



**Testimony of the New York City Department of Education
before the New York City Council Committee on Education**

on New York City School Facilities

June 24, 2013

Kathleen Grimm, Deputy Chancellor, Division of Operations

Good morning, Chair Jackson and all the members of the Education Committee here today. My name is Kathleen Grimm, and I am the Deputy Chancellor for the Division of Operations at the New York City Department of Education (DOE). I am joined today by John Shea, Chief Executive Officer of the Division of School Facilities (DSF), and Lorraine Grillo, President and Chief Executive Officer of the School Construction Authority (SCA). Thank you for the opportunity to discuss New York City school facilities.

The Department of Education operates the largest school facilities system in the country, with 1,284 buildings that house our students and staff. Our 1.1 million students spend, on average, over 30 hours a week in our schools, so it is critical that we provide a safe, clean and comfortable environment that supports their learning, and do so in the most efficient way possible.

I'm proud to say that, thanks to the reforms of this Administration, and the generous support of the City Council, our schools are in better physical shape than ever. Before Mayor Bloomberg took office, and control of the City's school system, many of our buildings were in a deplorable state.

Beginning during the fiscal crisis of 1975 and continuing into the 21st Century, our school buildings were in a state of crisis. Before the Mayor obtained control, several studies and reports were issued charging the Board of Education with a full range of failures regarding its maintenance, repair and construction efforts.

Over the last decade, we have implemented many of the recommendations from those reports, streamlined our processes and work units, dramatically increased our capital spending, stabilized construction costs, developed systems to monitor the condition of our buildings, and added key components to our facilities upkeep.

Our capital investments have been targeted toward a number of exterior and interior building upgrades. Both our FY2005-2009 and FY2010-2014 Capital Plans direct significant funding to safety enhancements, science labs, libraries, physical fitness and gymnasium upgrades. In our first Plan, we converted 25 parking lots into playgrounds and performed 65 playground redevelopment projects.

Today, the Division of School Facilities provides expertise in every aspect of building management and maintenance. This is accomplished through a staff that includes 800 Custodian Engineers, 600 trades staff (such as plumbers and electricians), and 100 Building Managers. Custodian engineers



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manage their building budgets and are responsible for hiring handypersons, firepersons, and cleaners. Another 6,000 to 7,000 cleaners, who are not on the DSF payroll, work directly for custodians in school buildings, and a mobile skilled trades force tackles complex work beyond the scope of on-site staff.

In addition, DSF employs staff dedicated to sustainability, environmental health and safety, emergency management, facility management services, program management, finance and administration, and field operations.

This year's budget directs over \$600 million to three priority areas: building maintenance, repair and operations. Of that amount, approximately \$419 million is earmarked for custodial operations, which includes on-site cleaning and management of each building's mechanical and fire safety systems; \$145 million for work performed by our in-house skilled trades workers and outside contractors; and \$4 million for administration. DSF also manages \$32 million in small capital repair projects.

Our goal of modernizing the City's schools is reflected in our vigorous systems for tracking the level of maintenance and cleanliness in each of our buildings. Through a program called *SchoolStat*, which we created in August 2005, we can quickly identify the conditions and buildings that need our attention. Using a five-point scale, *SchoolStat* rates each building twice a year on cleanliness, maintenance, and fixture repair. Knowing exactly where to target our resources has vastly improved the condition of our schools. Since implementing *SchoolStat*, the average building rating has increased from 3.423 to 3.992. In 2013, *SchoolStat* was recognized with a 2013 FMXcellence Award from *Building Operating Management* at the National Facilities Management & Technology Conference & Expo.

To track repair requests and monitor their progress, we have implemented a Computerized Maintenance Management System (CMMS) known as Passport. This system allows our contracts management professionals to carefully monitor all work for quality and cost.

As you may know, the Department of Education is the only City agency that is subject to annual inspections. Our facilities are subject to inspection by the NYC Department of Buildings, NYC Fire Department, and other City and State agencies, and multiple divisions within those agencies.

We now have a rigorous system for tracking and managing violations. As soon as a violation is issued, we enter its information into a DSF central database, which automatically generates an email alerting key personnel in the associated region's team. The appropriate staff then take action to address the condition. The Division of School Facilities acts as the liaison to the issuing agency.

We address violations through a prioritization process. Violations typically fall into three categories: administrative (for example, missing paperwork), repairs, and capital projects. Violations that jeopardize the safety and health of our students are addressed immediately. All other violations are addressed by the Custodian, the Skilled Trades staff, or referred to the School Construction Authority as appropriate.



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Thanks to our sophisticated accountability systems, we have made tremendous progress in reducing violations. In 1999, the year the Department of Buildings (DOB) began annual inspections of school buildings, we received 1,247 “immediately hazardous” violations. In 2012, these violations dropped to 43. In 2012, we received 2,919 total violations from DOB’s Construction Unit, well below the high point in 2001, when the system received 5,501 violations. While these are more violations than we would like, they represent a 47 percent reduction in total violations.

The Division of School Facilities also leads the Department of Education’s Sustainability Initiative, which provides schools with tools and resources to improve energy efficiency, recycling, and green curricula. Principals have appointed more than 1,500 staff members to serve as Sustainability Coordinators. These individuals organize and create sustainability activities at the school level. Every school, for instance, is required to implement a recycling plan.

In April 2007, Mayor Bloomberg released PlaNYC 2030, the long term plan to make New York City a greater, greener city. Within the Plan, the City committed to lead by example by reducing energy use and greenhouse gas emissions from City operations 30 percent by 2017. The Department of Education, in partnership with the Department of Citywide Administrative Services’ Division of Energy Management, is implementing energy efficiency programs in existing school buildings.

Energy conservation programs include improved operations and maintenance, renewable energy projects, along with building audits and retrofits. To further enrich programs within the Sustainability Initiative, DSF has implemented composting programs in 58 buildings that are home to 92 schools, diverting approximately 30 percent of their solid waste from landfills.

In partnership with *Solar One*, a nonprofit environmental education organization, the Division of School Facilities launched the Green Design Lab in 2011. Through this initiative, *Solar One* educators, custodians, principals and teachers participate in labs and projects, such as installing green roofs and gardens in their schools. The Green Design Lab allows students to receive instruction aligned with the Common Core standards relating to energy, air, water, materials, and food. Thirty schools participated in the Green Design Lab this year. P.S. 187, located in District 6, was featured in a Wall Street Journal article highlighting the Green Design Labs, which reduced its energy use by 13 percent.

We are also proud of P.S. 57 Hubert H. Humphrey School in District 31, which was recently named a Green Ribbon School. The recognition from the U.S. Department of Education is reserved for schools that show exemplary efforts to reduce environmental impact and utility costs, promote better health, and ensure effective environmental education, including in civics and green career pathways. The Division of School Facilities was also recognized with the Clinton Global Initiative Commitment to Action for partnering with the Children’s Environmental Literacy Foundation to promote sustainability education.

Finally, the Division of School Facilities plays a critical role in the City’s emergency planning and response efforts. DSF works closely with other City agencies, such as the Office of Emergency



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Management and the Department of Homeless Services. The Department of Education provides 501 of the 515 evacuation and shelter sites throughout the five boroughs; 64 sites were used to shelter New York City residents after Hurricane Sandy. Hundreds of custodial employees and skilled trades workers operated, cleaned and maintained shelter facilities around the clock for the duration of the storm, and staff spent thousands of hours working on clean up of their buildings and other buildings in need following Sandy. Their non-stop efforts and work enabled us to quickly reopen school buildings in the aftermath of the storm.

As the largest school system in the country, we are proud of the work that our staff performs and the improvement projects they oversee to create enriching instructional spaces.

Our efforts have resulted in a historic transformation of our school buildings. We understand that a great deal of work still remains. However, in spite of our economic constraints, we use the resources we do have to ensure that our highest priority repairs take place, that our students and staff are safe, and that we are bringing the best services and programs to promote sustainable and environmentally conscious school grounds.

We will now be happy to answer your questions.

TESTIMONY

New York City Council Hearing

Presented on
Monday, June 24, 2013



The Council of School Supervisors and Administrators

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Good afternoon Chairman Jackson and distinguished members of the New York City Council Committee on Education. My name is Randi Herman and I am a former New York City Assistant Principal and currently First Vice President of CSA. I am speaking on behalf of the CSA leadership and its 6,100 active members including Principals, Assistant Principals, Supervisors, Education Administrators, Day Care Directors and Assistant Directors.

I want to thank this committee for holding another hearing on this critically important issue. The health and safety of students and school staff are of the greatest concern to a school Principal. Parents count on Principals to do everything they can to protect the well-being of their children, and school staff expects to come to work in a safe and healthy environment when they pass through the door every morning. When CSA testified before this committee over two years ago on PCBs in our schools, we supported efforts by the City Council to require the City to take more urgent action on this issue. Today, we strongly urge the committee to take steps to ensure that the City moves quickly and purposefully to provide a safe and healthy environment for students and staff in our schools.

While the U.S. Congress banned PCBs (polychlorinated biphenyls) in 1977, many New York City public schools still use light fixtures containing these toxic chemicals. PCBs have been known to cause cancer, disrupt children's cognitive and neurological development, and have been linked to learning and behavioral disabilities. Other effects of exposure to PCBs include liver disease, diabetes and harmful effects on the thyroid and immune systems. During the period of time where PCBs were being used in construction products, they were employed in the building or renovation of hundreds of New York City schools, mainly in fluorescent light fixtures. These toxins are still present in the buildings that our students and staff spend every school day inside.

When we last addressed the committee on this issue two years ago, the City had announced a ten-year plan to replace all such light fixtures in schools. However, the EPA said this was too long a timeline, and it is clear why. A student spends 1,400 hours in a classroom every year. A kindergartener will spend more than 8,000 hours in elementary school classrooms before leaving school in the 5th grade. Teachers will spend more than 7,000 hours exposed to PCBs if they stay in the same contaminated room for 5 years. The EPA has said that if a light fixture is leaking PCBs at above a regulatory level of 50 parts per million, federal law requires the immediate removal and disposal of the fixture. During EPA spot inspections of randomly selected schools, all inspected fixtures had high levels of PCBs, with some samples more than **10,000** times the federal threshold for removal.

Despite the potential for prolonged exposure to these poisons by both students and teachers, it is estimated that nearly 800 of 1,400 City school buildings could still have some PCB-containing lights. Schools that are still awaiting decontamination are also more likely to have more African-American, Latino, Asian and low-income students. Since last September, officials in the EPA's New York office have tracked at least 48 cases of light fixtures emitting smoke or leaking a tarlike material into classrooms, and some of the incidents are frightening:

- Last September, an oily substance leaked from a light fixture in a Staten Island school and landed on a fifth grader seated for her first day of school.
- In December, a light fixture at Public School 87 in Manhattan began emitting a burning odor, and fourth-graders in the classroom were evacuated. Students were eventually let back into the classroom after the room had been ventilated, but three weeks later maintenance workers found a leak of PCBs "contained" in the light fixture.
- And just last month, a light in Public School 170 in Brooklyn oozed an oily liquid onto floor tiles, forcing kindergartners to leave the class. Four days later, an antiquated light fixture emitted smoke into a classroom of middle-schoolers in Manhattan, sending nine students and two adults to a hospital with breathing difficulties and setting off an evacuation.

These are not conditions that our students and educators should be subject to at any time, let alone year after year. As time goes on, exposure to these toxins will likely increase as the equipment that contains them will continue to degrade. Parents should not have to worry that when they send their children to school, they will be exposed to toxic chemicals that have been banned for 36 years. There is no plausible or acceptable excuse why the City has not taken swifter action to protect students and school staff from these poisons. No amount of money or bureaucratic difficulty is worth sacrificing the health and safety of our students.

Thankfully, the federal courts have agreed with this position. While the City's original plan to clear our schools of PCBs was scheduled to take 10 years, a lawsuit was brought against the City in order to force a faster timetable. In March, the Federal District Court declined the City's request to dismiss the lawsuit, saying that "with the cognitive development of children at stake, it would have been refreshing to see humanitarian concerns trump the compulsion to delay litigation with quite so many spurious arguments." Since then, the City has struck a deal with the suit's plaintiffs that should cut in half the time it will take to replace all of the contaminated light fixtures in our schools, with the cleanup scheduled to end in 2016, rather than 2021.

The obligation to replace these fixtures by the end of 2016 is binding, and the City is now required to provide semiannual progress reports until the job is done. The task now is to

ensure that the City completes this job quickly and thoroughly. We strongly urge the City Council to use all available measures to hold the City to its promises and remove these toxins from our classrooms on schedule, if not before then. Students, school staff, and parents have waited long enough.

