

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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SEPTEMBER 16, 2020
Start: 10:02 A.M.
Recess: 10:15 A.M.

HELD AT: REMOTE HEARING

B E F O R E: MARK TREYGER, CHAIRPERSON

COUNCIL MEMBERS: ALICKA AMPRY-SAMUEL
INEZ D. BARRON
JOSEPH C. BORELLI
JUSTIN L. BRANNAN
ROBERT E. CORNEGY, JR.
DANIEL DROMM
BARRY S. GRODENCHIK
BEN KALLOS
BRAD S. LANDER
STEPHEN T. LEVIN
MARK LEVINE
FARAH N. LOUIS
I. DANEEK MILLER
YDANIS A. RODRIGUEZ
DEBORAH L. ROSE
RAFAEL SALAMANCA, JR.
ERIC A. ULRICH

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

2 MARK TREYGER, CHAIRPERSON: At this time,
3 will Sargeant Hope please start with his opening
4 statement?

5 SARGEANT HOPE: Thank you. Good morning.
6 Welcome to the New York City Council Remote Hearing
7 on Education. For security purposes will everyone
8 please turn on their video at this time? I repeat,
9 for security purposes, will everyone please turn on
10 their video at this time? Thank you. To minimize
11 disruption please place all electronic devices to
12 vibrate or silent mode. Thank you. Chair Treyger,
13 we are ready to begin.

14 CHAIRPERSON MARK TREYGER: Thank you and
15 good morning. I am Council Member Mark Treyger,
16 Chair of the Education Committee. We are convened
17 here this morning for a vote on a resolution which I
18 am the sponsor of. Resolution 1410-A, calling upon
19 the Department of Education to only open school
20 buildings that have met the health and safety
21 standards prescribed in the UFT-50 item checklist and
22 implement a medically recommended mandatory
23 randomized COVID-19 testing program for adults and
24 students as agreed upon by the Administration and the
25 Labor Organizations representing school personnel

2 including UFT, CSA and DC-37. I would now like to
3 recognize the members of the Education Committee who
4 are here. Uhm, and what I have so far, Council
5 Members Barron, Dromm, Lander, Ulrich, Rodriguez,
6 Cornegy, Grodenchik, Ampry-Samuel, Borelli,
7 Salamanca, Rose, and Brannan. Uhm, we are currently
8 in the midst of a global pandemic with approximately
9 30 million confirmed COVID-19 cases worldwide and
10 nearly 1 million deaths. The US has been hit
11 especially hard with over 6.5 million confirmed cases
12 and close to 200,000 deaths. In New York State
13 alone, there have been more than 30,000 deaths. The
14 majority of which were in New York City. Within the
15 school system, 79 DOE employees have died from COVID-
16 19 related-illnesses as of June 22, 2020 include 31
17 teachers, 28 paraprofessionals, 5 food service
18 staffers, 4 central office employees, 3 school
19 counselors, 2 administrators, 2 school aids, 2
20 facility staffers, 1 parent coordinator and 1 school
21 computer technology specialist. This number does not
22 include other members of the school community who are
23 not DOE employees including bus drivers, school
24 safety agents, crossing guards and others who have
25 lost their lives to coronavirus-related illness. And

2 of course, these numbers do not reflect the untold
3 numbers of students who have lost family members and
4 other loved ones. It is no wonder then that many
5 students, parents, and school staff are concerned
6 about the safety of the school buildings and health
7 protocols that the city is employing in the pursuit
8 of re-opening schools for in-person instruction for
9 the 2020-21 school year. Just two weeks ago on
10 September 3, 2020 this committee held a remote
11 hearing on resolution 1410-A. At this hearing, we
12 heard compelling testimony from Union leaders as well
13 as students, parents, educators and other
14 stakeholders all of whom voice grave concerns about
15 the City school re-opening plans. Students and
16 teachers alike express fear that the return to school
17 buildings without adequate safety measures threaten
18 not only their health but the health and lives of
19 vulnerable family members. Most of those who
20 testified expressed the total lack of trust in DOE's
21 ability to provide an adequate supply of PPE and
22 cleaning supplies to schools. Other major issues
23 include concerns about COVID-19 testing and tracing
24 protocols and the lack of adequate ventilation in
25 many school buildings and classrooms. As a matter of

