

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON EDUCATION

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June 13, 2011
Start: 1:15 pm
Recess: 5:00 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
ROBERT JACKSON
Chairperson

COUNCIL MEMBERS:

- Council Member Charles Barron
- Council Member Gale A. Brewer
- Council Member Fernando Cabrera
- Council Member Margaret S. Chin
- Council Member Daniel Dromm
- Council Member Lewis A. Fidler
- Council Member Daniel R. Garodnick
- Council Member David G. Greenfield
- Council Member Vincent M. Ignizio
- Council Member G. Oliver Koppell
- Council Member Karen Koslowitz
- Council Member Jessica S. Lappin
- Council Member Stephen T. Levin
- Council Member Deborah L. Rose
- Council Member Eric A. Ulrich
- Council Member James Vacca
- Council Member James G. Van Bramer

A P P E A R A N C E S [CONTINUED]

COUNCIL MEMBERS:

Council Member Albert Vann

Council Member Mark S. Weprin

A P P E A R A N C E S [CONTINUED]

Robert Jackson
Opening Statement
Chairperson
Committee on Education

Asia Schomberg
Counsel
Committee on Education

James G. Van Bramer
Sponsor of Resolution 474-A
New York City Council Member

James G. Van Bramer thanks:
Speaker Christine Quinn
Chairperson Robert Jackson

Daniel Dromm
Sponsor of Resolution 473-A
New York City Council Member

Lewis A. Fidler
Chairperson
Committee on Youth

Elayna Konstan
Chief Executive Officer
Office of School and Youth Development
Department of Education

Connie Cuddle
Senior Director
Professional Development
Office of School and Youth Development
Department of Education

John Benson
Office of School and Youth Development
Department of Education

A P P E A R A N C E S [CONTINUED]

Sterling Roberson
Vice President
United Federation of Teachers

David Kazansky
Director
School Safety
United Federation of Teachers

Written testimony from:
Asphalt Green
In support of 473-A and 474-A

Shakara McLauren
Victim of bullying and assault

Robin Brown
Shakara McLauren's parent

Written testimony from:
Make the Road New York
In support of 473-A and 474-A

Joanna Miller
Assistant Advocacy Director
Public Policy Counsel
New York Civil Liberties Union

Teshmeet Kaur
Community Organizer
Sikh Coalition

Mark Ro Beyersdorf
Program Associate
Educational Equity and Youth Rights Project
Asian American Legal Defense and Education Fund

Elena Offgang
Legal Fellow
United Sikhs

A P P E A R A N C E S [CONTINUED]

Beth Rasin
Executive Director
PowerPlay NYC

Laura Martocci
Associate Dean, Sociology Faculty
Students Against Relational Aggression Intervention
Program
Wagner College

Cassandra Alston Townsley
CEC 13

Joseph A. Garber
Community Activist

Robert Jackson thanks:
All the Staff of the Committee on Education

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2 CHAIRPERSON JACKSON: Well good
3 afternoon everyone and thank you for coming to
4 this Education Committee hearing on proposed
5 Resolution 473-A sponsored by our Speaker
6 Christine Quinn and Council Members Dromm and many
7 others. And also proposed Resolution number 474-A
8 sponsored by our Speaker and Council Member Jimmy
9 Van Bramer and many others. And before I begin my
10 opening statement I would like to identify which
11 Council Members are here at the moment.

12 In the front you have Debbie Rose
13 of Staten Island; you have Jimmy Vacca of the
14 Bronx; and to my left you have Charles Barron of
15 Brooklyn. Next to me is Asia Schomberg, Counsel
16 to the Committee. You have... Danny Dromm of Queens
17 and Jimmy Van Bramer of Queens. And Fernando
18 Cabrera of the Bronx and Margaret Chin of
19 Manhattan and just arrived is Eric Ulrich from
20 Queens and our colleague Lew Fidler from Brooklyn.
21 Oh. And Oliver, you move pretty quick. Oliver
22 Koppell of the Bronx.

23 So as I said to you, I wish you a
24 good afternoon and welcome to the Education
25 Committee's hearing on the Department of

1
2 Education's effort to combat bullying:
3 implementation of the Dignity for All Students Act
4 and the impact of Respect for All. And bullying
5 is a serious problem affecting our children and a
6 very important issue to me, to the Speaker, and to
7 all of our Council colleagues. In fact in today's
8 hearing the City Council will be holding a--

9 [Break in audio]

10 CHAIRPERSON JACKSON: Hello? You
11 need to buy us new equipment or I'm done.

12 COUNCIL MEMBER FIDLER: Next
13 budget.

14 CHAIRPERSON JACKSON: Next budget.
15 Okay. The City in fact in addition to today's
16 hearing the City Council will be holding a cyber
17 bullying summit on July 18th that will be broadcast
18 via You Tube. And we have a flyer with that
19 information. We'll be hading out. We will all
20 hear about the tragic incidents of young people
21 who were bullied by peers and then some have
22 committed suicide. And one of the most, excuse me
23 Sir, Sir--

24 [Pause]

25 CHAIRPERSON JACKSON: My brother,

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2 only I can talk and, you know, at one time. I'm
3 sorry. So we've all heard about the tragic
4 incidents where individuals that were bullied have
5 committed suicide. One of the most well known of
6 these cases is that of Tyler Clemente, an 18-year
7 old freshman at Rutgers University who jumped off
8 the George Washington Bridge in September of 2010
9 after secretly filmed images of him were broadcast
10 over the internet. As terrible as such tragedies
11 are the problem of bullying goes far deeper than
12 the high profile incidents that make the news.

13 Bullying happens every day in every
14 community, in homes or on playgrounds, and at
15 schools. It starts early when preschoolers are
16 there and it even gets worse as kids grow older.
17 Teens are the most practiced and effective
18 bullies. Anyone can be a victim of bullying. But
19 some students are at a higher risk of being
20 bullied by their peers because of personal
21 characteristics. Children are more likely to be
22 bullied if they have a disability or are
23 overweight, for example. Children and youth who
24 identify themselves as lesbian, gay, bisexual and
25 transgendered, LGBT, are often perceived to be so

1
2 or are often perceived to be so face a very high
3 incident of harassment and bullying by their
4 peers.

5 The consequences of bullying can be
6 devastating to victims. Bullies and bystanders
7 alike are leading to absenteeism from school,
8 decreased academic achievement and dropping out of
9 school. Long term effects of bullying include
10 higher risks of abusing alcohol and drugs,
11 depression and anxiety, domestic abuse, and other
12 criminal activities.

13 Clearly preventing bullying in our
14 schools could help save lives and substantially
15 reduce other social and economic costs associated
16 with dropping out of school, substance abuse,
17 domestic violence, mental illness, and criminal
18 behavior. Bullying is an epidemic, is at an
19 epidemic level in our country with nearly one-
20 third of students ages 12 to 18 nationwide
21 reporting that they were bullied at school in 2006
22 and 2007. In New York City bullying and
23 harassment are on the rise. According to the
24 Department of Education's audit, bias-related
25 bullying and harassment incidents in schools

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2 during the 2009-2010 school year increased 33.7%
3 over the prior year. That is an unacceptable
4 level and we've got to do more to prevent bullying
5 from damaging our children and youth.

6 So what is being done in New York
7 City to address the bullying epidemic? I'm proud
8 to say that the City Council is way ahead of the
9 curve on this particular issue. We passed a
10 Dignity for All Students Act, Local Law 42 of 2004
11 over the Mayor's veto to address harassment and
12 bullying behavior in our schools. Unfortunately
13 the Bloomberg Administration and DOE refuse to
14 enforce the new law saying that it conflicted with
15 State education law and was illegal.

16 Nevertheless the City Council has
17 worked with the Department of Education to reduce
18 bias-based harassment and bullying in schools.
19 And so we want to commend the Department of
20 Education for all their efforts and for
21 collaborating with the City Council and advocates.
22 In collaboration with the City Council and
23 community groups and advocates DOE launched the
24 Respect for All, the RFA initiative to combat
25 bullying and harassment in 2007. A number of

1
2 other significant steps have been taken since then
3 including the release of the Chancellors
4 Regulation A-831 in September 2008, an expansion
5 of the Respect for All in October 2009, the first
6 annual audit of bias-related bullying and
7 harassment incidents in schools in January 2010,
8 and the joint launch by DOE and the City Council
9 of Respect for All Week in March of 2010.

10 Most if not all of these steps have
11 happened in collaboration with or at the urging of
12 the City Council and advocates. I say that not to
13 diminish DOE's efforts which have been substantial
14 but rather to say that we want to continue to
15 collaborate with you and, yes, to push you at
16 times because bullying prevention is so critical.

17 And some of you may have watched
18 that program that was aired by NBC last night,
19 Dateline, where some of the scenarios going
20 through, one young lady started to cry in a
21 scenario which brought out the fact that she was
22 being bullied herself. And clearly the scenario
23 that they were involved in, clearly, was basically
24 her experience at school. So sometimes we do know
25 individuals that are being bullied and other times

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we don't.

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So this year the City Council provided \$300,000 to the Department of Education to purchase a high school anti-bias curriculum and train high school teachers on the use of that curriculum. And we look forward to partnering with you, the Department of Education, on the new plans that were announced at the February 2011 Respect for All Week and in future efforts such as the program announced just days ago before this hearing on June 7, 2011, Chancellor Dennis Walcott announced a new \$3 million gift of professional development and curricula to address bullying in middle and high schools.

And we expect to hear more about this new program from the Department of Education today as well as a full description of the Respect for All Initiative. Lastly I will be remiss if I didn't acknowledge the good work of Elayna Konstan and Connie Cuddle, veteran educators who have been largely responsible for both conceptualizing and implementing Respect for All and all of the Department of Education's programs to combat bullying and harassment.

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[Applause]

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MS. ELAYNA KONSTAN: Thank you.

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CHAIRPERSON JACKSON: Clearly

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deserved praise. At the hearing today, the

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Committee will examine the Department of

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Education's efforts to combat bullying by looking

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at the impact of the Respect for All Initiative as

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well as DOE's plans for and progress towards full

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implementation of the State Dignity for All

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Student Act enacted in September of 2010. We also

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look forward to hearing testimony from parents,

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students, educators, advocates, unions, and anyone

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else regarding their concerns and recommendations

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regarding the Department of Education's effort to

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combat bullying.

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We will also be considering two

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resolutions today, proposed Resolution number 473-

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A and proposed Resolution 474-A. Both resolutions

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are sponsored by our Speaker Christine Quinn as

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well as many other Council Members. Proposed 473-

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A is a resolution calling upon the United States

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Congress to pass the Safe Schools Improvement Act

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of 2011 which is H. R. 1648 and Senate 506.

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Proposed Resolution 474-A is a

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2 resolution calling upon the United States Congress
3 to pass the Student Nondiscrimination Act which is
4 H. R. 998 and Senate 555. With that, everyone who
5 wishes to testify must fill out a witness slip
6 today at the Sergeant at Arms which is right where
7 you entered the room. But please indicate on the
8 witness slip whether you are here to testify in
9 favor or in opposition to proposed Resolutions
10 473-A or proposed Resolution 474-A. I want to
11 point out however that we will not be voting on
12 either of these resolutions today, to allow as
13 many people as possible to testify, we've limited
14 the testimony to three minutes per person.

15 Now without any further ado I'd
16 like to turn to my colleague Jimmy Van Bramer of
17 Queens to speak on 474-A and then we'll turn to my
18 colleague Danny Dromm that will speak about 473-A
19 before we then turn to the witnesses here today.
20 Council Member Jimmy Van Bramer of Queens.

21 COUNCIL MEMBER VAN BRAMER: Thank
22 you very much Mr. Chair. First I want to
23 recognize and thank obviously our Speaker, Speaker
24 Quinn for her leadership on these issues and for
25 these two terrific pieces of legislation. And

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2 obviously Chair Jackson for bringing it to the
3 Committee here today. Council Member Cabrera and
4 I were just talking and he asked me if I was
5 bullied as a kid. And I said yes, very much so.

6 From the time that I was 11 I would
7 say, I guess I was in I. S. 10 at the time until I
8 graduated from high school at Bryan High School.
9 I certainly was called many, many different
10 things. I don't know if kids use it now but some
11 of the kids called me gay boy a lot when I was in
12 junior high school and obviously the word fag was
13 thrown around as if it was the only word in the
14 English language. And it wasn't just me. We know
15 that 9 out of 10 LGBT youth report harassment and
16 very regular harassment. And that harassment
17 often leads to young people not going to school,
18 wanting to leave school, and underperforming in
19 school.

20 And that certainly was the case for
21 me. I had a very rough 9th and 10th grade at Bryant
22 High School. And I missed a lot of class. And I
23 even thought of dropping out of Bryant High School
24 because it was simply too difficult. We were just
25 talking; Council Member Cabrera and I, and I

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2 wanted to blend into the woodwork. I didn't want
3 anyone to notice who I was because I thought if
4 they knew who I was, if they saw me, and
5 recognized me, then they would know that I was
6 gay. And then they would call me all sorts of
7 names and it was a very, very difficult time in my
8 life and a very, very difficult time for me in so
9 many different ways. And that experience is the
10 experience for far too many young people in our
11 schools today.

12 And while harassment is not limited
13 to LGBT youth as Council Member Cabrera and I were
14 just talking, he certainly faced bullying for
15 other reasons when he was a kid. We do know that
16 this is, as Chair Jackson said, an epidemic
17 throughout the country. And we have got to
18 understand the power of these words and the power
19 of this bullying.

20 And I was very lucky that I had
21 some teachers at Bryant High School, particularly
22 in 11th grade who took me under their arms and let
23 me know that I had a voice and that things would
24 get better for me. And they did. I didn't come
25 out until I was 19 in my 2nd year at St. John's

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2 University. But those teachers saved my life.
3 Without any hesitation I know I can say that.

4 So Reso 474-A calls on both Houses
5 of Congress to pass the Student Nondiscrimination
6 Act of 2011 which would prohibit any school
7 program or activity receiving Federal financial
8 assistance from discriminating against any public
9 school student on the basis of actual or perceived
10 sexual orientation or gender identify.

11 Furthermore Reso 474-A would prevent
12 discrimination against any public school student
13 because of the actual or perceived sexual
14 orientation or gender identity of a person with
15 whom a student associates or has associated.

16 Obviously I strongly support this
17 resolution and I encourage all of my colleagues to
18 support it. Chair Jackson mentioned the name of
19 Tyler Clemente whose tragic, tragic death
20 highlighted this epidemic in this country. But I
21 would just like to say that there are so many
22 other young people whose names we will never know.
23 We will never know their names because they may
24 have died in silence. And they may have not been
25 able to tell anyone why it is they were even

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2 feeling as badly as they felt because those words
3 were so, so powerful and profound.

4 And it is a real tragedy that any
5 young person would think that killing themselves
6 and dying would be better, a better alternative,
7 than going to school and hearing other kids call
8 them faggot or dike or any of the other words that
9 are used. We've got to do much better. We've got
10 to create a space where young LGBTQ youth or those
11 who are perceived as LGBTQ youth are safe. And I
12 believe this resolution will go a ways towards
13 doing that. So I want to thank Chair Jackson for
14 giving me this opportunity and my colleagues for
15 considering this resolution.

16 CHAIRPERSON JACKSON: Well Council
17 Member Van Bramer let me thank you for clearly
18 speaking out, for sponsoring this resolution as
19 the lead sponsor with our Speaker. But obviously
20 you have communicated your personal experience and
21 you've opened your personal experience up to
22 everyone here. So thank you for doing that. And
23 I look forward to working with you to pass this
24 resolution.

25 And now we'll hear from our

1
2 colleague Danny Dromm of Queens. Besides Speaker
3 Quinn, Danny Dromm is the primary sponsor of
4 Resolution 473-A.

5 COUNCIL MEMBER DROMM: Thank you
6 Mr. Chair. This issue is also one of extreme
7 importance and very personal to me. And in fact
8 this moment that I've kind of waited for, for
9 almost all of my political career. I came out as
10 a gay teacher in 1992. And I was harassed and
11 harassed and investigated and bullied, not by
12 other students 'cause I was a teacher, but by the
13 Department of Education.

14 And in fact, yes, that's what got
15 me to this seat today because I stood up to it.
16 But to have had the Department of Education itself
17 do that to me was absolutely incredible. And the
18 tone that it set has for years, for almost 20
19 years now, created in the school system it's just
20 we don't talk about these issues in our schools.
21 Teachers are fearful to ever address the issue of
22 bullying in the schools because they're afraid of
23 a backlash and particularly they're afraid of a
24 backlash on the LGBT issues.

25 I've seen all types of

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2 discrimination and bullying go on. I've seen a
3 Sikh student's turban pulled off and not had the
4 resources to be able to deal with that in my
5 classroom. I had a principal who told me that if
6 I continued to pursue this effort to eliminate
7 bullying and discrimination in the school system
8 that the school board would cut my testicles off.

9 I was investigated at least five or
10 six times by the Department of Education because
11 community members who were opposed to what it was
12 that I was saying wrote letters to the Chancellor
13 and the Chancellor initiated those investigations
14 against me. And that sent a clear message that
15 this was just something that we just don't ever
16 talk about in the public school system.

17 And so today, to me, and I hate to-
18 -I'm sorry that I'm getting so emotional about
19 this but to have lived and taught, standing on
20 eggshells every single day, not knowing what was
21 going to come before me, when I walked into the
22 classroom. I had a school board member come to
23 the school and specifically sit in my classroom
24 and observe me because he wanted to know what I
25 was teaching the children. And noting was done.

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2 I wrote the Chancellor. I wrote the school board
3 president at the time. And I never even got a
4 response.

5 And so I know the pain that our
6 children in our schools experience because if I as
7 a teacher experienced that pain what was going on
8 with the students. The clear message from the top
9 down that this was just something we never talked
10 about. I've seen teachers turn the other way when
11 they've seen children being harassed or told that
12 they're just too gay. I've seen teachers call
13 boys sissies in the gym.

14 So this issue is obviously a very,
15 very deeply emotional one for me. And I do
16 commend the Department of Education and the
17 Speaker, of course, for all that she has done
18 because this is an issue of personal importance to
19 her as well. And to the Chairperson of this
20 Committee who has distinguished himself on this
21 issue. But so much more remains to be done.

22 Because what we're talking about
23 here is bullying. And yes, that's the first line
24 of defense, to end the bullying that goes on in
25 the schools so that the children can survive and

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2 go on day to day. But what's still missing from
3 the Department of Education are books that show
4 pro, positive LGBT in particular role models for
5 our children to follow. All of our history books
6 are devoid of the contributions made by lesbian,
7 gay, bisexual, transgender people, artists in the
8 school system.

9 We need to look at all of those
10 things because they all send the wrong message.
11 They all send the message that it's not good
12 enough, that we can't talk about that, or that
13 we're afraid of what parents might say. But you
14 want to know something, when I came out; it was
15 the parents who stood up for me. I had no allies
16 except for the parents. And thank God I had those
17 parents. And my principal, the one who threatened
18 to cut off my testicles, he was the one who said
19 to me it's a damn good thing that the parents are
20 with you or you would be out of here. And this
21 went on until at least 2001. I left the system in
22 2009 when I got elected.

23 So ladies and gentlemen I just want
24 to say thank you. I really urge the passage of
25 these bills. This is a very real and significant

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2 issue. And it affects not only LGBT people but
3 everybody who is different. And even our
4 gay/straight alliances that we have in the
5 schools, sometimes the principals don't want to
6 announce that they exist, that they're there. We
7 need to open up the whole thing and we need to
8 tell the whole system that discrimination against
9 anyone is wrong. Together we will fight and we
10 will win this battle. Thank you very much Mr.
11 Chair.

12 CHAIRPERSON JACKSON: Well Danny
13 let me thank you for expressing yourself and
14 opening up the feelings that you had as you, you
15 know, as an adult in the system. And the negative
16 experiences that you've had in dealing with the
17 Department of Education and other individuals.
18 And I hope that we have come a long way.

19 And obviously the matters that we
20 have been involved with in advocating as far as
21 the City Council under the leadership of Christine
22 Quinn and many advocates, I think that we have,
23 but we have not gone far enough obviously. And so
24 thank you for sharing your personal experiences in
25 this particular matter. And I think that clearly

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2 listening to you and our colleague Jimmy Van
3 Bramer... it's just telling in itself. I don't need
4 to say any more. Thank you.

5 Council Member Lew Fidler, Chair of
6 the Youth Committee, as a 1-minute discussion on
7 this.

8 COUNCIL MEMBER FIDLER: I, you
9 know, first of all wow. You know, I have to
10 follow that, those two comments from my friends
11 and colleagues is really something. I am really,
12 as Chairperson of the Youth Committee, deeply, you
13 know, involved and committed in this particular
14 issue. And I have to apologize because I have to
15 step out of the room to prepare for having a
16 meeting for the budget negotiations meeting which
17 is unfortunate. But I wanted to take a moment to
18 actually thank the Mayor for signing last week the
19 cyber bullying bill that this Council passed at
20 its last session that was sponsored by primarily
21 Council Member Weprin and myself.

22 That bill as you recall directs the
23 Human Rights Commission to work on the issue of
24 cyber bullying wherever they find kids. And of
25 course the sad part about that is that the State

1
2 Education law does not permit us to mandate that
3 the Department of Education do that. To meet the
4 kids where they are, with the personnel that we
5 have, that should be trained to relate to them.
6 So we do rely on your good faith. And I have
7 every reason to believe that Chancellor Walcott
8 will continue to exercise that good faith.

9 But it is a little bit ironic that,
10 you know, I'm sure every one of us has provided
11 money for computers in our schools and yet we
12 can't mandate that our kids be taught the right
13 and wrong of how not to misuse them and to bully.
14 Because bullying is horrific as you just heard
15 from both of my colleagues.

16 Cyber bullying, you know, just
17 elevates it to a level that is geometrically, you
18 know, disproportionate. And, you know, in just
19 the flash of a second someone can say something,
20 communicate with thousands of people and never be
21 able to take it back. And you have a Tyler
22 Clemente. So I apologize for having to leave.
23 And I look forward to passage of both of these
24 resolutions as well.

25 CHAIRPERSON JACKSON: Yeah. Any

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2 member that's not signed on can clearly add on.
3 We'd like that. Let me just finish introducing
4 the colleagues that are here. We're going to move
5 to witnesses. This could really be a testimony
6 about many people's experiences about bullying
7 which would clearly highlight what type of
8 situation this is nationally, not only here in New
9 York City.

