

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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December 19, 2023
Start: 11:33 a.m.
Recess: 11:42 a.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

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

COUNCIL MEMBERS:

Alexa Avilés
Carmen N. De La Rosa
Eric Dinowitz
Oswald Feliz
Shahana Hanif
Shekar Krishnan
Linda Lee
Julie Menin
Mercedes Narcisse
Lincoln Restler
Pierina Ana Sanchez
Lynn C. Schulman

OTHER COUNCIL MEMBERS ATTENDING:

Diana Ayala

2 SERGEANT-AT-ARMS: Sound check for the
3 Committee on Education. Today's date is December 19,
4 2023, being recorded by Danny Huang in the Chambers.

5 SERGEANT-AT-ARMS: Good morning and
6 welcome to the Committee on Education.

7 At this time, we ask that you please
8 place phones on vibrate or silent mode. Thank you.

9 Chair, we are ready to begin.

10 CHAIRPERSON JOSEPH: [GAVEL] Good morning
11 and welcome, everyone, to today's Committee on
12 Education vote on two very important bills.

13 First, Introduction number 3, sponsored
14 by Deputy Speaker Diana Ayala. The Administrative
15 Code of the City of New York in relation to
16 responding to students in emotional crisis in public
17 schools. As young people throughout the nation are
18 experiencing a high rise in mental health crisis, we
19 must ensure that precinct officers and school safety
20 agents do not employ a law enforcement response that
21 can potentially escalate the situation and compound
22 the trauma of a child in emotional distress. This
23 bill will help ensure the police respond to students
24 in emotional crisis appropriately so that they can
25 feel safe in the school and thrive.

2 We will also be voting on Introduction
3 542 sponsored by Council Member Mercedes Narcisse, a
4 local law to amend the Administrative Code of the
5 City of New York in relation to requiring The
6 Department of Education and Administration for
7 Children's Services to report on educational
8 programming for juvenile delinquents, juvenile
9 offenders, and adolescent offenders. Such a report
10 would provide valuable data on how the city can
11 better serve these vulnerable students when they
12 enter detention and place them on a path towards
13 academic success when they exit.

14 The Committee previously heard testimony
15 on Introduction number 3 as part of an October 25th
16 hearing on new safety initiatives in New York City
17 public schools, and Introduction 542 at our October
18 13th hearing on education programming in detention
19 facilities.

20 I encourage all of my Colleagues to vote
21 yes on these important bills.

22 Council Member Narcisse, would you like
23 to make a statement?

24 COUNCIL MEMBER NARCISSE: Sure. Thank you.
25 Good morning, and thank you, Chair Joseph and Members

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2 of the Education Committee, for considering this
3 bill, Intro. 542-A.

4 I believe this legislation will take a
5 big step towards reforming our juvenile justice
6 system. As legislators, it is so important that we
7 collectively focus on the educational needs of our
8 youth in custody. This bill aims to bring
9 transparency and accountability to the educational
10 programming provided to juvenile delinquent offenders
11 and adolescent offerings with ACS Division
12 facilities. By requiring this annual reporting on
13 enrollment services, attendance, and use of
14 restraints, we hope to ensure that confined youth are
15 properly educated leading to their complete
16 rehabilitation, thus preparing them for a better
17 future. I urge your support to pass this bill and all
18 my Colleagues so we'll further demonstrate our
19 unwavering commitment to the education and welfare of
20 our vulnerable youth. Thank you, Madam.

21 CHAIRPERSON JOSEPH: Thank you, Council
22 Member Narcisse.

23 Deputy Speaker.

24 DEPUTY SPEAKER AYALA: Good morning,
25 everyone. I just want to thank you all for the

2 support on Intro. 3-A. This bill actually has been in
3 the works for quite a number of years, and I want to
4 thank Bianca Almedina, who's not here, who was my
5 previous legislative staff, who worked on this bill
6 for a number of years with the advocates and I'm sure
7 lost a lot of sleep over it, but I really just want
8 to talk about the importance of the bill and to
9 reiterate that, for me, this is not an anti-NYPD
10 bill, but rather an acknowledgment that the DOE
11 continues to utilize and abuse the practice of
12 calling 9-1-1 on school children, primarily black and
13 brown kids in, communities like mine whose first
14 interaction with the police is not a positive one,
15 but rather one that. That really traumatizes young
16 people unnecessarily, and so I'm hoping that this
17 bill would, one, prevent the handcuffing of children,
18 but also opens up a conversation with the DOE about
19 their own internal policies and how detrimental they
20 are to the emotional health of young people in our
21 schools.

