cannot

1
2 hail himself as the education mayor because he has
3 failed in that area as well.

4 He wanted this third term. He's
5 the one that, unfortunately, went around democracy
6 and around the will of the people. He should be
7 judged based on his failures, over time based on
8 CityTime, based on all of the investigations,
9 based on the fraud, based on his response to the
10 snowstorm, and the list goes on and on and on,
11 based on the deputy mayor, the list goes on and
12 on.

13 So I know you negotiated in good
14 faith. I know you offered furlough days. I know
15 you offered reducing hours for some part time
16 workers. I know that you also were willing to cap
17 the number of hours at each particular school. So
18 the question for me is do you agree that this is
19 really nothing more--obviously we know that
20 they're targeting DC37--but it's an attempt really
21 to privatize government in the City of New York.
22 This is an attempt to focus on labor at the
23 expense of everyone else in the city and in this
24 country.

25 SANTOS CRESPO: Yes, Councilwoman,

1 I agree with you wholeheartedly. This has been an
2 ongoing battle between the municipal unions and
3 the particular, in this case, DC37 and my local to
4 combat the continued effort on the mayor's part to
5 privatize the system. There is absolutely no
6 economic reason, give all of the information that
7 has been put forth with these outside contracts
8 and these consultants that even--and as Councilman
9 Sanders pointed out--one measly percent of that
10 total would save not only the jobs of my members
11 but there would be no reason for anyone at the DOE
12 to be laid off.
13

14 COUNCIL MEMBER JAMES: So, the fact
15 that they cannot find \$20 million, and in fact
16 it's less than \$20 million because of the 100
17 postings and the 200 other positions as a result
18 of furloughs, that they could not find perhaps
19 \$10-\$15 million in a budget of \$6 billion, to me
20 is an insult to my intelligence and to the
21 intelligence of the co-chairs and all the members
22 of the City Council. Again, they have attempted
23 to pit one union against the other and vilify
24 DC37. I reject all of that and I reject the theme
25 and the scapegoating of the lowest paid workers in

1 the City of New York.

2
3 So this falls hard on the shoulders
4 of the mayor. You have negotiated in good faith.
5 Your members should stand up strong. There is
6 nothing that they should be ashamed of. They
7 should proudly represent municipal laborers. This
8 is our Wisconsin moment. All of us, all of us,
9 all of us progressive members in the City Council
10 should reject any effort to lay off these workers.
11 I stand with you. I know the members here in the
12 City Council stand with you. It's a proud moment
13 in the city.

14 This is a defining moment as we
15 march together with those who have occupied Wall
16 Street. This is a defining moment in the City of
17 New York. We've got to raise our voices. This is
18 really an attack on municipal laborers at the
19 expense of the rich--

20 LILLIAN ROBERTS: [interposing] It
21 is.

22 COUNCIL MEMBER JAMES: It should be
23 rejected resoundingly. The media should know it
24 and they should proudly hail that this is a
25 defining moment in the City of New York. Mayor

Bloomberg should hang his head in shame today.

LILLIAN ROBERTS: I have hope because of people like you and the City Council. In the past, they have never questioned the mayor. And when one is wealthy and has power, it seems that the press is very eager--and I understand why--to believe everything they say without exploring what the impact is. The impact has been devastating.

One of the things that this union prided itself in doing is getting the facts. We did a lot of research, which Henry spends all of his time watching the budget, because if I'm going to make a claim, I want to make sure that I'm being responsible. We passed that research both to the Mayor's Office, to the City Council, to everybody that will listen, and nobody said anything for a while.

It was only after eight years when the federal government came in and indicated I think it was ten, it's now probably up to two dozen people. It was one billion dollars floating in the air, and people are laid off, not having jobs and starving, not having food in the food

1
2 kitchens that people are looking at stealing and
3 not saying enough about it. Now the latest hit
4 has been on the lowest paid people in the city.
5 I'm outraged. I'm going to keep speaking up; I'm
6 going to keep watching. And you're going to watch
7 these investigations unfold under this mayor at
8 the expense of the poor.

9 COUNCIL MEMBER JAMES: Ms. Roberts,
10 I know that there are more investigations to come.
11 I look forward to working with you. You uncovered
12 CityTime. You shared it with me. We had several
13 investigations. We alerted this administration
14 and that was before anyone paid any attention. We
15 told them not once, we told them not twice, we
16 told them three times with regards to CityTime.
17 It ballooned to \$800 million. Now the lowest wage
18 workers in the City of New York are going to lose
19 their jobs because they were obstinate and they
20 turned a deaf ear to an investigation and facts
21 that were put on the ground and the realities on
22 the ground.

23 So, again, the Mayor of the City of
24 New York needs to take full responsibility for
25 this. I hope that the media asks the questions

1 because they, too, unfortunately, have believed
2 the hype and have drank the kool-aid.

3 LILLIAN ROBERTS: Absolutely.

4 CHAIRPERSON JACKSON: Thank you,
5 Council Member.

6 HENRY GARRIDO: Councilwoman, I'm
7 sorry to interrupt, but I think this is a very
8 good case in point of what you just referred to.
9 At the very same time that over several hundred
10 people got laid off, here's an RFP, a request for
11 proposal that was posted by this administration
12 for support services in the schools. That RFP
13 contains dozens of positions on doing things like
14 family outreach, attendance, parent coordination
15 services, conflict resolution, the very same thing
16 that our people are being laid off were doing in
17 the schools. Why is it that they are able to find
18 money to fund this RFP but are not able to find
19 money to fund and retain the services of the
20 individuals?

