

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEES ON EDUCATION AND GENERAL WELFARE

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HELD AT: Council Chambers  
City Hall

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ROBERT JACKSON  
Chairperson, Education

BILL DE BLASIO  
Chairperson, General Welfare

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## A P P E A R A N C E S [CONTINUED]

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## A P P E A R A N C E S [CONTINUED]

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CHAIRPERSON JACKSON: Good morning everyone. And welcome to today's joint oversight hearing of the Education and General Welfare Committees on Chronic Absenteeism in New York City Public School.

And before I begin my opening statement let me introduce our colleagues that are present this morning. Over to my left is Dan Garodnick of Manhattan, Jimmy Vacca of the Bronx, Annabel Palma of the Bronx, John Liu of Queens and myself, Robert Jackson of Manhattan, along with appropriate committee staff members.

Before we get started I'd like to take a moment to acknowledge the untimely passing of two individuals who have contributed much to our city and who will be sorely missed by many whose lives they have touched. First our colleague and friend, former City Council Member Phillip Reed who served the people of East Harlem and Manhattan Valley and the part of the Upper West Side with dedication and distinction for eight years. His loss will not only be felt by his neighbors and former constituents and by his friends and former colleagues here at the City

Council but by every New Yorker who benefited from his efforts to reduce asthma, increase affordable housing and improve neighborhood parks which means all New Yorkers.

Secondly I have to remark upon the recent tragic death from a heart attack of Terrence Tolbert, Executive Director of the Department of Education's Office of Intergovernmental Affairs. Terrence had taken a temporary leave of absence from the Department of Education to work on Barack Obama's campaign in Nevada. And in fact he was the head of the statewide Nevada campaign.

Terrence was a fixture in New York City politics, having served as a Chief of Staff to Assembly Member Keith Wright of Harlem for many years and was a veteran on many political campaigns. Terrence was a selfless and dedicated leader in his Harlem community. And he served all New York City children through his position at the Department of Education. I attended his wake and his funeral and clearly by the outpouring of individuals both at the wake and at the funeral, it just showed that he was loved and respected by

so many people.

And at this time I would like to call for a moment of silence to honor these two outstanding public servants.

[Pause]

Thank you.

And getting back to the focus of today's hearing we will be looking at Chronic Absenteeism in our public schools especially in the elementary grades. In October 2008 the Center for New York City Affairs at the New School released a report entitled "Strengthening Schools by Strengthening Families, Community Strategies to Reverse Chronic Absenteeism in the Early Grades, and Improve Supports for Children and Families". This report revealed a serious problem with chronic absenteeism in the early grades in the New York City Public Schools.

Chronic Absenteeism is defined in the report as missing 20 or more days in a year. That's approximately 1 entire month of school instruction. What the study revealed is shocking. It found that 20% of the elementary school students missed at least 1 month of school last

year. In 12 Districts in the City of New York more than a quarter of elementary grade children, which is 25%, missed at least 20 days of class and in 123 schools at least 30% missed school. In 4 schools, PS 6 and PS 48 in the Bronx, and PS 150 and PS 332 in Brooklyn, about half, 50%, of all students missed 20 or more days of school last year.

These numbers are completely outrageous and unacceptable. Good attendance is essential for children to receive a quality education. The bottom line is if kids aren't in school they're not learning. Not only do students with poor attendance perform worse in school, they have a much higher chance of dropping out. According to one research study, 6<sup>th</sup> graders who missed more than 20% of the school year have a 75% chance of dropping out of high school. Clearly student attendance in the early grades is critical to future success in school and in life.

For the most part, the chronic absence from school was associated with low income, black and Latino families affected by teenage motherhood, welfare, unemployment, low

maternal education, poor maternal health and families with multiple siblings. The reasons for poor school attendance range from children with health conditions, most commonly asthma. And as you know New York City especially East Harlem and the South Bronx have some of the highest asthma rates in the country.

So most commonly asthma, to parents who suffer from depression, drug abuse or health concerns or do not understand the importance of regular school attendance. According to reports children who take the bus to school or tend to have lower rates of attendance, especially if they miss the bus and have no other way of getting to school, their attendance is worse than the norm. This situation disproportionately affects special education students who are often bussed out of their neighborhoods to school in other Districts.

