

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

Jointly with

COMMITTEE ON MENTAL HEALTH,
DISABILITIES AND ADDICTION

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October 23, 2020
Start: 10:09 a.m.
Recess: 2:19 p.m.

HELD AT: Remote Hearing

B E F O R E: Mark Treyger
Chairperson

Diana Ayala
Chairperson

COUNCIL MEMBERS:

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Deborah L. Rose
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A P P E A R A N C E S (CONTINUED)

Linda Chen
NYC DOE Chief Academic Officer

Christina Foti
NYC DOE Deputy Chief Academic Officer

John Hammer
NYC DOE Chief Executive Officer of Special
Education Office

Recy Dunn
NYC DOE Chief Strategy Officer

Lauren Siciliano
NYC DOE Deputy Chief Operating Officer

Sean Fitzpatrick
Senior Executive Director at Office of Pupil
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Katherine Jedrlnic
Chief of Staff Division of School Climate and
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A P P E A R A N C E S (CONTINUED)

Elizabeth Stranzl
Director of Policy Division of School Climate
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Emmy Liss
Chief Operating Officer Early Childhood
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Mary Jo Genise
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Advocates for Children

Maggie Moroff
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Ellen McHugh
Citywide Council of Special Education

Tanesha Grant
Moms United for Black Lives

Amber Decker

Paulette Heely

Lucas Heely

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

Jessamyn Lee
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Katrina Feldkamp
Bronx Legal Services

Charlotte Pope
Girls for Gender Equity

Kimberly Olsen
NYC Arts and Education Roundtable

Jennifer Rodriguez
NYC Charter Schools

Young Seh Bae
Community Inclusion and Development Alliance

Lori Hannan

Anna Friedman

Letitia Romaro

Kaveri Sengupta
Coalition for Asian American Children and Family

1 COMMITTEE ON EDUCATION JOINTLY WITH COMMITTEE ON
2 MENTAL HEALTH, DISABILITIES AND ADDICTION

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3 UNIDENTIFIED: Sergeant Martinez, you may
4 continue with your opening.

5 SERGEANT AT ARMS: Good morning, and
6 welcome to today's remote New York City Council joint
7 hearing of the Committee on Education and the
8 Committee on Mental Health, Disabilities, and
9 Addiction. At this time, would all panelists please
10 turn on their video? To minimize disruption, please
11 place electronic devices to vibrate or off. If you
12 wish to submit testimony, you may do so at
13 testimony@council.nyc.gov. Once again, that's
14 testimony@council.nyc.gov. Thank you for your
15 cooperation. We are ready to begin.

16 CHAIRPERSON TREYGER: Okay, good morning
17 and welcome to today's virtual hearing. I'm Council
18 Member Mark Treyger, Chair of the Education
19 Committee. I'd like to thank my colleague, Council
20 Member Diana Ayala, Chair of the Committee on Mental
21 Health, Disabilities and Addiction for holding this
22 critically important joint hearing. Last week, the
23 Committee on Education joined the Health Committee to
24 examine the reopening of schools under a health and
25 safety lens. Today's oversight topic is reopening
New York City public schools impact on students with

3 disabilities. The Individuals with Disabilities
4 Education Act, or IDEA, ensures that students with
5 disabilities are provided with free appropriate
6 public education in the least restrictive
7 environment. IDEA enshrines in law that students
8 with disabilities have the same educational rights
9 and opportunities as their peers without
10 disabilities. COVID-19 does not abdicate this
11 responsibility. In fact, when the CARES Act was
12 passed in the United States Department of Education
13 was asked to recommend waivers to IDEA to meet the
14 challenges created by the COVID, the Department did
15 not recommend any changes to the core tenants of
16 IDEA, a free appropriate public education in the
17 least restrictive environment. The department held
18 that through ingenuity, innovation, and grit
19 educators and schools can continue to faithfully
20 educate every one of its students. Students with
21 disabilities account for approximately 20 percent of
22 the 1.1 million students in the New York City school
23 system, yet only 84 percent of students with
24 disabilities are receiving their services in their
25 IEPs in full, and they graduate at a lower rate than
their non-disabled peers, drop out of school at

1 higher rates and have a much lower reading
2 proficiency, and that was before COVID-19 hit this
3 country. That bears worth repeating: despite IDEA,
4 those data points are from when schools were
5 functioning prior to the pandemic. COVID-19 has
6 shone a bright light on the inequities we knew
7 already existed and will only worsen the academic
8 achievement of students with disabilities. All
9 throughout the summer months as the debate around
10 school reopening raged across this country, I argued
11 forcefully that the Administration carefully and
12 prudently reopen New York City schools and to do so
13 with full funding available and to follow the
14 science. I released my own school reopening proposal
15 on July 24th. In that proposal I called for a phased
16 reopening of New York City schools with a priority on
17 early childhood and elementary school students for
18 in-person instruction five days a week with the
19 option to opt out, and that was to also include
20 children with IEPs. The Mayor, of course, has his
21 own plan and own proposal. Well, several different
22 plans as the reopening of schools lurked [sic]
23 forward like a broken down car on the highway.
24 Everyone understand the unprecedented that china just
25

1 faced in March. No district was prepared for a full
2 system shutdown necessitating immediate remote
3 learning, but it is October 23rd, 2020. We had all
4 spring and summer to figure things out. DOE engaged
5 the services of a consulting agency. The Mayor
6 recently declared all is well. However, recent and
7 frequent mayoral mishaps prove otherwise. All is not
8 well for any of our City's 1.1 million students, and
9 it is definitely nowhere near well for our students
10 with disabilities who have already been historically
11 neglected under the current education system. I
12 acknowledged it at last week's hearing, and I will do
13 so here again. I appreciate the hard work of our
14 Chancellor, his seniors cabinet, many in DOE central
15 staff, school leaders, teachers, paraprofessionals,
16 custodians, our entire school communities, all the
17 school-based staff for their hard work that they have
18 put in, again, especially at the school level when
19 they have to operationalize everything, especially
20 those employees on the ground trying to make sense of
21 everything for our students and their families. No
22 one can deny that they're not trying to make this
23 work, but they are hampered by micromanaging, by a
24 micromanaging Mayor who can't either see the issues
25

1 or simply refused to acknowledge them. today's
2 hearing is about coming clean and providing answers
3 to questions to shed a harsh light on the impact this
4 pandemic has had on students with disabilities.
5 These committees want to know the services being
6 received, the safety measures being taken, the
7 accommodations being given to students with
8 disabilities as it pertains to mandates like face
9 coverings or mask wearing and social distancing. We
10 sent the Administration a list of questions for
11 today's hearing on Tuesday with an updated list sent
12 yesterday. I look forward to all questions being
13 answered here today on the record, for those gaps in
14 services and technology that are identified, and
15 there will be. I know that I and my colleague Chair
16 Ayala look forward with anticipation to hear remedial
17 steps the Department is engaging in to remedy the
18 situation. The lost learning from this past spring
19 coupled with the learning gaps being experienced
20 right now by students with disabilities means the
21 Administration and the DOE must do a lot more, must
22 redouble their efforts to provide students with
23 disabilities an education equivalent to their non-
24 disabled peers. I want to thank everyone who is
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1
2 testifying today. I want to thank the City Council
3 staff for all their hard work they put into this
4 hearing, Malcolm Butehorn [sp?], Jen Atwell [sp?],
5 [inaudible] Johnson, Chelsea Betamore [sp?], Masis
6 Artiseum [sp?], Melissa Nunez, and Rose Martinez. I
7 also want to thank my Chief Staff [inaudible] my
8 Policy Director Vanessa Ogle [sp?]. And with that, I
9 want to recognize the Council Members who are here so
10 far and then turn it over to my colleague. We've
11 been joined so far by Council Members Rose, Cabrera,
12 Grodenchik, Lewis, Kallos, Levine, Brennan, Barron,
13 Ampry-Samuel, and Borelli. And with that, I will now
14 turn it over to my Co-Chair Council Member Diana
15 Ayala.

16 CHAIRPERSON AYALA: Thank you, Chair
17 Treyger. Good morning everyone. I am Council Member
18 Diana Ayala, Chair of the Committee on Mental Health,
19 Disabilities and Addiction. First, I would like to
20 thank Chair Treyger for co-chairing today's important
21 hearing. I would also like to thank and acknowledge
22 all of my fellow committee members who are here with
23 us today at this remote hearing. In the best of
24 times, the issues faced by the almost 231,000 New
25 York City public school students with disabilities

1 can present a variety of daily challenges. In some
2 cases, despite the performance improvements, students
3 with disabilities have not always been able to keep
4 pace with their non-disabled peers because they have
5 not been able to access a full complement of services
6 that they are entitled to receive. For many, the
7 COVID-19 pandemic has only highlighted and amplified
8 these disparities. In fact, the transition to a
9 remote learning environment has exacerbated
10 educational and instructional disparities from many
11 of our most vulnerable students. Remote learning
12 simply does not work for all students. Particularly,
13 it may not work for all students with disabilities.
14 Some students with disabilities may require
15 additional supplies, equipment or material that they
16 simply do not have at home or that their families
17 cannot afford to purchase. Some students with
18 disabilities may be unable to comfortably sit in
19 front of a screen with blue light for many hours a
20 day. Some students with disabilities may require a
21 parent, guardian, or an adult to sit with them and
22 assist them with remote learning which places an
23 impossible burden on working families. Additionally,
24 many students receive services including
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1 physical/occupational therapy and speech therapy that
2 simply cannot be properly or adequately delivered via
3 remote access. These services often require
4 equipment or a hands-on approach. According to a
5 recent study among schools with hybrid schedules
6 providing in-person instruction, one to three days a
7 week with remote instruction being provided on other
8 days, only 39 percent of the 150,000 students
9 entitled to receive special services are able to
10 access them on a regular basis. The students
11 attending in-person schools that may be returning to
12 a school environment that is unfamiliar and
13 frightening to them: masks, classmates, teachers,
14 random medical testing without a familiar adult in
15 the room, and an underlying fear of contracting the
16 virus. These changes are scary for all children and
17 students, but may be particularly challenging for
18 students with cognitive impairment or autism spectrum
19 disorders. Finally, a shortage of paraprofessionals
20 and nurses to accompany District 75 students on
21 yellow school buses have made it impossible for many
22 students to get to school at all. As the Department
23 of Education faces the challenges of finding
24 sufficient stock to provide in-person related
25

1 services for students with disability, we need to
2 ensure that students don't regress due to the lack of
3 in-person services and support, not only during the
4 pandemic, but well beyond this crisis so that going
5 forward there is a better system of educational
6 service delivery waiting for all of our students
7 including those with disabilities. I want to thank
8 the representatives from the Administration who are
9 here today and look forward to hearing about their
10 commitment to ensuring that a quality education is
11 accessible to all New York City public school
12 students. I also look forward to hearing about what
13 is being done to ensure that these services are
14 delivered when and where they're needed, and the role
15 that the City Council can play in supporting those
16 efforts. I also want to thank my colleagues, as well
17 as my committee staff, Senior Staff, Senior Counsel
18 Sarah Liz [sp?], Legislative Policy Analyst Christy
19 Dwyer [sp?], Finance Analyst Lauren Hunt, my Deputy
20 Chief of Staff Michelle Cruise [sp?], my Chief of
21 Staff Jose Rodriguez [sp?] for making this hearing
22 possible. Thank you all, and I look forward to a
23 great discussion. I now turn it back to the
24 Committee Counsel.
25

3 COMMITTEE COUNSEL: Thank you, Chairs.

4 I'm going to go over some procedural items. So,

5 thank you Chairs Treyger and Chair Ayala. I'm

6 Malcolm Buttehorn [sp?], Counsel to the Education

7 Committee of the New York City Council. I'm also

8 joined today by my colleague, Sara Liss [sp?],

9 Counsel to the Committee on Mental Health,

10 Disabilities and Addictions. Before we begin

11 testimony, I want to remind everyone that you will be

12 on mute until you are called on to testify. After

13 you are called on, you will then be unmuted. I will

14 be calling on witnesses to testify in panels, so

15 please listen for your name to be called. I would

16 like to remind everyone that unlike our typical

17 council hearings, while you will be placed on a

18 panel, I will be calling individuals to testify one

19 at a time. Council Members who have questions for a

20 particular panelist should use the raised hand

21 function in Zoom. You will be called on in the order

22 with which you raised your hand after the full panel

23 has completed testimony. We will be limiting Council

24 Member questions to five minutes. This includes both

25 questions and answers, and for purposes of this

virtual hearing, we will not be allowing second round

1 questioning. For panelists for public testimony,
2 once your name is called, a member of our staff will
3 unmute you and the Sergeant at Arms will give you the
4 go-ahead to being after setting the timer. Please
5 listen for that cue. All public testimony will be
6 limited to two minutes. At the end of two minutes,
7 please wrap up your comments so we can move to the
8 next panelist. Please listen carefully and wait for
9 the sergeant to announce that you may begin before
10 delivering your testimony. I will now call on the
11 following members of the Administration to testify.
12 Doctor Linda Chen, Chief Academic Officer, Christina
13 Foti, Deputy Chief Academic Officer, John Hammer,
14 Deputy Chief Executive Director of the Special
15 Education Office, Recy Dunn, Chief Strategy Officer,
16 Lauren Siciliano, Deputy Chief Operating Officer,
17 Sean Fitzpatrick, Senior Executive Director Office of
18 Pupil Transportation, Katherine Jedrlnic, Chief of
19 Staff Division of School Climate and Wellness,
20 Elizabeth Stranzl, Director of Policy Division of
21 School Climate and Wellness, and Emmy Liss, Chief
22 Operating Officer Early Childhood Education and
23 Student Enrollment. I will first read the oath, and
24 after I will call on each of you to respond
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2 individual-- to respond individually. If you could
3 all please raise your right hand and make sure your
4 video is activated. Do you affirm to tell the truth,
5 the whole truth and nothing but the truth before
6 these committees and to respond honestly to Council
7 Member questions? Dr. Chen?

8 DOCTOR CHEN: Yes.

9 COMMITTEE COUNSEL: Christina Foti?

10 CHRISTINA FOTI: Yes.

11 COMMITTEE COUNSEL: John Hammer?

12 JOHN HAMMER: Yes.

13 COMMITTEE COUNSEL: Recy Dunn?

14 RECY DUNN: Yes.

15 COMMITTEE COUNSEL: Lauren Siciliano?

16 LAUREN SICILIANO: Yes.

17 COMMITTEE COUNSEL: Sean Fitzpatrick?

18 SEAN FITZPATRICK: Yes.

19 COMMITTEE COUNSEL: Catherine Jedrlinic,
20 and I apologize if I messed up your last name?

21 KATHERINE JEDRLINIC: I'm fine, yes.

22 COMMITTEE COUNSEL: Elizabeth Stranzl?

23 KATHERINE JEDRLINIC: She's not on.

24 COMMITTEE COUNSEL: Okay, and Emmy Liss?

25 We can come back to her if she answers questions

1 later. Thank you. Finally, for question time, due
2 to the large number of administration officials
3 present, any panelist that will be answering
4 questions after Dr. Chen and Ms. Foti, if you could
5 please state your name before you speak, therefore,
6 it will make it clear in the official transcript who
7 is speaking. Dr. Chen and Ms. Foti, you may begin
8 when ready. Thank you.

10 DOCTOR CHEN: Thank you. Good morning
11 Chairs Treyger and Ayala, and all the members of the
12 Education and Mental Health, Disabilities and
13 Addictions Committees for today. Thank you for the
14 opportunity to discuss the Department of Education's
15 reopening implementation as it relates to Special
16 Education, and thank you to Chairs Treyger and Ayala,
17 as well as the members of both committees for your
18 continued advocacy on behalf of all of our students,
19 and particularly our students with disabilities. I
20 am Linda Chen, the Chief Academic Officer for the
21 DOE, and I'm joined today by Christina Foti, our
22 Deputy Chief Academic Officer for Specialized
23 Instruction and Student Support. Also joining me
24 today are Lauren Siciliano, Chief Administrative
25 Officer, Recy Dunn, Chief Strategy Officer in the

Office of the First Deputy Chancellor, Sean Fitzpatrick, Senior Executive Officer for the Office of Pupil Transportation, and members of the Special Education Department who are extraordinarily talented and dedicated to the work of serving our students with disabilities. Together, we look forward to the opportunity to share more about the work we are doing and to answer any questions that you might have today. In a moment, Christina will share a more detailed account of the DOE's efforts to support our students with individualized education programs, or IEPs, and their families during these unprecedented times. I want to start by sharing the overview of what we have been doing, been able to accomplish in partnership with our families and educators and with the support of the City Council. This administration is committed to meeting the needs of roughly 200,000 students with disability in community school districts and in District 75 or D75. Since March, students with IEPs have been at the forefront of our planning, both for blended learning last spring, and for return in-person school and services. As soon as the pandemic started, our priority for each and every student was their health and safety and the continued

1 provision of high-quality education. For most
2 vulnerable students, including our students with
3 disabilities, this meant prioritizing them for iPad
4 distribution and in-person services. We have
5 delivered over 100,000 iPads to students with IEPs
6 and continue to prioritize such requests. Students
7 with IEPs were the first group of students to receive
8 in-person supports as soon as we could when we opened
9 sites for related service provision this past July.
10 And students with the most intensive needs were the
11 first to return to school this September when we
12 opened our doors for D75 and the Early Childhood as
13 the initial step of tiered reopening. The pandemic
14 has had the greatest impact on students with the
15 greatest needs. The challenge of reopening during a
16 pandemic has been enormous, but also the rewards are
17 already clear in the responses of our students and
18 families. We will continue to do all we can to meet
19 their individual needs with as much in-person school
20 as possible and through enhancement to remote
21 learning programs and support for our families at
22 home. I would now like to turn the time over to
23 Christina Foti who can provide additional details on
24 our efforts. Christina?
25

3 CHRISTINA FOTI: Thank you, Doctor Chen.

4 Before I begin I would also like to thank Chair
5 Treyger and Ayala for your continued leadership
6 throughout this pandemic and all that you have done
7 on behalf of our students and families. I would also
8 like to thank the families of our students with IEPs.
9 So many of us have had to make difficult about how
10 best support and protect our loved ones during this
11 time. We know that for parents and caregivers of
12 children with disabilities these decisions can be
13 extremely complex with the stakes even greater. Our
14 goal is to ensure that every student has the support
15 and services they need to thrive, and our commitment
16 to that goal is stronger than ever. Our strategy for
17 supporting families of students with disabilities
18 during the pandemic has been centered on two key
19 principles: continuity of service for students and
20 support to their families. Recognizing the impact
21 that school closure would have on our students with
22 disabilities, especially, but DOE moved quickly in
23 March to deliver special education programs and
24 related services remotely. The massive effort
25 included development of the detailed procedures for
schools on how to communicate with families to review

1 [inaudible] schedule [sic] services. Developmental
2 clinical and technological training guidance for
3 effective delivery of remote services and provision
4 of devices and other support necessary to move around
5 200,000 students to remote learning within a week of
6 school closing. I could not be more proud of our
7 related service providers, supervisors and managers
8 who led the efforts to ensure that our students
9 continued to receive their services from home. Since
10 March, our providers have delivered nearly three
11 million remote sessions of speech therapy,
12 occupational therapy, physical therapy, and
13 counseling. Since March, we have kept in touch with
14 family through over 120,000 remote IEP meetings, and
15 we continue to monitor and respond to parent
16 inquiries via our specialeducation@schools.nyc.gov
17 inbox, as well as 311. We have heard, acknowledged,
18 and supported families in a multitude of settings and
19 we have found it critical in a system as large as
20 ours that we develop additional opportunities for
21 families to express their concerns, their
22 frustrations, their victories, and their questions.
23 Addressing challenges alongside our families has been
24 a focus of ours, and while there's so much work to
25

1 do, and engagements we had, this has and will
2 continue to be a priority of our office and at the
3 Department. During the spring, at the time the DOE
4 pivoted to remote learning, we began to plan for the
5 safe delivery-- for the safe return to delivery of
6 in-person instruction and related services,
7 understanding that for some students with IEPs, in-
8 person service is critical to maintaining progress in
9 language as well as physical, social, and emotional
10 development. We developed comprehensive safe and--
11 health and safety protocols and training for speech
12 language, occupational and physical therapy
13 providers, and identified 12 school sites, at least
14 two in each borough where we could offer these in-
15 person supports. This began in July. New York City
16 was the only major urban school district in the
17 nation to provide in-person services over the summer.
18 Through the combined efforts of our staff and
19 families who opted in who served 625 students and did
20 so safely. Our planning for summer paved the way for
21 us to resume in-person instruction and service
22 provision during blended learning this fall. New York
23 has been ahead of other cities in providing special
24 education instruction and related services in person.
25

3 We have allowed maximum flexibility for our parents
4 to choose blended or full-time remote learning for
5 children at any time. Forty-seven percent of our
6 students with disabilities have elected the blended
7 learning option. For some students with more
8 intensive needs we have been able to offer full time
9 return to school Monday through Friday every week
10 while observing all health and safety guidelines.
11 The positive effect for students returning to school
12 has in fact been immeasurable. Still, for the vast
13 majority of our students remote learning continues,
14 at least in part. Despite many achievements in
15 implementing remote learning this past spring, we
16 recognize that families faced substantial challenges.
17 To address concerns families raised in the spring, we
18 worked with our labor partners to deliver clear
19 expectations for synchronous learning for students
20 receiving full remote instruction. Perhaps, the
21 proudest moment of my 20-year career in education was
22 being able to greet our students at P811M at District
23 75 School on their first day back. This is a school
24 where I began my teaching career, and I know
25 firsthand how deeply the administration and the staff
care for their students. I am grateful to our Mayor,

1 Chancellor, and our labor partners who led the
2 efforts to ensure that District 75 schools had PPE
3 guidance and resources they need in order to
4 successfully lead the reopening efforts. Our
5 experience so far has proven that this work can be
6 done safely and effectively. There's no question
7 that District 75 schools faced unique staffing and
8 scheduling limitation this fall. The DOE developed
9 new policies and procedures to address them and to
10 provide schools serving our students with IEPs
11 appropriate support. First, in an effort to
12 strengthen communication with families about our
13 current service delivery models, the DOE designed the
14 Program Adaptations Document, which we will refer to
15 in this hearing as the PAD to provide detailed
16 information on the provision of each student's
17 special education programs and to ensure that parents
18 can provide updates and share feedback on their
19 child's experience with remote learning.
20 Understanding that parents are a critical part of
21 this process, we built in safeguards to ensure that
22 school seek parent participation in the development
23 of the PAD. We have also issued guidance to schools
24 on the provision of speech language therapy,
25

1 occupational therapy, physical therapy, and
2 counseling services through blended and remote
3 learning. This guidance developed in response to
4 parent feedback from the spring emphasizes that
5 related services are expected to be provided in the
6 frequency and duration recommended on the IEP
7 whenever possible. This policy also instructs
8 schools to work with families to accommodate requests
9 for in-person services as much as possible,
10 consistent with safety and health protocols. Related
11 service providers have been contacting families to
12 discuss provision of services and documenting the
13 agreed upon plan by completing a Related Service
14 Adaptations Document, which we will refer to in this
15 hearing as the RAD. To further assist families with
16 understanding remote services and supporting their
17 children's education at home, the DOE Special
18 Education Office developed and launched the Beyond
19 Access Series on June 1st. These live one-hour
20 sessions share information around special education
21 practices based on feedback from families and
22 advocates as well as the Citywide Council for Special
23 Education and the Citywide Council for District 75.
24 To-date, we have hosted 13 sessions covering topics
25

1 around instructional strategies, sensory supports,
2 supporting students with autism spectrum disorder,
3 and many more. We will continue to offer the Beyond
4 Access Series monthly throughout the school year. As
5 future sessions are scheduled, we will announce them
6 on the DOE's website and share them with our
7 community partners. Families can access past
8 sessions on the DOE website with captions in 35
9 languages. The series has created a new avenue for
10 sharing information with families and is a best
11 practice that we hope to continue after the pandemic.
12 We have developed extensive guidance for schools on
13 the provision of special education programs through
14 blended and fully remote learning. For integrated
15 co-teaching or ICT classes, the guidance makes clear
16 that classes have a general education teacher and a
17 special education teacher. For Special Education
18 Teacher Support services, also known as SETS, we have
19 guided schools to work with families to determine
20 whether SETS can effectively be delivered remotely.
21 This allows students to remain with their class for
22 the duration of in-person school days while
23 continuing to receive their full special education
24 programs. For students recommended for bilingual
25

1 special education programs, we have emphasized the
2 need for schools to provide access to language
3 supports through translated text materials and
4 through the use of bilingual prep paraprofessionals,
5 both in-person and remotely for students who do not
6 have a certified bilingual special education teacher.
7 We have also expanded our NextGen Horizon programs
8 for students with Autism Spectrum Disorder for the
9 2021 schoolyear to support students continuing into
10 middle and high school. Students in ASD programs
11 are receiving the supports and services the programs
12 are designed to deliver. We have worked with our
13 partners in various stakeholders to adapt and modify
14 interventions and strategies for blended and remote
15 learning. In welcoming our students back to school
16 either in a blended or remote setting, we recognize
17 and we expect that regression and learning loss will
18 likely impact many kids, both in general education
19 setting and special education settings. To guide
20 schools in supporting students with IEPs, we have
21 developed training for special educators and IEP
22 teams to facilitate effective, progress monitoring to
23 identify and address learning loss. Progress
24 monitoring assists educators in making ongoing
25

1 instructional decisions and refinements to a
2 students' program and provides summative evidence
3 that enables IEP teams to determine whether students
4 have achieved their annual goals. The DOE Special
5 Education Office provided a training module on
6 progress monitoring to all schools as part of the
7 fall pre-service, and we'll continue to offer
8 training and support during the 20-21 school year.
9 Finally, I would like to highlight our efforts in the
10 areas of literacy supports and transition. The DOE
11 is committed to providing literacy supports to our
12 students with disabilities. This past summer,
13 additional special education teachers were allocated
14 to provide literacy supports to students with IEPs in
15 grades three through eight, and using an evidence-
16 based literacy program. Teachers serve students
17 individually or in small groups, synchronously for up
18 to 30 minutes a day per session. Through this
19 effort, approximately 1,300 students received
20 additional literacy support in addition to their
21 regular summer school program. This fall, 960
22 schools have been allocated a centrally-funded IEP
23 teacher position. The IEP teacher is dedicated to
24 providing evidence-based literacy instruction to
25

1 students with IEPs and students at risk both in
2 person and remotely. Trainings for new educators in
3 this position have started this week, October 19th,
4 and will continue throughout the school year. The
5 DOE is committed to working with families to ensure
6 that every student with an IEP has a post-secondary
7 plan in place and is supported in achieving that
8 plan. We have opened a transition and college access
9 center in each borough to provide students and
10 schools and families with information, resources,
11 training, consultancy, work-based learning
12 opportunities, and other services as needed to
13 support the successful transition to college career
14 and/or independent living. When the DOE transitioned
15 to remote learning, TCAS [sic] continued to provide
16 services to schools and families remotely. For
17 students who were preparing to graduate or transition
18 out of school at age 21, the pandemic disrupted
19 education and transition planning at a critical
20 point. To ensure that these students were not left
21 in limbo, we extended eligibility for students to
22 continue school over the summer, or to receive a
23 transition consultancy services for our TCAS [sic] as
24 needed. This school year, any student who did not
25

1
2 achieve their IEP goals, showed signs of regression,
3 or missed instruction and/or services due to the
4 pandemic who does not yet have a post-secondary plan
5 in place is, in fact, eligible to return to school.
6 While we recognize that the last seven months have
7 been extremely challenging for students and families,
8 the DOE's commitment to our students with
9 disabilities has been unwavering throughout this
10 trying time. I testified here today to share some of
11 the highlights and learnings from our shared
12 experiences, and to recognize that there is still a
13 tremendous amount of work to be done. My team and I
14 remain committed to two key principles that have been
15 our compass during this time, continuity of services
16 for students, and support for their families. We
17 commit to continuing to strengthen family and
18 community engagement efforts through our
19 partnerships, both internal and external and by
20 sharing information with families in a timely manner.
21 We remain committed to closing the achievement gap
22 and the graduation gap for our students with IEPs,
23 and we will continue to work tirelessly until the day
24 that we achieve full program and related services,
25 service provision for all students across the city.

