

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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June 12, 2014  
Start: 10:25 a.m.  
Recess: 1:38 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E:  
DANIEL DROMM  
Chairperson

COUNCIL MEMBERS:  
Robert Cornegy  
Mark Levine  
Ydanis Rrogriguez  
Alan Maisel  
Antonio Reynoso  
Margaret S. Chin  
Chaim Deutsch  
Deborah Rose  
Jumaane D. Williams  
Inez Barron  
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A P P E A R A N C E S (CONTINUED)

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Deputy Chancellor  
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Elayna Konstan  
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Mary Jasper  
A P P E A R A N C E S (CONTINUED)

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Valerie Williams  
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Sam Pirozzolo  
President, Community Education Council 31  
and  
Vice President, New York City Parent's  
Union

Mona Davids  
Founder and President  
New York City Parent's Union

Stephanie Gendell  
Associate Executive Director  
Citizens' Committee for Children of New  
York

Gary Mayerson  
Autism Speaks

Kim Mack Rosenberg  
President, National Autism Association

Pat Barrientos  
External Affairs Coordinator  
Quality Services for the Autism Community

A P P E A R A N C E S (CONTINUED)

William McDonald

Vice President  
Queens Chapter of the National Action  
Network

Darlene Boston  
Organizer  
Bedford-Stuyvesant Chapter for Student's  
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Joshua Morales  
Executive Director  
Bedford-Stuyvesant New Beginnings Charter  
School

Celia Green  
District 75 Citywide Educational Council

Shirley Phips  
African-American Caribbean Education  
Association

Kirsten Phillips  
Former District 75 Teacher

UNIDENTIFIED MALE: Quiet please.

[Gavel]

CHAIRPERSON DROMM: Good morning and welcome to everyone joining us for this hearing. I am Council Member Daniel Dromm, the Chair of the City Council's Committee on Education. Today we will hear testimony on Introduction 131 whose chief sponsor is Council Member Robert Cornegy. If enacted, this legislation would require the placement of door alarm systems in elementary school buildings and buildings accommodating District 75 programs. I'd like to briefly address some misinformation that has been reported and that we have received some calls and emails about alleging that this committee has delayed holding hearings on this bill. Nothing, and I repeat, nothing could be further from the truth. This bill was just introduced in mid-March. In April we committed to hearing testimony on this bill on June 12<sup>th</sup>. The date was on my calendar and on Council Member Cornegy's calendar. We could not hold oversight hearings in May, because the budget hearings take priority during that time. The Education Committee hearing held its final budget hearing last week and this hearing, our second in

1  
2 June, has taken first priority. This legislation is  
3 popularly known as Avonte's Law because of the tragic  
4 events that led many in this city to pay attention to  
5 the issue of students who leave or elope from school  
6 property without permission.

7           On October 4, 2013, Avonte Oquendo, an  
8 autistic student ran out of an open door at PS-277 in  
9 Long Island City, Queens. Despite a citywide effort  
10 to locate Avonte, the search ended tragically with  
11 the discovery of his remains in January 2014. In  
12 March, Special Commissioner of Investigation, Richard  
13 Condon, released a 12 page report that highlighted  
14 several problems in communication and protocol around  
15 Avonte's case.

16           Today the committee will gather  
17 information from the Department of Education and  
18 stakeholders that will help us to carefully analyze  
19 the issue and consider its far reaching implications.  
20 The committee will question the DOE on the scope of  
21 the problem. Specifically the number of students who  
22 elope, the age and disability of those who do, and  
23 the responses to these incident. To obtain the most  
24 accurate picture of the issue, it will be necessary  
25 to examine the mechanisms that are already in place

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2 and the way those mechanisms are working to protect  
3 young and disabled students and to see how to  
4 strengthen such mechanisms.

5           In addition we want to hear about past  
6 efforts to install door alarms. If they were  
7 successful and reasons why or why not. We will also  
8 ask the DOE and stakeholders whether or not the bill  
9 is comprehensive or effective enough. Already we  
10 have begun to hear from advocates saying that a more  
11 comprehensive approach is needed to keep children  
12 safe including more training for all school staff.

13           Ultimately, no amount of hardware  
14 installed in the schools can substitute for the work  
15 of school personnel. This hearing will also examine  
16 ways to facilitate the challenging job teachers,  
17 administrators, and security personnel face in  
18 insuring their charges do not run away.

19           I know that each organization scheduled  
20 to speak today is committed to minimizing the risk of  
21 student elopement, although there may be differences  
22 in how best to accomplish this. I hope that this  
23 hearing will be the start of a longer conversation  
24 about how to strengthen protections for especially  
25 vulnerable students. Ultimately, I believe we need

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COMMITTEE ON EDUCATION

to look at all options available that would help insure the safety and well-being of our students.

And I'm going to turn it over to Council Member Cornegy in one minute. Just wanted to acknowledge our other members of the committee who are here. WE have Council Member Mark Treyger from Brooklyn. We have Council Member Robert Cornegy from Brooklyn, Council Member Antonio Reynoso from Brooklyn and Queens, Council Member Margaret Chin from Manhattan, Council Member Mark Weprin from Queens and Council Member Andy Cohen from the Bronx. And with that I'd like to ask Council Member Cornegy to read his opening statement.

COUNCIL MEMBER CORNEGY: Good morning. I want to begin by saying that in a few minutes I'm going to have to excuse myself just for a few minutes to step out to participate in the press conference on saving our senior center and rec centers in the New York City Housing Authority. No clapping, just do that. So I just want to say that and I'll be right back.

Good morning to my colleagues and to every representative of the administration, advocates, parents and/or other members of the public



1  
2 who've come to testify today? I'm so glad that this  
3 bill has come to a hearing and I want to thank  
4 Chairman Danny Dromm for scheduling this hearing and  
5 for an opportunity to hear us all speak. I  
6 introduced this bill because we have a safety problem  
7 in our public school buildings and it's affecting the  
8 most vulnerable children. The youngest students and  
9 those with disabilities.

10           In buildings throughout the system there  
11 are doors, unguarded doors that connect corridors and  
12 stairwells to the street. No one can and no one does  
13 have their eye on these doors at all times. Even in  
14 elementary schools and buildings with special  
15 education programs. In some buildings, cameras are  
16 in place. But believe me no one is watching those  
17 monitors at all times. Employees get occupied with  
18 other things. They go to the restroom, and during  
19 those moments and those very precious moments a child  
20 can slip out. We know this because it's happened.  
21 Not once, not twice, at least eight times this school  
22 year alone. We're talking about pre-k students,  
23 kindergarteners, first graders and on up. Very young  
24 children and disabled children slipping out of school  
25 buildings and no one in those buildings knew. In

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2 some instances they're intercepted by strangers. In  
3 others they made their own way home. Sometimes to  
4 find their parent, sometimes to find an empty house  
5 or an apartment. All of these children weren't  
6 intentionally running away. They slipped out of the  
7 door accidentally. Looking for their teacher or  
8 looking for the playground and got stuck outside when  
9 the door locked behind them. And no one in the  
10 building saw, no one knew, no one went to check those  
11 doors and let those children back inside.

12 Unfortunately, in Avonte's case his mother was  
13 initially told he was missing, but still inside the  
14 building. As a parent, this absolutely terrifies  
15 myself and my wife. But it has inspired me in my  
16 role as a legislator because I know there's something  
17 we can do to mitigate this risk along these exists.  
18 I'm not saying there needs to be an alarm on every  
19 door in every building in the system. And I'm not  
20 saying that alarms alone will solve all the safety  
21 problems in our schools. Clearly there must be  
22 school specific planning about how to respond to  
23 alarms and the development of effective protocols.  
24 But requiring simple local door alarms on unguarded  
25 exits in buildings with the most vulnerable students

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2 will be a major improvement. And it would make an  
3 enormous difference to the families who've been  
4 effected by this problem. In fact, it would make all  
5 parents more confident that they can send their  
6 children to a school where they can be secure. And  
7 with Universal Pre-K about to begin this fall, this  
8 is a critical moment to get this done.

9 I've reached out to many of the witnesses  
10 we'll hear from today. And I'm genuinely interested  
11 in hearing your ideas and concerns. Let's talk about  
12 how to fund and implement this fix and what other  
13 measure should be taken down the line or even sooner.  
14 But let's agree to take this first important step in  
15 protecting the children of our city as quickly as we  
16 can before one more child goes missing.

17 Again I'd like to thank Council Member  
18 Dromm for this opportunity and thank Asia Shomberg  
19 and Jan Atwell for their work on the bill and this  
20 hearing. Thank you.

21 CHAIRPERSON DROMM: Thank you very much.  
22 And now I'd like to swear in our first panel. Our  
23 panel consists of Deputy Chancellor Kathleen Grimm,  
24 from the Department of Education, Elayna Konstan,  
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1  
2 from the Department of Education and John Shea from  
3 the Department of Education.

4 Can I ask you raise your right hand  
5 please? Do you solemnly swear to tell the truth, the  
6 whole truth, and nothing but the truth and to answer  
7 council member questions honestly?

8 [Crosstalk]

9 CHAIRPERSON DROMM: Thank you very much  
10 and you may begin.

11 DEPUTY CHANCELLOR GRIMM: Good morning  
12 Chair Dromm and all the member of the Education  
13 Committee who are here today. My name is Kathleen  
14 Grimm, Deputy Chancellor of the Division of  
15 Operations for the Department. Joining me as you  
16 said are Elayna Konstan, who is the Chief Executive  
17 Officer of the Department's Office of Safety and  
18 Youth Development, which we call OSYD and John Shea,  
19 who is our Chief Executive Office for the Division of  
20 School Facilities in the Department.

21 Thank you all for the opportunity to be  
22 here today to discuss Intro 131. Insuring that our  
23 students are safe and secure is our fundamental  
24 responsibility and continues to be a top priority.  
25 OSYD works with schools and school support teams to

1  
2 individualize safety protocols in place and create  
3 procedures to help maintain a safe learning  
4 environment. OSYD also has a collaborative  
5 partnership with the New York City Police  
6 Department's School Safety Division. Together OSYD  
7 and the NYPD develop individual school safety  
8 protocols and procedures, school safety and emergency  
9 preparedness plans and training for school safety  
10 agents and other school based staff. The Division of  
11 School Facilities partners very closely with OSYD on  
12 the entire range of planning safety for our  
13 facilities. The department shares the council's  
14 commitment to insure that the appropriate school  
15 safety systems are in place. Particularly for our  
16 most vulnerable students.

17 Chanceller Farina and I are profoundly  
18 saddened by the tragic loss of Avonte. Avonte  
19 inspires us to every day to better insure that all of  
20 our students are safe and secure in school. In the  
21 wake of this tragedy, we have undertaken a  
22 comprehensive review of our existing safety protocols  
23 and procedures and as a result of this review we have  
24 implemented a number of refinements to those  
25 protocols.

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2 Firstly we codified and enhanced our  
3 missing student protocol. Which outlines the  
4 procedure that must immediately be followed when a  
5 student is reported missing, when a student's  
6 whereabouts cannot be confirmed or when there is a  
7 concern for a student's safety or wellbeing. Among  
8 other protocols schools must be prepared to initiate  
9 what we call a soft lockdown and assign staff to  
10 secure exit doors in an effort to prevent the student  
11 from leaving the building. As part of this  
12 initiative OYSD has provided protocol specific  
13 training for principals, assistant principals, other  
14 designated schools staff, the NYPD police officers  
15 and school safety agents.

16 And I'd like to discuss some of that a  
17 little later, but first I would like to focus in on  
18 what OYSD has done in collaboration with District 75  
19 in implementing the following safety improvements.  
20 Enhancement of the school safety plan to improve the  
21 collection of information regarding District 75  
22 students and relevant safety protocols. SSPs or the  
23 School Safety Plans are designed so that principals  
24 can identify students who have elopement tendencies.  
25 Thereby allowing school administrators and staff

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2 responsible for safety and security, including the  
3 school's safety agents, to become familiar and aware  
4 of the unique ways that these students must be  
5 supported regularly as well as during an emergency.  
6 We have ongoing site visits to buildings that are  
7 newly co-located with District 75 programs and other  
8 schools to review safety protocols and procedures.  
9 These visits include representatives from OSYD,  
10 District 75, the Division School Facilities, the  
11 School Safety Division and the principals of each  
12 school in the co-located campus.

13           These visits also require a review of the  
14 procedures that will be implemented if the District  
15 75 students enrolled are those with conditions that  
16 may include elopement tendencies. Training and  
17 behavioral support and safety protocols for special  
18 education paraprofessionals, OSYD and District 75  
19 staff will continue to collaborate in order to offer  
20 this training annually. We have developed  
21 comprehensive training for school based staff in  
22 collaboration with school leaders, with an emphasis  
23 on training teachers and classroom support staff in  
24 the use of appropriate transitional practices with  
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2 students when proceeding from one area of the school  
3 building to another.