Thank you for the opportunity to present testimony on this urgent issue. We support all efforts by the City Council to ensure that our schools are safe and healthy, and hope that this committee and the Council make it a priority to hold the City to its obligations. Principals and school leaders want to be able to look parents in the eye and tell them that their children's school is safe, and they want to be able to do it sooner rather than later.

**Testimony of Christina Giorgio
on behalf of
New York Lawyers for the Public Interest
before the City Council's Education Committee's
Hearing on Department of Education's Facilities**

June 24, 2013

Good morning, Chairperson Jackson and Council Members of the Education Committee. Thank you for this opportunity to provide testimony regarding the state of our school's facilities. My name is Christina Giorgio and I am an attorney in the Environmental Justice Program at New York Lawyers for the Public Interest (NYLPI).

We would like to thank the Education Committee and the City Council for their continuing leadership on protecting and promoting education in our public schools. Members of this Council have worked to support NYLPI in addressing the problem of Polychlorinated Biphenyls (PCBs) in New York City schools. As you know, since 2009 NYLPI has worked with parents, teachers, school employees, elected officials, unions and other stakeholders across New York City to address the serious environmental health hazards posed by the presence of these toxic chemicals in our public school buildings. Just recently, we achieved a favorable resolution to the problem of PCB-contaminated light fixtures, with the Department of Education and School Construction Authority agreeing to fully remove all such fixtures in all New York City schools by the end of 2016, a significant improvement upon the City's previous ten-year timeline. I am testifying today to urge you to continue your advocacy on behalf of this City's public school children by pushing for the improvement of the dilapidated facilities in which they are forced to learn.

SEIU 32BJ, our coalition partners from the PCBs campaign, recently published a report, "Falling Further Apart: Decaying Schools in New York City's Poorest Neighborhoods," which highlights the completely inadequate state of facilities in our City. According to this report, there is insufficient funding for repairs. School facilities and capital budgets have been gutted over the years; the City spends a smaller percentage of its total education budget on maintenance and operations than six of the seven largest school districts in the country, while at the same time reporting that fewer than two percent of school buildings meet the criteria to be considered in "good condition."

Furthermore, the effects of these decaying facilities disproportionately impact low-income children and children of color. New York City public schools are among the most racially and economically segregated in the country. The *New York Times* reported that almost 80% of New York City public school students would have to actually move in order to achieve racial integration. And according to 32BJ's research, children from the poorest families and neighborhoods attend school in buildings with the worst conditions and which are most in need of repairs.

Run-down school buildings are not merely a nuisance or unfortunate. The US Green Building Council has linked the condition of school facilities to academic performance. To quote 32BJ's research:

According to a recent study, for New York City public schools, neighborhood income and racial composition are very strong predictors of a student's college readiness, with some of the lowest

readiness rates in the Bronx and east Brooklyn. The U.S. Green Building Council references a study of Chicago and Washington, DC schools, citing “better school facilities can add 3 to 4 percentage points to a school’s standardized test scores, even after controlling for demographic factors.” Two low-performing schools in North Carolina improved from less than 60 percent to 80 percent of students on grade level in reading and math after moving into better facilities, according to the Green Building Council’s report.

Racial, ethnic, and economic groups that already suffer under an academic achievement gap are thus further and disparately burdened by inadequate school facilities—and have much to gain from the expansion of funding for repairs.

As City Council members, your involvement in the PCBs campaign has been absolutely critical in securing the resolution that ultimately will protect thousands of schoolchildren from years of exposure to a highly toxic chemical from PCB containing light fixtures. You have the power to apply similar pressure on the City now and make a difference for school children. The reality is, the contamination of our schools with PCBs was only the tip of the iceberg in terms of the hazards our students face. You can support students in NYC schools in four key ways.

Firstly, you can increase the DOE’s maintenance budget and develop a matrix that prioritizes repairs that address and neutralize health threats. Currently, the City is forced to triage facilities issues because there is only enough funding to address the most urgent of repairs. However, repairs labeled “low-priority” or “low-urgency” may pose health hazards that should be addressed as soon as possible. Additionally, lower-priority repairs, if left unattended, will worsen over time until they, too, are severe and persistent. With an increased maintenance budget, schools could address a wider range of repairs and do so in a way that prioritizes the health of students, faculty, and staff.

Secondly, as done in the PCBs removal campaign, City Council members can assume a “watchdog role” in putting pressure on the City to address facilities concerns and thereby raising the profile of environmental health concerns. Legislation like the proposed Disclosure Bill (Intro 1036 of 2013) would require prompt notification and disclosure to parents and the public at large of environmental testing results former industrial-use land on which schools or potential new schools are sited, providing parents and school personnel with critical information about the environmental safety of their school. This legislation would also ensure that test and inspection reports are easily accessible by parents and personnel. The Parents Right To Know Law (LL 87), which mandates the timely reporting of PCB leaks and other incidents in public schools, is another example of this Council has taken the initiative to pass legislation that mandates greater transparency and accountability from the DOE and SCA. City Council can pass similar legislation regarding facilities repairs and general upkeep, which will make it more likely that the City will actually complete necessary repairs in a timely manner.

Third, and in conjunction with the above recommendation, City Council can promote the development of a data management system that makes it possible for the public to monitor and understand school facilities repairs. Current facilities construction information available on the DOE website is incomplete, inaccessible, and difficult to understand and navigate. For public disclosure and engagement to be truly meaningful, access to information must be streamlined and made as convenient as possible. City Council can pass legislation that requires and helps fund a more user-friendly website.

Fourth, City Council should institute greater scrutiny and oversight over school maintenance and capital project contracts to ensure public funds are stretched as far as possible and spent in the most responsible manner possible.

While this Council was instrumental in bringing about a favorable resolution to the issue of PCB-contaminated lights, I would be remiss if I did not mention that PCB contamination remains in our schools in the form of PCB-contaminated caulk, paint and soil. This hearing is particularly timely given that the City recently sent to the EPA their proposed citywide remediation plan for addressing PCB contamination in caulking and other materials in our public schools. The legacy of PCBs in our schools is a cautionary tale for all overseeing of the maintenance of our school facilities. We need to be proactive in identifying existing environmental health hazards in our schools and prioritize removing them and protecting the students and staff during the process. Also, we urge the DOE to see parents and staff as invaluable partners in combating environmental toxins in our schools and to take steps to inform them early and actively throughout the remediation process.

Thank you again for the opportunity to testify before you today. We look forward to continuing to work with you on this important environmental health and racial justice issue.



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New York City Council Committee on Education

Oversight Hearing on DOE School Facilities

**Michael Schade, Markets Campaign Coordinator
Center for Health, Environment & Justice (CHEJ)**

June 24, 2013

My name is Michael Schade and I am a Campaign Coordinator with the Center for Health, Environment & Justice, a leading national environmental health organization that works extensively on toxic pollution issues. Our founder and Executive Director, Lois Gibbs, was a community leader who organized the relocation of over 900 families away from the infamous Love Canal toxic waste site in Niagara Falls in the late 1970's, which ultimately led to the creation of the federal Superfund program. For 30 years, CHEJ has worked with New York communities exposed to toxic hazards, including many community and parent groups concerned about schools impacted by air pollution, hazardous materials and toxic exposures.

We are very pleased that the Department of Education has finally announced a more aggressive timeframe to reduce the presence of PCB's in NYC public schools. We applaud and congratulate the members of the City Council's Education Committee that have worked so hard on this issue, as well as organizations such as UFT, New York Lawyers for the Public Interest and the New York Communities for Change, that all worked to achieve this significant children's health victory. This is certainly a moment worth celebrating and savoring.

Now that PCB's are finally being addressed more adequately, we feel that it is also time for the DOE and SCA to begin addressing another emerging children's health hazard in NYC schools: Vinyl plastic and phthalates. Just like PCB's, vinyl plastic and phthalates contain and release chemicals that can cause serious health effects in both children and adults, are toxic at low levels of exposure and are arguably just as prevalent as in schools. Given this, we strongly feel they should be the next major priority for the DOE and SCA. They are widespread in new building materials and products schools use and purchase today – and therefore we have an opportunity to prevent their introduction into our school facilities in the first place, and avoid repeating the mistakes of the past. The City has an enormous opportunity to wield its purchasing power and buy safer, cost-effective products and building materials that are healthier for our children, teachers and school staff.

The evidence is clear: vinyl is the most toxic plastic for children's health and women of childbearing age. Vinyl is commonly found in building materials such as flooring, and often contains toxic additives that may be released into school buildings, including phthalates, lead, and cadmium. Vinyl's lifecycle releases numerous toxic chemicals including dioxins, vinyl chloride, chlorine gas, mercury, and even PCB's. Dioxins, chemicals that are released when vinyl is manufactured and disposed of, have been targeted for phase-out here in NYC purchasing, when Mayor Bloomberg signed into law Local Law 120 of 2005.

To make vinyl plastic products soft and flexible, like the flooring in our schools, chemicals called phthalates are added to it. Phthalates are so toxic they have been banned in toys, yet they remain widespread in other products in schools. Since they're banned in toys, they certainly have no place in NYC schools, yet they continue to be permitted by DOE and SCA in products like flooring. A growing number of pediatric physicians and researchers are calling attention to the serious risks involved in exposing children to phthalates. Because of their developing brains, bodies, metabolisms and behaviors, children are uniquely vulnerable to harm from exposure to these chemicals.

In recent years, a number of studies have linked children's exposure to phthalates with asthma, which is the number one cause of school absenteeism and a leading cause of hospitalization for children. A 2012 report found that one in eight New York City children have been diagnosed with asthma, even worse than the national average. In addition to asthma, phthalates are known as endocrine disrupting chemicals, as they disrupt hormones in our bodies, and have been linked to birth defects, infertility, early puberty, ADHD, obesity, diabetes, autism and even cancer. According to testing by the Centers for Disease Control and Prevention, children have the highest exposures to these hazardous chemicals. As a result of the widespread use of phthalates in vinyl plastic products, they have been found in the air and dust of our homes and schools, our bodies, blood and even women's breast milk.

A report I authored last year found high levels of phthalates in popular children's back-to-school supplies purchased right here in NYC, including Disney, Spiderman, and Dora branded items, such as vinyl lunchboxes, backpacks, 3-ring binders, raincoats, and rain-boots. The levels of phthalates would be illegal if these products were toys.

Additionally, vinyl flooring often requires the use of toxic cleaners to keep it durable and shiny, which contributes to poor indoor air quality in schools, and exposing janitorial staff to harmful chemicals. This wax and strip maintenance has long been a source of health concern due to the toxic volatile organic compounds (VOCs) used in these maintenance products. Janitorial workers in schools are thereby unnecessarily exposed to these hazardous chemicals in cleaning products used to maintain vinyl flooring. It doesn't have to be that way— as safer alternatives are available that don't require the use of these hazardous cleaning products.

In response to vinyl's hazardous lifecycle, major Fortune 500 businesses, including Target, Kmart, Nike, Apple, Ikea, Microsoft, Johnson & Johnson, Procter and Gamble, and many others, are phasing out vinyl and phthalates. Healthcare purchasing institutions, with a combined purchasing power of over \$50 billion, are asking suppliers whether or not their products contain these hazardous substances. Similarly, leading environmental, public health, labor, and community

organizations across NYC and NYS support reducing the use of vinyl and phthalates in NYC schools, including the NYS PTA, UFT, NYSUT, Learning Disabilities Association of NYS, Uniformed Firefighters Association of Greater New York, Urban Green Council (USGBC) - Green Schools Committee, Sustainable South Bronx, Make the Road NY, Environmental Advocates of NY, NYPIRG, and Sierra Club.

While the City is working to reduce PCB exposure in schools by replacing light fixtures, the DOE and SCA should also work to specify and procure safer alternatives to vinyl building materials and products such as flooring. As part of the 5-year capital plan, NYC is spending over \$11 billion in building and renovating NYC schools, and vinyl and phthalates are undoubtedly used in many of those building materials. There are safer options that are cost-effective; NYC schools could save tens of millions of dollars by specifying safer materials, such as linoleum flooring which not only lasts longer but is significantly less expensive to maintain. Other NYC and NYS government agencies such as DCAS have begun to reduce the purchase of vinyl, and NYC schools should too.

We are pleased to report that Councilmember Levin is planning on introducing legislation to address phthalates and vinyl in NYC schools. We hope other members of this committee will join Councilmember Levin by co-sponsoring this common sense legislation to address this critical issue. We look forward to working with the Council and this Committee to advance this important children's health measure in the months to come, which will go a long way in safeguarding our children's health and promoting greener and healthier schools for NYC children, teachers and staff.

Thank you for the opportunity to testify today, and for considering our comments.