The quality of school environment such as the friendliness of teachers and staff may also have an effect on the student's desire to attend school and a parent's willingness to work with the school when a child is absent or is having difficulties. Today we want to hear from



the Department of Education what they're doing to address the problem of Chronic Absenteeism especially in the early grades.

The Department of Education has empowered principals and pledges to hold them accountable primarily through grades given to each school on their progress report. However as critics point out, attendance counts for only 5%, at the most, of the progress report grade. Obviously that's not sufficient to combat chronic absenteeism in many schools. When a child's absences are excessive and unexcused it crosses the line and is considered educational neglect. When that happens educators are required to report it to the State Central Registry (SCR) and the Administration for Children's Services, commonly known as ACS. And they must get involved.

ACS is here today. And we expect to question both the Department of Education and the Administration for Children's Services on how well they are communicating and coordinating their efforts to address cases of educational neglect and before they turn into high profile cases of child abuse strategies. We'd also like to hear

about the status of the implementation of the 2006 recommendations of the Interagency Task Force on Child Welfare and Safety.

Our colleague Bill de Blasio is on his way and we will turn to him for an opening statement when he arrives. But in the meantime we've been joined by our colleague Simcha Felder over there on the end to my left, from Brooklyn. And--Abigail. And with that we'll turn to our first panel.

[Pause]

Could we have representatives from the Department of Education and from the Administration for Children's Services? And I'm going to ask each one to introduce themselves and their title. And then whoever wants to begin first is fine with us. So if you don't mind. Introduce your name and your title and which department you work for and you may begin each one of you if you don't mind before the individual testimonies go forward.

[Pause]

MS. LILIAN GARELICK: Good morning. I'm Lilian Garelick from the Department of

Education. I'm the Director of Mandated Responsibilities that includes attendance.

CHAIRPERSON JACKSON: Thank you.

MS. ELAYNA KONSTAN: Good morning Chair Jackson. I'm Elayna Konstan. I'm the Chief Executive Officer of the Office of School and Youth Development. Attendance falls under my office.

CHAIRPERSON JACKSON: Okay.

MS. JAN FLORY: Good morning. I'm Jan Flory, Deputy Commissioner for ACS for Child Protection.

CHAIRPERSON JACKSON: Deputy Commissioner. Okay.

MS. MARIE PHILIPPEAUX: Good morning. I'm Marie Philippeaux. I'm the Interim Associate Commissioner for the Division of Child Protection.

CHAIRPERSON JACKSON: I'm sorry; could you say your position again?

MS. PHILIPPEAUX: Interim Associate Commissioner.

CHAIRPERSON JACKSON: Of Child Protection?

MS. PHILIPPEAUX: That's correct.

CHAIRPERSON JACKSON: Okay. Okay.

Whoever wants to begin first is fine. Please begin.

MS. KONSTAN: Good morning Chair Jackson and members of the Education and Welfare Committee and good morning to you Chair de Blasio when you come. I am Elayna Konstan, Chief Executive Officer of the Office of School and Youth Development at the New York City Department of Education.

I am joined today by Lilian Garelick, the Director of Mandated Responsibilities from my office. Lilian has spent most of her professional career working on improving student attendance. And her talents, expertise and guidance support our schools and school leaders. I know her insightful lens will add to our discussion.

We are also joined here today by our colleagues at the Administration for Children's Services to discuss these important issues. We are pleased to be here today to discuss the work that our department is doing to

1  
2 improve attendance. Our Children First  
3 Initiatives under Mayor Bloomberg and Chancellor  
4 Klein have yielded positive gains.

5 The good news is that attendance  
6 has been going up and last year our attendance  
7 rate was the highest it has been in 15 years. The  
8 aggregate citywide attendance in 2007-2008 was  
9 89.75% up from 88.44% in '05-'06 and up from  
10 86.44% in 1995-'96 when we first began capturing  
11 attendance data in the way that we do. Last year  
12 29 of the 32 School Districts showed an increase  
13 in attendance.