2 fact, one of the leaders in the MLK campus in
3 Manhattan testified at the hearing that the toilet
4 paper test which has not become famous in New York
5 was not new to her school because the school has had
6 no windows in classrooms, broken ventilation systems
7 and because of our hearing and our advocacy we forced
8 the DOE to move kids and staff out of that building
9 because it was just not safe. So, it is important
10 that we continue to provide a platform for educators
11 and parents and students to speak up on the concerns
12 they have about the mayor's inadequate plan. As I
13 pointed out then, the initial plans put forward by
14 the De Blasio Administration were not developed in
15 collaboration with those directly impacted, teachers,
16 administrators, students, parents, in the widest
17 school communities. It is no wonder that stakeholders
18 lack competence in the administration school re-
19 opening plans. This resolution reflects those
20 stakeholder concerns. Resolution 1410-A calls on DOE
21 to only open school buildings that have met all the
22 health and safety standards and benchmarks described
23 in the UFT checklist and implement a medically
24 recommended mandator randomized COVID-19 testing
25 program for staff and students across our school

2 system. Again, as agreed upon by the administration
3 and UFT, CSA and DC-37. Only when the highest safety
4 standards are met can we even think of asking our
5 school staff and students to return to in-person
6 school instruction. I would like to thank the
7 committee staff, Malcolm Budehorn, Jan Atwell, Kalema
8 Johnson, Chelsea Batamore, May Cis (SP?) Turkisian
9 (SP?) and also, I want to thank my staff, Anna Scape
10 and Vanessa Ogle and I will now turn to the clerk to
11 call the vote.

12 WILLIAM MARTIN, CLERK: Good morning,
13 William Martin Committee Clerk, roll call vote
14 Committee on Education resolution 1410. Chair
15 Treyger?

16 MARK TREYGER, CHAIRPERSON: I vote aye.

17 WILLIAM MARTIN, CLERK: Barron?

18 INEZ D. BARRON: I vote aye.

19 WILLIAM MARTIN, CLERK: Cornegy?

20 ROBERT I. CORNEGY, JR: Aye.

21 WILLIAM MARTIN, CLERK: Dromm?

22 DANIEL DROMM: Aye.

23 WILLIAM MARTIN, CLERK: Lander?

24 BRAD S. LANDER: I vote yes.

25 WILLIAM MARTIN, CLERK: Levin?

2 STEPHEN T. LEVIN: I vote aye.

3 WILLIAM MARTIN, CLERK: Rodriguez?

4 YDANIS A. RODRIGUEZ: Aye.

5 WILLIAM MARTIN, CLERK: Rose?

6 DEBORAH L. ROSE: Aye.

7 WILLIAM MARTIN, CLERK: Grodenchik?

8 BARRY S. GRODENCHIK: With thanks to the
9 Chair for his leadership on this very important
10 issue, aye.

11 WILLIAM MARTIN, CLERK: Salamanca?

12 RAFAEL SALAMANCA, JR: I vote aye.

13 WILLIAM MARTIN, CLERK: Ampry-Samuel?

14 ALICKA AMPRY-SAMUEL: Good morning

15 everyone, I vote aye.