3 We welcome the partnership with these committees in
4 our pursuit of these goals, and I thank you today,
5 and I'm happy to address any questions that you have.

6 CHAIRPERSON TREYGER: Thank you, Ms.
7 Foti. I just want to also just mention that we have
8 also been joined by Council Members Rodriguez, Levin,
9 and Rosenthal. So, I will begin with questions. Of
10 the total number of students who have opted for
11 blended learning, for some in-person services, how
12 many are children with IEPs?

13 DOCTOR CHEN: So, Chair, I just want to
14 clarify the question. How many students--

15 CHAIRPERSON TREYGER: [interposing] Yes,
16 of the total number of students who have opted for
17 the blended hybrid model, how many of them are
18 children with IEPs?

19 DOCTOR CHEN: Let me just get my-- make
20 sure I have that information. So we-- there are
21 students who have opted for remote only in our
22 families. I don't have the numbers right here at my
23 fingertips. Can I come back to you with that one? I
24 apologize, sir. I want to make sure I give you the
25 right numbers.

CHAIRPERSON TREYGER: Right. And just--

3 DOCTOR CHEN: The difference between.

4 CHAIRPERSON TREYGER: Yeah, because it's
5 my understanding that under half of the total number
6 of kids in our school system have chosen for the
7 blended learning model. It would be helpful-- when
8 you can get me the number you have as of this moment,
9 how many of those children who opted for hybrid or
10 blended are children with IEPs. And so when you get
11 that, if you could circle back with me, I would
12 appreciate it.

13 DOCTOR CHEN: So, it's about 400-- sorry.
14 About 471 of the roughly-- sorry. Let me just 47
15 percent of the roughly 200 students. So it's similar
16 to what you're saying for overall students, but it's
17 about 47 percent of the 200,000, roughly.

18 CHAIRPERSON TREYGER: So about 47 percent
19 of the 200,000 students, so it's under 100-- okay. Do
20 you have-- these are some questions I asked last
21 week, and the DOE mentioned that they would get back
22 to us and just going to re-up these questions. What
23 percentage of students are not receiving their full
24 IEP mandates?

25 DOCTOR CHEN: So, we, as you know,
endeavor to ensure that every student is receiving

1
2 their services. I'm going to ask Christina to just
3 give us a little bit more in terms of the particulars
4 around the service provision.

5 COMMITTEE COUNSEL: Give us one moment,
6 Ms. Foti, sorry.

7 CHRISTINA FOTI: Thank you for unmuting
8 me. Thank you for the question. Service provision
9 to our students with-- with our students with
10 disabilities is a top priority. We are committed to
11 delivering our special education programs and
12 services. As you know, and as we discussed
13 yesterday, Chair, we are currently-- we've developed
14 two components that we are using to track program
15 provision and related service provision, and the
16 document that we're using to track that are the-- I'm
17 so sorry, I have an echo. Are you able to hear me?

18 CHAIRPERSON TREYGER: I can hear you.

19 CHRISTINA FOTI: Okay, I apologize. I'm
20 getting distracted by my echo.

21 CHAIRPERSON TREYGER: No worries.

22 CHRISTINA FOTI: So, Chair, we discussed
23 our reporting obligations in terms of program
24 services and related services, and we are fully
25 committed to providing those program and related

1 services throughout this pandemic. We closed out
2 last year at 83 percent full and partial service. In
3 your testimony you mentioned that the year prior we
4 were about 84.5 percent, and that is correct. You
5 know, we were on target to surpass that number, pre-
6 pandemic, and are going to be, as I testified, making
7 every effort to get to 100 percent. The Program
8 Adaptations Document that I mentioned during my
9 testimony is a key component to service provision
10 this year, recognizing that our students with IEPs
11 have IEPs that were designed for a school
12 environment. We want to make sure that we're
13 pasturing the blended learning services and the
14 remote services that our students are receiving this
15 year. And so the-- we will be providing updated
16 information on our current levels, but as of June we
17 ended the school year with 83 percent of our students
18 with disabilities fully and partially served, and I
19 apologize for the echo at the beginning of this, but
20 I'm glad you can't hear it.

22 COMMITTEE COUNSEL: Actually, Doctor
23 Chen, could you just lower the volume on your
24 computer, because I think it's what feedback is
25 coming in on Christina Foti's. Thank you.

CHAIRPERSON TREYGER: So, just to be

3 clear, and Ms. Foti, I do want to just note for the
4 record that each time I reach out to Ms. Foti to get
5 answers for folks in my district and emails I get
6 from parents and educators, she's very responsive to
7 me. I do appreciate that. I want to just note that
8 for the record, that you have been very helpful and
9 accessible. I do just want to just get further
10 clarification. You mentioned that you are on track
11 to update the Committee and the Council on the
12 percentage. When can we expect to receive the
13 number, the percentage of students now who are not
14 receiving their full IEP mandates? When can we
15 expect to get that number?

16 CHRISTINA FOTI: Thank you, Chair, and
17 thank you for that feedback. I certainly appreciate
18 the-- all of the contact you have made on behalf of
19 your family, and it is a real joy and pleasure to
20 support families throughout the City, but thank you
21 for the acknowledgement. We are on track for-- we
22 certainly owe the Council reporting-- report of data
23 for the end of the school year and we are on track to
24 release that data publicly for November, our November
25 due date that we have the Council, and we are going

1 to need that due date. As far as reporting is
2 concerned for the -- this current schoolyear, again,
3 we recognize the urgency and the importance of
4 getting the information out and we have a deep desire
5 to make that as transparent and accessible as
6 possible to our families. We-- I do not have a
7 deadline for this year's report at the moment, but we
8 are very much working on integrating that data and
9 our ability to report. You know, we have certainly--
10 pre-pandemic we certainly got to a place where our
11 reporting was becoming much more lock-step and quick,
12 and during the pandemic we've had different metrics
13 that we've needed to build reporting modules based
14 on, and so we are committed to providing that data
15 and I will get back to you with a date that we'll
16 have that by.]

18 CHAIRPERSON TREYGER: I mean, I- this is
19 crucial because we need this information to know
20 where to target more support. I mean, kids are
21 experiencing crisis. I think you as an educator I
22 know you get this. The Mayor's office, the Mayor
23 himself, I think captures the gravity of this crisis
24 for these children and their families. This is time
25 that they'll never get back, and they are regressing,

3 and we need to have this information, because my next
4 question, just to add to this, and I imagine that
5 folks are tracking this, are getting or keeping tabs
6 on this. What percentage of special education
7 classrooms like ICT are not properly staffed, either
8 with special education licenses teachers or proper
9 ratio teacher to student?

10 CHRISTINA FOTI: Thank you for unmuting
11 me. Chair, I'm sorry, I just wanted to correct the
12 number that I just provided you earlier. What I had
13 said earlier is 83 percent, I shared, represents full
14 service last year. I was using that as a comparable
15 number to what you had used in your testimony around
16 the 84 percent of full service. If we were to
17 combine our full and partial service provision, we
18 were at 98 percent full and partial provision. While
19 that is certainly a better number, we are committed
20 to getting to 100 percent and to your earlier
21 comments, we certainly recognize the urgency around
22 providing that information in the current school
23 year, and are committed to doing so as quickly as
24 possible. Can you repeat your question on ICT?

25 CHAIRPERSON TREYGER: Yeah. And also,
just to note, we have over 200,000 students in our

1 school system with IEPs, so even like when we use the
2 language of 84 percent, 85 percent, that's still
3 thousands of kids not getting what they're legally
4 entitled to receive. So I just wanted to give that
5 context. What percentage of special education
6 classrooms such as ICT are not properly staffed with
7 either special education licensed teachers or the
8 proper teacher to student ratio?

10 CHRISTINA FOTI: So, Chair, that is part
11 of the reporting and analytics that we are working
12 on, and we certainly are-- currently our staffing has
13 been worked out at the local level and is being
14 managed by our principals and our superintendents and
15 they're doing a wonderful job of pivoting and being
16 flexible and providing supports and services that our
17 students so desperately need. I know that we are
18 navigating an enormous number of staffing
19 complexities, and I would love to invite my colleague
20 Lauren Siciliano who is our Chief Administrative
21 Officer to talk about our efforts that we are making
22 to fill any staffing shortages in the field and if we
23 could please unmute Lauren.

24 COMMITTEE COUNSEL: Just bear with us.
25 Sorry, it seems we're a little lagging today.

3 LAUREN SICILIANO: Morning. Thank you,
4 Christina, and thank you Chair Treyger, for the
5 opportunity to talk about what we are doing to
6 support special education teacher hiring. As you
7 know, this is always a priority area for us in terms
8 of teacher recruitment, and we have several programs
9 that are explicitly focused on recruiting teachers or
10 students with disabilities. That includes several
11 alternative certification programs that we have that
12 are focused on recruiting teachers of students with
13 disabilities. We also offer direct scholarships and
14 loan forgiveness programs for many of higher need
15 shortage area, as well as support for
16 paraprofessionals to become certified as teachers of
17 students with disabilities, and in particular
18 supporting teachers received extensions for bilingual
19 certification as well, in addition to teaching our
20 students with disabilities. We also work very
21 closely with our local university education partners
22 to recruit teachers into those licenses.

23 CHAIRPERSON TREYGER: So, Ms. Siciliano,
24 and I appreciate you being here with us today. At
25 the last hearing I had asked the Chancellor and the
First Deputy Chancellor that they-- that the First

1 Deputy Chancellor mentioned he would get back to us
2 right way on, we have not heard back to my knowledge
3 on the breakdown of the staff who have been granted
4 medical accommodations as far as the staff shortage.
5 We were asking for the number of teachers that you're
6 short by, the number of paraprofessionals that you're
7 short by, the school psychologists, social workers,
8 and so forth. Do you have that information with you
9 today?
10

11 LAUREN SICILIANO: So, in terms of the
12 medical accommodations, I do believe we share that
13 breakdown, but I will make sure that that gets over
14 to you. We do have the breakdown by title and
15 reasonable accommodations.

16 CHAIRPERSON TREYGER: Can you share on
17 the record, or do you have that?

18 LAUREN SICILIANO: I don't have it in
19 front of me, but I will make sure that we get it to
20 you.

21 CHAIRPERSON TREYGER: Yeah, and I-- to my
22 knowledge, I have not received it. If staff have
23 received it, I will ask them to forward it. I see
24 Malcolm in there shaking his head. So, if they could
25 send it to me, I'll be happy to share with the

1 public. I have not-- to my knowledge I have not
2 received any update on that. We need to know. And I
3 want to be very clear for the public why we need to
4 know. This is not a game of gotcha with the
5 Administration. We need to know where the needs are
6 so we can fight like hell for more resources and
7 staff for our kids. That's what this is about. It's
8 the same issue with devices and internet. Not a game
9 of gotcha. This is about meeting the needs of our
10 kids who for months have not had devices, internet,
11 and critical mandated services. And again, I lay
12 fault really with the Mayor, because he has been in
13 denial about how severe this crisis is. So, we need
14 to know what the staffing shortage number is, because
15 my next question, you know, and again, I have more
16 questions relating to staffing. What percentage of
17 students have begun their mandated related services?
18 Does anyone know that?

20 CHRISTINA FOTI: Chair, I can certainly
21 speak to this topic. As you know, related services
22 are critical to the advancement of our students and
23 meeting their academic goals. One of the things I
24 spoke about in my opening testimony was the efforts
25 we're making to make sure that we are urgently

1 documenting those related service plans and provision
2 of our related services. We are proud of-- that we
3 ended last spring with students fully and partially
4 encountered repeating their related services at 95
5 percent. Any students that did not receive those
6 related services were issued RSAs because we do, as
7 you have pointed out, have an obligation to reach
8 that 100 percent mark. We are currently in the
9 process of finalizing the receipt of those related
10 service plans. As you know, a bunch of this
11 programming has been moving at the school level, but
12 we are concertizing [sic] the provision of services
13 and we'll be able to report fully on both the
14 provision of related services and program services
15 shortly, as I mentioned earlier.

17 CHAIRPERSON TREYGER: So, Ms. Foti, I'm
18 going to respectfully push back. The Council
19 actually had to subpoena information from the DOE
20 about attendance engagement levels from the spring.
21 We were supposed to get it, you know, right after my
22 May hearing. We didn't get it until we issues a
23 subpoena, and again, I understand that City Hall does
24 not like to share information that's not flattering
25 for the Education Department, but to me, this is not

1 about what's flattering or not. This is about
2 whether we're meeting the needs of our kids or not
3 and to allocate resources and push for resources to
4 meet their needs. And what we saw from the
5 attendance data from spring was damning, damning,
6 especially for communities that have been
7 marginalized and shortchanged prior to the pandemic,
8 certainly even more shortchanged during the pandemic.
9 I mean, we-- there are kids who still haven't even
10 had a device. There are kids where they don't have
11 internet access. I met with a family living in a
12 shelter who cannot connect to internet, and there are
13 many families with children with IEPs where this is
14 just not working for them, and we're not getting any
15 type of meaningful feedback on how to improve
16 services. I want to also ask just to add to the cue
17 without snapping, do you have a percentage of
18 students-- are you tracking a percentage of students
19 who are mandated to receive, but have not yet been
20 assigned a paraprofessional?

22 CHRISTINA FOTI: So, Chair, I just wanted
23 to respond quickly to the question you [inaudible]

24

25

3 CHAIRPERSON TREYGER: [interposing] Ms.

4 Foti, there is now a strong echo. So, just want to
5 just note that.

6 UNIDENTIFIED: I think if you're sharing
7 the same room, if one of you would mute while the
8 other one is speaking, it'll help with the echo.

9 COMMITTEE COUNSEL: You should be okay to
10 go now.

11 CHRISTINA FOTI: Thank you so much.
12 Chair, I just wanted to acknowledge your comments
13 earlier. I'm still getting the echo.

14 COMMITTEE COUNSEL: Okay, what we'll do
15 is, Doctor Chen, we'll just have to keep you muted
16 while Ms. Foti speaks and vice versa. So, just look
17 for when we do unmute you, you'll get that message
18 and then we'll unmute you. Thanks.

19 CHRISTINA FOTI: Okay, thank you for
20 that. Just I want to acknowledge that none of this
21 is flattering until we reach 100 percent, Chair. And
22 so this is-- we are on the same page around the
23 commitment to getting to 100 percent. I do want to
24 say that in terms of engagement of our students with
25 disabilities in the spring, our engagement data
reflects that the vast majority of our students we

1 actively engaged and connected to their schools
2 during the spring, and that is a true testament of
3 the work of our principals and of our incredibly
4 skilled special educators, the parent coordinators,
5 and all of the outreach efforts to make sure that our
6 students with disabilities feel connected and heard
7 and seen in their school communities. And so I--
8 while I agree that nothing less than 100 percent is
9 flattering, I am-- it is-- it behooves me to point
10 out the incredible and herculean efforts of our
11 schools to make sure that they maintained a
12 consistent point of content and engagement with our
13 students with disabilities in the spring, and that is
14 something that I feel strongly needs to be
15 acknowledged.

17 CHAIRPERSON TREYGER: So, Ms. Foti, I
18 appreciate the answer. I will kind of dig deeper on
19 the DOE's definition of attendance and engagement.
20 This is something that I have long argued, that
21 there's a big difference between being compliant and
22 being engaged, and to me, a lot of pressing a button
23 on the screen does not meet a kid is engaged or so.
24 But can the DOE provide a clear answer for the
25 committee, for the committees and council, on what

1 being marked present mean for students with
2 disabilities? What level of participation is
3 required for a student of disability to be marked
4 present for remote learning? Is this a uniformed
5 policy across all school?
6

7 CHRISTINA FOTI: Yes, Chair, this is--
8 the attendance policy applies to all students,
9 including our students with disabilities and is a
10 uniformed policy across schools. As a special
11 educator, I can say that, and I think-- and I know
12 you know this well, that it is critical for us to
13 know our students well, to know their strengths, to
14 know their interests, to know their passions, and to
15 know what they struggle with. And what we built and
16 what we-- we built our policies and processes around
17 engagement that will foster that, which is why we
18 have gone through the length that we have to ensure
19 that our students in addition to their individual
20 education plans that are roughly 200,000 students are
21 also receiving plans for how remote and blended and
22 learning will be conducted, and plans for how related
23 services will be conducted in this unprecedented
24 time. That is-- we are doing that to ensure that our
25 efforts to connect are not perfunctory, that they are

1
2 in fact in alignment with this incredible desire that
3 we all have to ensure that our students are making
4 ongoing progress and are connected and cared for by
5 their school, and we have seen incredible evidence of
6 that.

7 CHAIRPERSON TREYGER: So, just to clarify
8 for us because I did speak to you about this, and I
9 just want to just kind of [inaudible] for the public.
10 We had received feedback from one District 75 school
11 where folks were told if the teacher spoke to the
12 parent but did not connect with the student, that the
13 student was being marked present even though there
14 was no connection made to the student. Can you just
15 clarify does that constitute being marked present in
16 a class?

17 CHRISTINA FOTI: No, Chair, that does not
18 constitute being marked present. Our students need
19 to be benefiting and engaged from their ongoing
20 learning, and that is not-- we certainly would want
21 more engagement than that to ensure that we account
22 for that as the bad [sic] attendance.

23 CHAIRPERSON TREYGER: Ms. Foti, do you
24 have information with you today, how many students
25 with IEPs have entered this new school year with an

1 in-progress or incomplete grade from spring or
2 summer? And to be-- I'm asking for the number, not
3 percentage.
4

5 CHRISTINA FOTI: Sir, I under-- I
6 understand why that number is important. That is not
7 a number I have today, with me today, but I can tell
8 you that we recognize that learning loss is a real
9 issue during this pandemic, and that the guidance
10 that we are giving to our schools is that we actively
11 progress monitor students and really attend to any
12 gaps that are there, and we are working on guidance--
13 we have given out guidance and working on additional
14 guidance for special educators, as well as our IEP
15 teams in the event that we need to adjust the
16 programs and services students are being provided in
17 order to attend to any areas of incomplete work or
18 lack of progress as a result of the pandemic.

19 CHAIRPERSON TREYGER: So, but does
20 someone-- is someone keeping track of this? Is
21 someone centrally keeping track of the number of kids
22 with IEPs who have been given a grade of in-progress
23 or incomplete? Now--

24 DOCTOR CHEN: [interposing] Thank you for
25 unmuting me. Chair, yes, thank you for the question

3 around the course in-progress, I think is the mark
4 that you're referring to. So, we do centrally track
5 that for all of our students, and it is also
6 available-- that information, our principals are
7 tracking as well and coordinating with teachers to
8 follow up. We are also providing that report for
9 superintendents so that there's another layer of
10 checking on students as well, but I do want to make
11 sure we can provide you the numbers. As Christina
12 said, we don't have the numbers with us, in front of
13 us today, but I will provide that for you through
14 Roberto.

15 CHAIRPERSON TREYGER: But Doctor Chen,
16 have you seen those numbers yourself?

17 DOCTOR CHEN: Yes.

18 CHAIRPERSON TREYGER: Do they concern
19 you?

20 DOCTOR CHEN: They ab-- any-- if the
21 number were one, it would concern me to be very frank
22 with you, because what we have experienced, what all
23 of our families have experienced in the pandemic, is
24 especially I think remarks that were made by both you
25 and Chair Ayala around this exacerbating disparities
for our most vulnerable learners, and it does concern

1 me, but I also know that there is a window for
2 students to be able to complete this. So, any course
3 in progress, students have essentially another
4 semester to complete this. So we are still in that
5 space. Our first pass at this was certainly in the
6 summer. We were-- we invited all students with
7 course in progress to be able to complete this in the
8 summer, and if you may recall we also really
9 prioritize our seniors as well so that they could
10 have August graduation. And then now our educators,
11 now they're back in school or in remote, are also
12 following up with students in course in-progress.
13 So, it is to be expected that we wouldn't see 100
14 percent of these reconciled at this point, because
15 they do have the semester to be able to complete
16 this. But our--

18 CHAIRPERSON TREYGER: [interposing]

19 Doctor Chen, just wanted to ask--

20 DOCTOR CHEN: [interposing] schools are
21 tracking this information because it is important.
22 We've lost-- there has been unfinished learning from
23 the spring, and you're absolutely right, it is a
24 concern.

25

3 CHAIRPERSON TREYGER: Is it accurate that
4 students were told that they-- they and their
5 families have been told that they have until January
6 2021 to complete the standards?

7 DOCTOR CHEN: That is-- yes. As I said,
8 they basically have a semester to complete this.

9 CHAIRPERSON TREYGER: So, my concern
10 here-- I mean, we don't have enough information
11 first-- I mean, I think we have enough information to
12 know that many of our children are not getting their
13 mandated services. We still don't have, you know,
14 how-- the numbers as to how severe the staffing
15 shortage is, and under-- the public needs to
16 understand that the staffing shortage
17 disproportionately impacts children with special
18 needs and other student populations. And it's my
19 understanding that the DOE has not put forth a
20 uniformed citywide grading policy, and there are a
21 number of concerns I've heard from families about,
22 you know, regression, but also just punitive actions
23 towards academic performance that will have
24 generational impacts and not just temporary impacts.
25 So I am greatly concerned about this. if you can get
us that information, Doctor Chen, I would appreciate

1
2 it as soon as folks can, because we need to know what
3 are the school-- what is the DOE's plan to address
4 these students with-- who have been given this course
5 in-progress or incomplete grade that they have until
6 January to make up when we know for a fact that many
7 of them are not getting the services which they are
8 entitled to. I mean, are there conversations under
9 way in DOE to communicate with schools about how to
10 address the fact that-- I suspect-- again, I don't
11 have data. I suspect the number is very concerning,
12 and these are numbers that we have always monitored
13 as far as even before the pandemic as far as how kids
14 are graduating, which is also concerning but I am
15 very concerned about this. So, I would appreciate
16 folks getting back to the committee on that number.
17 I want to just quickly-- a couple more I want to turn
18 to my co-chair. Does the DOE keep track- do you have
19 like an average day or days of service that children
20 with IEPs have as far as in-person? For example,
21 anecdotally I hear that some schools have developed
22 their reopening model where certain children with
23 IEPs might have more than one day of in-person
24 services, and there are certain schools that because
25 of staffing shortages only have one day or two days.