4           We have developed in collaboration with  
5 school leaders, more appropriate arrival and  
6 dismissal procedures that can be implemented in all  
7 school buildings. We have revised the emergency  
8 readiness curriculum that is used to train all staff  
9 and students in the proper use of the general  
10 response protocols to include a supplemental special  
11 needs curriculum. These lessons are reviewed and  
12 revised regularly. We have performed assessments of  
13 District 75 sites to identify those locations in need  
14 of additional two-way radios. And provided training  
15 to enable District 75 staff to communicate more  
16 effectively with school safety agents and building  
17 response team members.

18           Lastly, we are engaging in ongoing  
19 research to identify updated safety systems and  
20 tools. For example, video systems, door alarms,  
21 panic bars, etc., that can be used in our school.  
22 This research includes staff from the NYPD School  
23 Safety Division, School Facilities, OSYD and the  
24 School Construction Authority. For many years OSYD  
25 has provided specialized training to new recruits of



1  
2 the NYPD School Safety Division, on our Chancellor's  
3 regulations, on best practices for supporting  
4 students with special needs, on conflict resolution  
5 and peer mediation.

6           This year we have enhanced our trainings  
7 to provide a more thorough overview of District 75  
8 students and programs. Over the last year we have  
9 redesigned our training for current school safety  
10 agents with an increased focus on students with  
11 special needs. Specifically, these trainings provide  
12 an in depth overview of District 75 program  
13 structures and the needs of the District 75  
14 population as well as highlighting missing student  
15 protocols.

16           The department employs a comprehensive  
17 multi-faceted approach to school safety from  
18 supporting schools to create and sustain an orderly  
19 supportive school climate, to providing professional  
20 development and training on emergency preparedness  
21 and crisis response. This includes system wide  
22 training for various stakeholders working in our  
23 schools. Including principals, assistant principals,  
24 staff from the office of school food, the office of  
25 school health, school facilities, parent

1 coordinators, CEC members and of course school safety  
2 division staff.

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4 Each member of the school community has  
5 an important to play in this effort. And this work  
6 allows each member to develop an understanding of  
7 their responsibilities. Since 2000, all schools have  
8 been required to create a school safety committee,  
9 mandated to meet once a month and to develop a school  
10 safety plan. The committee plays an important role  
11 in establishing and reviewing safety procedures and  
12 recommending additional security measure in response  
13 to emerging needs. The Safety Committee is also  
14 responsible for communicating the responsibilities  
15 and expectations for students and staff to the school  
16 community.

17 These plans are revised each year and are  
18 approved by the department and by the NYPD. Each  
19 school building uses a standard template, but plans  
20 are designed to identify the unique learning  
21 communities that exist across the city as well as the  
22 safety and emergency procedures that are unique to  
23 each building. For example, each plan identifies  
24 specific facility designs, evacuation and relocation  
25 procedures, response teams and protocols activated in

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2 emergencies. And staff and students with conditions  
3 that either limit their mobility or require special  
4 assistance in an emergency. The plans call for the  
5 creation of a building response team, BRT. The team  
6 plays an essential role in coordinating the actions  
7 of students and staff during an emergency until the  
8 first responders arrive. The general response  
9 protocol is designed to provide all schools with the  
10 direction they must take when emergency incidents  
11 occur.

12 Principals and other school based staff  
13 are required to attend a two-hour emergency readiness  
14 training session every two years, provided by OSYD.  
15 This training session covers the general response  
16 protocols, the design of the school safety plan, the  
17 BRT team responsibilities and the missing student  
18 protocol, among other topics. And throughout the  
19 school year borough safety directors hold onsite  
20 assessments to identify additional needs at schools  
21 for targeted training. To complement our safety  
22 protocols, we continue to utilize the new technology.

23 As of May 2014, we have installed  
24 internet protocol digital video surveillance  
25 equipment, better known as cameras, in over 500

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2 buildings serving approximately 870 schools with over  
3 22,000 cameras online. The number of buildings with  
4 these surveillance camera systems is expected to  
5 surpass 600 by the end of 2015. These cameras are  
6 funded in the current capital plan. The camera  
7 application allows authorized school officials to  
8 view live and archived camera images at their  
9 computer stations and provides remote viewing  
10 capability to authorized personnel from borough and  
11 central offices.

12 Historically, the placement of cameras  
13 has been prioritized based on a number of factors.  
14 Including the number of incidents occurring in a  
15 school or on a campus setting. The proposed 2015-19  
16 capital plan allocated approximately \$100 million for  
17 new security systems. And going forward we will  
18 increase our focus on the placement of these systems  
19 using additional criteria, including age range and  
20 special needs of the student population.

21 Intro 131 requires the department in  
22 consultation with the NYPD and principals to install  
23 door alarm systems at the entrance and exit doors of  
24 school buildings serving elementary and District 75  
25 students where the Chancellor deems such door alarms

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2 are appropriate for safety purposes. In addition,  
3 Intro 131 requires the DOE to access and prioritize  
4 each covered school building for the potential  
5 installation of door alarm systems and report its  
6 findings to the Speaker of the City Council at the  
7 end of each calendar year.

8           We share the council's goal to prevent  
9 the unauthorized department of our youngest students  
10 and our students with disabilities. Though the  
11 requirements of the bill are unclear, we have some  
12 concerns regarding the proposed legislation to the  
13 extent that it imposes a legal mandate requiring DOE  
14 to install door alarm systems in all school  
15 buildings, housing elementary and District 75  
16 students. We believe the department should maintain  
17 the discretion to work with schools to implement  
18 individualized safety and security systems, as school  
19 communities have unique safety and security needs  
20 related to their student population, programs and  
21 physical environments. Currently each school  
22 building has designated entrances which are monitored  
23 by school safety agents. In addition each building  
24 has other doors that are locked from the outside but  
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1  
2 must remain unlocked from the inside, pursuant to New  
3 York City Fire Code.

4           During the course of the school day,  
5 these doors are checked by school safety agents to  
6 insure they are secure. Some schools assign staff to  
7 serve as hall monitors during class transitions.  
8 Bathroom monitors, cafeteria monitors, and as  
9 assistants during entry and dismissal times. These  
10 staff members are responsible for interacting with  
11 students in a way that creates a safe environment as  
12 well as reporting any issues that require immediate  
13 attention to school safety and school administrators.

14           As previously mentioned, many school  
15 buildings have surveillance cameras in all entrances  
16 and exits. In addition, a principal may request to  
17 have a door alarm system installed in his or her  
18 school. Typically the cost are covered by the school  
19 and of course OSYD and DSF would do an evaluation in  
20 each case.

21           Students in our District 75 programs have  
22 a range of disabilities and unique needs. As you are  
23 aware, some children with the autism spectrum  
24 disorder can be particularly sensitive to  
25 environmental stimuli such as noise. We have

1  
2 additional concerns regarding how the loud sound of a  
3 door alarm could affect these students. Some  
4 principals have chosen not to install door alarms  
5 because of the propensity for them to be activated by  
6 students or staff in a non-emergency and for other  
7 operational reasons. These include the need to  
8 deactivate the alarms during the day for certain  
9 school activities and at dismissal.

10 For a large and diverse school system  
11 such as ours, there is no one size fits all response  
12 that will prevent a student from leaving a school  
13 building without permission. Door alarm systems may  
14 indeed be a viable option for some schools as one  
15 element of a comprehensive school safety and security  
16 plan. However, no single device can replace the  
17 human element. Elementary school students and  
18 certain District 75 students must be under close  
19 adult supervision at all times during the school day.

20 We share the council's commitment to  
21 insure that our children are safe at school and we  
22 commend the council for its leadership in this area.  
23 We will continue to review our safety protocols and  
24 procedures as well as the installation of other  
25 security technologies, such as silent alarm systems.

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2 We look forward to working with the council on this  
3 very important issue. And with that we are very  
4 happy to take any questions you may have. Thank you.

5 CHAIRPERSON DROMM: Thank you very much  
6 Deputy Chancellor Grimm. I want to say that we've  
7 been joined by Council Member Mark Levine from  
8 Manhattan, Council Member Alan Maisel from Brooklyn  
9 and Council Member Ydanis Rodriguez from Manhattan.  
10 And I think I've got everybody else.

11 Let me start off by asking, can you  
12 describe for me exactly what is the protocol for  
13 identifying or for protecting children who are known  
14 to be elopers? What is done on the school level to  
15 inform the staff, to prevent children from leaving  
16 the building, etc.? What exactly is done on that  
17 school level?

18 CHIEF EXECUTIVE OFFICER KONSTAN: So we  
19 have a couple of things that we have done and are  
20 continuing to do in enhancing. So the missing  
21 student protocol when we believe a young person is  
22 missing. There are specific guidelines and steps  
23 that schools must take if they believe the child  
24 within the building or if they believe the child has  
25 left the building. And that consists of a soft



1 lockdown, having staff at all exits and entrances if  
2 we believe the child is still in the building. If  
3 the child has left the building immediately calling  
4 911. And it's specifically detailed for schools to  
5 follow. In addition to that we have always had in  
6 the school safety plan a section where schools  
7 complete information about limited mobility students  
8 and students with special needs. We are for the  
9 coming school safety plan enhancing that to really...,  
10 because schools have been doing it but now we want  
11 all schools to do it to indicate students who have  
12 elopement tendencies so that the school safety  
13 committee can have access to that information and  
14 share that information and discuss that.

16 In addition to that at the beginning of  
17 every school year, when a new student enrolls in a  
18 school who has these tendencies with the parent, we  
19 introduce the child and the parent to the members of  
20 the committee and the school safety agents so that  
21 they're aware as well. In addition to that there are  
22 curriculum modules that are part of our emergency  
23 readiness approach that really helps schools and  
24 trains schools on what to look for and what to do and  
25 how to support these students as well as whole host

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2 of things. And there is a curriculum for early  
3 childhood, for elementary, for middle and high  
4 school, but also specifically one on students with  
5 special needs. We also have required, this was  
6 midyear this year, required that as part of the  
7 school safety committee and also as part of the  
8 building response team that a member, where there are  
9 District 75 programs and schools that a member from  
10 the District 75 staff must be a member on the BRT.  
11 They have unique and specific content knowledge to  
12 really better support the BRT, when they have to  
13 activate in these kinds of situations.

14 CHAIRPERSON DROMM: Is there occasion for  
15 staff to be informed that certain children may be  
16 elopers or runners so that people can identify if  
17 they see a child who is known to possibly elope at a  
18 doorway, that they know to tell that child more than  
19 just go back to your classroom. That they should  
20 perhaps try to escort that child back to the  
21 classroom. Is there any way in which the DOE has  
22 identified these students without violating any laws  
23 to protect them from actually leaving through a  
24 doorway?

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2 CHIEF EXECUTIVE OFFICER KONSTAN: So that  
3 is part of the school safety committee's  
4 responsibility. They are the safety committee of  
5 each school building comprised of schools within the  
6 campus and we are..., because we really want every  
7 single school now with a District 75 program to add  
8 that information into the school safety plan that  
9 will be enhanced this coming year. So that that  
10 information is there. And also having the District  
11 75 person, staff member on the BRT as well as on the  
12 school safety committee. That person has that unique  
13 knowledge, an additional knowledge to share so that  
14 we can share that information. And you're right, we  
15 always worry about FERPA and we look to our legal  
16 experts to make sure we're not doing anything to  
17 violate privacy rights, but we also want to make sure  
18 that young students, or students with these  
19 tendencies, that staff that need to know, including  
20 school safety agents, know the information so they  
21 can better address the situation if and when it  
22 happens.

23 CHAIRPERSON DROMM: So you feel that  
24 there are ways to be able to identify these children  
25 to staff members without violating FERPA?

1  
2 CHIEF EXECUTIVE OFFICER KONSTAN: I think  
3 we're doing that, and I think we're expanding that.  
4 And if we need to go further on that in terms of  
5 identifying to more people, we'll certainly check to  
6 see whether or not we're doing that. But right now  
7 our current policies have the people that need to  
8 know and who need to give guidance to the school will  
9 have that information. And just recently, the state  
10 came out with their guidelines which we actually had  
11 been doing many of that already and feel that we are  
12 in compliance with the guidelines that the state has  
13 provided.

14 CHAIRPERSON DROMM: And who monitors the  
15 school safety plans? Is there somebody who actually  
16 goes through them to be sure that the schools are  
17 complying with the directives from central?