14 Our attendance rate for September  
15 for the past 2 years has been 91.2%. And when we  
16 compare this September, September 2008, with last  
17 September, we continue to see positive trends. We  
18 see that 3.4% more students had over 90%  
19 attendance this year as compared to last  
20 September. While we have made tremendous strides  
21 we recognize that we still have a long way to go.

22 Our recently released study from  
23 the Center of New York City Affairs at the New  
24 School entitled "Strengthening Schools by  
25 Strengthening Families" by Kim Nauer, Andrew White

and Rajeev Verneni, provided analysis on chronic absenteeism in early grades. I was invited by Kim Nauer and Andrew White to take part on the panel at the release of this study on October 21<sup>st</sup> which was an honor and proved to be an excellent discussion. This study is important work and continues to remind all of us that we must remain vigilant and work each and every day for improved attendance and improved student outcomes so that every student succeeds.

Every unexcused absence is an absence of concern. The report also reminds us that we must pay attention to the early grades. And I would absolutely agree. When we look at the three year attendance rate for early grades we see similar patterns of increased attendance.

To highlight these trends, for Kindergarten attendance rate increased from 90.25% in 2005-'06 to 91.06% in '07-'08. For 1<sup>st</sup> grade, rates increased from 91.67% to 92.46% for the same time period. Similarly for 2<sup>nd</sup> grade rates increased from 92.48% to 93.18%. And for 3<sup>rd</sup> grade rates increased from 92.92% to 93.63%. Early and focused interventions are critical to long lasting

and sustained gains for improved attendance and academic achievement for all students.

I would like to walk you through the attendance support structures that the Department has in place. DOE has some of the most sophisticated attendance systems in the nation. And while I may not be completely neutral in my thinking, our systems have provided principals and school teams with incredible tools to address attendance needs and most importantly the safety and welfare of our students. As our attendance systems become even more sophisticated we continue to enhance our interventions.

We have developed a number of tracking tools to support schools in this effort. The overall goal of the tracking system is to first ensure safety and welfare of our students and at the same time to facilitate and support regular school attendance. Each student's absence is taken on a daily basis and entered into our main computer. Schools also have available to them numerous reports to monitor attendance rates, identify patterns and view the specific names of students who are absent so that early and specific

interventions occur.

School personnel reach out to homes of absent students by telephone, home visits and by mail. If a student is absent 10 consecutive or 20 aggregate days it triggers the automatic generation of what we call a "407 Attendance Follow-Up Outreach and Referral Form." Outreach and interventions are undertaken to ascertain the reason for the absence and to facilitate the student's return to school. It is only closed upon the student's return or appropriate discharge.

And we have good news in this area as well. We note that last year we saw a dramatic decrease in the number of 407's that were generated. This means that far fewer students crossed this absentee threshold and more were coming to school.

We have an additional tool called the Absent Alert that ensures that all 407's are closed within a timely fashion. This is an additional measure to provide a second layer of tracing for our younger and more vulnerable population of students.



We have also put in place in recent years a case tracking mechanism that enables school support staff to document all interventions and follow-up that have been undertaken for individual students. It allows the effective utilization of resources by providing an electronic and centrally located data collection system where support teams working with the student are able to review previous interventions and build upon them. It has proven to be a great way to track various strategies and have been used to expand upon them for even better results.

This year we developed a new report that will help schools to readily identify students who may be on the road towards being chronically absent. Therefore beginning this month schools will receive a weekly report that identifies the names of students who have reached five aggregate days of absence in the current school year. They will then receive a second report of students who reach ten aggregate days of absence. The purpose of these reports is to flag students early on before the level of absence gets to a more serious point. It is a preventative

approach that we believe will ultimately impact upon student attendance and achievement.

Under Children First, principals have the empowerment they need to lead their schools and these attendance systems mentioned above provide them with additional tools to make informed decisions about how to support their students. Our principals are focused on how to ensure that each and every student learns and grows in a climate that promotes growth. And we are there to support them.

Under the leadership of the principal all school staff members have a role to play in ensuring that students are coming to school each day, engaged and ready to learn. Each school has an inquiry team that is part of the accountability work at the school. Teams look at data trends and also track individual student data and achievement. School staff, particularly teachers, use this intervention to intervene and attendance is a key factor for students to attain academic achievement.

