



**Testimony of New York City Public Schools on
Intros No. 566, 644, 725, 868
Before the NYC Committee on Education**

March 29, 2023

Intro. No. 566

Testimony of Glenn Risbrook, Senior Executive Director of Student Transportation

Good afternoon, Chair Joseph, and members of the Committee on Education. My name is Glenn Risbrook, and I am the Senior Executive Director of Student Transportation for New York City Public Schools. Thank you for the opportunity to testify today. Thank you also for your continued partnership in supporting our students, families, and schools as we discuss Intro No. 566, which requires all children with an Individualized Education Program (IEP) to be transported in buses with air-conditioning.

NYC Public Schools (NYCPS) is committed to ensuring that every student, particularly our most vulnerable, has access to safe, reliable, and efficient transportation that meets their individual needs. Every student mandated to receive a climate-controlled environment while traveling per their IEP is provided with a bus equipped to provide air conditioning. When a student's IEP mandates busing, we currently place the student on specially designated buses.

With our latest contractual agreement with our bus vendors, our Type A and Type B smaller buses used to transport students whose IEPs mandate transportation, are required to be equipped with dual air conditioning by June 30, 2023, and we expect all of these buses to meet this deadline.

Type C buses, which are our large, standard buses also used to transport students with IEPs that mandate transportation, are not contractually obligated to require air conditioning. Our approximate 5,500 special education bus fleet which provides transportation to approximately 57,000 students, currently includes 869 Type C large buses across all vendors, which account for 14% of our routes on the road servicing 16,000 students daily throughout the city. Of the 869 Type C large buses, 400 buses are equipped with air conditioning. This leaves 469 buses, or 8% of our bus fleet servicing students with IEPs, unequipped with air conditioning. This affects 17% of the curb to school student busing population, or approximately 10,000 students citywide. To retrofit the remaining 469 buses to ensure dual air conditioning would cost an estimate of \$7 million.

The NYC Law Department has expressed concerns with this proposal to the extent it may impact the NYCPS' ability to comply with federal law by limiting transportation options for students with disabilities. NYCPS supports the goal of Intro No. 566 to ensure that students whose IEPs



mandate busing are on buses with air conditioning. We would like to work with the Council on implementation timeline as meeting this goal will need to be addressed in the 2025-26 bus vendor contract negotiations.

Intro. No. 644

Testimony of Flavia Puello Perdomo, Chief of Schools for the Office of Community Supports and Wellness, Division of School Leadership

Good afternoon, Chair Joseph, and members of the Committee on Education. My name is Flavia Puello Perdomo, and I am the Chief of Schools for the Office of Community Supports and Wellness within the Division of School Leadership. I am happy to be here to talk about Intro. No. 644 concerning afterschool programming. I want to emphasize that this important, essential work would not be possible without the leadership and dedication of our partner agency, the Department of Youth and Community Development (DYCD). Together, we recognize the powerful impact that afterschool academic, enrichment, arts, athletic, and wellness programming can have on our students, especially our most socially vulnerable student populations.

Before I discuss the proposed legislation, I wanted to provide a landscape of what afterschool looks like today across NYC Public Schools. There are three main types of afterschool programming options available to our students and families: DYCD funded programs, which is the largest number of programs in our schools, DOE funded programs, and individual programs run between schools and CBOs. Our CBO partners offer a variety of targeted services to our schools, and tailor supports based on school and community needs. These services can range from instructional support to enrichment activities that can have physical/recreational components. A look at our Current Data shows:

- # Schools with 1+ afterschool program = 947
- Community School = 421
- Beacon = 92
- COMPASS = 626
- Empire = 81
- 21st CCLC = 76
- # Schools without an afterschool program (centrally funded) = 598

Turning to Intro. 644, which would require New York City Public Schools to provide information on establishing afterschool programs. NYC Public Schools supports the intent of the bill. We look forward to working with the Council on creating a meaningful resource that brings clarity to the process of establishing afterschool programs. I thank you again for your time today.



Intro. No. 725

Testimony of Ricardo Duran, Chief of Schools for Finance and Human Resources, Division of School Leadership

Good afternoon Chair Joseph, and members of the Committee on Education. My name is Ricardo Duran, and I am the Chief of Schools for Finance and Human Resources within the Division of School Leadership. NYC Public Schools is committed to supporting schools and ensuring they each have access to resources and the school supplies they need for their students and staff. Currently, principals broadly have discretion to procure supplies for their school community as they see fit and we encourage schools to make prudent financial decisions, buying school supplies as the needs of their school dictates. We support the goals of Intro. 725 and look forward to working with the Council on creating a formal process by which schools, on the occasion they may have excess supplies, are able to share those with other schools that may have a need.