18 CHIEF EXECUTIVE OFFICER KONSTAN: In  
19 order for a school safety plan to be certified, it  
20 must be reviewed both by DOE, so there are members of  
21 my staff, the Borough Safety Directors who review it  
22 to insure that every aspect of the plan is completely  
23 and accurately completed. And then there's a second  
24 review. It doesn't get certified unless NYPD signs  
25 off on it. As for the ongoing monitoring and

1  
2 insurance, the boroughs safety directors work very  
3 closely with schools within their borough to help  
4 them use these procedures, hone them, make them  
5 better, and answer questions in terms of whether or  
6 not they are understanding what their  
7 responsibilities are.

8 CHAIRPERSON DROMM: So just to be clear,  
9 every school needs to have their safety plan  
10 certified.

11 CHIEF EXECUTIVE OFFICER KONSTAN: So  
12 there are..., so the safety plan contains two parts.  
13 There is a building plan that is for the entire  
14 building. And then for campuses within each of the  
15 school safety plan, there is a specific unique  
16 component for the individual schools that are part of  
17 the building. So, yes, every building must have a  
18 school safety plan certified every single year.

19 CHAIRPERSON DROMM: And those school  
20 safety plans in the schools where you have co-  
21 locations are worked on jointly by all of the  
22 building principals and SLTs in those schools as  
23 well.

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COMMITTEE ON EDUCATION

CHIEF EXECUTIVE OFFICER KONSTAN: They must be worked on jointly in order for them to be able to complete the plan accurately.

CHAIRPERSON DROMM: So for a safety committee meeting, various SLT representation from the different schools in the building would sit down at a safety committee meeting to hash out the plan.

CHIEF EXECUTIVE OFFICER KONSTAN: There are representatives of the school safety committee that are determined by..., they do have representation. Not every school leadership team member, but there is representation from every single school and the school community at large.

CHAIRPERSON DROMM: Okay. Let me just go a little bit in a different before I begin to turn this over to my colleagues as well. Do you know if in schools in other districts, know if they use audible alarms? We've heard reports that some are now using them. That they have installed them. Are you aware of that? How is that done? And how is that working?

[Pause]

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COMMITTEE ON EDUCATION

DEPUTY CHANCELLOR GRIMM: I know that we don't have any specific information as to that. Good idea though, we'll check

CHAIRPERSON DROMM: Because we've heard media reports that they've been installed at a cost of \$160 or there about. And I'm curious to know how that work was done. Where that cost might have come from and how it is working in those schools which have them. Would that be something that would have to have prior approval from facilities, for example?

DEPUTY CHANCELLOR GRIMM: In order to install them?

CHAIRPERSON DROMM: In order to install them.

DEPUTY CHANCELLOR GRIMM: Yes. It would be the Safety Office and Facilities working together.

CHAIRPERSON DROMM: Do you know if those alarms that are in these schools that have them, were they pre-approved to be installed.

DEPUTY CHANCELLOR GRIMM: Sure.

CHAIRPERSON DROMM: So when going into doors, and I kind of know this from the 1990s, there were several classrooms in my building, where they asbestos in the doors. How does one go about

1  
2 installing an alarm unless asbestos abatement is done  
3 and what's the cost of that?

4 CHIEF EXECUTIVE OFFICER SHEA: So if we  
5 were to do an installation and it would be done  
6 through my office, whether it would be with in-house  
7 staff or with a contractor. My environmental health  
8 and safety folks would first test the door and see if  
9 there was asbestos in it. Usually the asbestos would  
10 be on the inside, the insulation. IF there was  
11 asbestos, we would handle it as we would any other...,  
12 it's not as big a deal, to simply drill a hole for  
13 screwing the units into the door frame or the door  
14 itself. It's a relatively minor cost but it's still  
15 an additional cost. And then after those holes were  
16 drilled and the asbestos abatement part was done, we  
17 would do the installation.

18 CHAIRPERSON DROMM: But if the door did  
19 contain asbestos, it would require removal of the  
20 door?

21 CHIEF EXECUTIVE OFFICER SHEA: Not  
22 necessarily. We could do that in place.

23 CHAIRPERSON DROMM: So we've heard also  
24 that during the 1990s that some schools experimented  
25 with this. Do you know how those schools..., how it



1  
2 worked out in those schools. Was it successful?  
3 What was the reaction from the school community,  
4 principals, etc.?

5 DEPUTY CHANCELLOR GRIMM: Well, believe  
6 it or not, I wasn't here then. I was just made aware  
7 of this attempt in the early 90s. And my only  
8 information at this time comes from a New York Times  
9 article. Which said that the program was not a  
10 success and apparently...

11 [Interpose]

12 CHAIRPERSON DROMM: Was not?

13 DEPUTY CHANCELLOR GRIMM: And apparently  
14 petered off. I plan to pursue that to see what the  
15 real details are on it. And when I get that  
16 information, if I get it, I will share it with you.

17 CHAIRPERSON DROMM: Okay. My last  
18 question before I turn it over to my colleagues is,  
19 do you have a school where there are best practices  
20 regarding student safety, prevention of elopement,  
21 has worked well that you can share with other  
22 schools. Are there examples of doing this job well?

23 DEPUTY CHANCELLOR GRIMM: Sure. Yes.  
24 And as you know from earlier testimony from the  
25 Chancellor, one of her initiatives is to identify

1  
2 schools that do have best practices in a particular  
3 area and we can add this, make sure this is in the  
4 mix.

5 CHAIRPERSON DROMM: Can you share that  
6 with us. What exactly that it is that they're doing.

7 DEPUTY CHANCELLOR GRIMM: Sure. I'll  
8 have to go back and identify those schools.

9 CHAIRPERSON DROMM: Okay we would  
10 appreciate that, and maybe even go look at them to  
11 see what's going on.

12 DEPUTY CHANCELLOR GRIMM: Yes.

13 CHAIRPERSON DROMM: Okay. With that I'm  
14 going to turn it over to Council Member Cornegy, who  
15 has some questions. And then we have other follow-up  
16 after that.

17 COUNCIL MEMBER CORNEGY: Thank you Deputy  
18 Commission Grimm for testifying here today. I have  
19 to say that after hearing your testimony I'm actually  
20 a little bit more disturbed than I was in coming in.  
21 Because to know that you've put together such a  
22 robust plan of action and protocols in place and yet  
23 still after Avonte, eight students have left school,  
24 who don't fall in the autism spectrum. So those  
25 eight students outside of Avonte were between four

1  
2 and eight years old. And thank God they weren't...,  
3 there wasn't a tragedy that followed. So I'm just a  
4 little concerned. I mean, that you gave such a  
5 poignant testimony on the amount of time, effort,  
6 energy and money that was spent on these protocols  
7 and after that we still lost eight students. I'm  
8 even more concerned now than I was when I came in.  
9 And just to address the failed 1993 attempt at  
10 implementing this. This bill 131 seeks to alarm the  
11 doors of pre-k through fifth grade and District 75  
12 schools. That pilot program in 93 was 43 high  
13 schools in the city.

14 DEPUTY CHANCELLOR GRIMM: Yes.

15 COUNCIL MEMBER CORNEGY: And the report  
16 was that there was vandalism done to those units and  
17 that it was hard to follow. And it kind of now..., and  
18 the technology used 21 years ago, is a far cry from  
19 the technology today that would be implemented. So I  
20 think its apples and oranges, in terms of 93 till  
21 today. So I just want to state that for the record.  
22 So I've had a chance to read the reports. And have  
23 been brought up to speed on what was implemented then  
24 and it's a far cry. We're intentionally not looking  
25 at junior high schools and high schools because those

1  
2 are not the most vulnerable students unless they're  
3 District 75 students. So that first pilot program  
4 did not do that.

5 DEPUTY CHANCELLOR GRIMM: You may be  
6 correct.

7 COUNCIL MEMBER CORNEGY: So I guess I'm  
8 supposed to ask a question, sorry.

9 DEPUTY CHANCELLOR GRIMM: I look forward  
10 to more information on it myself.

11 COUNCIL MEMBER CORNEGY: So, many of the  
12 students who slipped out of those schools this year  
13 were not disabled and would not have been identified  
14 as having elopement tendencies. A child in the Bronx  
15 slipped out during lunch time because he didn't have  
16 ice cream. Another kindergartener slipped out  
17 because he was looking for his class. Children are  
18 precocious. I have my own children, and they're very  
19 precocious. What I'm asking for here is a safety net  
20 to protect all children in the building by alerting  
21 the responsible adults that an emergency. I don't  
22 understand why having a baseline of being door alarms  
23 and then supplement that with proper training, and  
24 the necessary skill set to deal with not only  
25

1  
2 children who are eloping but 4,000 plus new students  
3 that will be entering UPK.

4 I want to also point out specifically  
5 that those children. The eight cases, were between  
6 four and eight years old, which signifies a great  
7 chunk of new students that will be coming in who've  
8 left already. So I just..., I'm very concerned with  
9 the plans that have already been implemented and  
10 increasing a plan that doesn't work doesn't make much  
11 sense. And why we wouldn't just baseline this by  
12 having the alarms on as a primary aversion to  
13 children leaving the school and then implement all  
14 the other proposals that you're having as well.

15 DEPUTY CHANCELLOR GRIMM: Well we share  
16 your concern. I think as I've said earlier, our  
17 position is that door alarms may indeed be exactly  
18 what we need in certain circumstances and the  
19 department simply wants to have the discretion to  
20 take a look at its whole basket of tools and apply  
21 those that are most appropriate in any given  
22 situation. It's a large system, it's a complicated  
23 system. We have principals also who have their own  
24 views. And their roles are so crucial in our safety  
25 planning and our response to any kind of crisis,

1  
2 including a missing child that we need to take their  
3 views into account also.

4 COUNCIL MEMBER CORNEGY: I hope that  
5 you'll excuse me and pardon me when I say that the  
6 first priority and the first focus can't be on  
7 principals in this case. It has to be on our  
8 children. So I know that there should be input from  
9 all stakeholders, including security who the union  
10 has said that they would love to see a supplement to  
11 what they're required to do based on the small number  
12 that they're given in order to provide security. So  
13 we know that we've already spoken to them. So there  
14 are stakeholders here who believe that as a  
15 supplement to what's already in place. This tool  
16 could actually aid in the safety of children.

17 I don't want to get mixed up in the weeds  
18 about who's who and what's what. I really want to  
19 make sure that by the time September rolls around and  
20 we welcome these new students, we have a safety  
21 protocol in place that will be welcoming.

22 CHAIRPERSON DROMM: Okay, thank you.  
23 We're going to go to Council Member Mark Levine,  
24 followed by Council Member Ydanis Rodriguez.

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2 COUNCIL MEMBER LEVINE: Thank you Mr.  
3 Chair. I want to commend Council Member Cornegy for  
4 leading us forward on this critical issue and  
5 introducing the legislation. And I want to commend  
6 you Chair Dromm on pushing this quickly through on  
7 the agenda. Thank you. And I really want to just  
8 remark how impressed I am at the turnout of this  
9 hearing. I know many of you here are families of  
10 wonderful, beloved special need kids. And thank you  
11 for channeling your passion and love for them into  
12 this constructive process. It's really critical to  
13 us and I thank you for it.

14 I want to make the important point that  
15 as critical as door alarms are, and they are  
16 critical, that by the time a child pushes their way  
17 through that door, alarm or no alarm we've already  
18 failed. Our system has failed, and we have failed  
19 that child. We have to do everything in our power to  
20 make sure that that child never gets to the point  
21 where they're pushing through that door. I think  
22 there's universal agreement on that and you've spoken  
23 some to that. And there have been some good  
24 questions so far on that. What does that mean?

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2 We're now in a situation where more and  
3 more special need kids are in general education  
4 schools. That's great for all kinds of kids. But it  
5 puts us in a situation where you have a large staff  
6 which may not be fully aware of the challenges of  
7 some of the special students. They may not be  
8 trained to identify behaviors that may be indicating  
9 that a child is about to run. Might not be trained  
10 to handle such behavior if they witness it. A school  
11 might not have the kind of strict protocols in place.  
12 For example that would never allow a child prone to  
13 running to walk unescorted, even to the bathroom.  
14 You can't leave a child who's prone to running  
15 unescorted in any circumstance. Because that trip  
16 down the hall with the bathroom pass could take a  
17 detour to an outside door.

18 The new teachers' contract allows for 80  
19 minutes of additional professional development, I  
20 believe each week. I think it's critical that we  
21 devote some of that time to training staff. And the  
22 first training of September, why not make that  
23 citywide, a school safety training day. And for any  
24 school that has even one special needs child prone to  
25 running, we focus exclusively on that issue.