To better understand these issues and the data, schools have pupil personnel teams

and attendance teams in place to come together and discuss specific challenges of individual students. Teams are comprised of staff across discipline, each of whom brings their own experience to the table. By delving into individual cases, teams are able to see what factors contribute to academic and attendance challenges and determine the best intervention for a student.

For the past two years the Department has required principals and school teams to complete the School and Youth Development Consolidated plan as required by state law and/or Chancellor's Regulation. One major component is the Attendance Plan that schools need to complete. Other aspects of the plan include child abuse, crisis intervention, a plan to support students living in temporary housing and bias harassment prevention. This consolidated plan is yet another way school leaders and school teams can document and monitor school wide approaches.

DOE also provides training to all schools, Designated Child Abuse Prevention Liaisons who turn-key the information to all

1  
2 school personnel. This training is a requirement  
3 and each school must send a representative on an  
4 annual basis. The training provides information  
5 on protocols and state requirements for reporting  
6 child abuse and education neglect. In addition to  
7 professional development sessions, online  
8 resources, including a webcast training are  
9 available for all school staff and central staff.  
10 And we are also there for support and to answer  
11 questions.

12 Attendance improvement crosses many  
13 divisions within the Department. School support  
14 organizations use attendance data to help  
15 principals identify and address school needs.  
16 Schools also have the support of a borough based  
17 Integrated Service Center or a network based  
18 children network team. Each ISC, CFN has an  
19 attendance expert who is part of a broader youth  
20 development team that support schools in  
21 attendance and a range of youth development  
22 services. And over 390 attendance teachers are  
23 assigned to schools and networks of schools  
24 throughout the city for more intensive attendance  
25 outreach, follow-up and home visits.

Attendance improvement requires a variety of effective strategies from the use of data tools to focused school interventions and ongoing professional development for staff members who work and who do this work. My office and other offices as well provide opportunities for schools to learn more effective strategies to improve attendance. Attendance teachers receive targeted professional development and work with borough based attendance content experts. They are an integral part of school support teams and provide in depth knowledge of attendance procedures and strategies and assist the schools in reconnecting students and their families.

In order to maximize a level of support that we provide to borough based teams weekly and monthly data reports are shared with the Youth Development teams. These reports enable school teams to review the status of school attendance and 407 rates on a weekly basis in order to identify schools that may be in need of additional support. My office, the Office of School and Youth Development, support schools to promote and maintain a positive school climate and

culture to foster student growth and learning.

While this includes specific areas such as attendance improvement, guidance, prevention and intervention, social-emotional learning, and safety and security, we view our work holistically as a continuum of support from prevention to intervention, to the overall school culture. But our office does not do this work alone. The work of improved attendance is in focus of the entire Department of Education and numerous other city agencies and external partners.

Our collaboration with other city agencies is critical to supporting our schools and students. In 2006 the Mayor's Office first convened the Interagency Task Force on Child Welfare and Safety, which serves as a forum where representatives from city agencies including ACS, DOE and the New York Police Department, meet to collaboratively address issues that affect safety and welfare of children.

Recently we have strengthened our interagency efforts to work even more closely with ACS so that children and families receive the

support they need. For example DOE and ACS currently exchange foster care student data on a monthly basis. This data exchange allows for DOE staff to provide any necessary additional supports to schools in this high risk category and provides foster care staff with valuable student information that allows them to identify any attendance and/or educational issues that may be impacting the student. This collaborative effort enables us to partner with ACS in a manner that maximizes both agencies' ability to support the most vulnerable population of students.

The DOE also gives access to our student information system to designated ACS staff in order to enhance their ability to provide more effective services and support to students and their families. We are in frequent communication with ACS to ensure that critical cases are collaboratively addressed. We regularly train ACS field staff in order to equip them with the necessary information they need to access and utilize our student information system.

My office also works very closely with other agencies including the Department of

Youth and Community Development, the Department of Homeless Services, the New York Police Department and the State Education Department, just to name a few. These interagency efforts help to foster a more coordinated and comprehensive approach.