16 WILLIAM MARTIN, CLERK: Brannan?

17 JUSTIN L. BRANNAN: Aye.

18 WILLIAM MARTIN, CLERK: Kallos? I will
19 come back Council Member. Council Member Ulrich?

20 ERIC A. ULRICH: I vote aye.

21 WILLIAM MARTIN, CLERK: Borelli?

22 JOSEPH C. BORELLI: Thank you. I would

23 like my vote to be recorded as a no solely because of
24 the notion that we should be testing children without
25 the consent of their parents. I find it very

2 difficult to digest the fact that five men in a room
3 made decisions affecting the medical testing of
4 students without any representation from parents as
5 we move forward. I want to point out that currently
6 on the CDCs website, it says universal SARS COV-2
7 testing of all students and staff in school settings
8 has not been systemically studied. Therefore, CDC
9 does not recommend universal testings of all students
10 and staff. Furthermore, the New York State Education
11 Department's own website says that it strongly
12 recommends that schools comply with CDC guidance and
13 not conduct COVID-19 testing or require testing or
14 antibody testings of students or staff members. The
15 decision of whether tests need to be conducted should
16 be determined by a healthcare provider. That is
17 coming straight from the CDC and from the New York
18 State Education Department. So, though I support
19 just about every other component of this resolution I
20 want to really record my objection and say that as a
21 public school parent, my son won't be tested by the
22 same group of people that seem incapable of opening
23 schools and managing schools and managing remote
24 learning. So, I am sorry for the long rant but thank
25 you I vote no.

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2 WILLIAM MARTIN, CLERK: Council Member
3 Kallos?

4 MARK TREYGER, CHAIRPERSON: I think he
5 dropped off Billy.

6 WILLIAM MARTIN, CLERK: Okay, double
7 check, he was present for a moment. Okay. By a vote
8 of 13 in the affirmative, one in the negative and no
9 abstentions the item has been adopted by the
10 Committee.

11 MARK TREYGER, CHAIRPERSON: I want to
12 just say I appreciate my colleague Council Member
13 Borelli's very you know important words and
14 expressing his very important concerns. Him and I
15 did have a conversation and I just want to share
16 (INAUDIBLE) that I have with regards to the testing
17 protocol. On a call that I had with DOE officials
18 recently, it is my understanding that there will not
19 be testing done inside school buildings. It is also
20 my understanding that no testing can occur of a child
21 as far as going back into the school building unless
22 parents sign off on a consent form and if they don't
23 sign a consent form then the DOE moves them to
24 remote. The issue that I believe is very valid and
25 there are a number of issues here but is that the DOE

2 has not really communicated that very well to parents
3 and stakeholders and there is a lot of confusion and
4 ambiguity around the protocols. But it is my
5 understanding as of this moment, things could change
6 but as of this moment there will not be testing done
7 inside schools. And if they are collecting consent
8 forms and if they don't provide a consent form then
9 the child will be moved to remote and a staff member
10 will be placed on unpaid leave. That is my
11 understanding at this time but I do appreciate my
12 colleague Council Member Borelli sharing those
13 concerns. Thank you very much.

14 SARGEANT OF ARMS: Chair, can you close
15 us out of the vote please.

16 WILLIAM MARTIN, CLERK: I'm sorry. I
17 don't mean to interrupt but Council Member Kallos is
18 back on.

19 BEN KALLOS: I vote aye on all.

20 WILLIAM MARTIN, CLERK: Thank you Council
21 Member, vote is now 14 in the affirmative, one in the
22 negative and no abstentions. Thank you, Mr. Chair.

23 BILL PERKINS: This is Council Member
24 Perkins, I want to vote.

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2 MARK TREYGER, CHAIRPERSON: Council
3 Member Perkins, this is the Committee on Education.

4 BILL PERKINS: So, am I allowed to vote?
5 I still want to vote aye on all.

6 WILLIAM MARTIN, CLERK: We are just
7 wrapping up the Committee on Education vote Council
8 Member Perkins and then we will move on to the next
9 committee so just bear with us please.

10 BILL PERKINS: Thank you very much.

11 SARGEANT HOPE: And Chair Treyger we can
12 gavel out this vote, I think we are done.

13 MARK TREYGER, CHAIRPERSON: I thank my
14 colleagues and the staff for their work and for their
15 time and with that this vote is now adjourned. Thank
16 you.

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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 September 27, 2020