1
2 Does anyone keep track of on average how many days of
3 in-person services children with special needs
4 receive?

5 DOCTOR CHEN: I'll begin this, Chair, and
6 then also Recy Dunn from the Office of the First
7 Deputy Chancellor is on as well, and I'll have him
8 add to this response as well. As you probably
9 recall, we've been trying to ever since the spring
10 think about different models of returning to schools,
11 and I know you know this very well, and in particular
12 schools on the ground staffing, and student
13 engagement in fully remote or blended learning also
14 varies from school to school in each community. And
15 so what we tried to do is to make sure that there
16 were models that could convey citywide consistency
17 for all families while also allowing principals with
18 their school communities, making some of those
19 decisions in terms of programming models at the local
20 level. So as it relates to students with
21 disabilities, particularly in District 75, we also
22 heard loudly from both, I would say, our advocate
23 partners, our City Council partners, and our
24 principals and school leaders and families that need
25 for a possibility of in-person instruction five days

1 a week or alternate weeks where students come every
2 day for one week, and then every day for the next
3 week, and those are some of the additional
4 considerations that we have in our program modeling
5 for District 75. I want to have Recy talk a little
6 bit about how we track that information, because also
7 know that once we started school, and Recy can talk
8 more about this, principals in weighing the needs of
9 their communities have also submitted proposals as
10 well to revise their original submissions receipt.

12 RECY DUNN: Thank you, Linda. My name is
13 Recy Dunn. I'm the Chief Strategy Office in the
14 Office for the First Deputy Chancellor. Happy to be
15 here. I think to Linda's point, there are the number
16 of approved models that we shared, programming models
17 that we shared during the summer and schools applied
18 to figure out what model they were going to use and
19 what was going to best service their community. And
20 if they didn't-- if they couldn't meet one of the
21 existing models, they were also-- there was an
22 exceptions process as well. And so that's tracked
23 through the schools applying, the principals
24 applying, getting approval through their
25 superintendent for an approved model, and if there

1 was an exception it came through centrally. Since
2 we've been opened, as some-- more students and
3 families have gone remote, we have seen revisions to
4 those models where they've also applied for a
5 modification to their exception where they were
6 trying to see more students in person or trying to
7 prioritize more students with disabilities, and that
8 was one of the existing guidance that exists around
9 how you can prioritize more students with
10 disabilities for in-person learning. And so we have
11 seen those come in, as well, and so that's
12 essentially something that's coming up centrally
13 through the program model tracking.

14
15 CHAIRPERSON TREYGER: So, Mr. Dunn, I
16 appreciate that. Do you know how many students who
17 are an ICT [sic] who do not have a teacher for both
18 blended and fully remote?

19 RECY DUNN: I do not have that
20 information tracked in a way with models. The models
21 essentially [inaudible] what days of service somebody
22 would be in and how they're running the program.

23 CHAIRPERSON TREYGER: Right. I mean, I
24 just want to just note that this is the part of the
25 challenge here. You know, we need to know these

1 numbers, because I don't want anyone to have an
2 impression that things are okay. Things are not
3 okay, and they're not getting services which they are
4 required to receive, and they're supposed to have
5 more than one teacher and there's supposed to be an
6 adequate ratio, and we keep hearing these very
7 painful stories where that's just not the case, and
8 providing clarity and transparency on this would go a
9 long way. Because again, this is about helping us
10 fight for you and fight for our kids and getting, you
11 know, the staff and the resources to meet the needs
12 of our kids. I just want to make it very clear, I
13 plead with state law makers and others for more
14 resources for our school district, so it doesn't help
15 when the Mayor of New York says things are okay with
16 schools. They're not, and I just think the more
17 information we can get about how severe the staffing
18 shortage is and the impact this has on our children
19 of IEPs and other student populations. I think it
20 goes a long way towards helping them. I want to-- a
21 couple last things. I shared a proposal, Ms. Foti,
22 back in July that I worked on with educators,
23 parents, families, that I believe and I still stand
24 by provides a little bit more equity. We hear that
25

1 term a lot, but I don't think that this reopening
2 plan that we're in is really equitable for our kids
3 who need it the most and for working parents, but I
4 share a proposal that elementary school children,
5 early childhood, children with IEPs, multilingual
6 learners, that their families be given the option
7 five days a week in person with the option to opt
8 out, because I understand-- you know, as a former
9 teacher I understand-- look, ideally, we'd all be
10 back, but that's not the world that we're in right
11 now, and we're still in a pandemic, and we have to
12 manage density in a large city, but there are
13 children who are experiencing instructional loss that
14 quickly shifts from temporary to generational, and
15 they will never get this time back. So can we build
16 a system that understands that reality, managing
17 density, keeping folks safe, getting resources to
18 make sure it's-- you know, that schools are safe, but
19 to provide additional options for kids who need it
20 the most, which I think would help children with
21 special needs. I think it would help working
22 parents, many which are educators. Some folks would
23 get that many educators are also parents. They have
24 kids in the system. But what is your expert,
25

1 professional opinion on what I shared that I think
2 would provide more equity to kids who need it the
3 most?
4

5 CHRISTINA FOTI: Thank you, Chair. We
6 discussed this a little bit. You know, as Recy said,
7 our plan has every intention of prioritizing our
8 students with disabilities, and students with
9 disabilities have been front and center throughout
10 this pandemic, which is why started in-person summer
11 services as soon as we possibly could, and again, why
12 we were the only city who provided that service.
13 With regard to the current school opening plans, you
14 know, schools were asked to work within incredibly
15 difficult parameter to determine how many students
16 they could physically accommodate in accordance with
17 health and safety guidelines, and this is something
18 that is new, right? This is a new way of programming
19 for our schools, and there is a learning curve
20 associated with that, and rightfully so, and I think
21 our principals have done an incredible job of doing
22 all that they can for their students and their
23 families working under variables that are always
24 changing, and that's the nature of this pandemic. We
25 are currently assessing, you know, our school's

1 capacity to take on or welcome more students into the
2 school building, and particularly our students with
3 disabilities. As you know, our families have-- the
4 period to opt-in is coming up again, and for families
5 that want additional time in school, that is
6 certainly a conversation that they should be having
7 with their principals, and I know that principals are
8 making every effort that they can to accommodate
9 students and meet their needs. And so this is an
10 ongoing conversation. We certainly respect your
11 efforts to ensure that our students with disabilities
12 and our youngest learners have what they need. We
13 share that shared goal and are really-- I would say
14 more to come on the programming front, and I really
15 want to thank our principals for all they've done to
16 accommodate as many students as they can.

18 CHAIRPERSON TREYGER: So, I also thank
19 our principals and our school leadership and school
20 staff because every time city hall issues a tweet at
21 night, they're the ones that have to do all of the
22 work. But I just want to share with you that, you
23 know,-- I know this is anecdotal, but I do speak-- as
24 many of you know, I speak with principals pretty much
25 on a daily basis these days, and you know, I've

1 spoken to some high school leaders where, you know,
2 they have a total enrollment of over 3,500 students,
3 large school, but only about 200 kids are showing up
4 in person. So, the school is-- there are not many
5 kids. And I want to be very clear on why I'm being
6 told that's the case. So, basically, it's dependent
7 of like almost six percent of kids showing up. The
8 reason why this is happening, from what I'm being
9 told, is because of these severe staffing shortages
10 that really, they impact system wide, but it has a
11 real impact on high school students because you have
12 to have, as you know, licensed subject teachers to
13 teach specific courses. You can't just put a random
14 person to teach chemistry class. You need a licensed
15 science teacher to do that. In many cases in the
16 high school world, you have what I call virtual study
17 hall where four or five kids are in a room logging
18 onto Zoom, connecting with their teacher from home
19 while an adult just watches them, supervises them. I
20 asked the Chancellor at last week's hearing the
21 percentage of schools that are doing this because of
22 the staffing shortage. We didn't hear back yet, but
23 I'm hearing it-- I'm hearing it citywide. When I
24 mentioned this at a school in Brooklyn yesterday, I
25

3 was contacted by a school in the Bronx that has a
4 school of about 500 kids total, only got 30 kids
5 showing up. So, I look at this as really an
6 indication that this hybrid plan is really not
7 working, and it's-- you have this space that can be
8 better utilized for programming to better meet the
9 needs of kids who really need it the most, and I
10 would really, you know-- like, we still don't even
11 have attendance data, and does anyone have that with
12 them today, since you know, we had to subpoena it
13 back in the spring. Do we have attendance data for
14 schools now? Anyone have that with them?

15 DOCTOR CHEN: So, Chair, we do have the
16 attendance data as you have as well from the spring,
17 and I know that last week my colleagues also did say
18 that would be information that would be provided, but
19 in terms of the spring data of about 200,000 students
20 with IEPs who were enrolled last year, we know that
21 about 649 of them did not clock in in the spring, and
22 so this is not including the-- there's about 494 who
23 are also in the Pathway to Graduation Program. So we
24 try very closely to track that and make sure that we
25 can support our schools based on the information that
we get. So, I can share, obviously, the spring data

3 with you, and our colleagues are working on making
4 sure you and Council Member get current attendance
5 information.

6 CHAIRPERSON TREYGER: Just to note, Dr.
7 Chen, I know that the DOE had the information from
8 the spring. They had it in the spring, but folks at
9 City Hall for whatever reason did not want to share
10 it with us until we had to issue a subpoena. We need
11 the current attendance information. And again, to
12 make it clear, this is not a game. This is not a
13 political tit for tat. This is about making sure
14 that we make the necessary decisions and moves to
15 better meet the needs of our kids, because from what
16 I'm piecing together-- and I'm-- just to note, I am
17 speaking with schools across the city, getting their
18 attendance information, and I'm compiling my own
19 information, and it is painful. It is painful, and I
20 think that we are losing each day, losing
21 opportunities to really rethink this approach and to
22 immediately put in place, you know, a system that
23 provides more in-person services and options for kids
24 who need it the most, that I think would go-- now, I
25 want to just ask before I turn it over to my Co-
chair. The percentage of parents who have given

1 consent for remote-related services, do you have
2 that?
3

4 DOCTOR CHEN: I believe Christina is--
5 just double-checking to see if we have the precise
6 numbers.

7 CHRISTINA FOTI: Yes, I was just waiting
8 to unmute. I actually want to invite my colleague
9 John Hammer to answer this question.

10 JOHN HAMMER: Chair Treyger, thank you
11 for this important question and the opportunity to
12 testify here today. Our related service providers
13 are continuing outreach to families to initiate both
14 tele-therapy and in-person related services. To
15 date, we have contacted related service providers,
16 have contacted families, a little under 190,000
17 instances across each OT/PT and counseling and are
18 working with those families to initiate service as
19 outreach is conducted.

20 CHAIRPERSON TREYGER: Do you have the
21 percentage of the parents who have given consent for
22 the services?

23 JOHN HAMMER: The consent information we
24 can absolutely follow up and that is information that
25 we are collecting. We can provide after the hearing.

1
2 CHAIRPERSON TREYGER: Okay, because
3 that's really important. And John, I believe you
4 were at the hearing last week when-- just want to
5 note that I know this is not about the Health
6 Committee, this is now with Chair Ayala, I just want
7 to note that there were gaps in communicating with
8 certain school communities about the entire testing
9 plan, particularly District 75 that has closed a lot
10 of-- I am still hearing to this day a lot of
11 confusion on the ground about what the testing plan
12 strategy is. So I just want to double down on making
13 sure that DOE communicates as clearly as possible
14 with school communities and families about what the
15 plan actually is and what it's not, because I am
16 flooded with emails from folks who just do not have
17 clear information about that. I'm mindful of time. I
18 want to turn it over now to my Co-chair, very patient
19 Co-chair and great colleague who's worked so hard on
20 this issue, Council Member Diana Ayala.

21 CHAIRPERSON AYALA: Thank you, Chair
22 Treyger. I wanted to acknowledge, and I wrote it
23 somewhere, that we've also been joined by Council
24 Members Dromm, Van Bramer, Ulrich, Lander, and
25 Cornegy. So, I have a lot of questions, and I'm a

1 little disappointed that, you know, we don't have
2 some of the numbers that we're requesting, because I
3 believe that the questions were submitted to the
4 Administration far enough in advance that these
5 numbers should be made available, specifically
6 relating to staffing. But my first question is
7 actually related to the staffing needs of District 75
8 students, because I'm going to rewind this to the
9 moment that we're getting kids on a bus to actually
10 physically get them to the schools. So, our
11 understanding is that there is a significant shortage
12 of paraprofessionals and nurses to accompany District
13 75 on yellow school buses. Is that true? And how
14 significant is this shortage, and what is the DOE
15 doing to address it?

17 DOCTOR CHEN: So we have continually been
18 working on staffing, as you know, and that includes
19 with busing. I want to make sure that Sean
20 Fitzpatrick from Office of Pupil Transportation can
21 speak more to that, as well as Lauren Siciliano, but
22 similar to what we've shared about teaching staff,
23 that is also a priority for us to ensure that this is
24 done with busing. Sean?

1
2 SEAN FITZPATRICK: Yes, hi. Good
3 morning. So, we have within OPT, we have a person
4 who is dedicated to special populations, and that
5 team works directly with the Division of Specialized
6 Instruction and Student Support so that they are kept
7 up to date on what students are taking buses, which
8 buses they are taking, the routes that they are on to
9 make sure that they understand what the staffing
10 needs are. And then the Division of Specialized
11 Instruction and Student Support then looks to make
12 sure that we have the necessary paraprofessionals on
13 hand to address that. So, it long-- long story
14 short, you know, we recognize that the
15 paraprofessional title is certainly critical. We are
16 working every day with that division and directly
17 with schools to make sure that we have the
18 appropriate personnel on hand to address that.

19 CHAIRPERSON AYALA: How significant is
20 the shortage?

21 SEAN FITZPATRICK: I would have to defer
22 to Christina, because that's-- that title come out of
23 that particular group.

24 CHRISTINA FOTI: Thank you, Chair. I was
25 just waiting to unmute. I just want to make

1 something clear, while there's no system wide
2 shortage of paraprofessionals, there have been some
3 challenges in encouraging school-based
4 paraprofessionals to accept some of these positions.
5 These busing paraprofessional positions are done via
6 a posting process at the school level. However, what
7 we have asked schools to do is that when they are
8 unable to identify a transportation paraprofessional,
9 they work with their borough offices to identify a
10 paraprofessional either from a school, another
11 schools that is close in the district or through a
12 contracted agency. And so any family that does not
13 have a paraprofessional trans-- transportation
14 paraprofessional in place can reach out to their
15 school, but also to our special education in box at
16 specialeducation@schools.nyc.gov or 311 and we will
17 be happy to make sure that that service gets started.
18 In response directly to your question, Chair, we will
19 get back to you with the exact number of students
20 still waiting on their transportation
21 paraprofessionals. And in regard to your-- I know
22 that there's also been questions around nursing and
23 students who require nursing support for
24 transportation-- for nursing support, I defer to my
25

1
2 colleague Katie from the Division of School Climate
3 and Wellness to respond to that question.

4 KATHERINE JEDRLINIC: Hi, yes. Yes, we
5 do have sufficient nurses for the students with IEP
6 who require one on the bus.

7 CHAIRPERSON AYALA: So, we have nurses,
8 but we don't have sufficient paraprofessionals, but
9 we don't know what the number of students that are
10 not recie-- that are not receiving transportation
11 services is at this point? I think that's for
12 Christina.

13 CHRISTINA FOTI: Chair, we're going to--
14 we do know. We do not have that number with us
15 today, but we can commit to getting you that number
16 after the sharing.

17 CHAIRPERSON AYALA: I appreciate that,
18 but I mean, I would hope that the DOE would
19 anticipated this would be one of our questions. I
20 mean, it's the simplest question I have on my list of
21 questions today, and you know, it-- we haven't even
22 gotten to the school building yet, right? We're
23 talking about transporting the neediest of children
24 to the actual building. You know, most parents don't
25 have access to a vehicle. Traveling via public

1 transportation is a nightmare, and when you're also
2 working remotely and trying to make a living to pay
3 for, you know, for food and for rent, it's nearly
4 impossible. So we need to know how many children are
5 actually making it to the school building, who opted
6 to go into school, because maybe their disability is
7 so serious in nature that that remote learning is
8 just not an option for them. So, you know, when we
9 talk about in the inequities, I mean, like it's just-
10 - and I really appreciate that we're in the middle of
11 a pandemic and that there's no-- there was no
12 protocol for this, that we were, you know, not
13 prepared, and I-- you know, I don't even blame
14 anybody at this point, because who would have
15 anticipated that we would be living in, you know, the
16 situation that we're living in, but having said that,
17 we shut schools down in March. We're now in October.
18 We had more than sufficient time to plan accordingly
19 to ensure that we were starting from a place where
20 the neediest children were prioritized, and that we
21 understood that the complexities of servicing
22 children with disabilities that require a different
23 method of teaching, require more hands-on approach, a
24 lot more of in-person services, that we would be a
25

1 little bit more comfortable with the DOE's approach
2 to teaching these children in October, right? And I
3 don't-- and I, you know, I echo Chair Treyger's
4 remarks that this is-- that's not the information or
5 the feeling, the sentiment that we're getting from
6 parents of children in District 75 schools. So there
7 is a huge disconnect here. So, now we're getting on
8 the bus; we get into the school blood. What is the
9 process for testing children for COVID? I got an
10 email from a parent the other day whose daughter is--
11 has severe autism, and she is required to be tested,
12 right, to get into- if he wants do in-person, she has
13 to be tested, and because of her disability, remote
14 learning is just not an option for her. And so the
15 testing process is very, you know, is very
16 traumatizing for a child on this spectrum. She's, you
17 know, she said that this is the worst thing that she
18 has ever had to subject her child to. How is the DOE
19 addressing this? Is testing mandated? Is it being
20 done in the school? Are parents permitted to be
21 allowed to see in the room when their child is being
22 tested?
23

24 CHRISTINA FOTI: Yeah, I appreciate that
25 question, and we too have heard similar concerns from

1
2 our families and understand the need for additional
3 flexibility on this front. We're finalizing-- we're
4 working our sister agencies to finalize testing
5 guidance for our District 75 students, but I also
6 invite us to unmute my colleague Katie from the
7 Division of School Climate and Wellness to talk a
8 little bit more comprehensively about the testing
9 procedures overall.

10 KATHERINE JEDRLINIC: Thank you,
11 Christina. Yeah, we know that many families, you
12 know, are not comfortable yet with the testing. They
13 feel like they need more time and information before
14 they're going to feel comfortable, and we're really
15 trying to give them that space and that information,
16 and be able to work through that, especially for
17 District 75 students. In terms of what we're allowed
18 to do for the testing, I know I really-- I think most
19 of you were at the hearing last week when we were
20 joined by our health partners who talked about what
21 they need in order to have the random testing be
22 successful, and you know, we did talk with them and
23 advocate about things like allowing parents to be in
24 the room, but ultimately, we do defer to their health
25 guidance about what makes the most sense, and at this

1 point they don't believe that that's a path that make
2 sense going forward. So, we do continue to work with
3 them and defer to them on issues of health and
4 safety.

6 CHAIRPERSON AYALA: So, can a student
7 right-- I'm assuming the answer is no, but can a
8 student for whom testing is difficult, can they go to
9 their own private medical provider that has already
10 and established, you know, relationship with this
11 child?

12 KATHERINE JEDRLINIC: That's another
13 thing that we did raise with our health partners when
14 developing this plan. Unfortunately, they ultimately
15 determined that for the random testing to work and
16 for them to have the data that they need, that's
17 not something that they could allow.

18 CHAIRPERSON AYALA: I'm sorry, who are
19 your health partners?

20 KATHERINE JEDRLINIC: The Health +
21 Hospitals and the Department of Health and Mental
22 Hygiene.

23 CHAIRPERSON AYALA: So, they determined
24 that it was not in the school's best interest to have
25 a parent in the room when a child with a severe

1 disability who may be further traumatized be tested
2 for COVID?
3

4 KATHERINE JEDRLINIC: So, the
5 determination that they make there is that as you
6 know, we're trying to minimize the number of people
7 and the number of, you know, crowding in a school,
8 right, and they determined that having extra people
9 in the room is not something that makes sense with
10 health and safety protocols. I know many of you were
11 on the hearing last week where they talked more in-
12 depth the different decisions they made around that.

13 CHAIRPERSON AYALA: But this is-- I would
14 imagine that this would be a special exception
15 because these are children with unique challenges,
16 and I mean, the description that I received from this
17 parent, I mean, it took five people to hold this
18 child down to test her.

19 KATHERINE JEDRLINIC: Yeah, I--

20 CHAIRPERSON AYALA: [interposing] Can you
21 imagine five people that you do not know that you
22 haven't seen in months holding you down to test you,
23 and your parent not being there? That's terrible.

24 KATHERINE JEDRLINIC: Yeah, I agree, and
25 that's one of the reasons why we're working on the

1 special plan for E [sic] 75. I'll turn it back to
2
3 Christina.

4 CHRISTINA FOTI: Thank you, Katie.

5 Chair, we understand what you're saying, and this is
6 not-- this is a very real concern that we do take
7 seriously. We are, as Katie just said, working on a
8 special plan for our students with more profound
9 disabilities and significant needs to ensure that the
10 testing process is not going to be one that is overly
11 intrusive or invasive for them. we understand that
12 we need to work with our families to determine how we
13 can test students in a way that is supportive and we
14 also understand that there are some students who are
15 going to struggle with the testing process, and maybe
16 that is not an appropriate thing to do at school.
17 And so, if that is the case, then we will-- we are
18 working out accommodations, and we'll have a
19 comprehensive plan for testing of our District 75
20 students shortly.

21 CHAIRPERSON AYALA: How soon do you-- how
22 soon-- I mean, when you say shortly, how soon is
23 shortly?

24 CHRISTINA FOTI: Yeah, my understanding
25 is that we-- it will-- testing for our District 75

1 students, first of all, has not started yet. We were
2 aiming to start in November. Testing for our
3 District 75 staff has started, but I-- imminently I
4 think in the next, you know, week or so we should
5 have a plan that takes into account the parent
6 feedback that we've received, and feedback exactly
7 what you were-- like you-- what you were just saying
8 around how to provide a testing environment, and who
9 do we test and how do we support all of our students
10 in that process, because that is a very valid and
11 real concern.
12

13 CHAIRPERSON AYALA: Does the DOE-- and I
14 don't know this. Does the DOE have an office for
15 students with disabilities that helps to kind of to
16 advise that is communicating with Health and
17 Hospitals and the Department of Health and Mental
18 Hygiene to come up with a best strategy, because I
19 mean, I think that all voices need to be at the
20 table, right, and that we need to have a plan A, B,
21 C, and D as it relates to children with disabilities,
22 because you know, they're all different types of
23 disabilities, and not all children react in the same
24 way, right? So, who is acting, you know, in the best
25 interest of these children on-- you know, in the DOE?

3 CHRISTINA FOTI: That's right. You're
4 absolutely right. We need to have multiple options
5 and we need to be able to make sure that we're staff
6 building supports for our students. There is a
7 health and safety point within District 75 that has
8 been working with Health and Hospitals, but also with
9 all of us here to ensure that the needs of our
10 District 75 students are represented. We've also
11 engaged many of our parent partners, CCD 75 and CCSE
12 and others to gain feedback on firsthand family as to
13 what is going to work for their students and what
14 isn't and what their preferences are, and that's all
15 very much informing this process, and we think our
16 partner advocates in both entities for their help in
17 informing this in terms of developing policies that
18 are really going to work for our students and
19 families.

20 CHAIRPERSON AYALA: Now, for children
21 whose disabilities are so severe that they really
22 just don't make a good candidate for virtual
23 learning, is there some sort of orientation with the
24 parent? Is there an opportunity to have a thorough
25 discussion with the parent to advise in-person as
opposed to virtual because of the nature of the

1 child's, you know, disability or learning difference
2 that would better be met by in-person instruction?
3

4 CHRISTINA FOTI: Yes, so the-- back in
5 March when we transitioned to remote learning, Chair,
6 one of-- the first thing that we immediately did was
7 ask that a remote learning plan be created for every
8 one of our students with IEPs, and the reason we did
9 this is because we knew exactly what you were saying
10 is going to be true. Parents need to be part of the
11 process of determining what is going to be and the
12 best learning environment and how we can best support
13 our students as they take on this very new world.