21 COUNCIL MEMBER JAMES: Thank you,
22 Mr. Garrido. Again, \$10-\$15 million out of a
23 budget of \$6 billion, you cannot tell me that you
24 cannot find it. It's unacceptable. What is the
25

number?

CHAIRPERSON JACKSON: \$66 billion.

COUNCIL MEMBER JAMES: \$66 billion,
excuse me.

CHAIRPERSON JACKSON: Expense
budget, yeah.

COUNCIL MEMBER JAMES: So \$10-\$15,
a \$66 billion, that's with a "B" and they can't
find that amount of money.

CHAIRPERSON JACKSON: Thank you.

COUNCIL MEMBER JAMES: Given all of
the individuals across the street on average
making over \$100,000. Unacceptable.

CHAIRPERSON JACKSON: Thank you,
Council Member. Let me just finally thank the
three of you for coming and giving testimony.
Understanding that many individual Council Members
that you communicated with that we, on your
behalf, on behalf of the employees that we
represent in the 51 Council Districts, tried our
best. As you know, we met with the Chancellor,
our Speaker spoke directly with the Mayor.
Obviously they were not a willing partner to undo
these layoffs. But the struggle continues.

1
2 Sometimes, as you indicated, you have to stand up
3 and speak truth to power, even if you have to
4 stand up by yourself. So I thank you on behalf of
5 the City Council for coming in and giving clarity
6 to all of the issues relating to the impact that
7 this is having on those employees

8 LILLIAN ROBERTS: I just want to
9 make one request. I would like to ask that this
10 Council rescind the layoffs with the thrust toward
11 looking at the budget and helping us, working
12 together to find the resources in order to retain
13 these workers. I think that we've had enough
14 information to show that it's doable, particularly
15 with this RFP that's been put out and the proposal
16 that we made. We would be very grateful if you
17 would stand with us and do that because it's the
18 right thing to do.

19 CHAIRPERSON JACKSON: Well, we
20 stand with you and we will do everything we can to
21 try to do that. Obviously, the executive branch
22 runs the show. We have oversight. As you know,
23 going back, the state legislature and the
24 governor, with the support of many unions, gave
25 the mayor mayoral control. So, as I've said many

1 times before, when you have one person in charge,
2 in many countries other than America, we would
3 call that a dictatorship. So I just thank you for
4 coming in. We will do our best to try to rescind
5 that.
6

7 CHAIRPERSON RECCHIA: We're going
8 to try our best to try to get these jobs back.
9 But there is no mechanism in our power to get back
10 these jobs. There's no way we could force them or
11 pass any type of law or pass any type of amendment
12 to the budget to make them do this. We can't
13 force them. There are instances where we put
14 money back. We put money back one year for ACS so
15 workers from ACS wouldn't be laid off. And the
16 Mayor refused to put the money back. But we are
17 trying to figure out and we are going to do
18 everything working with you.

19 Speaker Quinn and this City Council
20 under her leadership, we stand proud with you. We
21 are going to figure out a mechanism how we get
22 these workers back. We are not going to give up.
23 The fight has just begun. Thank you.

24 LILLIAN ROBERTS: Thank you.

25 SANTOS CRESPO: Thank you.

CHAIRPERSON JACKSON: Thank you.

Our next panel will be the president of the Council of Supervisors and Administrator, Ernest Logan, and the vice president of the United Federation of Teachers, Michael Mendel. Please come forward.

The following panel will be, after the two union leaders, Alonzo Shockley, a parent coordinator; Cliftonia Johnson, a community associate of DC37; Sabrina Williams, a school aide at DC37 at a District 27 school; Sharon McCorkle, a parent coordinator. I guess all of these employees were laid off as of Friday. Latasha Murray, a school aide at P.S. 256. That's the next panel after these union leaders, so please get ready. Thank you.

Ladies and gents, we are ready to begin the next panel. So with that, we would like to turn to the two union leaders. Whoever agreement it is to go first, please do so.

ERNEST A. LOGAN: Thank you.

Chairman Jackson, Chairman Recchia and members of the City Council, I'm Ernest Logan, President of the Council of School Administrators. I'm not

1
2 going to read my testimony, you've seen that and
3 you have it. I' here to respond to some of the
4 statements that were made earlier today.

5 So I first want to start off by
6 saying number one, principals do not control their
7 budgets. Let's get that kind of real clear here.
8 People keep asking the question and it's been
9 skated around up here about what control they
10 have. They do not control their school budgets.

11 Item number two: principals do not
12 do layoffs of staff. Principals are assigned a
13 number to meet within their budget and they are
14 given options. The options that were given in
15 regard to this recent piece had to do with tell us
16 your teachers, your pedagogues, your staffing, who
17 your budget does not support, you are to place
18 them into the technology that we have here, which
19 is the computer, and we will decide what happens.

20 In the past, because I think it's
21 important to understand the past, in the past when
22 you place someone on an excess list, you might
23 have had some movement of staff from someone who
24 might have had more seniority than your person
25 had, to come into your building, but people were

1
2 not laid off.