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New York City Council
Education Committee
Chair, Council Member Robert Jackson

Shirley Aldebol, Vice President
32BJ Service Employees International Union

June 24, 2013

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Good morning. Thank you, Councilman Jackson and members of the Education Committee for convening this needed hearing on New York City's school facilities. There are many important issues worthy of this committee's attention and I thank you for dedicating your time and attention to this one.

My name is Shirley Aldebol and I am vice president of 32BJ SEIU. Our 5,000 cleaners and handypersons keep New York City's school buildings clean and safe each day, even acting as first responders in times of emergency as you will hear in few minutes from Jesus Ayala. 32BJ not only fights for good jobs, but we also work to strengthen our communities.

Last month, we released a report highlighting the inequality in the City's public school buildings. Our analysis found that students from the poorest families and neighborhoods attend some of the most neglected school buildings. Let me say this another way: if your family is poor and you attend public school in New York City, your school is most likely in worse condition than the school attended by a student with more affluent parents. And if you live in one of the most impoverished neighborhoods in the city, such as the South Bronx or East/Central Brooklyn, schools located in your neighborhood most likely are in worse physical condition than those in those in the richest neighborhoods. I know for many in this room, these facts are not a surprise.

So, why should the City Council, the mayor or anyone care about the condition of our City's schools? Schools are a home away from home, providing children with a foundation for education—a pathway to the American Dream. With the vast majority of the City's public school students qualifying for free or reduced price meals, the stability that schools provide is a key stone in that path. But when the building is inadequate, even unsafe, we do not make an environment where students can reach their full potential. How can we expect children to excel when everywhere they look we're sending them the message that they are not worth our investment?

Today, you will hear examples of the fallout from a systemic problem, examples of schools where children are exposed to PCBs and vinyl plastic products which can also cause serious health problems; parents who were not notified of toxic conditions in their schools; schools so overcrowded that the children eat lunch in the morning and have classes in trailers; how charter schools are given preferential treatment and live rent-free when they are co-located with non-charter public schools; how there are insufficient funds to maintain adequate custodial and maintenance staffing and purchase necessary supplies and equipment. These are all caused by years of cuts and

significant underfunding. New York City spends the lowest of any school district on operations and maintenance than six of the nation's seven other largest school districts.

A budget is a reflection of priorities and New York City must prioritize expenses to create conditions optimal for children's safety, health and ultimately their academic success. But when cuts are made to facilities budgets, they impact the work that school facilities workers can do. The vast majority of our members are employed by custodial engineers ("CEs"). Each CE is allocated money by the Department of Education to maintain their school, but when their budget is reduced, they're forced to make difficult decisions on how to best earmark their resources. With fewer staff and supplies, the facilities staffs in schools are working harder than ever to keep their buildings functioning well. New York City must increase its investment in school facilities and not at the expense of other budget line items for the schools.

We're here because we know our children deserve better. We can make our schools greener and healthier and by doing so, make them more efficient and cost-saving. We can expand the role that schools play, making them resources for students and centers of our communities. And we must find the money needed to make the improvements necessary to do so. We send a message to our students by the learning environment we create for them. And by not providing our children with great schools we are telling them they are not worth the investment. We challenge the City to show our one million students that their futures are worth every penny and more. And so you know, we are here to help.



New York City Council
Education Committee
Chair, Council Member Robert Jackson

Jesus Ayala, cleaner at I.S. 118

June 24, 2013

My name is Jesus Ayala and I have been a New York City public school cleaner for 13 years. Our school, I.S. 118 on the Upper West Side, was one of the public schools that served as a shelter for displaced New Yorkers during Hurricane Sandy, serving as many as 168 people.

Sandy proved to me and my coworkers that we are first responders. For seven days straight, I worked day and night before, during, and after Sandy to keep the school shelter clean, protected, and with enough supplies for the families, pets, senior citizens, children with special needs and homeless people who were housed together at our school. As our city slowly came back to normal, my coworkers and I prepared the school to reopen to students. It was hard and challenging work, but we did it for the kids. Ask anyone who cleans schools why they do this work. It's not about the money. We do this because we know how important it is for our kids to learn in a clean and healthy environment. It gives us school cleaners a sense of purpose and pride.

I just wish all students got that message each day when they go to school. The Daily News recently reported that as of last month, there were almost 9,700 open building and environmental violations in City schools. There are also numerous other problems with our public school facilities. You can read on the Department of Education's own website about the unacceptable building conditions throughout our city. The DOE's building condition surveys cite schools that flood when it rains, have bad lighting, are poorly ventilated, have heating problems, suffer from unpleasant odors due to improper exhausts and have antiquated PA systems that could pose security concerns. These aren't conditions our children should be learning in and I only hope that the right resources are allocated to fix them.

Cleaners at public schools that provide space for charter schools look across the hall at the charter school and what do you think they see? New cabinets and flooring, bright lights and new supplies. That's inequality and it's unfair. So is the fact that schools in wealthier neighborhoods are in better shape.

In the meantime, we'll continue being first responders, as we were during Hurricane Sandy. We'll report unsafe conditions and fix them with what little resources are given, but know that our children deserve better. We'll keep working hard to keep the schools clean and safe for our kids in hopes that the City will show them that same commitment soon. It took a lawsuit and a public campaign for the city to finally get on a faster track to rid our schools of toxic PCBs. Why hasn't the City acted more responsibly? Our children's health, safety and futures are at stake. That's why 32BJ members who clean our schools are here today.

Thank you.

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**TESTIMONY OF LOCAL 372, DC 37 PRESIDENT
SANTOS CRESPO, JR.,**

CONCERNING

**CONDITIONS OF SCHOOL BUILDINGS BEFORE NEW
YORK CITY COUNCIL COMMITTEE ON EDUCATION**

HONORABLE ROBERT JACKSON

MONDAY June 24, 2013

My name is Santos Crespo, Jr. I am president of Local 372, District Council 37. I want to first thank Chairman Jackson and the members of the Education Committee for your time and concern in ensuring the needs and concerns of New Yorker City schoolchildren are addressed.

Our union represents more than more than 20,000 non-teaching employees within the New York City public school system. Our members are the Parent Coordinators, School Aides, Crossing Guards, and some 300 Substance Abuse Prevention and Intervention Specialists (SAPIS) counselors.

We are the men and women who are the bridge that leads our children safely from their homes to the school door; provide the healthy, nutritious meals; ensure hallways and school yards are safe; provide the intervention services to those students who fall to the temptations of drugs and alcohol; and provide the vital link between the school and the local community.

Unfortunately, the ability of our members to provide the basic needs of our students is being hindered due to the inequality found within our education system. Inequality in resources, inequality in funding and inequality in the conditions of our school buildings. The level of

neglect and disrepair found in our public school buildings is shameful and unacceptable. To add insult to injury, the number of school buildings that are at this level of degradation are disproportionately found in poor communities and communities of color. The message being sent is that poor students and students of color do not matter to those in power. This is class warfare and it is being waged by the elite.

Year after year the Bloomberg administration has cut the budget allocated to school maintenance and year after year our children are forced to attend school in buildings that are literally crumbling around them. How can we expect our children to learn under these conditions? The Green Building Council of the U.S. has found links between the conditions of school facilities and academic performance, noting that the disparity in the conditions of buildings can contribute to widening the academic achievement gap.

School building after school building have the same broken toilets, faulty elevators and leaky ceilings in addition to other hazardous conditions. The emotional and psychological damage caused by the city's negligence of our public school buildings coupled with the health and safety hazards that the disrepair creates, are criminal.

Additionally, charter school co-locations conflate this issue. Charters, which get not only city funding but also

private funding are not required to pay rent when they are co-locating in public schools. While charter schools slip by and do not pay their fair share, our public school students withstand the worst of the consequences. In order to begin achieving equality for our city's public schools charters must pay rent and the city must address the repair issues immediately.

We demand equal conditions for all New York City schoolchildren and we demand an end to the class war used to systematically beat down and oppress those communities that are already the most marginalized.



Testimony of Rocio Espada for the Committee on Education's Hearing about NYC's School Facilities

Good morning. Thank you for the opportunity to testify, and thank you to Councilmember Jackson and all other councilmembers present for discussing this important issue. My name is Rocio Espada and I am a member of Make the Road New York's Parents in Action Committee. I am a mother of 4 children, 3 of which are in public school. My son is in 8th grade at IS73 in District 24. As you know in district 24 we have a severe overcrowding problem, and I am concerned that it will affect my son's education. My worry is that his school will become very overcrowded and he will have to eat lunch at 9:30, to wait in long lines to use the bathroom, and to be crowded into spaces that are not supposed to be classrooms. Make the Road New York has been working on this issue for a long time, and we were very worried when we learned that on top of overcrowding that the buildings in neighborhoods like mine are in worse condition than in others in other neighborhoods. Our neighborhoods have more Latino and African American students, and we need all the help we can get – on top of overcrowding we have other problems like college readiness and more. It adds insult to injury to learn that the DOE has not fixed these schools in a fair way.

I am worried that children and teachers in these schools are risking their health to be in the buildings. It is no wonder that areas like Bushwick have high rates of asthma and other similar problems, when our children are learning in buildings that are falling apart.

We call on the DOE to make these changes immediately so that there is no difference between any neighborhood in the city, and so that all our children have the opportunity to learn in the best environment possible.

As a mother of 4 I know what it is like to want to support your children, and to want for them the best education possible. When I learned about the situation with our buildings, I was very upset, and I know many others were too. I thank 32BJ for their work on this issue and for bringing the information to light.

This cannot continue, and we are ready to work with the DOE, the SCA and whoever else is needed to correct this problem. Thank you for the opportunity to testify.



The New York City Charter School Center
Michael Regnier, Director of Policy & Research
Testimony Presented to The New York City Council Education Committee
Oversight Hearing on New York City Department of Education's School Facilities
Monday, June 24, 2013

Good afternoon, Chairman Jackson and members of the New York City Council Committee on Education. My name is Michael Regnier and I am the Director of Policy & Research at the New York City Charter School Center. Thank you for the opportunity to present testimony today.

The New York City Charter School Center is an independent¹ not-for-profit organization established in 2004 to help new charter schools get started, support existing schools, build community support, and train new leaders so that highly effective public charter schools can flourish.

I am pleased to testify this afternoon about Department of Education (NYC DOE) facilities, especially as they relate to charter schools. Our CEO, James Merriman, testified before this committee last year about the practice of colocation. As he pointed out, charter schools account for 8% of NYC's colocated schools but a much higher share of public attention. Most school leaders, from both district and charter schools, will tell you that once the microphones and cameras are turned off, they simply make it work for the benefit of their students.

Today, colocation continues to be a topic of debate, including charges that charter schools colocated in district space are benefiting from unfair, one-sided building improvements. I'd like to make three simple points that this debate has overlooked.

The first is a point of fact, about funding. By law, any improvement made to a charter school's section of a Department of Education building, if it costs \$5,000 or greater, must be matched for each non-charter school in the same building.

This amendment to the state Charter Schools Act was passed with the full, public support of the Charter Center, in 2010 and since its passage, NYC DOE has spent millions of dollars per year on these matching projects, all of which went to improve district schools.

¹ Pursuant to the by-laws of the NYC Charter School Center, the Chancellor of the Department of Education, Dennis Walcott, sits on the Center's board as does one other staff member of the Department. The board consists of nine seats and, as a result, the Department does not have formal or effective control.

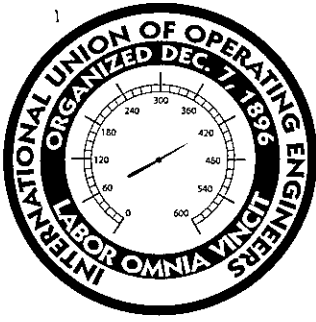
My second point is about how funding gets spent. Some district schools that share space with charter schools, and have benefitted from these matching funds, still feel disappointed by the results, and still feel that the charter school may have gotten the better bargain. In some cases, they may be right to feel that way.

A charter school's not-so-secret advantage is its autonomy and flexibility, even inside of a shared space. If a charter school principal values freshly painted walls, as a way to convey a message about the value of school and learning, that principal can make sure the walls stay that way. If, in the same building, with the same funding, a district principal cannot make the same choice, there is an inequality there. The question is what should do about it, which brings me to my third point.

When we see differences that bother us across our public schools, whether in the distribution of teachers, the distribution of teachers' duties, the state of buildings, or the final academic results, it is right to point it out. But where we see uneven quality we should fix what isn't working, not tear down what is. If charter school leaders are acting quickly and decisively to improve their buildings, *that's good news*, and we should allow district school principals more of the same flexibility.