10 We've also been joined by our
11 colleague Karen Koslowitz of Queens, by our
12 colleague Al Vann of Brooklyn, our colleague
13 Jessica Lappin of Manhattan directly in front of
14 me, and in front of me a little bit to my left
15 Council Member Gale Brewer and all the way down
16 over here Mark Weprin of Queens. And there was,
17 well, all the way down to my right is our
18 colleague Dan Garodnick of Manhattan. Anyone
19 else? Okay. And with that we'd like to turn to
20 the Department of Education witnesses. We're
21 going to ask you to please identify yourself and
22 what position you hold with the Department of
23 Education and then you may begin your testimony.

24 MS. ELAYNA KONSTAN: Hello? Hi,
25 it's working. Thank you Chair Jackson. Elayna

1
2 Konstan, Chief Executive Officer of the Office of
3 School and Youth Development.

4 [Mic cuts out]

5 MS. KONSTAN: Yeah.

6 MS. CONNIE CUDDLE: Connie Cuddle,
7 Senior Director of Professional Development for
8 the Department of Ed, the Office of School and
9 Youth Development.

10 MS. KONSTAN: So good afternoon
11 Chair Jackson and members of the Education
12 Committee here today. My name is Elayna Konstan
13 as I just said, the Chief Executive Officer of the
14 Office of School and Youth Development and I'm
15 going here by my colleague Connie Cuddle, Director
16 of Professional Development.

17 I also come here before you as
18 someone who's been in the Department of Education
19 for 37 years. I started out as a teacher in your
20 Council District, in George Washington High
21 School. And then had various other positions in
22 the Department. As I've mentioned to all of you
23 in some other hearings that I've testified before.
24 But I also come to you today as a mom. Yes, my
25 child is 26 years old but in middle school he too

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2 was bullied. And he also witnessed bullying.

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And as a result of that in high school he decided to do an action research project kind of like that Pay it Forward movie where he actually took action and worked with his school and the high school, he went to high school in Brooklyn, to really look and address the issue of bullying. So it also comes to me as a very personal as well as a professional issue.

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One of our fundamental responsibilities is to ensure that all of our schools maintain and safe and supportive learning environment that is free from harassment, intimidation, and bullying. This involves both promoting a positive pro-social school culture that is inclusive of all students and holding students accountable for their actions if they do not live up to behavioral expectations.

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The Department, I believe, has made great strides in addressing bullying in our schools. And as was eloquently said, we have much more work to do in this area. We would like to thank Speaker Quinn and the City Council for their strong support for anti-bullying efforts and for

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2 making this issue a top priority and for working
3 with us to make this a really stronger initiative.
4 We also look forward to participating in the
5 Speaker's Cyber Bullying Summit next month.

6 Three criteria distinguish bullying
7 from other kinds of misbehavior in instance.
8 Bullying is aggressive behavior that is repeated
9 over time, involves an imbalance of power, whether
10 physical or social, and it is intended to cause
11 some kind of harm. Regardless of the form it
12 takes bullying including cyber bullying is
13 prohibited by the Citywide Standards of
14 Intervention and Discipline Measures also known as
15 the Discipline Code.

16 Our Discipline Codes prohibits
17 students from bullying other students for any
18 reason including taunting and intimidation through
19 the use of epithets or slurs involving race,
20 color, ethnicity, national origin, religion,
21 gender, gender identity, gender expression, sexual
22 orientation or disability. This policy is
23 effective on school grounds, school buses and at
24 all school sponsored activities, programs, and
25 events.

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2 In addition Chancellor's Regulation
3 A-832 prohibits student to student bias-based
4 harassment, intimidation and bullying. All
5 reports of bullying, harassment, and intimidation
6 are thoroughly investigated whether they are
7 reported by students, parents, staff, or other
8 individuals. Chancellor's Reg A-832 requires that
9 as part of each school's annual consolidated youth
10 development plan, principals must submit the
11 following information to the Central Office of
12 School and Youth Development: the names of the
13 designated Respect for All staff member or
14 liaisons who will receive reports of bias-based
15 harassment, intimidation or bullying; a plan for
16 providing information and training on this
17 regulation and Respect for All to all students and
18 staff annually; and a plan on preventing an
19 addressing bias-based harassment.

20 To be sensitive and responsive to
21 students' needs as part of Chancellor's Reg A-832
22 we created an email account specifically
23 designated for a student to use and families and
24 parents if he or she feels uncomfortable making a
25 report to school staff members. Any staff member

1
2 who witnesses a student to student bias-based
3 incident or who has knowledge or information or
4 receives noticed that a student may have been a
5 victim of such behavior is required to promptly
6 report the alleged act. If the conduct
7 constitutes a violation of the Discipline Code,
8 appropriate disciplinary action is taken and
9 appropriate guidance support is provided. That's
10 also important to note that it's both.

11 The Department works to prevent and
12 intervene in bullying and bias-based behavior
13 through a variety of methods including
14 establishing and enforcing clear behavioral
15 expectations; guidelines and procedures; raising
16 student and staff awareness through our Respect
17 for All program; providing curriculum and
18 professional development opportunities; and
19 establishing strategic partnerships with community
20 based organizations. Safety, respect and bullying
21 are addressed in the New York City Survey that
22 teachers, parents, and students in our middle and
23 high schools complete. And both the progress
24 report and quality review address safety issues.

25 Respect for All provides our

1
2 schools with a vision and a framework through
3 which they foster inclusive school communities and
4 pro-social behavior. Through RFA schools are
5 provided with ongoing professional development,
6 best practices, current research, lesson plans,
7 curriculum, instruction materials and partnership
8 programs with community based organizations that
9 offer additional training and programmatic support
10 including opportunities for student projects such
11 as No Name Calling Day and No Place for Hate
12 Programs just to name a few.

13 Whether a school requires
14 assistance, OSYD works with schools and networks
15 to identify the best resources to address its
16 particular needs. A key element of our work is
17 providing professional development for teachers
18 and other school staff on bullying prevention,
19 intervention, and respect for diversity. The
20 focus is not only to build awareness and
21 sensitivity but also to increase staff capacity to
22 prevent and intervene in bias-based harassment and
23 intimidation.

24 This year over 1,400 staff members
25 participated in centrally coordinated RFA

1 professional development including 500 guidance
2 counselors who were trained on cyber bullying. In
3 addition personnel from over 140 schools received
4 training on cyber bullying and internet safety
5 from our central safety staff. And just to add,
6 if we include all of the other kinds of
7 professional development work that we do in the
8 area of pro-social socio-emotional learning, we
9 have tens of thousands of staff members who have
10 been trained over the past few years.

11
12 Central training is just one
13 example of what we do. Throughout the year our
14 schools and networks work with many CBO partners
15 to provide staff training and direct service to
16 students. For example the Leadership Program
17 provides a violence reduction training in
18 approximately 250 schools. P-FLAG stands for
19 Parents and Friends of Lesbian and Gays, led
20 workshops for over 4,500 students. Enact works
21 with approximately 10,000 students and their
22 teachers this year and Glisten provided a safe
23 space kit to all our middle and high schools.
24 Operation Respect, the Anti-defamation League, the
25 YES program of the New York City LGBT Center,

1
2 Morningside Center for Teaching Social
3 Responsibility, and Glisten, have been our
4 partners since the inception of Respect for All.

5 These partnerships have been
6 critical to our work on bullying and bias-based
7 harassment prevention in our schools and we are
8 thankful for their commitment and assistance. As
9 you know our annual Respect for All Week is an
10 opportunity for our schools to celebrate,
11 highlight, and build upon their efforts to promote
12 respect for diversity and prevent harassment and
13 bullying.

14 Many of you have participated in
15 our Respect for All Week by visiting our schools,
16 some of you even presented in our schools, and
17 working with our students. Students across the
18 City participated in a broad range of activities
19 such as classroom lessons, school wide projects,
20 student plays, art projects, student-led
21 workshops, guest speakers, etcetera, etcetera.
22 Examples of some schools' Respect for All Week
23 efforts are posted on our website. And if you
24 have, if it's still there, if you haven't seen
25 them, it's just the work is just terrific. So I

1

2 encourage you all to go take a look.

3

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As part of this year's Respect for All Week the Department and the City Council jointly announced several new initiatives to further strengthen our RFA program in the coming school year. First each school's safety committee will be expanded to include the RFA liaison which will help to strengthen school wide efforts to ensure safe, inclusive and supportive environments.

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Second we are working to develop criteria to recognize schools doing exemplary work in promoting supportive and inclusive school communities. And finally the Department will expand RFA guidelines in our best practices standards. And we're also putting together a training deck that we will provide to schools to help them in their work as well.

20

21

22

23

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25

The Department is preparing to meet the remaining requirements of the New York State Dignity for All Students Act which goes into effect July 1, 2012. The City was proud to support this legislation and lobbied for its passage. The goal of DASA is to provide public

1
2 school students with a safe and supportive
3 environment free of discrimination, intimidation,
4 taunting, harassment and bullying. Indeed we are
5 far ahead of most school districts in the State in
6 implementing DASA.

7 For example we already have in
8 place an age appropriate version of our Code of
9 Conduct. We have Chancellor's Regulation A-832
10 which requires a principal to designate at least
11 one staff member to whom bias-based harassment can
12 be made. In fact more than 80% of our schools
13 have exceeded the DASA requirement by designating
14 more than one staff member. And all of our parent
15 coordinators are required to receive RFA training
16 as well.

17 In addition thanks to the general
18 support of Speaker Quinn and the City Council,
19 this year's professional development for high
20 school teachers includes training on an anti-bias
21 curriculum. Next year we plan to roll out a K to
22 8 curriculum, much of which has already been
23 purchased to our elementary and middle schools so
24 that all schools are provided with this important
25 resource.

1
2 In conclusion we are deeply
3 committed to providing all of our students with a
4 safe and supportive environment where they can
5 learn and grow. And we are equally committed to
6 addressing the academic and socio-emotional needs
7 of students who exhibit challenging behaviors.
8 While we have made enormous progress, as in any
9 large and diverse system, we recognize there is
10 absolutely much more work to be done.

11 Our 1,700 schools are at different
12 stages in this work and it is our mission to
13 support and move all of them to be models of
14 positive school climate and culture where all
15 students feel included, respected and safe. To
16 this end we look forward to continuing to partner
17 with the City Council to reach this goal. With
18 that I'm happy to answer questions that you may
19 have.

20 CHAIRPERSON JACKSON: Well first
21 let me thank you and Connie for all that you have
22 done. As I indicated in my opening statement,
23 obviously, we along with all of the advocates and
24 people that are concerned, need to continuously
25 address this by constantly refocusing about what

1
2 we're doing and how we're doing it in order to
3 make sure that all children are safe and not being
4 bullied in any environment.

5 But first I'm going to turn to my
6 colleagues. And I'm going to ask that the
7 question and answer will be limited to five
8 minutes and if there's room you can come back for
9 a second round. We've also been joined by our
10 colleague David Greenfield of Brooklyn. Welcome
11 David. And now we're going to turn to Council
12 Member Charles Barron of Brooklyn, followed by
13 Council Member Gale Brewer of Manhattan.

14 COUNCIL MEMBER BARRON: Well thank
15 you very much Chair Jackson for having a meeting
16 such as this. You know it's a very, very serious
17 problem. I'll be meeting with Ms. Brown and her
18 daughter; she's gone through a serious incident of
19 bullying. And in the courtroom the accused
20 bulliers showed up and not too great at the way of
21 dressing and it was a big incident in the court.
22 But we'll be meeting with that.

23 But I wanted to talk more about an
24 incident in my district a couple of years ago. A
25 young girl by the name of Mercedes, she actually

1
2 hung herself because of bullying, took her life.
3 And she had gone, her mother had intervened, gone
4 to the school about 10, 15, 20 times. And they
5 just couldn't seem to do anything about the
6 situation. Something has to be done stronger than
7 even these resolutions to, one, prevent it, first
8 identify it, you know, to have some special unit
9 in the school system or special training for
10 teachers where they can identify it right away.

11 And then if they're not prepared or
12 professional trained to intervene, to prevent,
13 because the bullying, it happens on a regular
14 basis. With some of these students it could be
15 around their lunch, it could be around a whole
16 series of things, how they look, they don't even
17 necessarily have to have any, you know, major
18 differences. It could be something very minor.
19 And that this young girl took her life because she
20 couldn't stand the pressure of being bullied.

21 So I think we've got to come up
22 with something so that when a parent does come to
23 a school and says and identifies it, is there any
24 special training teachers go through? We need a
25 unit other than the guidance counselor? We need

1
2 some special unit in schools 'cause bullying I
3 think needs to be taken more seriously than it is.
4 Not that you're not serious, but more serious,
5 than even what we are applying to now 'cause a
6 young, and this is the second, I know there's been
7 other cases whether children have taken their
8 lives, rather than wanting to go back to school.
9 Can you imagine that? That I'd rather leave this
10 planet at an early age before I even get started
11 in life because of the pressures of going to a
12 school that's supposed to be a safe environment.

13 MS. KONSTAN: We have far too many
14 of these tragedies that we hear about every day.
15 And I think that the work that we're collectively
16 doing in this area will continue to raise
17 awareness. The amount, we have lots of resources
18 that we put up on the teacher page as well as
19 online curriculum as well as the curriculum that
20 we just talked about. And we constantly add more
21 information.

22 But I also think that an important
23 new thing we're doing next year is adding the
24 Respect for All liaisons to the school safety
25 committee. So that this is the committee where

1
2 these kinds of things are talked about and this
3 person being on this committee will really raise
4 that awareness and help, you know, deepened the
5 work at the school level. The deck that I
6 mentioned, we prepared, actually Connie and I'll
7 let her talk more about it, prepared a very
8 comprehensive training deck for schools to use for
9 their annual training that really helps them
10 identify what does it look like, what do you do
11 when you see it, what are the laws, what are the
12 regulations. And I think that will also go a long
13 way. And that will also be posted on the various
14 portals that we have, it will go a long way to
15 continue to deepen this work.

16 If there's another tragedy or even
17 if the child doesn't commit suicide but goes home
18 and won't go to school because of that, that's far
19 too many. One is too many. And as I said from my
20 own personal experience with my son, that was too
21 much. So we have work to do but I think we have
22 come a long way as Chair Jackson said earlier.
23 And I think we have things planned for next year
24 that will continue to deepen the work. Connie,
25 you want to talk about the training deck and the

1

2 guide a little bit more? That's - - .

3 MS. CUDDLE: Am I on?

4 MS. KONSTAN: Now you're on.

5 MS. CUDDLE: Okay. Yeah. The
6 training deck reflects what we've been trying to
7 do from a very broad perspective with looking at
8 climate and culture, helping schools look at their
9 own New York City survey to look at the way the
10 kids on the middle and high school level are
11 answering the questions about respect and about
12 bullying so that they get a good handle on what's
13 happening in their own school, getting that
14 feedback, that the kids might not feel comfortable
15 giving face to face. But that survey result is
16 there for them. It has a major section on
17 bullying as Elayna said what it looks like, what
18 it sounds like. There's some interactive work
19 that goes on where we give them scenarios and ask
20 them is this bullying. And then there's an entire
21 section on the Chancellor's Reg, the
22 responsibilities involved with the reg and also on
23 the upcoming DASA legislation and how schools are
24 expected to rise to meet those requirements.

25 We also post a lot of resources on

1
2 the web. And teachers are constantly making use
3 of those resources. Free curriculum resources are
4 posted. There's an online course that SAMSA
5 [phonetic] has approved called the ABC's of
6 Bullying. That's there for teachers, educators,
7 school nurses, psychologists, guidance counselors,
8 social workers, which is a very, very good tool.
9 We've posted a lot of material on cyber bullying,
10 FAQs for parents and teachers. All of which can
11 be downloaded and easily used. And then there's a
12 wealth of--

13 COUNCIL MEMBER BARRON:

14 [Interposing] Well let me--I don't mean to cut
15 you, is any of this required? See because that
16 you post it and they can download it and they have
17 access to it, if they're not required to have that
18 kind of training then there's no assurance in our
19 districts that the teachers or the school is
20 actually taking advantage of all of that.

21 And that's where I think we need
22 more teeth. I think there has to be some
23 mandated, required training because it's that
24 serious. Children are taking their lives. There
25 shouldn't be, you know, whether the teacher

1
2 decides it's important or not, with all of the
3 valuable stuff you have, for a parent to come up
4 to a school 20 times about her daughter being
5 bullied and then her daughter winds up taking her
6 life, something's missing no matter how good it
7 looks online and on paper when it comes to the
8 application, the enforcement.

9 That's where I think we really need
10 to tighten up on that. In every school, just like
11 you have the guidance counselor, there should be a
12 bullying expert. And it's that serious 'cause as
13 you said if one child doesn't want to go to school
14 and worse yet take their life for it, something
15 has to happen. Because it's happening too
16 regularly. And I've had sessions with young
17 people where we try to get peer pressure to work
18 in a positive way where the bully was isolated
19 because of our work with the students. Because
20 sometimes that is the biggest challenge because
21 it's the students that are not the actual bullier,
22 you know, encouraging the bully to do whatever the
23 bully is doing and providing the audience.

24 But once you can get students
25 united to say any one of us could be next and it

1
2 has worked in some instances in some of the
3 schools I've been in. But there's something more,
4 much stronger, that has to be regulated. And I'm
5 not talking about police intervention because we
6 got too much of that in our school system, I
7 think, but something within the Department of
8 Education which says that this is mandatory and
9 this person in this school is going to be assigned
10 as an expert to detect it early, early detection,
11 prevent it, and then once it does happen, make
12 sure that the apprehension of it occurs so that
13 the students can feel safe to come to school.

14 Thank you.

15 COUNCIL MEMBER BREWER: Thank you.

16 A couple of questions. One is I did go to the
17 Respect for All at a middle school in my district.
18 And what it was clear, P-FLAG did it. They did a
19 great job. Every single hand of every single
20 student was up the whole time. And what that says
21 to me is there's not enough because they could
22 have been there. I was there for an hour and a
23 half. And the principal was there. But I don't
24 know.

25 My question is what's the follow-up

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2 because in an hour and a half all those questions
3 were not answered. So what happens after that
4 incredibly good session?

5

MS. KONSTAN: So it's really our
6 expectation and that's what the plan that the
7 schools need to do that the Respect for All Week
8 is not just a week.

9

COUNCIL MEMBER BREWER: No, I
10 understand that.

11

MS. KONSTAN: Not just a day.

12

COUNCIL MEMBER BREWER: I
13 understand that.

14

MS. KONSTAN: But that it is either
15 a celebration or the ongoing work that's to
16 continue. So we don't expect it to be one day or
17 just one event. We expect it to be part of the
18 school's fabric. And I'm sure as you saw and I
19 know I saw, I went to visit many schools during
20 that week, you could see the evidence that this
21 was happening throughout the school year because
22 it was either a project that the students were
23 doing that they had to work over time or a skit
24 they were putting together. I mean you could tell
25 that it wasn't just a one-shot deal because, you

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2 know, then it's meaningless. It needs to be part
3 of the fabric of that school.

4

COUNCIL MEMBER BREWER: Okay. I
5 mean I think that I guess picking up on Council
6 Member Barron's question is how is it mandated to
7 do such. And then how do we find out who the
8 liaison is? That's all going to be up on the web
9 also who the teacher or liaison is?

10

MS. KONSTAN: Well the teacher
11 liaison and what I didn't mention to Council
12 Member Barron was that the RFA liaison is for the
13 students.

14

COUNCIL MEMBER BREWER: Right.

15

MS. KONSTAN: The parent
16 coordinator certainly is also a person trained in
17 RFA work.

18

COUNCIL MEMBER BREWER: Okay.

19

MS. KONSTAN: And for the public.
20 So a parent shouldn't feel that they go back to
21 the school over and over and over and over again
22 and they can't--nothing is happening.

23

COUNCIL MEMBER BREWER: Okay.

24

MS. KONSTAN: That's why we have
25 the Respect for All email. That's what my office

1

2 responds to parents all the time--

3

COUNCIL MEMBER BREWER:

4

[Interposing] I know but your office isn't on the
5 email, on the web. So I'm just saying you need to
6 have something local. So I guess what you're
7 saying is parent coordinator or this other person,
8 right?

9

MS. CUDDLE: Well the RFA brochure
10 which is published in English and in all the
11 languages that our children speak is given out at
12 the beginning of every school year. And if
13 schools need more we give them more. In that
14 brochure is the RFA email address.

15

COUNCIL MEMBER BREWER: Okay.

16

MS. CUDDLE: So that parents can
17 use that email address if they can't get through
18 to a parent coordinator--

19

COUNCIL MEMBER BREWER:

20

[Interposing] But we--all right. But a phone is
21 also helpful. So the parent coordinator is kind
22 of the liaison though for phone and email.

23

MS. KONSTAN: And also you have us.
24 You have the Office of Public Affairs--

25

COUNCIL MEMBER BREWER:

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2 [Interposing] I know we do. I'm thinking about
3 the school.

4 MS. KONSTAN: Yeah.

5 COUNCIL MEMBER BREWER: Okay.

6 MS. KONSTAN: And there's also the
7 network folks.

8 COUNCIL MEMBER BREWER: Oh, don't
9 talk to me about network folks.

10 MS. KONSTAN: Okay.

11 COUNCIL MEMBER BREWER: Okay.

12 MS. KONSTAN: I won't talk about to
13 you about network folks--

14 COUNCIL MEMBER BREWER:

15 [Interposing] Please don't talk to me, I get nuts.

16 MS. KONSTAN: --I didn't say
17 anything.

18 COUNCIL MEMBER BREWER: I get nuts.
19 Okay. Number two--

20 MS. KONSTAN: [Interposing] But you
21 have us.

22 COUNCIL MEMBER BREWER: --I know,
23 I'm not calling networking. Okay. Is there work
24 being done to identify potential bullies who are
25 often facing other difficult life circumstances on

1
2 their own? Now the reason why I ask that is I've
3 been trying for eight years to get mental health
4 funds into the schools in the actual offices where
5 you can be culturally appropriate, a social
6 worker, a psychologist, psychiatrist, everybody
7 knows I've been talking about this. Nothing
8 happens. Council Member Koppell, Council Member
9 Dickens, we're all very focused on it. That would
10 solve a lot of these problems.

11 My question is without that because
12 most schools do not have that kind of support, how
13 does one go about identifying potential bullies
14 and how does one deal with them? They're not so
15 easy to deal with.