14 Now, when we weren't able to offer blended learning
15 like we're doing now, it was only remote. You know,
16 the remote learning plan was intended to outline the
17 services and supports that were going to help the
18 child in a remote setting. And so, the IEP is
19 developed for the school setting. The home setting
20 is now the learning environment, you know, as was the
21 case during the spring, and we have to connect with
22 you all as parents and partners to determine what is
23 going to be best for that child, and if they are
24 working remotely and can't attend to a screen, which
25 is true for many of our children, then what are we

1 going to be doing to support them? And so we asked
2 our schools to come up with alternatives, and many of
3 them have come up with incredible alternatives,
4 whether that be paper packets and resources in the
5 family's home language, or whether that be more
6 movement-based activities that we lead our families
7 in guiding our children through at home. These are
8 all strategies that we've used, but quite frankly
9 Chair, it's why we tried so hard to and did
10 successfully provide those in-person related services
11 over the summer, because we knew that we weren't
12 going to be able to reach every child, particularly
13 every child with a disability during remote learning,
14 and by reach I don't mean contact, I mean make sure
15 that we're meeting their needs and their learning
16 styles remotely, because the remote instruction was
17 going to be difficult. We also made sure that our
18 related service providers did the same. So, they
19 were reaching out to the family and saying, look, we
20 know that you're child is a kindergartener and they
21 have speech on their IEP for three sessions a week,
22 are you able to support them during this time, and
23 what do you think is going to work best for you in
24 the home? And guidance has been to our incredible
25

1 related service providers that they have a
2 conversation with a family about how to best
3 implement that service during remote learning, and
4 for some families they said, I'm going to start with
5 one session and we're going to build up to three
6 sessions, but can we start with one, and here's the
7 best time that I'm available to do that. I'm
8 available-- I can support my child this time, you
9 know, based on my schedule and could we accommodate
10 that. And what we have asked our providers to do is
11 to accommodate each one of those requests. And that
12 is true in the remote learning environment and in the
13 blended learning environment. Now, in the current
14 environment where blended learning is reality, we've
15 doubled down on those efforts to make sure that we
16 are clearly documenting what approaches strategies,
17 supports, including behavior supports are working for
18 students as they transition in and out of the school-
19 - the physical school building and onto remote
20 learning, and that is something that is documented
21 and memorialized in the program, adaptations,
22 documents, and the related service documents to make
23 sure that we are in fact capturing the things that
24 are working for the family and working for the
25

1 student and are not working, and where progress is
2 being made, that should be documented as well, and
3 where progress is not being made, and learning has
4 been interrupted, that is also something that we
5 capture and we're going to need to address through
6 IEP meetings and ongoing conversations with our
7 teachers.
8

9 CHAIRPERSON AYALA: What-- can I ask,
10 what is the-- is there an impediment in allowing a
11 little bit more flexibility for the opt-in option,
12 doing either hybrid or, you know, straight in-person.
13 For instance, I have a constituent whose son has
14 cerebral palsy. He is struggling heavily at home.
15 The mother did not have access to a working computer.
16 For some reason there was some confusion. Was not
17 able to opt-in into in-person or hybrid during
18 whatever specified time was allowed, and so the
19 school automatically enrolled him for virtual. So
20 now, the family has to wait until November, I believe
21 it is, for the opportunity to then switch over to in-
22 person or hybrid, and in the interim this child is
23 learning absolutely nothing, and for a person-- for a
24 child with a disability like his, this type of delay
25 could be really detrimental because they can really--

1 you know, it's not a minor step-back. These
2 children-- I mean, therapists and professionals work
3 with these children quite intensively, and so any
4 type of disruption to the routine can really set them
5 back years. So, she's really worried that, you know,
6 this is not something that's going to-- you know, the
7 DOE is going to be able to remedy and that this is
8 going to have long-term implications for the child,
9 and I agree. I agree. So, you know, is there
10 flexibility for children like him who maybe, you
11 know, the parent maybe thought that they could
12 handle, you know, virtual or for some reason there
13 was some sort of disconnect and they weren't able to
14 opt in and now, you know, realizing that it's
15 necessary. Why, you know, subject them to having to
16 wait so long?
17

18 CHRISTINA FOTI: Can we unmute Doctor
19 Chen? She's wanting to [inaudible]

20 DOCTOR CHEN: So, Chair, thank you for
21 the question, and I think we want to-- what you are
22 bringing up is incredibly important around being able
23 to be flexible to meet the differing needs of our
24 students and our families. So, want to underscore a
25 couple of things about what the process has been and

1 what we are working on moving forward. So, number
2 one, the in-person was the default mode, if you will.
3 Unless a parent or a guardian specifically opted into
4 fully remote, they would be in-person, and I hear, I
5 think what you're saying is also that there has been
6 some confusion and perhaps some of those families may
7 have done that from error. I know that principals
8 have been working very closely with families, and in
9 those cases where there was some confusion or some
10 misunderstanding they have been rectifying those. So
11 I wanted to be clear about that on the record. and
12 moving forward as you mentioned, we do have another
13 opt-in, at the moment if you will, because we said to
14 families, if you're going to opt in to fully remote
15 you have until-- it was around Thanksgiving that
16 time, right? And so what we have been doing now that
17 we have been in person and a lot of these issues that
18 you're bringing up has become more to the surface
19 now, what we've been doing is also working to make
20 sure that as we go into this next cycle or shift, if
21 you will, that we are making sure that we can double
22 down on ensuring that we now have better insight into
23 what particular needs are, and we can work with
24 students with our schools to provide families with
25

1 that clarity around what it means to be in-person,
2 how many days and what are those kinds of variables
3 and flexibilities, and then also what it is in fully
4 remote. But we also want to make sure-- I know we're
5 talking generally and broadly here. We also want to
6 make sure if you don't mind providing us offline with
7 the information on the constituents so we can be sure
8 to follow up and meet their needs and make sure that
9 that's clear.
10

11 CHAIRPERSON AYALA: Does the DOE-- just
12 out of curiosity. So when I use to work in senior
13 services there was a mandate on all city agencies to
14 come up with a contingency plan for cases of
15 emergency. So whether it be, you know, weather-
16 related or when we're in the midst of a storm, does
17 the DOE have a plan in action, like a written plan in
18 place for emergencies that would prevent the schools
19 from being opened, and what-- and how do children
20 with learning disabilities or, you know, special
21 needs fit into that contingency plan? Like, what is
22 that emergency plan? Does it exist, and what does it
23 look like? Or is it being created in a post you
24 know, COVID world?
25

3 DOCTOR CHEN: So, what I'm hearing are
4 two possible aspects of this. So there is a health
5 and safety contingency plan, and we have a situation
6 room, and when that happens we are constantly in
7 communication with school families, high school
8 communities to make sure, you know, if you would go
9 into a quarantine of a classroom or the entire
10 school, and what it would be for remote. And related
11 to that, I think, is maybe probably what you're
12 asking as well-- please correct me if I'm
13 misinterpreting here-- is also what's the learning
14 contingency plan, if you will. And so part of what
15 we've done, and if you recall in the opening days of
16 school it was all ensuring that all of our students
17 across the city were able to log in and to be able to
18 have access to technology and to be able to have
19 those remote accommodations, if you will, set up for
20 every student, because that is part of the default
21 plan, right? So, if for health and safety measures,
22 we must suspend in-person learning in a particular
23 classroom in our school, the it defaults into remote
24 learning, and part of that work was to make sure
25 that-- and again, I want to say as both Chairs have
commented, we are trying to get better and better at

1 this. I will not say that we've figured everything
2 out. I think we are trying to get better and better
3 at this. Part of the idea was that there would be
4 that contingency where if we went remote, then
5 students would know where to go to get their
6 information, assignments, communication from their
7 teacher and from their school. And so those are the
8 instructional, if you will, aspects of the
9 contingency plan. So all of those things are in
10 their Google Classroom. So most of the majority of
11 the city schools, over 95 percent, are working in
12 Google Classroom. So we want to make sure that our
13 families and our students-- and those what the
14 opening days was for, to make sure that everyone knew
15 where to access that information. There would be
16 schedules for logging in and those kinds of things.
17 So, on that front, there's the instructional aspect
18 of it, but I also want to make sure that Katie J can
19 also speak to some of the emergency response
20 contingencies, because we also have those organized
21 as well. Katie, do you want to add to that?

22
23 KATHERINE JEDRLINIC: So, to be clear,
24 every school building has a safety plan that includes
25 emergency procedures for closure under a variety of

1 circumstances. We also as a department and as a
2 school system do have emergency plans in place for
3 bigger things, for example, schools were closed for a
4 whole week during Hurricane Sandy, as I'm sure many
5 of you remember, and during H1N1 we did do school-
6 based shutdowns similar to what we're dealing with
7 now. Of course, under this much bigger circumstance,
8 we do have a much broader plan in place for school
9 closures, and to reference the situation and the
10 protocols we have in place there for when there are
11 cases in schools under different circumstances. So,
12 yes, all schools have those plans, and we do have
13 both a broader general DOE plan that we use, and then
14 of course, right now ones adapted to this particular
15 circumstance, and as she also referenced, that
16 includes a plan for kids to be doing remote learning
17 when that happens.

19 CHAIRPERSON AYALA: Does that plan
20 anticipate the need for adaptive devices and iPads
21 and, you know, all of the good stuff that kids need
22 now that we're ordering, and you know, things would
23 continuously be on backlog? Because I'm concerned
24 that, you know,-- I mean, even though, you know--
25 I'll acknowledge that a significant number of iPads

1 have been distributed throughout the City. I'll share
2 with you that my son-- I have a -- I still have one
3 in schools who just turned 15. It was his second
4 year of high school, and I got a call from the UPS
5 guy one day. He said, "Hey, I have your iPad. I'm
6 like two blocks away from your home. Can you come and
7 like find me, so that I can give it to you?" I'm
8 like what do you mean you have my iPad two blocks
9 away and I have to come and find you? He said, well,
10 the DOE never put your apartment number on the
11 address, and so I was at your building but I couldn't
12 find you, and so I'm driving around the neighborhood
13 dropping off some other stuff, and I figured, you
14 know, before I take it back with me, if it's okay,
15 maybe you might want to come find me, and you know,
16 I'll hand it to you. And so I had to send somebody
17 downstairs to run and get the iPad so that he had
18 access to it. But had he not had the iPad, you know,
19 I'm sure he could use his phone. I would find him
20 something else. You know, we have the ability to do
21 that at home, but what happens with a child who needs
22 some sort of adaptive device that maybe non-verbal,
23 maybe has a visual impairment? There are specific
24 devices that are used within the school building that
25

1 parents don't have access to at home, right? Because
2 they normally wouldn't need to have that at home.
3 But these are expensive types of equipment that most
4 of our parents cannot afford to purchase. So how are
5 we dealing with those children? Independent of the
6 iPad are these type of devices being afforded to
7 those parents?
8

9 DOCTOR CHEN: Yes, you're absolutely
10 right that there are adaptive technology devices that
11 students with disabilities need and that is also part
12 of their service plan that is in their IEP, and that
13 would be delineated there, and we have, you know,
14 since even March. We've been making sure to follow
15 up that students have those devices. What you're
16 describing, and I know that Lauren is taking not
17 here, around delivery. We'll take note of that to
18 make sure. You're right, it shouldn't be calling and
19 meeting somewhere to get the device, but I also want
20 to flag that I'm glad to hear that there was some
21 security measures also rather than just leaving it on
22 a doorstep. So, I don't know if Christina wants to
23 add more in terms of the adaptive technology, but
24 you're absolutely right and we really make sure that
25

1 those students have not just an iPad device but other
2 devices that they may need as well.

3
4 CHRISTINA FOTI: No, thank you, Linda. I
5 don't have anything further to add.

6 CHAIRPERSON AYALA: So, do the kids have
7 the devices or not? I mean, was there a need for the
8 DOE to purchase additional devices, technological
9 devices for children with disabilities for virtual
10 homeschooling?

11 DOCTOR CHEN: So, for students with
12 disabilities, as with all students, we did provide
13 additional iPads. So if you remember in the spring
14 was 300,000 and then we have now recently add 100,000
15 and certainly in the spring there were about 100,000
16 for students specifically with disabilities. So, in
17 terms of that, we are making sure-- and gain, I think
18 Lauren Siciliano mentioned this before, but we also
19 in terms of the needs that we know about, we also
20 prioritize the order in which student received this.
21 And so students with disabilities, students in
22 temporary housing have priorities. As you may be
23 aware, there's a global supply chain problem right
24 now with devices, and so that means even though we've
25 allocated funding in orders on 100,000, that doesn't

1 mean that we currently have them available to hand
2 out right now. And so as they come in, we are
3 prioritizing particularly for the students I've
4 mentioned. And I think you also asked specifically
5 about adaptive technology which may not be just a
6 regular iPad, for instance. Those are part of what
7 we always do for IEPs, and we are continuing to
8 follow up on this, and when we know that there are
9 needs we are fulfilling them. So, I would strongly
10 encourage-- Christina mentioned before that families
11 can email our inbox at special education. If there's
12 someone who does not have a device or an adaptive
13 technology device, we want to know about it. But--

14
15 CHAIRPERSON AYALA: [interposing] But we
16 want to know about it, too.

17 DOCTOR CHEN: we do track this. Yeah, we
18 do track this, right.

19 CHAIRPERSON AYALA: We want to know how
20 many children. I mean, because when I mean adaptive
21 device, I mean you have children that are-- you know,
22 they read braille. You have children that, you know,
23 use-- I forget the name of it, but there's like this
24 device that they attach to the wheelchair that they
25 can use to communicate, and often times that

1 equipment is shared in the classroom setting amongst
2 the children, right? There aren't enough for every
3 child or whatever. So, if the child's parent chose,
4 or maybe you know, not even chose, right? At some
5 point it wasn't even optional to do virtual
6 instruction. Was that child provided, as per the
7 IEP, the equipment necessary to give them the
8 education that they needed as per that IEP. So how
9 much-- I would love to know what that number is.
10

11 DOCTOR CHEN: Okay, I think Christina is
12 asking to be unmuted to give you a little bit more
13 detail. I understand. Thank you so much for the
14 clarification.

15 CHRISTINA FOTI: Yes, thank you. We
16 could certainly supply you with the number of
17 students that have AT-- that have AT devices, and I'm
18 going to ask my team to tee up that number while I
19 begin the question, and then I will turn it over to
20 John Hammer to finish it. But you're absolutely
21 right that so many of our students with disabilities
22 benefit from their assistive technology, and it-- and
23 with the utmost importance that [inaudible] that our
24 students received the technology that is outlined on
25 their IEP to ensure that they have access to

1 curriculum and to communication devices, but also
2 that they received ongoing support with those devices
3 throughout remote learning. And so because assistive
4 technology is key to so many of our students,
5 assistive technology is one of the things that we
6 would account for in the remote learning plan and in
7 the program adaptations document, and it's a part of
8 the overall landscape of services being provided to
9 the students. And to my team that is on the line, I
10 invite to unmute John Hammer, and John if you have
11 those numbers could you provide them, and if not, can
12 we please follow up with the Council right after the
13 hearing?
14

15 JOHN HAMMER: Absolutely. Looks like
16 citywide there are a little over 12,500 students who
17 assisted technology recommendations across charter
18 and community school districts in our public school
19 settings.

20 CHRISTINA FOTI: Thank you, John.

21 CHAIRPERSON AYALA: What were the
22 recommendations about how many are receiving those
23 services?

24 CHRISTINA FOTI: So when we went to
25 remote learning, the recommendations to all schools

3 was that children be sent home with those devices.

4 So the service that they were receiving in the school
5 building, the device that was supporting them in the
6 school building, we asked all principals to send that
7 home with the child so that support would continue
8 during remote learning. If any escalations came into
9 our central inbox where that was not done, we were
10 able to either provide devices through centrally or
11 through the District 75 office, but our guidance to
12 schools was to send home any mandated assistive
13 technology, Chair, with the students. So, of the--

14 CHAIRPERSON AYALA: [interposing] Are you
15 comfortable then saying, you know, are you
16 comfortable enough to say today that you believe that
17 every child who should have gone home with some sort
18 of device went home with that device?

19 CHRISTINA FOTI: I am comfortable to say
20 that that is what we asked of-- I am confident and
21 sure that we asked every school to do that. If that
22 did not happen for an individual student, we would
23 certainly want to know that, and that is something
24 that we would ask the family to reach out to their
25 school to flag that, and if the school has any
26 difficulty filling that need, this is where we would

1
2 come in and make sure that that assistive technology
3 is provided centrally per the IEP mandate, because
4 that is our responsibility to do so.

5 CHAIRPERSON AYALA: I mean, I would
6 assume that there's an assumption that parents
7 automatically know to do this. They may not. They
8 may not. They may--

9 CHRISTINA FOTI: [interposing] No--

10 CHAIRPERSON AYALA: be home right now
11 sitting without a device and not know that they have
12 the option to call the school. So, I don't-- you
13 know, I don't feel comfortable with putting the
14 responsibility onto the parent or to the guardian to
15 feel, you know, to make the request. Is there
16 somebody that's calling and saying, "Listen, as per
17 the IEP, your child should have gone home with X, Y,
18 and Z. Is that the case? Is the device working? Is
19 it operational?" And check that off so that we know
20 that if we had 300 children in the database that
21 needed devices, we know that 298 received it and that
22 we still have two more that we have to supply
23 equipment to. Is that happening?

24 CHRISTINA FOTI: Yes, Chair, that is part
25 of why we were asking for the remote learning plans

1 and for the Program Adaptations Document and for the
2 related service document to be completed. I think--
3 I just want to emphasize and make clear that an
4 integral component of that, of those plans, is that
5 the school reaches out to the family. So to your
6 point that that communication is not on the family,
7 that that communication is on the school, and we're
8 asking them to reach out and make sure that the
9 student has all of the IEP-mandated services, but
10 also devices and that that remains-- continuity of
11 the provision of that service remains throughout. In
12 terms of escalating any concerns, I just-- I always
13 like to point out that we, you know, fully staff our
14 special education inbox so that we have a little bit
15 of a safety net for families who-- and many, many,
16 many families take us up on that offer to help
17 resolve school-level concerns regarding special
18 education provision. And this, in fact, is the
19 inbox that Chair Treyger was citing earlier in terms
20 of communication to families and support to families.
21 We let families know that we will get back to them
22 within 24 to 48 hours at minimum to acknowledge their
23 concern, and then we follow up until that escalation
24 is resolved. So, if families, for example, were to
25

3 reach out to that inbox, we would track that concern
4 until the device actually reached the home of that
5 family. And that is-- and we do not close out any of
6 our escalations until they're fully resolved. And so
7 didn't mean to imply that this was on the onus of the
8 parent. It certainly isn't. Just wanted to use the
9 opportunity to reinforce the availability of that
10 option for all of your constituents and every family
11 that we serve throughout the community.

12 CHAIRPERSON AYALA: I appreciate that,
13 and I'm going to ask oen more question, because I
14 know that we have some colleagues that have been
15 patiently waiting, and I've been on the other end of
16 the waiting spectrum and I know it's pretty grueling.
17 But so in regards to the specialized services, the
18 children that are receiving physical occupational
19 therapy, speech language therapy, how are we doing
20 that remotely? Because I know that sometimes some
21 cases there's a-- you know, you require the use of
22 certain equipment and tools. It's very personal.
23 How is that-- how are you guys pulling that off?

24 CHRISTINA FOTI: Yes. That's-- I hate to
25 be a broken record with this, but again, this is why
we spent the time documenting exactly that. The

1 related service plans that mentioned earlier are
2 intended to talk about how those services will be
3 provided in the remote or blended environment,
4 because exactly to your point, they're very much
5 individualized and our related service providers are
6 incredibly, incredibly skilled professionals who know
7 what-- how to do clinically and make things work for
8 our students, and that's a conversation we really now
9 more than ever need to have with our parents on an
10 ongoing basis of how are we going to make these
11 skills that are effective in-person work in a blended
12 environment, and what do we need to do differently,
13 what do we need to do more of. This is exactly the
14 intention of why we place such a strong emphasis on
15 our program, Adaptations Document and our related
16 service documentation during this time.

18 CHAIRPERSON AYALA: I kind of lied a
19 little bit. Sorry, colleagues, but just one last
20 question, seriously. So, given the small size of
21 self-contained special education classes, can the DOE
22 prioritize offering fulltime in-person instruction to
23 students in special education classes during the next
24 quarter for parents who may want that option?

3 CHRISTINA FOTI: Can you unmute Doctor
4 Chen, please?

5 DOCTOR CHEN: Thank you so much. We have
6 been looking at those option, and a couple things I
7 just want to also flag. Health and safety come first
8 and foremost, and some of our self-contained
9 classrooms, they are also in smaller classrooms. So
10 I just wanted to make sure that that was also part of
11 the variable that's being considered here. But I
12 know that a number of schools have been thinking
13 about that specifically, and that's also why in the
14 approved program models that Recy mentioned earlier
15 for District 75 schools, a number of them with self-
16 contained classrooms, that was an option as well to
17 have all the students come in-person. So, we
18 definitely support the ability to bring as many
19 students in person as possible, including thinking
20 about the self-contained classroom sizes and the
21 ratios as long as we can meet our health and safety
22 parameters, and we'll continue to do that. So, thank
23 you for encouraging us to push us to think more
24 towards that to ensure that our students with
25 disabilities get the maximum in-person supports.

3 CHAIRPERSON AYALA: I appreciate that. I
4 want to thank you, and I want to just raise one point
5 that I think that special attention should be given.
6 Also, we have a lot of new learners, new students
7 that are coming into the school system for the very
8 first time this year who may, you know, have learning
9 disabilities that are in blended school environments
10 in a classroom in a very different type of model, you
11 know, that we're not yet comfortable with. We're
12 still learning, and I-- you know, I'm concerned that
13 those children, you know, differences won't
14 necessarily be identified early enough simply because
15 of the complexity of, you know, that comes with the
16 virtual learning model. I have a niece that was
17 actually in the class the other day and was
18 struggling because she could not read. She's in the
19 first grade and she could not read, and her father is
20 a single dad. He's working, you know, all day. So
21 now she's in the care of, you know, another family
22 who's also teaching four other small children at the
23 same time, and it becomes very difficult. So, I
24 don't think that she has a learning disability, but I
25 realize how, you know, how easily they can kind of
fall back, and the teacher was just trying to help

1 her, but at some point she kind of has to let it go
2 and move on with the class, right? And so that type
3 of individualized attention is kind of lost in all of
4 this, and I think that that can be seriously
5 detrimental, especially to children, you know, that
6 live in communities like mine who are already facing
7 so many, you know, challenges to begin with, whether
8 they suffer from a disability or not. You know, it's
9 very difficult to live in a COVID world for all of
10 us, but when your parents are under threat of
11 eviction or job loss, or you know, really trying to
12 keep that job but also really concerned about making
13 sure that their children have a good education. That
14 weighs really heavily on my mind, and so that was the
15 premise for this hearing today, and I thank you for
16 coming to testify. I'm sure that my colleagues have
17 wonderful questions to follow up with, and I-- you
18 know, if I think of anything I'll come back around.
19 Thank you.

20 DOCTOR CHEN: Thank you so much.

21 COMMITTEE COUNSEL: Thank you Chairs
22 Treyger and Ayala. I will now turn to committee
23 members for questions. I just want to remind
24 committee members that we're limiting Council Member
25

1 questions to five minutes. This includes both
2 questions and answers, and we will not be allowing a
3 second round of questioning. Please use the raise
4 hand Zoom function and I will call you in the order
5 in which you raised your hand. And just to be clear
6 so no one thinks there's cutting in line, Council
7 Member Barron was after Council Member Grodenchik,
8 but dropped off, but she's back. So the order of
9 questions will be Council Member Grodenchik, Council
10 Member Barron, Council Member Lewis, and Council
11 Member Borelli. We will start with Council Member
12 Grodenchik.
13

14 SERGEANT AT ARMS: Your time starts now.

15 COUNCIL MEMBER GRODENCHIK: Thank you. I
16 hope I remember my question. It's been a while.
17 Thank you, Chairs Treyger and Ayala. Thank you to
18 the representatives at the Department of Education.
19 The needs of children with disabilities has been
20 profound concern to me, especially since I joined the
21 Council. I have, depending on how you count, at
22 least five stand-alone District 75 schools in my
23 district, and one of the things that has always
24 concerned me is the great distance that many of these
25 children have to travel, including one that travels,

1 believe it or not, from Staten Island to eastern
2 Queens, or had been every day. I don't know the
3 status of that individual student. I'm wondering how
4 that is working, and I'm really picking up on some of
5 what Chair Ayala said during this epidemic, this
6 pandemic and how we're doing with that in terms of
7 the children's transportation needs, because that's a
8 big part of the battle, you know. I have one child
9 that-- there was an ambulance outside P811 one
10 morning on Marathon Parkway and the principal
11 explained to me that that child comes and goes every
12 day by ambulance. So, our dedication to our young
13 people with special needs is great. However, I am
14 concerned about the transportation. I hope you can
15 talk about that.

17 DOCTOR CHEN: The transportation of
18 students and making sure they get to the in-person
19 learning is incredibly important as you've expressed,
20 and we always, I think first and foremost, try to
21 make sure that students have options as close to home
22 as possible and work with our families to do that.
23 But then we also want to make sure that there is
24 transportation occurring, and I am very happy to say
25 that our Office of Pupil Transportation worked very

1 quickly to be able to-- and I know personally. I
2 also intervened in some supports with busing
3 companies as well, and everyone has been very
4 cooperative to make sure that students get to and
5 from the locations on the days that they are in
6 person. So, I would invite Sean Fitzpatrick to say
7 any more, specifically about transportation to make
8 sure you have those finer details.
9

10 COMMITTEE COUNSEL: Got to unmute Sean.

11 SEAN FITZPATRICK: Oh, thank you. Good.
12 Yes, so our responsibility, as you know, is to get
13 students to and from school in a safe and timely
14 manner, and once the school program is in place we
15 work to route the students as efficiently and as
16 directly as possible. Even when there's no specific
17 requirement mandated by an IEP, we generally-- we
18 follow the following guidelines: If it's in-borough,
19 we try to make sure that that travel time is no
20 longer than 90 minutes; out-of-borough, no longer
21 than 105 minutes, and we do that using several
22 factors.