3 Now, to find out that there were,
4 indeed, vacancies that were created because of the
5 number of people who had retired, becomes you
6 start to wonder what was this all about here.
7 Because normally what would happen, if you have a
8 vacancy, the person that you are losing in your
9 building would then go fill that vacancy. So I
10 don't know what the situation was this year and
11 how the DOE decided to maneuver this.

12 The bottom line here is that there
13 have been too many things happening here that no
14 one can quite figure out, about how the strategy
15 was done to make these things happen.

16 Number three and this is a critical
17 number three. My members would have rather taken
18 the reduction in the number of hours that someone
19 was assigned to them than to have no one. Now I
20 think what people fail to realize is that we talk
21 about school aides, community associates, as if
22 their throwaways. If they were throwaways we
23 never would have had them in our buildings in the
24 first place. These are critical parts of our
25 school.

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2 principal to have a safe and secure environment,
3 to be able to support schools and communities, and
4 there's an option, give us the options. But give
5 us all the options. If you say to me I know
6 there's a lot in the school budget that there's
7 nothing you can do about, there are mandates from
8 on high, whether contractual or government, et
9 cetera. But then give us all the options and then
10 say you are indeed, like they like to say, the
11 CEO. So make me the CEO.

12 One last piece before I end here,
13 because I think this is a problem that we're going
14 to continue to have. We have to decide in this
15 city, in this state, in this country, in this
16 society what is the priority that we place on
17 education? Every year we should not be coming
18 somewhere begging about how we educate the
19 children of this county. We need to decide what
20 the base is that we need to be able to effectively
21 provide a quality education for our children and
22 we need to fund it at that level. And stop
23 playing these games, well this time we had to cut
24 back here, the federal government didn't give
25 this, the state didn't give that. That's not what

1
2 we're about with our children. So we have to
3 finally make a commitment that that happens.

4 CHAIRPERSON JACKSON: Thank you.
5 Next please?

6 MICHAEL MENDEL: I'm Michael
7 Mendel, the secretary of the UFT. The first thing
8 I'll tell you, sitting here listening to the DOE,
9 it was really interesting to see intelligent
10 people trying to defend the indefensible. I must
11 tell you.

12 But let's just get to it. You
13 know, their talk is cheap. We don't have to be
14 nice about this. They tell the public that
15 they're interested in every child being ready for
16 college, college-ready. Yet, they cut the
17 education budget every year. The teaching staff
18 is down 6,000-7,000-8,000 teachers. Now they're
19 cutting school aides.

20 Well, look, you know I just have to
21 call them out on this. They're very slick. You
22 know it wasn't lies. It was just misleading. The
23 Chancellor said there's no correlation between
24 school aides being laid off and violence in the
25 schools. Well, first of all, school aides

1 supervise the lunchroom. If there was no chance
2 of fights, anybody who goes to a school knows that
3 there are sometimes fights in a lunchroom. There
4 are disturbances in the lunchroom. If they're
5 there, they can stop it, break it up, help end it,
6 prevent it. If they're not there, it's just
7 common sense that things will happen that would
8 not normally have happened.

10 How about school aides who escort
11 children from their bus to the classroom? How
12 about school aides who might man an outside door
13 because there are not enough people to patrol
14 those doors to prevent intruders from coming in?
15 I don't have to go through all the things, but
16 it's common sense that if they weren't serving a
17 purpose, why do we have them?

18 Now, listen, we all hear the phrase
19 "it takes a village to educate a child." So it
20 takes a whole school to educate a child. School
21 aides are part of the foundation of a school. If
22 you start chipping away at the foundation of the
23 school, what's going to happen to the rest of the
24 school? It starts to crumble.

25 We already have class sizes that

1 we've never had before or haven't had in years.

2 We have programs that have been cut. For them to

3 blame the principals when everybody knows what

4 happened here, you guys know what happened here.

5 We know what happened here. This is just Politics

6 101.

7 You couldn't find the amount of

8 money that it's costing to save these people in

9 this budget if you had a magnifying glass the size

10 of this room it's such an insignificant amount.

11 But let me give you one, and I know

12 the City Council likes this. Here's one that you

13 can really get your teeth in. The Board of

14 Education is allowed to get Medicaid reimbursement

15 for special ed services. They want to do it

16 through their computer system called the Cesis

17 [phonetic] system. The Cesis system is broken,

18 broken, broken. They are losing anywhere from a

19 couple hundred million to a half a billion dollars

20 a year. They can't get it right. What they get

21 right is if they taught a class in Mismanagement

22 101, they would get that right because that's how

23 they run the school system, mismanaging it.

24 CHAIRPERSON RECCHIA: I got one

better for you on that topic. Do you know that they want Commission Doar to do the billing for the DOE? You want to hear something even better? Are you ready for this? Deputy Mayor Gibbs wants a piece of the action that she collects. They want to take away the money from the schools and give it somewhere else.

MICHAEL MENDEL: I'm just saying--

CHAIRPERSON RECCHIA: [interposing]

They're not only pitting union against union, now they're pitting deputy mayor against deputy mayor. It's unbelievable.

MICHAEL MENDEL: Well just ask them
about the Cesis system.

CHAIRPERSON RECCHIA: I know about
the Cesis, I know.