16 MS. CUDDLE: And as I said in the
17 testimony that's why it's not only just about
18 holding the students accountable but it's the
19 guidance and student support services we need to
20 provide that bully.

21 COUNCIL MEMBER BREWER: Yeah, but
22 there aren't any. That's a little problem.

23 MS. KONSTAN: Well I think we have
24 some. We've done--

25 COUNCIL MEMBER BREWER:

1
2 [Interposing] Those poor guidance counselors are
3 so swamped with just everything else that this is
4 very time intensive. Having been to five schools
5 in Council Member Dickens district that do have
6 those services, it's very time consuming.

7 MS. KONSTAN: It is. And I agree
8 with you. I wish we had the ability to have
9 mental health clinics in every single school. The
10 schools that I know where we have them, they love
11 them. And they are--

12 COUNCIL MEMBER BREWER:

13 [Interposing] So what are we doing to advocate for
14 that?

15 MS. KONSTAN: [Interposing] We need
16 money. We need more money and more funds and
17 that's--

18 COUNCIL MEMBER BREWER:

19 [Interposing] I know that but I'm just saying, you
20 know, there needs to be more than--there needs to
21 be some voices besides the three of us and others
22 talking about this issue. Yes?

23 MS. KONSTAN: I think there are
24 voices but, yes, we certainly can use as much
25 support to advocate for this work--

1

2

COUNCIL MEMBER BREWER:

3

[Interposing] Okay. And then sometimes my

4

understanding is that many persons who are the

5

victims, how witnesses and bystanders, how are we

6

creating conditions for students to promote

7

upstanding behavior, so that in other words, to

8

stand up. Because it's scary to do so. What kind

9

of atmosphere are we creating to do that?

10

MS. CUDDLE: If you, any of the

11

training documents, any of the resources, every

12

single one of them speak to moving kids to be

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allies, as Council Member Barron said, it is key

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to addressing bullying is to get kids to

15

understand it's not only not good to egg a bully

16

on but it's equally not good to stand there as a

17

bystander and not step up to the plate to help a

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colleagues. So that's a major training component

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when we do the training, the RFA training, for the

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RFA liaisons and the parent coordinators. That is

21

stressed. The importance of helping kids be

22

allies. The importance of getting kids to exert

23

positive peer pressure. And that's part of all of

24

the documents that we put up that are made

25

available.

1
2 COUNCIL MEMBER BREWER: Okay. I
3 appreciate it. I don't want to take more time but
4 I want to say that this, when I say mental health,
5 culturally appropriate, not stigmatized, etcetera,
6 and I would really urge you to try to help us
7 think about ways of doing that, at least in middle
8 and high schools because I don't think we're going
9 to solve this problem without that kind of
10 support. Thank you.

11 CHAIRPERSON JACKSON: Thank you
12 Council Member Brewer. Council Member Danny Dromm
13 of Queens.

14 COUNCIL MEMBER DROMM: Thank you
15 Mr. Chair. I am pleased to see that this is
16 included in the safety, what do they call it, the
17 safety report that they--School Safety--all right.
18 Committee. That the liaison is involved in that.
19 I think the Discipline Code is also included in
20 the safety plan. And I notice in your testimony
21 you mentioned that disciplinary actions are taken
22 against students who violate that.

23 Do you know or is it defined,
24 clearly defined, to what level? Because I know
25 that within the discipline plans there's like a

1

2 Level 1 offense, a Level 2 offense, a Level 3, how
3 that is defined within the Discipline Code? Is
4 taunting a Level 1? Is hitting a Level 2? How is
5 that dealt with?

6

MS. KONSTAN: You're right. We
7 have five levels in the Discipline Code. There
8 are four specific areas that address bias-based
9 intimidation, bullying, harassment. One is slurs
10 both at the younger level, the K to 5, and then 6
11 to 12, that's a Level 3. But the one more
12 physically aggressive violence is a Level 4. So
13 that's how it is aligned in the Discipline Code.

14

COUNCIL MEMBER DROMM: So a Level 3
15 requires, is there, when does it become a
16 principal suspension?

17

MS. KONSTAN: You can, a principal
18 can administer a principals' suspension or a
19 superintendent's suspension at a Level 3.

20

COUNCIL MEMBER DROMM: A Level 3.

21

MS. KONSTAN: Yeah.

22

COUNCIL MEMBER DROMM: Okay. You
23 know I left out one of the reasons why I did come
24 out as an openly gay teacher was in response to a
25 girl who had come to me after lunch; she was in

1
2 tears, because the children in the schoolyard were
3 harassing her because her mother was a lesbian.
4 And of course in those days we had no way to
5 actually address the issue that she was--we were
6 forbidden from actually addressing that issue.
7 And I'm very glad to see that some of that has
8 begun to change.

9 But I'm wondering when you do the
10 training for the teachers; do you directly tell
11 the teachers that it's okay to say the words
12 lesbian, gay, bisexual, transgendered in all of
13 the grades, in all of the schools?

14 MS. CUDDLE: Yes. K to 5 has
15 training and we use some books that they can go
16 back and use in their classes. And we use a book
17 called We Are All Family. There's actually two of
18 them. There's a couple of books that we use in
19 the K to 5 training where they can go back and use
20 it in their schools. And in the 6 to 12 training,
21 there is a particular focus on the needs of LGBT
22 kids because the feedback from our teachers and
23 our schools was that they needed additional work
24 in that specific area. So while we look at all
25 forms of bias, that after we look at the broad

1
2 focus of bias and all the different ways it can be
3 played out, then there's a focus on the LGBTs. So
4 for example we use the story of Baird Ruston which
5 deals with not only race but sexual orientation.
6 And we do that back and forth throughout those two
7 days of training.

8 I have to tell you that, and I
9 could be wrong but I don't think I am, I think
10 that in New York City we're doing more deep and
11 substantive work with the 2-day RFA training
12 that's required for the parent coordinators and
13 the RFA liaisons than any other school system in
14 the country. Lots of other school systems have
15 done 2-hour trainings or 3-hour trainings but I
16 think we're the only ones that are taking 2 full
17 days.

18 COUNCIL MEMBER DROMM: I think
19 you're right. I think it's a good program. It is
20 very impressive and I admire the direction in
21 which we're going but I have to say that I
22 recently got a call, I've only been in the City
23 Council for a year and five-plus months and I
24 funded a program, an anti-bullying program, that a
25 principal looked at in my district, I don't want

1

2 to say which one, I don't want to get her in
3 trouble, but she saw the words gay and lesbian in
4 there and she did not want the program in the
5 school. She said that to me directly. She said
6 she was afraid of reaction from the parents.

7

8 And I don't really think that the
9 parents, you know, in the district, they elected
10 an openly gay elected official so would she, so,
11 you know, I mean I know what we're talking about
12 here is changing peoples' attitudes, even adults'
13 attitudes as well. But do you find that happening
14 in your trainings or how is that dealt with or
15 what are you doing to go about changing that?

16

17 MS. KONSTAN: We have heard from
18 many people who have gone through the training
19 that for some of them it's been life-changing for
20 them, that's how powerful the training is. And
21 where you know of those situations, if you feel
22 comfortable to let us know, it's not about getting
23 that principal in trouble but helping that
24 principal understand the importance of this work.

25

26 And I remember a story where when
27 we first mandated parent coordinators to attend
28 this training and we heard from parent

1
2 coordinators, well actually the principal told us
3 this story about why do I need to go, why do I
4 have to do this, and that parent coordinator came
5 back and said oh my, wow, this was so important
6 for me, so important for our school to be part of
7 it. That is also what we hear.

8 But you're right. It is about
9 helping to change attitudes and bias and it would
10 be helpful where you know of those situations, we
11 can do it in a very discreet way to really help
12 that school community really understand the
13 importance of this work.

14 COUNCIL MEMBER DROMM: And I just
15 want to follow up with this last one 'cause my
16 time is up. The Council supplied last year
17 \$300,000, I believe, in funding. This year the
18 request is \$150,000. Why is it less? That's the
19 first part of the question. And the second part
20 of the question is, is the DOE providing any
21 funding?

22 MS. KONSTAN: It's less because we
23 understand the times that we're in plus we were
24 pretty savvy this year and with the Council's
25 money as well as DOE, my office's budget,

1
2 purchased the curriculum already, the K to 8
3 curriculum, already, at least a lot of it so we
4 can get started right away. And so the additional
5 funds we need from the Council would be for the
6 training of that. So we're a head start in terms
7 of purchasing the curriculum but as I alluded to
8 in my testimony, in addition to the RFA curriculum
9 and the training, the 2-day training we do on RFA,
10 the work we do on conflict resolution, peer
11 mediation, peer education, the work we do on life
12 space crisis intervention, all of these training
13 that we do with school staff, all of that comes
14 out of the DOE budget from my office.

15 COUNCIL MEMBER DROMM: Like for
16 substitutes and the room and things like that but
17 do they actually--

18 MS. KONSTAN: [Interposing] No for
19 the training. The substitutes, that's the
20 school's budget--

21 COUNCIL MEMBER DROMM:
22 [Interposing] So who's doing the training?

23 MS. KONSTAN: Well in terms of life
24 space crisis intervention there are people that
25 actually work in my office that are certified

1
2 trainers in that. In terms of the 2-day training
3 it's the five organizations we talked about, in
4 terms of YES and Glisten, etcetera. In terms of
5 conflict resolution we have certified trainers
6 there. And so paying the staff to come--some of
7 those trainings are 6-day trainings. They happen
8 on Saturdays. We pay teachers to come and that.
9 And so a lot of that comes out of my office's
10 budget.

11 MS. CUDDLE: But if you'd like to
12 give us more than we asked for, we'll take it.

13 COUNCIL MEMBER DROMM: No, you
14 know, to me it just seems the level of commitment
15 needs to be higher from everybody involved. And
16 if we're really going to be serious about this,
17 the \$300,000 seems low to me. And I would like to
18 see a more serious level of commitment from
19 everybody--

20 MS. KONSTAN: [Interposing] Well--

21 COUNCIL MEMBER DROMM: --concerned
22 here.

23 MS. KONSTAN: --we will revise our
24 request when we get back [chuckling].

25 COUNCIL MEMBER DROMM: Well it's a

1

2 very, very important thing--

3 MS. KONSTAN: [Interposing] It is.

4 It is.

5 COUNCIL MEMBER DROMM: --and it
6 involves people's lives and the safety of people
7 in the schools--

8 MS. KONSTAN: [Interposing]

9 Absolutely.

10 COUNCIL MEMBER DROMM: And finally
11 let me just, I have to get this in there too,
12 because when I was giving my speech I didn't get
13 my pitch in for tenure. And I know this is not
14 about tenure. But when I did come out and the way
15 that I tried to implement LGBT positive lessons or
16 to move the system in that direction, everybody
17 told me thank God that you have tenure. Because
18 otherwise I would have been fired from my
19 position. And I just want to take this
20 opportunity to say that when we're talking about
21 these types of issues, that's why having tenure is
22 such an important thing.

23 And I hope that you convey that
24 message back to the Chancellor. The initial
25 purpose for tenure was specifically so that people

1
2 who wanted to talk about these types of issues or
3 people who wanted to talk about things that might
4 not be so politically popular at the time would be
5 able to do those things in the classroom. And
6 that's why I'm a big supporter of tenure. Thank
7 you.

8 CHAIRPERSON JACKSON: Well Danny
9 thank you for being an advocate and speaking up on
10 all of the experiences that you had. And we
11 appreciate that. I appreciate that. You may have
12 noticed that almost all of our colleagues, yeah I
13 see him, have left. We have, as you know, we're
14 in the midst of budget negotiations right now and
15 there is a budget negotiating team that started at
16 about 2:00 PM. And many of them are in there. In
17 fact I'm supposed to be there myself but I am
18 chairing this Committee which is an extremely
19 important issue. We've been joined by our
20 colleague Steve Levin of Brooklyn.

21 And I had mentioned earlier in my
22 opening statement that there is a Cyber Bullying
23 Summit which is on July 18. It's from 6:00 to
24 8:00 PM at the Times Center at 242 West 41st
25 Street. And there's flyers on the table so please

1
2 take one with you. And if you have any questions
3 there's always a phone number to call. We want to
4 try to get as many people out as possible to this
5 particular summit.

6 Council Member Levin do you have
7 any questions at the moment?

8 COUNCIL MEMBER LEVIN: Thank you
9 very much. Thank you Mr. Chairman. Ms. Konstan
10 and Ms. Cuddle. Thank you very much for the work
11 that you do in the years that you've been
12 addressing the issue and establishing this in the
13 forefront of our consciousness in our schools. I
14 was happy when I visited a PTA at a high school in
15 my district last week to see in the elevators the
16 flyers for Respect for All and throughout the
17 halls of the school there was, you know, there was
18 repetition of the theme in terms of bullying being
19 not acceptable. And I think that that message is
20 concerted in our schools and I believe that
21 there's always room to do more. But I just wanted
22 to thank you for the efforts that you've put in
23 over the years.

24 The issue, and this was probably
25 addressed prior to my getting to the hearing, but

1
2 cyber bullying has become like the new frontier.
3 I mean it's so insidious and the younger the kids
4 are the more they're finding new ways of doing it.
5 And I mean I had a couple of middle schoolers
6 explain to me what the latest trends are in that
7 and it involves sites, you know, these sites that
8 I've never even, I wasn't even aware of.

9 What are you guys doing to kind of
10 keep up with the very latest? I mean knowing that
11 it is just as hurtful and sometimes with the
12 anonymity involved with those that are doing the
13 bullying, it makes it a lot worse because they
14 don't have to be accountable. How do we fold that
15 into our schools? How do we train our principals?
16 How do we train our teachers?

17 MS. KONSTAN: Yeah. This is a
18 tough issue. And John Benson from my office who's
19 here, he's got on speed dial, You Tube and
20 Facebook and they know him like every time he
21 calls because oftentimes when we get a call from
22 the school that something's up and needs to come
23 down because, I mean, we get it taken down. But
24 it's what we don't know that's, you know,
25 worrisome. And you're right, because it's

1

2 anonymous and it's much more insidious, it's a
3 challenge.

4

5 So it's really about how do we
6 continue the education that we're doing, working
7 with parents and families, working with students,
8 helping them understand what they do know using
9 these social network sites as well as You Tube can
10 have a detrimental effect on them, you know, ten
11 years from now.

12

13 I mean it's a little hard for a
14 middle schooler to think about that. And that's a
15 challenge. Working with families on best
16 practices and where do you keep your computer.
17 How is it visible? You know, we've had schools
18 who have had parents come some of whose children
19 committed suicide, talk to families and talk to
20 the kids about what they experienced and what they
21 need to do, the kids as ambassadors about this
22 work to prevent cyber bullying. And also the
23 parents in terms of how do you have to keep your
24 home safe and your children safe. And what are
25 those kinds of lessons?

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27 So it's a lot more work we have to
28 do. As we get experienced with it, the kids get

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more experienced at this. Like you said, they told you about all the new sites that are coming up. So, you know, we've got to work together on this. I'm really glad the Council is sponsoring a cyber bullying summit. We've got to work with, you know, organizations like Facebook and You Tube and all the other ones that will grow out of that so they can be socially conscious of this and figure out how we can work together on this so that we can keep our kids safe.

But, you know, it's a new era and it's a new area for us. And, you know, we're focusing on it but lots and lots more has to be done.

COUNCIL MEMBER LEVIN: Right. I mean just as new venues for information; I mean it's constantly changing. I mean it won't stop changing. As soon as you find, you know, as soon as you've got it under control on Facebook or You Tube, there's these other sites which may be less accountable or might be less responsive. You know, and that's my fear.

Just to kind of follow up, do we have a policy in place for, you know, regularly

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2 checking so that none of this is happening on
3 school-issued computers, laptops and PCs?

4 MS. KONSTAN: There are DOE
5 internet policies that are there. There are
6 regulations on that. So we do have that in place.
7 Also the issue of cyber bullying is part of our
8 Discipline Code and has been for many years. So
9 students can be and are held accountable when
10 these things occur.

11 But I think the real answers lie in
12 training and advocacy from the family level or
13 from the student level so they understand the
14 importance of this and also understand how they
15 could really damage, you know, their career, their
16 life, 10 years, 15 years down the road by
17 something they do now. And getting that education
18 and getting that out to them as well.

19 COUNCIL MEMBER LEVIN: Also making
20 sure that the social workers at our schools are
21 equipped to deal with it. I mean just a couple of
22 weeks ago, three or four weeks ago; there was a
23 story, 2 14-year old girls that committed suicide.
24 And clearly there were problems; I mean there had
25 to have been cries for help at some point. And so

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2 we want to make sure that our social workers are
3 there.

4

5 Are you noticing that it's the
6 elementary school students as well? I mean is it
7 getting to that age as well? I mean I know middle
8 school is vicious and it's a terrible time for a
9 lot of kids. Are we seeing that any of these
10 things are happening amongst 5th graders or 4th
11 graders?

12

13 MS. KONSTAN: Yeah. We are seeing
14 that. We know that there are students way under
15 the age of 13 who have Facebook accounts. They're
16 not supposed to have a Facebook account unless
17 they're 13 years or older. We know that that's
18 happening as well. So that's why we work at this
19 from a K to 12 perspective.

20

21 COUNCIL MEMBER LEVIN: Mm-hmm.

22

23 MS. KONSTAN: Because we are seeing
24 it in the elementary schools as well.

25

26 COUNCIL MEMBER LEVIN: Thank you
27 very much. Thank you Mr. Chair.

28

29 CHAIRPERSON JACKSON: I learned
30 something new today that you have to be a minimum
31 age of 13. I didn't know that until just now.

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[Off mic comment]

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CHAIRPERSON JACKSON: You have to say. Yeah, clicking a box. And anyone who wants to get on they just click it, right? But I mean I didn't know that. Now we learn something new every day. Okay let me turn to our colleague Danny Dromm for follow-up questions. And I'm going to step out for a few minutes to eat a slice of peach and I'll be right back.

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[Chuckling]

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COUNCIL MEMBER DROMM: Thank you Mr. Chair. So I have some questions regarding just some of the statistics regarding Respect for All. Let me start off by saying what kind of evaluation has the DOE undertaken to measure the success of the program?

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MS. KONSTAN: We have, yeah, Connie is whispering to me the Glisten Report. I'll let her talk about that because we've got some, they did a research report on that. But we also have, I know Councilwoman Brewer doesn't want to hear about this but we have in each network a youth development specialist that actually does work with schools, to work, to look at their plans, to

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2 help the plans get better. We've seen the growth
3 in terms of the kinds of work and kinds of
4 presentations and the kinds of things schools are
5 doing.

6 But I'll turn to Connie to talk
7 about the Glisten Research Project where we have
8 some evidence on that.

9 COUNCIL MEMBER DROMM: Just before
10 you turn to Connie, what I'm hearing from you is
11 that Glisten is doing it and I want to hear about
12 that. But that there's been no internal type of
13 evaluation done?

14 MS. KONSTAN: Not like a research
15 project, like that, but we have--

16 COUNCIL MEMBER DROMM:
17 [Interposing] A survey among principals, the
18 teachers, like something that's been done to find
19 out what the impact of the program is in the
20 schools?

21 MS. CUDDLE: That was the Glisten
22 Report. They did an evaluation for us as one of
23 our collaborative partners on the 6 to 12
24 training. And they issued the report where they
25 surveyed people and then they surveyed the people

1
2 who had attended the training. And then they
3 surveyed them again after X number of weeks and
4 then after X number of months to see what the
5 impact was over time. And it was a very positive
6 report.

7 COUNCIL MEMBER DROMM: So how many
8 people would have been involved in that survey?

9 MS. CUDDLE: I think that first
10 year we trained about 1,100 or 1,200 teachers.
11 And I think that they got full survey results from
12 about 800. So I would say over 2/3 of the people
13 who went through that training. It was
14 statistically significant.

15 COUNCIL MEMBER DROMM: See, what
16 I'm trying to get at here and I heard the number
17 1,100 you said, teachers trained or whatever?

18 MS. KONSTAN: That year--

19 MS. CUDDLE: [Interposing] That
20 first year.

21 MS. KONSTAN: --that first year.

22 COUNCIL MEMBER DROMM: So how many
23 altogether?

24 MS. KONSTAN: It's close to 7,000
25 in just the 2-day training but that doesn't

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2 include all the other kinds of training that we
3 do. That doesn't include the teachers who were
4 trained in the curriculum. We would be in the
5 tens of thousands if we included all of them.

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COUNCIL MEMBER DROMM: And what do
we have about 80,000 teachers?

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MS. KONSTAN: About 80,000.

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COUNCIL MEMBER DROMM: So maybe
you've gotten to 10%? And that's always been one
of the things that I've fought for, for many, many
years. And that's why I'm asking for more detail
on how much is spent, etcetera, because if we're
only affecting or hitting 10% of the school
system, I don't know how much of a strong impact
we're really having.

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And I think everything you're doing
is wonderful and everything you're doing is really
necessary. And I really like what you're doing.
And I like the programs that you're using. But
I'm deeply concerned that we're not really getting
the word out there.

23

24

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MS. KONSTAN: Well we certainly can
get back to you on looking at the expenses. But
what I can put together from central will not

1
2 include all the work and partnership schools do,
3 partnering with the organizations that we talked
4 about and so--

5 COUNCIL MEMBER DROMM:

6 [Interposing] Well some do, you know, one of the
7 problems as a teacher that I always had was, yes,
8 these lesson plans are out there online and this
9 and that but unless you've been given a clear okay
10 from an administrator in a school to implement
11 some of these lessons, you're fearful of actually
12 doing it. And so if that message doesn't come
13 down, one of the things that we'd always ask the
14 Chancellor for was for a clear directive saying
15 that if you do this, we're going to back you up,
16 we're going to support you on this.

17 And I still don't know from what I
18 hear if that message has actually gotten through
19 to the majority of people in the system. I think
20 you have schools and you have places that are
21 supportive, probably mostly in more progressive
22 areas, but you go to Middle Village in Queens and
23 I don't know if it's being done there. I think
24 there's still a tremendous fear. And those are
25 the areas where we need this type of training the

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most.

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MS. KONSTAN: No. No.

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MS. KONSTAN: Yeah.

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has gotten to them.

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MS. KONSTAN: Yeah, other than the

parent coordinator but...

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COUNCIL MEMBER DROMM: I'd like to go now to how many cases of harassment have been filed, with, I guess, the online complaint system. Is that where it would be?

