

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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HELD AT: COUNCIL CHAMBERS, CITY HALL

B E F O R E: Rita C. Joseph, Chairperson

COUNCILMEMBERS:

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- Sandra Ung
- Crystal Hudson
- Amanda Farias
- Gale A. Brewer

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

Michael Mulgrew
President
United Federation of Teachers

Brad Lander
Comptroller
New York City

Randi Levine
Policy Director
Advocates for Children of New York

Lupe Hernandez
Member
Community Education Council, District 2

Deirdre Levy
Teacher
PS 9

Leonie Haimson
Class Size Matters

Andrea Ortiz
Senior Manager of Education Policy
New York Immigration Coalition

Dermott Myrie
Member
Movement of Rank And File Educators

Christianna Nelson
Mother of Student
Arts & Letters 305 United

Sheree Gibson
Appointee
Panel for Education Policy

Ellen McHugh
Co-Chair
Citywide Council on Special Education

Lauren Clavin
Parent of Students
District 28

Amy Tsai
Vice President Special Education District
75
Coalition for Educating Families Together

Aixa Rodriguez
Teacher

Alexandra Paradopolis[sp?]
Teacher

Whitney Toussaint
President
CEC 30 in Queens

Michael Rance
Class Size Matters

Rafael Pena
NYC Men Teach

Christina Gavin
School librarian

Tazin Azad
Parent

Jia Lee
Special Education Teacher

2 SERGEANT AT ARMS: And good morning everyone and
3 welcome to today's hybrid New York City Council
4 hearing for the Committee on Education. To minimize
5 disruptions, please place all electronic devices to
6 vibrate or silent mode. If you'd like to submit
7 testimony, please send via email to
8 testimony@council.nyc.gov. Again that is
9 testimony@council.nyc.gov. Thank you for your
10 cooperation Chair Joseph, we are ready to begin.

11 CHAIRPERSON JOSEPH: Good morning. We're about
12 to start.

13 [GAVEL]

14 Good morning and welcome to today's Education
15 Committee hearing on Resolution 283. I'm Rita
16 Joseph, Chair of the Education Committee. I would
17 like to welcome everyone present here today and those
18 witnesses testifying remotely. As a former public
19 school student, public school teacher, through last
20 December, as well as a current public school parent,
21 advocating for our public schools is an issue that's
22 deeply personal to me.

23 I'm extremely concerned that in the upcoming
24 school year, some New York City schools are going to
25 lose significant funding in a way that will harm

2 students still suffering from the effects of the
3 COVID 19 pandemic. As my colleagues all know, the
4 Council voted to allocate an increase of \$700 million
5 more in city funding for DOE for the fiscal year, FY
6 23. Compared to the previous year, FY 22. The city
7 has the money to save our schools from cuts this
8 year, which is essential after the absolute hell
9 their students and teachers and administrators
10 experienced during COVID-19. Remote instruction less
11 lead to serious learning loss for students in New
12 York City, especially vulnerable student populations.
13 In fact, the pandemic has exacerbated the inequities
14 and widened already existing achievement gaps,
15 hitting disadvantaged students hardest, including low
16 income students of color, English language learners,
17 students in temporary housing, and students with
18 disabilities.

19 Beyond the academic impact, the pandemic has also
20 taken a huge toll on students mental health, from the
21 loss of family members to COVID or who lost their
22 jobs and economic security, and also has negatively
23 affected students social emotional development
24 through long months of isolation from friends and
25 classmates. The federal government allocated

2 stimulus funding to states and school districts
3 across the country to address pandemic-related
4 issues, such as learning loss, mental health and
5 social-emotional impacts on students and education
6 budget shortfalls. Last year the Department of
7 Education use some of this federal stimulus funding
8 to hold schools budgets harmless from enrollment
9 declines. However, this year the administration is
10 deciding to allow enrollment declines to impact
11 school budgets, citing the fact that federal stimulus
12 funding will be ending in two years.

13 This is not the time for the DOE to reduce school
14 budgets in a way that drastically impacts our
15 schools, especially when New York City students are
16 still suffering from serious learning loss and mental
17 health impacts from the pandemic and need all the
18 support they need to get help, can get to recovery.
19 In fact, although DOE allocated a significant amount
20 of federal stimulus funding for recovery services for
21 students in the past two years, they did not spend
22 all of this funding, and did not provide all of the
23 intendant recovery services to students that is
24 sorely needed.

2 That's why I'm a proud sponsor along with Speaker
3 Adams, Councilmember Brannan, Ayala, Salamanca,
4 Brooks-Powers, and Brewer of this Resolution.
5 Resolution 283 calls on the mayor and the Chancellor
6 of Department of Education to immediately reverse the
7 DOE's reduction to school budgets, calling on the
8 Chancellor to submit updated school budgets to the
9 Panel for Educational Policy, reflecting restoration,
10 as well as an accounting of unspent federal stimulus
11 funds and calling on the Mayor to properly utilize
12 any unspent and unallocated federal stimulus or other
13 funds, and submit a budget modification to the
14 Council to fully restore the \$469 million removed
15 from school budgets by DOE.

16 I'd like to thank the many parents, educators,
17 advocates who have spoken truth to power and fought
18 against these cuts. There are too many leaders to
19 lists here, but please know that I appreciate you, I
20 see you, and I'm proud to call you partner in this
21 fight. I also want to acknowledge that the
22 administration had met us to negotiate restoring
23 funds to school, but we have been unable to reach an
24 agreement thus far. My Council colleagues and I are
25 committed to continue to continue working to fully

2 restore funding for our schools. As we want our
3 students to thrive, hopefully the Mayor and the
4 Chancellor would join us in these efforts to ensure
5 that schools are equipped to meet the needs of our
6 students in September.

7 The administration does not testify on
8 resolutions, so the DOE will not be speaking or
9 answering questions from Councilmembers today.
10 Instead, we will hear testimony on Resolution 283
11 from parents, educators, advocates, and other
12 stakeholders. I wanted to thank everyone who's
13 testifying today whether in person or on Zoom, I'd
14 like to remind everyone who wishes to testify in
15 person, you must fill out a witness slip, which is
16 located on the desk of the Sergeant at Arms near the
17 entrance of this room. To allow as many people as
18 possible to testify, testimony will be limited to
19 three minutes per person, whether you're testifying
20 on Zoom or in person. Now without any further I'd
21 like to turn to our first witness panel. Thank you.

22 COUNSEL BUTEHORN: Good morning, everyone. And
23 welcome to today's education hearing. We will have
24 persons testifying in person and on Zoom. And I will
25 be calling people in order. So please bear with us

2 as we mute and unmute and pivot between in-person and
3 online.

4 So for panel one, we had the Comptroller who's
5 not here. And next we had on panel two, we had
6 Deirdre Levy who is not here. So I'm now going to
7 call panel three, and I'll also say who's on panel
8 four.

9 So panel three, we'll start with Michael Mulgrew,
10 UFT, Mary Viccaro, UFT, Randy Levine, Advocates for
11 Children, Marilyn Mendoza, Make the Road New York,
12 and Lupe Hernandez.

13 The panel after that will be Leonie Haimson,
14 Class Size Matters. Farah Dispinez, New York City
15 Coalition for Educating Families Together, Andrea
16 Ortiz, New York Immigration Coalition, Dermott Myrie
17 and Chauncey Young, New Settlement Parent Action
18 Committee.

19 We will first turn on Zoom to Michael Mulgrew of
20 the UFT. And I want to remind everyone, you have
21 three minutes for testimony.

22 And for those persons on Zoom will send you an
23 invite to unmute. You just have to accept the
24 invitation. So if we can go ahead and unmute Michael
25 Mulgrew.

2 Hold on a second.

3 PRESIDENT MULGREW: Thank you. Thank you. I
4 want to thank the Council for holding another hearing
5 on this really important matter. And I just want I
6 want to thank the Council again for having to this
7 hearing on this important matter. And I want to get
8 right to the point. I've had numerous conversations
9 with both state and federal elected officials, who
10 are now starting to ask: "Since we've sent all this
11 money, where is the money?" Because they don't
12 understand why there are cuts being done to our
13 schools at this point. You already know and have
14 been well documented what this means to the schools
15 themselves. And the Department of Ed is still trying
16 to tell people it's not a cut, it's downsizing. And
17 it's because they've now using their Fair Student
18 Funding formula, which they also admit is not
19 correct. And they have now formed another committee
20 to look at how to fix that, even though they insisted
21 on the pep voting earlier this year to put Fair
22 Student Funding back in in its old format. So this
23 whole thing now is becoming quite aggravating for
24 everyone. And... but it's really starting to trouble
25 me, because I don't understand how the city is saying

2 it's not a cut when it is, and then they're talking
3 about future cuts, but we know this \$4.3 billion in
4 federal education money that has to be spent and
5 sometimes we hear the Mayor and the Chancellor say
6 that money's already spent. Well, they couldn't have
7 spent that money because this... this body did not
8 have a process where a budget was decided to spend
9 that money. So the more troubling piece now, for me
10 is where I started: Where is this money? They seem
11 to be insisting on not trying... on doing the cuts,
12 but at the same time, the state sent an additional
13 \$1.6 billion. We know this \$4.3 billion from the
14 federal government. Where is the money? Has it been
15 supplanted? Has this administration taken education
16 money or supplanted it in a different way in a
17 different part of the budget? So now it's becoming
18 very troubling that their insistence on not undoing
19 these cuts is really starting to get to the point
20 where we have to start looking very closely. And I
21 know the comptroller has done a great job on this,
22 you know, and well, his number is the number that we
23 believe is correct: \$469 million is the cut right
24 now. But again, this has to stop. And we're going
25 to have to start calling for greater oversight of

2 what's going on inside of this administration.
3 Because the idea that they're not undoing these cuts,
4 they're saying that their funding formula doesn't
5 work, so they're now going to form another committee,
6 but yet they're going to use that funding formula.
7 And the biggest question now is... that... where is
8 all of this money? And what is going on with it?
9 And all of that is happening... and all of it is at
10 the expense of the children of New York City. And
11 that is really the most troubling piece that we're
12 dealing with here. So we're going to open school in
13 September dealing with all of these cuts. And,
14 again, I want to thank the Council for all the work
15 that it's done, all of the advocates who are here
16 today. There has been a phenomenal amount of work
17 that has gone on, but still, we are not where we need
18 to be, and we need to hold this administration, both
19 the Mayor and the Chancellor, accountable. Thank
20 you.

21 COUNSEL BUTEHORN: Thank you. And next, we're
22 going to hear from the Comptroller, who's now here,
23 so everyone, just bear with us a moment.

24 COMPTROLLER LANDER: Thank you so much. Good
25 morning, Chair Joseph, and members of the Education

2 Committee and of the City Council, and to the Speaker
3 as well. Thank you for this opportunity to testify
4 before you on Resolution 283, calling on the Mayor
5 and the DOE chancellor to act immediately to utilize
6 unspent federal stimulus funds to fully restore the
7 \$469 million removed from school budgets by the
8 Department of Education in June.

9 I fully support this resolution and its call for
10 a responsible budget that restores unnecessary and
11 harmful cuts to our schools before they reopen this
12 fall. And while we're in the building, I strongly
13 urge the Mayor, and across the street, the Chancellor
14 to heed this wise resolution.

15 Just yesterday, Sunday morning at a farmers'
16 market up in the Bronx, I spoke to them mom of a
17 fifth grader at a public elementary school in the
18 Bronx. At their school, There's long been a band
19 program only available to fifth graders. So it's a
20 first opportunity to start playing an instrument.
21 And it shows you've reached the top of this school.
22 It's a thing fifth graders look forward to all the
23 way. Kids are working their way through elementary
24 school, and when they get there, that's what they
25 know they're going to be able to do as a fifth

2 grader. And of course, that's exactly the kind of
3 program a principal is forced to cut when you are
4 forced to excess teachers. So there's not going to
5 be a fifth grade band program at that Bronx school
6 this year. And this fifth grader who's been looking
7 forward to it since they were in second grade,
8 doesn't have the chance to do it. Things like that
9 are happening right now at 1156 schools. 77% of our
10 public schools will open on September 8, with larger
11 class sizes, with fewer arts programs, and/or with
12 fewer guidance counselors than they had last year,
13 and as you rightly are aware and put in this
14 resolution, what's especially painful and puzzling
15 about this is that it is totally unnecessary.