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2 Now that's for teachers. But school  
3 buildings have a wide diversity of staff. Every  
4 class of which needs to be adequately prepared to  
5 deal with this. School safety officers, lunchroom  
6 staff, even custodians. Any adult could be the one  
7 to see a child exhibiting behavior that might  
8 indicate they're about to run. So this is a massive  
9 training challenge that has to extend not only to  
10 pedagogical staff and paras, but to everyone who  
11 touches a child. And my time is up, so I'll just  
12 allow you to respond about this need for a truly  
13 comprehensive approach. Thank you.

14 DEPUTY CHANCELLOR GRIMM: We couldn't  
15 agree with you more. It's absolutely imperative that  
16 we make sure that every adult in the building is  
17 aware that he or she has a role in protecting every  
18 single child in the building. And that person has to  
19 be trained on what the correct responses are. And  
20 there's a whole gamut of those responses. And that's  
21 exactly what we're working with many groups, all the  
22 stakeholders involved in any school building on  
23 training. You're absolutely right.

24

25

CHAIRPERSON DROMM: Okay thank you.

Council Member Ydanis Rodriguez, followed by Council Member Alan Maisel.

COUNCIL MEMBER RODRIGUEZ: Thank you Chair. And first I would like to thank you for the leadership of this committee and also the DOE for being here and looking for solutions to this critical problem. You know that it would take for everyone to come together to keep our students safe. It's your mission and it's our mission too. And I think that, for those who have that experience of family in not knowing where the children are, as that happened in the last couple of months and ended with a child to be dead is something that I hope that it will not happen again.

My question is one about the safety of the students who are in the trailers. As we are looking to be sure that the exits of the doors are safe, but what about those students that are taking classes in the trailers. And I in particular will bring one case in Upper Manhattan, which is at PS-48 trailers that sit in the school yard which is open to the street. And this provides an opportunity for children to easily walk out or for random people to

1  
2 easily walk in. Security guards do not sit at these  
3 gates and parent and teachers worry about an incident  
4 occurring. My office and Chairman Danny Dromm and  
5 Manhattan Borough President, we send a letter to you  
6 yesterday on that regard, on those trailers at PS-48  
7 and I wonder if you had the opportunity to review the  
8 letter and what is the DOE doing to be sure that  
9 students who are taking classes in the trailers, they  
10 are also safe.

11 DEPUTY CHANCELLOR GRIMM: Well I haven't  
12 seen the letter yet. But will certainly be  
13 responsive to whatever it addresses specifically.  
14 But for purposes of safety of course, any school with  
15 the TCUs, the TCUs are part of that school and the  
16 school safety plan must cover the children and the  
17 staff.

18 COUNCIL MEMBER RODRIGUEZ: For purpose of  
19 timing, have you had the opportunity to review that  
20 letter that we sent?

21 DEPUTY CHANCELLOR GRIMM: I have not seen  
22 the letter, but I think we have visited the school.  
23 John?

24 CHIEF EXECUTIVE OFFICER SHEA: Yes, I was  
25 actually forwarded a copy yesterday and I had my

1  
2 staff go out there yesterday afternoon. There were  
3 some minor issues, particularly with the flooring in  
4 those trailers that we're handling from a facilities  
5 perspective. So we are aware of it and we are going  
6 to take care of whatever we need to take care of.  
7 We're also talking with the UFT and making sure that  
8 they're comfortable with the work that we've done in  
9 there, as well.

10 CHAIRPERSON DROMM: Okay. Now we'd like  
11 to go to Council Member Alan Maisel, followed by  
12 Council Member Reynoso and then Chin.

13 COUNCIL MEMBER MAISEL: Thank you Mr.  
14 Chairman. Good morning Deputy Chancellor and  
15 companions. Many years ago when I became dean of a  
16 junior high school, a long, long time ago, the  
17 principal told me that schools are designed to keep  
18 intruders out, not keep students in. By the very  
19 nature of how buildings are constructed. As a former  
20 building supervisor myself, I would have been  
21 overjoyed at the thought that I had some way of  
22 making sure that kids didn't sneak out of the  
23 building. Disabled or not.

24 But I read your testimony very carefully  
25 and some of the things that are in this testimony

1  
2 seem to be irrelevant. For example, during the  
3 course of the school day, these doors are checked by  
4 school safety agents to insure that they are secure.  
5 Alright, that's nice. But that's to keep the people  
6 from coming in. It has nothing to do with making  
7 sure that the kids are staying in the building.

8           The other thing I was wondering is why do  
9 you think principals should be responsible for paying  
10 for alarms out of their own budget? I mean, are the  
11 schools so flush with money that they can afford to  
12 spend whatever the cost is to put in alarms. It  
13 makes no sense to me.

14           DEPUTY CHANCELLOR GRIMM: Frankly, it  
15 depends. Very often the central office will pay for  
16 alarms. If we take a look at a school and we feel  
17 it's necessary or appropriate.

18           COUNCIL MEMBER MAISEL: Well, but it says  
19 here, cost typically covered by the school. Why  
20 would the schools have to pay for any of it?

21           DEPUTY CHANCELLOR GRIMM: Well if a  
22 school requests door alarms, and we go in and we  
23 don't feel they're necessary, but they still want it.  
24 If they want to pay for it they can.

1  
2 COUNCIL MEMBER MAISEL: Well it seems to  
3 me that if a principal asks the Department of  
4 Education should pay for it. But that's my own  
5 opinion.

6 DEPUTY CHANCELLOR GRIMM: Okay.

7 COUNCIL MEMBER MAISEL: And lastly, I  
8 just..., I'm quite curious. What is your data that  
9 says some principals have chosen not to install door  
10 alarms because of the propensity for them to be  
11 activated by students or staff in a non-emergency? I  
12 seems to be that, first of all, I can't imagine too  
13 many principals saying, gee I don't want audible  
14 alarms because, for whatever reason. I just can't  
15 imagine what the rationale would be. But if a door  
16 is alarmed and it's opened and there's a signal that  
17 says someone is trying to leave the door. It seems  
18 that would be a signal for the school safety agents  
19 to go to that door and find out who's doing it. Now  
20 it could be a prankster who's opening the door and  
21 then closing it, that's possible. But that's what  
22 the school safety agent is supposed to do. But  
23 typically small schools do not have many safety  
24 agents. So, in the school I was in we had two. Some  
25 schools have three. High schools have many more.

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COMMITTEE ON EDUCATION

DEPUTY CHANCELLOR GRIMM: But all schools have at least one.

COUNCIL MEMBER MAISEL: I understand that. But they're supposed to be at the desk. So if they get up out of their desk. Who's going to watch to make sure who's coming into the building? So the idea that there are school safety agents, that great. I'm all in favor of it. Back in 1968 when I became a teacher, we didn't have school safety agents. We were at the mercy of whatever happened in our community. So I'm curious if you could make some comments about that.

DEPUTY CHANCELLOR GRIMM: Well, I can't speak for all of our principals, but I do know, for example, that there are buildings that have door alarms where the principals have asked or had disabled them, so that they're not working. Each principal has an individual, a very individual approach to his or her school.

CHAIRPERSON DROMM: Okay. Council Member Reynoso, followed by Council Member Chin.

COUNCIL MEMBER REYNOSO: Thank you guys for testifying. I just want to ask two questions in hopes that I can get some answers that can help me

1  
2 through this process. There was a time, I guess,  
3 where we didn't have fire alarms, and in order to  
4 save lives we thought we needed to build a foundation  
5 or put forth a foundation that cared more about  
6 saving a life than anything else. I'm pretty sure we  
7 have protocols, exits, means of egress, fire escapes.  
8 But the alarms are the first step, the first sound to  
9 getting us to know that we have to leave our  
10 apartments. We have dogs, cats, elderly, youth,  
11 disabled, special needs, tall, short, black and  
12 brown. Every single type of person is hearing that  
13 alarm and knows they need to get out. It's a step  
14 that extremely important, I believe. And I just  
15 don't see why we would give the authority or the  
16 ability to figure out whether or not you need an  
17 alarm, to a principal or school safety team. We  
18 don't do that for buildings. We don't allow the  
19 landlord or the tenants to figure out whether or not  
20 they want this alarm. It's just there and it saves a  
21 lot of lives. So I just want to know why we can't  
22 take that step and just make it happen.

23 DEPUTY CHANCELLOR GRIMM: Well as I said  
24 before, the Department would prefer to retain its  
25



1  
2 discretion to decide which tools are the appropriate  
3 tools in any particular building.

4 COUNCIL MEMBER REYNOSO: And for us,  
5 we're concerned because eight kids have left after  
6 you've put in your protocols. So it's kind of like  
7 we need to step in to do the work to make sure that  
8 we don't have eight more children in the next school  
9 year. So just understand our urgency in the need to  
10 protect our children.

11 I also want to speak to non-audible  
12 alarms. Visual alarms. Technology is at its best at  
13 this moment. I know switchboards, that when a door  
14 gets opened, a light pops up on a switchboard, where  
15 the school safety agent can be sitting and on every  
16 single door. And it's just modern technology. A car  
17 alarm now. People walk around with beepers and know  
18 that they're cars went off and they can be three  
19 miles away. It doesn't matter where they are. But  
20 whatever it is, there's notice that this door's open  
21 and somebody needs to go there quickly. Every minute  
22 we spend without going after that child is too long.  
23 It can mean the difference between finding them  
24 losing them forever. So we just want to let you know  
25 that we're expressing a level of urgency in the city

1 council. Because we think every single child's life  
2 is important. As do you. I don't want to imply that  
3 you're not. But we just think that we need to go a  
4 little more. We need to do more to save these lives.

5  
6 DEPUTY CHANCELLOR GRIMM: Understood.

7 COUNCIL MEMBER REYNOSO: Thank you.

8 CHAIRPERSON DROMM: Council Member Chin,  
9 followed by Council Member Cornegy and then Council  
10 Member Deutsch.

11 COUNCIL MEMBER CHIN: Thank you Chair.

12 Umm, good morning Chancellor.

13 DEPUTY CHANCELLOR GRIMM: Good morning.

14 COUNCIL MEMBER CHIN: In your testimony,  
15 you were talking about that already there are 500  
16 buildings that have the surveillance cameras. And so  
17 that affects about 870 schools and there's going to  
18 be more. How many of those schools are District 75  
19 schools?

20 DEPUTY CHANCELLOR GRIMM: Do we know  
21 that?

22 [Background talk]

23 COUNCIL MEMBER CHIN: I guess to follow-  
24 up with that question is that we have the security  
25 cameras, so are those cameras being monitored

1  
2 constantly by the school security agents? Because if  
3 you have cameras, you know for the doors, if people  
4 are going out of doors or coming in illegally, that  
5 at least somebody is watching.

6 DEPUTY CHANCELLOR GRIMM: Yes. That can  
7 be a much more effective piece of equipment  
8 basically, than even a door alarm, perhaps in certain  
9 circumstances. So the idea is all of those cameras  
10 are monitored throughout the day.

11 COUNCIL MEMBER CHIN: So another question  
12 relating as my colleagues were talking about, in  
13 terms of protocols and training. So right now, what  
14 is the protocol if a teacher or a school aid or a  
15 staff discover that a kid is missing from a class?

16 DEPUTY CHANCELLOR GRIMM: Do you want to  
17 talk about the protocol once a child is discovered  
18 missing?

19 CHIEF EXECUTIVE OFFICER KONSTAN: So we  
20 have to determine one of two things. Did the child...  
21 do we know if the child left the building? In  
22 schools that IPDVS or if somebody spots the young  
23 child or older child leaving the building, then 911  
24 is called and the protocol to that is activated. If  
25 we don't know whether the child left the building.

1  
2 The child could be missing inside the building. The  
3 school immediately activates a soft lockdown and the  
4 BRT members are activated as well as staff in the  
5 schools go to all of the exits to activate the  
6 shelter in procedure. So that we can now search in  
7 the building to see where that student is located.

8 COUNCIL MEMBER CHIN: So when you're not  
9 sure then you do both.

10 CHIEF EXECUTIVE OFFICER KONSTAN: That's  
11 correct. If we don't know that the child left the  
12 building, immediately the school does a soft lockdown  
13 and activates its protocols for sheltering in so we  
14 can do a search inside the building.

15 COUNCIL MEMBER CHIN: Okay, so you still  
16 have to get back to me in terms of how many cameras  
17 are in District 75 schools. But my last question is  
18 that, really in terms of the training. And I know  
19 that the UFT has made a suggestion about putting stop  
20 signs at the door that students are not supposed to  
21 leave from. What do you think about that idea? So  
22 that at least there's some notice there, that people  
23 should not be using those doors to exit the building.

24 DEPUTY CHANCELLOR GRIMM: We'll have to  
25 take a look at that idea. We work very closely with

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UFT on all of these issues. So we'll talk to them about that.