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2 MS. KONSTAN: Well they could be
3 filed at the school level and I don't have that
4 number. The ones that come through the email that
5 comes to our office, interestingly enough, most of
6 them are parents. I don't have that exact number
7 but it's thousands. And--

8 MS. CUDDLE: [Interposing] That's
9 over--

10 MS. KONSTAN: [Interposing] Yeah.

11 MS. CUDDLE: --since we created the
12 email address.

13 COUNCIL MEMBER DROMM: And these
14 online complaints are specifically for bullying
15 complaints? Does the OEO Office still deal with
16 bullying or cases of harassment based on sexual
17 orientation, race, creed, color, religion?

18 MS. KONSTAN: Well under
19 Chancellor's Reg A-830, yes they do. What we--
20 'cause the online, the email, the Respect for All
21 email really comes to us. It comes to my office.
22 And we respond. That's, most of those complaints
23 or those is really my child has been bullied.
24 It's not necessarily bias-based. It's my child
25 has been bullied. And so we respond to every

1
2 single one of those complaints, working directly
3 with the school and the network to address it and
4 the parents. So that they know that they're being
5 heard. Most of them--

6 COUNCIL MEMBER DROMM:

7 [Interposing] I've seen it on the elementary level
8 sometimes when kids get bullied because of the
9 clothes that they wear in the school--

10 MS. KONSTAN: [Interposing] Yeah.

11 COUNCIL MEMBER DROMM: --or

12 whatever. It could be for anything like that.

13 MS. KONSTAN: I'd say 90% if not
14 higher are from parents.

15 COUNCIL MEMBER DROMM: So I know
16 the Chancellor loves data. It's his big thing.
17 Are we accumulating this data? Are we collating
18 this data? What are we doing with the data that's
19 come in to you?

20 MS. KONSTAN: We, well, not only do
21 we have the data, I just don't have it with me,
22 but we also every year since 2008-09 do a bias
23 audit which is posted on our DOE and I know
24 Council Member Jackson referenced it. Yes, in
25 '09-10 which was the second year that the data,

1
2 the percentage is higher. The first year we did
3 this it was 4.7% with about 6,000 incidents of
4 bias-based harassment.

5 The second year which is expected
6 and I remember when we had our press event during
7 RFA Week, Speaker Quinn actually said the second
8 year you'll expect that because you're raising
9 awareness, you're talking about how important this
10 is, there's going to be more reporting. The
11 second year it was up 5.8% with about 8,000
12 incidents. But we also saw an increase in
13 reporting of incidents overall, over 10,000. And
14 we think that's a good thing because you can't
15 intervene, you can't do the work, unless you know
16 what's going on.

17 COUNCIL MEMBER DROMM: So of those
18 8,000 that came in, are they documented cases of
19 harassment or how is that dealt with--

20 MS. KONSTAN: [Interposing] Well
21 how we work on this is we actually read not just
22 the ones that are within the Discipline Code, the
23 four that I mentioned, the four specific codes.
24 We read every one, all 140,000 incidents to see
25 which ones have a bias-related aspect to it. We

1
2 did see an increase in the lower levels of
3 infractions and even in the younger grades, back
4 to Council Member Weprin's question, in the Level
5 1's and Level 2 infractions, we saw that.

6 We also saw very little, I think,
7 no increase in the high, the most violent, Level 5
8 infractions. So we look at that work. We also
9 looked at it in terms of the "protected
10 categories", the pattern was the same as it was
11 last year with gender being the highest category,
12 race being the second although the second year
13 actually that percentage went down, and sexual
14 orientation, sexual identity being the third. And
15 actually that one also went down. So we are
16 looking at those patterns and trends coupled with
17 the data that we get from the emails.

18 COUNCIL MEMBER DROMM: Not to
19 dispute your figures but one of the things that I
20 found is that oftentimes LGBT students are afraid
21 to report the harassment and discrimination
22 because of the nature of it and because of the
23 history of the nature of it. And so I always
24 wonder how accurate those numbers are in terms of
25 the LGBT harassment as well. I just wanted to

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2 point that out.

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Do you have cases where adults in the system were accused of being the perpetrators of the harassment?

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MS. KONSTAN: Well we have two, perhaps, I don't know, we do have two Chancellor's Regulations, as you said, that would go to OEO and that would go to OSI.

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COUNCIL MEMBER DROMM: So two cases of?

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MS. KONSTAN: No. Two regulations-

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COUNCIL MEMBER DROMM:
[Interposing] Oh, two regulations.

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MS. KONSTAN: --we have two regulations. We actually have three regulations where you're talking about adults.

19

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COUNCIL MEMBER DROMM: Right. So let's say it's adult to child.

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MS. KONSTAN: So we have Chancellor's Reg A-420 and A-421 and then we have Chancellor's Reg A-830. And those kinds of incidents would go to OEO--

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COUNCIL MEMBER DROMM:

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2 [Interposing] From the online reporting system,
3 have you had that type of complaint made?

4 MS. KONSTAN: It does get onto the
5 online--I don't have that data in my head right
6 now to say. But we can look it up.

7 COUNCIL MEMBER DROMM: Can we get
8 that data--?

9 MS. KONSTAN: [Interposing] Sure.

10 COUNCIL MEMBER DROMM: --because
11 I'm very interested in taking a look at that. And
12 I would be very much appreciative if we could get
13 that. How many students have been punished for
14 cyber bullying?

15 MS. KONSTAN: Of the... I couldn't
16 tell you, of cyber bullying, because cyber
17 bullying is part of the category for other kinds
18 of bullying. So I don't have that number. We
19 tease out cyber bullying.

20 COUNCIL MEMBER DROMM: So these
21 numbers are extremely important. So I--

22 MS. KONSTAN: [Interposing] That
23 would--we'd have to perhaps next year when we--
24 'cause that would be reading every single incident
25 again. But maybe when we look at the bias audit

1
2 for the '10-11 school year, we could actually look
3 at that category and have that for the following
4 year but that's something I'd have to look at to
5 see whether we could do that. Because right now
6 there's no separate category for that. It's
7 always been part of our Discipline Code but right
8 now our Discipline Code, the draft version is up,
9 and so we welcome public comments. So I'm going
10 to take that one down as a public comment--

11 COUNCIL MEMBER DROMM:

12 [Interposing] Okay--

13 MS. KONSTAN: --to see if we could-

14 -

15 COUNCIL MEMBER DROMM: --I think
16 that DASA is going to require that we have these
17 numbers, am I right?

18 MS. KONSTAN: But not necessarily
19 specific on pulling out the various kinds. I
20 think they're requiring reporting which we are
21 already doing, not only--

22 COUNCIL MEMBER DROMM:

23 [Interposing] But I think that's going to ask you
24 the nature of the bias--

25 MS. KONSTAN: [Interposing] Yes.

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2 Yeah.

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 COUNCIL MEMBER DROMM: --the
specific nature of the each bias--

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 MS. KONSTAN: [Interposing] Yeah.

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 COUNCIL MEMBER DROMM: --whether
it's racial, whether it's sexual orientation--

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 MS. KONSTAN: [Interposing] Right.

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And that we do. But now we're adding, if you're
suggesting we add cyber bullying, that's something
we've got to think about.

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 COUNCIL MEMBER DROMM: Okay.

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 MS. KONSTAN: And how we could do
that.

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 COUNCIL MEMBER DROMM: Well because
I think there's so much more, so much more today
is done cyber bullying. And I just think that's a
very important piece of it.

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 Once you identify bullying, do you
see pockets of bullying coming from certain areas?

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I suggested perhaps in the LGBT cases it might be
coming from more conservative areas. Maybe that's

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not true. Do you have a mechanism to be able to
identify that? And if you do or if you do not,

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what do you do to address the incident at the

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2 school level? Do you talk to the principals?

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MS. KONSTAN: Unfortunately I think it's quite widespread. I don't necessarily think there are specific pockets that stand out in terms of this kind of behavior. When it comes to us, whether it be through a complaint of a parent or from any one of your offices or through the online email account that we have, we intervene directly with the school and with the network to provide support for them.

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There are times when the bullying rises to where we need to provide much more targeted intervention. And oftentimes we call on our partners such as ADL or Operation Respect or P-FLAG to actually go and do some critical work inside the school. Oftentimes that's paid for out of my, the monies called My Safe School Initiative funds that I put away fund in my Department just for that work. So there are often times that we have to do that kind of targeted intervention with the school because it needs that much more deep level work.

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25

MS. CUDDLE: And there are also times when principals call and they're aware,

1
2 they're seeing a pattern and they say I want to be
3 preventive. I want to be proactive. Can you help
4 us? And then absolutely we do.

5 COUNCIL MEMBER DROMM: I've gotten
6 some complaints in my office about New Town High
7 School in particular. And I went there. I
8 actually gave some discretionary funding to P-FLAG
9 to come in and we did a small program. But
10 basically when we got there we did it with the
11 Stop the Hate Club.

12 And I felt to a certain extent we
13 were talking to the converted already. And I'm
14 wondering how far does this get? I mean obviously
15 the teachers have to do it on their own. But
16 where we have places that have been identified as
17 having, specifically the cases where anti-LGBT
18 cases, do you go into the school and talk with the
19 principal about it? Is this part of the
20 discussion or?

21 MS. CUDDLE: Yes.

22 MS. KONSTAN: And not only people
23 from my office, people that work in Connie's
24 Department, but also putting on my other hat, that
25 this Council knows well in the school safety end,

1
2 we have Borough safety directors who report to us,
3 to me and my office. And they're always in the
4 schools working with the principals on that. So
5 there's direct intervention coming from my office
6 and from the networks.

7 COUNCIL MEMBER DROMM: Well do you
8 give any training to principals at all to
9 determine what the difference is between a
10 bullying and let's say a hate crime incident is?
11 Which they must report, I guess, to the Police
12 Department?

13 MS. KONSTAN: Yes. And Connie can
14 talk more specifically about that but we did
15 training this year and last year. We worked with
16 the Human Rights Commission and the Police
17 Department on this very issue.

18 MS. CUDDLE: Yeah. We worked
19 actually with the New York City Human Rights
20 Commission, the New York State Division of Human
21 Rights, and the NYPD Hate Crimes Task Force. This
22 started probably three years ago, the working, and
23 then for the last two years rolled out promoting
24 respect for diversity, preventing hate crime
25 conferences across the five Boroughs, where the

1
2 schools were asked to send either an AP Security
3 or a Dean, somebody from the safety end of the
4 world and somebody from the guidance end of the
5 world in the school as a team so that we could
6 work with them to make it clear what the
7 trajectory is if we're not doing what we needed to
8 do in the school.

9 Where it could go from something
10 that's bias-based behavior or bullying in the
11 school and elevate to the point of being a hate
12 crime. We have a very close relationship with
13 NYPD Hate Crimes Task Force. We work with them on
14 a consistent basis so we can be proactive.

15 COUNCIL MEMBER DROMM: Sometimes
16 principals are hesitant to report incidents in
17 their school. Maybe even more so with this. I'm
18 not exactly sure. Have you come across that at
19 all where principals don't want to do the
20 reporting because they don't want to have a
21 negative impact on the school report card?

22 MS. CUDDLE: Well reporting doesn't
23 really have a negative impact on the school report
24 card but--and we have--

25 COUNCIL MEMBER DROMM:

1

2 [Interposing] I thought the number of..

3 [Off mic comments]

4 COUNCIL MEMBER DROMM: That goes on
5 the student... there's nowhere on the report card
6 where a number of incidents at a school are
7 listed?

8 MS. KONSTAN: No. And we have seen
9 over the years that I've been in this position and
10 when I was the Deputy to the former CEO, we have
11 seen an increase in reporting. So last year was
12 higher than the year before. So there's evidence
13 that, you know, people realize the importance of
14 reporting. Are there incidents? Can there be
15 incidents? Of course. And when we know, we're
16 there intervening 'cause non-reporting is a very
17 serious violation of Chancellor's Regulations. So
18 it's really important. You can't intervene if you
19 don't have good data. And you can't have good
20 data unless you report appropriately and
21 accurately.

22 MS. CUDDLE: I can think of at
23 least three Chancellor's memoranda that went out
24 where the Chancellor reinforced the expectation
25 that principals report. And that they would not

1
2 be held in bad light for reporting but that that's
3 the expectation that they report.

4 COUNCIL MEMBER DROMM: You know,
5 what I'm kind of trying to get at is that I've
6 been in schools, in junior high schools in
7 particular, where every other word out of the
8 students' mouth is faggot this or you're so gay,
9 this and that. And it just goes on unchallenged
10 all day long. And I don't know how we really,
11 unless we put more resources into what it is that
12 we're talking about, more than the 10% of the
13 teachers that we're affecting, to challenge this
14 and to end that. I don't know how we actually get
15 to that point where that's not happening any more.

16 It's common practice in the schools
17 when you go in, to hear that. It's every other
18 word out of their mouths. I don't know. Anyway,
19 I just had to say that.

20 Let me just go to a couple other
21 questions I had here. We're getting a couple of,
22 we're getting numerous phone calls from parents
23 and students asking who the Respect for All
24 liaison is in the school. Is there any way for
25 that to be listed on either the school's website

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2 or for the position of Respect for All liaison to
3 be made better known?

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MS. KONSTAN: I'm sure there are other ways and we'll certainly work with the Council as we have to try to come up with better or other kinds of practices. As we've done this year, like adding the RFA liaison to the safety committee.

COUNCIL MEMBER DROMM: When I was there in 2009, when I left, most people in the school did not know who the Respect for All liaison was. And I know you have the posters. And Council Member Levin said that, you know, they're all over, and I agree, they are, and I think that's great.

MS. KONSTAN: That's great to hear.

COUNCIL MEMBER DROMM: No, I think that they are. Everywhere I go I see them in there. And that's because of the insistence of you and the Chancellor that they be put up there. But I think knowing who the liaison is, is extremely important as well in terms of even reporting it. So I would just urge you to look at other ways to make sure that that is made known

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2 within the schools.

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MS. CUDDLE: The liaison's names are supposed to be on those posters so if you are aware that there are posters without the liaison's name--

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COUNCIL MEMBER DROMM:

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[Interposing] I thought so.

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MS. CUDDLE: --you need to let us know because we will contact the school.

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CHAIRPERSON JACKSON: But since the website of the school has all of the information of the name of the principals, shouldn't, for example, that individual's name be listed there or is, I guess, from a survey point of view and we can do this and the DOE can do it, I would think clearly the parents association leadership should know who the liaison is.

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And I don't know, I guess it begs the question, on whether or not the principal of the school, the leadership is communicating out to the team that this is the liaison so everyone is aware of that besides, like you said, putting it on the poster and on the website. Everyone should know, especially the parent leadership.

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Did you have something else?

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COUNCIL MEMBER DROMM: Yes. No,

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and in line with what you're saying also, when do

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the Respect for All liaisons do the training?

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MS. KONSTAN: It's not necessarily

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that they do the training. There is a requirement

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to do--they should be part of working with the

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school to do that but there is a requirement to do

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an annual training for all staff. And hopefully

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the new materials that we're going to provide to

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schools--I mean it would be great to do at the

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beginning of the school year, doing some of the

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early PD sessions or whatever. But the deck that

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we provide gives a wealth of information that the

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school can use for this training.

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COUNCIL MEMBER DROMM: Couldn't the

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Chancellor mandate that?

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MS. CUDDLE: It is in the

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regulation that it's reviewed annually at the

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beginning of the school year. It's in A-832.

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COUNCIL MEMBER DROMM: That Respect

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for All is?

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MS. CUDDLE: Yes.

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COUNCIL MEMBER DROMM: And what

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2 about the training.

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MS. CUDDLE: That the training with the staff is mandated at the beginning of the school year--

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COUNCIL MEMBER DROMM:

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[Interposing] And then do they report that? That it's being accomplished?

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MS. KONSTAN: There is no mechanism for them to check that off. They do have to do an RFA plan that's due to us in October where they indicate that. But it is a requirement and--

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COUNCIL MEMBER DROMM:

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[Interposing] Could you include in the safety plan perhaps a date for completion of the Respect for All training?

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MS. KONSTAN: It's in the consolidated plan. The School and Youth Development Consolidated Plan. And that's where it should go, in my opinion.

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COUNCIL MEMBER DROMM: And where is that? That school consolidated--

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MS. KONSTAN: [Interposing] Each school is required to complete that plan.

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COUNCIL MEMBER DROMM: The safety

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2

plan.

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MS. KONSTAN: The youth--

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COUNCIL MEMBER DROMM:

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[Interposing] Oh I see.

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MS. KONSTAN: --which has lots of

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components, RFA being one of them.

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CHAIRPERSON JACKSON: So to follow

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up just on this line of questioning, does the

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Department of Education, so for example if you say

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okay, give us a list of the liaison for every

12

school. Do you have that? Can you click on the

13

computer somewhere and say for District 6 or

14

District 5 or, you know, do you have that type of

15

access yourself?

16

MS. KONSTAN: Yes. And that's why

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we know that 80% of our schools have more than 1

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RFA liaison because we have that access. But

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again, and I know we have disagreement on this,

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but we really feel that the RFA liaison is for the

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students. This isn't a fulltime job. This is in

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addition to their position.

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CHAIRPERSON JACKSON: I hear you

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loud and clear.

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MS. KONSTAN: And we really want

1
2 this person to be for the students in the school.
3 We'll be there for the public and there are other
4 venues to be there for the public as well as the
5 parent coordinator for the parents, the families--

6 CHAIRPERSON JACKSON: [Interposing]
7 But I think the, and I head you loud and clear on
8 that, but if I'm a parent and my child has an
9 issue that I don't want to address, I can say you
10 can always talk to so and so and so on. Or if
11 other teachers could always refer the students to
12 that adult person who may be the liaison. And so
13 I guess we're begging for verification that the
14 information is known. That's [laughing].

15 MS. KONSTAN: I'm hearing you. So.
16 So I think as we come together again around--

17 CHAIRPERSON JACKSON: [Interposing]
18 Yeah.

19 MS. KONSTAN: --this work which I'm
20 sure we will over the summer, we'll look at that
21 again to see how we can get it more well known and
22 publicized in the schools.

23 COUNCIL MEMBER DROMM: You know it
24 would be nice if you could invite some of the
25 members of the Education Committee to sit in on

1

2 that training.

3 MS. KONSTAN: The RFA training?

4 COUNCIL MEMBER DROMM: Yeah. We
5 would love to see what you do so we have a better
6 understanding of how it's done. I know myself in
7 particular would enjoy going to something like
8 that.9 CHAIRPERSON JACKSON: Let me thank
10 you, Council Member Dromm, you're picking up as a
11 team and carrying a baton as far as helping to ask
12 the questions that we have to ask. But let me
13 just ask a couple of questions. But I want to
14 sort of set the stage for it. This is about
15 implementation of the State Dignity for All
16 Students Act. In September of 2010 the New York
17 State enacted the Dignity for All Students Act,
18 DASA. It requires that every school district
19 create policies and guidelines intended to create
20 a school environment that is free from
21 discrimination and harassment.22 And New York City was ahead of the
23 curve in that DOE had already established such
24 policy and guidelines as codified in Chancellor's
25 Regulations A-832. However the Chancellor's

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2 Regulation A-832 currently falls short of meeting
3 all of DASA's requirements. Staff to student
4 bullying, DADA states that no student should be
5 subject to harassment by school employees as well
6 as by students. Currently Chancellor's Regulation
7 A-832 addresses only student on student
8 harassment. So how do you plan to change the
9 regulation to align DASA regarding staff to
10 student bullying? And when do you plan to make
11 these changes to the regulation?

12 MS. KONSTAN: So I think I
13 mentioned earlier, I think we do have two
14 Chancellor's Regulations that do deal with staff
15 on student bullying, A-420 and 421. But we also
16 recognize that A-832, we do have to make some
17 amendments. And I know that our legal team is
18 already working on that to be in full compliance
19 with DASA. For example, including weight as a
20 protected category which it right now is not.

21 CHAIRPERSON JACKSON: Mm-hmm. And
22 you said that your legal team is working on that.
23 When do you expect that to be aligned?
24 Realistically.

25 MS. KONSTAN: Prior to DASA being

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2 in effect. Just as we are ahead of the curve now-

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CHAIRPERSON JACKSON: [Interposing]

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Now--

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MS. KONSTAN: --I think soon. I

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think--

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CHAIRPERSON JACKSON: [Interposing]

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That's July of 2012 is a year away or a little

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more than a year away. And quite frankly that's a

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long time.

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MS. KONSTAN: Yeah. I think it'll

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be done before that. But I can't speak to that

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right now.

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CHAIRPERSON JACKSON: Okay. Okay.

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A 2009 survey by advocates of more than 1,100

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students found that 16% of the students who

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reported experiencing bias-based harassment said

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the harasser was a teacher, staff member or

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security officer. Does the Department of

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Education currently provide training to any staff

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such as school safety officers that address the

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issue of harassment and bullying of students by

24

staff?

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MS. KONSTAN: Putting on my other

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2 hat that I wear.

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CHAIRPERSON JACKSON: Which hat is that?

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MS. KONSTAN: The school safety hat.

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CHAIRPERSON JACKSON: Okay. I just want to know which hat you're wearing at what time, that's all.

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MS. KONSTAN: I know I got a lot of hats here.

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[Laughter]

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MS. KONSTAN: We actually do participate in working with NYPD School Safety Division and training of new recruits and school safety agents and specifically talk about Respect for All and the training that we do with them and the Discipline Code. So we do participate in that training as well. For school safety agents. That's what you're asking.

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CHAIRPERSON JACKSON: Yes. Not only for school safety agents but for all staff.

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MS. KONSTAN: In terms of training on the Chancellor's Regulation? And I think that the new deck that we are providing will actually

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2 reemphasize the importance of this so that all
3 staff understand their role and responsibility in
4 this work.

5

CHAIRPERSON JACKSON: And this is
6 not a prepared question but, you know, I just said
7 let me ask this question of you wearing the school
8 safety hat. Have you had over the past this
9 calendar year or--not calendar but school year or
10 the year before that, numbers of, you know, school
11 safety personnel that may have harassed and/or,
12 you know... you know, where a bias-based harassment
13 or any other type of harassment by school safety
14 officers on students? For example were there 10
15 reported this school year? I'm not asking for
16 dispositions, I'm just asking the numbers.

17

MS. KONSTAN: Yeah. I don't have
18 those numbers.

19

CHAIRPERSON JACKSON: Mm-hmm.

20

MS. KONSTAN: NYPD School Safety
21 probably does.

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CHAIRPERSON JACKSON: Mm-hmm.