16 In my first term in the City Council, in the wake
17 of the Great Recession, the city was forced by
18 declining tax revenue to make painful cuts to our
19 public schools. But there is no such fiscal
20 necessity now. My office estimates that \$4.34
21 billion of the \$7 billion allocated to DOE and
22 federal stimulus funding remains unspent. So the
23 department could spend put allocate \$469 million to
24 cover those cuts. That's just less than 11% of the
25 remaining stimulus funds, still leaving \$3.87 billion

2 for the wide range of good uses that the
3 administration wants to put the remainder of those
4 funds to: Next year's Summer Rising program,
5 expanding 3k, supporting students with special needs,
6 and on and on. Even at this late hour, that is the
7 right thing to do. I'm not going to read the rest of
8 my testimony to you. It's being presented in
9 writing, but I just... you know, it addresses three
10 questions. First with all the back and forth about
11 what the numbers are, what really is being cut and
12 how do we know it? My office has tried consistently
13 to put our data out. We put it up on the internet.
14 We put this formula up. We put this spreadsheet up.
15 Because, you know, like you, we heard in the
16 preliminary budget and the executive budget there
17 will be a \$215 million cut -- although if you look
18 carefully, it said that was only going to be \$132
19 million to the classroom because the rest was
20 supposed to be from fringe -- but if you took the
21 analysis of the school budgets when they came out in
22 the school allocation memorandum that was dated June
23 3, and looked at what they meant, then you could see
24 that the net cut -- and all we did was took every
25 single school, put them in a spreadsheet, took last

2 year's Fair Student Funding allocation, minus
3 register relief, and compared that to this year's
4 Fair Student Funding allocation, minus register
5 relief -- that revealed a net reduction of \$372
6 million, more than three times what had been in the
7 preliminary and the executive budget. And of course,
8 that's a net number. So unless you're going to take
9 back what you gave to the 23% of schools, where
10 enrollment grew, the 77% of schools -- the 1156
11 schools who saw a decline -- in total are cut by \$469
12 million, an average cut of over \$402,000, or 8%, of
13 their core budgets. And again, we put all that up in
14 a spreadsheet that's on the web. It accords with
15 today's resolution. That is the number of cuts that
16 our schools are facing.

17 They have been granted a little flexibility,
18 thanks to the advocacy of this Council and to the
19 advocacy of the public to use the ARPA recovery funds
20 that were already allocated to them in June for
21 tutoring to cover staffing. But we did a little bit
22 of an analysis, it's a pretty modest amount, the
23 average amount of those funds per school is \$62,710.
24 So that's just about 16% of the cut they were facing.
25 So you got an average cut. And of course, it's

2 different for each school, but an average cut of
3 \$402,436. And if you got back \$62,710, that was not
4 enough to you know, make any meaningful dent in the
5 harm that your school was facing. And I don't know
6 about you, but I've talked to quite a few principals
7 who also lacked clarity about what they can really
8 use it for, whether they could bring back excess
9 teachers. And so even with that modest additional
10 flexibility, very few principles that I've talked to
11 have been able to restore any of the programs or any
12 of the classes that were cut from their budgets.

13 We update the numbers in the testimony on what we
14 know from federal stimulus funding, what was actually
15 spent last year, and what's projected to next year.
16 The Department owes the federal government a report
17 in September when we should get, you know, further
18 information on how they plan to use the money in the
19 future. But the best we can tell from the numbers
20 that, you know, we updated it at the end of the week,
21 more than \$600 million was rolled... unspent last
22 year. The Department projected to spend about \$3
23 billion on stimulus funding for last year. As was
24 reported in quite a few places, it was hard to spend.
25 You were trying to hire teachers to come after

2 school, you were looking for new tutors, but people
3 found it challenging. So of the \$3 billion that was
4 budgeted for the 21-22 school year, about \$2.4
5 billion was spent meaning \$600 million rolled over
6 into the future. That by itself is enough to cover
7 the \$469 million in its entirety. And again, as I
8 mentioned before, if you just take the total that we
9 believe of the \$7 billion remains unspent, it's \$4.34
10 billion, you could use \$469 million of it and still
11 have \$3.8... more than \$3.8 billion for the wide
12 range of other good uses that DOE plans to be
13 allocating that money toward.

14 And then just finally, I want to just ask and
15 answer the question, is it fiscally responsible to
16 use stimulus funding to cover the cuts, because there
17 is an important, you know, set of issues we have to
18 face up to: We do have to look honestly and
19 thoughtfully -- this fly is enjoying the testimony
20 apparently. We do have to look at the question of
21 enrollment decline. enrollments are declining in the
22 schools and doesn't help us not to be honest and look
23 clearly and understand why that's happening. How
24 much of that is because housing is unaffordable? How
25 much of that is broader demographic decline? How

2 much of that is increasing enrollment at charter
3 schools? How much is that as people moving to the
4 suburbs or out of the state? Like we need to dig in
5 and really understand that question. The fly is very
6 interested in the question. It is one-time funding
7 and we need to be honest about that, right? So we
8 need to think about the long term issues as well.

9 But we went through and I'll say just a couple of
10 things here: First, the stimulus funding can only be
11 used for public education, and it has to be used by
12 fiscal year 25. We can't save it. We can't use it
13 for something else. So choosing not to use it to
14 restore these cuts just doesn't help us do anything
15 else.

16 Second, it doesn't create long term obligations,
17 you know, we might find that in FY 26 or 27. We have
18 to make hard choices. And if we do, then the Council
19 will do it. But cutting that band program at that
20 Bronx school today doesn't help you solve the FY 27
21 issues, because this is one-time funding. We can use
22 it to cover the school cuts this year, and still be
23 very prudent in our long term spending. We do need,
24 and the Council was asked for a real thoughtful long-
25 term conversation that looks honestly at enrollment

2 in enrollment decline, that takes a good hard look at
3 the Fair Student Funding formula, that thinks about
4 how we make sure the state continues to give us what
5 we need and deserve, and then asks real questions:
6 How much do we want to invest in reducing class size?
7 How much in stronger supports for kids with special
8 needs? How much and a range of other CTE and
9 enrichment programming? That's a critical long term
10 conversation to have, and it is exactly what the
11 stimulus money was meant to enable us to do: To buy
12 us a couple of years coming through the pandemic for
13 the thoughtful long-term conversations, so that we
14 can make the smartest decisions possible.

15 But what doesn't help, and what isn't going to
16 attract anyone back to our schools this year, is
17 increasing class size, is cutting those arts
18 programs, is cutting that second guidance counselor
19 that they were able to add during the pandemic. That
20 is a formula for pushing more students away from our
21 schools and continuing the cycle, instead of turning
22 it around using the federal funds exactly as they
23 were intended to strengthen our schools. And
24 finally, this Council and the Mayor -- I want to give
25 you guys credit -- because it is important to be

2 looking at and boosting our long term savings and
3 being fiscally responsible as we face a potential
4 economic downturn. That's why it was wise of you to
5 allocate \$2.2 billion... the Mayor and the Council
6 agreed to put \$2.2 billion dollars, biggest deposit
7 ever toward long term savings. A bit of good news
8 here, though: When you closed the fiscal year when
9 you adopted the budget and closed the FY 22 financial
10 plan, that still left about three weeks left in the
11 fiscal year before June 30. More than \$800 million
12 in excess tax revenue above and beyond the budget
13 projections came in in those final three weeks. So
14 if you want to do something that's... how do we
15 prepare for the long term future in the face of a
16 potential downturn, work with the Mayor to allocate
17 that \$800 million into long-term reserves that
18 wouldn't be a \$3 billion contribution from last year.
19 It would take long term reserves over \$10 billion for
20 the first time ever. And you could do that all while
21 allocating the stimulus dollars to cover these school
22 budget cuts, keeping the same balanced budget for
23 next year, and having a budget that is fiscally
24 responsible, without making these cuts to our
25 individual school budgets that really are going to

2 show up in larger class sizes, in less enrichment
3 programs, and in weaker schools at over 1100 schools.
4 At this moment, as we emerge from the trauma of the
5 pandemic, we could do something better.

6 I was just thinking and I'll close here. You
7 know, my kids are bigger now. But I remember when
8 they went back to school, the first day after
9 Hurricane Sandy... after superstorm Sandy, and there
10 was like so much joy when the school reopened, you
11 felt this real sense of our schools are a place that
12 help our kids be resilient in the face of community
13 trauma. And I was thinking, you know, if the Mayor
14 and the Chancellor decide to heed this resolution,
15 and restore cuts, you could imagine how much joy
16 there would be when that fifth grader gets their band
17 program restored, when parents realize class size
18 will be back at 24 instead of 30 or 31 in that fourth
19 grade program, or when that beloved guidance
20 counselor was still there to do small group work with
21 those kids. You could imagine a September that
22 instead of kind of this bitter pandemic feeling we
23 have feels a little more like the resilience and joy
24 and support that our public schools could be at their
25 best. That's what I think this resolution offers. I

2 really praise the Council for all the organizing and
3 the work you've been doing. Chair, to you and this
4 committee to all the Councilmembers who have been
5 fighting to lift it up, I'm glad you're considering
6 it, even at this late hour. The Mayor and the
7 Chancellor by hearing, it could make an enormous
8 difference for our schools this fall. Thank you so
9 much for the time and thank you even more for the
10 resolution and for all your advocacy.

11 CHAIRPERSON JOSEPH: Thank you, Comptroller Brad.
12 I have one question for you: That report in
13 September, when it comes out, how much details are
14 going to be included in that report?

15 COMPTROLLER LANDER: It's a great question and I
16 wish I knew the answer. I... we are working on a
17 letter to DOE telling them what we think should be in
18 it. You know, I think they have to give an update on
19 what has been spent, and talk about how they're
20 planning to allocate the remainder of the funds, but
21 there's not a lot of detail required, there isn't
22 outcomes reporting to understand what we're really
23 getting from it. So hopefully, the department, in
24 the interest of providing transparency to the Council
25 in the public will... because so much good... good

2 work has been done there. As challenging as that
3 funding was to spend, you know, I've heard a lot of
4 good stories about the difference it made in
5 tutoring. I think being able to offer Summer Rising
6 last summer and this summer, you know, challenging to
7 stand up an entire new program, but has really made
8 things possible for parents and families and kids.
9 So hopefully, that report will give us a really good
10 fiscal reporting what really was spent, what we know
11 about what we got for it, what remains, and opens a
12 conversation about what to do with it, which I really
13 think then the Council will have a good opportunity
14 to engage with the administration, because there's
15 quite a lot remaining to spend over the next two
16 years and some, you know, some it's a great
17 opportunity to use wisely.

18 COUNSEL BUTEHORN: Just for the record, we want
19 to acknowledge we've been joined by Councilmembers
20 Schulman, Narcisse, De La Rosa, Ung, Hudson, Louis,
21 Krishnan, Dinowitz, Lee, Farias, Hanif, and Stevens.
22 For Councilmember questions following, the Chair will
23 now turn to Councilmember Hanif, followed by
24 Councilmembers Schulman and Farias. And

2 Councilmembers will receive five minutes for
3 questions.

4 COUNCILMEMBER HANIF: You can skip me.

5 COUNSEL BUTEHORN: Councilmember Schulman?

6 COUNCILMEMBER SCHULMAN: Thank you. I just... I
7 have basically one question. First of all, good
8 morning, Mr. Comptroller. And thank you for your
9 testimony and your analysis, which I find very
10 helpful, of the DOE budget.

11 So one of the arguments that's being made by DOE,
12 as just sort of pushback with us, is that spending
13 per student is now higher with this new budget than
14 it's ever been before. So that's one of the
15 arguments that they make in terms of these cuts. So
16 can you respond to that?