And I cannot talk about improving attendance achievement and strengthening the overall climate of schools without mentioning our partnership with community based organizations. CBOs are an integral part of the fabric of our school. Their work in our schools has helped schools address specific needs of students and focus on the social-emotional learning of school communities. There are countless examples of schools and CBOs working together to foster a more positive climate and culture and improve attendance.

And while I cannot begin to talk about all of them I would like to highlight just a few. We currently partner with United Way to administer our Attendance Improvement and Dropout Prevention Program with over 40 CBOs who have provided attendance improvement and dropout prevention services in over 100 schools. Our



partnership with the Department of Youth and Community Development puts high quality after school and community programs into our schools.

There are over 400 OST programs in our schools and 57% of them are in elementary schools. And through our Beacon programs there are more than 50 CBOs working in 80 of our schools. 16 of the Beacon programs have ACS services embedded in the program during the day to help support families in the neighborhood.

Through funding from the New York State Education Department, 21<sup>st</sup> Century programs provides services to 300 schools including academic enrichment, youth development and parent outreach.

Again we have much more work to do to improve attendance in all of our schools and we can be encouraged that we are moving in the right direction. It is the work of our school leaders, their staffs and the largest school communities do each and every day to connect with and engage students and their families that make the difference. We all have a role to play in this work. And I am proud to be a part of this endeavor. I thank you for the opportunity to

address you on these important matters.

[Pause]

CHAIRPERSON JACKSON: Well thank you for your testimony and I believe now we're going to hear from the Administration for Children's Services.

MS. FLORY: Thank you.

[Pause]

MS. FLORY: Good morning Chair Jackson, Chair de Blasio, again when he arrives, and members of the Education and General Welfare Committees. I am Jan Flory, Deputy Commissioner for Child Protection at the New York City Administration for Children's Services. And with me today is Marie Philippeaux, Interim Associate Commissioner for Operations in the Division of Child Protection.

I might explain that the Division of Child Protection within ACS is the front part of our system and does all investigations of all cases come to our attention. And Ms. Philippeaux is responsible for the vast array of borough offices that oversee this work.

I would like to take this

1  
2 opportunity to inform the committees about  
3 Children's Services efforts to investigate  
4 concerns of educational neglect and to update the  
5 Council on the collaborative work that is ongoing  
6 with the Department of Education to strengthen our  
7 investigations in this area.

8               There are two efforts guiding this  
9 work both of which were established in the wake of  
10 the death of Nixzmary Brown in early 2006. This  
11 tragedy highlighted the need for increased  
12 collaboration between Children's Services and DOE  
13 to strengthen our efforts in protecting children  
14 whenever there are concerns about the safety or  
15 wellbeing of a child.

16               First through the Mayor's  
17 Interagency Task Force on Child Welfare and  
18 Safety, Children's Services and DOE have been  
19 working since early 2006 to ensure that school  
20 absences which may indicate a level of educational  
21 neglect are being handled as effectively as  
22 possible and to implement reform initiatives to  
23 strengthen the work of both agencies.

24               Second the Children's Services  
25 Child Safety Plan, Safeguarding Our Children,

1  
2 which first came out in March of 2006 and has had  
3 several updates since then, implemented a number  
4 of initiatives to emphasize our focus on child  
5 safety and to strengthen practice in all of our  
6 investigations including those reported with  
7 allegations of educational neglect.

8 I want to say just a little bit  
9 about child protective investigations. Do? Okay.  
10 Just to give you a backdrop of how investigations  
11 take place. Children's Services is the city's  
12 public child welfare agency dedicated to  
13 protecting children and strengthening families.

14 We investigate more than 60,000  
15 reports of suspected child abuse or neglect each  
16 year. In 2007 roughly 14,000 of these reports,  
17 about 23% of all our reports, alleged educational  
18 neglect which is legally defined as "the failure  
19 of a person in a parental relationship to a child  
20 to ensure that child's prompt and regular  
21 attendance in school or the keeping of a child out  
22 of school for impermissible reasons". In addition  
23 school staff continue, for us, to be the most  
24 common source of child abuse and neglect reports,  
25 calling in approximately 29% of all the reports

that we receive each year. And obviously that goes up during the school year. It goes down dramatically during the summer.