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MS. KONSTAN: So I'm going to have
24 to defer to them on that.

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CHAIRPERSON JACKSON: Okay. We'll

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follow up because this raises a question of curiosity overall in that. So do you believe though that overall, all of the staff, all adults that are working with our children, you had mentioned about the transportation people, they are represented by a different employer, they are represented by different unions and as my colleague said, you know, harassment takes place not only in school but quite often, as we've seen on several videos, on the buses and transportation.

I think it would be really good from the DOE to communicate and/or talk to the employers of our school bus drivers and matrons that this issue be addressed because they are the adults that are on the bus protecting and watching and transporting our children.

I think that's extremely important. And I would urge that you do that. In fact I'm going to make sure that I'm going to follow up and ask that question whether or not you, DOE, have had discussions with the employers of the bus drivers and matrons that whether or not this issue has been addressed because it is extremely

1
2 important that that happen. Okay? So we'll
3 follow up on that. And I'm going to be asking
4 that question in a couple of months.

5 [Off mic comment]

6 CHAIRPERSON JACKSON: Yeah. Next
7 page? Okay. My boss is telling me I can move a
8 little bit quicker. Okay? Under student
9 instruction, DASA also amended Section 801 of the
10 State education law regarding instruction in
11 civility and citizenship and character education,
12 requiring that students in grades k to 12 be
13 taught such things as tolerance, respect for
14 others, and dignity which shall include awareness
15 and sensitivity to discrimination or harassment.

16 Now Chancellor's Regulation A-832
17 makes no mention of student instruction but once
18 again under Section 5 heading up notification,
19 principals must ensure that the policy and
20 procedures are discussed with students at the
21 beginning of each year. So my question is does
22 the Department of Education plan to change the
23 language in Chancellor's Regulation A-832 to
24 require instruction on harassment and bullying for
25 students? If so, when? If not, why? Basically

1
2 going to the alignment again. And I hope you
3 don't say, you know, July 2012.

4 MS. KONSTAN: No.

5 CHAIRPERSON JACKSON: Oh, okay.

6 MS. KONSTAN: But again I will say
7 that we have been working with the Office of Legal
8 Services.

9 CHAIRPERSON JACKSON: Mm-hmm.

10 MS. KONSTAN: And Mike Best's team
11 on looking at A-832 to it can be aligned with
12 DASA. We're very proud that we've been ahead of
13 this curve, way before DASA, this came out. And
14 we still, we want to remain leaders in this work
15 because I think we've done some really good work
16 in this area. Some of the curriculum that we
17 already have posted and the curriculum coming
18 forward next year will just add to the wealth of
19 resources that schools will have to do this very
20 issue that is in DASA.

21 So while I don't have a specific
22 date when the new reg will be promulgated, I can
23 tell you that the folks are already working in it
24 so that we're hoping it will be promulgated soon,
25 you know, as the beginning of the school year.

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CHAIRPERSON JACKSON: Meaning revised so that it's aligned with DASA, you're basically saying?

MS. KONSTAN: The revised A-832.

CHAIRPERSON JACKSON: Okay. So then my question then I was going to ask you whether or not, you know, since basically you're saying the legal team is opening on revising to make sure that A-832 is updated and aligned with DASA, is that correct?

MS. KONSTAN: That's correct.

CHAIRPERSON JACKSON: Okay. Then I assume that you're going through everything, not just one little aspect of it, is that correct?

MS. KONSTAN: We want to make sure that the work that we're doing is directly aligned with DASA which we believe most of it is--

CHAIRPERSON JACKSON: [Interposing]
Okay.

MS. KONSTAN: --but we're definitely looking at it as a whole.

CHAIRPERSON JACKSON: Okay. Then let me just request for you that before it's finalized, let's say you're legal team has gone

1
2 through and they say, okay, program people we have
3 our final draft of alignment, can you just share
4 that with us? Because what I would not like to
5 see is you come out with a final document and then
6 we say, hey, A, B, C, D, E, E, F, G. I think that
7 we're all in this together. So it's not where
8 we're looking to criticize, you know, it's just
9 that we need to align it.

10 And I think that once your legal
11 team looks at it and comes with the final draft, I
12 don't think it's inappropriate, rather I think it
13 would be appropriate to say City Council, you have
14 oversight, we know that, you know, our Speaker
15 Christine Quinn and others are leaders in this,
16 we're sharing with you the final draft of
17 alignment. If you have any suggestions, let us
18 know before we finalize it so we can look at it.
19 That would be really great. Okay? Let me turn to
20 our colleague Steve Levin for some questions, if
21 you don't mind.

22 COUNCIL MEMBER LEVIN: Thank you
23 Mr. Chairman. So I just wanted to ask a little
24 bit about the advocate's report card that came
25 out--

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[Off mic comment]

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COUNCIL MEMBER LEVIN: --Sir? Yes

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it is. Okay. Those that came out in February.

5

Some of the percentages that came back are a

6

little concerning. Just for the record there was

7

a report card a Year Two report card that came out

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in February 2011 assessing Chancellor's Regulation

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A-832. And it was based on a survey of 198 City

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teachers representing 117 schools.

11

A fairly high percentage of the

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teachers surveyed, teachers and staff, were, you

13

know, reported being aware of the regulation, 62%,

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62.4%. Only 29% said that the students were made

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aware. And less than half said that the schools

16

had put up the posters. And only 26% said the

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schools were giving out the RFA brochures.

18

How could our efforts be improved?

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How could we get those numbers up?

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MS. KONSTAN: Well I first have to

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say that as you mentioned it was a survey of 198

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staff--

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COUNCIL MEMBER LEVIN:

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[Interposing] Hmm.

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MS. KONSTAN: --and as Council

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2 Member Dromm said of a possible 80,000--

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COUNCIL MEMBER LEVIN:

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[Interposing] Yeah.

5

6 MS. KONSTAN: --teachers plus
7 guidance counselors. But not to discount. That
8 is information for us to use. And so, you know, I
9 would imagine if there was a wider sample size
10 that there might be different statistics. But
11 clearly we use this data and look at it to see how
12 we can, as we've been talking about here, you
13 know, better publicize the information and the
14 work of RFA in the schools.

14

15 I would venture to guess that if we
16 had a larger sample size those percentages would
17 be different. I'm just seeing the work that we
18 see our schools doing. But again as I said,
19 although it's incomplete, it is information that
20 we need to look at and we are. And we are
21 continuing to do the work and promulgating new
22 tools and new resources for schools to use.

22

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COUNCIL MEMBER LEVIN: The kind of
concerning number, and just kind of going with
this, only 26.4% of teachers surveyed identified
or were able to identify the point person in their

1
2 school. So how, I'm wondering, what are the
3 reporting requirements in terms of are principals
4 required to do reports in terms of their efforts,
5 reporting back to DOE on their efforts, in terms
6 of their staff, making their staff aware, their
7 students aware, teachers and support staff? And
8 then do network leaders have a responsibility
9 here? Do they have a role? Are superintendents
10 having a role? What are their roles, vis a vis
11 one another? What is the network leader, where do
12 they pick up and superintendents leave off or vice
13 versa.

14 MS. KONSTAN: Each school is
15 required, as we've been talking about, to do a
16 Youth Development Consolidated Plan. And that is
17 an annual plan where Respect for All is a
18 component of it. There's an attendance piece,
19 etcetera. The network leader and the youth
20 development person on the network are responsible
21 for reviewing the schools' plan and working with
22 the schools to ensure, to help them strengthen the
23 plan. So yes, they have a role.

24 Where the superintendents would
25 step in would be if in fact a principal is

1
2 refusing or it needs to be escalated to that
3 level. But it really is at the network level, to
4 really support the school. And as I said in our
5 testimony we have 1,700 schools. We have schools
6 with phenomenally excellent plans and we have
7 schools that we need to help them improve their
8 plans. Because we're on a continuum here. And
9 that is the work of the network and the youth
10 development specialist on the network, to work
11 with their schools within their network, to
12 improve those plans.

13 COUNCIL MEMBER LEVIN: Now the
14 Youth Development Consolidated Plan is a
15 prospective plan, right? I mean that's when they
16 produce it, it's looking, it's outlining what the
17 plan is for the coming year. Is there, what I was
18 actually kind of thinking was, would there be a
19 review of the previous year's efforts so that
20 there could be in writing what we did last year as
21 opposed to what we're going to be doing next year.

22 MS. KONSTAN: Well I know there is
23 definitely a review that each network undergoes in
24 terms of what they did. There's nothing in
25 writing that evaluates the plan if that's what

1
2 you're asking. But clearly you would use the plan
3 that you developed last year to improve upon it.
4 And that's what the network youth development
5 folks work with their schools on.

6 COUNCIL MEMBER LEVIN: Okay. All
7 right. So more thinking then for principals in
8 particular so that principals perhaps should have
9 a requirement to report on their compliance
10 efforts of the previous year. Saying, you know,
11 we did this and that and, you know, so that
12 there's something that's verifiable. Because
13 it's... it's easier to put forward a plan than to
14 execute a plan. And so, you know, I'm wondering,
15 there maybe ought to be a way to monitor the
16 adherence to what they had put forth.

17 Because, you know, I would say that
18 the vast majority of principals make their best
19 efforts to do that but sometimes with limited
20 resources and limited time and all the other
21 things that a principal has to worry about
22 throughout the course of a day, a week, a month
23 and a school year, that they look back on what
24 their efforts were and, you know, put some type of
25 verifiable report together.

1
2 MS. KONSTAN: And that's why we've
3 gone to this network model to really do the deep
4 level work at the school because each network has
5 approximately 25 schools to really do some really
6 deep level work and really provide that support
7 and assistance. And I also think that this
8 recognition, we haven't defined what it's going to
9 be that we're working with the Council on in terms
10 of recognizing schools and celebrating schools
11 that do exemplary work and having schools within
12 networks talk with each other will really also
13 help to go a long way in terms of identifying some
14 really solid promising practices.

15 COUNCIL MEMBER LEVIN: Just with
16 regard to teacher trainings, why don't we require
17 every teacher to do it, to do a training? If only
18 19% or 26% said that they received, they went to
19 training on diversity and bias-based harassment
20 and 19% said that they had attended--I mean
21 saying, you know, granted that maybe the number is
22 artificially low and you can, you know, give it
23 another, you could almost give it another 100%,
24 you could bump it up another 100% and we're still
25 just cracking 50% even, you know, as liberally as

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2 we could to compensate for the small survey pool,
3 so--

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MS. KONSTAN: [Interposing] So

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again--

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COUNCIL MEMBER LEVIN: --why don't

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we require it for every teacher?

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MS. KONSTAN: We are requiring

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annually, training in this work. And it has been

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required. And I think that one of the new

11

recommendations that we worked with the Council on

12

in terms of adding to our best practices standards

13

and developing this comprehensive training deck

14

will go a long way to answer that issue.

15

COUNCIL MEMBER LEVIN: Okay. Well

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thank you very much Mr. Chairman. Thank you very

17

much Ms. Konstan and Ms. Cuddle, thank you.

18

CHAIRPERSON JACKSON: So we're

19

coming close to an end but I did have one or two

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more questions under transparency. The Council

21

has requested that the Department of Education

22

post in each school the Respect for All plans on

23

the DOE's website and/or the school's website.

24

Can you just give me a status update on that? Is

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it happening? Is it not happening? What

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2 percentage in your opinion? If it's not
3 happening, why isn't it happening?

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MS. KONSTAN: One of the things we talked about, I think several years ago when we presented on this is that we agreed to parents' request that the RFA plan at the school, we would provide to them. In terms of posting on the website, I'll need to get back to you on that one.

CHAIRPERSON JACKSON: Okay. Well when you say and I hear your response and the response from the Department of Education is not acceptable. Let me be quite frank. I mean if parents don't know about it then if I don't know about it, I'm not going to request it. Parents should know about it so that they, you know, if you give me a sheet at the beginning of the year saying here are the programs being offered in our school, here are the contact information if you have any problems with your kids, then I, as a parent, I'm going to take that.

I'm going to either put it on my refrigerator. I'm going to put it in a file folder. So when there's something happening, you know, that I need to communicate with the school

1
2 or if my child comes home with an issue I'll go
3 back to that and look at it or if I have a
4 computer at home and I'm computer literate, I'm
5 going to go online to the school website or DOE's
6 website to see if in fact, you know, to try to
7 address this particular issue.

8 To say that the parents have to
9 request it, you know, in my opinion that's not
10 being proactive. That's being reactive. So we
11 would like you to be proactive. Why can't you
12 guarantee us that every year at the beginning of
13 the school year when the administration gives out
14 stuff that this information can't be in there?

15 I mean Dennis Walcott as a
16 Chancellor can just say it and it's done. It's
17 supposed to be done. Do you need a resolution in
18 front of the PEP? No, really I'm serious.

19 MS. KONSTAN: Yeah, I, again..

20 CHAIRPERSON JACKSON: Because
21 you're, in my opinion, we talk about pro-activity
22 and, you know, the two of you as professionals,
23 you know, we compliment what you're doing but when
24 your response is if a parent asks for it we'll
25 give it to them but if they're not going to ask,

1

2 if they have no knowledge, we're not going to tell
3 them, basically, that's what I hear you silently
4 saying by your response.

5

6 MS. KONSTAN: And, you know, what
7 we've been talking about throughout this hearing
8 and testimony in terms of finding ways to make
9 this information better known at the school level,
10 working with our parent coordinators so that they
11 can provide parents with the information. We hear
12 what you're saying and I'm sure the next time we
13 meet we'll be talking more about this.

13

14 COUNCIL MEMBER DROMM: Just to
15 follow up on that. How is Respect for All
16 advertised? I'm particularly interested does it
17 go out in the Principal's Weekly?

17

18 MS. KONSTAN: Yes.

18

19 COUNCIL MEMBER DROMM: Is it
20 required for the principal to open the Respect for
21 All blurb?

21

22 MS. KONSTAN: Sometimes it's right,
23 around the time of announcing Respect for All
24 Week. It comes out as a memorandum from the
25 Chancellor. So it's like spotlighted. It's also
spotlighted on our DOE website.

1
2 COUNCIL MEMBER DROMM: Well
3 couldn't it be that the principal would be--I
4 think some of those items that are in the
5 Chancellor's Weekly are required for the principal
6 to read and to distribute, if I'm not mistaken.
7 And couldn't it be that this RFA is required
8 reading and if a letter was in there from the
9 Chancellor saying you must make copies of this on
10 the local level and distribute it to everybody in
11 your school, that would be an extremely effective
12 way, I think, to get the word out about Respect
13 for All.

14 MS. CUDDLE: Right.

15 MS. KONSTAN: I think we did have
16 those required letter that we worked on together
17 in terms of that went to parents, went to
18 teachers, went to students. I think there was
19 also--

20 COUNCIL MEMBER DROMM:

21 [Interposing] And that'd done every year?

22 MS. KONSTAN: Yes. Yeah. It's
23 part... yeah.

24 COUNCIL MEMBER DROMM: It's on RFA
25 Week?

1
2 MS. CUDDLE: And this is part of
3 the opening day memos that we send out which is
4 definitely required reading.

5 COUNCIL MEMBER DROMM: The opening
6 day memos go to whom?

7 MS. CUDDLE: To the principals.

8 MS. KONSTAN: So every year my
9 office, for the past, as long as it has been in
10 existence have put together an opening day memo.

11 COUNCIL MEMBER DROMM: Do they go
12 to the individual teacher's email lists?

13 MS. KONSTAN: No, the opening day
14 memo is for the principals but there are lots of
15 things that we've replicated in terms of on the
16 teacher page that is part of Respect for All so
17 they also know that information.

18 COUNCIL MEMBER DROMM: And when you
19 say the teachers' page, is that similar to
20 something like what the Principals Weekly is?

21 MS. KONSTAN: There's a principal
22 portal, there's a teacher portal--

23 COUNCIL MEMBER DROMM:
24 [Interposing] So it's a long list.

25 MS. KONSTAN: --there's a guidance

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2 portal.

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COUNCIL MEMBER DROMM: Couldn't just a Respect for All email be sent to every teacher?

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MS. KONSTAN: There is actually a Respect for All aspect on each of these respective pages that the teachers click on if they want to look at the Respect for All and all the resources. There's a section on the principals portal just on Respect for All. And the same--

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COUNCIL MEMBER DROMM:
[Interposing] Well--

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MS. KONSTAN: --for the guidance counselors.

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COUNCIL MEMBER DROMM: I know principals oftentimes, as good as they are, they sometimes just don't get to read every single thing in the Principals Weekly. It's very lengthy I think at this point.

21

MS. KONSTAN: Yes.

22

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COUNCIL MEMBER DROMM: I think it's probably true for teachers as well. And one of the problems for teachers in terms of accessing their email, oftentimes they don't even have

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2 access to a computer in the school so that it
3 requires when you go home to do those things and
4 to check those things. Never mind then to go
5 through the emails and sort through what you want
6 to read and what you don't want to read.

7 I just would like to suggest that a
8 single, individual email go out to teachers to
9 say, one, to reiterate the nondiscrimination
10 policy of the Department of Education, there's
11 something which we've always tried to do. And
12 then also highlighting Respect for All. I just
13 think that would have a big impact as well.

14 [Off mic discussion] Sure. Okay.
15 I was going to ask that anyway and it goes back to
16 the awards 'cause I was a teacher and we loved to
17 give out awards. I used to always have
18 certificates in my desk and hand them out on a
19 regular basis.

20 Isn't that something, I mean,
21 that's something that I think we could even do
22 jointly. I mean we could do something in the
23 chambers when it's finished--

24 MS. KONSTAN: [Interposing] Yeah.

25 COUNCIL MEMBER DROMM: --and maybe

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2 pick a few people from each Borough, distribute
3 sample lessons, invite everybody to come or even
4 pick another hall or a higher institution of
5 learning where we could have people come in.

6

7 I know that teachers always,
8 always, I did it many, many years, go on Saturdays
9 and Sundays and after school voluntarily to learn
10 about things that they have interest in. And I
11 think if we presented it that way, that's
12 something that could be done. And I'd just like
13 to know if you have any ideas about what you're
14 going to do in that and to really stress that
15 'cause I think highlighting that would make it
16 much more attractive to teachers.

16

17 MS. KONSTAN: We absolutely agree
18 with you. And we will use this summer to develop
19 the criteria. And we would love for you to
20 partner with us on this.

20

21 COUNCIL MEMBER DROMM: And I'm
22 reminded also that perhaps it could be put on
23 their progress report so that people could see it
24 I mean, you know, having that visibility is very,
25 very important. But, you know, we take it lightly
but people notice it. If it's there, people

1
2 notice it. This is a school that I'm interested
3 in sending my child to because they respect
4 everybody's rights in this school. So we've got a
5 commitment?

6 MS. KONSTAN: We have a commitment
7 to work with you. We're smiling because Jan at
8 the staff, we've been talking about this. And
9 we're going to work on the criteria and then
10 figure out how we publicize this, how it's
11 celebrated, where it's celebrated. So that's our
12 work this summer.

13 COUNCIL MEMBER DROMM: So do you
14 have teachers that come in and work with you on
15 this curriculum on what's necessary? Is there
16 like a working group?

17 MS. CUDDLE: If you're talking
18 about curriculum that we've made available to
19 schools, we have vetted standards-based curriculum
20 that's free for downloading from a wide range of
21 community based organizations. So the Glisten
22 curriculum--

23 COUNCIL MEMBER DROMM:
24 [Interposing] Well I specifically meant like is
25 there like a working group of teachers that work

1
2 with you and your Department that could work on
3 some of these suggestions that we've made in terms
4 of the awards. You know, like I remember one time
5 I served on a Chancellor's Committee for
6 Multicultural Education. He tried to bring people
7 from all around the City in to participate in
8 discussions on that and to come up with some ideas
9 about how we could participate.

10 And I'm particularly interested in
11 teacher involvement in it because, no direct
12 criticism to you, but to the Chancellor himself,
13 teachers are always the last people we talk to
14 when we want to have things go on in the schools.
15 And I really believe that if we talk to teachers
16 first, we will get a lot of creative and good
17 ideas out of teachers and they would come up with
18 ideas about how to present the awards, how to
19 highlight these programs in the schools that would
20 be probably very cheap and they're already
21 probably aware of things that they would like to
22 show off and do.

23 MS. KONSTAN: Part of the work
24 around these awards, we've been working with UFT
25 and CSA. We've kind of said we needed to put this

1

2 to the summer so, early on; we'll loop back in
3 terms of that as well.

4

COUNCIL MEMBER DROMM: Okay. All
5 right. We're done. Thank you very much. Thank
6 you for coming in.

7

MS. KONSTAN: Well thank you very
8 much. Thank you for listening to us.

9

MS. CUDDLE: Thank you.

10

COUNCIL MEMBER DROMM: We
11 appreciate it and we appreciate the work that
12 you're doing on Respect for All in the Schools.

13

MS. KONSTAN: Yes--

14

MS. CUDDLE: [Interposing] Thank
15 you.

16

MS. KONSTAN: --and we appreciate
17 your support.

18

COUNCIL MEMBER DROMM: Thank you.

19

MS. CUDDLE: Yes.

20

COUNCIL MEMBER DROMM: Sure. I'd
21 like to call up now Sterling Roberson the Vice
22 President of the United Federation of Teachers.

23

MS. CUDDLE: Oh yes, thank you.

24

[Pause]

25

COUNCIL MEMBER DROMM: David, I'm

1

2 blanking on your last name, I'm sorry.

3 MR. DAVID KAZANSKY: Kazansky.

4 COUNCIL MEMBER DROMM: Kazansky.

5 I'm sorry.

6 MR. KAZANSKY: It's all right.

7 COUNCIL MEMBER DROMM: And your

8 position in the UFT now?

9 MS. KAZANSKY: I'm the Director of
10 School Safety.

11 COUNCIL MEMBER DROMM: Okay. Thank
12 you very much for coming in also. And Mr.
13 Roberson would you like to start?

14 MR. STERLING ROBERSON: Sorry.
15 Good afternoon everyone. I want to just say that,
16 you know, when we think about the topic of
17 bullying, it is definitely an important topic that
18 we need not just to discuss but also to address.
19 And I'm glad to see that the Council, between the
20 Speaker as well as Chairman Jackson, has been
21 working diligently with regards to the Respect for
22 All campaign because it's important to teach
23 students and children about tolerance and respect
24 for others as well as themselves.