17 COMPTROLLER LANDER: Yeah. So this goes to this
18 issue of enrollment decline, which is a real one. It
19 doesn't help us to, you know, try to pretend away the
20 data. Enrollment has been declining modestly before
21 the pandemic, and the pandemic has furthered it.
22 Now, that's true all across the country. That's not,
23 you know, specific to New York City schools. And
24 there's a little bit of work coming out of the
25 independent budget office and other places to try to

2 pull it apart: How much of it is due to broader
3 demographic decrease? How much to migration out of
4 the city? How much to housing costs that make it
5 hard for families to afford to stay here? How much
6 just shifts to charters? And... and my office is
7 looking at it. The IBO is doing it, and a lot of
8 others are looking at more work there.

9 So yes, the... the overall budget of DOE did not
10 go down. In fact, it went up last year, you've got a
11 range of other increased costs. We're spending more
12 on fuel and transportation. So if the overall budget
13 is up, and... and enrollment is down, then that means
14 if you just do the kind of you know, bottom line
15 numerator-denominator math, you're spending a bit
16 more per student.

17 Two things to remember: One, we don't get funded
18 per student. Some of the state money is per student,
19 but the vast majority of money coming into the system
20 is from tax revenue. It's not provided to us on a
21 per-student basis. So if we have the same level of
22 revenue coming in, and modestly fewer students,
23 that's a great opportunity to say, oh, you know,
24 we've long wanted smaller class size. So if we use
25 this money wisely, we could reduce class size without

2 spending any more money. I mean, long term, you need
3 to spend more, but... Or you could say, alright,
4 we'll instead try to focus some extra of those
5 resources on homeless students, or on students with
6 special needs, or on students with mental health
7 issues emerging during the pandemic, or on new
8 programming that we decide. I give the... the Mayor
9 praise for the new dyslexia program, which I think is
10 great. Obviously, we need to strengthen CTE
11 offerings.

12 So to me, you know, the question is: How do we
13 use the resources we have the most wisely? And you
14 know, you can let a formula lead you into cutting
15 that band program, increasing class size, but I just
16 think you'll then get a downward spiral. This is a
17 moment to try to push hard and the other direction.

18 COUNCILMEMBER SCHULMAN: I appreciate that. And
19 I also want to thank the Chair, Rita Joseph, for
20 holding this very important hearing today on this
21 resolution, and I hope that there is some quote-
22 unquote, "resolution" on this before school starts.
23 So thank you very much, Mr. Comptroller.

24

25

2 COUNSEL BUTEHORN: Thank you, Councilmember
3 Schulman. I had it in my head but forgot to publicly
4 acknowledge Councilmember Hanks. Apologies.

5 Next, we're going to turn to Councilmember
6 Farias.

7 COUNCILMEMBER FARIAS: Thank you. Thank you,
8 Chair. Good morning New York City Comptroller
9 Lander. Just... A couple of my questions have
10 already been answered. So thank you to my colleagues
11 asking them already. I really do appreciate your
12 testimony, particularly what you've said in front of
13 us today, but also what you laid out for other folks
14 to read as we move through this hearing.

15 Just... Just for the record and just for clarity
16 for me around stimulus funding and how we've
17 projected out what we wanted to spend and/or not in
18 the upcoming years.

19 With all of the outer year planning and stimulus
20 funding, does your office see that there will be an
21 end to the funding? As a lot of us have heard
22 overall, which I think in turn does mean that New
23 York City DOE, and our schools, and admin et cetera,
24 do need to at some point, look at how they are going
25 to work with less funding.

2 COMPTRROLLER LANDER: Yes. We have some of those
3 numbers in here. So you know, with \$7 billion total,
4 \$4.34 billion as what we project remains, and the
5 DOE, leaving aside the \$600 million in unspent funds
6 from last year, projects \$1.8 billion in FY 20, to
7 spend \$1.8 billion in FY 23, \$1.4 billion in FY 25,
8 and \$530... Excuse me, \$1.4 billion in FY 24, and
9 \$530 million in FY 25. That's the cutoff for
10 spending these funds. This was a one-time... It's a
11 couple of pots, but they were all one-time COVID
12 stimulus allocations, they're not standing programs.
13 We won't get this money again. So it is one time
14 funding. That does mean it runs out. And yes,
15 there's a number of things: Some of that money is
16 being used to expand 3K programs. It's wonderful to
17 create new 3K programs, and I'm all for getting to
18 universal 3K. At the same time, if those 3K
19 programs, you know, exist in the 25-26 school year,
20 they won't be able to be funded by this money. Now,
21 to me, you would start by saying... well, let's not
22 end that music program. Let's... let's start by
23 keeping things we already have, rather than creating
24 new programs that also might hit that... hit that
25 cliff.

2 So it is critical to do the long term planning.
3 We have to make sure we keep getting the state money
4 and the you know, and try to even grow that further.
5 Obviously, there's a whole set of broader questions
6 in the city budget: What is happening with our
7 property taxes and our taxes in general. You know,
8 we're nervous this year that an economic downturn
9 caused by rising interest rates that slows the
10 economy, you know, would have a much more significant
11 impact.

12 So for the 25-26 school year, there needs to be
13 really thoughtful long term planning. And we may
14 have to make some hard choices, right? That is a
15 thing I... you know, I said in Council that saw, you
16 know, in the wake of the Great Recession, that we had
17 to make really hard cuts. I hope you do not sit in
18 such a Council, but you might, and if you need to,
19 you'll rise to it, and you'll make the decisions that
20 have to be made. But this stimulus money can only be
21 used for public education purposes. It's got to be
22 spent by 25. And to me, the first use you would
23 spend it on before you would ask a set of questions
24 about what we could do next, would be keeping schools

2 whole exactly at the moment that that our students
3 are coming back.

4 COUNCILMEMBER FARIAS: Sure. And just two quick
5 followups: Is it a use it or lose it situation?

6 COMPTROLLER LANDER Yes.

7 COUNCILMEMBER FARIAS: And then lastly, is it at
8 our discretion on... at... or like the larger city
9 admin discretion on how much is used and when it's
10 used per year versus like if, for example, for the
11 record, for example, if at all wanted to be held and
12 used in the last year, versus spread across evenly,
13 et cetera?

14 COMPTROLLER LANDER: Yes, there's a lot of
15 flexibility given to the school districts and
16 municipalities on how to spend that money. You can
17 use it for... it's got to be spent on public
18 education, but a pretty wide range of purposes. And
19 there's flexibility within the timeline, as you know,
20 as long as it's all spent by FY 25.

21 COUNCILMEMBER FARIAS: Thank you so much.

22 COUNSEL BUTEHORN: Thank you Councilmember.
23 We've also joined been joined by Councilmember
24 Gutierrez. I'm not seeing...

25 Oh, Councilmember Narcisse has questions.

2 COUNCILMEMBER NARCISSE: Thank you, as usual for
3 you being here. We appreciate you and I know you
4 support education. I've seen your children and we
5 talk about it. And as a mother of 4 myself, going my
6 kids from public school, I know how difficult it is
7 for parents to know... like you just give the story.
8 A child having the first time to have the musical
9 instrument in their hands, and as a parent that
10 supports arts, that's breaking my heart because I do
11 believe every school building should have arts,
12 because that's what saved a lot of us, myself
13 included, to express... you know, to express you, who
14 you are, to be on stage to know who you are as a
15 person. That's how it started for me on stage.

16 So having said all that, if we the Council now
17 put the money back, so which area... which schools
18 that you think are going to be affected the most?

19 COMPTROLLER LANDER: So we've put the... The list
20 is up on our... on the website. I don't think... I
21 didn't attach the spreadsheet to the testimony. But
22 I'll make sure it's... I'll try to make sure it's
23 easy to find on the comptroller.nyc.gov webpage,
24 because we have their spreadsheet of all the schools,
25 you know, looking at that formula of Fair Student

2 Funding, net of register relief compared last year to
3 the year that's coming. Again, it's... you know,
4 it's 1156 schools that are seeing reductions, some of
5 them over \$1 million, the average at \$402,000. And
6 yeah, you can, you can see all the details there.

7 COUNCILMEMBER NARCISSE: So thank you Chair for
8 the work you've been doing. And we need to push
9 forward. As Council we are responsible, don't
10 forget, we're 31 women strong. So we understand.
11 And we'll do whatever it takes to make sure. And
12 don't forget, the Speaker is the first black woman.
13 So we understand the importance of education. So
14 thank you.

15 COUNSEL BUTEHORN: Go ahead. Councilmember De La
16 Rosa has a question.

17 COUNCILMEMBER DE LA ROSA: Thank you. Thank you,
18 Comptroller for this analysis. I think there's a lot
19 of important information in here. And thank you for
20 being a champion for clarity around these cuts. I
21 wanted to ask you: You listed in your testimony, a
22 few reasons why you believe that the cuts have
23 happened... that the enrollment decline has happened.
24 Can you talk a little further about what analysis
25 your office has been doing regarding... besides, we

2 know the pandemic has led to obviously, enrollment
3 changes, and we know that the formula is broken, and
4 we have to undertake that work. What other reasons
5 for the decline in education, has your office
6 analyzed?

7 COMPROLLER LANDER: Thank you. And we're
8 just... I want to give... The IBO has done more of
9 this analysis than we have so far. And I'm largely
10 looking at some of their data. And I also do want to
11 say... I want to, you know, give credit to the
12 Chancellor for convening the Fair Student Funding
13 task force that is really looking at... But that's
14 not looking at enrollment decline. That's looking at
15 the Fair Student Funding formula, and its various
16 weights. And there's a lot to think about here. I
17 don't know if some of you saw the Chalkbeat story a
18 couple of weeks ago. You know, we created all these
19 small schools, and there's lots of wonderful things
20 about small schools. They can really create a
21 nurturing environment. But if they shrink by 8% or
22 10%, then you can wind up sort of below the level at
23 which you can just provide in a school all the things
24 that a school needs to have. So there really are
25 some hard long-term questions we have to... to ask.

2 And yeah, I'm not prepared at the moment to kind
3 of give different you know, "How much is due to
4 this?" But I think we know... look, there's a
5 demographic shrinkage, like Americans in general are
6 having fewer kids, and so they're slightly fewer kids
7 coming in up in generation in a whole lot of places.

8 That's true across the board, less true of
9 immigrant families. But... and so, you know, partly
10 what happened was that the immigration decline that
11 we saw during the Trump years, I believe, also so
12 you've got a, you know, lower birth rate, you've got
13 a little less immigration, you have expensive
14 housing, you have charter schools. The IBO does a
15 thing. There's certainly... You know, some of this
16 is a shift from traditional public schools to charter
17 schools. And then, yeah, you have a little increase
18 in homeschooling, and you definitely have families
19 who have moved to more affordable housing elsewhere
20 in the region. All of those things are adding up.
21 It doesn't look like at the beginning... There was
22 actually a move to parochial schools at the moment
23 when they were open, and the public schools were not
24 open. But I know there's some new data out that
25 suggests that actually, the Catholic schools at

2 least, are seeing some of the same declines that the
3 public schools are. So don't think that is too much.

4 So, you know, we should... we should bring more
5 data to the table, we should really be honest about
6 what we're seeing.

7 But then there's an optimism about it as well,
8 again, as I was saying, if you were getting the same
9 amount in tax revenue, and had, you know, 10 or 12%,
10 fewer students, you could say, how do we want to...
11 you know, what do we want to do there? Do we want to
12 have smaller class size? Do we want to expand more
13 early childhood education options? Do we want to
14 focus on kids with special needs are homeless
15 students or kids with mental health needs?