Attendance and behavior in school are often indicators of deeper challenges that a family is facing in providing for their child's safety and wellbeing. So it is critical that a thorough child investigation is conducted in every case.

Investigations by our staff are initiated when a report is received through the New York State Central Registry for Child Abuse and Maltreatment, known as the SCR. This is operated by the State's Office of Child and Family Services. State law and regulations identify the specific responsibilities and duties of child protective services concerning reports of suspected child abuse or maltreatment.

These duties include the requirement to be able to receive all reports 24 hours a day, 7 days a week and to initiate an investigation within 24 hours of the receipt of a report to assess the immediate safety of the child or children. This applies to all reports of

1  
2 suspected child abuse and maltreatment including  
3 ed neglect reports.

4           There are some basic steps to a  
5 child protective investigation, just to run you  
6 through them very quickly. They include contact  
7 with the family within at the minimum 48 hours,  
8 but within 24 hours or immediately when there is a  
9 very serious situation that we learn of. A  
10 thorough safety investigation assessment of the  
11 home, interviews with all family members,  
12 interviews with the source of the report,  
13 interviews with other individuals who have a  
14 relationship with the child or the family who may  
15 be able to give us additional information about  
16 the allegation. This includes neighbors, family  
17 members, friends, teachers, doctors or others who  
18 know the family, a thorough review of the family's  
19 prior child welfare contacts, and a constant  
20 assessment of safety and risk to a child  
21 throughout the investigation.

22           Our policy and practice states that  
23 during any investigation involving school aged  
24 children, teachers and other school staff are  
25 critical collateral contacts to help our staff

learn more about the child's attendance and progress in school and to help ascertain whether school personnel has identified any safety concerns or has other information that may help us. At any point during an investigation Children's Services may take action or put services in place to assist the family in providing a safe environment for their child or children.

These services are intended to address safety issues identified during the investigation and should target the family specific needs. They may include things such as domestic violence counseling, parenting classes, substance abuse treatment, mental health services, child care assistance, home making services, and a host of other things that are unique and specific to that family.

In cases where more intensive supervision is needed, our staff may file a child protective case in Family Court to request court ordered supervision. The Court can authorize Children's Services to monitor interventions that the agency prescribes to address the issues that

brought the family to Children's Services attention.

When we find a child in imminent danger we can petition the Court, and do, to remove the child from his or her parents' care and place the child in foster care. Removal of a child occurs when other options to protect the child are not possible. In many cases Children's Services works with the family, organizing services and supports so that the child can remain safely with his or her own family.

At the conclusion of an investigation, a determination is made whether the reported allegations, what we were told originally, when we got the report, are indicated, which means there is credible evidence that what we were told, the allegation is true, or we can return an unfounded determination meaning that no credible evidence exists.

In the reports that we received comparing 2005 to 2007, the ed neglect reports, where we had an indicated determination, in 2005 35% of those reports were indicated. And in 2007, 41.5% of those reports were indicated. That's--



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CHAIRPERSON JACKSON: [Interposing]

Can you give me those numbers again please?

MS. FLORY: Yes. Yes.

CHAIRPERSON JACKSON: [Interposing]

Because that--is that listed in here?

MS. FLORY: It's not. I'm--

CHAIRPERSON JACKSON: [Interposing]

Okay.

MS. FLORY: --adding it to my

testimony.

CHAIRPERSON JACKSON: Okay. I

just, can you just give me those numbers again.

MS. FLORY: Sorry. In the reports

where ed neglect was the allegation, in 2005 35%

of those reports were indicated meaning we found

credible evidence to take action. In 2007, last

calendar year, 41.5% of those reports were

indicated. Now that's generally in line with our

overall increase in indicated reports which we

have been doing steadily since 2006. But ed

neglect reports are following that pattern is the

point I want to make.

As the Council is aware, one of the

key initiatives launched as part of the Children's

Services Safety Plan is ChildStat, our accountability initiative to engage in discussions about practice and trends so that we may better understand the challenges faced by our staff on the front lines. Some of you have attended ChildStat, our weekly session and we would invite any of you to come and observe our sessions, every week on Thursday mornings.