23 COUNCIL MEMBER GRODENCHIK: I don't mean
24 to stop you, but boy, that is an incredible amount of
25 time when you think about it. Ninety minutes, I

1
2 assume that is each way? Am I wrong about that, or
3 am I right about that?

4 SEAN FITZPATRICK: That's correct.

5 COUNCIL MEMBER GRODENCHIK: Okay. So, I
6 just-- I appreciate your answer. I don't have much
7 time. I just wanted to shine the light on this,
8 because you know, Chair Ayala talked about the
9 possibility of people taking public transportation.
10 That is basically an impossibility in my district,
11 because even if they manage to get on to public
12 transportation, say took the Q46 up Union Turnpike to
13 811, they would still have to walk up Marathon
14 Parkway which is quite a hill in all kinds of
15 weather. We don't have that luxury. That's why 90
16 percent of households in my district own a car. It's
17 just not possible. So, I just wanted to bring that
18 to the floor. I really-- I'm not going to ask any
19 more questions. Much of what I wanted to talk today
20 was covered by the Chairs, and I thank them. I just
21 hope that in going forward in the future when we talk
22 about transportation, that we can cut down-- just
23 three hours a day, especially for me, you know,
24 that's what I'm used to, the amount of time I allow
25 to get to City Hall from my house, but for a child

1 with special needs on a bus that may not be so
2 comfortable, etcetera, etcetera, it's just-- it's
3 just really not right. I'll leave it at that. So,
4 thank you Chairs. Thank you all. Have a wonderful
5 day and a wonderful weekend.

6
7 COMMITTEE COUNSEL: Thank you, Council
8 Member Grodenchik. We will now turn to Council
9 Member Barron.

10 SERGEANT AT ARMS: Time starts now.

11 COMMITTEE COUNSEL: One moment, Council
12 Member Barron. If we could unmute Council Member
13 Barron, and you should see a little window pop up
14 asking you to accept.

15 COUNCIL MEMBER BARRON: Can you hear me
16 now?

17 COMMITTEE COUNSEL: There we go. Yes.

18 COUNCIL MEMBER BARRON: Okay, good.
19 Thank you so much, and thank you for explaining to my
20 colleagues who saw my hand come up afterwards that I
21 had already been in line. Thank you for that. I
22 want to thank the Chairs Treyger and Ayala for
23 conducting this hearing. It's very important, and
24 thank you for the Administration's panel to present
25 their testimony and answer questions. I know that

1 we're in a very challenging time and children who
2 have special needs deserve special attention. My
3 Master's as a part of my preparation for teaching
4 does include a Master's in Special Education, so I do
5 have some firsthand information about some of those
6 challenges. In your earlier part of your-- and I
7 want to echo Council Member Chair Treyger's
8 commendation to the Chancellor and all the staff at
9 the Administration, essential and staff at school.
10 In your testimony-- if you could be brief for your
11 answers, because I only have five minutes. In your
12 testimony you talked about accommodating loans for
13 people who want to go into teaching, you talked about
14 debt forgiveness, and you talked about para
15 advancement. How widespread is this information
16 available to those who are in the system to know that
17 this an option for them? How are they finding out
18 about this?

20 DOCTOR CHEN: Council Member Barron,
21 thank you for, as always, for your support. I want to
22 just-- and for the sake of time, pivot quickly to
23 Lauren Siciliano, our Chief Administrative Officer,
24 so she can directly give you those points.

25 COUNCIL MEMBER BARRON: Thank you.

3 LAUREN SICILIANO: Thank you. So, on the
4 transportation para's specifically, we will follow up
5 as we mentioned earlier with some more specific
6 information on those titles in particular. What I
7 will say, though, is that broadly we are working
8 incredibly closely with schools to ensure that they
9 have the staffing support that they need, and we're
10 doing this through a couple of different strategies.
11 First, our borough offices are working closely with
12 schools to schedule their-- schedule their funding to
13 hire additional fulltime teachers--

14 COUNCIL MEMBER BARRON: [interposing] My
15 question was about for debt forgiveness and
16 encouraging people to know that there are loan
17 opportunities. So, is that--

18 LAUREN SICILIANO: Oh, my apologies. My
19 apologies, I misheard the question.

20 COUNCIL MEMBER BARRON: Okay.

21 LAUREN SICILIANO: So we do have programs
22 for both loan forgiveness and debt forgiveness.

23 COUNCIL MEMBER BARRON: And how is that
24 being communicated to the staff?

25 LAUREN SICILIANO: Got it. So we do
targeted outreach to folks to participate in those

1 programs, so I will get you additional details
2 specifically addressing that question.

3
4 COUNCIL MEMBER BARRON: Okay, I would
5 appreciate that, because I don't know that that's
6 widely known. But to get back to the para situation,
7 I thought I heard testimony saying that there's no
8 para shortage system wide, so I'm confused as to why
9 there is a shortage for special ed. The two seem to
10 be--

11 LAUREN SICILIANO: [interposing] I'm
12 sorry, I misheard your question. My apologies.

13 COUNCIL MEMBER BARRON: No, that's-- this
14 is a new question.

15 LAUREN SICILIANO: Okay. So, I was
16 referring to-- I thought you were asking for follow-
17 up that we had talked about earlier on any gaps
18 related to--

19 COUNCIL MEMBER BARRON: [interposing] If
20 there's no system wide--

21 LAUREN SICILIANO: [interposing]
22 transportation paras.

23 COUNCIL MEMBER BARRON: shortage of
24 para's--

25 LAUREN SICILIANO: [interposing] Correct.

3 COUNCIL MEMBER BARRON: Why is there a
4 problem with special ed paras?

5 LAUREN SICILIANO: No, no, I'm sorry, I
6 was referring to the transportation para conversation
7 we had earlier. As Christina said, there's no system
8 wide gap. We do have challenges in certain areas
9 with paras responding to posting for that, and so
10 that's all I was referring to.

11 COUNCIL MEMBER BARRON: Okay. We
12 understand and we're in agreement with what the
13 challenges and the mission and the goals are for our
14 children with IEPs, to give them the best learning
15 opportunities in the least restrictive environment.
16 And with that understanding, I'm concerned as to why
17 we don't hear more specific, targeted, numeric data
18 as to what the situation is for students. If we have
19 a common objective, how are we going to be clear
20 where we are on that path to reaching that objective
21 if we don't have hard data? I was very disappointed
22 that you did not have specific numbers to give to the
23 Chairs when they asked. So, I would like to have an
24 answer, not today, at the follow-up. How many
25 students still do not have devices? For example, did
you know that Council Member Ayala's son did not have

1 his device? How many students do not yet have
2 devices? How many students in special education are
3 not receiving all of the mandated services as per
4 their IEP? Yes, I know the IEP was designed for
5 children in buildings, but now that we've switched
6 and we've shown our flexibility,--

8 SERGEANT AT ARMS: [interposing] Time
9 expired.

10 COUNCIL MEMBER BARRON: and our ingenuity,
11 and our creativity-- thank you-- creativity to
12 address the needs of our students, how many students
13 are still not receiving all of their mandated
14 services, and we want to have that charted out. How
15 many children are not getting all of their services,
16 and what are those specific services that they're not
17 getting? And in terms of children particularly
18 living in shelters, how many shelters have
19 connectivity problems that are keeping children from
20 getting online, and how many children in fact are in
21 attendance, as the Chair raised earlier on? So,
22 those are some specific questions that at some point
23 I would like to have. And again, I'm disappointed
24 that you didn't come with those numbers to this
25 hearing. Thank you. Thank you to the Chairs.

2 COMMITTEE COUNSEL: Did the DOE want to
3 respond, before--

4 DOCTOR CHEN: [interposing] Oh, I didn't
5 know if you were--

6 COMMITTEE COUNSEL: Sorry, go ahead.

7 DOCTOR CHEN: Okay. Thanks [inaudible].

8 So, Council Member Barron, we will certainly get
9 those answers to you and to the Chairs. There are--
10 I think there are a couple of things. Christina
11 mentioned also that we were on track to provide the
12 November 1st deadline for City Council around the
13 services that students received, and you may recall
14 we report that both on fully received and partially
15 received so that you have that information, and she
16 shared a little bit around that, some top lines of
17 last year. As the Chair said, it was 84 percent this
18 year. We are similar on track. It's 82, and I need
19 to give you the actual points of percentage. I don't
20 have that in my-- handy right now. But so that will
21 be shared certainly with-- that full report will
22 certainly be shared with these committees and with
23 City Council. And you also mentioned a number of
24 devices of which students-- I want to add-- ask
25 Lauren to chime in if she'd like to, but as you may

1 know we made available on order 100,000 devices,
2 because we were made known of a number, I believe
3 it's 77,000 that are need, and so as we know about
4 gaps, we continue to do that and to make sure that we
5 fill those. And we have been working also with the
6 City also around making sure that we-- there's
7 connectivity in the shelters. You're absolutely
8 right, that is a continued challenge and something
9 that's on our minds to make sure that students get
10 that support, and I think we also mentioned too that
11 the attendance data was provided for the spring, and
12 we are providing that for the Council shortly with my
13 colleagues support. So, Lauren, did you want to add
14 anything else on the devices? And I know that didn't
15 give you all the answers, but I tried-- I wanted to
16 make sure I hit at a high level each of the data
17 requests that you made.

19 LAUREN SICILIANO: Yes, thank you, Linda.
20 Everything you shared was obviously spot-on in terms
21 of devices. We are continuing to work with schools
22 to confirm their need, and as Linda mentioned, we've
23 ordered an additional hundred thousand iPads, and
24 throughout this process we have and will continue to
25 prioritize students with disabilities for those

1 devices, because we know how critical that is. On
2 the questions you asked about the shelters, yes, we
3 are reviewing the shelters now so that when there are
4 connectivity issues we can swap out sim cards from
5 one internet service provider to another. We've also
6 created a family helpdesk at capacity there that will
7 help us resolve additional issues that come up from
8 families that particularly for students in shelter.
9 And then, one piece just while I'm unmuted and have a
10 moment, I did want to go back and share one of the
11 specific pieces of information that Chair Treyger had
12 asked for earlier, and my apologies for not having it
13 in front of me at the time. There was a question
14 about the break-down on medical accommodations that
15 staff had received. Last week I mentioned 34,000
16 accommodation requests had been approved for staff.
17 That breaks down to 19,000 teachers, about 7,200
18 paras, 230 principals, 620 AP's, and then a mix of
19 other pedagogues and other staff. And I'd be happy
20 to share more information on that. One piece that I
21 did want to clarify in sharing those numbers is that
22 just because a staff member has been approved for
23 reasonable accommodation doesn't mean that that is a
24 staffing gap. In fact, all of our staff who are on
25

1 reasonable accommodations are supporting students
2 remotely. So, I just wanted to make that clear. I'm
3 happy to talk more later about all of the efforts
4 we're doing to ensure schools have the staffing they
5 need, but I did want to share that data now and my
6 apologies, again, that I didn't have it earlier.

8 CHAIRPERSON TREYGER: So, I just-- I
9 thank you. I took notes on that. Just very quickly,
10 did I hear correct that you mentioned 7,200
11 paraprofessionals have been granted medical
12 accommodations, is that correct?

13 COMMITTEE COUNSEL: Can we unmute Lauren
14 again, please.

15 LAUREN SICILIANO: My apologies. Yes,
16 7,200 paras.

17 CHAIRPERSON TREYGER: And does anyone
18 have data how many total para's do we have in the
19 system?

20 LAUREN SICILIANO: I can absolutely get
21 that data for you.

22 CHAIRPERSON TREYGER: So, I-- this is,
23 again, someone that-- I am a son of a retired
24 paraprofessional and my father's a retired District
25 75 teacher, so I know a little bit about this I'm a

1 former teacher myself. There are certain services
2 that powers-- and I absolutely value and appreciate
3 our amazing paraprofessional community, but there are
4 certain services that paraprofessionals provide kids
5 that are in-person that I don't know that's provided
6 virtually. So, are we experiencing a
7 paraprofessional shortage as part of the staffing,
8 and that has a direct impact on IEP mandates?
9

10 DOCTOR CHEN: So, Chair, I'll begin--

11 CHRISTINA FOTI: [interposing] Okay.

12 DOCTOR CHEN: Oh, sorry.

13 CHRISTINA FOTI: No, go ahead Linda.

14 DOCTOR CHEN: you're absolutely right
15 that there are various roles and essential functions
16 that paraprofessionals serve, and some that are--
17 that don't work as well in a remote situation. So,
18 for instance, like a health para, something like of
19 that nature that's in-person services. So what we do
20 is also balance and to the extent possible, based on
21 capacity, assign paras to students appropriate to the
22 student's services, and also the other consideration
23 is sometimes when a student, a one-to-one para or a
24 health para. It also depends on where the students
25 is in-person or remote. The para works with that

1 student in a remote setting, and if they're in-
2 person, we make sure that a para that is not on a
3 reasonable accommodation is assigned to that
4 students. So know that we tried to make sure the
5 principals are very keen to do this to align staff's
6 capacity in terms of paras to the needs of the
7 Stuyvesant. So, in some cases, if I'm the para that
8 always has served this particular student for the
9 last year, because I'm on reasonable accommodation, I
10 might be shifted in such a way so that that student
11 gets what they need, if that makes sense.

13 CHAIRPERSON TREYGER: But Doctor Chen,
14 last question, I'm going to be mindful of my
15 colleague's time. Because of the staffing shortages
16 experienced in schools, and I'm hearing this
17 anecdotally-- I want to hear if you've heard the
18 same. Because of the severe staffing shortages
19 experienced in schools, have you heard or are you
20 aware of paraprofessionals being asked to basically
21 supervise a study hall, a virtual study hall because
22 of the severe teacher shortages, meaning that if in
23 a-- in a high school middle school, if there is no
24 licensed teacher to teach the course, the teacher is
25 working from home, and the kids are logging onto Zoom

1 in the class, the still need adult supervision, and
2 from what I'm hearing because of the severe staffing
3 shortages, even folks like paraprofessionals who are
4 not licensed to supervise children on their own, they
5 need a teacher with them present, are being asked to
6 just watch the class, because they don't have enough
7 staff working in schools. Are you aware of this?
8 Have you heard this?
9

10 DOCTOR CHEN: I'm aware of extenuating
11 circumstances, Chair, similar to what you're
12 expressing. As to how far spread that is, it's not
13 my understanding that that is the case in every
14 school building by any stretch. However, we do have
15 some extenuating circumstances. Let's say it's a
16 particular licensed course in a high school and
17 that's the only teacher in a school building, but
18 that teacher is on reasonable accommodation. So, the
19 students who are coming in are sometimes-- and you're
20 asking if I've heard of the situation. I have heard
21 of a situation where the teacher is coming in on Zoom
22 with the students who are in person, and then whether
23 it's another teacher or sometimes if needed in an
24 extenuating circumstance, a paraprofessional. Those
25 are some things that we also worked out in

3 partnership with the UFT to make it doable. Again,
4 that is something that is an extenuating circumstance
5 issue and not the norm.

6 CHAIRPERSON TREYGER: Okay. So, I'll
7 stop here and turn to my colleagues, but it would be
8 helpful to know what the actual staffing demand
9 number is. I appreciate the breakdown as far as
10 medical accommodation, but we need to know what the
11 number, the demand is for how much staff our schools
12 need, because I am hearing, and it's more than just
13 one or two schools that folks are being pulled in
14 different directions to try to, you know, just put an
15 adult in a room to watch kids, when in fact they're
16 not really getting in-person services. So, I'll turn
17 it back to my colleagues. Thank you.

18 COMMITTEE COUNSEL: next, we will hear
19 from Council Member Lewis followed by Council Member
20 Borelli and Council Member Levin, if we could go
21 ahead and unmute Council Member Lewis, please?

22 COUNCIL MEMBER LEWIS: Good afternoon.
23 Thank you--

24 SERGEANT AT ARMS: Time starts.

25 COUNCIL MEMBER LEWIS: Thank you Chairs
Treyger and Ayala for hosting this very important

1 hearing today, and I want to thank the Administration
2 for making themselves available to answer these
3 questions today. I know the question was asked
4 already and I heard the response that the DOE
5 supplied, 12,500 assisted technology to IEP students.
6 I had the same question, but mine was geared towards
7 the most recent shutdown. So I wanted to know if the
8 Administration could share what percentage of
9 students with IEPs that attended schools particularly
10 in the red zone that didn't have electronic devices
11 during the most recent shutdown. And the second
12 question I had was when are-- when do you all think
13 the schools that were impacted that fall within the
14 red zones are scheduled to reopen, and how can we get
15 students with disabilities and IEPs back on track?
16 And the third question, because I only have five
17 minutes, the number-- do we know the number of
18 students under the care of school psychologists in
19 our DOE schools were not served during the most
20 recent shutdown? Do we have a particular percentage?
21 We know a lot of students, once they opted into the
22 blended learning component and started school in the
23 fall, a lot of them needed services and were assigned
24 school psychologists, but then most recently, some of
25

1 the schools in the red zone had to shut down. So I
2 wanted to know, are you all tracking that
3 information?
4

5 DOCTOR CHEN: Thank you, Council Member
6 Lewis, for the questions and absolutely the-- it is
7 important when at any point in time, whether it's a
8 red zone situation or others, I'm going to ask-- I'll
9 start and break the questions down, the responses
10 down a little bit for Katie Jedrlinic form DCSW,
11 provide a little bit more detail around the protocols
12 around the red zones and then Christina to add
13 anything I may have missed around school
14 psychologists. But as the Chair had asked previously
15 what contingency plans, for instance. So, at any
16 point in time we knew for health and safety reasons
17 we could be shut down for in-person, and therefore,
18 there were plans around remote services and
19 instruction and infrastructures for that that schools
20 defaulted into in the event that they would go for
21 complete shutdown of in-person learning. And so that
22 is part of what we also did in these schools' cases.
23 I will tell you that we will need to get you the
24 information on the very specifics of percentage of
25 students of IEPs in red zones and those without

1 devices. We want to make sure we get that precise
2 number for you. And then in terms of the school
3 psychologists, there are also a number of different
4 protocols that we have worked with psychologists on,
5 both providing guidance from Christina's office, but
6 I would also say psychologists themselves have been
7 partnering with us to garner some of the best
8 practices to share for us as well. So, I'm going to
9 start by pivoting to Katie around some of the
10 particulars around the protocols for red zone and
11 then Christina for anything psychologists to add.

12
13 KATHERINE JEDRLINIC: Thank you, Linda.
14 So, as you know, these zones are decided by the State
15 and we're complying with their guidance here, which
16 is at the moment that those schools continue to be
17 fully remote, they're not acting in-person. We'll
18 continue to work with them every day to see when can
19 get them back online. We do-- the Health Department
20 does see some encouraging data in those areas. I
21 think this was reviewed yesterday. In both the State
22 and City there has been a, you know, positive data
23 coming out of there. So we'll continue to work with
24 them and keep everybody posted when we know. I don't
25 know if Christina is-- can be unmuted.

2 CHRISTINA FOTI: Yes, thank you. Council
3 Member Lewis, thank you for your question. I just
4 would expand the scope of your question to-- as I
5 heard it to be about counseling services, whether a
6 number of different roles in our system play, provide
7 those mandated counseling services, psychologists,
8 social workers, some of our guidance counselors.
9 Last year, we ended the schoolyear with 90--
10 approximately 91 percent of our students receiving
11 all of their mandated counseling services. Again, as
12 I said earlier, we will not stop until we're at 100
13 percent and those students who did not receive their
14 mandated counseling services during-- from our school
15 providers are entitled to RSA services outside of the
16 school.

17 COUNCIL MEMBER LEWIS: What about during
18 the most recent shutdown, are you all tracking that
19 information, because while kids had to endure remote
20 learning, and all--

21 SERGEANT AT ARMS: [interposing] Time
22 expired.

23 COUNCIL MEMBER LEWIS: Sorry, some of the
24 changes during COVID I want to know-- I want to make
25 sure that we're tracking all of that information. So

3 if you could share with us at some point that would
4 be helpful. Thank you, everyone.

5 CHRISTINA FOTI: Yes, Council Member,
6 we'd be happy to share that with you, and that is all
7 part of our reporting obligations that we will
8 detail.

9 COMMITTEE COUNSEL: Thank you, Council
10 Member Lewis. Next we will hear from Council Member
11 Borelli. If we could unmute Council Member Borelli,
12 please?

13 COUNCIL MEMBER BORELLI: Thank you. I
14 heard Chairwoman Ayala asking earlier in this hearing
15 about mandatory testing and the stress that that
16 brings upon some students. Last hearing I asked
17 where the DOE gets the authority to mandate testing.
18 I mean, as we know, entering a school is a
19 constitutional right for a New York State student,
20 and I specifically asked the Chancellor where you get
21 the authority to mandate testing and required consent
22 to be tested. And the Chancellor's response to me
23 was that he would get back to me in writing; however,
24 it's been over a week. I think at the time I
25 received a text message saying I'd be told that by
the end of the day. So, can you answer that question

1
2 for us, where the DOE gets the authority to require
3 testing?

4 DOCTOR CHEN: Council Member Borelli,
5 thank you for the question, and I know that my
6 colleagues in the Chancellor's Office is getting a
7 response back to you, and I would also say that we
8 work very closely with our sister agencies in the
9 City to be able to make sure that any health and
10 safety procedures are done certainly in tandem under
11 that authority as well. Katie, if you want to add
12 something to that, please feel free.

13 KATHERINE JEDRLINIC: No, I think that
14 sums it up.

15 COUNCIL MEMBER BORELLI: Well, we've been
16 testing for a couple of weeks now, so presumably the
17 DOE established how we have the legal authority to do
18 that before they started, correct?

19 DOCTOR CHEN: Yes.

20 COUNCIL MEMBER BORELLI: And what would
21 have to be compared to give me?

22 KATHERINE JEDRLINIC: So, right now, as
23 you know, we-- parents sign a consent form to be a
24 part of testing, and that's a regular procedure for
25 us in the sense that they sign other consent forms

3 for other health services in the building. As of
4 right now, you know, we're working through the-- with
5 the consents that we have, and you know, we want to
6 give parents time to adjust to that before we make
7 any further decisions about, you know, mandating it
8 for in-person or not in-person.

9 COUNCIL MEMBER BORELLI: The Mayor of
10 Washington, Mayor Bowser, she reported today that her
11 kindergartener saw a 22 percent decline in literacy
12 rates of those students using remote learning. Do we
13 test literacy in K through 2 and have the rates
14 dropped in a similar way?

15 DOCTOR CHEN: So, literacy is, as your
16 noting, is a paramount importance for all of our
17 learners and especially our students with
18 disabilities, and we have a number of formative
19 assessments that are provided, and I think you're
20 asking specifically around the kindergarten through
21 second grade, their early literacy initiatives. So
22 we have a number of different ways that our schools
23 track the literacy levels of students, and we also in
24 partnership with our Universal Literacy Program, have
25 devised some guidance for schools, especially in the
remote situation, too. As you've noted, being able

1
2 to assess a student's reading level remotely takes on
3 some additional challenges than in person, and those
4 are some things that we've been providing school's
5 guidance with, and the schools follow that closely to
6 be able to provided differentiated supports for
7 students.

8 COUNCIL MEMBER BORELLI: Do we have
9 rates? Do we have a metric to report?

10 DOCTOR CHEN: We don't track-- there
11 isn't one single assessment that every student uses,
12 and therefore we can track and compare across. There
13 are multiple forms of information that are collected
14 by schools to do that, and the schools at their level
15 know where students are in terms of their reading
16 levels.

17 COUNCIL MEMBER BORELLI: So, do we have
18 any idea of whether the actual learning that's taking
19 place has decreased in some capacity, the results
20 were? There has to be a way to tell whether we're
21 doing good or we're doing bad, and the question is
22 are we doing things good when it comes to kids in
23 grades K through 2 with respect to reading, and of
24 course math, and all the other subjects.

1
2 DOCTOR CHEN: So, our teachers and our
3 school principals have periodic assessments and
4 informal assessment procedures at the school level
5 and they track. So, for instance, part of it
6 includes listening to a student read and read in
7 terms of the rate of their reading and the accuracy,
8 in terms of phonics as well as their comprehension.
9 So, all of those are factors that every teacher
10 checks, especially in the K-2 grades. In addition to
11 that, part of if you're asked like how do we know, we
12 know because we provide additional resources. So for
13 instance, foundational reading strategies in teaching
14 of those skills take on some different considerations
15 when it comes to the remote learning space, and--

16 COUNCIL MEMBER BORELLI: [interposing] But
17 just a simple question.

18 DOCTOR CHEN: Yes.

19 COUNCIL MEMBER BORELLI: The Mayor of
20 Washington said that she saw according to their
21 metrics a 22 percent decline in literacy rates. Can
22 you say that our rates of however we measure success
23 in terms of literacy, can we say that our rates have
24 not gone down since we switched to predominantly
25 remote learning?