16 So that's the planning conversation. And what's
17 so great is that the stimulus dollars, buy us the
18 time to have it. You know, no one is saying we can
19 ignore these questions. There will be hard choices
20 to make, but there will also be some great
21 opportunities to start new programs. Let's use the
22 stimuli was funding to buy our schools one more year
23 without cutting core programs that have been there
24 for a long time, as people are just coming back and
25 trying to get on their feet, as we then continue the

2 FSF Task Force, ask some of these broader questions,
3 and make wise decisions into next year's budget.

4 COUNSEL BUTEHORN: Thank you. And that concludes
5 questions, Comptroller. Thank you for being here.

6 COMPTROLLER LANDER: I really appreciate the
7 opportunity. Thank you, Councilmembers. Thank you
8 Chair for doing this.

9 COUNSEL BUTEHORN: Okay, we're going to go back
10 to our Zoom panel, so... So we're going to call Mary
11 Vaccaro from UFT.

12 No, I know. I know I have to call every name.
13 Thank you.

14 Next, I'm going to turn to Randi Levine,
15 Advocates For Children.

16 MS. LEVINE: Thank you for the opportunity to
17 testify. My name is Randi Levine and I'm Policy
18 Director of Advocates for Children of New York. We
19 are deeply concerned about the cuts to school
20 budgets, taking into account the federal register
21 relief funding that schools received last year and
22 are receiving this year, more than 400 schools
23 serving more than 200,000 students are seeing cuts of
24 over 10% to their Fair Student Funding allocation.
25 At more than 200 of these schools, more than 85% of

2 students are eligible for free or reduced price lunch
3 or other public benefits. And more than 800 schools
4 serving more than 430,000 students are experiencing
5 cuts of over 5% to their Fair Student Funding
6 allocation with an average cut for those schools of
7 \$518,000. At nearly 350 of those schools, more than
8 85% of students are eligible for free or reduced
9 price lunch or other public benefits.

10 Every year Advocates for Children helps thousands
11 of families navigate New York City school system. We
12 regularly hear from families, including families of
13 students with disabilities and English language
14 learners whose children are not getting the
15 instruction they need and have a legal right to
16 receive, much less the support they need to thrive.
17 In fact, according to Dewey Data, as of November
18 2021, more than 31,000 students with disabilities
19 were not fully receiving their mandated special
20 education instruction.

21 We are very concerned about the impact school
22 budget cuts will have on all students and especially
23 on the students with the greatest needs. We call on
24 the city to restore funding for school budgets.
25 These cuts come at a time when our city is grappling

2 with the unprecedented educational disruption caused
3 by COVID-19. But also at a time when the DOE has
4 received \$7 billion in Federal COVID-19 stimulus
5 funding. Students should not need to lose teachers
6 or programs at a time when the DOE has received this
7 historic level of funding. As the comptroller noted
8 the city has the funding this year.

9 As the City Council continues to negotiate with
10 the Mayor, we want to ensure first that schools do
11 not experience unnecessary cuts to their budgets.
12 Second, that investments for students with high needs
13 included in the fiscal year 23 budget, including
14 shelter-based community coordinators, the mental
15 health continuum, and immigrant family communication
16 initiative remain intact. And third, that federal
17 COVID-19 relief funding allocated to important
18 purposes such as special education services and
19 restorative justice that went unspent in fiscal year
20 2022, as well as funding allocated to these purposes
21 for fiscal year 23 get used as intended, and that
22 this funding does not get diverted.

23 We agree with the Council that there needs to be
24 a full detailed accounting of the stimulus funding.

25 SERGEANT AT ARMS: Time expired.

2 MS. LEVINE: Finally, we want to emphasize the
3 importance of thinking ahead about education in New
4 York City and the DOE budget, from the need to
5 reexamine Fair Student Funding to the need to sustain
6 important programs ranging from social workers to
7 preschool special education initiatives currently
8 being funded through time limited COVID-19 federal
9 relief funding. We look forward to working with you
10 on these challenges.

11 Thank you for holding this hearing and for the
12 opportunity to testify. I would be happy to answer
13 any questions that you have.

14 COUNSEL BUTEHORN: Thank you and the next person
15 on this panel is Marilyn Mendoza. I'm not seeing her
16 on. We're going to go back to our panel two, as both
17 witnesses are now present in chambers. So we're
18 going to hear from Lupe Hernandez, a member of CEC
19 District Two, and Deirdre Levy of PS 9.

20 Okay, Lupe, we can start with you whenever you're
21 ready and they'll start the clock.

22 MS. HERNANDEZ: Thank you, Rita Joseph in the
23 City Council Committee on Education for introducing
24 this resolution that asked to negotiate for the Mayor
25 to restore the education cuts.

2 I'm here today to express my concern about these
3 budget cuts to New York City schools. Now is not the
4 time for students and educators to have to make do
5 and to make do the less. We saw in classrooms at the
6 end of the year hard-won progress as children began
7 to catch up from the pandemic learning losses. As
8 they started to feel safe again, and their parents
9 and caregivers began to reengage with the school,
10 administrators were just able to take a breath and
11 start planning on how to build on these improvements
12 next year, and yet you pulled the rug out from under
13 them.

14 According to the analysis by the Comptroller, the
15 DOE has millions of unused funds from fiscal year
16 2022 that will... that should be rolled into the
17 fiscal 2023 and a total of more than \$4 billion in
18 federal COVID relief funds that are set to expire
19 over the next two years. Yet a reduction of school
20 budget has been put forth. Why? We are at a
21 critical juncture and need you to demand or negotiate
22 with the Mayor to restore the school funds now, not
23 after the mid-year adjustment. Principals need to
24 hire and maintain necessary staff now in order to
25 meet the students needs.

2 Last year, for the first time schools really had
3 the means to provide the resources that all of our
4 students need. We have not been meeting our students
5 need... or their mandated needs for our students in
6 special education or English language learners. They
7 continue to be the most marginalized and impacted by
8 these egregious cuts to our schools and their ability
9 to provide paraprofessionals, therapists, and
10 enrichment programs that would help the whole child.

11 Our schools are facing many challenges. Student
12 head counts for next year were grossly
13 underestimated. My district alone in CEC 2 had about
14 15 appeals and yet we stand to lose over \$60 million.
15 Although we have had a decline in enrollment, both in
16 NYC NSF saw the largest percentage of families leave
17 due to the option of remote work, and also the cost
18 of living. This time allows a great opportunity to
19 reduce the class sizes in New York City schools that
20 would be more equitable to the rest of the state.
21 Our class sizes are about 30% larger than the rest of
22 the state. We also have asylum seekers that are
23 settling here in New York City, and these students
24 will be enrolled this September.

2 Fair Student Funding should have been addressed
3 and these next two years allows us the time to really
4 address this formula that has not been changed since
5 it was created. Although the contracts for the
6 services that serve these students have increased
7 year after year. These weights do not adequately
8 support our students with disabilities, our English
9 language learners. They never supported our students
10 in foster care or in students in temporary housing.
11 And as I mentioned, we have families coming in from
12 asylum... the asylum seekers and these students are
13 not going to be funded at all as of right now.

14 The stimulus funding allows us the time for the
15 Fair Student Funding taskforce to really address
16 these inequitable weights. Cluster programs,
17 enrichments will be cut, class sizes are going to
18 increase, schools that were already not meeting the
19 ELL and in the students with disabilities or IEPs are
20 losing even more. These academic intervention
21 services and at risk counseling will be cut. I know
22 schools that were finally able to hire a second
23 counselor to meet the needs of the students, and now
24 they're having to say goodbye to some to those second
25 ones.

2 Loss of critical administrator staff: Our
3 schools can't afford to replace administrators who
4 are leaving and must date make do with two
5 administrators for 750 students. This will lead to
6 less time for curricula review revision, teacher
7 support, student support, and parent engagement.

8 Increased segregation: Low income schools are
9 being destroyed by these budget cuts. Of the schools
10 that have been able to move the needle on
11 desegregation they will surely have trouble
12 maintaining this trajectory, and will be forced to
13 increase parent fundraising, which exacerbates the
14 inequality in schools between... and between
15 schools. \$20 million being cut from restorative
16 justice programs across the city and yet they are
17 failing at providing an already failing system. No
18 disrespect to our school safety agents, but our
19 children need healing-centered spaces. Our children
20 are our future, and they need to be prioritized.
21 Please prioritize education and give our children
22 what they need. Thank you.

23 COUNSEL BUTEHORN: Thank you. Next we'll hear
24 from Deirdre Levy.

2 MS. LEVY: Good morning, my name is Deirdre Levy.
3 I'm a product of the New York City public school
4 system I went to John Bowne High School in Queens.
5 But right now, I'm a teacher at PS 9, in which I live
6 in the school district I teach in. And this coming
7 September is supposed to be my 10th year teaching. A
8 few... Actually, over the past few days, I've
9 received multiple emails from staff members, because
10 at least 10 staff members at my school have either
11 been excused or have resigned. And that's including
12 my principal and my guidance counselor. So this
13 coming September, we will have no guidance counselor.

14 As a teacher at PS 9, one might think that my
15 school is fully funded, but I'm a special education
16 teacher and I support the needs of students with
17 autism, dyslexia, and over 50% of the lawsuits
18 against the DOE, they are basically because students
19 are not receiving the needs that they are legally
20 mandated to receive, such as dyslexia, ABA, and other
21 specialized supports. So this decrease or defunding
22 of our schools is something that directly, not just
23 affects me, but the colleagues that I work with, And
24 the colleagues all across New York City, even my old
25 teachers, and I'm just here to ask all the City

2 Councilmembers that... For someone like me, and for
3 my students, the most important thing that we need to
4 do is think about the students and what they need.
5 And if we're going to enroll over 1000 students that
6 are asylum seekers, according to Chalkbeat, just
7 released today, we need to provide teachers with the
8 tools that they need to support everyone in our
9 school system. So I think one solution is to work
10 with teachers, and to work with students and to see
11 what we need specifically to address the needs of
12 everyone so that way we can be prepared this coming
13 September 8.

14 I thank you for your time and I look forward to
15 working with City Councilmembers or with the city in
16 general to make sure that we are solutions oriented.
17 Thank you.

18 COUNSEL BUTEHORN: Thank you and the next panel
19 that we will hear from is on Zoom: Leni Hameson,
20 Farah Despines, Andrea Ortiz, Dermott Myrie, and
21 Chauncey Young. And I apologize for mispronouncing
22 names. The panel after that will be Christianna
23 Nelson, Sheree Gibson, Ellen McHugh, Lauren Clavin
24 and Patrick Joseph. We will first turn to Leonie
25 Haimson.

2 SERGEANT AT ARMS: Time starts.

3 MS. HAIMSON: Hello, everyone. Can you hear me?

4 COUNSEL BUTEHORN: Yes.

5 MS. HAIMSON: I'm going to keep my screen off
6 because my internet connection is not great, but can
7 you hear me?

8 COUNSEL BUTEHORN: Yes.

9 MS. HAIMSON: Okay, great. Thank you Chair
10 Joseph and the members of the City Council for
11 holding these important hearings today and for this
12 resolution, demanding that the Mayor agree to a
13 budget modification to restore the \$469 million in
14 cuts to Fair Student Funding as soon as possible. We
15 hope that the Mayor listens to voices of parents,
16 teachers, students, and elected officials, speaking
17 in unison about the damaging impact of these cuts on
18 our schools, just when our children need stability to
19 reconnect and recover from the disruptions caused by
20 more than two years of a pandemic, which is still
21 with us.

22 Two additional points. We found that as of
23 yesterday, August 21, the actual level of cuts from
24 schools overall budgets was \$1.29 billion compared to
25 their fiscal 22 galaxy budgets. More specifically

2 more than 1500 schools saw cuts, while only 68 saw
3 increases. The schools that were caught, experienced
4 an average cut of \$865,000 or about 11% of their
5 budgets. We also analyzed the total amount of
6 funding that was added to school budgets through
7 school allocation after August 21st in fiscal 22 and
8 found that they totaled about \$356 million so that we
9 can expect if no funding is restored, the total
10 actual cuts will be close to a billion dollars.