This key tool also provides a forum where we work together towards addressing practice issues and making the best decisions possible to protect children. ChildStat is carried out weekly where executive staff including Commissioner Mattingly, Associate Commissioner Marie Philippeaux and myself meet with managers and administrators in from our borough offices on a rotating basis to review their performance, data and to talk about case practice through a case that we look at.

We have recently in the last month included supervisors among ChildStat attendees. This allows us to ensure that the lessons that we are learning through these meetings and steps we are taking to address issues are reaching our

frontline staff. Children's Services work with schools is consistently a part of the discussion at ChildStat sessions. And we have the opportunity through these meetings to identify practice issues related to our work with families experiencing educational neglect, to reinforce policy and best practice across the board, and to strengthen our decision making in allegations, in child abuse allegations.

Through ChildStat and other initiatives to strengthen practice we are emphasizing the importance of obtaining relevant and substantive information from a variety of sources so that we can best determine what the appropriate services or interventions are in order to keep children safe.

Contact with the source of the report, particularly in educational neglect cases, is a key element of this work. And we have focused our attention in ChildStat meetings on qualitative reviews and policy development to reinforce the importance of talking with the person who actually saw and experienced something that was told to them, or something that they saw

in order to make a report to us.

Through ChildStat we are also monitoring the types of services provided to families and the success of our interventions in preventing repeat reports to the State Central Registry.

As a result of our partnership through the Interagency Task Force we have taken a number of steps to enhance the education related information and supports available to our staff as well as casework staff at our partner agencies, the preventive and foster care agencies so that they too can be in link, in touch with DOE in a more effective way.

In 2006 we ensured that every borough office has a Child Protective Unit, specializing in investigations of educational neglect. Right now we have about 26 units, at least 1 per borough office. These units are designed to handle all cases where ed neglect is the primary reason that we have a report from the SCR. Depending on the volume of reports in a particular borough office these units may handle general protective cases as well.

Child protective staff in the ed neglect units undergo the same training, curriculum as all of our staff and all staff are trained in the use of DOE's information system which includes attendance and other information relevant to a child's progress in school. Because the majority of the caseloads for these staff involve education related issues, these units are familiar with the schools and the communities they serve. They have a deeper understanding of DOE policies and practices and in many cases have relationships with local school staff enabling them to obtain thorough information about the reasons that a report has been called in and to better assist the family in working with the school.

In 2008 Children's Services and DOE rolled out the School Success Initiative through which many foster care agencies established education liaisons, staff designed to access the DOE's system as well.

Over the last couple of years we have updated our case practice guide for our staff, for investigations, which highlights the

responsibilities of our staff to contact schools and assess the school progress of children as a part of their investigations. And this is in every investigation, not just ed neglect cases. We have also issued a Child Safety Alert on investigating allegations of educational neglect and coordinating with DOE during our investigations.

As the Council may be aware, OCFS, the State Office of Child and Family Services, recently developed in collaboration with the State Education Department a model for practice and procedures regarding the investigation and reporting of ed neglect cases for all social service and education agencies in New York State. This is from a law passed in 2006.

This model outlines the guidelines for reporting educational neglect cases to the SCR as defined by State law. It also mandates social service and education agencies to establish a system for regular review and update of their policies and procedures as well as informing staff of changes.

Children's Services and DOE staff

are meeting bi-weekly to make sure that existing policy and procedures are in compliance with the State model, building on the work that we've been doing for almost now two years.

A critical need for all of our child welfare workers is the ability to help a family or a child access the appropriate educational resource. This summer we launched a web-based education resource tool to make information available to all of our staff as well as staff at our contracted agencies providing foster care and preventive services.

This education website includes links to the DOE website on regulations and policies, information about the structure of DOE, and critical contact information for various service resources at DOE and ACS. The homepage of the website is updated on a regular basis.

And you can go to our ACS website and on the left-hand side, click on Education Resource and you can find immense amounts of information about things such as enrollment, early intervention, alternative schools, special ed, discipline and suspensions. These are the kinds

of things that our staff, on a daily basis, may be dealing with. And now there's a place for them to go and--

CHAIRPERSON JACKSON: [Interposing]  
You go to that website, it just links on to the Department of Education's website?