MICHAEL MENDEL: So let's get to education for a minute, because there was some talk here about Circular Six.

CHAIRPERSON RECCHIA: Right.

MICHAEL MENDEL: It is true that on professional activities one of the menu items is going into the cafeteria. That is true. But it's only a limited number of people. The contract

1 talks about rotating Circular Six items. I just
2 jotted down like four other items. You can decide
3 if they're important or not. Common planning,
4 doing special ed IEPs, one-to-one tutoring, small
5 group instruction, those are all menu items that
6 teachers can do on their Circular Six activity.
7 If now you're saying you have to put them in the
8 cafeteria, then these educationally sound things
9 that will help children will be lost to these
10 children. This college-ready rhetoric becomes
11 rhetoric and not reality.

12
13 A few more things and then I'll
14 wrap it up. There are other ways to get money.
15 We all know this. The millionaire's tax was
16 mentioned. You could redeploy personnel and save
17 money. There are ways to do all of these things.

18 The last thing I want to say, and
19 this was mentioned here, but it takes a second,
20 the human factor. The human factor. I was laid
21 off twice in the 70s during the fiscal crisis.
22 Santos mentioned about being laid off. Unless you
23 are laid off, you cannot imagine how you feel, the
24 devastation.

25 The Chancellor said there's no

1 correlation between these people being laid off
2 and going on public assistance. No, they're all
3 millionaires who had nothing better to do so they
4 became school aides. I mean what is the reality
5 here? What's the reality? You can do half-truths
6 but you know the reality. It's not just the
7 people, it's their husbands and wives, it's their
8 children, it's everything about their lives.

10 Are you telling me in this city we
11 couldn't find the money to keep these people
12 working? I don't believe it. You're ripping out
13 the foundation of the schools. You have the
14 money. This is a disgrace. Why don't we call it
15 the way it is? Thank you.

16 [Applause]

17 CHAIRPERSON RECCHIA: All right.
18 Council Member Jackson?

19 CHAIRPERSON JACKSON: First, let me
20 thank both of you for coming in. In response to I
21 guess some questions, because they said basically--
22 -I'm summarizing now--they said that if in fact
23 they had agreed to what DC37 had put forward as
24 far as proposals to reduce the layoffs there would
25 be havoc in some of the schools and it would

1
2 disrupt and take away when some schools have
3 already decreased their 2.4 percent. It would
4 negatively impact that school even more.

5 What I heard from you, Ernest
6 Logan, the president of CSA, representing
7 principals, assistant principals and school
8 administrators is that the principals would rather
9 have bodies in there--meaning not bodies but
10 employees--doing their duties and responsibilities
11 and tasks, which--

12 ERNEST A. LOGAN: [interposing]
13 Chairman Jackson, let me just try to clarify this.

14 CHAIRPERSON JACKSON: I'm just
15 trying to get clarity.

16 ERNEST A. LOGAN: Number one, it's
17 more disruptive what happened on Friday because
18 today there's disruption. Now I know my members
19 have planned for some of this for today--

20 CHAIRPERSON JACKSON: [interposing]
21 Right, you can plan for so much.

22 ERNEST A. LOGAN: But this is
23 disruptive. Right, but this is disruption.
24 Number two: no one asked principals could you then
25 adjust to the fact that if the workers decided to

1
2 give up two furlough days--and you know everybody
3 is missing this--how much money came about from
4 having DC37 Local 372 employees give up two days.
5 That was Election Day when it's a citywide
6 professional development day and one other day
7 when children are not in session. It would not
8 have affected the schools greatly because,
9 remember the main premise behind these workers,
10 these employees is support. That's why we work
11 with children.

12 CHAIRPERSON JACKSON: Right.

13 MICHAEL MENDEL: Could I just--

14 ERNEST A. LOGAN: [interposing] The
15 idea that you pass that up to lay off people, I
16 don't care how many jobs that saved, makes
17 absolutely no sense because there was no
18 disruption in that.

19 Okay, let's first dismiss that.
20 Now if you say that if we had come back with a
21 proposal that said instead of working seven hours,
22 you work five, or four, that that would be a
23 disruption. It would be a blink.

24 CHAIRPERSON JACKSON: A blink?

25 ERNEST A. LOGAN: An absolutely

1
2 blink of the eye compared to some of the other
3 crap they've put us through in the last few years
4 when they reduced budgets at the last minute or
5 bring in new programs.

6 CHAIRPERSON JACKSON: Now I would
7 assume that you are, clearly as the president of
8 CSA, speaking on behalf of all the principals you
9 represent?

10 ERNEST A. LOGAN: I'm speaking on
11 behalf of my members. I'll tell you one other
12 thing, Chairman Jackson; I speak for the members
13 of the CSA, my members. No one from the DOE ever
14 spoke to me and said Ernest, we got this proposal,
15 can we sell this? Because when they want
16 something to happen, they know how to pick up the
17 phone and ask me can you be supportive of this?
18 No one came that way. I was surprised when I
19 spoke to Santos Crespo and found out that the
20 proposals that were put on the table. I said no
21 one spoke to us about it because we--

22 CHAIRPERSON JACKSON: [interposing]
23 No one spoke to CSA?

24 ERNEST A. LOGAN: --we can make
25 that happen. We can make that happen. Yes, you

1 know what, there's always a little chaos, a little
2 confusion, but you know what, the thing that makes
3 this system work so well is that my members rise
4 to the occasion, just like we'll do today, just
5 like we've done every time they've come up with
6 something, whether it was the region or the this
7 or the that or the network or whatever, we're
8 there. We've been able to maintain a safe and
9 orderly environment for children, a system that's
10 attempting to educate every child that's put in
11 front of us. Whatever is there, we are
12 responsible to educate.