11 If there is an agreement with the Mayor and a
12 budget modification to restore at least the Fair
13 Student Funding portion of these cuts, we urge you
14 also to ask for a memorandum of understanding to
15 specify that the additional funds must be used to
16 return schools to last year's FSF levels. This MOU
17 should also specify that the additional funding
18 should be distributed to schools in a separate budget
19 allocation memo as soon as possible, and before the
20 start of the school year. It would also be optimal
21 if the Council could negotiate a separate terms and
22 conditions to require DOE to regularly report several
23 times a year on the actual funding provided to school
24 budgets, both the totals and at the individual school
25 level. In future years, the Council should seriously

2 consider asking for a new unit of allocation. That
3 would be a subset of general ed and special U of A's
4 to reflect school level budgets, or else we may never
5 be sure in advance which funding is actually provided
6 to schools, and which will be used for other purposes
7 within the hugely non-transparent budget of the DOE.

8 A few other additional points as to the fair
9 student formula, which is neither fair nor adequate
10 in many ways. In a recent presentation to the new
11 FSF Working Group, DOE claimed that it was adopted in
12 response to the State Court of Appeals ruling and
13 CFD. But this is only true to the extent that DOE
14 officials were expecting the additional billions in
15 state funds would help them increase funding in the
16 formula to 100% which did not eventuate until last
17 year.

18 SERGEANT AT ARMS: Time expired.

19 MS. HAIMSON: In fact, Chancellor Kline intended
20 that the formula would give principals, principals
21 maximum flexibility is how to spend the funds rather
22 than address the specific deficiencies specified in
23 the court decisions such as excessive class sizes.
24 In fact, the FSF formula has worked against the
25 ability of schools to lower class size, and the task

2 force created by the Council in 2019 surveyed
3 principals, of whom 80% identified large class sizes
4 as a consequence of the formula. So one of the
5 recommendations of that task force, and I hope the
6 new working group, is the DOE must develop a class
7 size reduction plan with specific milestones and
8 timelines to be attained outside the formula.

9 Thank you very much.

10 COUNSEL BUTEHORN: Thank you. And next on our
11 list was Farah Despinez, but I do not see her on. So
12 next we will turn to Andrea Ortiz from the New York
13 Immigration Coalition.

14 SERGEANT AT ARMS: Time starts.

15 MS. ORTIZ: Good afternoon and thank you. I'm
16 Andrea Ortiz, the Senior Manager of Education Policy
17 at the New York Immigration Coalition. And we are
18 members of the Citywide Education Justice Coalition,
19 New Yorkers for Racially Just Public Schools.

20 We are here because New York City must stop the
21 cuts and immediately restore \$469 million in funding
22 to our public schools, because all students deserve
23 caring, culturally responsive, and healing schools.
24 City officials must restore the \$469 million in cuts
25 with available federal academic recovery relief

2 funding to provide the holistic services programs and
3 resources all students need and deserve in the
4 aftermath of the pandemic. And because these budget
5 cuts come at a time when the system must meet the
6 moment to support 1000 new refugee newcomers.

7 Right now, instead of focusing on these
8 unconscionable budget cuts, we should be focused on
9 enrolling asylum-seeking children at schools that are
10 well prepared to meet their needs, and that have the
11 deep expertise in supporting students in learning
12 English for the first time. We should be investing
13 in programs like the NYC is Life Project, which has
14 been extraordinarily successful and engaging
15 immigrant-community-based organizations to enroll
16 children in pre K and 3K programs.

17 Let's face it, these public school cuts are
18 unnecessary and cruel and will disproportionately
19 affect historically underserved schools and
20 communities. Cutting school budgets, while
21 simultaneously increasing policing budgets suggests
22 policing black and brown bodies is more of a priority
23 than investing in children. There is no excuse. We
24 can use the more than \$4 billion left in unspent
25 federal funds. We also have a state funding increase

2 of \$475 million. And we brought in billions of
3 additional dollars in added tax revenues. We know
4 that a child's well-being is a prerequisite to
5 learning. But we know that even before the pandemic,
6 most public schools weren't fully equipped to help
7 immigrant youth, or students facing trauma, or
8 economic hardship because far too many schools have
9 never been fully funded. And for decades AQE,
10 parents, students, educators and advocates like us
11 have thought to secure additional state funds. So we
12 know that we have right now a unique opportunity to
13 fully fund our schools now.

14 This years city budget negotiations lacked
15 transparency, and were unnecessarily rushed, and
16 ended in catastrophic cuts to our schools. But but
17 the city can fix it. Even without federal money, we
18 can choose to immediately restore the \$465 million in
19 cuts with available state aid or city revenues.
20 There really is no excuse. Budgets are moral
21 documents and we need to make sure that our city's
22 children are invested in. Thank you very much.

23 COUNSEL BUTEHORN: Thank you. And next we'll
24 turn to Dermott Myrie.

25 SERGEANT AT ARMS: Time starts.

2 MR. MYRIE: Okay, do I start? Okay? Yes.

3 So my name is Dermott Myrie. I'm a member of the
4 Movement of Rank And File Educators, And I'm a pro
5 UFC member, a member of other social justice groups
6 advocating for restoring the cuts. I just want to
7 say that we are unified, and collectively concerned
8 about education cuts. We're also concerned about
9 large class size. And instead of engagement, the
10 Adams administration continues to defund our schools
11 and goes on a tantrum of name calling and
12 categorizing us as clowns. So today, I have my clown
13 hat on to show that we are not clowns. We are
14 educators, we're parents were a parent leaders, as we
15 refuse and resist and continue to demand, restore
16 funding, or else we need to end mayoral control.

17 I want to point to a statement from the Alliance
18 for Quality Education, AQE. And it says, "New York
19 city also has a surplus that could have been used to
20 maintain school budgets, thereby avoiding and causing
21 harm to children." In my school where I teach, MS
22 391 in the Bronx, we had a fire there in January, a
23 few months ago. I lost the student. And instead of
24 Adams and Banks running up there to Webster Avenue to
25 go on photo apps. They should have restored the

2 cuts. My school experience trauma, alright? We lost
3 students and their families to the fire. I lost a
4 student. My school was deposited \$700,000. My
5 school was defunded a social worker, a special ed
6 teacher and that teacher school aid. What we are
7 demanding is that we refund our schools, and more.

8 Not only does Mayor Adams have the power to
9 restore the school cuts, but it's imperative that he
10 does so quickly, as principals and school leaders are
11 planning for the upcoming school year. The onus is
12 on the Mayor to ensure that they can make decisions
13 on behalf of their students and families without
14 disruption. I can just imagine the nonsense that
15 would have happened if Banks had gotten his way to
16 replace superintendents, and we parents hadn't come
17 out and put a stop to this nonsense. Just imagine
18 new superintendents being faced with this ad hoc
19 systemic policy of defunding our schools and it needs
20 to stop, so I call... I respect Comptroller Brad
21 Lander, you need to continue to audit our schools.
22 We need to make sure there's one nurse in each
23 school, an RJ coordinator, a certified librarian, a
24 school counselor, and we need to also include the
25 new...

2 Sergeant at Arms: Time expired.

3 MR. MYRIE: Thank you.

4 COUNSEL BUTEHORN: Thank you. And the last
5 person we had on this panel was Chauncy Young but I
6 do not see him present. For the record, we also want
7 to acknowledge we've been joined by Councilmembers
8 Stevens and Brewer. The final remaining panels: The
9 next panel will be Christianna Nelson, Sheree Gibson,
10 Ellen McHugh, Lauren Clavin, and Patrick Joseph. The
11 panel after that will be Amy Tsai, Aixa Rodriguez,
12 and Alexandra Paradopolis. And the final panel will
13 be Whitney Toussaint, Michael Rance, Jia Li, and
14 Rafael Pena. We will first turn to Christianna
15 Nelson.

16 SERGEANT AT ARMS: Time starts.

17 CHRISTIANNA NELSON: Hi, thank you very much for
18 holding this hearing today. I really hope that you
19 decide to restore these terrible cuts to public
20 education. I'm here to speak as a mom about how
21 these cuts are affecting the students in my
22 daughter's school. My daughter attends Arts &
23 Letters 305 United in Bed-Stuy. It's a lottery
24 school that offers 40% of its seats to children who
25 qualify for school lunch assistance. We love the

2 school. It's a beautiful school filled with
3 dedicated educators, and parents and a diverse
4 student body. It's actually increased its enrollment
5 over the last two years but it's still losing 17% of
6 its budget, over \$1.5 million. That means larger
7 classes, fewer counselors, less art and music, fewer
8 classroom supplies, and honestly, the parents are
9 already donating a lot of the supplies. But most
10 importantly, it's a slap in the face to the
11 educators, students and parents who've already
12 suffered through two very difficult years.

13 My daughter is actually a pandemic success story.
14 She has a visual disability and an IEP, and that
15 means that since kindergarten, in addition to her
16 vision services, she's required physical therapy,
17 occupational therapy, counseling, and she's required
18 to be in an ICT classroom with two teachers.

19 Well, this year with smaller class sizes, she was
20 able to get more of the individual support that she
21 needed, and she experienced huge growth academically
22 and emotionally. And by the end of the year, her
23 team decided that she no longer needs physical
24 therapy, occupational therapy, counseling, and she
25 also no longer needs to be in an ICT classroom. My

2 daughter has a really passionate, knowledgeable,
3 devoted team of teachers and specialists and they
4 showed up every day of this pandemic, often at risk
5 to their own health. They have kids of their own,
6 that they showed up every day to help my daughter
7 learn and grow. And now, instead of rewarding their
8 hard work and their successes and supporting them,
9 you're asking them to do more with less. It's
10 immoral. It's wrong, and it needs to be fixed today.

11 These cuts are not good for students. They're
12 not good for teachers, they're not good for New York
13 City. Let's take the time and effort to plan and
14 budget long term together with meaningful real input
15 from educators who are in the room, and parents whose
16 children are in the room, not overnight in one fell
17 swoop. I asked you please restore the cuts.

18 Thank you.

19 COUNSEL BUTEHORN: Thank you, and next we'll turn
20 to Sheree Gibson.

21 SERGEANT AT ARMS: Time start.

22 MS. GIBSON: Hi, good morning. My name is Sheree
23 Gibson, and I'm speaking as a Queen's parent leader,
24 as well as I am currently a newly appointed BP
25 appointee to the Panel for Education Policy. So I'm

2 speaking to you as a parent first, because I am
3 reiterating what I stated to you guys on your last
4 hearing, which is that these cuts are deep and they
5 hurt, and we need them restored. From all the school
6 planning, I applaud our principals, our teachers who
7 and our parents who are going to... who are making it
8 happen, but they shouldn't have to. We should be
9 providing for the resources and opportunities for all
10 of our... all of our children to learn equitably.

11 As a member of the PEP, I am speaking to say that
12 we... it is by law that we're supposed to be included
13 in the process, and as a new member to it, I want to
14 be included in the process. I want the panel to be
15 able to review and ask questions, hear from the
16 general public as well as the City Council to hear
17 from the general public at a PEP meeting. That is
18 what the PEP is for. And we should not be
19 circumvented. We should not just be a rubber stamp.
20 We should be a part of the process as the law states.
21 So I am hopeful and looking forward to the City
22 Council working and negotiating with the Mayor to
23 restore the cuts. We have federal funding that will
24 help sustain it for any school that has lost
25 enrollment and needs, budget cushions or support.

2 But also in we do realize that enrollment is an
3 issue. So let's start talking about it. What are
4 the strategies? It doesn't have to be a cut. What
5 can we do to help deal with enrollment loss? We have
6 schools that have increased enrollment, what are they
7 doing? What are ways what are strategies and tactics
8 that we can do to offset this?

9 First Deputy Chancellor Weisberg had said back at
10 the end of June hearing that that is something that
11 they should definitely look at, and look at. So I'm
12 hoping the City Council continues to hold them to
13 that, and hold them to the providing the correct and
14 accurate data.

15 Thank you for allowing me to speak this morning.

16 COUNSEL BUTEHORN: Thank you. And next we'll
17 turn to Ellen McHugh.

18 SERGEANT AT ARMS: Time start.

19 MS. MCHUGH: Good morning. My name is Ellen
20 McHugh and I presently serve as the Co-Chair with
21 Erika Newsome of the Citywide Council on Special
22 Education. I'm offering this testimony as my own
23 testimony. But I also want to inform you that
24 there's no closed captioning available for this
25 hearing today, which limits the access for

2 individuals who have hearing losses to understand
3 what is being said.