25 But let me just say that the UFT

1
2 has been working with the Department of Education
3 from the beginning and this goes back for years in
4 terms of what we've done in putting together even
5 a never-ending campaign with regards to safe,
6 secure schools. But with that campaign comes the
7 idea of Respect for All. And how do we ensure
8 that students have a learning environment that is
9 free from bullying.

10 And I think that we need to say
11 that up front and center. And when we think about
12 what happens when students are pushed around,
13 whether verbally or physically, and how traumatic
14 it is for many students. And sometimes we forget
15 that this is not a junior high school or a high
16 school issue. This comes from elementary all the
17 way through.

18 And when we think about the
19 challenges and the impact of bullying that it has
20 on students, when it comes to depression, low
21 self-esteem, the idea where it gets to be so
22 critical where students are having suicidal
23 thoughts, the antisocial behaviors that come in.
24 So all of these things not just have an impact on
25 their school life and their education, it also has

1
2 an impact ultimately on the student's home life.
3 So that becomes a very important thing.

4 So one thing that's for sure is
5 that we need to get back to where schools are safe
6 havens for students and free of bullying, any type
7 of bullying whatsoever and get back to an
8 environment where there's respect all across the
9 board.

10 But one of the things that you
11 touched on Council Member Dromm with regards to
12 the parent involvement in terms of, I believe and
13 we believe at the UFT that that's a very important
14 piece. That we really need to look into further.
15 It's one thing about having conversations at the
16 school level with the students, important, with
17 the educators, but we can't leave out the members
18 of a community and the parents essentially where
19 they have to actually sort of reinforce the types
20 of behavior that we want to see from our students.

21 And having them involved and we did
22 a workshop in Staten Island at Pier 6 where it
23 was, I believe, it was like an 8-week workshop for
24 the students, I should say, for parents. And it
25 went over very well. I think the 8 weeks; it was

1
2 in terms of conflict resolution. It was
3 strategies that parents can use. But also it gave
4 them a forum to have an open dialog about what's
5 happening in terms of bullying.

6 But it was actually more well
7 received than we anticipated 'cause sort of after
8 the close of the program it wasn't just the small
9 number of the people that came that week. There
10 were hundreds of parents that were really
11 interested in this topic. So for us, what that
12 really mean, for us was that that was something of
13 sort of a prelude to what we really need to do in
14 terms of making sure that this is done citywide
15 and not necessarily outside on a Borough. But
16 actually really hold workshops and real programs
17 for parents.

18 But let's be clear. That sounds
19 nice. I'm glad that that's important and I could
20 say that but when we think about the cuts that are
21 coming, when we think about layoffs and budget
22 cuts, some of the first things that get cut are
23 those programs that impact students the most.
24 When we think about peer intention. When we think
25 about conflict resolution. And when we think

1
2 about all of those programs, what happens if
3 guidance services, social workers, all of the work
4 that those folks do in terms of ensuring that the
5 social-emotional life of the student is intact,
6 when those get hit with big cuts, that means that
7 it has a direct impact on the students in the
8 schools.

9 And I think that we need to make
10 sure that we're clear about that and how important
11 to ensure that resources are in schools. And even
12 the limited resources that we have in the schools,
13 that people are aware. When we think about the
14 teachers that are involved in terms of the Respect
15 for All campaign and knowing who's the point
16 person. Knowing where students should go and not
17 just saying, you know, everything is going to be
18 all right. But really actually having a
19 conversation and real follow-up with regards to
20 ensuring that the students, their needs are
21 actually taken care of.

22 And we're happy that and we're
23 supporting on the Council resolution in terms of
24 473 and 474 which we talk about the Federal Safe
25 Schools Improvement Act. We're not just doing it

1
2 here in New York City but on a national level with
3 our national union, we're supporting that. And
4 part of that component in terms of that is
5 actually making sure that that is passed.

6 But when we think about bullying
7 let me just say that gone are the days where
8 bullying is just relegated to--remember the old
9 meet me at 3:00 o'clock or 3:00 o'clock high? I
10 mean they don't even play that movie 'cause it's
11 not even relevant today. You see it on AMC or
12 Turner Classic Movies because it has no real
13 attachment. Now with the age of technology and
14 with the so many resources at the disposal of
15 students, bullying has taken a different kind of
16 form where information can be shared almost
17 immediately whether it's via text, via internet,
18 via posts through smart phones. The cyber
19 bullying aspect takes bullying to a whole
20 different level.

21 And the impact of that with social
22 media and things of that nature that has a
23 profound impact. And we're seeing that all across
24 the country when we think about the examples in
25 which students were impacted by bullying even to

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2 the point where there were some real serious,
3 serious challenges there.

4

5 So one of the things that I want to
6 say in closing is that the UFT has always and will
7 be open to ensuring that everyone is aware. The
8 idea of working with the Department of Education
9 as Elayna Konstan said, one of the things that we
10 say, we are willing to work yesterday on this
11 issue because we believe when it impacts on
12 children, we need to be front and center in terms
13 of being able to resolve that issue.

14

15 So when it comes to training for
16 teachers, parents, the students, we have no
17 problem in sitting down, not just talking the talk
18 but rolling up our sleeves, being involved
19 actively. We've committed through our Safety and
20 Health Department which David supervises to
21 ensure, and I say that as a former Safety and
22 Heath Director of the UFT, that we started this
23 campaign even when I was Director and we talked
24 about this.

25

26 So one of the things that we want
27 to do is not just talk the talk but actually walk
28 the walk, work with not just the Department of

1
2 Education, with the New York City Police
3 Department School Safety Division, Local 237, all
4 parties in the school community and parents, to be
5 able to address this serious issue.

6 So I want to thank you all for
7 having, giving me your ear for a couple of minutes
8 so that I can speak to this important topic. And
9 I think that there's a lot of work that needs to
10 be done. But one thing I can say as it relates to
11 the United Federation of Teachers, we're committed
12 to getting actively involved in this kind of work.
13 Thank you.

14 COUNCIL MEMBER DROMM: Thank you.
15 Mr. Kazansky? Did you want to speak?

16 MR. KAZANSKY: No, I agree with
17 what he said.

18 COUNCIL MEMBER DROMM: Absolutely.
19 Okay. Thank you. I do have some questions. And
20 some comments to make. You know, when I spoke
21 before about tenure, I forgot--I don't know if you
22 were here when I mentioned that's why I believe,
23 because of the ordeal that I went through, as
24 being an openly gay teacher, why tenure was so
25 important. I did forget to mention the people who

1
2 did support me also were the UFTs. So I was very
3 grateful to have had that support while I was
4 going through those difficult ten years or so and
5 being harassed by the school board.

6 That being said, you said in your
7 testimony also that this is not just about talking
8 to junior high and high school students. And I
9 know as a teacher sometimes I was dumbfounded when
10 I would hear a 5 or 6-year old kid say a racial
11 slur or something to another one. And immediately
12 I said well where would a kid like that get
13 something like that from. Like can you just
14 elaborate a little bit more on what you mean by it
15 shouldn't just be junior high or high school?

16 MR. ROBERSON: Hello? Okay. So
17 when we think about what happens in terms of
18 students, whether they're young, we can go as
19 early as pre-K students. Things exhibit
20 themselves in interesting ways. Children, when we
21 think about what goes on in elementary school,
22 when behaviors are not addressed with regards to
23 inappropriate comments are made or suggestions, it
24 is incumbent upon all of us in the school
25 community to address any kind of behavior that's

1
2 inappropriate, whether it's an elementary school
3 all the way up until the high school.

4 We know that in schools there are
5 times where inappropriate comments are made. And
6 when they're not addressed, it's a slippery slope.
7 It continues. Then it sort of endorses others to
8 believe that they can have inappropriate comments
9 as well and when we don't deal with those little
10 things, it's that broken window theory, where it
11 gets to be worse and worse and the ultimately we
12 end up having many challenges in our school.

13 So one of the things that I always
14 recommend and we recommend is that when there's a
15 violation of a Code of Conduct, even when someone
16 says something appropriate, some adult in that
17 building should be addressing that behavior. Not
18 necessarily just a teacher or an administrator or
19 a dean but someone in the school as a campaign has
20 to say what behavior is acceptable and some of the
21 behavior that is unacceptable, especially when it
22 comes to inappropriate comments.

23 COUNCIL MEMBER DROMM: And I know
24 as a teacher also I often heard young children, 5,
25 6 years old, saying anti-gay remarks which

1

2 actually floored me as well. And I always
3 wondered where they would get that at such a young
4 age. And some of my colleagues would tell me, oh,
5 well they don't really know what that means. But
6 if I asked the child what does gay mean, they
7 always knew what it meant. And so they didn't
8 necessarily understand the whole concept of what
9 it is that they were throwing at another student
10 but they certainly understood that by saying to
11 some other student that you're gay or that's so
12 gay, it was a very negative thing to say to that
13 other child.

14 And I have been through these
15 arguments before on tolerance curriculum,
16 etcetera, and so forth and so on. And I heard
17 some opponents say, well, we don't really need to
18 do this at that young of an age. But I really
19 deeply believe that we need to change children's
20 attitudes if in fact they're getting it from home
21 or from their classmates at a very early age if we
22 plan to be successful with them later on in life.

23 I notice also in your testimony
24 that you mentioned that the curriculum should be
25 mandated. Why do you feel that way?

1
2 MR. ROBERSON: Well I think when it
3 comes to students understanding what behavior is
4 acceptable across the board, it should be taught.
5 Students have to learn. And you learn by
6 teaching. Teachers deliver information based on a
7 curriculum and it's embedded in a curriculum where
8 students will know the acceptable behaviors, what
9 to say and what not to say, what's appropriate and
10 what's not appropriate but also have the
11 discussion so it's not just don't say this but
12 there's a reason why we don't say anything that we
13 want at any given time, every time it pops into
14 our head.

15 And for students they have to learn
16 even at a young age what's acceptable and what's
17 not acceptable. And they just can't, because they
18 feel like saying something or they want to be
19 responsive because they're upset about something
20 that they can say anything even to the point where
21 it's inappropriate.

22 So part of having it embedded in a
23 curriculum ensures that across the spectrum from
24 early childhood all across up until a student
25 graduates from secondary school that they're

1
2 actually and we are actually communicating it and
3 not just talking about clusters of civility
4 training and things of that nature. That's all
5 fine but if it's not embedded into a curriculum
6 it's just text on a page.

7 COUNCIL MEMBER DROMM: I know, too,
8 as a teacher that oftentimes when you caught up
9 with so many of the mandates and things and the
10 burdens that are put on your shoulders, unless
11 somebody says to you this must be actually done,
12 it's one of those things that sometimes gets put
13 on the shelf. And I think for the Chancellor to
14 place that type of emphasis on a program like this
15 would then ensure that it's implemented in a more
16 across the board way as well. So that's why I was
17 asking you that question also.

18 One of the thing--

19 MR. ROBERSON: [Interposing] Can I
20 add one thing to that?

21 COUNCIL MEMBER DROMM: Oh, sure.

22 MR. ROBERSON: I think that when it
23 comes to, from a United Federation of Teachers'
24 perspective, teachers want students to behave. We
25 understand the idea of putting things across the

1
2 spectrum. But many teachers want to deal with
3 these issues front and center. It's the idea of
4 how you include them in a conversation, as you
5 alluded to earlier with your questioning of Ms.
6 Konstan, and that is how do you include the
7 teachers in the school and how do we include from
8 a central DOE level as well as externally from the
9 school so that we can guide schools, guide
10 communities in terms of that discussion.

11 And I think that otherwise it
12 wouldn't feel like everything is just top-down,
13 being rammed down as a mandate, but it's something
14 that is engaging everyone in the school community
15 to improve not just the quality of a school
16 building in terms of school tone but also the
17 quality of the education that the student receives
18 because they're actually having a safe and orderly
19 environment.

20 COUNCIL MEMBER DROMM: I couldn't
21 agree with you more. I think teachers would be
22 tremendously interested in this topic, that they
23 would volunteer for things like this, that they
24 would love to have resources and materials and
25 curriculum available to them so that they could

1
2 work on issues like this, and to be included in
3 the discussion of what is done and how it's taught
4 in the classrooms. And that would be a novel idea,
5 I think, for the Department of Education to
6 actually include teachers in that discussion.

7 And, you know, with all due respect
8 to the people who were here before, I was very
9 surprised that they hadn't actually had those
10 teachers involved in this whole discussion. And
11 there wasn't a working group of teachers who were
12 doing outreach on this stuff.

13 But anyway, that being said, have
14 they ever reached out to the you, the UFT, to be a
15 part of those discussions?

16 MR. ROBERSON: Well in terms of one
17 of the things that we volunteered, when the first,
18 when they were introducing the initiative of the
19 A-832 regulation along with the Respect for All,
20 we outreached to the Department of Education and
21 wanted input ahead of the curve when we knew that
22 it was what was going about. This is something
23 that we all should be happy about. We should all
24 look as we move further along in terms of
25 regulations how do we augment it and make it

1

2 better as we move forward.

3

4 And one of the things that--but
5 it's okay to have the discussions from the
6 leadership of the Department of Education and the
7 School and Youth Development along with our Safety
8 and Health Department but that's us having a
9 conversation but we have to drill down a little
10 bit deeper to be inclusive and provide, as I said
11 before, a framework for schools to also extract
12 their ideas and see what that looks like in terms
13 of the communities in which they serve, in which
14 their schools exist, and what best suits them in
15 that.

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So we've had conversations. But
there's a lot of work to be done. And there's a
lot of work that we are happy to be involved in,
to be included in.

COUNCIL MEMBER DROMM: Now I know
that teachers do not get their full salary until
they have gotten a Master's degree and then 30
credits above their Master's degree. And I know
that there was something called G-credits where
teachers could go out and work toward that 30
above. We still have G-credits?

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MR. ROBERSON: Yeah.

2

COUNCIL MEMBER DROMM: Yes?

3

MR. ROBERSON: Mm-hmm. And P-

4

credits.

5

COUNCIL MEMBER DROMM: [Chuckling].

6

Are Respect for All courses like that part of those G-credits? Is that offered? And is that something that's a UFT initiative or is that done from the DOE, the G-credits? Or is it joint?

7

8

9

10

MR. ROBERSON: I can't speak to it

11

100% so I don't want to speculate--

12

COUNCIL MEMBER DROMM:

13

[Interposing] Mm-hmm.

14

MR. ROBERSON: --and misspeak in

15

regards to that. But I think that if it's not

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already been established, I'm not necessarily

17

aware of it, which probably means that we need to

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look at it again so that we are. But I must add

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that when the Respect for All actually was

20

initiated I must say that Council Member Jackson

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actually did outreach to us in terms of the UFT

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with regards to this as well.

23

So I need to put that out there as

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well that it's not us doing it as a vacuum.

25

1
2 Members of the Council were also active in
3 communicating with us to be actively involved in
4 that campaign. But we will look into what does
5 that look like in terms of the G-credits.

6 COUNCIL MEMBER DROMM: G-credits.
7 Yeah, I think that would be a good way for
8 teachers as well--

9 MR. KAZANSKY: [Interposing] As far
10 as G and P-credits are concerned, they're
11 equivalent to college coursework so it's a certain
12 number of hours. I think 10 hours is 1 credit,
13 stuff like that. So those kind of courses are
14 usually offered by colleges and are a little more
15 intense than just the normal trainings and
16 workshops. However there is a requirement for
17 certification now that exists where a certain
18 number of credits have to be obtained by teachers
19 every 5 years in order to maintain their
20 certificate. And those kinds of workshops that
21 the Department of Ed or the UFT or whoever may
22 offer do count towards that.

23 COUNCIL MEMBER DROMM: Mm-hmm. I
24 did know, when I got my 30 above, I did take a G-
25 course in multicultural education which is a

1
2 little bit different from this but it's not
3 exclusive from it. And I do think that would be,
4 yeah, you could do a whole course on Respect for
5 All and cover all the different categories, you
6 know what I mean? I think there's a lot of room--

7 MR. ROBERSON: [Interposing]

8 Absolute.

9 COUNCIL MEMBER DROMM: --for, you
10 know, some ideas to be shared in a G-credit course
11 like that. Thank you.

12 CHAIRPERSON JACKSON: Well let me
13 thank both of you for coming in and giving
14 testimony on behalf of the union. We appreciate
15 your involvement in this continuous process to
16 make sure that we protect all students in every
17 venue. So thank you very much.

18 MR. ROBERSON: Thank you very much.

19 CHAIRPERSON JACKSON: Thank you.
20 Our next panel is going to be a student and her
21 parent. Sakara McClaren [phonetic], she is
22 representing herself as a victim, and Robin Brown,
23 her mother, and please come forward.

24 And for the record we've received
25 testimony from, in support of proposed Resolution

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2 number 473-A and 474-A from Asphalt Green. As you
3 know Asphalt Green is a sports and fitness for
4 lifetime facility located on East 90th Street.
5 Okay. With that, please identify yourself and you
6 may begin your testimony.

7 MS. SHAKARA McLAUREN: Good
8 afternoon everyone. My name is Shakara McLauren
9 [phonetic] and I'm 18 years old. And on Friday
10 April 1st I was the victim of a brutal beat down in
11 Bedford Stuyvesant. It took place 3 blocks away
12 from my school. I was beaten by a gang of girls.
13 There were 15 girls that jumped me. And it was
14 all due to jealousy of a talent show. But before
15 I was beaten, the harassment and the bullying took
16 place 2 days before I was jumped which was on that
17 Friday which was, it began on Wednesday.

18 And the girl, her name is Aliah
19 [phonetic] Smith, she began to harass me. And
20 everyone knows that I believe in God and I'm a
21 church girl, quote, unquote. And she began to
22 harass me and make comments about my religion.
23 And it hurt be very bad because it's what I
24 believe in. And I love, it's my passion.

25 And when she began to harass me I

1
2 was very, it was a very painful thing. And that
3 was on Wednesday. On Thursday, excuse me, sorry,
4 on Wednesday, the principal of her school, we do
5 not attend the same school, there are two
6 different schools within the building and they
7 decided to combine our talent shows. And with
8 that being said we began to rehearse for the
9 talent show and that's when I actually came in
10 contact with her. I never knew her before the day
11 that I was beaten.

12 And the principal knew about the
13 situation. She knew that the girl was harassing
14 me and making comments and statements about me.
15 And she never said anything but she said I will
16 talk to the girl. And then that's on Thursday,
17 she, we had an altercation. And we were supposed
18 to have a mediation because we don't attend the
19 same school. My principal was going to send the
20 dean down to her school so that we would be able
21 to resolve the situation. Because we didn't
22 resolve the situation, like I said, we had an
23 altercation, that was on Thursday.

24 On Friday I was walking to the
25 holding store where we hold our phones because we

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aren't allowed to bring our phones into school. So I was waling to the store and there was a gang of girls. I noticed that there was a gang of girls in front of me. And also a group of girls in back of me. But before I got off the grounds of the school, one of the school safeties said well what's going on. Because if I was to see, I was outside looking in, if I saw a group of girls in front and also a gang of girls in back I would question what was going on.

So I began to walk. I went to get my phone from the store. And after I got my phone the girl approached me with the group of girls that attacked me that day. And she said, one of her friends said is this the girl. And she said, no, it's not her. It's her, pointing to me. And then just so happened that it took place on the block of my vocal coach's house. And I screamed out his friend's name. I said Gary. And after that I went in front of my vocal coach's house and he pulled me inside. And I said I don't know what's going on.

The girls followed me. And that's one of the girls that I had an altercation with

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2 yesterday. And he called the police. The police
3 didn't respond fast enough. So he instructed the
4 girls to remove themselves from in front of his
5 house and for me to go down one side of the
6 staircase.

7 When I came down the girl had a
8 padlock in a sock and she began to hit me with the
9 padlock. And all I--I didn't know what to think
10 at that point. I just was screaming to Jesus,
11 that's all I could say at that point. And after I
12 was beaten the main girl, Aliah, she said to me
13 now go praise your God and hallelujah to that.

14 And that hurt me a lot. And then
15 on top of that after the beat down, the police
16 didn't respond as well. They watched the girls
17 get away. And then they later found four of them.
18 And they asked me to identify them and I did. And
19 then after that they found the main girl which was
20 Aliah and they came and arrested her from school.
21 And that's what happened to me on April 1st.

22 MS. ROBIN BROWN: Shakara is kind
23 of nervous, you know, speaking. In result of that
24 attack she received 6 stitches along the side of
25 her face. She had a gash in her face. She had a

1
2 hematoma on her head. They thought her jaw was
3 broken and to date she's like partially deaf in
4 her left ear.

5 The day the attack happened I
6 received a phone call from her vocal coach. I
7 immediately thought maybe someone was playing a
8 practical joke because I could not believe that
9 something like this would have happened on school
10 grounds. One, because I had not received any
11 notification from the school that something had
12 happened to my daughter.

13 I immediately called the school and
14 said what's going on. I explained to them the
15 call and the response I received was oh don't
16 worry about it, it's nothing, it has nothing to do
17 with our school. It has to do with the school
18 downstairs. Well I think that what lacked the
19 communication in the school system, when they
20 house multiple schools within the same building
21 they are not communicating with each other.
22 Although they're able to hear what's going on
23 through their walkie-talkies that other things are
24 being, you know, transpiring, the other school
25 never communicated to my daughter's school that

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2 she was a student involved.

3

4 And like I said they were not aware
5 of the altercation until I made them aware of it.
6 Throughout the course of the day I was in constant
7 communication with the school, giving them an
8 update on her status. And of course, being a
9 parent, coming from Manhattan, having to come all
10 the way from Brooklyn, 45-minute traveling, you
11 can imagine what went through my mind because I
12 received--the police only told me she had received
13 four gashes in her face. So I didn't know whether
14 or not, what type of weapon was used.

14

15 But then when I went to speak to
16 the principal on the 4th of April and I asked her
17 why the mediation had not taken place, she said
18 that they felt that it wasn't serious enough to
19 address until that following Monday. It is from a
20 parent's perspective that I believe that if this
21 had been implemented, the rule for respect for
22 students, had been implemented within that school
23 and they knew how to handle situations, this
24 probably would not have escalated to the point in
25 which it had escalated.

25

And of course when it hit the

1
2 media, the spokesperson said that they weren't
3 aware of it at all until the 4th. And I understand
4 the principal taking the stance of saying, well, I
5 didn't know anything about it but I think that I
6 listened to some of the testimonies of various
7 people who sat here, I think that it's important
8 that once any student brings this to the attention
9 of someone within a school, that they should start
10 an immediate investigation. It should not allow
11 it to occur over a period of several days or
12 either defer it because it could escalate to where
13 a child could have lost their life.