14 MICHAEL MENDEL: Could I just add
15 one thing that I forgot about Circular Six?

16 CHAIRPERSON JACKSON: Sure.

17 MICHAEL MENDEL: Because this is
18 important.

19 CHAIRPERSON JACKSON: I was going
20 to ask you about Circular Six.

21 MICHAEL MENDEL: You can ask me
22 anything you want. But on the half-truth scale,
23 which was their specialty today, Circular Six is
24 done during your professional activity. Most
25 elementary schools or many, many to most are on a

1
2 seven-period day and do not have any professional
3 activities, therefore they don't have any Circular
4 Six. Therefore, teachers can't go into the
5 cafeteria to take the place of the school aides.
6 Another half truth they told you.

7 CHAIRPERSON JACKSON: Say that
8 again. Elementary schools--

9 MICHAEL MENDEL: [interposing] If
10 you're in elementary school that has the eight-
11 period day.

12 CHAIRPERSON JACKSON: Okay.

13 MICHAEL MENDEL: Teachers have one
14 professional period a week. Technically you could
15 put some of those teachers in the cafeteria. Not
16 all, but some. Many, if not most, of our
17 elementary schools do not have an eight-period
18 day; they have a seven-period day. Because of the
19 configuration of the day, they do not have any;
20 they have zero professional activity periods a
21 week. Since Circular Six is done on your
22 professional activity period, if you don't have
23 any professional activity periods, you have no
24 Circular Six. So in those elementary schools that
25 are losing school aides who would be in the

cafeteria, they cannot put teachers in the cafeteria.

CHAIRPERSON JACKSON: So the only way they can, the principal can only ask them as a team member we need help, please come in there even though you don't have to go in?

MICHAEL MENDEL: If I'm teaching five or six periods a day, my one period of lunch and one period of prep, there are not enough hours in the day.

CHAIRPERSON JACKSON: So in essence there's no time in the day to do it.

MICHAEL MENDEL: Correct.

ERNEST A. LOGAN: That's correct.

CHAIRPERSON JACKSON: So I guess the question is: who is going to do the work of all of these laid off--

MICHAEL MENDEL: [interposing] Well you heard what he said, other people. Principals, I would imagine. Listen, why are we looking to a rationale here?

CHAIRPERSON JACKSON: I'm not looking. I'm just trying to understand how it's going to be done.

1
2 MICHAEL MENDEL: However it's going
3 to be done, it's going to take away from the
4 children's education. Those things, that I just
5 mentioned to you that teachers would normally do
6 on their Circular Six activity: common planning,
7 one-to-one tutoring, if you're going to put those
8 people in junior high school and high schools into
9 the cafeteria, then the things that I just
10 mentioned, they can't do. Something has to be
11 heard here. Children have to be heard. Plain and
12 simple, there's no way around it. There's going
13 to be more violence in the cafeterias. Doorways
14 that might be manned are going to be left open.
15 Things are going to happen that are not good.

16 Now, if you really were cynical and
17 said oh well, that means the parents may take
18 their children out of the public school and put
19 them in charter schools--well, I wouldn't say
20 that, but you could think that.

21 CHAIRPERSON JACKSON: Not at all.

22 ERNEST A. LOGAN: Chairman Jackson,
23 I just need to make it very clear. One thing that
24 will happen is that my members will rise to the
25 occasion to figure out how to make it happen, how

1
2 to make sure our children are safe, how our
3 schools are safe and orderly and how we provide a
4 very, very important educational environment for
5 our children.

6 CHAIRPERSON JACKSON: Let me thank
7 you both for coming in. Obviously, you have
8 brought additional clarity to this particular
9 issue and we thank you very much. Now we're going
10 to hear from people that have actually been
11 impacted by layoffs.

12 So please come forward. Alonzo,
13 are you here? Cliftonia Johnson, community
14 associate? Sabrina Williams, school aide? Sharon
15 McCorkle, parent coordinator? Latasha Murray, a
16 school aide, are you here? Please come forward.

17 Let's go in the order in which I've
18 called, if you don't mind. Please come forward.

19 [Pause]

20 CHAIRPERSON JACKSON: Alonzo, I
21 called you first. Why don't you tell us who you
22 are and how long you worked for DOE and where at
23 and what's the impact of you being lost?

24 ALONZO SHOCKLEY: Okay. My name is
25 Alonzo Shockley. I'm the parent coordinator at

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Community Prep High School, East 29th Street.
I've been with the DOE as a parent coordinator for
four years. Fortunately, right now, I'm on the
bubble. I haven't gotten the cut yet, but I am a
high school parent coordinator.

CHAIRPERSON JACKSON: You're on the
bubble meaning that you could--

ALONZO SHOCKLEY: [interposing] I'm
not sure. I'm not sure what's going to happen.

CHAIRPERSON JACKSON: So it could
be any day. It could not be.