COUNCIL MEMBER CHIN: I mean definitely, when you talk about a comprehensive plan, that may be something that is not that expensive. That at least part of the training for the students, for the teacher. It's kind of reinforced by saying that these are not the doors that you should exit.

DEPUTY CHANCELLOR GRIMM: Understood.

COUNCIL MEMBER CHIN: That you should exit through the main entrance. Do have the number of the schools?

DEPUTY CHANCELLOR GRIMM: Yes. 137 buildings. I don't think we have the schools, do we?

[Background talk]

COUNCIL MEMBER CHIN: 137 that have District 75?

DEPUTY CHANCELLOR GRIMM: 137 buildings that have a District 75 program in them.

COUNCIL MEMBER CHIN: So is the priority going to install cameras in all the buildings that have District 75 schools?

DEPUTY CHANCELLOR GRIMM: Priority is looking at buildings that have special needs

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2 population. We have also many incidents in a school  
3 that will bring that school right up to the top of  
4 the list. And if you have any suggestions for  
5 criteria that you think we should be looking at,  
6 we're happy to evaluate it.

7 COUNCIL MEMBER CHIN: Thank you. Thank  
8 you chair.

9 CHAIRPERSON DROMM: Okay. Council Member  
10 Cornegy, followed by Council Member Deutsch.

11 COUNCIL MEMBER CORNEGY: So because I've  
12 had the displeasure of being intimately involved with  
13 the eight cases after Avonte. What I've noticed is a  
14 very consistent missing timeframe from between 15  
15 minutes to an hour in every case. So the soft  
16 lockdown and those kinds of things didn't happen in  
17 any of those eight cases. In one case, the school  
18 did not know the child was missing until the parents  
19 brought him back to school. So to me, that  
20 particular protocol which may be particularly for  
21 children with disabilities. I guess that's what that  
22 protocol is for left out eight other children. And I  
23 can't tell you. That family's not here today,  
24 unfortunately, but I can't tell you the shock the  
25 horror that the family had when they returned to the

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2 school with the child and the look on the security  
3 agent, principal's face when they returned with the  
4 student and they were assured that the student was  
5 somewhere in the building. And that child was four  
6 by the way. So, there's no protocol that you've  
7 mentioned or detailed for me today that includes,  
8 non-district 75 students for their missing protocol.  
9 All eight were missing from between 15 minutes to an  
10 hour before there was any recognition that they were  
11 gone.

12 DEPUTY CHANCELLOR GRIMM: I don't have  
13 information on that do you?

14 [Background talk]

15 COUNCIL MEMBER CORNEGY: And before you  
16 answer, I don't know what your protocol for being  
17 random incidents is, but to me eight doesn't  
18 constitute individual incidents. Right, so you know,  
19 sometimes, we have this, well two or three, if it  
20 happens throughout the city. Certainly eight with a  
21 consistent time from between 15 minutes to an hour,  
22 we're just lucky we dodged a tremendous bullet that  
23 there was no tragedy in any of those eight cases.  
24 And those are eight that we know about.

25

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2 DEPUTY CHANCELLOR GRIMM: I agree. We  
3 are very lucky. It is not perfect. And that is why  
4 we are working and have been working so hard at  
5 trying to reinforce the training aspect of our  
6 responses. Because that's the most important thing.  
7 To make sure that every adult in the building is  
8 trained and is aware of what his or her  
9 responsibilities are, in terms of every single child  
10 in that building. And we are not going to give up on  
11 trying to make that a perfect world.

12 COUNCIL MEMBER CORNEGY: And while I  
13 agreement with you in terms of training, I think that  
14 one of the trigger points for that training to begin  
15 to kick in should be the alarms. So I want to say  
16 that the alarm being the trigger point and then there  
17 should be a set of protocols. When I've had the  
18 opportunity to discuss this bill, both publically and  
19 privately, one of the things we've talked out was  
20 instituting the same protocol around fire alarms.  
21 Where you have a fire safety captain, because when a  
22 fire alarm goes off you don't sit in your class and  
23 wait for the security agent to tell you what to do.  
24 There's a protocol in place that includes a fire  
25 captain to some degree, and those kinds of things. I



1  
2 think those same protocols implemented here when a  
3 door alarm goes off, mitigates the circumstance until  
4 which time a security agent can get involved.

5 Because I know that part of the concern with the  
6 alarm was that it then drew the security agent away  
7 from the desk, potentially if hears the alarm. But  
8 there are protocols in place that I detailed in my  
9 report which would allow for a similar protocol  
10 that's available when there's a fire alarm. Which is  
11 a fire captain, a fire safety agent and those three  
12 people closest to the actual alarm would act and  
13 cover each other and those kinds of things. So we've  
14 kind of gone through it to some degree. No to the  
15 length of which you probably have, because that's  
16 your job. But we have tried to be as assisting as  
17 possible in making the bill. So we didn't just drop  
18 the bill on the ground. We really worked hard to  
19 make sure that it included that staff. That it was  
20 inclusive of protocols and trainings necessary in  
21 those kinds of things. I just wanted to point that  
22 out.

23 DEPUTY CHANCELLOR GRIMM: Thank you.

24 Could you share copies of those reports with us?  
25

1  
2 COUNCIL MEMBER CORNEGY: It would be my  
3 pleasure.

4 DEPUTY CHANCELLOR GRIMM: Great. Thank  
5 you.

6 CHAIRPERSON DROMM: Okay. Council Member  
7 Deutsch.

8 COUNCIL MEMBER DEUTSCH: Thank you Chair.  
9 Good morning. Sometimes an elected official puts in  
10 legislation because of something that maybe common  
11 sense and other times they put in a piece of  
12 legislation because of a personal experience they may  
13 have had that needs to bring some attention to it.  
14 Now when I visited one of my D-75 schools in my  
15 district, there was several doors, and I wasn't sure  
16 which door was the main entrance, and I did enter  
17 through a back door and it was unlocked and I passed  
18 right through the school safety offices. And finally  
19 when I got in, one school safety officer stopped me  
20 and asked me what I was looking for. So I explained  
21 that I had a meeting here and he asked me how I got  
22 in. And I pointed to one of the rear doors which I  
23 just walked right in and they were kind of shocked.  
24 So this legislation is not just something that I had  
25 personal experience walking through a back entrance

1  
2 of a D-75 school, but also something to me that is  
3 common sense. So I just wanted to bring this to your  
4 attention because it happened to me and I was able to  
5 walk in and I think this piece of legislation is just  
6 common sense to protect all of the special needs  
7 children. So thank you.

8 DEPUTY CHANCELLOR GRIMM: Thank you.

9 CHAIRPERSON DROMM: Thank you Council  
10 Member Deutsch. So, in some of your testimony as  
11 well as I've heard from some experts as well. Some  
12 people feel that audible alarms may not be  
13 appropriate. Is there an education reason for that  
14 or a..., why not?

15 DEPUTY CHANCELLOR GRIMM: There could be  
16 many reasons. As I said earlier, there's no one size  
17 fits all in a system this big. I know we have in  
18 some cases, principals who have concerns about the  
19 noise itself, because there are certain children who  
20 are upset by such noises. I know there are also  
21 principals who find the noise..., the principals for  
22 example, disable their alarm systems. They find it  
23 disruptive and not very conducive to actually  
24 providing a secure environment for the children. So  
25 there could be many reasons which is why I think

1  
2 we're so interested in making sure that we have  
3 discretion to create the right environment and have  
4 the right equipment in our schools based on whatever  
5 the unique situation is of the building we're looking  
6 at.

7 CHAIRPERSON DROMM: So that addresses one  
8 component of it. And actually what I was referring  
9 to is that some people..., some educators have told me  
10 that the noise is actually very disturbing to  
11 autistic children themselves.

12 DEPUTY CHANCELLOR GRIMM: Yes.

13 CHAIRPERSON DROMM: Is that a concern in  
14 this case?

15 DEPUTY CHANCELLOR GRIMM: Yes, very much  
16 so.

17 CHAIRPERSON DROMM: How do autistic  
18 children respond to loud noises?

19 DEPUTY CHANCELLOR GRIMM: Gary, can you  
20 let him sit here for a minute?

21 [Background talk]

22 DEPUTY CHANCELLOR GRIMM: I would like to  
23 ask Mr. Gary Hecht to come up. He is the  
24 Superintendent of District 75 and best able to  
25 answer.

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2 CHAIRPERSON DROMM: Mr. Hecht, I have to  
3 swear you in. Can you just raise your right hand and  
4 do you solemnly swear or affirm to tell the truth,  
5 the whole truth and nothing but the truth, and to  
6 answer council member questions honestly?

7 SUPERINTENDENT HECHT: I do.

8 CHAIRPERSON DROMM: Thank you.

9 SUPERINTENDENT HECHT: Students with  
10 autism have difficulty and sensitivity to noise, many  
11 of them. And they react to a fright and flight mode  
12 when there's loud noises. Not all students, but many  
13 of them. So it becomes very difficult and they have  
14 a difficult time navigating the environment. So it's  
15 something that we're as educators, work with our  
16 students, but many times you will see students  
17 without loud noises will be covering their ears. So  
18 it becomes very difficult for that population of  
19 students.

20 CHAIRPERSON DROMM: So it's potentially,  
21 if there were audible alarms in schools, could work  
22 in the opposite direction of where it is that we want  
23 to go with this piece of legislation as well.

24 SUPERINTENDENT HECHT: Possibly.  
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2 CHAIRPERSON DROMM: How about the use of  
3 stop signs on doors. I've also heard from educators  
4 that actually putting a stop sign, like what you  
5 would see on the street, does have some effect on  
6 autistic children. Have you heard that? And have  
7 you seen any effects with that?

8 SUPERINTENDENT HECHT: Yes. We do travel  
9 training for the City of New York and several of our  
10 students have autism. And again we prepare them for  
11 the environment, so having that opportunity in a  
12 classroom, we do this in a classroom as well and  
13 within a school community makes them realize what the  
14 need is outside in the environment. So having that  
15 up would not be a problem for our students. It would  
16 just enhance the opportunity for them to understand  
17 the danger.

18 CHAIRPERSON DROMM: And basically, I  
19 mean, I don't know if that's the complete answer. I  
20 think it's a combination of all of the above that  
21 we're talking about here. But that would seem to be  
22 a relatively very inexpensive thing to do. To put  
23 decals on all of the doors that simply look like a  
24 stop sign and say "stop". And as a very first  
25 approach to dealing with this, I think actually that

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2 should probably be done immediately. And I'm  
3 wondering if that has been thought about?

4 DEPUTY CHANCELLOR GRIMM: I'm speaking  
5 for myself. I haven't thought about it. But we will  
6 certainly explore that as a possibility.

7 CHAIRPERSON DROMM: I don't think I have  
8 questions from anybody on the panel, but I do want to  
9 say before we go to the next panel of people to give  
10 testimony, that we're going to request some written  
11 protocol from the DOE on what is expected to be done  
12 when a child goes missing so that we can have that  
13 formalized. We'd also like to ask for the number of  
14 schools that do have alarms. And the number of 75  
15 schools that have alarms and video in them, if you  
16 could break that down for us that would be very  
17 helpful to us. And which schools they are. And the  
18 cost component. Have you come up with a cost  
19 component, if alarms were to be installed in all of  
20 the schools? How much that might cost?

21 DEPUTY CHANCELLOR GRIMM: We're looking  
22 at a number in the neighborhood of \$9 million.

23 CHAIRPERSON DROMM: \$9 million.

24 [Background talk]

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2 CHAIRPERSON DROMM: And if you could  
3 break that down for us that would be very helpful to  
4 us as we move down the path.

5 DEPUTY CHANCELLOR GRIMM: In terms of  
6 equipment and labor, sure. We can do that.

7 [Background talk]

8 CHAIRPERSON DROMM: Okay. Council Member  
9 Deutsch does have one follow-up question.

10 COUNCIL MEMBER DEUTSCH: Thank you Chair.

11 CHAIRPERSON DROMM: Just let me say we've  
12 been joined by Council Member Debbie Rose.

13 COUNCIL MEMBER DEUTSCH: I founded an  
14 organization over 22 years ago, that's an emergency  
15 response. I personally responded to calls of  
16 autistic children that ran away and we worked very  
17 closely with the New York City Police Department in  
18 giving out leaflets and flyers. Now what I  
19 understand is, and correct me if I'm wrong, that  
20 autistic children have a fascination with trains. Is  
21 that correct? Now we have found in the past year  
22 that autistic children were found on trains and  
23 trains do make a lot of noise. And schools do have  
24 fire alarm systems that make noise and some of the  
25 doors, you know, that would have audible alarms,



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2 those doors probably shouldn't be used on a daily  
3 basis. Right? I guess the front doors, it's mostly  
4 I guess the back entrance doors, so it's not  
5 something that's constantly going to be ringing on  
6 and off. And if..., from my experience if autistic  
7 children travel on trains and they can sit on the  
8 train for many, many hours. Because sometimes the  
9 child is found after 12 hours and sometimes after 24  
10 hours, by a transit cop. So to me when you tell me  
11 that the noise bothers an autistic child but there's  
12 plenty of noises that they go through when they do go  
13 missing that have noise and, you know, I don't see  
14 how that has to do with not putting alarms in.