22 I want to just thank you all because,
23 again, it's been a labor of love, and it really was
24 of a conversation with a person in my District, a
25 mother who has a child that's severely autistic who

2 lives maybe two blocks from the school that her son
3 was attending and had conversations with the school
4 about them calling her when her child had some sort
5 of incident, emotional distress in the school, and
6 oftentimes was called after the fact and when she got
7 to the school, her son was handcuffed to a gurney.
8 That should not be happening, and it should
9 definitely not be happening predominantly to black
10 and brown children so I'm really proud of the
11 legislation and I'm really grateful for my Colleagues
12 for the support. Thank you.

13 CHAIRPERSON JOSEPH: Thank you, Deputy
14 Speaker Ayala.

15 I would like to thank my Staff and
16 Committee, and I will now turn to the Clerk to call
17 the roll.

18 COMMITTEE CLERK WILLIAM MARTIN: Good
19 morning, William Martin, Committee Clerk. Roll call
20 vote, Committee on Education, items are coupled.
21 Chair Joseph.

22 CHAIRPERSON JOSEPH: Aye on all.

23 COMMITTEE CLERK WILLIAM MARTIN: Thank
24 you. Louis. Gennaro. Dinowitz. Feliz.

25 COUNCIL MEMBER DINOWITZ: Aye on all.

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2 COMMITTEE CLERK WILLIAM MARTIN: My
3 apologies. Council Member Dinowitz.

4 COUNCIL MEMBER DINOWITZ: Aye on all.

5 COMMITTEE CLERK WILLIAM MARTIN: Thank
6 you. Council Member Feliz.

7 COUNCIL MEMBER FELIZ: Aye on all.

8 COMMITTEE CLERK WILLIAM MARTIN: Thank
9 you. Aviles.

10 COUNCIL MEMBER AVILÉS: Permission to
11 explain my vote?

12 I'm voting aye on all, but it's important
13 to acknowledge the limitation of our capacity and
14 jurisdiction to address this issue in particular with
15 Intro. 3-A. The bill creates protocols and really
16 mitigates harm that we have seen proliferate
17 throughout the country, particularly to black and
18 brown children. For the record, I do believe police
19 officers and school safety agents are not mental
20 health providers and, as such, they should not be
21 responding to children in emotional distress. We
22 should eliminate entirely the use of handcuffs and
23 other mechanical restraints being used on children in
24 distress, particularly black and brown poor children
25 in distress. As we've noted with adults, having ill-

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2 equipped workers respond to mental health crisis most
3 often causes more harm than good, and we must, as a
4 City, invest in a full range of supports and tools
5 that are trauma informed, evidence-based
6 interventions like school-based social workers among
7 other trained mental health professionals, but I
8 thank Council Member Ayala for her work.

9 COMMITTEE CLERK WILLIAM MARTIN: De La
10 Rosa.

11 COUNCIL MEMBER DE LA ROSA: Aye on all.

12 COMMITTEE CLERK WILLIAM MARTIN:
13 Gutierrez. Hanif.

14 COUNCIL MEMBER HANIF: Aye on all.

15 COMMITTEE CLERK WILLIAM MARTIN: Thank
16 you. Hanks. Krishnan.

17 COUNCIL MEMBER KRISHNAN: Aye on all.

18 COMMITTEE CLERK WILLIAM MARTIN: Lee.

19 COUNCIL MEMBER LEE: Aye on all.

20 COMMITTEE CLERK WILLIAM MARTIN: Menin.

21 COUNCIL MEMBER MENIN: Aye on all.

22 COMMITTEE CLERK WILLIAM MARTIN: Narcisse.

23 COUNCIL MEMBER NARCISSE: Aye on all.

24 COMMITTEE CLERK WILLIAM MARTIN: Restler.

25 COUNCIL MEMBER RESTLER: Aye.

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2 COMMITTEE CLERK WILLIAM MARTIN: Sanchez.

3 COUNCIL MEMBER SANCHEZ: Aye.

4 COMMITTEE CLERK WILLIAM MARTIN: Schulman.

5 COUNCIL MEMBER SCHULMAN: Aye on all.

6 COMMITTEE CLERK WILLIAM MARTIN: Stevens.

7 Ung.

8 With a vote of 13 in the affirmative,
9 zero in the negative, and no abstentions, all items
10 have been adopted by the Committee.

11 CHAIRPERSON JOSEPH: Thank you for your
12 votes today and, as a long-time educator, this was a
13 great win for New York City students.

14 Thank you and we're closing it out.

15 [GAVEL]

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C E R T I F I C A T E

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



Date December 23, 2023