14 In this case, they measured the
15 wound that struck her on the left side; it was
16 just centimeters away from her temple. This
17 incident could have cost her her life.

18 Secondly I think that because the
19 teachers, the students and administrators, and the
20 school staff, safety, lacked the experience in
21 having the training on how to handle bullying,
22 that they did not effectively handle this
23 correctly.

24 Thirdly I think that the school
25 should be required to report a letter grade posted

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on their website for parents when we are looking to enroll our children into these schools that we can see how they're handling bullying, how are these types of things being handled because I know if I went to a website and someone received a D, I'm not going to put my child in that school, because I know that they're not concerned or taking the proper measures to ensure that my child's safety is going to be--she's going to be safe.

You know, so there's a lot of things that we can do from our side. While bullying, I've heard the different types of bullying, it's really become an epidemic. And I think it's something that's being swept under the rug and it's being taken lightly. I listened to a lot of Ifs, saying, well this is what we're going to do IF, but I think until it finally hits someone maybe close to home and it's their daughter or their son, that someone will begin to say we have to do something.

You know for me being a parent, that 45-minute ride was the longest ride of my life. Not knowing what I was going to encounter

1
2 when I walked into that emergency room. You know,
3 I hear four gashes, I'm like my gosh. But just
4 the fact that children are so angry and they don't
5 have an outlet within the school system. And the
6 first time we had ever heard about this particular
7 at was last week Friday when we met with Council
8 Member Dilan. And here it is, these students are
9 in the school and they have no one who's even
10 talking about this.

11 They have a sexual education class
12 but nothing that deals with bullying. How do I
13 channel my emotions? How do I handle if I'm
14 angry? There has to be some one that young people
15 can go to and say, and feel comfortable and trust
16 them, and say who can I talk to because I'm
17 struggling with an issue. And what happens, I'm
18 angry, so now I'm going to take it out on another
19 student.

20 So, you know, I'm thankful that we
21 have the opportunity to share with you a story
22 but, you know, Shakara could have lost her life
23 that day. I could be telling a different story.
24 I could be sitting here saying my daughter lost
25 her life. You know during the course of these few

1
2 weeks, she suffered from depression. We had to
3 literally, she would sit in a dark room, she
4 wouldn't talk, and we were afraid where she had
5 said she's not saying it, she thought about
6 committing suicide because she didn't know how to
7 handle with going out in the street, these girls
8 were making these gang signs, were they gangs.

9 Is something going to happen? I've
10 incurred a great financial burden 'cause I don't
11 allow her to travel on trains. She either has to
12 take a taxi or I pay for someone to take her
13 because I do not feel secure with her traveling.
14 I had to transfer her to a private school. Now
15 I'm incurring those expenses to make sure that
16 she's safe. I drop her off. I pick her up. This
17 has just happened about two months ago.

18 And now they're just going to
19 trial. So we're reliving it all over again. And
20 I just think that while they're saying that the
21 public school, the Board of Education says that
22 they're implementing these things with this 10%.
23 Well the 10% could have cost my daughter her life.

24 CHAIRPERSON JACKSON: Wow. Ms.
25 Brown and Shakara, let me thank you for being here

1
2 today at this hearing where we are considering two
3 resolutions but discussing in detail what the
4 Department of Education is doing and/or the lack
5 thereof. As you know you sat here and we asked
6 several questions. And as I indicated, aligning
7 the DASA with the A-832 is not moving fast enough
8 when they're talking about the implementation date
9 of July 2012.

10 MS. McLAUREN: Mm-hmm.

11 MS. BROWN: Mm-hmm.

12 CHAIRPERSON JACKSON: Because so
13 many things could happen in that 13 months.

14 MS. BROWN: Yeah.

15 CHAIRPERSON JACKSON: As you know.
16 Within a 2 or 3-day period, your daughter was
17 injured mentally and physically. And it has an
18 impact not only on her but on the students in her
19 school, the adults in her school, you and your
20 family members, and has caused you financial
21 burden now in this whole process. And as you said
22 you're going through living some of this stuff in
23 the, I believe, criminal--

24 MS. BROWN: [Interposing] Yes.

25 CHAIRPERSON JACKSON: --arena that

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you're going through. I mean I have a lot of questions but I'm not going to ask them because of the fact that you're involved in other legal stuff. But, you know, when you talked about, I said, you said the principal knew about it. You know, how did the principal know about it? This, that and the other and then I asked myself, was there staff in that school trained, not trained, was the information known?

And you've heard Ms. Konstan indicated that if a parent asks for Request for All information, they're given it. And I said it should be given to everyone in front so that they know and not have to, you know, ask for it. And that many, many parents, probably 95% of all parents don't even know.

MS. BROWN: Right, we don't know that it's available.

CHAIRPERSON JACKSON: So if you don't know, you're not going to ask. But anyway, you know, your testimony, both of you, as a student and as someone that has been victimized, and then as a mom and as a parent, you know, we, we thank you for coming in. And clearly you've

1
2 heard and I don't know if you were here in the
3 beginning, if you heard my colleague Danny Dromm
4 talk about his personal situation as an adult.
5 And then Jimmy Van Bramer as a, you know, a
6 teenager in junior high school and then later on.
7 So obviously their testimony is riveting just like
8 Shakara. You know, we wish you well.

9 MS. McLAUREN: Thank you.

10 CHAIRPERSON JACKSON: Physically
11 and mentally. You're a strong woman who believes
12 in God. So you will survive.

13 MS. McLAUREN: Thank you so much.

14 CHAIRPERSON JACKSON: I hope that
15 this does not scar you physically and mentally for
16 the rest of your life. And I hope for you to get
17 over that so that you can be as free as you want
18 to be and pursue all of the dreams and aspirations
19 that you want to achieve.

20 MS. McLAUREN: Thank you.

21 CHAIRPERSON JACKSON: So thank you
22 and thank your mom for allowing you to come and to
23 give testimony. And I'm sure that you have
24 people, especially attorneys and others that are
25 looking after your wellbeing. So that said, I

1
2 just thank you very much on behalf of the
3 Committee for coming in.

4 MS. BROWN: Thank you very much.

5 MS. McLAUREN: Thank you.

6 CHAIRPERSON JACKSON: Thank you.

7 The next panel we're going to hear from is Joanna
8 Miller from the New York Civil Liberties Union;
9 Trep Frei Kaer [phonetic] from the Sikh Coalition.
10 And Mark Ro Beyersdorf from the Asian American
11 Legal Defense and Education Fund. Please come
12 forward. And for the record, we received
13 testimony from Make the Road New York, regarding
14 proposed Resolution 473-A and 474-A. And they're
15 in support of both resolutions. Okay?

16 Okay so ladies first. So please
17 pick up the mic and introduce yourselves and you
18 may begin your testimony. We're going to ask, if
19 you don't mind, do we have your testimony? Okay.
20 We are going to set the clock for three minutes so
21 if you can just summarize and not read. But if
22 you can read it within three minutes that's okay.
23 Okay. Thank you. So just, you can start by
24 identifying yourself, your organization, and you
25 may begin your testimony.

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2

MS. JOANNA MILLER: Thank you

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Council Member Jackson and the other members of

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the Council who are here today. My name is Joanna

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Miller. I am the Assistant Advocacy Director and

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Public Policy Counsel at the New York Civil

7

Liberties Union. The New York Civil Liberties

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Union is the foremost defender of civil rights and

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liberties in the State. We're a membership

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organization representing about 50,000 members.

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We've been working on anti-bullying

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efforts statewide for about 10 years now. And

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that includes 2 legislative campaigns, 1 in favor

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of the Dignity for All Students Act at the State

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level, 1 also for the local counterpart which

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became Local Law 42. We've done legal advocacy on

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behalf of individual bullied students around the

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State and we're currently participating on the

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State Education Department's Dignity

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Implementation Task Force along with Connie Cuddle

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of the DOE.

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We offer our strong support of the

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resolutions at issue today. We hope that these

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two bills will expand protections for students

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against bullying and more importantly will give

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access to key statistical data about the incidence of bias-based harassment in schools. Our more immediately concern though is the successful implementation of the Dignity for All Students Act. While the DOE should be commended for taking important steps to address bullying, it is still failing to meet all of its obligations under Local Law 42 which is a 7-year old local anti-bullying law passed by this Council over Mayor Bloomberg's veto.

It's falling far short under the requirements of the Dignity Act. We urge the DOE to come into full compliance with Local Law 42 in order to be ahead of the curve in implementing the Dignity Act and to ensure that New York City remains a model district in protecting students from bullying.

Local Law 42 mandates training of all staff and school safety officers on cultural sensitivity and effective responses to bullying. It would also require the DOE to publicly issue an annual statistical summary of bias-based incidents and to include an analysis of those incidents in school report cards. The DOE has never fully

1
2 implemented this law though it has maintained a
3 commitment to training two teachers in each
4 school, it has never attempted to meet the
5 requirements of Local Law 42 in training all
6 pedagogical staff and school safety agents.

7 And it's trained a handful of
8 students under the Respect for All program which
9 is an important step and also through A-832, the
10 Chancellor's Regulation. Unfortunately neither of
11 those programs have a public reporting requirement
12 nor do they require any mandated training for
13 school employees. So this regulation and Respect
14 for All while a step in the right direction fall
15 far short of legal obligations on the DOE.

16 We have three recommendations for
17 the DOE to start coming into compliance with the
18 Dignity Act. One is to institute a public
19 reporting scheme. The Dignity Act will require
20 material incidents to be reported to the State.
21 We think that these should also be reported
22 publicly. Parents and students should have access
23 to this. It's an important measure of school
24 climate.

25 Expanding training opportunities is

1
2 our second recommendation, to train more
3 personnel. Glisten recently found that training
4 up to six teachers in the school made huge gains
5 in protecting students and making students feel
6 safer. And we think it should be expanded to
7 school safety agents and bus drivers.

8 And then thirdly just to wrap up,
9 we do recommend that the DOE focus on prevention
10 and intervention over punishment. The number of
11 suspensions in New York City is at a record high,
12 73,000 students were suspended in 2008. City
13 schools don't need additional reasons to suspend
14 students. The DOE must focus on implementing
15 culturally relevant anti-bullying curricula and
16 training students in positive discipline
17 alternatives and to move away from harmful zero
18 tolerance policies.

19 So thank you so much for paying
20 attention to this issue and I'm happy to answer
21 any questions.

22 CHAIRPERSON JACKSON: Thank you.

23 Next please?

24 MS. TESHMEET KAUR: Good afternoon.
25 My name is Teshmeet Kaur [phonetic]; I work at the

1
2 Sikh Coalition. I'm a Community Organizer. On
3 behalf of the Sikh Coalition I offer gratitude to
4 the New York City Council Committee on Education
5 for convening this briefing and inviting us to
6 provide testimony on Federal enforcement on civil
7 rights laws in the context of bullying, violence,
8 and harassment in public schools.

9 By way of background the State
10 Coalition is the largest Sikh American civil
11 rights organization in the United States. We were
12 founded on the night of September 11th in response
13 to a surge of hate crimes against Sikh Americans
14 throughout the country. Sikhs are distinguished
15 by visible religious articles including uncut hair
16 which Sikh males are required to keep covered with
17 a turban.

18 Although the Sikh turban is a
19 symbol of nobility and signifies a commitment to
20 upholding freedom, justice and dignity for all
21 people, the physical appearance of a Sikh is often
22 ignorantly conflated with the images of foreign
23 terrorists, some of whom also wear turbans and
24 many of whom have received copious publicity in
25 our mainstream media in the post-9/11 environment.

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2 As a consequence, Sikh students are
3 ridiculed and stereotyped because of their
4 appearance and subject to school bullying. Now I
5 won't get into why bullying, this conversation is
6 important. And in terms of even personal
7 testimony from Sikh students. I think that we
8 understand the level of violence that can happen.

9 And I'll just go into the need for
10 Federal intervention. The Sikh Coalition regards
11 a safe and healthy learning environment as the
12 fundamental human right for every child who
13 attends school in New York City. In light of our
14 own experiences in recent years with school
15 officials in New York City, we believe that
16 vigorous Federal intervention is needed to hold
17 schools and school districts accountable for their
18 actions, and just as importantly, their inaction.

19 Between 2007 and 2008 the Sikh
20 community in New York City experienced a spate of
21 brutal bias attacks against its children. My
22 testimony has examples and I'll skip over because
23 of time. In response to these troubling attacks
24 the Sikh Coalition and its allies spearheaded a
25 grassroots campaign that culminated in the

1
2 adoption of the Chancellor's Regulation A-832
3 which we discussed today. And also the training
4 program entitled Respect for All and procedure for
5 preventing an addressing student to student bias-
6 based harassment in New York City public schools.

7 Now although these regulations are
8 strong on paper, our follow-up studies on their
9 implementations suggest that school administrators
10 are decidedly un-serious about their obligation to
11 protect our children. According to our research
12 only 14% of teachers and staff surveyed said that
13 the Chancellor's Regulation and the Respect for
14 All program are effective or very effective in
15 addressing bullying and bigotry in their schools.

16 Although the 2-day Respect for All
17 training program that we discussed today is
18 available to all teachers, only about 30% said
19 their school even offered the training and only
20 about 31% of the respondents said that students in
21 their schools received diversity or Respect for
22 All training.

23 According to Pat Compton, a former
24 teacher at Lafayette High School in Brooklyn, New
25 York, said that any staff training on harassment

1
2 that my school did last year was conducted in a
3 lackadaisical, perfunctory manner.

4 Now just going into the
5 recommendations. We do support the Safe School
6 Improvement Act, the resolution for supporting the
7 Safe School Improvement Act and the passage of the
8 Student Non-discrimination Act. We also are
9 commending to fully implement Chancellor's
10 Regulation A-832 and allocate resources for its
11 implementation. At minimum the DOE needs to
12 provide more frequent and better training. Over a
13 quarter of our respondents in our report were
14 unaware of whether their school had a Respect for
15 All liaison, at all.

16 We also recommend an audit process
17 for the DOE to learn which schools have model
18 implementation programs and which schools have
19 room to improve. This will help the DOE better
20 guide noncompliant schools to improve their
21 program. And lastly as my colleague Joanna here
22 mentioned, just, we would like to expand
23 Chancellor's Regulation A-832 so that it is in
24 compliance with the recently enacted New York
25 State Dignity for All Students Act by prohibiting

1
2 staff to student bullying and expanding public
3 reporting requirements. Thank you.

4 CHAIRPERSON JACKSON: Thank you.

5 Next, please?

6 MR. MARK RO BEYERSDORF: Good
7 afternoon. My name is Mark Ro Beyersdorf and I'm
8 on the staff of the Educational Equity and youth
9 Rights Project at AALDEF, the Asian American Legal
10 Defense and Education Fund. AALDEF is a national
11 civil rights organization based in New York City
12 that protects and promotes the civil rights of
13 Asian Americans. And we work extensively both
14 locally and nationally with Asian American
15 students to combat bias-based harassment in
16 school. Here in New York we work extensively to
17 address bullying in the schools with a lot of the
18 colleagues who are at the table today.

19 Since the announcement of
20 Chancellor's Regulation A-832 and the Respect for
21 All initiative, AALDEF along with many of these
22 partners have led efforts to monitor the
23 implementation of the regulation and coauthored
24 reports assessing its effectiveness based on
25 surveys of students and educators. While DOE has

1
2 taken commendable first steps in combating
3 bullying as we all know, we have a long way to go
4 before all students feel safe and respected in
5 their schools.

6 Our reports show that many of the
7 policies DOE has made are not being implemented
8 well on the ground. Our reports which are
9 available online on our websites and many of you
10 have copies of, identify a number of
11 implementation problems. But in the brief time I
12 have today I want to highlight the need for DOE to
13 provide more guidance on schools, on training
14 teachers to respond to bullying and the need for
15 greater accountability to ensure that schools are
16 complying with the most basic requirements of
17 Respect for All.

18 Our surveys very clearly indicate
19 that many schools have still not developed
20 consistent procedures for responding to incidents
21 of bias-based harassment. While a handful of
22 teachers reported that their schools respond
23 effectively, far more reported that their schools
24 have inconsistent procedures, leave it up to
25 individual teachers to respond, or ignore

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2 incidents entirely.

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Too often teachers simply do not know what policies and procedures to follow when they witness a bullying incident. As one Brooklyn teacher responded to our survey, "there is a significant amount of bullying at our school but I have received no training from my school nor through the Chancellor's Regulation or Respect for All initiatives on how to respond to this behavior either in the moment or through long-term disciplinary practices".

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Such critiques were echoed throughout our survey responses. Even educators who were offered Respect for All trainings reported a lack of specific training on how to respond to bullying incidents. Teachers also expressed concern that they would be unable to effectively address bullying because of a lack of commitment from administrations, as Council Member Dromm also alluded to in his remarks today.

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Indeed our survey found that many schools did not even have one of the most basic and perhaps most important procedural requirements that the Respect for All program in place, a staff

1
2 Respect for All liaison to whom reports of bias-
3 based reports can be made.

4 As Teshmeet [phonetic] mentioned,
5 only 26.4% of educators surveyed in our report
6 said that there was a Respect for All liaison in
7 their school. This statistic becomes even more
8 alarming when set against a finding from our
9 student surveys from the 2008-2009 academic year.
10 We found that the presence of a Respect for All
11 liaison in schools dramatically increases the
12 likelihood that students will report their
13 experiences of harassment to school officials.

14 57.1% of students who experienced
15 bullying and reported it to a school official said
16 they were aware of a Respect for All liaison in
17 their school. By stark contrast only 12% of
18 students who experienced bias-based harassment in
19 schools with no Respect for All liaison made
20 reports to a school official.

21 To very briefly respond to a
22 comment Deputy Chancellor Grim made during her
23 remarks, she mentioned that 80% of schools have
24 one or more RFA liaisons. Well that may be the
25 case, our finding still suggest that more must be

1
2 done to create explicit roles and responsibilities
3 for these liaisons and schools need to do much
4 more to actively publicize the presence of these
5 liaisons to students and staff at those schools.

6 Thank you very much and we look
7 forwards to continuing to working with everyone on
8 these issues.

9 CHAIRPERSON JACKSON: Well let me
10 thank each and every one of you for representing
11 your organization because clearly what each one of
12 your testimony basically says, based on also
13 surveys and witnesses and your involvement over
14 the many years is that I think one of you said we
15 have a long way to go. And some of the statistics
16 that DOE throws out may not necessarily, you know,
17 show the really, the lack of knowledge of their
18 staff.

19 And that it's clear that they're
20 not, in my opinion, doing enough. Because just
21 the witness before, the young lady and her mom,
22 and they're not here, she said and I didn't want
23 to question her about it, she said the principal
24 knew. So if she was here, the question then begs
25 to be asked, how do you know that the principal

1

2

knew.

3

Did someone tell the principal?

4

Did you report it? And, you know, principals are

5

very busy, right? We're all very busy. But when

6

a student reports something like that, if she had

7

knowledge of it, if he or she had knowledge and

8

didn't take action, as a result of that inaction,

9

it led to her being injured mentally and

10

physically probably for the rest of her life. You

11

know what I mean?

12

So you never know when something is

13

going to happen. And you have to be proactive on

14

it. As one of the sayings go, you nip it in the

15

bud. So thank you all for coming and giving

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testimony. Obviously from a process point of

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view, for everyone here, we may be voting this out

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of Committee.

19

[Off mic discussion]. So we will

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let everyone know when this is going to be voted

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out of Committee. And then when it goes forwards

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to the full City Council to be voted out at the

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City Council. I don't have a set date at this

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point in time but we want you all to be there

25

because you are the type of, you know, backbone

1

2 and support that we need to move this forward.

3 Thank you very much.

4

MS. MILLER: Thank you.

5

CHAIRPERSON JACKSON: Okay. The
6 next panel is Elena Offgang [phonetic] of United
7 Sikhs and Beth Rasin from PowerPlay NYC. Are you
8 here? Okay. And is Laura here? Come on Laura,
9 come on down. Laura is from Wagner College SARA
10 Intervention, S-A-R-A; I don't know what that
11 stands for. But you will tell us. Okay. So
12 Elena, you can begin first, just introduce
13 yourself, what position you hold with an
14 organization and you may give your testimony. I'm
15 going to ask you if you can read it within three
16 minutes, then fine read it if you wish, or if you
17 want to summarize it and submit your testimony
18 that would be even better. Okay? So the floor is
19 yours.

20

MS. ELENA OFFGANG: Okay. So I'll
21 summarize and submit. Thank you for convening
22 this hearing on a matter of vital importance. My
23 name is Elena Offgang [phonetic], I'm a Legal
24 Fellow at United Sikhs which is a UN affiliated
25 NGO that focuses on international civil and human

1
2 rights advocacy, humanitarian aid, and health and
3 education initiatives for disadvantages
4 populations, focusing on the Sikh community
5 worldwide.

6 United Sikh's data collection on
7 bullying experiences in the New York Sikh
8 community has included Bullying Truth Commissions
9 and focus groups where young Sikh students, age 6
10 to 18, have shared their experiences on bullying
11 and reported physical assaults, isolation, racial
12 slurs, taunting for wearing their religious head
13 coverings, be it the turban or the patka. They
14 have been insulted or physically assaulted for
15 maintaining long uncut hair and they've been
16 labeled as terrorists.

17 Surveys conducted among Sikh
18 students revealed that approximately 60% of Sikh
19 students have experienced bullying. And when
20 broken down by gender this number rises to almost
21 70% for Sikh boys. These are not isolated
22 incidents. The Sikh community has experienced a
23 collective trauma from bullying, most notably when
24 Sikh students out of fear, frustration and
25 isolation begin to discard their religious

1
2 identify. This means that the Sikh community, the
3 youth is under attack and are under-protected in
4 New York City schools.

5 From what we have seen, from what
6 we have heard, the DOE's efforts to combat
7 bullying, although positive steps in the right
8 direction, has too often failed Sikh students and
9 likely other minority communities as well.

10 Therefore we are encouraged by the reporting
11 requirements that will be required through the
12 Safe Schools Improvement Act and accordingly we do
13 support the proposed resolutions at issue today.

14 For bullying prevention policies to
15 be effective specifically for Sikh students, there
16 must be requirements for any data reporting to
17 include categories for Sikhs or some kind of
18 generic category in which Sikhs can be identified
19 so that crucial information documenting this
20 bullying accurately captures the full extent of
21 the impact on the Sikh community. Not only must
22 reporting must be mandatory but diversity training
23 within the classrooms must be a real and
24 achievable goal and not only annually.

