

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON EDUCATION

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June 27, 2011
Start: 10:18 am
Recess: 11:15 am

HELD AT: Council Chambers
City Hall

B E F O R E:
ROBERT JACKSON
Chairperson

COUNCIL MEMBERS:
Charles Barron
Lewis A. Fidler
Daniel R. Garodnick
Jessica S. Lappin
James Vacca
Albert Vann
Fernando Cabrera
Margaret S. Chin
Daniel Dromm
Karen Koslowitz
Stephen T. Levin
Deborah L. Rose
Mark S. Weprin

A P P E A R A N C E S

COUNCIL MEMBERS:

Vincent M. Ignizio
Eric A. Ulrich
David G. Greenfield

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2 CHAIRPERSON JACKSON: Good morning,
3 everyone. Today is Monday, June 27 at 10:18am.
4 We are close to the end of our budgetary session.
5 I'd like to introduce the members that are present
6 this morning from my right to my left, Council
7 Member Lew Fidler of Brooklyn, Council Member Dan
8 Garodnick of Manhattan, Council Member Margaret
9 Chin of Manhattan, Council Member James Vacca of
10 the Bronx, Council Member Karen Koslowitz of
11 Queens, Council Member Danny Dromm of Queens,
12 Council Member Charles Barron of Brooklyn--said he
13 has my back--along with the appropriate staff. My
14 name is Robert Jackson. I'm Chair of the
15 Committee.

16 Today we will be voting on two
17 bills, Intro No. 364-A and Intro No. 354. Intro
18 No. 364-A is a bill sponsored by Council Member
19 Lew Fidler that would amend the City Charter to
20 require the Department of Education... do you want
21 me to wait? Okay. Yeah.

22 [background conversation]

23 CHAIRPERSON JACKSON: Are you good?
24 Let me go back. So let me introduce the members
25 that are present this morning, to my right,

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2 Council Member Lew Fidler of Brooklyn, directly
3 behind me, Council Member Charles Barron of
4 Brooklyn, next to him, Council Member Al Vann of
5 Brooklyn, next to me, Dan Garodnick of Manhattan,
6 Margaret Chin of Manhattan, Jimmy Vacca of the
7 Bronx, Karen Koslowitz of Queens, Danny Dromm of
8 Queens and myself, Robert Jackson; I chair the
9 Committee.

10 Today we will be voting on two
11 bills, Intro No. 364-A and Intro No. 354. Intro
12 No. 364-A is a bill sponsored by our colleague,
13 Council Member Lew Fidler, that would amend the
14 City Charter to require the Department of
15 Education to provide data regarding students who
16 are transferred to an alternative school as a
17 result of a school closure, and I will call on
18 Council Member Lew Fidler to talk more about his
19 proposed bill in a moment. Intro No. 354 is a
20 bill I sponsored that would amend the City Charter
21 to require the Department of Education to provide
22 data regarding student discharges. For those who
23 don't know, the Department of Education has a
24 number of categories of students who left school
25 before graduating, but are characterized

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2 "discharges" from the school system rather than
3 drop outs. Students who move to a location
4 outside of the city of New York or who transfer to
5 a private or parochial school for instance are
6 considered discharges; however, there is
7 significant controversy regarding whether students
8 characterized as discharges by the Department of
9 Education are considered drop outs under federal
10 law. For example, at various times the Department
11 of Education has considered discharges students
12 who left school after turning 21 years of age or
13 those who transferred to a GED program or left
14 school due to a pregnancy or parenting
15 responsibility. Just to be clear, students who
16 are considered as discharges are not included in
17 calculations to determine graduation rates and
18 some critics charge that the Department of
19 Education has overused their "discharge" category
20 as a means to inflate graduation rates. The data
21 required by Intro 354 will bring a level of
22 transparency to the student discharge procedures.
23 And with that, let me turn to our colleague,
24 Council Member Lew Fidler to say a few words on
25 his bill, Intro No. 364-A. Council Member Fidler?

COUNCIL MEMBER FIDLER: [off mic]

I'm afraid someone's going to jump and scream - -
at me. For the last couple of years, many of us
at the Council have been engaging in an ongoing
policy debate with the Bloomberg Administration
and DOE about whether or not closing schools is
the right way to improve education or whether or
not the appropriate thing to do is to just fix the
schools that are not doing the job. Part of that
argument is the collateral damage that some of us
believe is done to students who are affected by a
school closing and I have always had the intuitive
feeling that they are forgotten and that they
suffer. Unfortunately, it can only be an
intuitive feeling because we don't have any data
that tracks these kids, and that is what this bill
does. This bill will track those kids. We will
now be able to engage in a better discussion,
perhaps argument. Maybe it will turn out that
they're right and I'm wrong, but I think it's
important that we have the facts. I want to thank
the entire Council staff, particularly the
Education Committee staff for managing to get this
done, while we are in the heat of an enormous

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2 budget battle, in which we can proudly say that we
3 did not lay off any teachers. I know that this is
4 the definition of multi-tasking, folks. This was
5 a tough bill to negotiate and a complicated bill
6 and to get it done while we were negotiating a 60
7 some odd billion dollar budget is really a
8 testimony to the staff, so thank you and I urge my
9 colleagues to support the bill.