ALONZO SHOCKLEY: It could not be,
but it could be any day.

CHAIRPERSON JACKSON: I hope not.

ALONZO SHOCKLEY: But I came down
to talk and speak about my duties as a parent
coordinator and how much involved I am in the
school. I think what the lady was saying, also
one of the things she was talking about, about the
violence in the school, and unfortunately parent
coordinators are in front of that. I've broken up
so many fights since I've been in the school that
I represent. I'm part of the principal's right
hand person. I do orientations. I do parent

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2 calling. We have a parent meeting at the end of
3 the month. We do mailings and things of this
4 nature.

5 What's so amazing today was
6 listening to the DOE, it was very confusing and
7 very just heartbreaking to realize that maybe this
8 all could have been avoided, as you guys have
9 stated, if things were taken care of early on, how
10 things could have been avoided. I mean we are the
11 lowest paid.

12 Like I said I'm a parent
13 coordinator and I'm a parent also. I'm supposed
14 to be head of a household. I have a daughter. I
15 just put her on the bus yesterday to go back to
16 college her junior year. For the first time, she
17 asked me, "Daddy, are you going to be okay?" She
18 heard about the layoffs. I said you just go to
19 school and study and we'll work this out, me and
20 your mother are going to work this out. So this
21 does have a great impact.

22 It's not a lot of money that I
23 make. I work on Saturdays doing an extra job just
24 to make ends meet. I love being a parent
25 coordinator because I like being with the other

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parents.

And also, being a male black in a high school, it has a significant role that I play. I have a men's group that I have once a week on Wednesdays when I speak to the young men about getting their education, pulling their pants up, doing the right thing, having job initiatives and just being a service in the community.

I also set up trips. Last Friday, we did the African burial ground here. Next week, we're going to Hostos Community College. I've had CUNY come into the school and speak to the kids about going to the next level.

So there are a lot of things that we do. The parent coordinators do a lot of things every single day. I mean I'm out today and I had to have coverage. On the second and fifth period, I do coverage on the school floor to make sure things are safe and things are okay.

So, you know, it's very heartfelt when you hear the Chancellor who if you go on the website it says "children first" and it also says it has a \$24 billion budget to run the school system. He came to a PD during the break last

1
2 year at P.S. 234 of all the parent coordinators
3 and told us how significant we were and how much
4 we are appreciated. Then to have this go on and
5 have people laid off, the possibility of parent
6 coordinators laid off is very heartfelt.

7 Like I say, this is the lowest
8 paying job on the scale. You cannot tell me, like
9 everyone has said here today, that you could not
10 find a little piece of money or reexamine where
11 that money could come from to save people's jobs
12 in this city. Because we're all parents and we
13 all have a role, not only as a parent coordinator
14 but also as a community leader and a father.

15 I'd just like to thank you guys for
16 having us come to share our voice.

17 CHAIRPERSON JACKSON: Thank you.

18 ALONZO SHOCKLEY: I just wish I
19 could have talked to the Chancellor also because a
20 lot of the things he said was just so wrong. I
21 was just appalled. I was amazed that he would say
22 things that he said, you know dealing with the
23 school system and where the money was. Because,
24 you know, I thought he was a straight up guy, but
25 I was kind of taken aback a little bit, I have to

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say, no disrespect to him. Some of the things he
said were just incredible. It was just
incredible.

CHAIRPERSON JACKSON: Thank you.

ALONZO SHOCKLEY: It gave me a
headache.

CHAIRPERSON JACKSON: Thank you.
Latasha Murray, school aide at P.S. 256. Where is
that located?

LATASHA MURRAY: [off mic]

CHAIRPERSON JACKSON: Latasha?
Come to the mic. Pull that mic up there. Thank
you. Pull it up close. That's in Brooklyn,
right, 256 in Brooklyn?

LATASHA MURRAY: Yes.

CHAIRPERSON JACKSON: Go ahead
please. Press the button please and you may
begin.

LATASHA MURRAY: I just want to
say--

CHAIRPERSON JACKSON: [interposing]
Press it again. I can't hear you.

ALONZO SHOCKLEY: Bring it closer
to you.

CHAIRPERSON JACKSON: Speak up,
dear.

LATASHA MURRAY: Can you hear me?
That's a low mic. I just want to say for the past
six years I have been a school aide at P.S. 256.
We are needed there, just like we're needed
everywhere else. We've broken up fights. We have
been in the lunchroom with the kids. We've been
outside with the kids.

I'm there early in the morning. I
make sure that the kids are eating their
breakfast. For the parents that have to leave
their children early in the morning, I'm there to
make sure that their children or their child is
able to get inside the school safely. I man the
doors. I have a reading group two times a week.
We have art. This is what I do on my own inside
the cafeteria when we have the little 30, 35
minutes.

Friday, I can say has been the
worst day of my life, devastated. I feel like my
kids have been taken from me. That's how I feel.
What do they expect us to do now? It's like we're
not needed nowhere?

What I'm trying to say is this, we're not taken seriously. That's what I'm saying. Being a school aide, it has a lot of rewards, the kids. The kids at P.S. 256 come from different backgrounds, shelter system. We talk to them. They need us. I know, personally, I have a relationship with at least 100 or 200 of the students there. Just for me to not be there anymore, I had students come up to me Saturday, "Oh Ms. Murray, why you not coming back? Ms. Murray, we're going to miss you."