4 First, I would like to thank the Council for the
5 opportunity to speak and I'd also like to thank the
6 Council for the increased funding of \$46 million for
7 contract enhancement to wages with special education,
8 pre K, and daycare providers. Schools in the
9 recently proposed budget... sorry, I'm reading
10 incorrectly. As you know, pre K schools, also called
11 44-10 schools, are state funded schools for students
12 with special needs are part of the New York State
13 continuum of services and serve those students who
14 have been determined by DOE committees on special
15 education to meet smaller class size and more intense
16 interventions than can be provided in a standard
17 public schools. Students are enrolled in the school
18 after a lengthy process which includes parent
19 participation. This funding will be used to create
20 pay parity and to maintain staff. On March 7, 2022,
21 the Citywide Council on Special Education received a
22 presentation by DOE officials regarding the 2022 to
23 2023 budget.

24 As you review that presentation, which is
25 attached here in an email, you'll see that it was the

2 same presentation given to each district CEC and city
3 wide council. You will also note that there is no
4 mention of cuts to the education budget, nor requests
5 for consultation on where and if appropriate cuts
6 could be made. However, budget cuts of \$250 million
7 were announced by the offices of Mayor Adams and
8 Banks. The cuts were part of the February Eliminate
9 The Gap proposals and were described to City
10 Councilmembers as mostly elimination of already
11 vacant positions at the DOE. That estimation quickly
12 blossomed into \$312 million, and as reported in the
13 latest budget estimates, the cuts have ballooned once
14 more to \$469 million that are direct cuts to the 1156
15 schools where the cuts will occur.

16 No one with any experience of budget planning
17 would or could believe that the cuts of these
18 magnitudes could mysteriously appear in the two to
19 three months between the DOE presentation to city
20 wide councils and local CECs and the proposal to City
21 Council which excluded any consultation with the
22 panel for education.

23 SERGEANT AT ARMS: Time expired.

24 MS. MCHUGH: In the interim between the
25 presentation and the actual budget decisions

2 Chancellor Banks issued an emergency declaration,
3 allowing the BOE and his budget division to
4 circumvent the required consultation with the PDP.
5 The emergency budget declaration also allowed the
6 Chancellor to present City Council a budget that can
7 only be considered as a fait accompli. Among the
8 many cuts were reductions to funds for recovery
9 services. Those recovery services were supposed to
10 be a quick and flexible reaction to the loss that
11 students with disabilities and IEPs...

12 SERGEANT AT ARMS: Time.

13 MS. MCHUGH: Experienced over the past two years.
14 According to all reports, there are well over \$4.3
15 billion and unspent ARP dollars. Yet on August 11,
16 Chancellor Banks and the citywide council, that is
17 the Chancellors Parent Advisory Council accused
18 parents of students with disabilities, or IEPs of
19 gaming the system and placing children in high cost,
20 elite private schools. Chancellor Banks suggested
21 that if he could turn off the spigot, he could use
22 that money for other things like smaller class sizes
23 after school programs and enrichment at schools. The
24 budget negotiations meant to be conducted in
25 partnership with PEP, City Council, and CECs had

2 devolved into a series of accusations by the Mayor
3 and Chancellor. Actually parents who objected to
4 cuts were referred to as clowns by the Mayor.

5 It is my fervent hope that City Council will
6 adequately... now adequately being informed of
7 budgets can come back to the community for all
8 parents, of all students in the New York City public
9 school system with a rational and well-constructed
10 budget for all students. Thank you for the time.
11 I'm sorry I went over, but I am so indignant about
12 the Chancellor's comments that I felt it was
13 necessary to explore that statement.

14 COUNSEL BUTEHORN: Thank you. Two things.
15 Ellen. There's a Councilmember question for you
16 after we hear from our final panelist, so please stay
17 on the Zoom. And then also for the record all
18 hearings are live stream on the City Council website,
19 and closed captioning is available on the bottom
20 right hand corner of every live stream.

21 Our final panelist that we will hear, and then
22 we'll turn to questions, is Lauren Clavin.

23 SERGEANT AT ARMS: Time start.

24 MS. CLAVIN: Good morning. My name is Lauren
25 Clavin. I'm a product of the New York City public

2 school system and I'm also a parent in District 28 in
3 Queens to a second grader and a kindergartener. I
4 want to say thank you to Chair Joseph for holding
5 this crucial hearing. And I want to say that I echo
6 the comments of every single advocate who spoke
7 against the immoral cuts that Mayor Adams has
8 inflicted on our children and our school communities.
9 My children's school in Queens stands to lose nearly
10 \$2 million, about 20% of its budget. And we've
11 already heard several advocates testify to the
12 material losses that these cuts will mean, and how
13 the most marginalized groups will be harmed the most.
14 I want to thank Brad Lander for crunching the numbers
15 and showing undeniably how these cuts are not only
16 harmful, but completely unnecessary. You don't need
17 to be a math whiz to understand that these cuts don't
18 make sense morally or practically. I've heard the
19 Chancellor express concerns about learning loss and
20 academic recovery. We've heard that a lot. So how
21 does cutting teachers and enrichment programs help
22 with learning loss or academic recovery? It doesn't.
23 I've also heard them talk about mental health and
24 safety. How does cutting guidance counselors,
25 nurses, social workers, and restorative justice

2 programs help keep students safe and feeling
3 supported?

4 I've heard the Chancellor and the Mayor speak a
5 lot about enrollment loss. Many people have spoken
6 about enrollment loss. But how does cutting arts
7 programs, beloved teachers, after school programs,
8 and all of the quote unquote "extras" that attract
9 families and make kids excited to show up to school
10 every day? How will cutting these... these programs
11 possibly ever lead to improved enrollment? We know
12 it won't. And we know what the Mayor and his
13 billionaire for-profit charter donors are trying to
14 do. We know. I hope the Mayor has seen that
15 students, parents, and advocates know what he's doing
16 and that we're not going to quietly go along with it.

17 Public schools belong to the people. They are a
18 cornerstone of a healthy democracy, and they need to
19 be our priority. Always they should be our priority.
20 But especially in this moment in an ongoing pandemic
21 that has devastated our city and our children. We
22 don't need the Mayor condescendingly asking us to
23 pray for him and calling us clowns. We need him to
24 give us our money back. I want to say thank you to
25 the students, parents, teachers, and advocates, who

2 who have spent your entire summer fighting for our
3 schools. And thank you especially to Councilmembers,
4 O'Shea, Cabán, Nurse, Richardson Jordan, and
5 Avilés...

6 SERGEANT AT ARMS: Time expired.

7 MS. CLAVIN: ... for voting against these cuts
8 from the beginning. And for the members of the
9 Council who have recognized their error and are
10 holding themselves accountable, please keep the
11 pressure on. Our kids and their futures depend on
12 you. We need you to push back against the
13 misinformation from an administration that seeks to
14 defund and dismantle our public schools. Thank you.

15 COUNSEL BUTEHORN: Thank you. And our final
16 person on this panel was Patrick Joseph, but I don't
17 see him on the Zoom. If we can go ahead and unmute
18 Ellen McHugh, Councilmember Brewer has questions.

19 COUNCILMEMBER BREWER: Thank you very much. My
20 question is... Obviously, we've been following the
21 \$600 million that the Comptroller mentioned for
22 months now. We know that it could be rolled over.
23 But in meeting with special education parents for
24 last couple of months, so many did not receive the
25 services that they were mandated. And so I know you

2 talked about it when you were speaking. But I just
3 wondered when the DOE presented to District 75
4 parents' CEC, did they talk about or give you any
5 numbers as to what wasn't utilized in terms of the
6 dollars for special services? Because when I talk to
7 parents, and I have many who are in my district, they
8 say that they didn't get the services and what
9 happened to the money? That's my question. Thank
10 you very much.

11 MS. MCHUGH: I wish I knew what happened to the
12 money. Good morning. I wish I knew what happened to
13 the money. At no time has the DOE Budget Office ever
14 offered us specific school-by-school or student-by-
15 student information about budgets. We've been given
16 information about services, an increase in their
17 ability to provide the services. We have not been
18 given any information about whether or not those
19 services were funded by... Those services do not
20 include their student funding money.

21 I am the Chairperson with the Citywide Council on
22 Special Education. There is a separate District 75
23 Council on Special Education. I don't know what the
24 budget presentation to them was. But the
25 presentation to us was the standard boilerplate

2 presentation given to all CECs, both local and
3 citywide. The questions are always, "Where did the
4 money go? And how much of the money was actually
5 spent?" We've been told for years that the DOE is
6 hiring 500 new counselors, the DOE is hiring 300 new
7 OTS, the DOE has hired 250 psychologists. Currently,
8 the DOE is either funding or hiring district special
9 education administrators. There will be 50 of them
10 across the city. There are vacancies in many of
11 the... No, I shouldn't say many. There are vacancies
12 in some of those positions. Those positions are
13 there to support the superintendent of local
14 districts with an understanding of what special
15 education services are being provided, which areas
16 and or schools are in need of more special education
17 services, which students or types of students are
18 being identified.

19 COUNCILMEMBER BREWER: Thank you.

20 MS. MCHUGH: Restructuring has not helped us
21 understand the budget.

22 COUNCILMEMBER BREWER: Thank you very much.

23 COUNSEL BUTEHORN: Thank you and the next panel
24 we will turn to is Amy Tsai, Aixa Rodriguez, and
25

2 Alexandra Haradopolis. We will first turn to Amy
3 Tsai.

4 SERGEANT AT ARMS: Time start.

5 MS. TSAI: Can you hear me? Good morning. Good
6 morning, Chair Rita Joseph and Members of Education
7 Council for the Committee. My name is Amy Tsai. I
8 am the Vice President of New York City CEFT for
9 Special Education in District 75 policy. I'm also a
10 CEC member for citywide. I am also a parent of five
11 children, all currently in district 10 and 11, who
12 attend a school with various different settings.

13 I would want to ask for our City Councilmembers
14 who have the fullest autonomy to make sure that
15 schools are fully funded for this upcoming school
16 year. We need to make sure that more than \$469
17 million will be returned back to our teachers or
18 leaders or principals to make sure that there is
19 adequate programming, adequate supplies, and adequate
20 services for our students and special education,
21 English language learners also, as well as temporary
22 housing students and foster children.

23 We all know that last two years during a pandemic
24 we suffered for COVID, and we still do, because we
25 still have families that are dealing with COVID

2 positives across the summer. We want to make sure
3 that social and emotional are included in regards to
4 restorative justice, returning back, and making sure
5 that social workers, guidance counselors, and
6 supportive members of the community are part of our
7 schools. A lot of our schools prior to the pandemic
8 have lost a lot of these programs. And due to the
9 pandemic, they were very dire. I come from District
10 10. Our enrollment is all due to housing
11 insecurities and food insecurities. And because our
12 rents here in District 10 are very low. A lot of
13 families have no choice but to move out of New York
14 City. But that's not the only reason that the DOE
15 should rely on enrollment. The response to education
16 for our students hasn't been complied at all,
17 especially for special education students.

18 And just to reassure that free appropriate public
19 education is deserved for all students in our city.
20 So thank you for the opportunity to speak today. And
21 I appreciate that you come to the table with Eric
22 Adams, our mayor of New York City to make sure that
23 full funding comes back to our students for this
24 upcoming school year and an endeavor so make sure

2 that all students are inclusive, diverse, and making
3 sure that their success thank you so much.