1
2 SERGEANT AT ARMS: Time expired.

3 DOCTOR CHEN: So, all-- can I just finish
4 answering that question? We-- I don't know what the
5 Mayor of Washington, D.C. is using as her metric in
6 terms of--

7 COUNCIL MEMBER BORELLI: [interposing] Oh,
8 but we use them. We definitely use something. So,
9 did our rates go down?

10 DOCTOR CHEN: As I said before, Council
11 Member Borelli, we don't have one single measure that
12 every school uses. It's different. So, like, in
13 terms of like their state exams where we can compare
14 across, we don't have one single assessment that
15 every single kindergarten, first, and second grader
16 takes that we can compare overall rates.

17 COUNCIL MEMBER BORELLI: Well, how do we
18 know remote learning is working for kids, then? And
19 I guess that's what I'm really asking.

20 DOCTOR CHEN: We know that our schools
21 are providing those differentiated supports. I, you
22 know, I agree with you wholeheartedly that there are
23 additional challenges in the remote learning space.
24 You know, there's no way to deny that. That is also
25 why we have really prioritized and put quite a bit of

1 effort into in-person learning so that we have that
2 available option to every family that can engage in
3 that. But in terms of actually having a firm metric
4 that we can stand by and say every kid was given this
5 assessment and this is what we know. We don't have
6 that measure, but we do have at the local level every
7 school knows which students are on grade level and
8 they're--

10 COUNCIL MEMBER BORELLI: [interposing] So,
11 if the goal is to get better in-person learning to
12 more kids-- in the last 21 days there's three studies
13 out saying that schools aren't super-spreaders. The
14 Mayor and Governor have conceded that schools aren't
15 super-spreaders. Your own data and testing has
16 conceded that schools aren't super-spreaders. So, if
17 the science, the elected leaders in our testing isn't
18 indicating that we should continue with this constant
19 remote learning, why don't we just open up to all
20 kids who want to be there?

21 DOCTOR CHEN: I think you've seen us
22 engage quite a bit of effort to get in-person to be
23 safe and that's why you see those low numbers, quite
24 frankly. Now, I do also think that responsibly in
25 terms of as educators we need to make sure that

1 remote learning is a viable option because at any
2 point in this pandemic, we don't know-- I mean New
3 York City made great gains from being the epicenter
4 to, you know, the very low rates we have especially
5 in our schools as you very much noted here. We want
6 to make sure that there is solid remote learning that
7 in the event, and as a previous Council Member Lewis
8 mentioned too, when there is a red zone shut down
9 that we have a reliable and responsible method of
10 educating students in the remote space as well.

12 COUNCIL MEMBER BORELLI: Thank you.

13 COMMITTEE COUNSEL: Thank you, Council
14 Member Borelli, and finally we will hear from Council
15 Member Levin. If we could please unmute Council
16 Member Levin?

17 SERGEANT AT ARMS: Time starts now.

18 COUNCIL MEMBER LEVIN: Thank you very
19 much. So, I just wanted to ask a follow-up on Chair
20 Treyger's questions around children in shelter. We
21 talked a little at the last hearing about the ability
22 that the DOE has to replace some sim cards, some T-
23 Mobile sim cards with Verizon sim cards. The
24 Chancellor made reference to 10 shelters. We know
25 that it's happening at one shelter, but there are

1 many-- you know, there's dozens of shelters that
2 house children all across the city school shelter.
3 Do we have a clear picture of how many shelters have
4 reported internet capacity issues?
5

6 DOCTOR CHEN: Council Member Levin, thank
7 you for the question. For the sake of time, I'm just
8 going to pivot quickly to Lauren Siciliano.

9 COUNCIL MEMBER LEVIN: Okay.

10 LAUREN SICILIANO: Thank you. I'm happy
11 to talk about this, and as you know, since we have
12 started doing the iPad distribution, our students in
13 shelter have been the first students to receive them,
14 and we work very closely with our partners at DHS and
15 DSS to coordinate those deliveries. As the Chancellor
16 mentioned last week, the list of 10 shelters was an
17 initial list based on information that we had from
18 our partners around the connectivity challenges at
19 those sites. That, by no means, means that those are
20 the only 10 that we're looking at, but those were the
21 10 that we were starting with given the connectivity
22 issues at those sites, and in some cases we are able
23 to resolve the issues without changing the sim card.
24 In cases where we do, we're able to swap those out.

3 COUNCIL MEMBER LEVIN: Okay, but do we
4 have a -- I mean, what I'm looking for is a kind of a
5 comprehensive list of technological challenges that
6 have been identified in shelters specifically by the
7 shelter and kind of what those action-- you know,
8 what remediation's have taken place there. So,-- and
9 I would love to be able to see anything like that.
10 So, just kind of a clear and comprehensive accounting
11 so that we can be, you know, very confident on our
12 end that no child and shelter is losing out any more
13 than they already are.

14 LAUREN SICILIANO: Absolutely understand
15 that, and we of course, share your goal. So, I will
16 take that question back and see what we have.

17 COUNCIL MEMBER LEVIN: Yeah, if we can
18 get a copy [sic] and [inaudible] county [sic]. I
19 mean, I really want to know shelter by shelter what,
20 you know, what the problems are that have been
21 identified and how they're being addressed, and I'd
22 like to-- I'd like to see that as quickly as
23 possible, so if we could follow up on that, that
24 would be very appreciated.
25

3 LAUREN SICILIANO: understood. I will
4 share that question back with our partners at DHS and
5 see if we can provide it.

6 COUNCIL MEMBER LEVIN: Okay, thanks so
7 much.

8 COMMITTEE COUNSEL: Seeing no further
9 hands, Council Member Treyger, I will turn it back to
10 you.

11 CHAIRPERSON TREYGER: Yeah, I just wanted
12 to just note for the record that it is my view that a
13 big part of the reason why we're experiencing a
14 severe staff shortage, which again is impacting a lot
15 of kids, is because of the choice to implement this
16 hybrid model. You know, we are absolutely-- there's
17 no question we're facing challenges, the pandemic.
18 There's no question that we have a lot of hard work
19 and dedicated staff that are in high risk categories
20 and folks that certainly need medical accommodations,
21 but in my analysis of this model, you basically
22 require three sets of educators, three sets of folks.
23 One group for cohort A on a Monday, a different group
24 for cohort B on a Tuesday, and you need an entire
25 group through-- on their remote days. And I know
that there have been changes as far as what was

1 promised to kids even on their remote days who opted
2 for the blended learning because of the staff
3 shortages, and I will go back-- I think that this
4 model needs to be revisited immediately. It's just--
5 it's not working. It's not clicking. I'm not saying
6 this from the point of just plain gotcha [sic], or
7 this is not a game to me. This is serious. I'm sure
8 I [inaudible] my colleagues that we get the calls
9 from families and educators and people who want
10 better for their kids, and of course, we have to
11 manage safety in a pandemic, but you know, ego and
12 pride should not get in the way. I think we have to
13 do what's best immediately for kids. This system is
14 not working, and it requires exponentially more staff
15 at a time when we're also in a fiscal crisis, and a
16 lot of folks who are being granted medical
17 accommodations for understandable reasons, and I
18 just-- I will continue. I think my colleagues will
19 continue to push for this advocacy for transparency,
20 but we need a lot more information than we got today.
21 We still don't have the attendance. We still don't
22 have the percentage, and was mentioned by Ms. Foti,
23 they'll get us something by November as far as the
24 percentage of compliance. I just want to note, again
25

1 for the record, that even when folks bring up numbers
2 of 84 percent, 85 percent, we're still talking about
3 thousands of kids not getting services, and even when
4 folk use the language of partial services, partial is
5 not full, and kids deserve full resources, full
6 accommodations, and these are mandates. So, I will,
7 you know, just continue to follow up, and we'll use
8 whatever tool in the Council that we have, whether
9 it's legislation-- the Council has used before
10 subpoena power to get information. We'll use every
11 tool in our tool box to get information as soon as
12 possible on behalf of our children. So, thank you
13 for your time, testimony, and [inaudible] we will
14 move on to the next panel. If my Co-Chair has any
15 closing remarks to the Administration.
16

17 CHAIRPERSON AYALA: I do not.

18 CHAIRPERSON TREYGER: Thank you, Co-
19 Chair.

20 COMMITTEE COUNSEL: Okay. Thank you
21 Department of Education. We appreciate it. We will
22 follow up soon. We are now going to turn to the very
23 patient public witnesses that we have that have been
24 standing by and are eager to testify. So, as I
25 reminded everyone at the beginning of this hearing,

1 I'm going to be calling you in panels. We ask for
2 Council Members that have questions for individual
3 panelists, please use the Zoom raise hand function,
4 and I will call you in the order with which you raise
5 your hand when the panel has concluded their
6 testimony in full. Everyone will be given two
7 minutes to testify. Please wait until you hear the
8 Sergeant at Arms give you the cue to begin, and when
9 the two minutes is up we just ask that you please
10 wrap up your final thoughts so we can move on to the
11 next panelist. So, for our first public panel we
12 have Mary Jo Genise from the UFT, Randy Levine,
13 Advcoates for Children, Maggie Moroff, the Arise
14 Coalition, Lori Podvesker, Include New York City,
15 Ellen McHugh, City-wide Council on Special Education.
16 We will first start with Mary Jo.

17
18 SERGEANT AT ARMS: Time begins.

19 MARY JO GENISE: Good afternoon. Can you
20 hear me?

21 COMMITTEE COUNSEL: Yes, go ahead.

22 MARY JO GENISE: Okay, great. Well,
23 first of all, I want to thank the Chairs Mark Treyger
24 and Diana Ayala for putting this together, and I
25 appreciate as a former occupational therapist in the

1 Department of Education for many years, I appreciate
2 your understanding of the value of providing
3 individualized attention and services to our
4 students. And it's already been stated that in many
5 school settings there's a huge struggle for students
6 to get the services that they are required to
7 receive. So, I'll be succinct. First, I just want
8 to say that our educators do need the tools to do
9 what they're being asked to do. So, a lot of the
10 devices that they have, whether laptops that have
11 been provided, they don't have the camera range or
12 the auditory ability to really capture a true
13 environment where students could completely interact
14 with each other as an entire class. Also, our
15 students need a tremendous amount of support in the
16 use of technology as we heard as well. And from
17 meeting with groups of teachers, we're finding that
18 the 20 minutes that are allocated in the day for
19 office hours, which should be a good time to discuss
20 with the parents the intricacies of students'
21 academic progress or the PAD as Christina mentioned.
22 That time is not being utilized for that. Rather,
23 it's being used to help families and students
24 troubleshoot many, many tech issues. I would be
25

1 remiss if I also didn't mention the staffing
2 shortage. As you mentioned, Chairman, related to the
3 models, there's a significant issue here where our
4 teachers are responsible for lesson plans, specially
5 designed instruction, outreach to families, for
6 students that are right before them in-person, for
7 the students that when they're not in-person but are
8 at home, and for fully remote students. So, all of
9 this is taking a tremendous amount of time for our
10 teachers, and therefore they're not able to give the
11 amount of instruction that ideally they would want to
12 give because of this. So, I just want to in closing-
13 -
14 -

15 SERGEANT AT ARMS: [interposing] Time has
16 expired.

17 MARY JO GENISE: Sorry?

18 COMMITTEE COUNSEL: You could go ahead
19 and wrap up.

20 CHAIRPERSON TREYGER: If you could wrap
21 up your final statement.

22 MARY JO GENISE: Oh, yeah. So I just
23 wanted to ask for your support as allies in
24 government to help the Department of Education cut
25 down the wait time on their tech helpline, to

1 consider that every school needs a tech expert, a
2 designated tech expert, and to encourage tech
3 companies like Google to listen to educators, because
4 there are some very good suggestions they have that
5 could make the management of the classroom much
6 better, and lastly, to urge administrators to
7 continue hiring staff and also to look at the
8 qualified staff that are currently in out-of-
9 classroom positions. Thank you.
10

11 COMMITTEE COUNSEL: Thank you, Mary Jo.
12 Next, we will hear from Randi Levine, Advocates for
13 Children. If we could unmute Randy, please?

14 SERGEANT AT ARMS: Clock is ready.

15 RANDI LEVINE: Thank you for this
16 opportunity. My name is Randi Levine. I'm the Policy
17 Director of Advocates for Children of New York. We
18 recognize the immense challenges reopening the
19 nation's largest public school system and know that
20 many DOE staff members and educators have been
21 working extremely hard and appreciate that. At the
22 same time, we are gravely concerned about the impact
23 of the pandemic on students with disabilities. Since
24 the school year began, we have assisted hundreds of
25 families. While many parents are relieved that their

1
2 parents are back in school and others are relieved to
3 continue remotely, we have heard about a range of
4 concerns. This month we heard from families whose
5 children's IEP mandate classes of no more than 12
6 students who are in remote classes with double or
7 triple that number spanning up to four grade levels;
8 families pleading for more in-person instruction
9 because their children are losing skills, including a
10 child with autism who spends remote learning throwing
11 their iPad; families who chose blended learning to
12 get in-person services but were only offered remote
13 services, including one parent who described her
14 kindergarten student's remote physical therapy as
15 "pointless"; families whose children are not getting
16 their mandated services including a child whose IEP
17 mandates three sessions of FEPS [sic] per week, but
18 has received a total of two sessions this year;
19 families whose children are receiving minimal remote
20 live instruction and are being pulled out for remote
21 related services including a student whose speech
22 therapy is scheduled for the same time as his one
23 hour per day of live class instruction; families of
24 students whose ICT classes are being taught only by a
25 General Education teacher, or not being taught at all

1 on days of remote learning; families who have been
2 waiting months for evaluations, including a parent
3 who first requested an evaluation last February
4 before schools closed; families who cannot understand
5 their Program Adaptations Document, because it's not
6 translated in the language they speak; families whose
7 students have been waiting for iPads since as far
8 back as July; families offered a learning bridges
9 [sic] seat only to be told illegally by the program
10 that it could not meet their child's needs, including
11 a child with autism who was turned away, and there
12 are more examples in our written testimony. It's
13 hard to overstate how much work there is to do to
14 help students with disabilities now and as the City
15 recovers. We will be looking to the City Council to
16 help get the data needed to better understand
17 problems and target solutions to shine a spotlight on
18 the impact of this pandemic on students with
19 disabilities and advocate on their behalf, to secure
20 desperately needed resources to better meet their
21 needs, and to ensure students get the compensatory
22 services to which they are entitled to make up for
23 the learning time they have lost and are continuing
24 to lose, and get students back on track. Thank you
25

1
2 for focusing today's hearing on students with
3 disabilities. We appreciate the ongoing work the
4 Council has done--

5 SERGEANT AT ARMS: [interposing]
6 [inaudible] expired.

7 RANDI LEVINE: We appreciate the ongoing
8 work the Council has done to draw attention to the
9 needs of students with disabilities to secure needed
10 resources and look forward to continuing to partner
11 with you. Thank you.

12 COMMITTEE COUNSEL: Thank you, Randi. And
13 next we will hear from Maggie Moroff from the ARISE
14 Coalition.

15 SERGEANT AT ARMS: Clock is ready.

16 MAGGIE MOROFF: Good afternoon. Thank
17 you. I'm Maggie Moroff and I coordinate the ARISE
18 Coalition. The last eight months have been traumatic
19 for DOE staff, families, many of whom you'll hear
20 from today, and of course students, and students with
21 disabilities have been disproportionately impacted.
22 I'd like to stress four things today a little bit
23 different than what we've been hearing about, sharing
24 information with parents, school staff working with
25 parents to develop and share ads [sic], getting

1 parents access to their children's individual CESIS
2 [sic] accounts, and gathering data. First, the DOE
3 needs to share real-time coherent information with
4 parents in varied languages through multiple means of
5 communication and in a timely way. This shouldn't be
6 left to overwhelm school staff who seem to be
7 learning it all of-- right alongside the rest of us.
8 We appreciate the Office of Special Education's
9 Beyond Access series and the changes that have been
10 made to the website, but they're not enough.
11 Information needs to go out through mailings and text
12 and emails and phone calls and public service
13 announcements in all the languages that New York's
14 diverse population speak. Next, the DOE must ensure
15 that schools truly seek parent's input in developing
16 that PADs that we heard about. They must provide
17 parents with copies of those PADs right way, and they
18 should be translating the child's specific
19 information in those PADs for families as needed. We
20 also call on the DOE to give parents access to their
21 children's CESIS accounts so the parents can review
22 the actual roll-out and provision of services that
23 their kids are getting right now in real-time. We
24 understand that this is in the works, but parents
25

1 shouldn't have to wait any longer for this really
2 critical information. And then lastly, the City-- as
3 you discussed earlier, the City needs to collect,
4 analyze and publicly report data with regard to
5 remote and hybrid learning. We were really glad to
6 see the bill that Chair Treyger introduced which
7 would require reporting around remote learning.
8

9 SERGEANT AT ARMS: Time has expired.

10 MAGGIE MOROFF: Briefly, just strengthen
11 that. We urge that the data breakdowns be
12 disaggregated by disability status, include
13 disaggregated attendance rates, and include data on
14 the extent and nature of paraprofessional support
15 being provided in-person and remotely. We believe
16 that all of this will help ensure the delivery of
17 services now and delivery of compensatory services
18 later. My written testimony has a whole lot more.
19 Thank you very much for your time.

20 COMMITTEE COUNSEL: Thank you, Maggie,
21 and next we'll hear from Lori from INCLUDEnyc.

22 SERGEANT AT ARMS: Clock is ready.

23 LORI PODVESKER: Hi everybody. I'd like
24 to thank both committees for holding this important
25 hearing, reopening the schools and its impact on

1 students with disabilities. My name is Lori
2 Podvesker and I'm the Director of Policy at
3 INCLUDEnyc, and I'm also the parent of near-18-year-
4 old who attend the District 75 high school program.
5 While we commend the Mayor and Chancellor for their
6 efforts to return 1.1 million children to classrooms
7 during a global public health pandemic, economic
8 crisis, and civil and emotional unrest, we testify
9 today with great urgency for City Hall to prioritize
10 the education of nearly 300,000 students with
11 disabilities ages three through 21 in New York City
12 right now, and for the long term, at least for the
13 next 10 years as our city recovers from COVID-
14 19. While COVID-19, and remote and blended learning,
15 have disrupted the lives of all students and their
16 families, students with disabilities have been the
17 most affected by these disruptions. Changes in
18 routines, and loss of in-person instruction,
19 supports, and services have placed additional
20 barriers to a quality education in this system that
21 pre-pandemic was already failing our students. The
22 pandemic has greatly exacerbated the preexisting
23 achievement gap between general education students
24 and students with disabilities. Last spring, when the
25

1 pandemic first hit, and remote learning was in place
2 for all students in the school system, parents of
3 students with disabilities became special education
4 teachers, speech therapists, occupational therapists,
5 physical therapists, mental health counselors, and
6 the main source of interaction for their kids.
7 Parents were required to take on these roles all
8 while surviving day-to-day, and keeping their
9 families and themselves healthy, safe, housed, fed,
10 clothed, and employed. This was if they were
11 fortunate enough to have a job, and/or keep an
12 existing job with all the new and competing
13 priorities. One parent said "buying food, paying
14 rent, internet and electricity, trying to make sure
15 my son is not becoming anxious about what is
16 happening are my biggest challenges." Another parent
17 said "I want my child to actually learn something and
18 for the therapists to fulfill the mandates instead of
19 telling me, in front of my child,--

21 SERGEANT AT ARMS: [interposing] Time
22 expired.

23 LORI PODVESKER: that services were
24 optional." There's a lot more I can say, too, like
25 Maggie said, that's in our written testimony, and

1 just want to highlight some other issues which is the
2 issue for stronger communications, both school-based
3 and from central on very basic things. Right before
4 schools reopened, we heard from a lot of families who
5 didn't know what their schedule was going to be like
6 at their child's school, didn't have access to
7 bussing information, didn't know the needs of teacher
8 and therapist, and this isn't okay. And for non-
9 English-speaking families there's even more barriers.
10 One other thing, just want to draw quick attention to
11 is that we've seen a huge increase in calls from
12 parents and professionals the last seven months
13 almost a 200 percent increase based on the need, and
14 we've also seen an increase on the number of calls
15 from families and professionals of kids in District
16 75 programs who are looking for information on
17 residential programs for their children who would
18 otherwise remain at home, and I think that's very
19 telling of what's happening. That's all we have for
20 now. Thank you everybody.

22 COMMITTEE COUNSEL: Thank you, Lori, and
23 next we will hear from Ellen McHugh from the Citywide
24 Council of Special Education.

25 SERGEANT AT ARMS: Clock is ready.

3 ELLEN MCHUGH: Good afternoon. Thank you
4 for the time. We thank you for holding this hearing.
5 My name is Ellen McHugh and I'm the Co-Chair of the
6 Citywide Council on Special Education. As we all
7 know, and as we have heard today, the opening of
8 schools has been particularly rocky for students with
9 IEP. While many may disagree with me, I believe that
10 staff are making a good faith effort to provide the
11 services and satisfy the needs of students with
12 mandates on their IEP. Their skills may range from
13 mediocre to excellent, but the vast majority are
14 dedicated and desire a positive outcome. While we
15 must recognize the missteps and mishaps that have
16 occurred, I do believe we can use our intelligence
17 guided by our experience to improve on the methods
18 that work. A glaring issue for all parents of all
19 students is the fact that no parents are included in
20 the negotiations with the DOE and their labor
21 partners when plans are being made. A Chancellor who
22 touts his respect for parent leadership at local and
23 citywide level has yet and did not or could not
24 advocate for that leadership to be part of the
25 planning. One problem for the parents and students
with disabilities is the equipment provided for

1 remote learning. Many of the devices are equipped
2 with accessibility adaptations for those with
3 individuals. These programs are not available across
4 the board to all students. They have either been
5 blocked or not loaded onto devices. Speech-to-text,
6 large print availability, closed captioning for
7 recorded lessons, or read-aloud programs for students
8 with learning disabilities cannot be activated. Most
9 surprising to me is that spellcheck, word check, word
10 suggestions, language corrections are not available
11 on most devices given to students. These are
12 programs that a typical person or student using a
13 typical device at home or at work as easy access to
14 all day, every day. These are examples of universal
15 design [sic]--

17 SERGEANT AT ARMS: [interposing] Time has
18 expired.

19 ELLEN MCHUGH: UDL is a framework to
20 improve and optimize teaching and learning for all
21 people based on scientific insights on how humans
22 learn. It benefits all students, advanced,
23 struggling, or with learning disabilities. Enabling
24 or pre-loading these programs will benefit all of the
25 students who receive these devices. On behalf of the

1 students and parents we all want to serve, we-- and
2 see learn, I am asking for your help in ensuring that
3 the devices come fully enabled for our students with
4 special needs. Thank you, again.

6 COMMITTEE COUNSEL: Thank you. And that
7 concludes the testimony for this panel. I will turn
8 it to Chair Treyger and Chair Ayala.

9 CHAIRPERSON TREYGER: I-- first of all,
10 thank you to this extraordinary panel. I look to
11 many of you also for your great information and
12 insight and advocacy and a lot of it shapes our
13 advocacy. So I really want to thank all of you and
14 for all of you to be partners, and I learn from you,
15 so I want to thank all of you. One quick question if
16 anyone-- I'm hearing anecdotally again, but I'm
17 wondering if anyone else has heard this that some
18 families have expressed concerns about the burdensome
19 supply list that they're being asked to purchase or
20 to try to obtain to comply with school requirements
21 for this hybrid model. As we heard before, many kids
22 need more adaptive technology to conduct remote
23 learning, because you know, you can't really type on
24 iPads, but some schools are asking parents, "Well,
25 that's a part of your supply list, go out and buy

1 it." And that really disproportionately impacts and
2 hurts working class folks who do not have the means
3 to buy stuff that in the past would just be a couple
4 of pencils, pens, and paper, but now has become more
5 expansive in terms of trying to comply it with this
6 remote hybrid. Has anyone heard about burdens on
7 families in terms of what is being asked of them? I
8 see Ellen raising her hand, so I'll call on Ellen
9 first. Thanks Ellen.
10

11 ELLEN MCHUGH: Not only are they being
12 asked to provide equipment or paper, pencils,
13 etcetera, etcetera, they're not being the equipment
14 that they need to use at home. My son is deaf. FM
15 units are necessary and can be lend out. They are
16 being told, "Nope, too bad, goodnight, good luck.
17 That's too expensive to give to you." It's not said
18 quite as rudely as that, but that's the impact, and
19 yes, people are being asked, including downloading
20 programs that cost 30, 40, 50 dollars. If they can
21 download it, all well and good, but you know, that's
22 a lot of money, especially if you've got two, three
23 kids in the house, and downloading them on each
24 device may cost you money as well. I'm sorry. It's
25 very frustrating.