When we see a clean, safe, and welcoming area of a school building, no one should ask, "How do they get away with it?" They should ask a different question: "How do we make this happen everywhere?"

Thank you. I am happy to take any questions from the Committee.



Local 891

International Union of Operating Engineers

ROBERT J. TROELLER
Business Manager/President

NYC Council Committee on Education – Monday June 24th 2013
Oversight - NYC DOE School Facilities.
Committee Room 250 Broadway, 16th Floor

TESTIMONY OF ROBERT J. TROELLER, BUSINESS MANAGER / PRESIDENT IUOE LOCAL 891

Good afternoon, I am Robert Troeller the Business Manager / President of IUOE Local 891. I proudly represent New York City's Public School Custodian Engineers. It is the job of my members to ensure the children and adults who use our school buildings have a safe and clean environment in which to learn and work. I thank Chairman Robert Jackson and the other Councilmembers of the Committee for allowing me the opportunity to testify today on several important issues that adversely affect the operation of the school system. I know my time is limited, so I'll attempt to be brief in my remarks and focus on the most serious issues my members face. I will gladly provide the Committee with any additional information or supporting documentation that you may need.

The members of my Union and the Custodial workers have not received a raise since 2007. Our last contract negotiated in 2009 was already expired by almost two years when it was signed. Local 891's contract needs to be updated and my members deserve a fair raise along with their long overdue retroactive income. They have waited long enough. Neither the Mayor's refusal to negotiate, nor the fact that he did not add the pattern increase for approximately 1/3 of the City's municipal work force to past budgets, does not change the fact that we are entitled to the pattern that was set by the City and the Unions at a time when the increase was financially warranted. Working without a salary increase for so many years makes it impossible for my members and the custodial workers' families to keep up with the cost of living. Working for an employer who refuses to negotiate in good faith is demoralizing to people who go to work every day and try their best to serve the children of this City. Mayor Bloomberg despite his supposedly amazing financial skills has created a budget nightmare for our next Mayor.

Another legacy of the current administration that will no doubt come back to haunt our City is the dramatic reduction in funding of Custodial Budgets. During his tenure, Bloomberg has cut over (58) fifty-eight million dollars in direct reductions to the custodial budgets used to operate the schools. Many of the cuts were made before the financial crisis resulted in a reduction of revenue for the City. These cuts plus the deliberate (25) twenty-five million dollar reduction in spending on after-school activities during the past three years has resulted in the equivalent loss of over (2000) two thousand full-time custodial workers system-wide. Meanwhile, former Bronx Borough President Adolfo Carrion is trying to raise his name recognition in his bid to be the next Mayor by foolishly claiming it is the members of my Union that are preventing the school buildings from being open and used more frequently by the community. Maybe he should learn a little about the office he seeks? As this Committee knows

all too well, the reduced use of school buildings by outside groups and even the schools themselves was a cost savings measure implemented by the DoE (Department of Education). The members of my Union receive no additional wages even if the schools were to be used (24) twenty-four hours a day. While new dangers appear regularly such as: the hanta-virus scare, lead dust, lead caulking, swine flu (H1N1) and most recently PCBs from certain fluorescent light fixtures have all resulted in new protocols being issued by DSF (Division of School Facilities) with additional cleaning requirements for my members and their staff. Not one of these mandates came along with additional funding.

While on the subject of inadequate funding, I would be remiss if I did not discuss the amount we receive for supplies. The custodial budgets my members receive are based entirely on a manpower allocation. Each building's custodial allocation is calculated according to the needs of that building. The calculation is based primarily on the size of the building. Additionally, depending on the use of the building (i.e. Grade School, Junior High School, High School or Office Building), the boiler type, amount of paved property and several other factors help determine the amount received. There is absolutely no funding provided to purchase materials or supplies. Instead, each Custodian Engineer receives an annual supply allocation in the form of a credit with a vendor. SDI is currently the vendor with that contract. The dollar amount allocated to each school has not increased for over (20) twenty years. This fixed amount has not changed despite inflation, higher costs of environmentally safer cleaning chemicals, significantly more expensive energy saving light bulbs and other increases to the cost of the supplies schools need.

A typical school building's "annual supply allocation" will only cover the cost of six to seven months of supplies. This causes Custodian Engineers to supplement the supply allocation by spending a portion of their labor budget on these necessary supplies. DSF should allow the most efficient use of the City's limited resources by providing Custodian Engineers with approved vendors who have bid based on specific material costs. They should also allow Custodian Engineers to access other City and State contracts. Instead DSF requires almost all additional purchases be made through the same sole-source vendor, SDI. The price of materials and supplies through SDI are significantly higher than the price of identical items on the open market. This practice deserves serious investigation and oversight.

In 2004 the New York City Council passed Resolution 0037A, with a near unanimous vote. The Resolution condemned the wasteful and dangerous practice of outsourcing custodial services to private profit motivated contractors. The hearings and investigation which lead to that Resolution proved that private cleaning companies were more costly than Civil Service Custodian Engineers and more prone to dangerous mishaps due to inexperienced and unqualified supervisors. Despite that, to this day the DoE (Department of Education) still uses private facilities management companies in over (100) school buildings. The cost differential has only grown due to the budget cuts my members have experienced. It is way past time that this waste of tax-payer dollars comes to an end.

Another money wasting practice is DSF's constantly hiring new Plant Managers. While numerous cleaners have lost their jobs due to budget cuts, DSF has increased the number of middle level managers. We need more cleaners and handy-persons in the classrooms not additional high paid managers.

The last issue I wish to bring to your attention is the practice of the DoE at times willfully disregarding our CBA (Collective bargaining Agreement). This forces us to arbitrate and litigate unnecessary matters at great expense to both Local 891 and the City. This has to stop. I know from my discussions with other Municipal Labor leaders that this is a widespread tactic of the Bloomberg administration. The Mayor sought to have the State Legislature eliminate the Tri-Borough Amendment and failed. Yet, many of his agencies proceed to act as if they were successful. Local 891 has encountered a particularly egregious example of this practice. DSF has begun to recalculate the size of various school buildings. The square foot size of each building has been determined by a mutually agreed upon formula that has been used for many decades. Suddenly, schools which have always been a certain number of square feet, even in DSF circulars and literature, are being re-measured by some unknown formula and are shrinking dramatically. Maybe they have laid off the large sodas? To the naked eye and the occupants of the buildings, they certainly appear the same size but overnight the budgets and staffing are further reduced. Some schools magically become small enough so that they no longer require their own Custodian Engineer and are instead merged to another school building. I implore you, please remind the City, that if it refuses to negotiate new contract terms, they are bound by law to honor the terms in the contracts as they exist.

Thank you for allowing me to testify before you today. I will certain be glad to answer any questions you may have.

Summary of Budget Reductions to Custodian Engineers' Allocations

Floor Area Reductions

All reductions taken in cents per sq ft

Building Size in M Sq Ft	Number of Sites	Total Sq Ft in Bracket	FY 2003 \$8 Million	FY 2004 \$4.4 Million	FY 2007 \$11.2 Million	FY 2009 \$5.5 Million	FY 2010 \$6 Million	FY 2012 \$10 Million	Total Cut per Sq Ft to Date	Total Overall Floor Area Cut To Date
0-50	215	6,045,000	\$0.01	\$0.01	\$0.02	\$0.05	\$0.02	\$0.05	\$0.16	\$967,200.00
51-100	491	37,995,000	\$0.07	\$0.05	\$0.09	\$0.05	\$0.04	\$0.08	\$0.38	\$14,438,100.00
101-200	339	45,786,000	\$0.08	\$0.06	\$0.10	\$0.05	\$0.06	\$0.09	\$0.44	\$20,145,840.00
201 & up	80	23,334,000	\$0.10	\$0.06	\$0.12	\$0.05	\$0.07	\$0.10	\$0.50	\$11,667,000.00
TOTALS:	1125	113,160,000								\$47,218,140.00

Additional Reductions

Elimination of Reimbursement for Bagging Trash FY 2009		\$5,000,000.00
50% Reduction in Funding for Cleaning of Kindergarten Lunchrooms		\$2,500,000.00
Reduction in Maintenance/Painting Funding	Range from \$1200 to \$7200 per Facility Averages \$3500. Number of Facilities 1125	\$3,937,500.00
		\$11,437,500.00

Reduction in Funding Generated From Extended Use (Extra Activity)

(Before 8 AM, After 3PM, Weekends, Holidays and Vacation Periods)

The Department changed its policy pertaining to extended use in FY 2011. CEs have seen their annual funding reduced by an additional 25.08 Million Dollars since this change.

\$25,081,789.00

TOTAL CUMULATIVE REDUCTION: \$83,737,429.00

TOTAL REDUCTION IN MAN HOURS: 4,618,722

TOTAL EQUIVALENT FULL TIME POSITIONS: 2,221

THE LATEST ROUND OF BUDGET CUTS WILL REQUIRE CUSTODIAN ENGINEERS TO ONCE AGAIN MEET WITH THEIR PRINCIPALS AND AMEND/MODIFY THEIR ANNUAL PLANS.

We are supplying you with this chart so that you have the necessary data to illustrate to your Principals the scope and severity of the current cuts and the cumulative effects of the cuts overall.

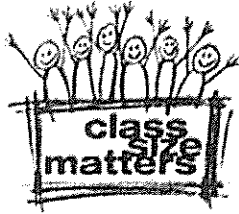
IT IS CLEAR THAT IT IS NO LONGER POSSIBLE TO PROVIDE THE LEVEL OF SERVICE THAT WE WOULD LIKE TO AND THAT OUR SCHOOLS AND OUR CHILDREN DESERVE

How It Affects You !!!

Each CE must multiply their assignment's actual size by the appropriate Total Cut Per Square Foot (see the shaded column) to arrive at the Floor Area Reduction for their assignment. In addition, each CE must allocate what portion of the additional reductions and Extended Use Reductions

TYPICAL	
Building Size	Floor Area Cut to Date
50 M Sq Ft Building	\$8,000.00
100 M Sq Ft Building	\$38,000.00
150 M Sq Ft Building	\$66,000.00
200 M Sq Ft Building	\$88,000.00
250 M Sq Ft Building	\$125,000.00

Now add in whatever Additional Reductions listed at the left apply to you!



Class Size Matters
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phone: 212- 674- 7320
www.classsizematters.org
Email: info@classsizematters.org

Testimony on School Facilities before the NYC Council Education Committee Monday, June 24, 2013

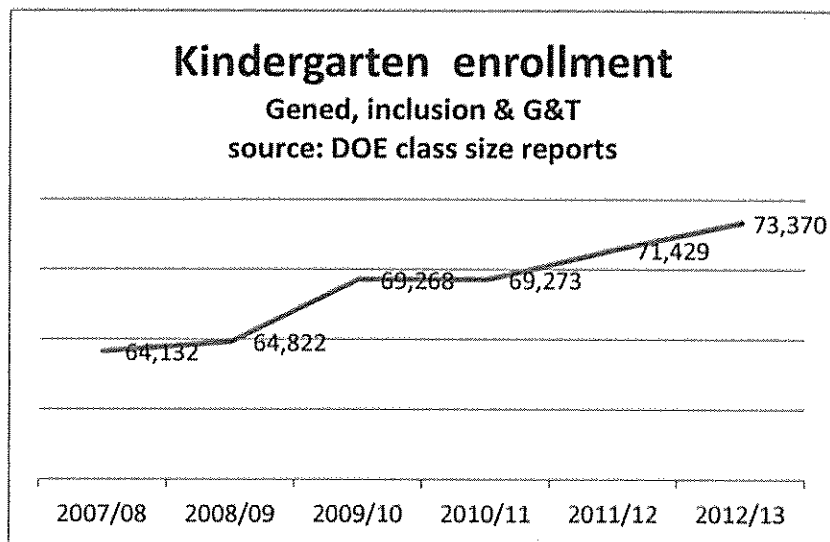
Thank you to the committee and chair Jackson for holding these hearings today; my name is Leonie Haimson and I'm the Executive Director of Class Size Matters. There are many important issues related to school facilities, but today I'd like to focus on school overcrowding, and how the situation is worsening because of enrollment increases, co-locations, and poor planning on the part of DOE.

Kindergarten enrollment rises

Kindergarten enrollment is the portion of the school age population that has increased most rapidly in the last few years, according to DOE data. Indeed, there is a sharp increase in the number of Kindergarten children for students enrolled in general education and inclusion classes, as well as in the early grades overall.¹

Census data suggests the total number of school age students citywide will continue to increase, as the number of children under five in Manhattan, Brooklyn, and Queens is growing, and there are more children enrolled in nursery and preschools in Manhattan, the Bronx, and Queens.