My family, I'm a single parent of four kids. What am I going to do now, go to public assistance? Who wants to do welfare? Not me. Thank you.

CHAIRPERSON JACKSON: I think that says it. Who wants to do welfare? Not me.

CHAIRPERSON RECCHIA: Yeah.

CHAIRPERSON JACKSON: Sharon McCorkle, DC37, a parent coordinator. P.S. what? Queens?

SHARON MCCORKLE: Hello?

CHAIRPERSON JACKSON: Yeah, go ahead.

1
2 SHARON MCCORKLE: My name is Sharon
3 McCorkle and I was the parent coordinator of John
4 Adams High School. I was recently laid off and
5 I'm very upset with Mayor Bloomberg for initiating
6 these layoffs, which is hurting the working class
7 citizens who built this city. This is the second
8 time I've been laid off and had to seek assistance
9 from the city. The city agencies are not willing
10 to help me. They only add to my frustration and
11 trying to survive without a decent income.

12 I've worked since the age of 15
13 years old and have paid my dues. Why can't I
14 receive assistance when I need it? I've paid into
15 the plans, which are supposed to be there for me
16 when times are hard. Something is truly wrong
17 with our current system. There has to be a
18 change. We need to send a message to the mayor
19 that we, New York citizens, refuse to accept all
20 proposals and will fight him every step of the
21 way. I've made a promise to myself to take a
22 stand this time and fight the mayor in every way
23 possible. Join me.

24 CHAIRPERSON JACKSON: Thank you.
25 Sabrina Williams, school aide, District 27 in

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Queens.

SUPRINA WILLIAMS: Hello, I'm
Suprina Williams. I'm a school aide at P.S.--

CHAIRPERSON JACKSON: [interposing]
Suprina you're going to have to speak up. I need
to hear you loud and clear. The people of New
York need to hear you.

SUPRINA WILLIAMS: Hello. I'm
Suprina Williams. I work at P.S. 223. It's in
Queens District 27. You know, we might not make a
lot of money but we are proud of our jobs.

This mayor, to me, and I look at
and listen to that chancellor, I'm really
disappointed. He's a new--I call him guy on the
block--I'm 50. My kids have went to public
schools. To me, what he spoke about today is like
he knew nothing about the Board of Education,
which he's in our system. He looked left, he
looked right, and I'm watching him, and I'm not
downing this man, but I lost respect, I really
did. It might hurt me what I'm saying, it might
break me, make me, I don't care, but I'm proud of
my job as a school aide.

I've been a school aide from 1993.

1
2 I transferred four districts. So where am I going
3 at 50 years old to start where? They didn't even
4 take--I think one of you guys said look at a table
5 to say, you know would this affect this, this
6 affect this? They just made a decision just to
7 cut x, y, z out.

8 But to make a long story short, my
9 father always told me to be a fighter and that's
10 what I am.

11 CHAIRPERSON JACKSON: Thank you.
12 Cliftonia Johnson, community associate.

13 CLIFTONIA L. JOHNSON: My name is
14 Cliftonia Johnson. October 7th, 2011 was my last
15 day as a New York City DOE employee, after 13
16 years of service as a community associate. My
17 school location is Marta Valle High School on the
18 Lower East Side of Manhattan.

19 Mayor Michael Bloomberg has proven
20 to me, my colleagues, parents and students that he
21 is not about the education of children in this
22 city, not Latino and African American children
23 anyway. If Mr. Bloomberg were about the education
24 of our children, the hard working, caring 700
25 individuals who serve these children in the New

1
2 York City public school system would not have to
3 be laid off as though we were worthless waste.

4 Mr. Bloomberg inflicted fear, a
5 mass amount of money and bullied his way into a
6 third term. Now we, the laid off workers of DC37
7 and our families, are the ones to suffer for the
8 total disrespect and disregard shown to us by this
9 mayor and his chancellor.

10 In October 2008, the mayor argued
11 that New York needed his financial skill to guide
12 it through the crisis on Wall Street. With that
13 argument, Mayor Michael Bloomberg persuaded the
14 City Council to amend the term limits law so that
15 the billionaire independent mayor could run for
16 reelection in 2009. His so-called financial skill
17 has not produced what he conned his way into
18 making people believe. He has made it worse, at
19 least for low and middle income families.
20 Meanwhile, the rich continue to get richer.

21 And here I am today, an unemployed
22 13-year veteran of the New York City Department of
23 Education because Mr. Bloomberg's abusive power
24 and gross mismanagement of city funds and using
25 our children's education and what's best for them

1
2 as an excuse for removing 700 low paid employees
3 from the city's payroll.

4 We do so much for the children and
5 parents of the New York City school system, much
6 more than what's required us of in out contracts.
7 It seems to be a massive plan to destroy the
8 children who need the most help in this city. We,
9 the support staff of the schools, provide a vital
10 service and we do it with skill, experience and
11 love.

12 It is my understanding that the
13 City Council and mayor work as equal partners in
14 the governance of the City of New York. It seems
15 to me from the Council's letter to the mayor,
16 dated October 4th, 2011, stating that he did not
17 consult with you that he has disrespected and
18 disregarded you as he did us. If you believe that
19 our children, schools and communities deserve
20 better, then I request that you overturn these
21 layoffs, if it is in your power to do so. Put us
22 back to work and allow us to do what we do best,
23 and that is to serve the students and the parents
24 of the New York City public school system.