4 COUNSEL BUTEHORN: Thank you and next we'll turn
5 to -- and sorry for mispronouncing it -- Aixa
6 Rodriguez.

7 SERGEANT AT ARMS: Time start.

8 MS. RODRIGUEZ: Hello, can you see me? Can you
9 hear me?

10 COUNSEL BUTEHORN: Yes we can.

11 MS. RODRIGUEZ: Hi, how are you? Okay, thank you
12 for letting me speak. I want to focus on the
13 disruptive impact of cuts, what it does when you have
14 a goal for school as a leader or as a team co
15 teaching, this disruptive impact impacts training
16 that we've tried to have, certification, people being
17 forced to teach out of out of their certification
18 area, this instability creates this erosion of trust.
19 And if we're talking about enrollment decline, but
20 we're doing everything to push people out, it doesn't
21 make sense. And it creates a situation where the
22 quality of education is lower, because you're asking
23 everybody to patch holes here and there, and teachers
24 to teach out of license, you're eroding the built up
25 co teaching groups, which often have an L teacher,

2 which is what I do, as a teacher and a content
3 teacher in high school three. And these things...
4 these relationships are important to give them
5 quality services to the kids that we... we serve.

6 Another thing that we're concerned about is that
7 under the previous chancellor, there was already a
8 working group that talked about the FSF and how it
9 needed to be fixed. That was dismissed and thrown in
10 the garbage and their contributions disregarded. Now
11 we have a new one. And all of this delay, and all of
12 this confusion makes it seem as if this is a
13 purposeful setup of many different decisions in a row
14 to circumvent democracy and transparency, to not
15 allow parents and the community to have even an eye
16 on what's happening, but also just to... to dismiss
17 their value. And a lot of parents feel as if they
18 don't have a voice. They don't, they don't have a
19 place to be able to say, hey, what's really
20 happening, my school needs this, because they are
21 ignored. They are ignored on so many different
22 levels. And when you see the PEP being forced to do
23 a vote, and being told that it's performative and
24 being condescended to it, you know, these are people
25 who are professionals who are giving their time

2 they've been, you know, put on and nominated by
3 borough presidents, or the Mayor.

4 And out of respect for the people who do that
5 work to be the checks and balances, I don't feel, and
6 a lot of other people don't feel, faith in mayoral
7 control, if you're not going to respect the checks
8 and balances, and you're not going to be transparent
9 with where funds will go, and you create an
10 instability of pulling the rug out of schools, when
11 principals have been trying to hire teachers and
12 retain teachers and build their staff. And you're
13 dismissing the efforts that they are doing to make us
14 work as a team. We want to do our jobs well. We are
15 not silos. We need nurses, we need our librarians,
16 we need social workers, we need counselors because we
17 work as a team. That is what happens inside of a
18 school. My English language learners learn a lot
19 from learning to sing in chorus. They learn how to
20 pronounce fluency. They learn all types of cultural
21 stuff through arts and music and dance. And this is
22 important for them to start to feel...

23 SERGEANT AT ARMS: Time expired.

24

25

2 MS. RODRIQUEZ: ...this community. Please
3 respect the role of the community and make sure the
4 Mayor restores the cuts. Thank you.

5 COUNSEL BUTEHORN: Thank you. Next we'll turn to
6 Alexandra Haradopolis[sp?].

7 SERGEANT AT ARMS: Time start.

8 ALEXANDRA HARADOPOLIS[sp?]: All right. Hello.
9 Thank you so much for having this panel today and
10 giving us the opportunity to speak. I'm a former
11 public school student. I'm now a teacher in the DOE.
12 I literally have pictures of me protesting with my
13 teachers budget cuts since the third grade. So this
14 is nothing new. But it has to stop.

15 First, I want to... I want to thank all the
16 advocates who have spoken truth to power today. I'm
17 confident that this body will pass this resolution.
18 So I want to speak about our common threat, which is
19 of course the Adams administration and the private
20 contracts that the DOE loves to spend our tax money
21 on. It's no secret that Adams' campaign was funded
22 by charter schools, and that nationally we see cities
23 entire public school systems privatized after a quote
24 unquote, "act of god." If you look at Hurricane
25 Katrina in New Orleans, or at hurricane Maria in

2 Puerto Rico, both saw their public education systems
3 gutted after the so called natural disasters. So
4 I... so I second the call for our for our Comptroller
5 to continue to audit the DOE and for the City Council
6 to investigate mayoral control versus community
7 control of our schools.

8 Our controller also mentioned questions around
9 small schools, is that the best model? Because our
10 small schools have gotten... our schools have gotten
11 smaller, but the class sizes didn't.

12 So this is the Adams agenda, though, right? And
13 after testing companies cashed out on the narrative
14 of learning loss, now you want to cut our budgets.
15 It's that creating instability that my comrade Aixa
16 just mentioned, creating chaos where there doesn't
17 need to be at a moment where we crucially need
18 support for our students as people are just, if
19 getting back on their feet after the pandemic. So it
20 is as simple as following the money. \$43 million for
21 these fake ventilators. \$18 million for the DESA.
22 Who asked for this? Not parents and teachers. We
23 get ignored constantly because of the bureaucratic
24 system of mayoral control.

2 So I'm glad this resolution was on the floor.
3 But I'm afraid City Council is really going to have
4 to go to the mat to get this funding now and in the
5 future for our public school system. Adams does not
6 have the same interest as the system of public
7 education. That's a fact. And I hope it was a major
8 wake up call for City Councilmembers, when he talked
9 about how he's going to make the city safer, y'all
10 have to say, "How?" If you're going to cut
11 education, particularly the restorative justice
12 programs that were working in schools, high crime and
13 low education always correlate, it's not rocket
14 science.

15 When he says he's cleaning up the city's finances
16 and saving the city money, you'll have to ask, "How?"
17 If it costs more to incarcerate them to educate.
18 Because honestly, people have lost faith in our
19 elected officials and y'all have a crucial
20 opportunity at this inflection point to do something
21 badass and stand up to the administration... the
22 Adams administration and to fund public education.
23 If you don't, the consequences will be severe. Thank
24 you.

2 COUNSEL BUTEHORN: Thank you. For the record,
3 we've also been joined by Councilmember Feliz.

4 And our final panel is Whitney Toussaint, Michael
5 Rance, Jia Li, Rafael Pena, and Tazin Azad. We will
6 first turn to Whitney Toussaint.

7 SERGEANT AT ARMS: Time start.

8 MS. TOUSSAINT: Hi, my name is Whitney Toussaint,
9 and I'm the parent of a rising fourth grader and a
10 new pre K student in District 30. I'm also the newly
11 elected President of CEC 30 in Queens. So thank you
12 for allowing me to speak today. Thank you for
13 Resolution 283. And thank you to all of the
14 Councilmembers who voted against this budget from the
15 start, and a special thank you to our Queens
16 Councilmember, Councilmember Cabán, for voting
17 against this budget as well.

18 Fair Student Funding accounts for a majority of a
19 school funding. We know the formula is outdated and
20 inequitable. I'm saying this because the
21 reasonableness of the assumptions that are used are a
22 critical part of any financial model, and we know as
23 an industry standard that material assumptions be
24 updated to reflect the current environment and
25 operations be periodically assessed. We were given

2 this money to deal with a global pandemic. Where is
3 the current environment of children, families and
4 teachers dealing with the devastating global pandemic
5 being reflected in the assumptions in this current
6 model? In District 30, we are facing Fair Student
7 Funding cuts which approximate \$42.6 million and
8 average at \$853,000 per school. These proposed cuts
9 have led to an excising of beloved teachers cuts to
10 much needed programming, and removal of services for
11 vulnerable populations, which is especially dastardly
12 in our district, as we serve a large population of
13 immigrants, and Queensbridge Houses, the largest
14 public housing development in North America.

15 A majority of our schools are Title One schools,
16 we have a large population of English language
17 learners and students with disabilities and IEPs.
18 And on August 8, 2022, CEC 30, passed a resolution in
19 support of the lawsuit filed against the budget... in
20 support of the lawsuit filed against student budget
21 cuts. In this resolution, we spoke about the three
22 schools facing the highest cuts and ask that you the
23 City Council work with the Mayor to restore the \$469
24 million in Fair Student Funding cuts from the 2023
25 fiscal budget. Per that galaxy allocation data, the

2 school with the highest cut in our district is PS
3 111. PS 111 serves a student population of 95%
4 economically disadvantaged students, is facing \$1.8
5 million in cuts, which represents a 27% decrease in
6 funding, and doesn't correlate to the five-year
7 change of enrollment, which has a 15% growth as a
8 fall 2021 data.

9 After discussing the school with the highest
10 cuts, you can see that these projections don't
11 support the cuts and they don't correlate to the
12 DOE's own fall 2021 five-year enrollment averages.
13 We are being harmed by the use of opaque, undisclosed
14 assumptions for the projections that led to this
15 cuts, which build a model to manufacture scarcity and
16 harm our most vulnerable communities. This is not a
17 coincidence, it's baked in discrimination.
18 Furthermore, now that district 30...

19 SERGEANT AT ARMS: Time expired.

20 MS. TOUSSAINT: ...is one of the districts that
21 will be serving the influx of asylum seeking
22 students, these cuts are even more detrimental to our
23 district. In Queens we are said to be the world's
24 borough. Only three schools in our district aren't
25 facing cuts through Fair Student Funding. Two of

2 these schools are new schools with grades being added
3 each year, and the third only reflects a minimal gain
4 of \$66,000. Why are we in the world's borough being
5 forced to welcome these families and their children
6 in need was such a scarcity driven mindset? Stop
7 asking us to make \$1 out of 15 cents. Resolution 283
8 is a start. Please continue to fight...

9 SERGEANT AT ARMS: Time.

10 MS. TOUSSAINT: to get our schools the funding
11 they need, and let us know what is going on with
12 these funding models. You have a public that can
13 follow the numbers and make sure the assumptions and
14 weights are well supported. We should not be here
15 begging for funds, there is \$4 billion and unspent
16 funds just sitting there. We are tired of the
17 manufactured scarcity when it comes to our children
18 and their schools. Fund our schools, pay our
19 teachers. The money is there. Spend it on educating
20 our kids instead of useless consultants and a system
21 that feeds them to the carceral system. Thank you.

22 COUNSEL BUTEHORN: Thank you, and next we'll turn
23 to Michael Rance.

24 SERGEANT AT ARMS: Time start.

2 MR. RANCE: Great. Thank you so much. My name
3 is Michael Rance, and I am with Leonie Haimson and
4 Class Size Matters. Now on the subject of Fair
5 Student Funding: When it was first imposed in 2007,
6 several advocates at the time pointed out that it'd
7 be far more preferable than the system that seeks to
8 calculate the school staffing needs, and then
9 provides the dollars to meet them. And indeed, there
10 are several programs that are not subject to the Fair
11 Student Funding model, and are instead funded on the
12 basis of the need to staff entire classes, rather
13 than individual students as a previous funding system
14 provided. For example, pre K and pre K classes for
15 which the DOE is spending more than \$1.8 billion are
16 not subject to the Fair Student Funding formula.
17 Instead, these classes are capped at 15-18 students
18 per class, with one classroom teacher and one
19 classroom paraprofessional. Special education and
20 pre K classes are kept at even smaller levels with
21 additional service providers. The DOE also provides
22 additional funding to each school to sustain gifted
23 and talented programs with enrollment lower than 18
24 students in grades K through three, though the
25 regular class sizes in these grades can be as large

2 as 25 in kindergarten, or 32 in grades one to three.

3 Now this additional funding totaled more than \$2.8

4 million last year, and allowed schools to keep gifted

5 classes in some schools as small as six to eight

6 students per class. To preferentially fund smaller

7 classes and gifted classes would enlarge disparities

8 and inequities rather than narrow them. Now along

9 with class size increases, the Fair Student Funding

10 system also helped create another negative

11 phenomenon: The absent teacher reserve. Principals

12 were incentivized to excess their most experienced

13 teachers, since their higher salaries would have to

14 be covered by the school rather than centrally, as

15 was the case before the Fair Student Funding system

16 was developed. Combined with the budget cuts started

17 in 2008 and numerous school closures, hundreds of

18 experienced teachers were let go from schools, which

19 created a large absent teacher reserve pool, costing

20 the DOE more than \$100 million per year. By 2018,

21 the cost of the ATR had grown to \$136 million per

22 year. Now starting in 2019, the DOE offered to a

23 small number of principals to pay for some ATR

24 teachers centrally, even if they were placed in

25 schools. Then during the pandemic, the DOE placed

2 the majority of ATRs in schools permanently and
3 covered their salaries centrally, helping to lower
4 class size at no cost in schools which significantly
5 shrunk the pool. This move was publicly opposed by
6 Dan Weisberg, then the Executive Director and now
7 First Deputy Chancellor. The ATR pool was hugely
8 wasteful in terms of funding and human potential.
9 Teachers were paid their full salaries to be roving
10 substitutes when they could have been placed
11 permanently in schools to provide support for
12 students...