The shortage of space will likely further intensify as a result of proposals to expand the number of preKindergarten slots, as well as to make Kindergarten mandatory for all five year olds in New York



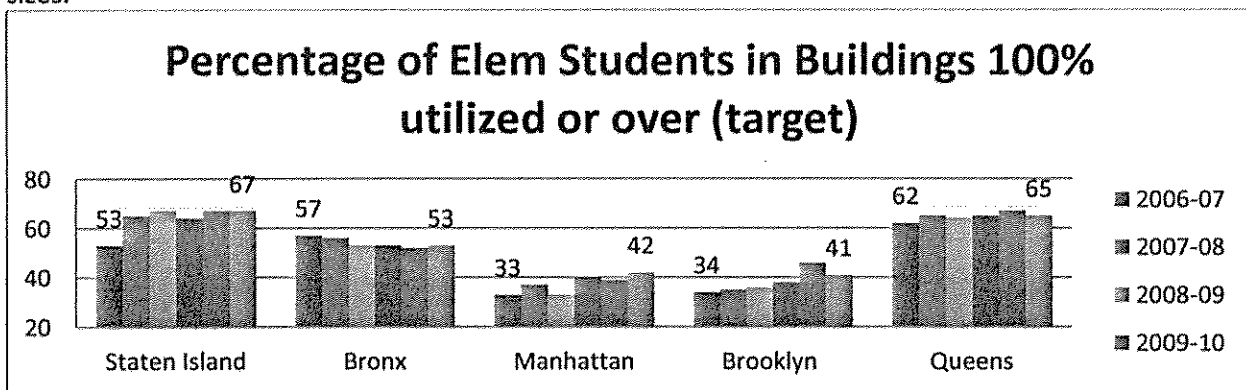
¹ Unfortunately, the DOE does not report on students in segregated special education classes by age or grade.

City. The latter proposal has been estimated to increase the number of Kindergarten students by an estimated 3,000 to 6,000 students each year.²

Worsening School Overcrowding

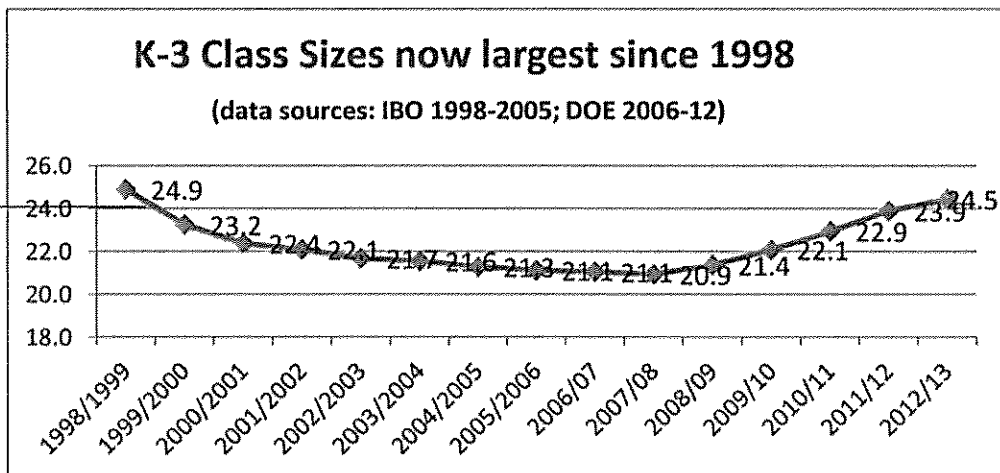
Meanwhile, there is a growing crisis in school overcrowding, particularly at the elementary school level. According to the latest available data, more than half (54%) of our elementary grade students attend school in buildings that are severely overcrowded (100% or more target utilization according to the Blue Book data for 2011-2012).

The boroughs with the worst elementary grade overcrowding are Staten Island and Queens. At the same time, only 17% of students attend elementary school in buildings that are 79% or less utilized – which according to most estimates, allow for sufficient space for cluster rooms and reasonable class sizes.



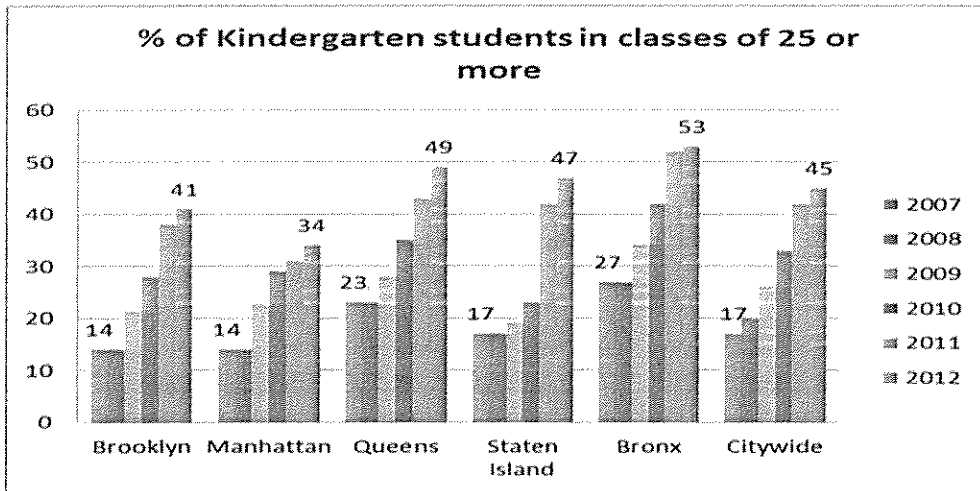
Increase in class sizes

At the same time, as a result of repeated budget cuts and increased enrollment, class sizes have risen sharply in all grades for the last five years.



² Winnie Hu, "To Quinn, No City Child Should Miss Kindergarten," NY Times, March 21, 2012.

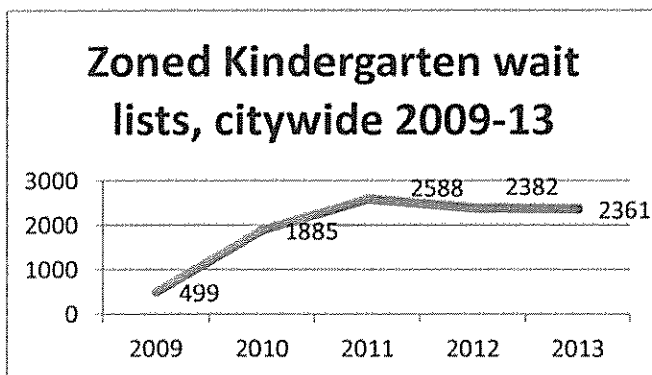
In grades K-3, where there is the most rigorous evidence that class size has a significant effect on student achievement and success later in life, class sizes are now the largest that they have been in 15 years. Nearly half of all Kindergarten students are now in classes of 25 or more – which is the union contractual maximum, compared to only 17% in 2007.



Waiting Lists for Kindergarten

The problems with poor planning and increased overcrowding have become even more evident in recent years with the emergence of waiting lists for Kindergartens.

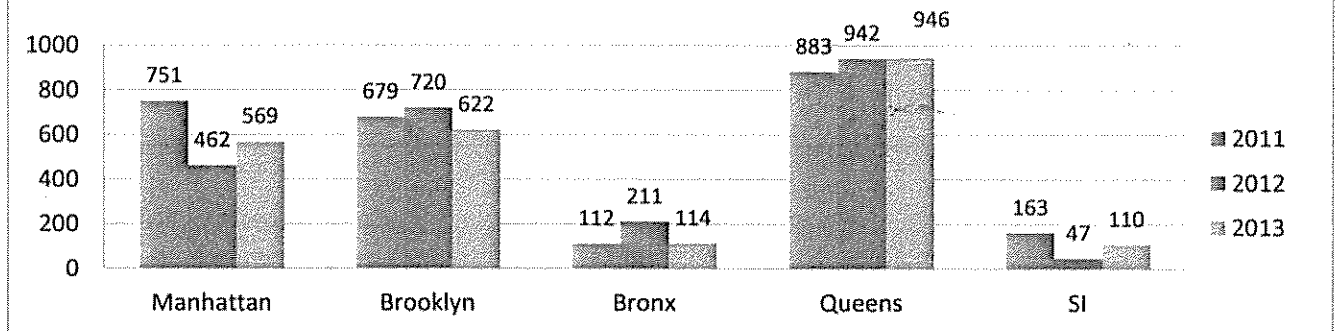
Prior to 2009, there were no waiting lists, except in isolated cases. But in 2009, the problem emerged citywide, and has become even more widespread since then, as the charts below demonstrate.



Although in 2013, the total number of students on waiting lists this spring slightly declined from the year before, the number of students on Kindergarten waitlists grew in three out of the five boroughs— in Manhattan, Queens and Staten Island. This spring, there were 2,361 students on waiting lists at their zoned elementary school at 105 schools.³

³ Cramer, Philissa, "Annual tally of soon-to-be kindergartners on wait lists is 2,361," GothamSchools, 12 April 2013; See also, Schneider, Anna, "K waitlists persist; 2 overflow schools to open," Inside Schools, 12 April 2013. Data file available at http://insideschools.org/blog/item/download/33_1127b3a0770556758d0becad4490edad

zoned K students on waitlists 2011-2013



As DOE points out, many students vanish off waiting lists by the start of the school year. This occurs for a variety of reasons: either their families have moved elsewhere, to a new town or neighborhood, their children have enrolled in private or parochial schools, or gifted programs; or because more space has been made available within their local public school.

The latter option often means the principal has been pressured into increasing class sizes, sometimes over the union contractual level and far above what would be considered optimal, or the school has been forced to sacrifice preK programs, or art, music or science rooms, repurposed as general education classrooms.

Insufficient number of pre-K seats despite rising demand

In addition to increased enrollment and waiting lists for Kindergarten, each year there is an increased demand for pre-kindergarten seats. Yet this demand has met with insufficient seats.

- Demand for pre-k continues to grow. In 2013, there were 30,118 applicants for preK, compared to 29,072 applicants in 2012 and 28,815 in 2011.⁴ 30 percent of the applicants did not get seats; about the same as the year before.

Several proposals have been made to dramatically increase the number of preKindergarten seats, despite the apparent lack of space. Right now, most preK seats are half-day; with each classroom providing two sessions per day. Public Advocate Bill De Blasio has made a particularly ambitious

⁴ Schneider, Anna "No pre-k seats for 30% of applicants," *InsideSchools*, 7 June 2013; Wheaton, Pamela, "Pre-K: No seats for 30% of applicants," *InsideSchools*, 14 June 2012. Santos, Fernanda. "Big Kindergarten Wait List Limits City's Pre-K Slots." *New York Times*, 10 June 2011

proposal: to convert 38,000 part-time Pre-K seats to full time seats, which would necessitate another 19,000 seats; and adding another full time 10,000 Pre-K seats, for a total of 29,000 seats.⁵

In short, though otherwise laudable, the proposals to institute mandatory Kindergarten and expand the number of preK slots by many thousands, will put even more pressure on existing school capacity, and are likely to create even more overcrowding and larger class sizes unless there is a more ambitious capital plan that creates sufficient seats. The current plan only will create a small fraction of the seats necessary just to keep up with growing enrollment.

Overcrowding through co-locations by redefining full size room in instructional footprint

The DOE now relies on a document, called the Instructional Footprint, to help determine if there is sufficient space in a school to co-locate new schools. The Instructional Footprint has changed over time, in an apparent effort to squeeze more students and schools into limited spaces.

- Though the Instruction Footprint once had class size standards similar to the “target” formula in the “Blue Book” any mention of class size has now been eliminated completely, except in the case of transfer high schools, full time GED programs, and Young Adult Borough Centers. ***The DOE’s near total elimination of class size standards from the Footprint was done without public input or explanation.***

The original Footprint from 2008 assumed class sizes of twenty students per class in grades K-3, and 25 students in grades 4-5, in apparent recognition of the city’s commitment to reduce class size. In 2009, the Footprint raised these standards in grades 4-5 to 28.⁶ In the 2011 Instructional Footprint, for the first time, they eliminated class size standards. In this way, the DOE appears to be committed to increase class size through squeezing more schools into existing spaces.⁷

- The definition of a full size classroom has also consistently shrunk in size, so that classrooms, specialty rooms, and space for student support services are a minimum of 500 square feet, compared to at least 750 sq. feet in earlier versions of the Footprint - a reduction of 33 percent.
- In addition, the Footprint allows schools only a baseline of two rooms (min. 500 sq. feet each) for both student support services and resource rooms, and only one and a half size classrooms for administrative services.