15 DEPUTY CHANCELLOR GRIMM: What Dr. Hecht  
16 said, I believe is that it effects children. And  
17 that is exactly why the department wants to retain  
18 some discretion in where we put door alarms. We do  
19 have door alarms. They are in our tool kit. But we  
20 just want to retain discretion to place them where we  
21 think appropriate. And if for example a District 75  
22 program or school felt it had a child who would be  
23 upset, we wouldn't use a door alarm in that building.  
24 In another District 75 building, we might.

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2 COUNCIL MEMBER DEUTSCH: Well autistic  
3 children are special children and they're very smart.  
4 And we teach autistic children many different things,  
5 and maybe would should have some type of education  
6 that, you know, there are alarms on doors and this is  
7 the noise the door makes. And just to educate them  
8 to teach them to teach them, and this way if they  
9 hear some type of an alarm going off, they should  
10 know what it is.

11 SUPERINTENDENT HECHT: Many students with  
12 autism have processing difficulty. So this is what  
13 we work with our students on. And we prepare them  
14 for the world and their environment, but it's a  
15 difficult process and I agree that it works for some  
16 and it does not work for all. And that's why we in  
17 District 75 have the most challenged students because  
18 they're so different. And they're a unique  
19 population of students that require intense  
20 therapeutic intervention with our students.

21 COUNCIL MEMBER DEUTSCH: And so what  
22 effect would the noise have?

23 SUPERINTENDENT HECHT: The noise would be  
24 a fright and flight for some kids, and they would go  
25 running out the door and they would knock people over

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and it doesn't matter if you're 500 pounds or not, they'll leave, they'll just knock you over to get out of the building because of the fright level. So that's how it's perceived. So again, it's different for student. So I agree with what you're saying, but again we have to remember that they're so different, every student.

COUNCIL MEMBER DEUTSCH: An autistic child..., if an autistic child goes missing, it's sometimes more frightening when they are being chased down the street.

SUPERINTENDENT HECHT: Absolutely. Yes.

COUNCIL MEMBER DEUTSCH: So we have to weigh the pros and cons here. Thank you.

[Background talk]

CHAIRPERSON DEUTSCH: Okay. Thank you very much. I appreciate you coming in today and giving testimony. We will be following up with you after this.

DEPUTY CHANCELLOR GRIMM: Excellent. Thank you very much.

UNIDENTIFIED MALE: Deputy Commissioner, if it's at all possible, if you could just stay and hear some of the testimony. Because it's one thing

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2 to hear it from me, but there are some people here  
3 today that I really think if you just allow a little  
4 bit of time to hear, it would be incredible.

5 DEPUTY CHANCELLOR GRIMM: I can stay for  
6 a few minutes, but I'm going to leave staff here to  
7 hear everything.

8 UNIDENTIFIED MALE: Thank you.

9 CHAIRPERSON DROMM: Thank you and I do  
10 want to say that we have received some testimony for  
11 the record. One from Sonya Julius, or Julian, it's a  
12 little hard to read. I think its Julian. In support  
13 of the legislation. And one from the advocates for  
14 children who would like to see the legislation  
15 expanded to include a multi-faceted approach to  
16 institutionalizing school safety.

17 And with that, I'm going to bring up our  
18 next panel. Just let me get those names and we will  
19 call them up.

20 [Background talk]

21 CHAIRPERSON DROMM: So these will be our  
22 next panel. Carmen Alvarez, the Vice President for  
23 Special Education, UFT, Reggie Colvin from District  
24 75, Special Rep UFT, Analia Gerard, District 75

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2 Special Rep UFT and Jeremy Hoffman, Special  
3 Representative UFT.

4 [Pause]

5 CHAIRPERSON DROMM: And I would like  
6 people know that we do have to be out of this room at  
7 1:00 due to the fact that another hearing will be  
8 held here. So I'm going to hold people after this to  
9 the time limit.

10 Okay, I'm going to ask the members of  
11 this panel to please raise your right hand. Mr.  
12 Hoffman, thank you.

13 Do you swear or affirm to tell the truth,  
14 the whole truth and nothing but the truth and to  
15 answer council member questions honestly?

16 [Crosstalk]

17 CHAIRPERSON DROMM: Okay. Would you  
18 please begin?

19 VICE PRESIDENT ALVAREZ: Good afternoon.  
20 Is it good afternoon? Well it's still good morning.  
21 Good morning. My name is Carmen Alvarez and with me  
22 I have Analia Gerard, she is the District  
23 Representative for District 75, Reggie Colvin, who is  
24 a special rep for District 75, specifically regarding  
25

1  
2 paraprofessionals. And with me over here is Jeremy  
3 Hoffman, Director of Childcare Policy for the UFT.

4           Again I am Carmen Alvarez and I am the  
5 UFT's Vice President for Special Education. On  
6 behalf of our President Michael Mulgrew and our  
7 200,000 members, we want to thank, Speaker Mark-  
8 Viverito, Chairman Dromm and the City Council for the  
9 opportunity to testify before you today.

10           I'd like to begin by commending you for  
11 your attention to the safety and the security of New  
12 York City students and by acknowledging Council  
13 Member Cornegy and other sponsors of the law for  
14 raising the visibility of this very critical issue.  
15 The UFT maintains a continual focus on safety in our  
16 schools. Nearly 7,500 children in District 75  
17 schools and over 1,000 more are attending  
18 neighborhood schools, have been diagnosed with  
19 autism. And I know you realize the incidents of  
20 running, wandering or elopement is significantly  
21 higher among this group of children. However we also  
22 have general education students as was mentioned  
23 before, the Pre-K young people as others as  
24 Councilman Cornegy have mentioned who are prone to  
25 running, wandering or eloping.

1  
2 Teachers, paraprofessionals, and guidance  
3 counselors, school safety supervisors and other UFT  
4 members who work in the New York City schools devote  
5 their lives to caring for students. We strongly  
6 believe that safety is a fundamental right for every  
7 student and staff member. We know that protecting  
8 children who have a tendency to run, whether they are  
9 special education or general ed, requires a  
10 comprehensive school specific school-wide solution.

11 Just last week we received a call from  
12 educators at a school who were desperate for guidance  
13 and support concerning this very question of how to  
14 deal with children who are runners and wanderers. We  
15 told them what we will tell you today. Consistent  
16 and effect protocols, procedures and preparations are  
17 necessary to prevent a child of running out of the  
18 school building in the first place. Placing alarms  
19 on the exit doors, or stop signs and all the things  
20 that were mentioned on all elementary schools or  
21 buildings that house District 75 programs as this  
22 bill calls for, may help in alerting school staff  
23 once a child has left the building. But that needs  
24 to be just one piece of the overall plan. By the  
25 time the alarm sounds, it may already be too late.

1  
2 So what we're talking about is  
3 prevention. And many suggestions were made already  
4 about what should be part of the protocol, before our  
5 young people come into the building, during the time  
6 they're in the building. And God forbid if they  
7 leave the building. Everybody in there should  
8 understand what that protocol is. So our team at the  
9 UFT, and there's a whole bunch of us from school  
10 safety District 75.

11 In addition to everything that was said,  
12 because everything that was said here was extremely  
13 helpful, we want to add nine additional suggestions  
14 or strategies that we would like to add to the list.  
15 So we're going to go over only a few of them. For  
16 those of you who have the testimony, it's pretty  
17 self-explanatory. So one of the first things I want  
18 to say is, a safety plan needs to be school specific  
19 that maximizes the value of all available technology  
20 should have some of these elements including the ones  
21 that were mentioned.

22 So, I have spoken to a lot of the experts  
23 in autism and what they tell me is, one student with  
24 autism is very different from the next. You cannot,  
25 you cannot apply the same rule for every autistic



1  
2 young person. So that's way it needs to be a school  
3 specific issue. Schools have a responsibility to  
4 identify students who are at risk of running.  
5 Whether they are special education or general  
6 education. Schools should help these students  
7 understand the dangers of running off and encourage  
8 appropriate effective replacement behaviors. And  
9 this is about instruction, it's not just about the  
10 stop sign. How do you get everybody in the building,  
11 no matter who they are, to understand the young  
12 people that they're involved in?

13           So one of the headings that we have is  
14 identifying students for risk of running behavior.  
15 Since we're focusing on young people with  
16 disabilities, one of the documents and the processes  
17 around it that has to be strengthened, because I  
18 think what we all said here, including the Department  
19 of Ed, is we have protocols, but we need to  
20 strengthen them. The way they're in now, they have  
21 to add more pieces, they have to make it flow and  
22 everybody in the building is responsible equally. So  
23 one of the vehicles we would use is making others in  
24 the school building aware of who these young people  
25 who elope or run, for whatever reason. And because

1  
2 it's special ed, what we are urging is that you use  
3 the process known as the individual education plan,  
4 the IEP. That needs to be enhanced in such a way  
5 that people understand, they could read it. This  
6 young person gets lost in transition, from running  
7 from one class to the other. That means the teacher,  
8 the paraprofessional, the OT, the PT, needs to know  
9 that this student needs to be watched during  
10 transitions.

11           It may be different for a young person  
12 who is in another classroom and they may hear the  
13 bell and they need to know that alarm went off, you  
14 need to watch that student, because that student may  
15 have a reaction. So one of the recommendations we're  
16 saying is, you need to number one, go back to the IEP  
17 or the 504 plan. If it's a general ed, you need to  
18 meet with the parents and the family. And a team of  
19 people must create the plan around the issue that  
20 helped them make that child run. I'm not going to go  
21 through all the other details about this because I  
22 think our testimony is very explicit and its  
23 scaffolding. So it builds on other pieces.

24

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1  
2 I would like my colleague Analia to  
3 really speak to one of the other issues and then my  
4 colleague, Reggie Colvin will speak to it as well.

5 SPECIAL REPRESENTATIVE GERARD: Thank you  
6 Carmen. As we've heard from many of the previous  
7 speakers, training of all staff was reiterated over  
8 and over again. And we are in complete agreement  
9 with that because it should be part of the  
10 comprehensive plan and the safety plan that the  
11 school is using which should be not only school  
12 specific, but student specific as well.

13 Once a student is clearly identified,  
14 either by the IEP, by a conversation with the  
15 parents, or by actually seeing the child elope in a  
16 situation. That child has become identified as a  
17 child that needs closer monitoring. And once that  
18 closer monitoring is identified, a plan of action  
19 needs to go into place. Every staff member should be  
20 trained on the students' triggers. Because an  
21 elopement occurs because a person either wants  
22 something or needs to remove themselves away from  
23 something. And when those triggers are clearly  
24 identified and shared and communicated effectively

1  
2 with everyone in the school building then everyone  
3 can have some part in keeping that child safe.

4           One of the things that people could  
5 realize through this training is that they may be  
6 part of the trigger without even realizing what  
7 they're doing. So having that training could part  
8 and parcel be part of an effective program to keep  
9 the children safe before reaching that door.

10           Staff also need training in what to do  
11 when the student is actually lingering around. If  
12 they're by a school door, if they're not where  
13 they're supposed to be. How do you approach a  
14 particular individual in the school? How do you use  
15 visual aids? It was mentioned before, the stop sign.  
16 But there's a myriad of other types of things that  
17 can be used with students that use visual components.  
18 Especially if they're not verbal.

19           In addition, it's really critical that  
20 the schools receive the IEP before the student enters  
21 the facility. We often have times that students come  
22 to the school without the complete IEP, even though  
23 it's part of CSE based program it's not always  
24 available to the school before they get there. And  
25 then the school can't put the provisions that are

1  
2 necessary to be in place for modifications, staffing  
3 and to take care of their safety needs as well. So  
4 that's just a piece of the training that I wanted to  
5 emphasize. Thank you.

6 VICE PRESIDENT ALVAREZ: And Reggie, he's  
7 going to talk about the issue of the use of voluntary  
8 identification tools and tracking devices.