25 I'd like to say, I was the only

1 person laid off at Marta Valle High School, the
2 only one. And a community titled person was hired
3 four months ago and he did not get laid off.

4 Meanwhile, I have 13 years and I had two years in
5 that school. Somebody needs to check that out. I
6 thank you for your time.

7
8 CHAIRPERSON JACKSON: Well let me
9 thank you on behalf of this City Council.

10 Clearly, that needs to be checked out. I'm sure
11 that your union people will look into whether or
12 not there was something wrong with your layoff.
13 Obviously that's their obligation to do.

14 I want to ask a question. You've
15 heard, if you sat through this testimony, we said
16 and your union said that the majority of the
17 people are women. Here in front of us there are
18 four women and one man. We said the majority of
19 them are black and Latino. To the best of my
20 knowledge, all of you look like you're African
21 American. We said that the majority of them, all
22 of them are some of the least paid employees and
23 that of the laid off employees, the parent
24 coordinators are some of the highest paid of those
25 being laid off. We said that many individuals

1 will turn to the City of New York in order to
2 survive.

3
4 So my question to you is how many
5 of you will turn to the city for either Medicaid,
6 child care, food stamps, other services in order
7 to survive? Could you raise your hand? Okay, so
8 that's four of you.

9 You don't have to answer this, but
10 we said that many people are head of households.
11 If you don't mind, I would ask, how many of you
12 are head of households, raise your hand. Four out
13 of five are head of household. So in essence, you
14 responding voluntarily to our questions basically
15 shows that what we've said and what your union has
16 said as far as the majority are people of color,
17 majority are women, majority are head of
18 households, majority are the least paid, all of
19 that, based on this survey of five of you, is
20 true. Is that correct?

21 ALONZO SHOCKLEY: Yes, correct.

22 CLIFTONIA L. JOHNSON: Correct.

23 CHAIRPERSON RECCHIA: Okay. You
24 should know that many of our colleagues, along
25 with the various caucuses, along with Domenic

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2 Recchia, the chair of the Finance Committee and
3 myself, along with the Black, Latino and Asian
4 Caucus, I co-chair the caucus, and the Speaker
5 herself has spoke directly with the mayor to try
6 to forgo these layoffs. But unfortunately, we
7 were not successful.

8 One of the things is that there are
9 not equal powers in this. There are three
10 branches of government. There's the executive,
11 legislative and judicial. The mayor is the
12 executive branch. We are the legislative branch
13 and the courts are the judicial branch. The mayor
14 basically has total control of the system. We
15 have oversight. We can try to persuade him. We
16 can try to reach agreement with him on certain
17 things in order to try to save jobs. But we
18 cannot force him to do it.

19 We have tried everything we can.
20 We will continue to try on your behalf and on
21 behalf of all of your colleagues that were let go.
22 You need to know that.

23 So I want to thank you for coming
24 in. We appreciate it. Keep hope alive. You
25 know, as you said, who said I'm a fighter, your

1 father said that. That's what you have to be.
2
3 I'm glad that each one of you expressed yourselves
4 and especially the last one, you expressed
5 yourself about your disappointment about things
6 that have occurred and how you feel. That's very,
7 very important to do that. I hope that the media
8 has taken some of your stories and put a face to
9 it so that we know what the individuals are going
10 to suffer as a result of these layoffs. Thank you
11 very much for coming in.

12 ALONZO SHOCKLEY: Thank you.

13 CHAIRPERSON RECCHIA: Council
14 Member Tish James has a quick question.

15 COUNCIL MEMBER JAMES: It's not
16 really a question, it's just a comment.

17 CHAIRPERSON RECCHIA: A statement,
18 a comment.

19 COUNCIL MEMBER JAMES: To say to
20 you as I look at your faces and realize that your
21 face looks like my face and that a significant
22 number of the children who will be affected are
23 children who reflect my nieces and nephews and my
24 relatives. I'm obviously very concerned about the
25 racial impact and the growing income inequality.

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1 Council Member. Our last panel: Christine
2 Annechino, the president of CEC District 3 in
3 Manhattan and Linda Surles, Children of New York.
4 Please come forward. Is Christine here? Okay,
5 and what about Linda Surles, are you here?
6

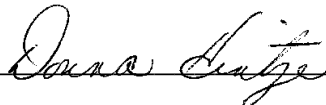
7 Well with that, ladies and
8 gentlemen, we want to thank everyone for coming in
9 to this joint hearing of the Finance Committee and
10 the Education Committee, asking all of the tough
11 questions, getting responses from the Chancellor
12 and his staff and listening to the union leaders,
13 listening to the people that were laid off.

14 The struggle continues. We know
15 that; you know that. We thank you. With that,
16 I'll turn to my colleague Domenic Recchia to close
17 out this hearing.

18 CHAIRPERSON RECCHIA: I just want
19 to thank everyone for coming today. You have to
20 believe. You have to keep the faith. We the City
21 Council under the leadership of Speaker Christine
22 Quinn are not giving up. The fight has just
23 begun. Thank you for coming to testify. This
24 ends the hearing for today.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature 

Date November 11, 2011