⁵ De Blasio, Bill “*Starting Early, Leaning Longer: Education Investments to Keep NYC Competitive*,” Public Advocate office, accessed at <http://advocate.nyc.gov/files/DeBlasioEducationInvestmentFactSheet.pdf>; Again, where these seats would be located is unclear, though the Public Advocate has also proposed \$50 million to be spent on new leases.

⁶ NYC DOE, Instructional Footprint, revised May 2009; accessed at http://schools.nyc.gov/NR/rdonlyres/21630B3B-E388-44EB-A099-9F9AB52473A8/66299/NYCDOE_Instructional_Footprint_revisedMay2009_noco.pdf

⁷ NYC DOE, Instructional Footprints, Consolidated Version, 2011; accessed at http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf

- The absence of class size standards and the shrinkage of full-size classrooms have led to the children being forced into rooms that violate the building code. The NYC building code requires a minimum of 35 sq. feet per child in Kindergarten classrooms and 20 sq. feet per child in grades 1-12.⁸

This means that in a minimum size Kindergarten classroom, there can be only 14 children, and only 25 students in a minimum size classroom, as defined by the DOE's Footprint. ***The vast majority of NYC schools would violate the building code if classrooms were this small because they have far larger class sizes.***

- As of the 2012-2013 school year, 99 percent of Kindergarten students in general education, inclusion or gifted and talented classes had class sizes that exceeded 14, 66 percent of students in grades 1-8 and 72 percent of high schools had class sizes that surpassed 25. All these classes would violate the building code, if they were housed in rooms of the minimum size allowed by the Footprint.⁹

I have visited many schools that already violate the building code because the school is cramming too many students into small classrooms. The problem is likely to worsen over the next few years unless the DOE revises its footprint, and stops its push towards more and more co-locations. Moreover, the increased enrollment and co-locations, combined with wholly inadequate capital planning, will make it even more difficult if not possible to find space for class size reduction in the future.

Inadequate capital planning

In the current capital plan, the DOE admits that "Based on current Trend, [there is a] need for approximately 50,000 seats citywide"- with more than 16,000 of these seats as yet unfunded.¹⁰

Our estimate is that there is a need for at least 58,000 new seats based on future enrollment increases alone – without beginning to account for the need to alleviate existing overcrowding or reduce class size. The next mayor will hopefully put a higher priority on accomplishing these goals than the current one has.

⁸ New York City Department of Buildings. *Building Code of the City of NY Plus Reference Standards and Selected Rules and Regulations of the Department of Buildings, Includes Amendments to October 1, 2004*. New York: NYC Department of Buildings, 2004. p. 166.

<http://www.nyc.gov/html/dob/downloads/bldgs_code/amendment_set_1.pdf>

⁹ Source: New York City Department of Education 2012-2013 Updated Class Size Report. All figures are GenEd, CTT and G&T student

¹⁰ NYC Department of Education. *Building on Success; FY 2010 – 2014 Five-year Capital Plan, Proposed 2012 Amendment*. New York: Department of Education, Feb. 2012. p. 7.

<http://www.nycsca.org/Community/CapitalPlanManagementReportsData/CapPlan/021012_10-14_CapitalPlan.pdf>

SUMMARY OF COMPLAINTS REGARDING AUDITION POLICY CHANGE

1.) The Office of Student Enrollment Planning and Operations (OSEPO) removed the "audition requirement" for NYC performing arts high schools in March of 2012 but never INFORMED the students and parents that went through the process the following fall.

2.) Of the 1,500 citywide students that auditioned at Talent Unlimited High School (as well as the thousands of students that auditioned at the other performing arts high schools) 43 JHS 8th Grade kids were robbed of their opportunity for a seat when the DOE placed them into the incoming class with students that never showed up to audition in spite of the DOE telling them that auditions were still required.

3.) The DOE claims the placed students showed "strong interest" in these schools. Yet, they never showed up to any of the several audition dates that were available to all NYC 8th graders. As well, once they received their placed seats at TUHS, 83% of the 43 still did not show up for an interview when invited by the school. "Strong interest" is a stretch of the imagination.

4.) These 43 Placed students can be set up for failure as they will be judged on the same criteria as the auditioned students that have spent years perfecting their respective performing arts skills. Talent Unlimited HS is a CTE HS and require a CTE exit examination.

(ie: Instrumental students with little or no training will be evaluated alongside those that already have significant skills in reading and playing music.)

5.) This NEW process undermines the credibility of the performing arts schools as a whole as skilled auditioned students will now need to perform simultaneously with students of unknown skills and this may lower the quality of the performances. This sets the credibility of the schools up for failure as well.

6.) The DOE should reinstate the "audition requirement" for NYC performing arts high schools in the Chancellor's Regulations.

Contact:

Guy Ortmann 646-522-1097 gortmann@earthlink.net

A school that is structured as a K-8 or a 6-12 must have multiple entry points. Therefore, when a student is admitted to a school that is structured as a K-8 or 6-12 that student is entitled to and has priority for admission to the upper grades—by complying with the applicable admissions process. Such students may, at the same time, apply to any other school or program for which they are eligible.

G. ~~High School Policies~~ Articulation to High School

1. ~~Zoned high school students are entitled to attend their zoned high school subject to available seats.~~
2. ~~Students articulating from 8th grade are guaranteed admission to their zoned high school only if they list their zoned school as their first choice on their high school application if they apply to the school via the high school admissions process.~~
3. ~~No high school (except District 75 schools, District 79 programs and transfer schools) may register students. Only the Office of Student Enrollment may register high school students.~~

4. Students list noticed to a school as the result of the high school admissions process have a right to return during the school year for which he or she was matched. A student seeking admission to a screened or audition high school, however, must be referred for an audition/interview as appropriate before he/she can be registered.

REDLINE
AUDITION
POLICY

III. READMISSION

A. Readmission/Right of Return

In general, students all have the right to return to their prior school following discharge from the NYC public schools within one calendar year of discharge in accordance with the following guidelines:

1. Elementary/Middle School Students
 - a. for elementary and middle school students, a student who returns to his/her prior address has the right to return to his/her zoned school, subject to available seats;
 - b. elementary or middle school students who previously attended a non-zoned school have the right to return to that school for one calendar year if they continue to be eligible based on their residence;
 - c. students who previously attended district or citywide Gifted and Talented programs may return to a Gifted and Talented program if a seat is available and if they return to the same district (for district programs). Students who attended district Gifted and Talented programs and return to another district may be readmitted to a Gifted and Talented program in their new district if a seat is available.
2. High School Students
 - a. for high school students, a student has the right to return to his/her previous high school (including the specialized high schools) if he/she was list noticed or discharged within one calendar year of the current date;⁷
 - b. if there is a question regarding a student's right of return, the Office of Student Enrollment will make the final determination about readmission.
3. Students with disabilities requiring a seat in a Collaborative Team Teaching or Special Class program have the right to return to their prior school within one year of discharge or list notice subject to available seats.

IV. TRANSFERS

⁷ A student discharged to a Code 39 may return to school until the end of the school year in which he/she turns 21.



Welcome Español العربية Azərbaycanca Pycckий Français বাংলা শেখা বাংলা 中文 Keyul Annyeong

Parents and Families

Students

Employees

Children First. Always.

Community and Partners

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A family's guide to preparing students for college and career

Admissions Process

High Schools

Admissions Process

The high school admissions process is centered on two principles: equity and choice. The student-driven process enables students to rank schools and programs in an order that accurately reflects their preferences. Students can rank up to 12 programs from more than 600 programs citywide. The Department of Education conducts workshops and fairs to help parents and students learn about the high school admissions process and make informed choices.

Please review the sections below with your student.

Admissions Methods

Auditions *Requirements* *Remains in HS Directory*

Audition

Programs that require that a student demonstrate proficiency in the specific performing arts/visual arts area for that program. For example, if a student auditions for a drama program, he/she may have to prepare a monologue as part of the audition. The audition requirements, dates and times are listed with the program on each school's directory page.

Educational Option (Ed. Opt.)

Programs designed to attract a wide range of academic performers. Students applying to an Educational Option program are categorized into one of three groups based upon the results of their 7th grade standardized reading test score:

- Top 16% - High
- Middle 68% - Middle
- Bottom 16% - Low

From the applicant pool, half the students are chosen by the school administration and half are selected randomly. However, students who score in the top 2% on the 7th grade English Language Arts reading exam will automatically be matched to the Ed. Opt. program if they listed it as their first choice. If a child is in the top 2%, it is indicated on his/her application next to the reading score.

Limited Unscreened

Programs that give priority to students who demonstrate interest in the school by attending a school's Information Session or Open House events or visiting the school's exhibit at any one of the High School Fairs.

Screened

Programs in which students are ranked by a school based on the student's final 7th grade report card grades and reading and math standardized scores. Attendance and punctuality are also considered. There may also be other items that schools require to screen applicants such as an interview, essay or additional diagnostic test score.

Revised Screen Policy in Screened and Audition High Schools

- This policy was designed to maximizing the availability of high quality options for all students.
- When screened and audition public high schools do not consider a sufficient number of their applicants, it limits great options for students who might do very well in these programs.
- This policy was first communicated and implemented in screened and audition schools in January 2012.

The policy was first passed by the PEP on March 1, 2012. How could it have been implemented in January prior to passage?

- Screened and Audition schools were notified that we would be working to make admissions practices for their schools more inclusive, if they did not fill with enough students.

The audition schools were notified in January 2013 of this... ex post facto to the auditions that were held in Nov and Dec 2012. When were the parents notified? Why were changed not posted in the High School Directory? Why does the Enrollment staff to this day, still say that the High School Directory takes precedent? Why are there videos on line from the outgoing Enrollment Chief that specifically says, "No Student can be accepted into any of these schools without an audition?" Why were the parents excluded from notification if in fact, the DOE had over six months from the passage of the new Chancellor's regulations to the beginning of the next school year?

- To ensure that schools were prepared, my team communicated and held meetings with the principal and staff at all screened and auditions schools throughout the school year and provided them multiple opportunities to raise any concerns.

Nothing could be further from the truth. The proposed change in the Chancellor's regulation A-101 was not communicated to the schools, the parents or the students. Some members of the PEP did not know they had voted on this. The Principals had no meetings with anyone from Enrollment prior to implementation.

- 71 schools were impacted by the policy this year. This included highly competitive screened/audition programs across the city and the overwhelming majority of them are comfortable with this policy. Many are working to accommodate and differentiate their programming to serve students they received.

You need to separate screened from audition schools. Audition schools saw over 2,000 hard working applicants for a very few spaces. The DOE did and still says in their directories that this is by audition only. Their websites even have a video showing the outgoing Enrollment Chief saying, "You can only get in by audition to these schools. No exceptions." If in fact, there was a substantive change, why were the directories not changed to notify the potential applicants? Why do we see a January 2013 letter from Robert Sanft that went to principals of screened schools... but did not address audition schools? Since the NYC DOE has regular meetings with Principals and the Chancellor, did not anyone think this was such a big change as to not have a discussion in the almost 2 years they said prior to the January 22, 2013 email? Why were the 2009 Chancellor's regulations still on line on April 2013, and changed after the Principal's protest to the DOE? Why was there no communication to the affected schools of the change in A-101 G4 after passage of the deletion of "screened and audition" schools?

- It's important to note that in all cases where we implemented our revised screening policy, we offered matches only to students who expressed strong interest in the school (ranked the school highly in their application) and had a comparable academic background as other students who go to the school (i.e.: we only made offers to students who had average incoming ELA and Math proficiency levels that were similar if not higher than

the schools existing population).

We assume the DOE means that not attending 4 audition dates and not coming to the school after an invitation is sent after the DOE accepted these non-auditioned students shows a "strong interest."

- Here's a rough timeline of our communication to schools about this policy over the past two years:

- In fall 2011, we engaged our Office of Arts Education and they expressed agreement that placing non-ranked students in audition arts programs is appropriate and would get schools to think more carefully about capacity and how they screen students.

We have had no communication from the Office of Arts Education headed by Paul King or any of his staff on this matter. Has Paul King been an administrator in a school? Does he have the same information that principals of the affected schools have? Why would you consider asking Paul King, when you could have asked the principals affected directly? Did Paul King communicate any of these conversations or his agreement with you to any of the schools... the parents... or the principals? Who are "they" in this sentence? Are you saying all of Paul King's heads of the arts agreed with this decision... Joan Finkelstein, Barbara Murray, and Peter Avery?

Is not the mission of the Office of Arts and Special Projects as follows: "to provide NYC public school communities – students, teachers, school leaders and parents – with information and resources that will enable every student to achieve a full education in the arts?" Then, why was this not communicated?

- In January 2012, schools were advised to begin considering a wider pool of students, both GE and SWs in an attempt to meet their targets, so as to maximize the number of

*PAUL KING HAS
RECENTLY DENIED
EVER BEING CONTACTED
BY OAEPO.

students getting offers to these great schools.