Intro. No. 868

Testimony of Shona Gibson, Executive Director of the District 75 Citywide Office, Special Education Office

Good afternoon Chair Joseph, and members of the Committee on Education. My name is Shona Gibson, and I am the Executive Director of the District 75 Citywide Office within the Special Education Office in the Division of Teaching and Learning. Thank you for the opportunity to discuss Intro. 868, which would require New York City Public Schools to report on a range of items related to District 75. We greatly appreciate your continued partnership in supporting our students, families, and schools in District 75.

District 75 provides highly specialized instructional support for students with significant disabilities, such as, autism spectrum disorders, significant cognitive delays, emotional disabilities, sensory impairments, and multiple disabilities. 26,959 students, ages 3-21, receive instruction and support services in general education classrooms, special classes in community school buildings, special classes in specialized schools, agencies, hospitals, homes, and community based vocational training sites. There are 385 total sites, 334 co-located and 45 standalone sites across the five boroughs with one site in Syosset.

District 75's mission is to provide quality and rigorous individualized educational programs to students with significant disabilities and diverse learning styles in a variety of settings that nurture independence, ensure dignity, and support integration into the community. To this end, NYC Public Schools aims to open new District 75 programs each year that provide opportunities to meet students' needs as close to home as possible. New District 75 sites are opened in both



new and existing buildings and are designed flexibly to accommodate a variety of D75 program types to align with demand and student need.

Turning specifically to the legislation, we support the goals of this legislation and look forward to working with the Council on transparent reporting requirements that will give a comprehensive look at District 75. Thank you and we look forward to taking your questions now.



Advocates for Children of New York

Protecting every child's right to learn since 1971

Testimony to be submitted to the New York City Council Committee on Education

Re: Intro No. 868 (District 75 Schools Reporting)

March 29, 2023

Advocates for Children of New York (AFC) appreciates the opportunity to submit testimony regarding Intro No. 868, which would require the Department of Education (DOE) to report on the number of students attending District 75 schools and the criteria used to determine the location of District 75 schools. For more than 50 years, AFC has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. We advocate for students whose needs are often overlooked, including many students with disabilities in District 75, the Citywide district serving students with the most significant needs.

Intro No. 868 would fill a gap in existing public reporting by requiring the DOE to report on the number of students in District 75 programs *by building*, rather than by school name and location code/District Borough Number (DBN) alone. As District 75 schools typically have multiple physical sites, students enrolled at any given District 75 school are not necessarily all attending class in the same building—or even in the same geographic school district. Publicly reported enrollment data, however, aggregates site-level enrollment into a single school-level total.

While having school-level enrollment counts is certainly important, the lack of site-specific data significantly limits the ability of advocates, parents, and other stakeholders to assess and hold the DOE accountable for improving educational experiences and outcomes for students with disabilities in District 75 programs. For example, it is not possible to calculate total DOE enrollment within any set of administrative boundaries (e.g., by City Council district, by police precinct) with complete accuracy—something AFC routinely seeks to do for purposes of calculating rates—because all students placed in District 75 schools get assigned to their school's primary building, regardless of whether they attend school in that physical location. Building-specific enrollment data would support improved analysis of other publicly reported data, and thus an improved understanding of current needs, challenges, and bright spots.

To maximize the utility of the public reports produced pursuant to this legislation, we recommend modifying section (b)(1) of Intro No. 868 to clarify that the DOE must

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report the number of students in a District 75 program by building code *and* location code/DBN. We are concerned that the language in the current version of the bill could be interpreted as requiring reporting by building code alone, and some buildings may be home to more than one District 75 program (e.g., District 75 schools P168X and P721X both have programs at DeWitt Clinton High School, building X440). If multiple District 75 schools have sites on a particular campus, it will be important to be able to distinguish between them. In addition, ensuring that location code/DBN is included when reporting site-level enrollment will enable advocates and outside analysts to easily match this data with that from other sources (e.g., to calculate what percentage of a District 75 school's students are at each physical site). We therefore suggest modifying (b)(1) to read:

1. The number of students participating in a district 75 program in each building where a district 75 program is provided, disaggregated by school;

We also strongly encourage the Council to consider requiring disaggregation by student disability classification, race/ethnicity, gender, English Language Learner (ELL) status, eligibility for free/reduced-price lunch, housing status, and foster care status. Compared to both City students as a whole and students with disabilities in District 1–32 schools, students placed in District 75 are disproportionately Black, low-income, and learning English as a new language. Disaggregation of student demographics at the site level would allow for the comparison of the demographic makeup of students attending a given District 75 program to that of their peers at District 1–32 schools *in the same building*, as well as enable monitoring of systemic inequities in program siting, re-siting, and co-location.