25 The two main concerns that Sikh

1
2 students have expressed is this under reporting
3 and lack of follow-up. And also the lack of
4 religious and cultural sensitivity that teachers
5 have towards Sikh students who do break the
6 silence and actually report having been bullied.
7 Teachers just be armed with more than punitive
8 measures in the form of detention and suspension.
9 They must be given tools to learn about the
10 different communities that they teach, the
11 different communities that they have the
12 responsibility to protect. And they need to be
13 able to respond appropriately when a student is
14 bullied because of their faith or perceived
15 affiliation with groups that are often targeted
16 for bias-based harassment.

17 To close in a post-9/11
18 environment, Sikh children are not merely compared
19 with cartoon characters or other derogatory things
20 as they were in the past. They're now being
21 labeled as terrorists. This has a devastating
22 impact on a young child's psyche. So we do
23 support your efforts and we urge you to continue.

24 CHAIRPERSON JACKSON: Thank you.

25 Next, please?

1
2 MS. BETH RASIN: My name is Beth
3 Rasin. I'm the Executive Director of PowerPlay
4 NYC, a nonprofit that provides sports and life
5 skills training for girls in under served
6 communities. And you might say well how does that
7 relate to this hearing on anti-bullying? But I
8 think we bring a little bit of a different
9 perspective, perhaps, than some other folks that
10 have testified here.

11 And that is as it relates to this
12 kind of programming for children in New York
13 City's particularly underserved communities.
14 PowerPlay provides sports and life skills
15 programming and increasingly in the past several
16 years the issue of bullying has become significant
17 for the girls we serve in these programs. As part
18 of our healthy living and live skills programming,
19 we facilitate discussions in which girls feel safe
20 to express their feelings and concerns. The topic
21 of bullying and discussions and role playing to
22 explore how to cope with bullying behavior often
23 ranks at the top of the list of issues which girls
24 want to discuss.

25 And so our coaches are trained to

1
2 facilitate these healthy living discussions and
3 role playing to give girls an understanding of
4 what to do in these situations which is really
5 critically important for them to deal with this
6 issue which is cropping up with some frequency.
7 You know, we know that bullies usually have a
8 sense of entitlement and superiority over others
9 and lack compassion, impulse control and social
10 skills.

11 As schools have been forced to cut
12 back on the type of programming that encourages
13 learning and doing in a group cooperative
14 environment, and that includes a program like ours
15 which focuses on sports but I would also say drama
16 and music and the arts, students are deprived of
17 the opportunity to learn how to get along with
18 others.

19 In an age when communication is
20 predominantly managed through technology devices
21 rather than personal face to face, real time
22 interaction, the ability to get along with others
23 in a group and to experience compassion becomes
24 more limited. It becomes easier to be cruel to
25 another person when you can do so in cyber space,

1
2 never having to see or experience the pain of the
3 other person under attack.

4 Sports participation which offers
5 students the opportunity to interact with each
6 other, personally, physically, and in a real time
7 inclusive environment, and reinforces values such
8 as respect, sportsmanship and cooperation, can
9 serve to counter bullying behavior. PowerPlay's
10 program model which includes, as I mentioned, the
11 facilitated healthy living discussions in tandem
12 with sports learning and participation, has proven
13 to be especially effective in promotion inclusion
14 and respectful behavior among participants.

15 The other important thing to note
16 is that this is a program model which meets
17 weekly, so behavior reinforcement happens on a
18 regular basis or in the case of our summer
19 programs, on a daily basis. One of the things
20 that strikes me is the issue of trying to promote
21 bullying in a one-time or anti-bullying behavior
22 in a one-time situation.

23 And so I just would encourage you
24 all to remember that these kinds of programs which
25 can promote self-esteem, can help develop skills

1
2 that relate to physical mastery, can promote
3 cooperation in a group environment, and
4 inclusiveness because our programming is for all
5 girls regardless of shape, size, cultural
6 background, can really be a powerful tool for
7 creating inclusiveness and promoting respectful
8 behavior on a regular basis. Thank you.

9 CHAIRPERSON JACKSON: Thank you.

10 Okay. Next, please?

11 DR. LAURA MARTOCCI: Is it on now?

12 Yeah. Thanks. Hi. My name is Dr. Laura
13 Martocci. I am on the Sociology Faculty at Wagner
14 College as well as an Associate Dean there. And
15 I'm also the Director of the SARA Program,
16 Students Against Relational Aggression. I have
17 been working on issues of bullying for over ten
18 years. I originally started with the Ophelia
19 Project, got in on the ground floor, helped
20 develop curriculum, worked with the Empower
21 Program. And my immediate concern in coming here
22 today is that there is real implementation going
23 on.

24 All the data suggests that we need
25 a whole school approach. Respect for All is a

1
2 fabulous beginning. But we still there it's a
3 Band-Aid. It's coming from us. It's covering up
4 something. I was one of the people who went into
5 the schools during the Respect for All Week. And
6 you can't mandate respect. Respect is something
7 that is earned.

8 Okay but what you can mandate is
9 civility. In some schools we need to start there.
10 We need to really think about what we're doing,
11 not go in and say we're doing this, we're doing
12 this. Look, we're doing something. We need to,
13 in a teacher training, ask teachers to incorporate
14 bullying into their lesson plans. It's not this
15 thing that happens over there. It's this thing we
16 talk about when we talk about civil rights, when
17 we talk about the Holocaust. We can even
18 incorporate it into science.

19 We need to model alternative
20 behaviors. We can't just go in and say stop
21 bullying. Well what are we supposed to do? So
22 these things have to be addressed. And I come to
23 you with a proposal that might start helping us do
24 this.

25 I've had a project up and running

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for four years out of Wagner College. And what I've done is taken a resource we have, students at a college, students in training to be teachers, and use them to go into our elementary schools. Use them to work with fourth graders. Use them to teach fourth graders to mentor first graders. Start in elementary school. Give them the tools to go to middle school. Give them the tools to go to high school. And train teachers who are going into the world about the dynamics they're going to face, not just a 2-day training but a semester-long course that helps them to really understand this on a foundational level.

I could go on. What I need your help with is I need to facilitate a conversation between the DOE and SUNY and CUNY, 'cause SUNY and CUNY have the resources the DOE doesn't have. We have programs up and running. We don't need to develop them. We need to learn how to talk to each other and how to use the resources we have. Thank you. Any questions, I'm happy to entertain.

COUNCIL MEMBER DROMM: Okay. Thank you. I don't think that was for me but anyway, thank you very much for all your testimony. I

1
2 think, I'm sorry, from the United Sikhs, you hit
3 on a topic which I think is really very important.

4 I'm almost ashamed to admit it.

5 But I was a teacher for 25 years and as the
6 population of my school began to change I didn't
7 really know the Sikh population, the Hindu
8 population, nor the Muslim population. And I was
9 never offered any training in terms of even just
10 some idea of what Sikh beliefs are, why Sikh
11 children wear turbans. Why Muslim children, you
12 know, feel the way that they do or whatever. To
13 just, you know, I'm not asking for a teaching of
14 the religion per se but some type of an education
15 to teachers about the populations that they're
16 teaching.

17 And it has to be ongoing and it has
18 to be a thorough commitment as you were saying as
19 well because, as I'm the Chair of the Immigration
20 Committee also so I'm looking at it from that
21 perspective, because our populations are
22 constantly changing, especially here in New York
23 City.

24 And I think that would also go a
25 long way in terms of creating an environment of

1

2 multicultural understanding in the schools. I've
3 seen instances in staff room where teachers would
4 mock a Sikh child because they're wearing a turban
5 or I've heard staff people say well why don't they
6 just take the turban off.

7

8 You know, and as a gay person who's
9 out, I identify very strongly with that because I
10 have an option whether or not to be out, just as a
11 Sikh person has the option to wear the turban or
12 not. And I mean I always say, well, you know,
13 wear the turban and that's what I try to do in my
14 own--being an openly gay person is wear the turban
15 so to speak, you know.

16

17 So I think that's a major concern.
18 I thank you for that, for bringing that up. I
19 just was wondering if anybody has any idea what do
20 you think is blocking this? What's preventing it
21 from actually happening? I mean the Chancellor
22 says he has the will, the people who came in to
23 testify today have the will. What is the
24 obstacle?

25

DR. MARTOCCI: Can I jump in?

26

COUNCIL MEMBER DROMM: Mm-hmm.

27

DR. MARTOCCI: Because I didn't use

1

2 all my time.

3

COUNCIL MEMBER DROMM: Yeah.

4

[Laughter]

5

6 DR. MARTOCCI: Not only have the
7 teachers been asked but what's really helped us in
8 the classroom is involving the students because,
9 you know what, they're always going to be ahead of
10 us. If we come down on this, they're going to
11 move it over and start bullying people in ways we
12 don't figure out for another six months. Make
13 them part of it. Ask them what they think. The
14 punishment or the penalty or the reprimand that
15 ought to be. Ask them to set the bar for the
16 different kinds of behavior when you involve them
17 in the process, they're invested in what's
18 happening in their classroom. And they're smarter
19 than all of we are about it. You know, it's
20 happening with them.

20

21 So again these are resources we
22 have. When it's just an administrative thing to
23 do to paste on to do, you can't do it, but when
24 you look at what you have and incorporate all of
25 that. And we just need to somehow get all these
groups talking to each other.

1
2 MS. RASIN: And I just want to add,
3 in our program model, again, the girls when they
4 get to role play and they get to talk about it,
5 they really sort of model what's going on. And
6 they do end up feeling empowered to speak up,
7 right? One of the issues is if you see it
8 happening to someone else what would you do. In
9 the start of our program they'll say well I'd be
10 afraid to say anything. But when they have the
11 opportunities to go through these role modeling
12 behaviors and discuss, what would you, you know,
13 two or three of you can go to talk to somebody.

14 But I will say that just
15 anecdotally some of them say well you can go to
16 the teacher but then nothing will happen.

17 COUNCIL MEMBER DROMM: Mm-hmm.

18 MS. RASIN: Right? But I would say
19 empowering the youth and creating an environment
20 which is, you know, one which is day in and day
21 out in every classroom is about Respect for All or
22 civility for all which then leads to respect.
23 It's really critically important. It's part of
24 what I think about is training is great but what
25 about an overriding philosophy that says, you

1
2 know, every person in this classroom is treated in
3 a certain way. And we're not going to tolerate
4 any kind of behavior where a certain respect and
5 civility isn't evidenced.

6 DR. MARTOCCI: And just to go back
7 to kind of the cultural training, there was a
8 comment earlier to, I believe, the United Teachers
9 Federation about why does the DOE not have a
10 committee of teachers to go to as their kind of
11 first inquiry of how to implement this on the
12 ground. And I would say, I would push that.
13 Similarly I would say why does the DOE not have a
14 task force of parents, students and members of a
15 diverse community in New York to go to and say how
16 do we make--how do we give teachers the tools to
17 address this and be culturally sensitive and
18 respectful in doing so and understand really the
19 problems.

20 That it's not, you know, it's not
21 an option to take the turban off. And so I would
22 say, as a suggestion, there's NYPD has a Hate
23 Crimes Task Force. Bullying prevention is hate
24 crime prevention. We need bullying prevention
25 task forces that involve the communities and

1
2 advocacy organizations in an ongoing dialog, not
3 just annually, not just semi-annually, monthly,
4 weekly, whatever it takes to stop what is a real
5 epidemic.

6 CHAIRPERSON JACKSON: Well let me
7 thank you for coming in but I have one quick
8 question. Did any of you see the program last
9 night on Dateline, Channel 4 on bullying? No?
10 Okay. It was interesting. I think you can
11 probably go online and check it out. It was very
12 telling to say the least. Thank you all for
13 coming in. We appreciate it.

14 Now we're going to hear from our
15 last panel. Hey, Joe Garber. Joe Garber is an
16 activist. He's always testifying. Please, Joe,
17 come on down. And we have Cassandra Alston
18 Townsley from CEC 13, that Community Education
19 Council 13. And Lydia Raden, is she here? Lydia?
20 No? And is there anyone else here to testify?
21 Okay. Then Joe, ladies first.

22 MR. JOSEPH A. GARBER: Sure.

23 CHAIRPERSON JACKSON: And she's
24 from Brooklyn too like you are so.

25 [Laughter]

1

CHAIRPERSON JACKSON: Okay.

2

MS. CASSANDRA ALSTON TOWNSLEY:

3

4

Thank you so much. Again my name is Cassandra

5

Alston Townsley. And I just severed on the CEC

6

for District 13 for the past 2 years. I just won

7

the seat for 13 and 17 and I chose to serve 17 for

8

the next 2 years because my son, his school is now

9

Medgar Evers College Preparatory School which is

10

in District 13. So mommy must say with her child.

11

[Laughing] But nevertheless I was invited to come

12

here and to share, you know, what my experience

13

is, you know, being an active parent within the

14

school because bullying to me, it's really

15

overwhelming and devastating right now.

16

I as being a child going to school

17

back in the 60's and 70's, bullying is nothing

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like it is today. The children are really angry,

19

hostile and violent for so many reasons. And we

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try to tell the children to, you know what, please

21

find someone in the school to talk to, speak to a

22

staff member. And this is what I've often told my

23

son. Only for it to have fallen on deaf ears.

24

And eventually the children become

25

frustrated and then they begin to act out and

1
2 fight back. Then they're the ones that end up
3 getting in most of the trouble. My son
4 unfortunately spent his whole fifth grade being
5 harassed and bullied by most of the classroom
6 including his teacher. And it was devastating.
7 Valentine's Day, the whole class received a
8 Valentine's Day card, except for him.

9 One of the students made a card for
10 him and said because everyone deserves something.
11 That came from a 10-year old child who realized
12 that what the teacher did was not nice. And of
13 course this was shared but of course nothing was
14 done. It was so bad my son was the only child
15 that did not receive an award for graduation. You
16 do not treat a 10-year old child like that.

17 And of course things were
18 documented. Even a homework assignment that was
19 included within my package when I submitted my
20 complaint to the OSI. They said that my complaint
21 was unfounded. But in that package was a
22 homework, a copy of his homework, I gave, yes, it
23 was a copy of the homework, the word was
24 improvement. My 10-year old's sentence was I hope
25 my teacher realizes that improvement in my

1
2 classroom. Looking for acceptance. The sentence
3 was not grade. There was a comment that said if
4 there was an improvement I would have realized it.
5 How mean. How mean.

6 And I find that his story just is
7 not isolated in that school. He's no longer in
8 that school, thank God. There's a young girl
9 within that same school who calls me for
10 everything because she come from a bilingual home.
11 And mommy's English is very limited. And daddy,
12 even though he understands the English language a
13 little better, he doesn't really speak or read or
14 write the English language. So a lot of times
15 they call on me to kind of assist them in certain
16 areas.

17 The little girl started the school
18 year, 8 years old, she's now 9. And the whole
19 school year she kept saying Auntie Sandy, that's
20 what most of the children call me in the
21 community, they're threatening to jump me. I said
22 did you bring it to any one of the teachers?
23 Anyone's attention? She said I speak to my
24 teacher often and the only thing he says to me is
25 why is it you every day.

1
2 And I'm like that's a question that
3 really disturbs me. Because most victims of
4 bullying, that's the question they always hear.
5 Why is it you every day? So now you just made the
6 victim feel as if it was their fault. And most of
7 the time they're not doing anything. She says I
8 told them that they want to jump me. And the
9 child was told if you fight, you will get
10 suspended.

11 She says and I don't understand.
12 She says because I didn't say I want to fight. I
13 said they want to fight me. But they're
14 threatening to suspend me if I fight. And I do
15 not understand this. And I'm like wow. You need
16 to speak to your parents. Because of the case
17 that I had, the pending case that I had with my
18 son, at the same school, I didn't want to involve
19 myself directly because I didn't want them to take
20 it out on her anymore than it appears if she was
21 going through so much, you know, herself on the
22 issues.

23 Well two weeks ago I received the
24 most disturbing call from this third grade girl.
25 She was crying hysterically. Auntie Sandy I told

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2 you they were going to get me. I told you they
3 were going to get me. And they--she banged my
4 head into the board twice. I said did you talk to
5 the teacher. She said yes. But all he said to me
6 was what the hell are you doing. I cannot
7 understand why is he cursing at me. There's blood
8 all over my clothes. I've done everything except
9 for cry because I'm really very outraged and
10 angry. So nevertheless the little girl has to
11 stitches in her head.

12 CHAIRPERSON JACKSON: What
13 happened? Were the police called?

14 MS. TOWNSLEY: The police were not
15 called but they did send her to the hospital with
16 her father. There was no police report made.

17 CHAIRPERSON JACKSON: Well we're
18 going to definitely, our staff will talk to you,
19 get the details and we'll follow up.

20 MS. TOWNSLEY: Please.

21 CHAIRPERSON JACKSON: And not only
22 verbally but put it in writing to the Chancellor
23 and to the Department of Investigations.

24 MS. TOWNSLEY: Thank you so much.

25 CHAIRPERSON JACKSON: And make sure

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2 when staff speak to you, give us all your contact
3 information.

4 MS. TOWNSLEY: I definitely will.

5 CHAIRPERSON JACKSON: Okay.

6 MS. TOWNSLEY: I am in
7 communication with several of these children
8 because I also have a public speaking workshop for
9 youth--

10 CHAIRPERSON JACKSON: [Interposing]
11 Okay.

12 MS. TOWNSLEY: --in Brooklyn so--

13 CHAIRPERSON JACKSON: [Interposing]
14 Okay, well good.

15 MS. TOWNSLEY: --so, you know, they
16 communicate very well. And I would love for you
17 to speak to this little girl.

18 CHAIRPERSON JACKSON: All right.
19 Keep up the good work.

20 MS. TOWNSLEY: Thank you so much.

21 CHAIRPERSON JACKSON: Last but not
22 least, Joseph Garber.

23 MR. GARBER: Good afternoon Chair
24 Jackson, Chair Dromm, Council staff, Sergeant at
25 Arms and members of the public. My name is Joseph

1
2 Garber. I'm a civic activist but I'm also the
3 last acting president of the Citizens Police
4 Academy Alumni Association. I'm going to try to
5 put a little different spin.

6 First, it was very interesting
7 Council Member Jackson, on page 3 you mentioned
8 the day June 7th. June 7th was the day that Mayor
9 Bloomberg signed the cyber bullying bill which was
10 introduced by Council Member Rose from Staten
11 Island. And it was also the eve of SMOOSE
12 [phonetic]. I was there. I testified. I was
13 there. And I testified in favor of the bill. I
14 support 473-A and 474-A. I'm extremely impressed,
15 Council Member Dromm, with your intimate detailed
16 knowledge of the Department of Education. I feel
17 it serves as an excellent adjunct to this
18 Committee. I went to Yeshiva High School. I grew
19 up in Douglas Houses in Manhattan in the 24th
20 Precinct. And this high school was located down
21 in the 7th Precinct.

22 The first year in that high school
23 I was bullied by another student because I at that
24 time weighed around 90 pounds. And they used to
25 call me Yiddish derogatory terms until one day,

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2 maybe six months later, I pulled his neck outside
3 of the window sill. Then it stopped. Then I
4 decided to become a defender of the un-taught
5 [phonetic] which I've done all my years.

6

7 I currently live across the street
8 from a public school, P. S. 16 in Brooklyn, known
9 as the Leonard Dunkley School but it's also the
10 Williamsburg Charter School. Every morning when I
11 go to work or anywhere else I pass by the school.
12 And it's interesting to hear kids calling each
13 other you gay, you fag. All right, in addition
14 Hassidic Jews who live in the area have told me
15 that many of these kids use derogatory terms,
16 anti-Semitic terms. I see that this problem is
17 quite bad. Very bad.

17

18 Okay. I heard some discussion
19 about school safety agents. And let me give you,
20 explain to you, school safety agents are civilian
21 members of the service of the New York City Police
22 Department. They report to the Chief Commanding
23 Officer of the School Safety Division who reports
24 to the Chief of Community Affairs Bureau. However
25 there are full-fledged police officers also
assigned to the School Safety Division in this

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2 specific task force. So if you want to make a
3 complaint against the school safety agent, you
4 have two options.

5 Number one, you can call the
6 Internal Affairs Bureau at 212-741-8401. They're
7 located at 350 Hudson Street in Lower Manhattan or
8 you can go to the Civilian Complaint Review Board.
9 And being that they're civilian employees, they
10 have different types of disciplinary proceedings
11 depending on the union, etcetera, etcetera. They
12 can go to arbitration. They can go to what's
13 called non-disciplinary decision of command
14 discipline. Or if it's serious they have to go to
15 the Deputy Commissioner trials.

16 Okay. So we have to understand
17 this. I'd like to, in NYCHA, in NYCHA, there is
18 bullying. There's a lot of bullying going on.
19 Staff talk to residents, they don't know how to
20 talk to people. Okay? And there's bullying. It
21 may not be physical bullying but there is
22 bullying. So I'm very glad that this Committee is
23 looking at the entire issue of bullying. It's
24 quite serious.

25 I see it on the train. I see boys

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2 picking on girls for no reason. And I go over to
3 them and sometimes identify myself. I say if you
4 don't cut it out I'm going to have you pulled off
5 the train. But the bullying, it's a culture,
6 people think they want to have power, and I try to
7 stop it. Okay. It's a disgrace.

8 So I'm very glad that this
9 Committee is going with the issue of bullying.
10 It's a complex issue. But there's no question
11 that there are--I've had cases of public housing
12 residents have come to me that their children
13 have been bullied by teachers. The teachers
14 fabricate stories, especially special needs
15 children. I've had at least five cases where
16 they've been abused, okay, and everybody looks the
17 other way. But I really am considered, as I say,
18 I consider myself a gadfly and a muckraker and to
19 work against the Department of Ed, you have to be
20 that. Thank you.

21 CHAIRPERSON JACKSON: Well, Joe, as
22 always, thank you for coming in. Clearly you are
23 very opinionated in many of the things and not
24 necessarily all but many of the things you speak
25 truth to power. So thank you for being who you

1
2 are, as you call yourself as a gadfly. Ladies and
3 gents is there anyone else who needs to testify?

4 Okay. Hearing none, I want to thank all of the
5 staff involved in preparing us for this committee
6 hearing today. And it is now 10 minutes to 5 and
7 we're going to call this hearing adjourned.

8 [Gavel]

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature _____ Laura L. Springate _____

Date _____ June 29, 2011 _____