Since the vote was not until March 1, 2012, why would you advise anyone of a change that had not been implemented?

- *60 schools with screened and audition programs were impacted by this policy during the 2011-12 admissions cycle and received students for September 2012 – without concern.*

True, but they were not audition schools. Would you want a chef who wants to be a heart surgeon doing a by-pass? As the NYC DOE Summer Workshop states... Summer Arts Institute offers a unique opportunity for students to work with Department of Education arts specialists, partnering cultural organizations, and guest artists. This experienced team of arts professionals guides students in building a portfolio or audition skills for their next level of study: an arts-focused high school, college, university or conservatory.

Here you say it yourselves, that training is needed before you can audition for these schools.

- *This year, training on the high school admissions process was provided for all high schools between Dec 18 and Jan 11. In these trainings, we explicitly discussed the policy related to the relaxed screen. Trainings were targeted for program type - screened, audition, etc.*

There was no mandated training and no effort to engage the principals prior to the email in January of 2013.

- *On Jan 22, emails with match targets were sent to Principals, which included detailed explanation on the relaxed screening protocol for schools that do not rank a sufficient number of students.*

True.

- *On Jan 30, our Networks began reaching out to screened*

and audition schools to alert them that they had insufficient ranking and that we would allow them to make additional ranking and avoid having seats de-screened.

Untrue... one phone call would have alleviated the situation... and as in all previous years, selection would have gone to the next tier of auditioned students. The networks did not reach out to the Principals involved.

- On March 15, for all affected schools, a final summary of seats that matched via our relaxed screening process was sent.

The next communication received was the inclusion of non-auditioned students. The new algorithms only take into account test scores, not audition scores. Hence, someone who has no performing arts skill is only rated by test scores. That would mean someone who cannot read music is admitted to a program, which requires that skill. That puts these non-auditioned kids at risk for failure before they walk in the door. It also means art students being admitted to a school with no art curriculum. In addition, these kids without skills will be forced to pass CTE exams as well as Regents, since TU is accredited as a Regents school and a CTE school for some curriculum.

Mr. Ferguson's basis for his argument are severely flawed and, at least, misleading.

1.) Sandy Ferguson, of the office of enrollment, said the move was intended to "broaden opportunity for all students across the city."

Response: Every 8th grader attending a NYC school has multiple opportunities to audition at multiple performing arts high schools. There are NO restrictions at any level. All they have to do is show up.

2.) Ferguson responded that high schools should rank three times as many students as they think they'll enroll in order to meet their seat targets.

Response: Two years ago, the DOE told Talent Unlimited High School to submit more names to fill the 135 seats available. When the school complied, the DOE sent them over 200 students for the following year, a 50% overage of the school's capacity. The result was an overload to the resources available culminating in the school's score dropping from an A rating to a B the following year. If schools submit 3 times the seats available, they run the risk of reliving the situation as the DOE is offering no guarantee they will not do the same. That is, in fact, why schools are afraid to send too many names.

3.) Ferguson said that students are assigned based on state scores.

Response: State scores have virtually no indication as to a student's ability to play an instrument, dance, sing or act. Math and ELA scores are irrelevant when evaluating an individual's performing arts talent. It is the equivalent of telling Mr. Ferguson his ability to keep his job will be based on how well he can sing an opera aria while discarding his education background and other credentials. They are totally irrelevant to the point being addressed.

Finally, the DOE's rigidity in this debate and total unwillingness to listen to valid complaints that completely destroy the DOE's logic speaks to their true lack of concern for the wellbeing of the students which is in their trust. If they cared about the efficacy of their actions, they would not have told school administrators to tell the parents to "shut up or we will cancel any negotiations" when they started receiving email complaints. That was a communication I personally received.

They have held back the truth from the public starting from day one when they secretly removed the "audition required" element from the Chancellor's regulations that allowed them to pull this scam but continued in every public DOE document to tell all applicants that an audition was required. If you call the DOE today, they will still say an audition is mandatory. I know. I called them last week.

STATEMENT:

FROM TU HS

Talent Unlimited is a CTE HS that been around 18 years. Each year around 1500 middle school students, followed the DOE guidelines, and auditioned for acceptance to Talent Unlimited High School as is currently stated in the DOE's high school directory and several other DOE sources. Talent Unlimited HS is a performing arts school.

This year, of the 145 Freshman seats, OSEPO is arbitrarily placing 43 students into our school, who had never auditioned.

The 43 kids who did not audition -

- * may not be able to play a musical instrument
- * may not read music which is required
- * may not be able to sing
- * may not be able to dance
- * may not know a jete from a plie
- * may not be able to do a recital
- * may not fit into an ensemble orchestra

or band as the school fills in by need of instrumentation

* Can be years behind those who were prepared for this curriculum

The students and parents of the currently enrolled who had indeed gone through the required process deem this latest action by the DOE unfair and irresponsible.

The other 1,500 children and their parents that were denied their opportunity for entrance into the TU student body were, in fact, cheated and disenfranchised through by system via your actions.

QUESTIONS:

- 1). HOW DO YOU JUSTIFY OVERSTEPPING THE AUDITIONED STUDENTS WHO FOLLOWED ALL OF YOUR RULES AS THEY WERE TOLD BY YOU AND GIVING THOSE SEATS TO STUDENTS WHO NEVER SHOWED UP TO AUDITION?
- 2). How are students going to pass the CTE exit exam in the curriculum due to lack of preparation coming into the school ?
- 3). Why were students and parents never told of the change prior to going through the audition process?
- 4). As the NYC DOE - Office of Arts Executive, was Paul King qualified in lieu of the schools principals to say this change was a good change for the schools? WHICH HS ? Did Paul King reach out to his three deputies, Joan Finkelstein, Barbara Murray and Peter Avery, to ask their opinion or did he rubberstamp what the Chancellor wanted? Did Paul King reach out to the affected Principals to seek their guidance?
- 5). Why to this day do all of the DOE documents, videos and DOE enrollment personnel continue to say auditions are required? Why do both Frank Sinatra and Talent Unlimited say audition for these curriculum that were given to parents, six months after the Chancellor's regulations were changed?
- 6). Does New York State law allow NYC DOE to make these changes in policy WITHOUT a public hearing?

7). How do you expect your "placed" and unprepared students to succeed in a program where the bulk of the students have been working on their specialization for years when they will be judged on the same criteria?

8). Why did you not simply call the performing arts schools and ask for more audition names as you had done every year prior? You claim your networks reached but no calls were ever received by the schools. If they had, we would not be having this discussion. In fact, your enrollment office told the schools to change their curriculum.

9). Ask about the 960 Gen Ed kids - how many did EACH of the HS affected received for 2012 ? for 2013 ?

TALENT UNLIMITED HIGH SCHOOL

Address: 317 EAST 67 STREET
 MANHATTAN, NY 10065
Campus: Julia Richman Educational Campus
Tel: 212-737-1530
Fax: 212-737-2863
E-Mail: lhamill@tuhsnyc.com
DOE Website: schools.nyc.gov/schoolprofiles/02/M519/
Independent Website: www.tuhsnyc.org
Geographic District: 02

Subway: 4, 5, N, Q, R to Lexington Av-59 St ; 6 to 68th St - Hunter College ; F to Lexington Ave/63 St
Bus: M1, M101, M15, M31, M57, M66, M72, M98, Q101, Q32.

Two years ago, OSBP told TUHS to increase their number of seat requests. TUHS asked the number to 150 for a school with 460 lockers. OSBP gave 250 students. Ratio immediately dropped from A to B.

ADMISSIONS PRIORITIES

- 1. Open to New York City residents

SITE ACCESSIBILITY

- Functionally Accessible

SPECIAL EDUCATION SERVICES

This school will provide students with disabilities the supports and services indicated on their IEPs.

ELL PROGRAMS

- ESL

ENROLLMENT (10/31/2011)

- Total Students: 491
- Grades Served (2013 - 2014): 09,10,11,12

Accountability Data

	2009-10	2010-11
Progress Report	A	B
Quality Review	WD	N/A
Graduation Rate	93.4%	95.2%
College Enrollment Rate	N/A	75.0%

TYPICAL FRESHMAN SCHEDULE

Start Time: 08:15 AM
End Time: 03:15 PM

OPEN HOUSE INFORMATION

Our Open Houses/Showcases will take place on Saturday, October 13 at 10:00 AM and Wednesday, October 17, 2012 at 6:00 PM. You are also welcome to visit us and join one of our Friday morning guided tours so you can see what life at Talent Unlimited (TU) is really like! Please call first to confirm time and space availability.

DID YOU KNOW?

- The Arts permeates all learning at TU, where every classroom provides the opportunity for intellectual

OVERVIEW

Talent Unlimited High School is a small school of 450 students from culturally diverse backgrounds who come from all five boroughs. We are a caring, tight-knit New York City school community located on Manhattan's Upper East Side. Students must audition to demonstrate exceptional talent in the performing arts and be prepared to meet high academic standards. We offer a student-centered, interdisciplinary approach to instruction.

COURSES AND PROGRAM HIGHLIGHTS

Program Highlights: Work-based Career Performing Arts, specialized courses in Dance, Drama, Vocal & Instrumental Music, Musical Theatre, Honors Classes in Arts and Academics, College Now, Professional Training at Martha Graham Dance Center, Arts Internship
Language Classes: Spanish
Advanced Placement Courses: Biology, Chemistry, English Language and Composition, United States History

PARTNERSHIPS

- Hospital Outreach:** Mount Sinai Hospital (school-based Clinic)
- Higher Education Institutions:** Hunter College, New York University, Marymount College, State University of New York (SUNY) Brockport, Buffalo State University
- Cultural/Arts Organizations:** Martha Graham Center of Contemporary Dance, Epic Theatre Ensemble, InterSchool Orchestras of New York, Western Wind Vocal Ensemble, The Sweet Plantines, Exploring the Arts Internship Program, The Roundabout Theatre Company, The Metropolitan Museum of Art, American Museum of Natural History, American Folk Art Museum
- Corporate:** ABC News, MTV

EXTRACURRICULAR ACTIVITIES

Arista, Career-based Internships, Chess, Citywide performances in Vocal Music, Community Service Outreach, Dance, Drama, Extended Day Tutoring in all academic and arts subjects, Film, Gospel Choir, Hip-Hop, Improv Comedy, Mentoring, Musical Theatre & Instrumental Music, SAT Prep, Saturday School, School Newspaper, Step Team, Student Government,

71 SCHOOLS AFFECTED BY CHANGE IN POLICY

School DBN	School Name
01M539	New Explorations into Science, Technology and Math High School
02M376	NYC iSchool
02M408	Professional Performing Arts High School
02M411	Baruch College Campus High School
02M412	NYC Lab School for Collaborative Studies
02M413	School of the Future High School
02M414	NYC Museum School
02M416	Eleanor Roosevelt High School
02M439	Manhattan Village Academy
02M519	Talent Unlimited High School
02M531	Repertory Company High School for Theatre Arts
02M630	Art and Design High School
03M417	Frank McCourt High School
03M479	Beacon High School
03M541	Manhattan/Hunter Science High School
03M859	Special Music School
04M435	Manhattan Center for Science and Mathematics
04M495	Park East High School
04M610	Young Women's Leadership School
05M362	Columbia Secondary School
05M499	Frederick Douglass Academy
05M670	Thurgood Marshall Academy for Learning and Social Change
06M293	City College Academy of the Arts
06M540	A. Philip Randolph Campus High School
07X500	Hostos-Lincoln Academy of Science
09X324	Bronx Early College Academy for Teaching & Learning
09X413	Bronx High School for Medical Science
10X141	Riverdale/Kingsbridge Academy (MS/HS 141)
10X368	In-Tech Academy (MS/HS 368)
10X434	Belmont Preparatory High School
10X442	The Celia Cruz Bronx High School of Music
10X477	Marble Hill High School for International Studies
11X455	Harry S Truman High School
12X478	The Cinema School
12X684	Wings Academy
13K419	Science Skills Center High School for Science, Technology and the Creative Arts
13K595	Bedford Academy High School
13K605	George Westinghouse Career and Technical Education High School
13K670	Benjamin Banneker Academy
14K614	Young Women's Leadership School of Brooklyn
15K429	Brooklyn School for Global Studies
15K462	Secondary School for Law
15K464	Park Slope Collegiate
15K497	School for International Studies
15K656	Brooklyn High School of the Arts

15K684	Millennium Brooklyn
17K543	Science, Technology and Research Early College High School at Erasmus
17K590	Medgar Evers College Preparatory School
17K600	Clara Barton High School
19K615	Transit Tech Career and Technical Education High School
21K410	Abraham Lincoln High School
22K555	Brooklyn College Academy
24Q299	Bard High School Early College Queens
24Q455	Newtown High School
24Q610	Aviation Career & Technical Education High School
25Q252	The Queens School of Inquiry
25Q525	Townsend Harris High School
26Q435	Martin Van Buren High School
27Q323	Scholars' Academy
28Q284	York Early College Academy
28Q505	Hillcrest High School
28Q680	Queens Gateway to Health Sciences Secondary School
28Q896	The Young Women's Leadership School, Queens
29Q498	Humanities & Arts Magnet High School
30Q286	The Young Women's Leadership School, Astoria
30Q450	Long Island City High School
30Q501	Frank Sinatra School of the Arts High School
30Q580	Baccalaureate School for Global Education
31R445	Port Richmond High School
31R450	Curtis High School
31R600	Ralph R. Mckee Career and Technical Education High School

DAILY NEWS

NEW YORK

Be Our Guest: Department of Education fails children by circumventing selective high school admission rules

The DOE unilaterally decided to place 1,000 students in 70 high schools with selective programs that normally require an audition

BY DMYTRO FEDKOWSKYJ / NEW YORK DAILY NEWS

MONDAY, MAY 6, 2013, 4:00 AM



CRAIG WARDA FOR NEW YORK DAILY NEWS

Students at LaGuardia High School of Music and Art re-create the dance scene from the hit film "Fame," which immortalized the prestigious Manhattan school.