Thank you for the opportunity to submit testimony. If you have any questions or would like additional information, please contact Senior Policy Analyst Sarah Part at spart@afcnyc.org.

**New York City Council Hearing
on Education Bills
March 29, 2023**

We would like to thank the New York City Council's Committee on Education for jointly holding this important hearing on the proposed education bills. My name is Lori Podvesker, and I am the Director of Disability and Education Policy at INCLUDEnyc. For the last 40 years, INCLUDEnyc (formerly Resources for Children with Special Needs) has helped hundreds of thousands of NYC families navigate the complex special education service and support systems.

We testify today in favor of this entire legislation package, as all proposed bills if adopted will lead to more transparency and accountability. But we especially urge the Council to adopt Introduction Bill #0868-2022, as this proposed bill regarding District 75 programs will ultimately lead to better outcomes and equity for hundreds of thousands of students with disabilities, and a more inclusive City for all New Yorkers.

According to the most recent data from the City, including the November 2022 Local Law 27 Report from the Department of Education and the January 2023 Preliminary Mayor's Management Report, there are nearly 300,000 students with an Individualized Education Program (IEP) in New York City who are receiving special education support and services. This includes nearly 100,000 students with disabilities who take a school bus to and from school each day and 26,000 students attending District 75 programs throughout the city.

District 75 students have long been invisible within our public school system and communities. The majority of students attending District 75 specialized programs have developmental disabilities or are educationally classified as having emotional disabilities. In addition, over 90% of District 75 students identify as Black, Hispanic, or Asian.

Due to the rigidity and the ways the system underutilizes the special education continuum (a range of educational placements in which an IEP can be implemented to meet the individual needs of students with disabilities), the majority of District 75 students spend their entire school days in segregated settings and academically, socially, or programmatically do not interact with general education students,

-more-

despite almost all 420+ District 75 programs being colocated in school buildings with other schools. And almost all District 75 students are bussed out of their neighborhoods, home school districts, and sometimes even their home boroughs to attend an appropriate school, due to a lack of adequate seats and programming options closer to their residence.

While a new report on District 75 programs will not immediately solve these blatant acts of the City not meeting the civil and educational rights of these students, we do believe a new report outlining where existing District 75 programs exist, coupled with the criteria the NYCDOE uses to determine where it locates new District 75 programs, will naturally help the City more appropriately educate District 75 students. The adoption of this bill will allow more District 75 students to attend schools closer to where they are living, to the greatest extent possible, and as required of them per federal special education law; the Individuals with Disabilities Education Act (IDEA). Furthermore, it increases the possibility of some students spending less time on buses, including sitting on idling busses due to multiple schools on one school bus route, leading to better individual health and bus safety outcomes.

As a result, more District 75 students will have opportunities for community integration, leading to more independent living, educational progress, and employment after high school. And equally, as important, more District 75 students attending programs closer to their homes and in local community schools and buildings and with students who live nearby equates to being more seen and heard by over 900, 000 non-District 75 students.

Thank you for taking the time today to consider this important matter. We look forward to partnering with you to improve equity and access for all young people with disabilities in New York City.

Sincerely,
Lori Podvesker
Director of Disability and Education Policy



Statement of Support: Res. No.153

**New York City Council Committee on Education
Honorable Rita Joseph, Chair**

**Submitted by:
Hillary Stuchin, UJA-Federation of New York**

March 29, 2023

Thank you, Chairperson Joseph and members of the Committee on Education, for the opportunity to submit a statement in support of Res. No.153, a Resolution calling upon the Department of Education to create a Jewish Heritage Day in New York City public schools.

Established more than 100 years ago, UJA-Federation of New York is one of the nation's largest local philanthropies. Central to UJA's mission is to care for those in need—identifying and meeting the needs of New Yorkers of all backgrounds and Jews everywhere. UJA supports an expansive network of nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services and allocates over \$150 million each year to strengthen Jewish life, combat poverty and food insecurity, nurture mental health and well-being, and respond to crises here and across the globe.

The ADL recently released its *Audit of Antisemitic Incidents 2022*¹, showing 3,697 or a 36% increase in incidents from 2021, nationwide. New York had 580 incidents, the highest number of any state. Incidents of antisemitism include harassment, vandalism, threats, and assaults. Additionally, another 2023 report, *Antisemitic Attitudes in America: Topline Findings*², shows that 20% of Americans believe six or more antisemitic tropes.

As the Resolution notes, establishing a Jewish Heritage Day in NYC public schools would help diminish early implicit bias, expand understanding of the impact that Jewish Americans have on our society, and help combat antisemitic tropes.