3 CHAIRPERSON TREYGER: No, Ellen, thank
4 you, because I'm-- that's how I learn and I've heard
5 it from some folks in my district, and I'm just
6 trying to compile this. so if anyone else has any
7 additional things as far as stories, I will make a
8 note of it, and I will follow up with DOE
9 accordingly, because parents and kids are going
10 through a lot and we should not have to put any more
11 burden and challenges on their plate right now. If
12 anyone else has anything to say on that, I appreciate
13 it. I see Maggie raising her hand.

14 MAGGIE MOROFF: Yeah, I-- so not on that
15 specifically, but I think you raise a really
16 interesting point, and you know, it's what Lori
17 talked about a little bit more in detail which is
18 just how much is being asked of families right now
19 given their working as teachers and service providers
20 and counselors, and all while doing, you know, their
21 work as parents and while doing their work as
22 employees somewhere else and being parents to other
23 kids. So, I think that that's just part of a whole
24 package of things that are making this as next to
25 impossible for-- not impossible, because families are

1
2 superhuman and they are seeing their way through it,
3 but making it so difficult for those families.

4 LORI PODVESKER: totally, and if I could
5 just add to that. You know, my personal experience
6 working fulltime doing advocacy work and parenting an
7 almost 18-year-old guy who is nonverbal, and not too
8 independent. The quality of remote instruction is so
9 inferior that I have to say there's a big part of me
10 is ready to abandon that every other week because
11 it's not worth-- the count [sic] is not worth the
12 squeeze [sic] and not worth the outcomes that we're
13 getting. And also just figuring out technology.
14 Again, I'm an educated privileged person. I used to
15 teach General Ed and Special Ed, and it takes me a
16 long time to figure out how to access each class and
17 the associated platforms. And so I think if I'm
18 having such a hard time doing this, what is the
19 majority of families in our system experiencing? And
20 I think it says a lot.

21 CHAIRPERSON TREYGER: Thank you, Lori.
22 And a final thing to the panel who I respect a lot.
23 I shared a proposal, a vision, back in July. I worked
24 on it with a number of educators, of parents,
25 families in my community, and it's a proposal. I

1 don't assume to have all the answers. This is a--
2 I'm not a public health expert, but I did wait to
3 read the State Education Department and State Health
4 Department guidance and made sure it was consistent
5 with that, and I see a number of school districts
6 across America adopting versions of what I proposed
7 and shared, a phased-in approach providing more
8 services for younger children and children with
9 special needs and children in temporary housing.
10 Just curious to hear folks thoughts on-- their
11 thoughts on what I shared compared to the hybrid
12 model, which I really think is an issue here that's
13 not really-- I mean, as we hear, it's not really
14 equitable. It's not really meeting the needs of most
15 and of working parents. I also want to add the
16 category of people-- I know as a former high school
17 teacher a number of students were caretakers for
18 their younger siblings, and with remote learning have
19 taken additional responsibilities. Some of them are
20 now working to help mom or dad pay rent, put food on
21 the table. Many of them are helping their younger
22 brothers and sisters with remote learning at the
23 expense of their own instruction, and that also
24 weights heavy on me, because I have spoken to some
25

1 high school seniors who are supposed to be
2 celebrating this year, but are now caring for sick
3 relatives and watching their younger siblings giving,
4 providing childcare services, because you know, mom
5 or dad have to work. So, just curious to hear folks'
6 opinions and thoughts on a true phased-in approach
7 providing more options for elementary children with
8 special needs, early childhood, as compared to the
9 hybrid model. Thank you. Maggie?

11 MAGGIE MOROFF: Apparently I like
12 speaking today. Thank you. You know, we've been
13 thinking about this recently, and we were pleased to
14 see the DOE prioritizing students, some of the
15 students with high special ed needs by opening up the
16 District 75 schools earlier on and making that a
17 little bit more available. We do think that-- and
18 sorry, right now I'm talking as my role as Special Ed
19 Policy Coordinator at Advocates for Children and not
20 necessarily on behalf of the Rise Coalition, but we
21 do think that if students have high enough needs to
22 merit self-contained placement, whether it's in
23 District 75 or the community schools, then they
24 probably also need those additional options and
25 supports. I think that's what you were getting at a

1 little bit. So, whether or not a student lands in
2 District 75 or in a specialized program, for example,
3 in District one through 32 is a matter of a whole
4 number of factors, and it does-- the fact that they
5 are in-- if they're lucky enough to be in a program
6 like ASD, Nest or Horizon, they're still in the
7 District one through 32 programs. They still have
8 those needs that are very high and probably merit
9 some additional in-person time in school.
10

11 CHAIRPERSON TREYGER: Thank you, Maggie.
12 Anyone else? Randi?

13 RANDI LEVINE: I'll just add with the--
14 we deeply appreciate your work to shine a light on
15 the need for equity this year and in school
16 reopening, and we at Advocates for Children have had--
17 - been concerned that the school reopen plan hasn't
18 been centered on equity. And as you know, we hear
19 concerns not only from families with students with
20 disabilities, but families with English language
21 learners, students in shelter, students in foster
22 care, and we hear from families who are glad that
23 they have the option for fulltime remote instruction,
24 and we hear from families who desperately want more
25 time in school. and just to give one quick example,

1 we're working a student now who is in kindergarten
2 and his parent chose blended learning, because remote
3 instruction has been so challenging for him, and he
4 was only offered one day a week of in-person
5 learning, and he's in a 12-student class, and his
6 parent is finding remote learning incredibly
7 challenging. He was this past week offered a seat in
8 a Learning Bridge program. His parent, besides her
9 own need to work, thought that the Learning Bridge
10 program could potentially provide him with some
11 additional supports, but called the program and was
12 told, "We don't support students with autism, and you
13 can't go here." And so we're certainly working to
14 help that individual child. But I think it shows how
15 as we move forward this year and as we go into the
16 next quarter, we have to think about what more we can
17 do, including offering more in-person instruction for
18 students who need that additional support, and you
19 know, really appreciate your efforts, Chair Treyger
20 and Chair Ayala.

22 CHAIRPERSON TREYGER: The sounds of New
23 York. New York is not a ghost town after all, right?
24 My Co-Chair Ayala has a comment. I see you-- I saw

1
2 you were-- wanted to say a few words, and then Ellen
3 had a few words.

4 CHAIRPERSON AYALA: Yeah, I don't have
5 any further questions. I think you guys are very
6 thorough, but I wanted to thank you for coming to
7 today's hearing and staying and really contributing
8 so nicely to this conversation, and just really
9 appreciative to have all of you out there advocating
10 for families every single day. So thank you, thank
11 you, thank you.

12 CHAIRPERSON TREYGER: Thank you so much.
13 Thank you. And Ellen, final word for this panel?

14 ELLEN MCHUGH: I think we're using soft
15 language to hide harsh realities. We talk about
16 synchronous and asynchronous, blended, not blended,
17 hybrid, in-person, all kinds of vague statements
18 about what a child can benefit from, and yet, when we
19 translate those things to families they are
20 dumfounded at the lack. I believe people are trying.
21 I really, really do, but I think that direction from
22 City Hall has slowed down information. I think
23 direction from City Hall has lessened information,
24 and I think direction from City Hall has made people
25 so cautious about saying anything that the only words

1 they can use are soft words to express a harsh
2 reality.
3

4 CHAIRPERSON TREYGER: Well said. Thank
5 you very much, and appreciate you. Thanks to the
6 entire panel. Next [inaudible].

7 COMMITTEE COUNSEL: For the next panel--
8 actually, Chairs, we got a late email from a student
9 that wants to join us from District 75. So the next
10 panel will be Lucas Heely [sp?], Tanesha Grant,
11 Paulette Heely, Amber Decker, and Jessamyn Lee, and
12 we will first start with our student Lucas Heely.

13 SERGEANT AT ARMS: Clock is ready.

14 COMMITTEE COUNSEL: He may have dropped
15 off it looks like. I don't see him. So, what we'll
16 do is we will go to Tanisha Grant, and if he pops
17 back in we will go to him after Tanesha. So if we
18 can-- there we go.

19 TANESHA GRANT: Thank you, Chairman
20 Treyger. Every day I'm gaining more and more respect
21 for you, and I appreciate that. Thank you for
22 donating to our laptop initiative to get our
23 children, our black and brown children, laptops.
24 There's a lot that's being said here, and there's a
25 lot that's not being represented here, and that's the

1 black and brown people that is disproportionately
2 happening to. Disproportionately, these children
3 that we are talking about, these families that we are
4 talking about are black and brown, but yet, I'm the
5 only black woman on here. That's disturbing to me. I
6 do not like to witness other people talk about things
7 that happening in my community that's happening to
8 me. I am a grandmother of a four-year-old autistic,
9 nonverbal grandson who got no services when this
10 happened. I have no soft words, Ellen. I have harsh
11 reality. The DOE is not doing their job. For them
12 to sit here and tell you they don't have data for
13 this, they don't have data for that, I don't need
14 data; I live it. I have lists that are overflowing
15 with children that do not have working devices.
16 That's why we as a community have decided to do it
17 for ourselves, and to scrape our little bit of
18 pennies together during COVID to get our babies
19 technology, the first thing that they need. The
20 second thing, Chairman, supplies. School supplies
21 been a hundred dollars or more before this pandemic,
22 and we are leaving out parents on fixed incomes.
23 What about parents with disabilities? What about
24 parents that live on social security, do they not
25

1 count? Do we not care about them? Do we not care
2 about how they are feeding their families, how they
3 are dealing with children with special needs,--

4 SERGEANT AT ARMS: [interposing] Time is
5 expired.

6 TANESHA GRANT: and can't get the
7 resources that they need? I think that if we're going
8 to succeed and we're going to change things, we
9 cannot leave out the people that are the center of
10 the hurt, that have been hurting. This is nothing
11 new to us. So, make sure that we are included in the
12 conversation, because I will. Thank you, Chairman
13 Treyger.

14 COMMITTEE COUNSEL: Thank you. And next
15 we will hear from Amber Decker, if we could please
16 unmute Amber Decker.

17 SERGEANT AT ARMS: Clock is ready.

18 AMBER DECKER: Hi, thank you so much for
19 letting me testify today. Can everyone hear me?
20 Yeah? Okay. I just wanted to echo what was just
21 said. I think that-- you know, I'm working with
22 families all the time. I'm actually shocked to hear
23 that there are students with autism in District 75
24 that are in class sizes of six and eight, half of
25

1 them are on remote, so you have the class size of two
2 or three in-person, and you know, you have these
3 students coming in one week and then the next week
4 they're without any option for in-person, and my
5 understanding of autism and my own personal
6 experience having an autistic son, that is creating a
7 Jekyll and Hyde effect of students that are one
8 minute doing okay and then the next minute they're
9 not. I don't understand how the CDC guidelines can't
10 be adhered to in a class size of two or three. It
11 makes absolutely no sense. A class size of six to
12 one and eight to one and twelve to one that is cut in
13 half because half of the students have opted in for
14 remote should absolutely be offering every student
15 that-- every family that wants blended in-person
16 services should be able to come in person if they are
17 in a self-contained setting, and I've yet to hear how
18 the DOE can justify not serving the most vulnerable
19 population or the most impacted population here.
20 There's only 17-20,000 students in District 75, so
21 you know, we're all still waiting to hear how this is
22 going to affect these students long-term and what
23 DOE's going to be offering to them without them
24 having to exercise their rights. Thank you.
25

2 COMMITTEE COUNSEL: Thank you, and next
3 we will hear from Paulette Heely. If we could go
4 ahead and unmute Paulette, please?

5 SERGEANT AT ARMS: Clock is ready.

6 COMMITTEE COUNSEL: Paulette, you're
7 unmuted.

8 PAULETTE HEELY: Hi, we actually just
9 lost our Wi-Fi connection because there's
10 construction going on right outside our house. I'm on
11 my data right now. Can I put Lucas on first? Would
12 that be alright?

13 COMMITTEE COUNSEL: Chair Treyger says go
14 ahead.

15 PAULETTE HEELY: Okay. Go ahead buddy.

16 LUCAS HEELY: Hello, my name is Lucas
17 Heely, and I go to a D75 school. I wanted to say hi
18 to my friends Council Member Treyger and Councilman
19 Brannan, and Ms. Christina and Mr. John. Ms.
20 Christina was my first principal when I started
21 kindergarten. I did not know too many words then.
22 Thanks to my D75 school I can read books that I love
23 and count money, and now I'm using my Chromebook, but
24 I'm afraid it's disconnected. Okay, I-- like a pro.
25 I was so happy when I could go for in-person speech

1 in the summer, but when the school started in
2 September, the buildings were not safe. It's because
3 of the virus. My school buildings was closed because
4 of positive cases, but my teachers were still forced
5 to go inside. Also, even if the buildings were safe.
6 I could not go without a school bus because my school
7 is not in my district. I go on more than one hour to
8 get to school. That is why I am here, to ask you the
9 city councilman to please support more D75 programs
10 so I can continue learning. I will be starting high
11 school at September, and I do not have many choices.
12 My sister who is not in D75 and can't-- and go to a
13 high school in my community, but I can't because that
14 program does not exist yet. In my district it's not
15 fair that there are lots of kids who need programs
16 like the D75, and I wanted to keep learning. I
17 shouldn't have-- should not have traveled so far to
18 go to school. Thank you for giving me this time.
19 Lucas Heely, signing out!

21 CHAIRPERSON TREYGER: So, first of all,
22 Lucas is a superstar. Lucas, I am so proud of you.
23 You are speaking to a very broad audience. It takes
24 courage and guts to speak so powerfully and so
25 effectively, and you're speaking not just on behalf

1 of yourself and family but on behalf of thousands and
2 thousands of kids and their families. So, I want to
3 say as a former teacher, and I'm still a teacher, I
4 give you an A+ Lucas. You are awesome. I am so
5 proud of you. We are so proud of you, and I want to
6 give a virtual Zoom round of applause for your
7 extraordinary work, and we're with you and we're
8 going to keep fighting for you and of your family and
9 for all of your classmates. Thank you so much.
10 Thank you, Lucas. And we'll hear from Paulette if
11 Paulette's there as well.

12
13 PAULETTE HEELY: I'm here Councilman
14 Treyger.

15 COMMITTEE COUNSEL: Paulette, just give
16 me one second while I rename you, please.

17 SERGEANT AT ARMS: Clock is ready.

18 PAULETTE HEELY: Greetings esteemed
19 Council Members. My name is Paulette Heely. I am a-
20 -

21 COMMITTEE COUNSEL: [interposing] Oh, go
22 ahead, your name is now changed. Go ahead.

23 PAULETTE HEELY: I'm so sorry. Greetings
24 esteemed Council Members. My name is Paulette Heely
25 and I am a Council Member on the Citywide Council of

1 Special Education, a member of Press NYC, and Lucas
2 Heely's mom. I want to commend Deputy Chief Academic
3 Officer Christina Foti and her team for their
4 leadership and continued responsive engagement with
5 our Council and our special education community. You
6 personally have gone above any DOE agency to engage
7 and actively listen and problem solve the issues
8 presented to you. And for that, and for you, I will
9 forever be grateful. That being said, we have heard
10 how frustrated our City Council Members are with the
11 failure of the DOE to offer concrete data about
12 things such as attendance, device distribution,
13 teacher shortage numbers, and class size. We know
14 students who have not been able to attend school even
15 to this day because a bus para still has not been
16 assigned, and are being told if they remove the para
17 from their IEPs, their child can get on the bus. We
18 know students not only still waiting for a learning
19 device, but also assisted technology because they are
20 non-verbal, therefore cannot benefit from live
21 instruction, and some parents who are still waiting
22 to conclude their assistive technology evaluations
23 that were initiated pre-COVID. Children are being
24 sent into schools anticipating in-person services and
25

1 only receiving tele-therapy in the classroom. What
2 sense does that make? Our students with disabilities
3 have not been prioritized in this poor excuse of a
4 school reopening, and unlike the summer, rec centers
5 were not available for our essential workers who have
6 children with disabilities who are struggling to find
7 childcare supports. The guidance the DOE is putting
8 out is not being implemented on the ground level. We
9 advocates have been saying this for years, that this
10 top-down approach is not working, and this pandemic
11 has put a glaring spotlight on it. And as Lori
12 Podvesker had mentioned previously, our families are
13 faced with the daily struggle between paying for Wi-
14 Fi so their children can continue to learn or put
15 food on the table. Also, just to note, busing
16 contracts have ballooned to over 1.65 billion so far,
17 which is 31 million more than it cost in 2018/2019--

19 SERGEANT AT ARMS: [interposing] Time is
20 expired.

21 PAULETTE HEELY: May I finish my thought.

22 COMMITTEE COUNSEL: Go ahead.

23 COMMITTEE COUNSEL: Yes, go right ahead.

24 Go ahead.

25 CHAIRPERSON TREYGER: Yes, yes, please.

1
2 PAULETTE HEELY: And that does not
3 include the acquisition of Reliant for countless
4 millions more. When every penny counts, this kind of
5 spending feels outrageous. So I am here to urge the
6 Council Members to please your collective power to
7 institute universal broadband for all in order to
8 address the digital divide that prevents our children
9 from a free and appropriate education. I urge the
10 City Council to really look at how our DOE is using
11 this money, this little itty-bitty money that has
12 been allocated to address the inequities that are
13 going on in our schools, and I urge the City Council
14 to support more programs like the D75 program, like
15 the ASD Nest program, like the ASD Aims [sic] program
16 which there are only 90 seats in the entire city, but
17 has shown data that it works, and when you go into
18 early intervention and provide those supports early
19 on, these children learn. I urge City Council to
20 look at programs like Warton [sic] Gillingham [sp?]
21 and Wilsons contrary to the ones that are being used
22 now, because that is learning by science. That is
23 reading by science. That is literacy by science, and
24 it's proven to work, and if we can't get our children
25 to read, then what good are we as parents and

1
2 advocates. Thank you so much for the time and thank
3 you for allowing my son to speak today.

4 CHAIRPERSON TREYGER: Thank you,
5 Paulette, and Lucas is awesome, and you're awesome,
6 and we're going to continue to fight like hell for
7 our kids and families. Thank you so much. We
8 appreciate it.

9 COMMITTEE COUNSEL: Thank you. And next
10 we'll hear from Jessamyn Lee, if we can go ahead and
11 unmute Jessamyn Lee, please?

12 SERGEANT AT ARMS: Clock's ready.

13 JESSAMYN LEE: Hi, my name is Jessamyn
14 Lee. I am a parent and PTA President at PS84 in
15 Brooklyn, and an SLT member and a former DOE ESL
16 teacher. One of my children is a fourth grader in
17 the ASD Nest program at PS84, and before I begin, I
18 want to just say thank you to Chairman Treyger for
19 pointing out the artificiality and the manufactured
20 nature of our staffing crisis that we find ourselves
21 in. It didn't need to be this bad, and I feel like
22 our children and educators are being used as pawns,
23 in our Mayor's, frankly our Mayor's attempt, to look
24 for his next job. That said, I'd like to move on to
25 the remote portion of blended learning. that is to

1 say that, you know, the DOE withdrew any requirement
2 for school to provide synchronous instruction on
3 blended learning days, and the ripple effect of that
4 is that every kid in an ICT class who is a blended
5 learner is not receiving their mandated co-taught
6 periods per week. As you push the DOE to report not
7 only whether or not students are underserved, I urge
8 you to find out how underserved they are, because it
9 goes beyond whether or not kids are receiving their
10 related services. If they're not receiving their co-
11 taught instruction, they're not receiving their
12 education. And the other thing I want to mention is
13 that, you know, the DOE is not being transparent
14 about assistive technology. I am here now over 11
15 months after putting in a request for an official
16 tech evaluation for my child. The request went in in
17 October 2019. The evaluation occurred remotely last
18 July, which was a ridiculous process, and I don't
19 know how a parent who doesn't enjoy the privileges I
20 do could have possibly facilitated that remote
21 evaluation. Mandate was made IEP meeting--

23 SERGEANT AT ARMS: [interposing] Time is
24 expired.

25 JESSAMYN LEE: May I finish?

3 COMMITTEE COUNSEL: Yes.

4 JESSAMYN LEE: Yeah, thank you. the IEP
5 meeting was delayed because the-- honestly the
6 scheduling restrictions caused five teachers being
7 pulled in so many different directions leads to an
8 unavailability of-- scheduling IEP meetings is
9 essentially impossible. Have the IEP meeting
10 earlier this month. Got a call saying that, you
11 know, unfortunately, my daughter's Chromebook has
12 been-- you know, it's been requisition, but it's back
13 ordered until some tie, you know, to be determined.
14 And the sum total of this is that this was a problem
15 before COVID. My kids should have been hooked up
16 with her device in February 2020. And you know, this
17 is just implement-- this situation is amplifying and
18 exacerbating the DOE's systematic disregard for
19 students with disabilities. And you know, we need to
20 shed more light on this and find out exactly the
21 scope, and before I finish I just want to say that,
22 you know what, the DOE has not done anything to
23 address the truncated separation offered last spring
24 new-- you know, as implemented through the remote
25 learning plan. Related services were cut in half and
the DOE has no plan to address those deficiencies or

1 issue RSA's. Thank you for the time. I appreciate
2 it.
3

4 COMMITTEE COUNSEL: Thank you, and that
5 concludes this panel. I'll turn it to Chair Treyger
6 and Chair Ayala if they have any questions. Council
7 Member Ayala?

8 CHAIRPERSON AYALA: I don't have any
9 questions but wanted to thank Lucas for coming to
10 testify today. Thank you. We're so proud of you.

11 COMMITTEE COUNSEL: We thank everyone
12 that testified on this panel. We will now move onto
13 the next one. For the next panel we will be calling
14 Katrina Feldkamp from Legal Services NYC. We will be
15 calling Charlotte Pope, Girls for Gender Equity,
16 Kimber Olsen, New York City Arts and Education
17 Roundtable, Jennifer Rodriguez, and Young Sei Bei
18 [sp?]. And we will go head and start with Katrina.

19 KATRINA FELDKAMP: Thank you, Chairs. My
20 name is Katrina Feldkamp, and I'm Education Attorney
21 at Bronx Legal Services and a member of the Healing-
22 Centered Schools Working Group. My testimony will
23 focus on a subset of students with disabilities who
24 have been particularly impacted by remote learning.
25 Students with trauma-related behavioral and emotional

1 health challenges. Childhood trauma impacts one in
2 four students nationwide. Since COVID, many students
3 particularly, black, brown, and poor students are
4 experiencing trauma like the lost loved ones,
5 isolation, and family economic loss at frighteningly
6 high rates. My office represents these students.
7 The disabling impacts of trauma affect all aspects of
8 their learning, their ability to process and retain
9 information, their ability to engage with educators
10 and peers, and their ability to develop
11 social/emotional skills. The pandemic has
12 exacerbated these challenges as students' mental
13 health worsens and as remote learning limits their
14 access to mandated supports and services. Our
15 schools are ill-equipped to support students with
16 trauma. Often they respond to trauma in ways that
17 neglects student's needs, punish students for their
18 disabilities, or take actions that traumatize
19 students and staff alike. If schools continue to
20 take this approach when they fully reopen, we will
21 see disastrous results. That's why we're calling on
22 the DOE to adopt a healing-centered approach across
23 all schools. Healing-centered schools train their
24 staff to understand the impact of trauma and engage
25

1 in a process of whole school change to adopt healing-
2 centered practices inside and outside the classroom.
3 These practices reduce behavioral challenges,
4 suspension, and staff burnout. The DOE has taken
5 early steps towards this change, but we must take
6 greater action now if we want schools to be prepared
7 to support students with trauma and behavioral
8 disabilities. We commend the DOE for adopting staff-
9 wide training on trauma responsive educational
10 practices, a training we recommended, but these
11 trainings won't have an impact unless the DOE
12 prioritizes healing-centered practices and invests--

13
14 SERGEANT AT ARMS: [interposing] Time is
15 expired.

16 KATRINA FELDKAMP: time and existing
17 resources to help schools adopt this model. We would
18 appreciate the opportunity to discuss healing-
19 centered schools with your committees. There is time
20 to plan ahead and to be proactive. We urge the DOE
21 to use it well. Thank you.

22 COMMITTEE COUNSEL: Thank you. And I
23 just want to acknowledge for the record that we were
24 joined earlier by Council Member Salamanca. So, next

1 we'll hear from Charlotte Pope, Girls for Gender
2 Equity.

3
4 SERGEANT AT ARMS: Clock is ready.

5 CHARLOTTE POPE: Thank you, Chair
6 Treyger, Chair Ayala, and members and staff of the
7 committees. My name is Charlotte Pope and I'm
8 speaking on behalf of Girls for Gender Equity. We
9 wanted to raise issues of school climate with the
10 framework that actual or perceived disability has
11 served as a driver of surveillance, discipline,
12 policing, and punishment for girls and gender
13 expansive youth of color in the young people we work
14 with. In prior school years, thousands of students
15 were forcibly removed by police and hospitalized
16 under the category of child in crisis incidents,
17 disproportionately targeting students with
18 disabilities. When we look at the NYPD reporting for
19 the spring during remote learning, we do see child in
20 crisis police removals from regional enrichment
21 centers. We've not heard a commitment; from the DOE
22 to discourage the practice during a school year that
23 must be focused on healing and care, and we're
24 demanding that no student in emotional distress or
25 crisis be responded to with police during in-person

1 learning. We also know that in New York City
2 schools, students with disabilities are more than
3 twice as likely to be suspended than students without
4 disabilities, and we're calling on the DOE to
5 immediately withdraw pending or proposed suspensions
6 from the previous school year, and while we disagree
7 with the use of last year's discipline code this
8 year, the guidance on facial coverings we've seen
9 from the Office of Student Health does clarify that
10 expectation of mask wearing should "not lead to new
11 conflict." We recommend that the DOE explicitly
12 prohibit suspensions related to compliance with
13 public health measures and ensure that students with
14 disabilities receive positive behavioral supports
15 instead of discipline or removal to remote only
16 instruction. Thank you, again.