Being a parent isn't easy, especially when deciding which high school best fits our children. However, we try to teach our children that rewards will come if they set goals and work hard to achieve them. Just two weeks ago, the Department of Education made a decision that throws this notion out the window. It unilaterally decided without consulting the Panel for Educational Policy, the governing board of the DOE, to circumvent its own rules and policy by placing 1,000 students in 70 high schools with performing arts or other selective programs that normally require an audition or some other type of screening to gain admission.

An undisclosed number of the 1,000 students didn't actually have to do the work to pass the usual admissions process. As a result, other students, who followed the established rules, may have just missed the benchmark and been passed over.

As one of the 13 policy board members and the only Queens representative, I find this decision ambiguous, divisive and an abusive display of power by the DOE. The spirit of law behind mayoral control doesn't give authority without regulations to govern it. Regulations create a fair and equitable opportunity for every student; the policy used in the past did just that, creating successful outcomes because students were matched to schools based on qualifications after auditions and screening based on the mission of the respective school.

The PEP approved various appointed members from all over the city to serve on a citywide art committee three years ago, and I requested these board members assemble a report that reflects on projected student outcomes for the PEP to review. We need to know why they would support this new placement policy without



DOMBICK TOTTING FOR NEW YORK DAILY NEWS

Dmytro Fedkowskyj, Queens representative on the city Panel for Educational Policy

having students earn their spot, not to mention that lack of parent notification in the change of admission policy for performing art students.

Any change in policy without public vetting is unacceptable and should not occur. The DOE empowered principals to run their schools, but bulldozed them on this decision. It's important to understand that the past process was regulated and successful. Every student graduating eighth grade had the same opportunity to earn a seat in these schools based on the rules, requirements and process that were established by the DOE.

This sudden change in process will grow to be a systemic problem for the programs in these schools. It will force the programs to be watered down; it sets up unqualified students for failure and takes away from the missions of the schools. It even diminishes the achievement of the students who auditioned and earned seats.

At this point, I and concerned parents can only hope that the DOE will provide the necessary supports for principals and teachers to help the students placed outside the normal process to be prepared to do the work. It isn't easy, and it requires constant dedication and passion for the arts or specialized academics.

This placement process is a flawed policy for students and schools involved, and only time will prove me right, but unfortunately, the fallout will be at the expense of our children.

After getting past the placement policy of students, since it already happened, it's now more about the process that placed the students in these schools. It's easy to say that bypassing qualified students isn't fair and obviously wrong, but this process becomes a slippery slope when a unilateral decision is made without a regulation to govern it. A process and regulation was in place. It's been used for years with great success, but was circumvented by DOE without just cause.

At the end of the day, matching student qualifications, based on auditions and screening with the mission of each school creates successful outcomes, not placements. I'm calling on the DOE to abandon this sudden change in high school admissions and to revert back to its proven method going forward.

[DNLEDETEXT] Dmytro Fedkowskyj is the Queens representative on the city Panel for Educational Policy.

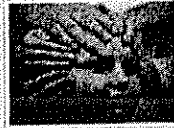
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Selective City High Schools Forced To Accept Some Students Who Bypass Admissions Process By: Lindsey Christ (NY1)

Students chosen to attend some of the top high schools in the city are usually handpicked, especially for those programs that have specific focuses. However, next year's classes will have some students that did not go through the rigorous vetting process. NY1's Education reporter Lindsey Christ filed the following report. Competition is fierce for a place at Talent Unlimited High School on the Upper East Side. There are just 125 spots, split among dance, drama, voice, instrumental or musical theater and 1,500 children audition.

"They score you and you either make the cut or you don't. And if you make the cut then you do a second round of auditions and you get in or you don't," said student Selena Haber. This year, about 45 students got in Talent Unlimited without doing any of that. They were assigned to the school by the Department Of Education based on one factor alone: state test scores. Students and parents say it does not make any sense.

"It was a hard process for us to get in here, I worked hard. I did a lot of studying," said student Azrien Wilson. It turns out the DOE assigned students to 71 of the most selective high schools. Nearly 1,300 students were picked based on their test scores, without considering any of the other factors the schools require for admissions, like essays, portfolios, interviews or auditions.

In some cases, the DOE says it stepped in because schools had failed to accept enough students with special needs, as required. Those schools include Beacon, Townsend Harris and Eleanor Roosevelt, all consistently among the most competitive to get into. "It's part of our goal of making sure these schools accept students with special needs," said Schools Chancellor Dennis Walcott.

But most of the students added to the selective high schools' rosters do not have special needs. Almost a thousand general education students were assigned to fill seats still available after the first round of the high school matching process. Schools say in the past they have been able to choose applicants who had almost made the cut, similar to college wait lists.

DOE officials say the new policy is designed to "maximize the number of families who know as soon as possible the school their child will be attending in the fall." The schools say it means thousands of students who auditioned, wrote essays, submitted art portfolios and sat for interviews were bypassed by students who didn't even try out. They may not be qualified to succeed in very specific, very demanding programs.

'Talentless' DOE policy (NY Post)

By YOAV GONEN; Posted: 1:51 AM, April 27, 2013

The city's assignment of more than 1,000 unqualified students to dozens of top performing-arts and academic high schools this year was no temporary fluke, The Post has learned.

Department of Education documents show the agency quietly launched an admissions policy last year under which specialty schools that don't admit enough kids are assigned students regardless of talent, whether they can sing, dance or write well, as required.

Before 2012, screened schools that had empty seats after a preliminary round of admissions were given the chance to select additional students who had met their entrance requirements.

Parents at schools like Frank Sinatra HS in Queens and Talent Unlimited HS in Manhattan are furious that the new policy allows general education students who didn't even audition or interview for spots leapfrog kids who worked hard to do so.

"The policy should have been publicly vetted, but wasn't," said Manhattan's representative to the Panel for Educational Policy, Patrick Sullivan. "It is deficient in not considering the auditions required under long-standing admissions processes in the arts programs."

DOE officials have defended the move as a bid to expand high school options for all students. They said it allows students with good test scores who had been "shut out" from the city's top high schools the opportunity to attend them.

But parents and principals point out that screened high schools have been open to any student who shows up to audition or sit for an exam. "Everyone has equal access. The difference is the level of effort you're willing to put in to gain access to those schools," said one principal whose school was affected. "Some kids work hard, some kids don't. They're saying even if don't, you still have access."

The admissions policy was launched along with a separate mandate that the city's most selective high schools set aside ninth grade seats for special education students. Nearly 300 kids were assigned to schools under that separate requirement this year.

'Free pass' furor at city's top schools (NY Post)

By YOAV GONEN Education Reporter; *Posted:* 1:04 AM, April 24, 2013

The Department of Education has placed hordes of special-needs and other students who didn't meet all the eligibility requirements at the city's most competitive high schools, The Post has learned. The move has parents and staffers up in arms over the screening end-around — which the DOE says is an attempt to widen the pool of kids admitted to the city's best schools.

Overall, the city assigned nearly 1,300 students to 71 of the top academic and performing arts high schools under a revised screening policy that was expanded this year. "We all would like to know who made the decision that it was OK to water down these arts programs and place unqualified students in these audition schools," said Dmytro Fedkowskyj, the Queens representative to the DOE's Panel for Educational Policy. "It isn't fair to the student or the school community when the DOE . . . establishes entrance rules and then circumvents these same rules at their leisure," he added. "This action does a disservice to the current students and to the students who were placed there."

Nearly one-third of students admitted to Talent Unlimited HS in Manhattan — the 43 kids assigned by the city — didn't audition, according to the borough's PEP rep. This was despite the fact that the school had 1,500 auditioning kids from which it had wanted to choose.

Principal Donna Finn said 51 students — including 26 special-education kids — were assigned by the city to Frank Sinatra School of the Arts in Astoria, Queens, despite having no or poor auditions. "I'm infuriated," Finn told insideschools.org blog, which first reported on the policy. "To call schools 'audition' and put kids in who did not audition is a travesty. It's just despicable." Finn referred questions from The Post to the DOE press office.

Officials there said all the admitted students met academic requirements and had expressed strong interest in the schools. They said many of the schools have left seats unfilled in recent years. "It's about equity and access," said Marc Sternberg, a senior deputy chancellor. "You're going to hear the complaints. What you're not going to hear is the . . . gratitude from families who for too long have been shut out of these schools," he added. "Our obligation is to make sure that families across the spectrum have a fair shot at every manner of school we have."

About 960 general-ed kids and 300 special-ed students were assigned to the 71 schools under the second year of the policy. Nine specialized high schools — including Stuyvesant and La Guardia high schools — were exempt because their admissions are governed by state law.

City Defends Late Placements in Selective High Schools

May 9, 2013, 2:05 p.m.

By Reema Khrais

<http://www.schoolbook.org/2013/05/09/parents-push-city-to-revise-late-placements-in-selective-high-schools/>

Facing a room of parents angry about revisions to the high school placement policies, an education official defended on Wednesday night the recent assignment of nearly 1,300 general and special education students to 71 top city schools.

Sandy Ferguson, of the office of enrollment, said the move was intended to “broaden opportunity for all students across the city.” He added that the selective high schools — those that require auditions or other special entrance requirements — need to do a better job of filling their seats if they don’t want to be assigned students who didn’t audition.

But parents at the Citywide Council on High Schools meeting didn’t buy it. They argued that it was unfair to place students who didn’t audition to top arts and performing schools in an environment that may not suit them.

“It’s the kiss of death to put kids who don’t have a passion for those particular programs,” said Paola M.G. De Kock, a parent and member of CCHS. “You’re setting them — and the school — up to fail.”

Under the city policy, schools were assigned unranked general and special education students if they didn’t fill at least 90 percent of their seats in the first round of the high school matching process. Among the 71 schools are Eleanor Roosevelt High School, Art and Design High School, and Beacon High School.

Most of the parents at the meeting came from Talent Unlimited High School. They said that at least one third of general and special education students who didn’t meet the school’s admissions standards were assigned to the musical theater and instrumental programs.

“If you didn’t apply for your job, would you get it?” parent Juanita Faulkner loudly questioned Ferguson. “We’re going to be receiving children who didn’t go through the process at all, while I’ve spent thousands of dollars on my daughter’s artistic development over the course of her life.”

Over a loud clamor, Ferguson responded that high schools should rank three times as many students as they think they’ll enroll in order to meet their seat targets.

“This is at the point where we don’t see enough kids ranked, we see those seats sitting empty,” he said. “We see kids not getting offers, or first or second offers, and there’s an opportunity to fill those seats.”

Why doesn’t the D.O.E. pick from the pool of kids who actually auditioned, instead of pulling students who may not have an interest or skill in the school’s field, parents asked. In the past, before 2011, the D.O.E. allowed schools to dip further into the pool of applicants who almost made it in.

Ferguson said that students are assigned based on state scores, and those with special needs must meet the school’s selection criteria. Parents were less critical Wednesday night of the city filling empty seats with special needs students to meet the system’s special education mandate. Last year, the D.O.E. started requiring the city’s high schools to rank a certain number of students with disabilities during the admissions process.

While Ferguson did not predict any changes in the city's method of matching students to high schools, parents said they hoped the dialogue would lead to revisions.

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