UJA is invested in addressing antisemitism and hate crimes and protecting the community at large. To help confront antisemitism and support our network of nonprofit partners, UJA established the Community Security Initiative (CSI). CSI, a joint initiative of UJA and the Jewish Community Relations Council of New York (JCRC-NY), helps secure 2,000 Jewish organizations in the New York area, and employs a team of six locally based security directors to address the needs of organizations.

¹ <https://www.adl.org/resources/report/audit-antisemitic-incidents-2022>

² <https://www.adl.org/resources/report/antisemitic-attitudes-america-topline-findings>

Tragically, we know where ignorance and hatred lead. Over the last few years, more and more of this hatred has been directed at visibly Jewish people. That's why, in addition to funding for community security, UJA significantly supports a broad range of people, programs, and nonprofits that aim to educate, connect, and break barriers: trips to Israel for a wide range of New Yorkers, service projects that bring Jews and non-Jews together, opportunities for rabbis and ministers to have conversations about racism and antisemitism, community organizers who knit together different populations.

UJA-Federation of New York supports Res. No. 153 and the City Council's call for the NYC Department of Education to establish Jewish Heritage Day in public schools. Thank you; please contact stuchinh@ujafedny.org with any questions.

Good afternoon.

My name is Leona Teten. I'm a member of Bronx Community Board 8, and a senior at the Bronx High School of Science, where I am a StandWithUs intern and the president of our Jewish Student Union. I'm here today to testify in support of Resolution Number 153, calling on the Department of Education to create a Jewish heritage Day in NYC public schools.

A few weeks ago, the alumni association posted on Instagram to announce a reunion in Israel. The comments were flooded with antisemitic statements from my classmates. The administration has yet to take serious action.

Our Holocaust Museum is coopted for black history month or women's history month. Last year, Jewish American Heritage Month went unacknowledged.

This year, I'm taking a course called Race and Gender, which aims to examine historic racial hierarchies and inequalities. Somehow, the long and sometimes troubled history of Jewish people in America did not make it into the syllabus.

The only meaningful reference to Jews in that class was when our teacher noted that Hitler emulated Jim Crow in his implementation of the Nuremberg Laws.

As president of the Jewish Student Union, I have run my own educational programs for members of the club, about antisemitism and Jewish history. It is clear to me that the Department of Education should take responsibility for educating New York City Students. I am wholeheartedly in favor of calling on the DOE to do so by establishing a Jewish Heritage Day in NYC public schools.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/21/23

(PLEASE PRINT)

Name: Donnette Healy

Address: _____

I represent: Citywide Council on Special Education (CCSE)

Address: Co-Präsident

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/29/23

(PLEASE PRINT)

Name: Loei Foote/EN

Address: _____

I represent: INCLUDE NYC

Address: 520 8th Ave, NY NY

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THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. _____ Res. No. 0153

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Avi Posnick

Address: 165 E 56th St, Apt 10022

I represent: StandWithUS

Address: _____

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I intend to appear and speak on Int. No. 868 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Shirley C. Brown

Address: 1252 Chambers St #1175

I represent: NYC D75

Address: 52 Chambers Street

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in favor in opposition

Date: _____

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Name: GLENN A. RISBROOK

Address: _____

I represent: STUDENT ASSOCIATION NYCPD

Address: _____

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in favor in opposition

Date: 3/28/23

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Name: YARED KALEBA

Address: 101st St Joe's Planning

I represent: _____

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 155

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: M. Chael Cohen

Address: _____

I represent: Singh Wiesenthal CTR

Address: _____

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I intend to appear and speak on Int. No. 644 Res. No. 0153

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Elizabeth Venditto

Address: _____

I represent: Museum of Jewish Heritage

Address: 301 ...

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I intend to appear and speak on Int. No. 644 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Paolo Alberghini

Address: _____

I represent: Center for Educational Innovation

Address: 369 Lexington Avenue New York, NY

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I intend to appear and speak on Int. No. 725 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ricardo Duran

Address: 52 Chambers

I represent: NYC Public Schools (DUE)

Address: 52 Chambers

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Cohen

Address: _____

I represent: Simon Vesenthal Center

Address: _____

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in favor in opposition

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(PLEASE PRINT)

Name: Flavia Puello

Address: _____

I represent: NYC Public Schools

Address: _____

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in favor in opposition

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Name: TRACY CALORON

Address: _____

I represent: DYCD

Address: 2 LATAYOTTE AVE NY NY 10007

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in favor in opposition

Date: 3/29/23

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Name: Kyle Satterfield

Address: _____ Manhattan

I represent: American Jewish Committee

Address: 165 E 65th St. Manhattan

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Name: Daniel Guillen

Address: DYCD

I represent: _____

Address: _____

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Name: Christopher Leon Johnson

Address: Buffalo Avenue B/c

I represent: SELF

Address: _____

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