18 COMMITTEE COUNSEL: Thank you. And next
19 we will hear from Kimberly Olsen, New York City Arts
20 and Education Roundtable.

21 SERGEANT AT ARMS: Clock is ready.

22 KIMBERLY OLSEN: Thank you for the
23 opportunity to testify and for your leadership and
24 commitment to equity in our school. My name is
25 Kimberly Olsen and I come to you today as the

1 Executive Director of the New York City Arts and
2 Education Roundtable and also as a teaching artist
3 who has taught theater in District 75 in ICT
4 classrooms throughout--

6 CHAIRPERSON TREYGER: [interposing] Is it
7 possible to increase the volume? I'm sorry, I'm
8 having a hard time hearing. I apologize.

9 KIMBERLY OLSEN: Sure thing. I can also
10 talk louder. I'm here to highlighting the importance
11 of ensuring that students with disabilities
12 participate in rich arts and arts education services.
13 This can be accomplished by one continuing
14 partnerships between New York City cultural
15 organizations and our public schools, and two,
16 maintaining certified art teachers to-- and ensuring
17 that they're assigned to teach in their licensed
18 artistic discipline. Without thousands of additional
19 teachers to staff in-person and remote classes arts
20 teachers are being reassigned to teach non-art
21 subjects, delays in contract approvals, cuts to arts
22 partnership grants, serving students with
23 disabilities at over 300 schools, and unconfirmed
24 arts education budgets at school and central levels
25 are preventing cultural organizations from continuing

1 long-standing partnerships. Arts are disappearing
2 from their classrooms across the city as students
3 need them the most. The Roundtable is a service
4 organization who builds its efforts around the values
5 that arts are essential and that arts education isn't
6 right for all New York City students. For students
7 with disabilities, the knowledge and skills developed
8 gained through the arts can play a critical role in
9 their overall success. Critical because the arts
10 offer unique opportunities for students to develop
11 awareness that broadens their perspective, celebrates
12 their differing talents in creativity and encourages
13 their acceptance of others. In addition, all of that
14 to helping students meet their IEP goals, supporting
15 their healing, and positively impacting their school
16 attendance rate. And yet, as schools grapple with
17 the year of remote and blended learning, many are
18 missing this essential piece of their curriculum. On
19 behalf of the Roundtable's membership of over 120
20 organizations, we request City Council's help in
21 preventing schools from stripping away resources from
22 our students with disabilities to make up for budget
23 shortfalls. The arts are essential in our schools
24 now and forever. Thank you.
25

3 SERGEANT AT ARMS: Time has expired.

4 COMMITTEE COUNSEL: Thank you. And next
5 we'll hear from Jennifer Rodriguez from the New York
6 City Charter Schools.

7 SERGEANT AT ARMS: Clock is ready.

8 COMMITTEE COUNSEL: Oh, Jennifer, just
9 one moment. We just need to unmute you. Sorry.
10 There we go. Can we unmute Jennifer Rodriguez again,
11 please? There we go.

12 JENNIFER RODRIGUEZ: Okay, great. Thank
13 you. Good afternoon, Chair Treyger and members of
14 the Council Committee. My name is Jennifer
15 Rodriguez, and I'm the Inclusive Education Specialist
16 at the Collaborative for Inclusive Ed within the New
17 York City Charter School Center. Thank you for the
18 opportunity to speak today. The Charter Center and
19 the Collaborative work to support charter schools to
20 ensure they can effectively serve students
21 inclusively and equitably. During this tumultuous
22 time we have continued to emphasize the need to
23 prioritize our most vulnerable students as schools
24 move forward. We have also consistently partnered
25 with the DOE to discuss how special education policy
changes during COVID are effecting special education

1 students, effecting public charter schools. As a
2 special education teacher and administrator for over
3 a decade in both district and charter schools, I'm
4 deeply committed to the idea that access is a right
5 and needs to be protected. Especially during this
6 time of remote learning, we are emphasizing the need
7 for student-centered instruction, multiple entry
8 points through universal design for learning, and
9 trauma-informed practice that supports student's
10 social and emotional development. We would applaud
11 any efforts the city made to expand mental health
12 services and advocate that all communities be
13 included. We admire the City's creation of the
14 Learning Bridges program and would advocate for
15 charter school families who are a vital part of the
16 New York City community to be included in this effort
17 and all effort aimed at supporting families during
18 this critical time. While charter schools are
19 autonomous in many aspects, the DOE is the LEA for
20 special education in New York City, which means all
21 decisions about the provision of special education
22 services for charter students are made by the DOE's
23 Committee on Special Education. We appreciate the
24 DOE's efforts around the introduction around tele-

1 therapy for related services during remote learning.

2
3 Unfortunately, the data around charter school special
4 education services continues to not be recorded. We
5 would like to reiterate that charter students are
6 public school students and we respectfully request
7 that the same data that is available on district
8 schools special education services be made available
9 to parents and the community about the provision of
10 special education services--

11 SERGEANT AT ARMS: [interposing] Time
12 expired.

13 JENNIFER RODRIGUEZ: for charter school
14 students. Thank you for your time, and I'm happy to
15 answer any questions you may have.

16 CHAIRPERSON TREYGER: Thank you, and our
17 final panelist for this panel is Young Seh Bae.

18 YOUNG SEH BAE: Thank you. Hello
19 everyone. My name is Young Seh Bae, Executive
20 Director of Community Inclusion and Development
21 Alliance, SIDA, located in Queens, New York. We are
22 a grassroots organizations and parent center that
23 serves Asian American families who have children with
24 a disability. I may have to repeat whatever everyone
25 has said already. I have a particular testimony

1 regarding the communication between the schools and
2 the DOE. The Asian American families who have
3 children with a disability or especially those who
4 have a skin [sic] disability and mental disorders.
5 This has been unbearably a difficult time, especially
6 those who have language barriers. In this midst of a
7 chaos, the most pressing issues are communication
8 between the families and the school regarding the
9 remote learning, and unfortunately, as many parents
10 already addressed, this is not a brand new issues.
11 The feeling of hopeless and becoming much deeper and
12 profound across the community and many families, and
13 gave up on their children making progress during this
14 year. I would like to believe the DOE's
15 representatives [sic] response on students and making
16 progress toward their annual goals, but it's really
17 not happening at our ground level. Secondly, the
18 families are very confused about the [inaudible]
19 goals how that would be implemented, how the progress
20 is measured and how the goal for the next year will
21 be developed based on their current situation. The
22 DOE website, as you know, everybody shared at the
23 beginning of this, the council's meeting, the Program
24 Adaptation Document, PAD, which is supposed to be
25

1 delivered to the families by September 21, we found
2 that many families don't have the PAD or RAD. Just
3 last night we had a short family meeting and then
4 spread [inaudible] meetings with 97 Korean American
5 family members. No one has received any PADs. So,
6 you know, we do understand this is a very difficult
7 time, and we should expect changes, but it would be
8 great that DOE shares what parents should expect
9 based on this remote learning situation. Thank you
10 very much.

12 COMMITTEE COUNSEL: Thank you. Chair
13 Treyger, that concludes this panel. If you or Chair
14 Ayala have any questions? Alright, thank you to this
15 panel. We will go to our next panel. And on our
16 next panel we will be calling Lori Hannan [sp?], Anna
17 Friedman [sp?], Debbie Bruckman [sp?], and Letitia
18 Romaro [sp?], and we will start with Lori.

19 SERGEANT AT ARMS: Clock is ready.

20 LORI HANNAN: I'm ready. Okay?

21 COMMITTEE COUNSEL: You may begin.

22 LORI HANNAN: Okay, thank you, Chairs
23 Treyger and Ayala and the Council people for putting
24 this all together. In this, I'm an ARISE Coalition
25 member, but I'm speaking today as a parent. In this

1 city, ever since the lockdowns began, children with
2 disabilities are having their federally-guaranteed
3 rights to a free and appropriate public education
4 violated. They're suffering and regressing and their
5 families are suffering with them while we try to work
6 and teach our children. My son Adam is autistic.
7 Adam and his seven autistic third grade classmates at
8 PSMS219 in Queens are a few of these children
9 struggling through inaccessible online instruction
10 and inconsistent access to a classroom and therapy
11 schedule that works for them. I share our story here
12 so that you finally hear their voices. Adam and his
13 classmates attend a program for students with autism
14 called Horizon, one of the ASD programs. They are
15 not in District 75. There are many students.
16 Horizon offers specialized instruction and a self-
17 contained class of eight within community schools.
18 There are many students like Adam who attend
19 restrictive non-district 75 placements in community
20 schools, and these students and programs have really
21 not been considered in the reopening plans or
22 discussions, and we feel like they've been forgotten.
23 Without system wide special education reopening
24 guidelines from the Mayor and the DOE, decisions
25

1 about special education have been left to individual
2 schools, sometimes with unfortunate results. Adam's
3 principals chose not to apply for an exemption for
4 them to attend school fulltime despite their need for
5 this and despite the fact that there's space in this
6 school. Other Horizon programs did apply for and
7 were granted this exemption. Adam's principal told us
8 that in his judgment the horizon students did not
9 warrant any special consideration relative to other
10 populations in the school despite their significant
11 disability. Our children happen to have a wonderful
12 teacher. They have their related services but they
13 cannot learn remotely. With our family story in
14 mind, I make the following recommendations about
15 special education during this unprecedented time.
16 Students with disabilities who have such intensive
17 support needs--

18
19 SERGEANT AT ARMS: [interposing] Time is
20 expired.

21 LORI HANNAN: that they require a self-
22 contained placement of 12 or fewer students-- just
23 one second-- should attend school at least four days
24 a week. The DOE needs to help to set up system wide
25 guidance on this. Our Horizon-- our kids with autism

1
2 are not okay, and remote learning is not working,
3 just ask any of the parents. Thank you so much for
4 the opportunity.

5 COMMITTEE COUNSEL: Thank you. And next
6 we will hear from Anna Friedman.

7 SERGEANT AT ARMS: Time starts now.

8 ANNA FRIEDMAN: Hi, my name is Anna
9 Friedman. I'm a mom of three special needs boys.
10 They're all autistic non-verbal. Special education
11 has been nothing short of a disaster. This remote
12 learning has not worked at all for us. We were very
13 excited when the school had reopened, and we were
14 really hopeful the DOE will start following the
15 children's IEPs, providing speech, OT/PT and ABA
16 services. But once again, the DOE showed us the
17 parents that they could care less about our
18 children's needs, and they do not need-- they do not
19 feel the need to follow their IEP. We were informed
20 that not everything on the IEP will be followed
21 because the shortage of providers, and then again our
22 schools got shut down because we were in the red
23 zone. Our special needs children are home again.
24 Once again, my children were left with no services
25 whatsoever because they're not able to participate in

1 remote learning. I'm not sure how DOE, our Governor,
2 our Chancellor do not consider special education as
3 an essential service. Our children need special
4 education and being at school and routine to survive
5 and thrive. I really am begging people to consider
6 special education as an essential service and think
7 of our children and what we could do better for them.
8 Thank you. That's all I have to say.
9

10 COMMITTEE COUNSEL: Thank you. And next
11 we'll hear from Debbie Bruckman.

12 SERGEANT AT ARMS: Time starts now.

13 CHAIRPERSON TREYGER: Let's unmute
14 Debbie.

15 DEBBIE BRUCKMAN: Hi, thank you so much.
16 My name is Debbie Bruckman, and I have two sons in
17 public schools. One is in 11th grade who is neuro-
18 typical, and I have my younger son in eighth grade is
19 with ICT, meaning inclusion with two teachers per
20 class. ICT or the inclusion model is a long-proven
21 success for both my kids. Unfortunately, due to the
22 steep need for more teachers during the pandemic to
23 accommodate two schools in the school, remote and
24 blended, the DOE is not providing fair and equitable
25 education for my children with ICT placement, because

1 there is simply no ICT happening. So, MS447 where he
2 is in Brooklyn is an all-inclusion school. We are
3 currently missing 37 teachers to run it as an
4 inclusion school. None of my children-- none of my
5 child's classes are being taught by two teachers
6 together. Instead, he is taught often with one
7 general education teacher on his Zoom with up to 27
8 students and many of those students have
9 disabilities. So, instead of having the special ed
10 teacher modify in real time during the class by
11 forming small groups or presenting information
12 visually or repeating or reframing, I can report that
13 my child is lost, as are the other kids on that Zoom.
14 Despite that really high caliber of gen ed teachers,
15 it's not their fault. The 20 minutes of office hours
16 which we've been offered a day to make up for what
17 they didn't learn is not enough time to meet with
18 every single subject teacher, right? So,
19 exponentially, they've all fallen behind in every
20 single subject. So the truth is my kid has gone from
21 an honor roll student at math and science who loves
22 schools to a struggling student with sadness and lost
23 confidence and frustration and anger. I have never
24 come to a City Council meeting ever in my life. This
25

1 is something new for me, but I need to bring this to
2 your attention. By not providing ICT with two
3 teachers, his access to education has been
4 diminished.

5
6 SERGEANT AT ARMS: Time is expired.

7 ANNA FRIEDMAN: We know how to educate
8 these kids with autism and dyslexia and physical
9 disabilities and audio processing disorders-- I'm
10 going to take a little more time since I was muted in
11 the beginning-- and other learning challenges, but we
12 are missing the teachers needed to accomplish this.
13 So I would just like to point out this is illegal.
14 This is a federally mandated IEP not being followed.
15 I don't care what the DOE says. It's morally wrong
16 and it is so disappointing because it's a system that
17 works, and I want to shout out to the heroic staff
18 the MS447 staff is doing trying to help those just
19 150 kids with IEPs with ICT placement. They are rock
20 stars finding band aids in the air. So, please help
21 the City hire more special ed teachers. Listen to
22 the principals. They know what they need, and that's
23 it. Thank you so much for listening.

24 COMMITTEE COUNSEL: Thank you very much,
25 and next we'll hear from Letitia Romaro [sp?].

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3 SERGEANT AT ARMS: Time starts now.

4 COMMITTEE COUNSEL: Can we go ahead--
5 there we go. You're unmuted.

6 LETITIA ROMARO: Yeah. Good morning--
7 good afternoon, Council Members Treyger and Ayala and
8 the members of the committee. My name is Letitia
9 Romaro and I am the parent of a special needs child.
10 I'm here today to keep my promise to my now deceased
11 son, Robert, to continue to fight for those students
12 who have special needs. Fighting is a common theme
13 for families with special needs children. We fight
14 for virtually everything they need and against
15 preconceived bias. The last place we expect to have
16 to fight is the Department of Education, the largest,
17 most talented education organization in the world,
18 but alas, here I am. The children in District 75 are
19 children in small classroom with paras for a reason.
20 They need one-on-one attention, and they become
21 agitated, disoriented, and anxious whenever their
22 routine is disrupted. Doctor Chen and Ms. Foti know
23 this, as does everyone on this panel. So what made--
24 so who made the decision that blended learning would
25 be helpful for these students? District 75 parent
Annette Reyes [sp?] said her son Joseph is having

1 toileting accidents, throwing tantrums and isn't
2 sleeping at night. Marie Farrell's daughter
3 Elizabeth becomes agitated at the sight of an iPad.
4 She can only tolerate a minute, and that minute
5 upsets her so much it takes the whole day to calm
6 her. Francis Gravity's son Gavin screams and has
7 outbursts. His mental health is deteriorating.
8 Diane Glyskya's [sp?] son Michael is self-injuring,
9 banging his head against the wall and stomping his
10 feet so hard that the landlord is asking them to
11 leave when their lease is up. Depression, regression,
12 and severe anxiety is the new normal for District 75
13 students. That is unacceptable. We must get our
14 District 75 students back into their classrooms
15 immediately. We must provide in-person services such
16 as speech, OT/PT, and counseling, and if we can't, we
17 must provide RFA's. We understand the monumental
18 task you face teaching children during a COVID
19 pandemic. We also know that parochial schools--

20
21 SERGEANT AT ARMS: [interposing] Time
22 expired.

23 LETITIA ROMARO: [inaudible] and daycares
24 and schools outside New York City have been getting
25 it right. Please, you are the largest educational

3 department in the world with talented principals and
4 teachers. You can get it right. We can help you get
5 it right, but you have to start delegating
6 responsibility to the principals who know their
7 community best.

8 COMMITTEE COUNSEL: Thank you. And I
9 actually forgot one person on this panel, so my
10 apologies, but next we will hear from Kaveri
11 Sengupta. If we could please go ahead and unmute
12 Kaveri Sengupta.

13 SERGEANT AT ARMS: Time starts now.

14 KAVERI SENGUPTA: Thank you. I'm sorry,
15 one moment. Good afternoon. My name is Kaveri
16 Sengupta, and I am the Education Policy Coordinator
17 at the Coalition for Asian American Children and
18 Families, the nation's only Pan-Asian children and
19 family's advocacy organization leading the fight for
20 improved and equitable policies, systems, funding,
21 and services. Thank you very much to the Chairs and
22 the members of their committees for giving us this
23 opportunity to testify. The Asian Pacific American
24 or APA population comprises over 15 percent of New
25 York City and over 1.3 million people. Many in our
diverse communities face high levels of poverty,

1 overcrowding, unassurance [sic] and linguist
2
3 isolation. Yet, the needs of the APA community are
4 consistently overlooked, misunderstood and uncounted.
5 We are concerned about the most marginalized in our
6 community, particularly our 15,138 APA students with
7 disabilities who are both over and underrepresented
8 in special education classrooms depending on their
9 diagnoses. There is also a large representation of
10 Chinese-speaking families in District 75, which is
11 our most high-need students. First, we need the city
12 to provide accurate data collection and
13 disaggregation of data on students with disabilities,
14 specifically to better understand the unique needs of
15 APA students and ELL students with disabilities.
16 Among other examples, we do not know the location
17 with ELL students speaking APA languages who have
18 IEPs. We're also in the dark about students with
19 IEPs who are not ELLs, but could still be from
20 limited English proficient families. This lack of
21 knowledge on zip codes, neighborhoods, and languages
22 results in families continuing to remain uninformed
23 about services that they have the right to access.
24 We remain unable to meet our families' needs.
25 Second, the City must provide more multilingual

1 evaluators and service providers who are able to
2 communicate with families in their languages in a
3 culturally responsive way. There has been a
4 persistent lack of multilingual evaluators and
5 providers and we need proactive systems providing
6 interpretation and translation. The City must
7 prioritize outreach to families. Simple availability
8 of resources by no means guarantees that families
9 will be ware of their existence. The longer families
10 are denied access to bilingual evaluation, the harder
11 it is for them and their children to catch up,
12 particularly during COVID.

14 SERGEANT AT ARMS: Time's expired.

15 KAVERI SENGUPTA: Can I finish?

16 COMMITTEE COUNSEL: Yes, go ahead.

17 KAVERI SENGUPTA: moreover, if children
18 do receive an IEP, families may be unable to
19 understand them. In the wake of the pandemic we've
20 heard from organizations whose clients have been
21 unable to access an evaluation for disability and are
22 therefore unaware if their children need an IEP.
23 Many are not even aware that such an evaluation
24 exists. These families may be recent immigrants and
25 the compounded experience of navigating a new

1 country, handling COVID, and figuring out how to
2 access special education services, which is an
3 already complicated process, are incredibly
4 challenging. When we don't inform families about
5 their rights, we deny them services that they are
6 legally entitled to. Thank you very much.

8 COMMITTEE COUNSEL: Thank you. And that
9 concludes the testimony for this panel. Chairs
10 Treyger or Ayala, do either of you have any
11 questions? Okay. Do any Council Members that are
12 still with us have any questions? Seeing no hands,
13 it appears from my list that we have no more panels.
14 I know people had been-- some people had issues
15 before with Zoom dropping in and out, so if there's
16 anyone that we have not called on, if you could
17 please use the raise hand function in Zoom right now,
18 we will call on you to testify. And not seeing any
19 hands, it looks like Chairs Ayala and Treyger, we
20 have concluded all public testimony for this hearing,
21 and I will just note for the record to remind
22 everyone that the Education Committee will be back
23 November 18th for a hearing social/emotional needs as
24 we look at the reopening of New York City schools.

3 So, Chairs Treyger and Ayala, I will turn it to you
4 for closing statements.

5 CHAIRPERSON TREYGER: Thank you, Malcolm.
6 This is a very sobering-- this is a very difficult
7 hearing, and we have a lot of work to do, and we
8 don't have time, and as I mentioned earlier, and I
9 want to just acknowledge the work of my Co-Chair
10 Council Member Ayala who I've spoken with a number of
11 times during the pandemic and also recently again
12 about the needs of our kids. We have a great leader
13 and a great Chair in Council Member Diana Ayala. I'm
14 very proud to work with her and learn from her and
15 all of my colleagues. As I mentioned earlier, this
16 is not a game with the Administration. No one's
17 looking to score points. No one's looking to-- this
18 is about the kids. You know, as a teacher, I
19 remember every decision I made in that class was
20 about centering the needs of our children, all of our
21 children, and the reason why we need this information
22 is to better fight for them, and we just don't have
23 enough information right now, and quite frankly, I
24 think we're hearing further evidence of an indictment
25 of this blended learning model which is really not
meeting the needs of children who just need more, who

1
2 deserve more, who are entitled, legally entitled to.
3 It's not working, and that's why I mentioned earlier
4 the Mayor should put ego and pride aside and
5 immediately revisit this model and rework it, revamp
6 it to provide more in-person options and services for
7 children and families who need it the most. It's
8 just-- this is just not working. This-- these are--
9 I think someone mentioned before about, I think it
10 was to the credit of Tenesha Grant-- I want to thank
11 her publicly for her powerful words that this is not
12 just data. This is what people are living through
13 every single day, and as a teacher I know that when I
14 taught a Regent's class, if student missed one or two
15 days of instruction, that was a lot. Kids missing
16 weeks and months of instruct-- this is generational,
17 folks. This is not just temporary. This carries on
18 for the rest of their lives, and that-- this is
19 generational now. And so we need to immediately
20 respond and deal with this crisis, and as I mentioned
21 earlier, we will use every tool that we have in the
22 Council toolbox. We don't have much power because of
23 Mayoral control, but we have the power to force them
24 to report data, and if they don't do so in a timely
25 fashion, as we did earlier, we reserve the right to

1
2 issue more subpoenas to get information immediately
3 on behalf of our students and our families. So, I
4 want to just thank my co-chair and my colleagues, the
5 incredible staff. I want to give another virtual
6 applause to the staff of the City Council, my staff,
7 the central staff. They are incredible. They work
8 very, very hard on behalf of the public as well, and
9 with that I'll turn it over to my Co-Chair, the
10 awesome Council Member Diana Ayala. Thank you so
11 much, Co-Chair.

12 CHAIRPERSON AYALA: Thank you, Council
13 Member Treyger. I thank you for allowing us to
14 jointly host this hearing today, because it was
15 really important to me that we do so. I remember us
16 speaking a few months ago, and it was the moment that
17 I realized that there was an assumption that once
18 school went into virtual setting that all children
19 would automatically be equipped with the technology
20 that they needed to successfully do that, and when I
21 realized that that was dependent on the level of
22 technology available to them at each school, my heart
23 sunk because I knew instinctively that that meant
24 that the children that I represent, my children in my
25 community, and that children in communities that look

1 so much like mine were not really receiving the level
2 of education that they deserve because they did not
3 have access to this equipment. And so coupling that
4 with the needs of children with disabilities which
5 require a more specialized level of education, it's
6 really important for us to highlight these issues and
7 to really work with the Administration to rectify
8 them, and that is why, you know, I was really
9 disappointed to hear at today's hearing that, you
10 know, there wasn't much data available to be provided
11 even though the request was made days ago to ensure
12 that the information would be available to everyone
13 that was watching here today. So I hope that we're
14 able to get that information as soon as possible and
15 I'm happy to share that so that we are all on the
16 same page about where we stand in terms of access to
17 resources via technology, and also I'm really curious
18 to hear back on the staffing ratios and what that
19 looks like by borough and by district. So, thank you
20 again and thank you to everybody that stayed and
21 everyone that came in to testify. This was I think a
22 really valuable hearing, and I hope to be able to
23 come back with more positive news in the near future.
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CHAIRPERSON TREYGER: Thank you, Council
Member, and with that we will officially adjourn the
hearing. Thank you all.

COMMITTEE COUNSEL: Okay, Chairs, we're
off of live. You can close out.

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COMMITTEE ON EDUCATION JOINTLY WITH COMMITTEE ON
MENTAL HEALTH, DISABILITIES AND ADDICTION

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 November 29, 2020