13 SERGEANT AT ARMS: Time expired.

14 MR. RANCE: ... and keep class sizes as small as
15 possible. We risked that the ATR pool will again
16 increase if this year's budget cuts to the schools
17 are not restored. Already 700 teachers were excessed
18 by the end of June. But the previous policy of DOE
19 to allow these teachers to stay in their schools by
20 paying their salary centrally is no longer in effect,
21 according to an internal DOE presentation in July.
22 Now, budget hearings in late June, Weisberg claimed
23 that he did not expect the reemergence of a large ATR
24 pool, but it is hard to see how this will be avoided.

2 Now this brings up the central question. Will
3 all the damage done to students by these budget cuts,
4 and the disruption to school communities,
5 including... including increased class sizes and loss
6 of art and music programs...

7 SERGEANT AT ARMS: Time.

8 MR. VANCE: ...really lead to significant cost
9 savings? It's hard to see how so. Thank you.

10 COUNSEL BUTEHORN: Next, we'll call on Rafael
11 Pena.

12 SERGEANT AT ARMS: Time start.

13 MR. PENA: Yes, hello. Can you hear me?

14 COUNSEL BUTEHORN: Yes.

15 MR. PENA: Yes? Okay. Excellent. So first off,
16 good morning, everyone. My name is Rafael Pena. I
17 am a product of the K through 12 public education
18 system, also a product of the CUNY system. I
19 graduated post those in college. And I am also a
20 proud and grateful member-participant of the NYC Men
21 Teach program. This year is actually going to be my
22 first year of teaching, I'm going to be in the Bronx
23 Middle School, I'm really excited for it. But
24 unfortunately, it breaks my heart, especially having
25 been a substitute teacher in the beginning of the

2 school year. So kind of getting an idea of... of
3 just financially how schools are doing, right?, and
4 how its... how its... its relationships with
5 students, right? So what's missing in certain
6 classrooms, especially support staff that are much
7 needed. But it just breaks my heart because the NYC
8 Men Teach program, an initiative that's meant to
9 actually bring more men of color like myself in
10 classrooms, right?, to actually be role models to
11 young, black and brown boys especially, right?
12 Because we understand the correlation of the prison
13 industrial complex and the school system itself,
14 right? And so it just, it's counterintuitive, and
15 it's a contradiction that you have to... you have a
16 mayor who's a person of color, and the Chancellor,
17 right, who are also support... I mean, I don't know
18 if they are products of the education system in New
19 York City, but you have these two individuals who are
20 actually voting, or are more in favor of all these
21 budget cuts that are going to hurt black and brown
22 students of color.

23 So this is just an... this is outrageous. And
24 this is why it speaks volumes to the needs and
25 mayoral control. So I'm, again excited and happy for

2 the parents, the students, and the teachers who are
3 here speaking on behalf of this resolution and
4 against the budget cuts, because we need to actually
5 stay united collectively, because it's power from the
6 people that's going to be making all these changes
7 necessary for our students and for ourselves and for
8 our own communities, right?

9 And so, again, City Council, you have to do the
10 right thing, please. I'm hoping that people have
11 already realized that the Mayor and the Chancellor
12 are not necessarily on the side of the people here.
13 And that you've learned from your mistakes. Those
14 City Council people and those people in general, the
15 people who voted on behalf of the cuts in the first
16 place. I hope you realize that now it's time to
17 actually learn from our lessons and hear from the
18 people, hear from teachers and myself, a first-year
19 teacher in September.

20 And I know like I'm going to... I'm going to see
21 the impacts of these cuts on my school unless City
22 Council steps up, and actually, again, on behalf of
23 this resolution and does not vote for these budget
24 cuts in the future, okay? So let's end mayoral

2 control. It starts from there. Alright? That's all
3 I have to say. Thank you.

4 COUNSEL BUTEHORN: Thank you. And next, we're
5 going to turn to Christina Gavin.

6 SERGEANT AT ARMS: Time start.

7 MS. GAVIN: Hello, thank you. My name is
8 Christina Gavin. I am a school librarian. And I am
9 a representative and organizer in my school and for
10 school librarians across the city. I want to speak
11 out against the budget cuts. The New York State
12 Department of Education requires every school in the
13 state to have a school library, and every secondary
14 school to have a school librarian who is certified.
15 Across New York City, it is endemic that schools are
16 not in compliance with this requirement, and budget
17 cuts are going to further exacerbate this problem,
18 because schools are going to say, "Okay, well, it's
19 technically required, but I don't have any
20 consequence for not following the mandate. And I
21 will deny my students their state mandated rights to
22 have access to school libraries." The money that the
23 Mayor is trying to cut is money that our students
24 need for services that our students need in their
25 schools. Our students deserve better. This city has

2 tons of money, multiple fortune 500 companies are
3 situated here. It is one of the richest cities not
4 only in the country, but the world. There's no
5 reason that our students should have anything less
6 than an excellent public education. And there is no
7 reason that the Mayor should be taking the money away
8 from our students citywide because he doesn't feel
9 like it's an appropriate return on investment.

10 Again, I'm going to echo Mr. Pena, who just spoke
11 in highlighting that this underscores the importance
12 of ending mayoral control. We don't need a mayor
13 controlling our schools who doesn't understand the
14 inner workings of education. And we don't need a
15 Chancellor who is a puppet of the mayor because
16 that's their boss. Please restore these budget cuts
17 and please allow our students to have access to the
18 quality education that they deserve. Thank you

19 COUNSEL BUTEHORN: Thank you. We're just going
20 to pause for two minutes while we wait for people who
21 needed their Zooms resent to get into the system, so
22 everyone just stand by for a moment.

23 [2 minutes of silence]

24 Okay, for anyone that is logged in there are some
25 duplicate names in here. If you have not testified,

2 and anybody in chambers, if you have not testified
3 and want to please raise your hand, you'll be given
4 three minutes. We're first... Someone's being named.
5 We're first going to turn to Tazin Azad, if we can go
6 ahead and unmute them. Okay, you're unmuted you can
7 go ahead and begin your testimony

8 SERGEANT AT ARMS: Time start. xxx

9 MS. AZAD: Thank you so much. Good after...

10 Um... Good morning everyone. My name is Tazin Azad,
11 and I'm the mom of three public school students and I
12 am a Title I Pack Alternate in my school, as well as
13 the Brooklyn Borough president's appointee to the
14 Panel for Education Policy... Education Policy. So
15 according to our... the... the definition for our
16 position as a panel member, we are identified as
17 significant policymakers, which makes us uniquely
18 qualified and situated to provide perspective on all
19 things DOE. However egregiously, our expertise as
20 PEP members was undermined as the city and the City
21 Council had moved forward with adopting a budget that
22 was... that was underfunding or defunding the
23 education budget. And in that, I would want to
24 highlight that many of the Panel Education Policy
25 members, the majority of whom were Brooklyn Borough

2 President appointees, had declined to vote or voted
3 no against the Fair Student Funding, which is a
4 component of the educational budget, and that... that
5 sort of component had, I imagined never reached the
6 City Council and sort of impacting the deliberations
7 as to whether or not adopting a budget that was not
8 unanimously passed by the panel to begin with, as we
9 saw a lot of inequities and a lot of underfunding
10 that we had raised concerns around.

11 Now, I also want to sort of highlight that as a
12 policymaker on PEP, I have the ability to look
13 through all of the contracts that pass our desk and
14 deliberate and vote on it. Now, let me highlight
15 that none of the contracts that have been previously
16 adopted and that have been on the docket now were
17 removed or reconsidered based on these budget cuts.
18 And so we see that the disproportionate amount of
19 impact of these budget cuts falls on therefore the
20 schools. And so we have to really ask where, if
21 everybody is impacted by these cuts, are they just
22 schools where our students are situated? So I'm here
23 in solidarity with our youth, and our parents, and
24 our school staff that have so vocally and so
25 consistently asked for the refunding of the

2 educational budget. And I'm in full support of
3 resolution here today, and really, really appreciate
4 you pushing the Mayor to commit to funding our
5 school, as he had promised on his... on his campaign
6 trail.

7 Now, I depend on members prior to me had
8 highlighted the impact of these budget cuts. I want
9 to also reiterate that the DOE has often said that
10 this budget card would be what we call what they call
11 right-sizing. Now, I want to make sure...

12 SERGEANT AT ARMS: Time expired.

13 MS. AZAD: that meaning for that means that we go
14 back to school buildings without nurses, we go back
15 to school buildings with a lack of black and brown
16 teachers who are recently hired through decades of
17 advocacy on the ground, requiring our students... our
18 teaching staff to look like the students that they
19 teach, we would go back to counselors serving more
20 than a capable amount of cases that they could
21 address and, you know, in a common sense way. We
22 would go back to nurses that are hired through
23 intermediary that we can't sort of sustain because
24 Central is not hiring them the way that we need. Our
25 OT/PTS are not per being provided with effective

2 spaces to render their services, let alone be hired.
3 So our students with... our special ed students and
4 our English language...

5 SERGEANT AT ARMS: Time.

6 MS. AZAD: ...learners are undercut
7 systematically. So I moved all of the members to
8 vote for the resolution and hold the Mayor and DOE
9 accountable. Thank you.

10 COUNSEL BUTEHORN: Thank you. And next, we'll
11 hear from Jia Lee.

12 SERGEANT AT ARMS: Time start.

13 MS. LEE: I thank you so much City
14 Councilmembers. My name is God. I'm a special
15 education teacher in District 1. I'm also a parent
16 of the system and a member of the Movement of Rank
17 and File Educators. We need our budget restored. We
18 were already underfunded. From my understanding at
19 John Lewis Town Hall, on this past week is that the
20 state provides funding. It's up to the city to make
21 sure that funding reaches our school children. Right
22 now, I know that special education services, lawsuits
23 are probably one of the largest chunks of our
24 education pie, we can prevent that if we ensure that
25 every single student with an IEP is provided with the

2 services that they're legally mandated to... to have
3 at school. Right now, because of these horrendous
4 budget cuts. We're seeing students looking into the
5 22-23 school year, going with fewer services not
6 getting their mandated amount of OT/PT speech, even
7 having special education educators provided for.
8 That is illegal. It's also unconscionable as a
9 special educator of 23 years, I can tell you what
10 class size does, and if we... if we continue with
11 this budget, we know that class sizes are just going
12 to balloon.

13 Part of the rhetoric of the Mayor and the
14 Chancellor is one of "well the school system isn't
15 serving our students" and I think that that's been
16 briefed with many of the panel Mayoral candidates
17 or... sorry, appointees. We know that to be not
18 true. We've been systemically underfunded. This is
19 an issue of conscience. Please lead with your
20 conscience and vote for this resolution to restore
21 the budget. If possible, provide more for our
22 students so we can give them everything possible.
23 Thank you.

24 COUNSEL BUTEHORN: Thank you. And that concludes
25 all public testimony for this hearing.

2 CHAIRPERSON JOSEPH: Thank you, everyone. Thank
3 you for all those who testify today. As you heard in
4 this resolution, this is an ongoing fight. Along
5 with my colleagues, we will continue to negotiate
6 with admin to make sure we come up with a resolution.

7 I look forward to the September report, that
8 Brad... um, the Comptroller's office will be putting
9 out in details as to what will happen.

10 So thank you so much and we will conclude

11 [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 08/29/2022