9 SPECIAL REPRESENTATIVE COLVIN: Many  
10 District 75 schools have already put in place  
11 strategies to keep track of students who are prone to  
12 running. Some schools have explored discreet measure  
13 for identifying these students. Much in the same way  
14 they identify students who are diabetic or have  
15 severe peanut allergies. For example, some schools  
16 have the tag that clips on to a student's shoelace.  
17 Schools should discuss the various options with  
18 parents. Parents and caregivers who have the option  
19 of using tracking technology for students who may  
20 run. U.S. Senator Charles Schumer has advocated  
21 using federal grant funding to pay for I.D. bracelets  
22 that include GPS technology or omit radio frequencies  
23 that would allow law enforcement to locate the  
24 children in the event they wander off, similar to the  
25

1  
2 devices used with people who have Alzheimer's  
3 disease.

4 VICE PRESIDENT ALVAREZ: So, for those of  
5 you who do not have the testimony, we'd be more than  
6 glad if you want to contact us and we'll email it to  
7 you. But here are some of the other recommendations  
8 titles that we wanted to focus on so you know. We  
9 really thought about this deeply and we want to  
10 really have a discussion with yourselves and the  
11 Department of Ed to really do something. And I agree  
12 something needs to be done, so when the beginning of  
13 school starts, we have something we all believe is a  
14 great beginning. Because this is a beginning, this  
15 is not going to shift overnight. But the  
16 conversations must happen quickly.

17 So some of the other suggestions require  
18 DOE and NYPD to develop school specific protocols  
19 along with the Department of Ed. Modifying building  
20 layouts and design. And I would actually say that if  
21 we get something that is proactive and we work  
22 together, we don't want to see any cases where  
23 there's eight students leaving the building. Our  
24 goal is to keep them in the building, learning. And  
25 that they learn the skills so they don't have to run.

1  
2 So my final thoughts are. There are  
3 many, many moving parts in any school system. But  
4 particularly in a system as large as ours, that means  
5 individual schools can't do this important work  
6 without help and support from all of us in this room.  
7 A comprehensive student safety plan hinges on  
8 consistent policies, procedures and protocols from  
9 the city DOE. At the school level, for the plan to  
10 be effective, everyone in the school building, as  
11 well as the parents and law enforcement and everybody  
12 that was mentioned before, should be informed,  
13 engaged and trained.

14 The UFT looks forward to working with  
15 Speaker Viverito, Council Member Dan Dromm, Council  
16 Member Cornegy and the bill's other sponsors as a  
17 partner in insuring that our students are kept safe  
18 at all times. And thank you again for spotlighting  
19 this very critical issue.

20 CHAIRPERSON DROMM: Thank you very much.  
21 And I was going through your testimony, there are  
22 many interesting points. I was not 100% aware that  
23 on the IEPs there's no check box for elopement risk.

24 VICE PRESIDENT ALVAREZ: So one of the  
25 recommendations, and I'm glad you brought that up.

1  
2 One of the recommendations which is making others  
3 aware is that the state IEP has something called  
4 alerts. But what we like to do is really check off  
5 elopement or wandering, something that highlights in  
6 the beginning, that this young person has an issue.  
7 And so we're recommending to the state, and I think  
8 if we do this as the city council, Department of Ed.  
9 Everybody saying, Dear State, you need to address  
10 your IEP protocol or framework to do that, I think it  
11 would be a good thing. But I think here in New York  
12 City, the things we could add, to highlight it, I  
13 don't believe would go against what the state  
14 education department's IEP template is. But that is  
15 correct.

16 CHAIRPERSON DROMM: That's something that  
17 could be done immediately and at no cost.

18 VICE PRESIDENT ALVAREZ: Yes. That is  
19 correct.

20 CHAIRPERSON DROMM: And as a former  
21 teacher, you know, that would be something that I  
22 would feel would be beneficial to me to have that  
23 information there in front of me when I receive that  
24 IEP. So that, I think is a very worthwhile  
25 suggestion. And then I noticed that in one person's



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testimony actually they referred to Senator Schumer's legislation. Can you give me a few more details on what that involves and how one might go about getting grants or that? Are you aware of that?

VICE PRESIDENT ALVAREZ: Well they actually came to us especially right after what happened with our young person, Avonte. And they said, what about if we had devices where it's like a GPS type of device that we could put on a student, a tracking device. And what we came up with is many parents they would do it. It has to be voluntary, the parents would have to do it. It's at a low cost. I'm not sure what the status of the bill is and how much it would be. Unless you have information Jeremy.

SPECIAL REPRESENTATIVE HOFFMAN: Senator Schumer's legislation, as I understand.

[Interpose]

CHAIRPERSON DROMM: Just identify yourself.

SPECIAL REPRESENTATIVE HOFFMAN: Yes, Jeremy Hoffman, United Federation of Teachers. Senator Schumer's legislation would have created, I believe a \$10 million fund to help reimburse parents

1  
2 who use this technology. That's who modeled  
3 successful technology that's been used with seniors  
4 with Alzheimer's who also have a preponderance of  
5 sometimes wandering away. And it's been successful  
6 there. So it's really modeled on that, but trying to  
7 put the cash support systems in place to make it a  
8 financially accessible technology.

9 VICE PRESIDENT ALVAREZ: Actually I spoke  
10 to one of the advocates in the autism community,  
11 Dorothy Segal and she said if I had that for my son,  
12 I would have used it. But it's a parent family  
13 decision. It's not something you can mandate.

14 CHAIRPERSON DROMM: Well that's very  
15 interesting. I actually have a very personal  
16 experience that I'll share with you, is that my  
17 mother recently, she's in a nursing home and they put  
18 a bracelet on her. She's not a flight risk but they  
19 do that automatically when you go in there because  
20 many of the people who are in there are flight risks  
21 and I've heard an alarm go off when somebody either  
22 gets into the elevator or goes out the front door.  
23 Unless you've been cleared by personnel to leave that  
24 building and so I didn't know that was actually  
25

1  
2 something that Senator Schumer had proposed. So,  
3 that's very interesting.

4 Okay, thank you. I know that Council  
5 Member Rose has a question. I'm going to go to her.

6 COUNCIL MEMBER ROSE: Hi. When the  
7 school based team gets together and they do the IEP.  
8 Is the school safety officers or someone from that  
9 division also a part of that consultation?

10 VICE PRESIDENT ALVAREZ: No. There are  
11 certain requirements of law that have mandated  
12 participants in the IEP. And it very specifically  
13 states who they are depending on what it is. If it's  
14 an initial, an annual review or triennial. However,  
15 it doesn't prohibit, if there's a parent who feels  
16 that the safety officer has been phenomenal and they  
17 want that person to participate, they can always  
18 invite that person to participate. But they are not  
19 automatically, they are not one of the mandated  
20 people in there.

21 COUNCIL MEMBER ROSE: So how does the  
22 school safety officer..., or is there a part of the  
23 protocol that makes the school safety officers aware  
24 that a child might be an elopement risk or at risk of  
25 running.

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2 VICE PRESIDENT ALVAREZ: Well there are  
3 two things that we can invoke. The state law which  
4 is chapter 408 requires that every school hold  
5 meetings with every adult in the building who  
6 interacts with students with disabilities. It's  
7 called Chapter 408. And what that committee is  
8 supposed to be doing, is somebody with special  
9 education expertise is to discuss with the art  
10 teacher, the gym teacher, here is a young person with  
11 a disability, or let's call a tendency to wander or  
12 elope. That person is supposed to have the  
13 conversation and say here are the triggers, this is  
14 what needs to be done. That would include..., we can  
15 include as a school policy, that's something we can  
16 certain build on. That school safety officers, lunch  
17 room staff need to understand that this young person  
18 needs that kind of vigilance. So that's one place to  
19 do it. So the question that I would get from a  
20 principal and staff, is well where's the time? So  
21 one of the things that we did with the new contract  
22 is, that there's an extended time, because Carmen  
23 Farenia wanted this, for professional development,  
24 and parent engagement. This is something we could  
25 tie in, very specifically on professional development

1  
2 for all staff, as well as parent engagement. If we  
3 have specific young people that have wandering  
4 tendencies that we can fold that in.

5 So those are two things I can think that  
6 we could do that would bring in additional staff that  
7 may not be mandated by the IEP meeting itself.

8 COUNCIL MEMBER ROSE: So we heard the  
9 Chancellor say that she's reviewing the protocols and  
10 looking at what could potentially be done in order to  
11 safeguard all of the students. Because each one's an  
12 individual. So would this be something that you  
13 would recommend being written into the protocol as  
14 mandated since school safety officers are, you know,  
15 I would say, the last point of contact, maybe before  
16 a student leaves the school?

17 VICE PRESIDENT ALVAREZ: Actually, and  
18 it's a very valid point, they may not necessarily be  
19 the last. They probably could be the first. Because  
20 sometimes they see that young person, and say, umm,  
21 doesn't look like he's really focused today. And  
22 that school safety officer can alert the teachers and  
23 the principals. You need to watch, he or she became  
24 a little agitated today. So that's first point and  
25 last point.

1  
2 Yes, we would certainly recommend it in a  
3 way that makes sense. That doesn't build on top of  
4 more responsibilities with no time to do it. But yes  
5 we would recommend that consideration once they start  
6 talking about sharing that draft. Because I think  
7 she's still working on it.

8 COUNCIL MEMBER ROSE: There are no issues  
9 of confidentiality that would preclude school safety  
10 from being a part of knowing the IEP information.

11 VICE PRESIDENT ALVAREZ: No. Because if  
12 they're part of the school community and they're  
13 interacting with that student, by law, they're  
14 required. They have to understand who that student  
15 is. We would have to refine it. People have to  
16 understand that it's not for every student, that's  
17 why it's student specific. IF there's a particular  
18 student that has a wandering or elopement tendencies,  
19 that IEP should reflect everybody who interacts with  
20 that student from the minute they walk into the  
21 building to the time they exit should be very aware  
22 of what, as Analia said, what are those triggers?

23 COUNCIL MEMBER ROSE: And my last question  
24 is. We heard the Superintendent of District 75 say  
25 that alarms might be disruptive and that, in fact, it

1  
2 might have a contrary reaction. An autistic student  
3 might have a contrary reaction to the alarm. Is this  
4 something that you found would preclude the use of  
5 alarms on the doors?

6 VICE PRESIDENT ALVAREZ: I'm going to  
7 qualify that. I'm going to start and I'll let Analia  
8 finish.

9 I can tell you, as it said it before,  
10 autistic students are different from each other. And  
11 they're going to be in the same classroom. So,  
12 knowing who your young people are, you may need that  
13 system, but you know the one who would set off, you  
14 would work that out. That's why it's not a one size  
15 fits all. And you really, like every parent in this  
16 room, I want you to know my kid, and I want to you  
17 know my student, no matter what state he comes in so  
18 you can respond to them.

19 COUNCIL MEMBER ROSE: So maybe the best  
20 defense would be that all of the essential players in  
21 the school know who the elopement or the runners are  
22 and their triggers. I'm sorry I know my time's up,  
23 but I just want to ask this. They would also have to  
24 approach a student differently than they would just a  
25 general ed student who might be a runner. Right?

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And is there that sort of training available also to safety officers.

SPECIAL REPRESENTATIVE GERARD: That's what we're actually speaking to, is that each child, once they've been identified, and people have an understanding of their unique characteristics, which could include the fact that they're nonverbal and maybe even non-attentive. Maybe sensitive to touch. Or they're sensitive to light. It's just a myriad of issues and you never really know what type of specific training. That's why everything is individualized in their education plan, including a behavior intervention plan. Which is usually, part and parcel of something that would be developed for a child that elopes. And there would be a full..., I just wanted to finish this one thought There would be a full plan of action that everybody could come familiar with in terms of knowing how to deal with it. For example, if I could just say that more specifically, we were talking about students that actually leave the building and they go into the outside. When they actually get to that point, staff is aware. Maybe there's an alarm already on the building, staff is aware and they go out. Sometimes



1  
2 going after the child in a specific way, would be  
3 more dangerous for that particular child than in a  
4 different way. It doesn't mean that you're not going  
5 to put every safety measure out there to be able to  
6 communicate to get that child back to the building.  
7 But you want to be very safeguarded in your approach  
8 knowing the individual needs of the child and their  
9 communication system.

10 CHAIRPERSON DROMM: So let me just say  
11 here also, because I have to move this along. Let me  
12 go to my next council members if you don't mind.  
13 Because they have a couple of questions and then I'm  
14 going to have to be really strict about holding  
15 everybody to their two minutes from here on in or we  
16 will not get out of here. Because we do have a lot  
17 of people today that want to testify.

18 So Council Member Cornegy, and then  
19 Council Member Williams.

20 COUNCIL MEMBER CORNEGY: I'm going to be  
21 very quick and then yield my time because I'd love to  
22 hear from some parents and advocates who have come  
23 and spent the entire day trying to get their voices  
24 heard.

1  
2           What is the UFTs..., or is there an  
3 aversion from the UFT to this bill?