MS. FLORY: No. It will link to our education resources, will link to our website, and within that website depending on the topic, it will link to a DOE website--

CHAIRPERSON JACKSON: [Interposing]  
Okay.

MS. FLORY: But some of the information is our own information.

CHAIRPERSON JACKSON: Okay.

MS. FLORY: And it's designed to help a worker walk through the maze of what a family or a child may need.

Our intent is to provide easy access to educational information throughout the life of a child's involvement with us from the early stages of an investigation through the provision of preventative and foster care services when those are required.



We have also expanded the role of our Education Unit to consult with child protective staff as well as staff at our preventive and foster care agencies. The goal is to build capacity and expertise among staff when working with families and DOE on education related issues. Education advocates in this unit are well versed in educational regulations and laws and provide training and support to our child welfare staff. They are also able to troubleshoot the more complex cases, advice on DOE policies and regulations, and help staff and families make the connections to the appropriate offices within DOE to resolve issues that arise during a child welfare case.

Last month we've added two additional education advocates to this unit and we anticipate adding a supervisor in December. We're sorry that Regina Shaeffer who's the director of this unit is not able to be here today. But she is in charge of facilitating much of the work that's being coordinated between DOE and ACS.

Through the collaborative work of the Mayor's Interagency Task Force each borough

office of Children's Services is now assigned an Educational Liaison who's responsible for facilitating communication with DOE, working with ACS Liaisons at schools and at the DOE Integrated Services Centers. These liaisons help to strengthen relationships between ACS and DOE on the local level.

Also in each borough ACS and DOE are meeting on a regular basis to troubleshoot specific cases, highlight areas of concern in case practice and to inform each other about changes in policies and procedures. These meetings held by sort of mid-level managers and administrators really help develop the relationships between our two systems and pave the way for collaborative work on individual cases.

Children's Services and the Department of Education are also working to provide training and information to our staff. In August of this past year we hosted an enhanced Back to School Summit that provided child protective staff with information on policies and processes in order to support families. Staff also had the opportunity to network with staff

from various areas of DOE to better understand their roles.

In the spring and fall of this year, the two agencies conducted, appropriately named, the ABC's of DOE, enabling staff to receive information and ask questions regarding DOE's reporting procedures and structure.

As the Council is also aware, we at ACS created the Office of Safety First in 2006 to serve as an ombudsman for mandated reporters so that they could address concerns about the safety of a child after they've made a report to the State Central Registry. 52% of the calls received by Safety First come from DOE staff, averaging between 300 and 400 calls a month when school is in session.

Safety First ensures that someone is available during business hours, when child protective staff may be in the field, to answer questions about the process of child protective investigations and to help connect callers to our borough office staff following up on concerns that arise once an investigation is under way.

At times when a situation arises

1  
2 that presents imminent danger for a child, Safety  
3 First helps to make contact with child protective  
4 staff to ensure that our workers are able to  
5 locate the child and take appropriate action as  
6 quickly as possible.

7 Because educational personnel make  
8 up a significant percentage of the reporters  
9 served by Safety First the office has expanded its  
10 outreach and training to DOE Integrated Service  
11 Centers and schools to explain the role of Safety  
12 First and educate on the responsibilities of  
13 mandated reporters. We've received very positive  
14 feedback from the community, particularly from  
15 school staff, about the support provided by Safety  
16 First in facilitating communication and  
17 collaboration between Children's Services staff  
18 and mandated reporters.

19 In conclusion, when we talk about  
20 the work of Children's Services and DOE, we are  
21 looking at two complex systems, each charged with  
22 safeguarding children and supporting them in  
23 growing to become healthy successful adults. For  
24 this reason there are a number of critical  
25 initiatives underway between the two agencies to

1

2

strengthen our--

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[TAPE ENDS ABRUPTLY]

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C E R T I F I C A T E

I, Laura L. Springate 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.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in dark ink on a light-colored background.

Signature: Laura L. Springate

Date: January 20, 2009