10 CHAIRPERSON JACKSON: Thank you,
11 Council Member Fidler. Also, we have been joined
12 by our colleagues Council Member Eric Ulrich, he's
13 standing over there. Where's Council Member
14 Debbie Rose? I saw her come in. She's behind me
15 along with Council Member Mark Weprin of Queens.
16 With that, let me just explain to you that I said
17 we were voting on Intro No. 354—I was incorrect;
18 we are voting on 354-A, which is an amendment from
19 the original bill.

20 Let me just communicate to all my
21 colleagues the fiscal impact of these two bills.
22 Concerning 354-A, we believe at the City Council
23 there will be no fiscal impact as far as revenues
24 resulting from the enactment of this legislation
25 of 354-A; whereas on bill Intro No. 364-A, we do

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2 not see any fiscal impact, but the Department of
3 Education estimates a need to hire a research
4 associate for total of \$89,104 annually. The
5 Council believes the Department of Education can
6 comply with this legislation using existing
7 resources. We determined that there's no fiscal
8 impact even though the Department of Education
9 believes there is one. With that, if there are no
10 questions from my colleagues, the Chair recommends
11 an aye vote on both bills. I'll ask the clerk to
12 call the roll.

13 CLERK: William Martin, Committee
14 Clerk, roll call vote in the Committee on
15 Education. Council Member Jackson?

16 CHAIRPERSON JACKSON: [off mic]

17 CLERK: Barron?

18 COUNCIL MEMBER BARRON: Aye.

19 CLERK: Fidler?

20 COUNCIL MEMBER FIDLER: Yes.

21 CLERK: Vann?

22 COUNCIL MEMBER VANN: [off mic]

23 CLERK: Garodnick?

24 COUNCIL MEMBER GARODNICK: Aye.

25 CLERK: Vacca?

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2 COUNCIL MEMBER VACCA: I vote aye
3 and I'd like to have my name added to both bills.

4 CLERK: Chin?

5 COUNCIL MEMBER CHIN: Aye.

6 CLERK: Dromm?

7 COUNCIL MEMBER DROMM: Aye.

8 CLERK: Koslowitz?

9 COUNCIL MEMBER KOSLOWITZ: Aye.

10 CLERK: Rose?

11 COUNCIL MEMBER ROSE: Aye.

12 CLERK: Weprin?

13 COUNCIL MEMBER WEPRIN: Aye.

14 CLERK: Ulrich?

15 COUNCIL MEMBER ULRICH: I vote aye
16 on all and I ask that my name be added to Intro
17 364.

18 CLERK: Jackson?

19 CHAIRPERSON JACKSON: I vote aye on
20 all and from a fiscal impact, counsel had advised
21 me that the Department of Education, the \$89,000
22 is for someone to deal with the statistics from
23 both 354-A and 364-A, while the Council believes
24 that they can do without hiring anyone else.
25 Thank you. With that, the record will remain open

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2 for future votes of members that arrive for an
3 additional 15 minutes. Thank you.

4 CLERK: By vote of 12 in the
5 affirmative, zero in the negative and no
6 abstentions, item is adopted. Members please sign
7 the Committee Reports. Thank you. Council Member
8 Lappin?

9 COUNCIL MEMBER LAPPIN: Aye.

10 CLERK: Ignizio?

11 COUNCIL MEMBER IGNIZIO: Aye on
12 all.

13 CLERK: The vote now stands at 14
14 in the affirmative. Council Member Levin?

15 COUNCIL MEMBER LEVIN: Aye.

16 CLERK: The vote now stands at 15
17 in the affirmative. Council Member Cabrera?

18 COUNCIL MEMBER CABRERA: Aye.

19 CLERK: The vote now currently
20 stands at 16 in the affirmative. Council Member
21 Greenfield?

22 COUNCIL MEMBER GREENFIELD: Aye.

23 CLERK: Final vote in the Committee
24 on Education is now 17 in the affirmative, zero in
25 the negative and no abstentions.

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CHAIRPERSON JACKSON: The Education

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Committee hearing Intro 364-A and 354-A is hereby

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adjourned at 11:15.

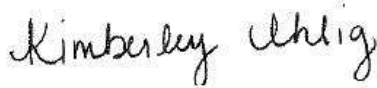
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[gavel]

C E R T I F I C A T E

I, Kimberley Uhlig 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.

Signature

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.

Date

July 7, 2011