4           VICE PRESIDENT ALVAREZ: None whatsoever.  
5 We embrace your bill. We are pleased that you put it  
6 on the radar in such a profound way and you have  
7 opened the door for all of us to contribute what we  
8 feel is for the safety of our young people. And  
9 Michael Mulgrew specifically wants me to tell you  
10 thank you.

11           COUNCIL MEMBER CORNEGY: Thank you. And  
12 then, I feel like we've gotten away from the specific  
13 reason for the bill and we're into IEPs. I have a  
14 child with an IEP, and it's very interesting to me.  
15 Maybe not so much for this hearing, but for this  
16 hearing the reality is that outside of Avonte, eight  
17 other students who have no IEPs were gone, were  
18 missing. So I'd like to maybe discuss maybe IEPs at  
19 another time with you. Because it has a personal  
20 relevance to me, but the bill in its entirety,  
21 although it speaks to that demographic, it's not  
22 specifically for that demographic. It's that  
23 demographic and then some. If we could just refocus  
24 onto the bill and away from the IEPs for just a  
25 second, I would greatly appreciate it.

SPECIAL REPRESENTATIVE HOFFMAN: Hi

Jeremy Hoffman again from UFT. We think the bill is a fantastic start and we really do thank you for introducing it. We want to see the legislation go a step farther and talk about school specific plans. So all those other strategies and context that we were talking about, are incorporated into the strategy, so that it maximizes the effectiveness of the approach. And I think you're absolutely right. It's not just a D-75 issue, a special ed issue. We need to be looking at every school. Some elementary schools have D 75 programs, some don't. That's why it needs to be really customized to address the kind of full spectrum that a student needs.

VICE PRESIDENT ALVAREZ: I would just add, if you look on page 4 we have a title of targeted use of alarms and cameras. And we said, used correctly alarms and cameras can be important tools, but alarms must be part of a comprehensive system of monitoring throughout the day, ideally with a surveillance camera system that is integrated with access control system. So we're not opposed to it, we just want to make sure it's tied into a bigger structure.

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2 CHAIRPERSON DROMM: Thank you. Council  
3 Member Williams.

4 COUNCIL MEMBER WILLIAMS: Thank you Mr.  
5 Chair. Thank you for your testimony. Council Member  
6 Cornegy actually got to the heart of what I was  
7 trying to get at. But I do want to say, that while  
8 the Avonte situation was happening, many of us were  
9 trying to figure out what we could do, how we could  
10 help. And I just wanted to thank you for stepping up  
11 and not just saying it but actually doing something  
12 that can help us in the future. Just so I'm really  
13 clear about the bill, I have a similar question. So,  
14 the bill by itself, the UFT is supportive of. Is  
15 there anything that you thought should be tweaked in  
16 the bill or is the bill itself, if it was to come out  
17 of committee and pass, would it be something that you  
18 support.

19 VICE PRESIDENT ALVAREZ: We recommend  
20 that your focus, your starting point right now are  
21 the alarms. You would like them in every building.  
22 We get it, we understand it. What we're trying to do  
23 is, it's got to be part of a larger protocol and  
24 system that people understand and train. Because the  
25 bill in and of itself, the IEP in and of itself, a

1  
2 paraprofessional in and of itself, is not going to  
3 solve the problem.

4 COUNCIL MEMBER WILLIAMS: So is it worth  
5 holding up the bill until that comprehensive plan...

6 VICE PRESIDENT ALVAREZ: I think at this  
7 point it's a beginning. And once we start, I think  
8 as a team, we'll go forward.

9 COUNCIL MEMBER WILLIAMS: I understand.  
10 Alright, thank you.

11 CHAIRPERSON DROMM: Okay. Thank you. I  
12 want to say that we've been joined by Council Member  
13 Vinny Gentile as well, and Council Member I. Danek  
14 Miller has also joined us. Okay, so we're going to  
15 move to the next panel then. And I thank you for  
16 coming in and for your testimony.

17 And our next panel will be Mary Jasper  
18 from Brooklyn and Doris McCoy from Queens, Jennifer  
19 Previti, and I'm apologizing if I'm mispronouncing  
20 it. Okay.

21 [Background talk]

22 [Pause]

23 CHAIRPERSON DROMM: Okay. Thank you.  
24 I'd like to swear you in, so if you'd raise your  
25 right hand please. Everybody. Thank you. Do you

1  
2 swear or affirm to tell the truth, the whole truth,  
3 and nothing but the truth and to answer council  
4 member questions honestly?

5 [Crosstalk]

6 CHAIRPERSON DROMM: Thank you. And who  
7 would like to begin.

8 [Background talk]

9 I would like to begin.

10 CHAIRPERSON DROMM: Can you speak a  
11 little more directly into the mike. And say your  
12 name for the record.

13 JENNIFER PREVITI: My name is Jennifer  
14 Previti and I am reading from a letter faxed from  
15 David Perecman who is Avonte Oquendo's attorney for  
16 the family.

17 Good morning, I apologize for not being  
18 here personally, but I live in North Jersey and it  
19 was impossible to get over the George Washington  
20 Bridge with two tractor trucks. As a lawyer who  
21 represents Avonte's family, I urge the City of New  
22 York and its council to take the steps necessary to  
23 alarm exit doors of our schools. I say this because  
24 I have reviewed the videotapes and evidence regarding  
25 how Avonte was able to leave his school. And know

1  
2 despite that other mistakes that were made that had  
3 the exit doors been equipped with functioning door  
4 alarms that someone would have had the one critical  
5 piece of information that was necessary to go save  
6 Avonte from the dangerous city that was outside the  
7 door. The information that someone has left the  
8 building through a particular door.

9           When Avonte went missing school officials  
10 did not know for sure that he had left for a long  
11 time after he ran out that door. Had there been an  
12 alarm that would not have been the case. The door he  
13 went out was opened for half an hour before he was  
14 able to see it was open and use it to exit. That  
15 would have not been possible with an alarm.

16           The door alarms will at least partially  
17 eliminate the human element for the school safety and  
18 security equation, which unfortunately is required to  
19 protect our children. We can't depend on other  
20 measures like our school safety division. Because  
21 unfortunately they are capable of mistakes. We can't  
22 wait for other changes in the school safety situation  
23 to get implemented and hope they will be maintained.

24           The risk is too great. Ask Avonte's  
25 family what the risk is. On behalf of Avonte's

1  
2 family I urge you to please alarm our school door  
3 exits. Thank you.

4 CHAIRPERSON DROMM: Thank you very much.  
5 Next please.

6 Just speak into the mike and identify  
7 yourself. I appreciate it.

8 MARY JASPER: My name is Mary Jasper.  
9 I'm Samir Tally's (phonetic) great-grandmother. I  
10 just want to say, I was listening to some of the  
11 testimony from the table and what we're talking about  
12 mostly children that have problems. Avonte, being an  
13 autistic child. We're not just talking about just  
14 autistic children or students. We're talking about  
15 mainstream students also. These students need to  
16 be..., when anything ever happens to the students,  
17 those students are not runaway students. Those kids  
18 are not walking out of school or their not runaways.  
19 I listened to Avonte's mother and when we spoke to  
20 the councilman about how he left school and what type  
21 of child he was. My grandson, he didn't leave school  
22 because he was autistic, he was a mainstream student.  
23 And to have all of these kids in school who are not  
24 just like Avonte, but the mainstream students they  
25 need to know also what's going on with the bells and



1 stuff. And once those students or teachers hear the  
2 bell ring, we don't have that many teachers. So if we  
3 have bells to ring, we have more ears to hear. So we  
4 say it to the councilman and to you that's in this  
5 room today. Listen to what we're saying. It's the  
6 law to send our children to school. It's the law for  
7 you to protect our children. It's the law for you to  
8 send our children back home to us. Because if we  
9 have to send them to you we want them back. And  
10 we're saying to you, we urge you to put this law into  
11 effect today, yesterday. Not later on but this law  
12 should have been in effect. Avonte's mother,  
13 grandmother would not have been sitting here today.  
14 We would have not been here today if these alarms had  
15 been into the school system. If a child gets alarmed  
16 or gets excited from these alarms, because the alarm  
17 is going off. You train these students, you train  
18 these teachers. Training is everything. Because if  
19 you don't teach a child, because if you knew better,  
20 you would do better. But because we as human beings,  
21 something's we takes in our mind to not to accept or  
22 whatever. But you have to accept these students are  
23 kids that need to be protected. They don't have the  
24 mentality like we have. We have the mentality to do  
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1  
2 and make choices. Kindergarten students don't have  
3 that choice. They just know what they know. And  
4 what the teachers are teaching them and what the  
5 parents are teaching them, when you hear an alarm for  
6 a fire. You have alarms for the school. I'm a  
7 safety director in the building where I work at.  
8 I've been for 30 years. When these alarms go off we  
9 know exactly what to do. So if you teach your  
10 teachers what to do and your parents what to do when  
11 these alarms go off and you train these kids. If the  
12 alarm go off even after you put them in the school,  
13 if the same alarm and sound that you're going to  
14 hear. If a child hear a fire truck going down the  
15 street it's an alarm. So when we say we're trying to  
16 isolate the alarms, because the alarms are loud. A  
17 child may do something or whatever. We want to save  
18 our children. We want to save their lives. IF the  
19 alarm is the only thing we have to do to save our  
20 children that's what we want to do. Save our  
21 children. Don't let there be another Avonte or  
22 Samir. Mainstream is the same thing as when the  
23 children don't have as much as knowledge as the other  
24 children.

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2 I may not be putting this here the way  
3 you all want to hear it, but I'm trying to say this  
4 the best way I can. I'm a parent, grandmother, and  
5 great-grandmother. I'm just trying to say to y'all,  
6 save our children. Please save our children.

7 CHAIRPERSON DROMM: Thank you very much.  
8 And thank you for your passion and your testimony.  
9 Next please.

10 DORIS MCCOY: My name is Doris McCoy.  
11 I'm Avonte's grandmother. And I was just sitting and  
12 listening and what I did was write down things that  
13 came to mind. So I had no pencil so I put it in my  
14 phone. And what I wanted to talk about is steps that  
15 should be taken before the child gets to the door. I  
16 wrote a few things down.

17 The school safety agent must be trained  
18 to recognize a child with special needs. Because I  
19 came to the school and she said she didn't know he  
20 had special needs. She stopped him, said something  
21 to him. She just let him go, she didn't know he had  
22 special needs. So my thing is a child with special  
23 needs should have a badge..., this is what I'm  
24 thinking, a badge that they can wear on them when  
25 there in school, stating that they're a special needs

1  
2 child. So that the safety guard can recognize the  
3 child as a special needs person, because you can't  
4 always tell. The school should give the badge to the  
5 teacher and they should make sure that each child has  
6 that badge on during school hours. Bear with me.

7           Okay. They should make sure that each  
8 child has a badge on during school hours and the  
9 teacher should collect it at the end of the day. If  
10 a special needs child goes missing and gets past the  
11 school safety person to the door, there are steps  
12 that should be taken. I believe cameras and alarms  
13 should be on at all times during school hours. A  
14 door alarm should go off when the doors open. The  
15 cameras should be on recording activities in the hall  
16 at all times. And before locking down the school,  
17 look at the camera to see if the child is seen going  
18 out the door. Because they spend so much time  
19 locking down, looking. If it was sooner, they would  
20 have gotten Avonte. And call the police immediately,  
21 and the parent. Not call one and wait two hours or  
22 whatever.

23           And then I want to state at the beginning  
24 of the school year my daughter was sent a form asking  
25 her, what are your concerns about Avonte? And she

1  
2 wrote back that he's a runner. So that was there in  
3 the record, but they didn't see it. But the teacher  
4 had it. So I think there's a lot of things that  
5 should be done. This is my first time speaking but I  
6 believe I may be speaking more. This is just the  
7 beginning. Thank you.

8 CHAIRPERSON DROMM: Thank you very much  
9 and you know your testimony is quite passionate and  
10 compassionate. It's very, very hard for me as the  
11 chair of this committee to sit and have to listen to  
12 the losses, the tremendous losses that you've each  
13 had to endure. I don't even really know what to say,  
14 to be honest with you. I do thank you so much for  
15 coming in and for giving the testimony. And for  
16 having the strength to be able to do that.

17 I did hear one interesting suggestion  
18 which was the badges. There has been some talk as I  
19 mentioned also, with other means of identifying  
20 students who may be in fact runners. One was putting  
21 it on the IEP. Another one was perhaps using a  
22 bracelet or some identifying thing. I also heard  
23 from some people as I've been researching this.  
24 About perhaps putting a chip in a shoelace or  
25 something that may not be as noticeable as perhaps

1  
2 the badge or something. So that if they were to get  
3 out the door or whatever they would even to be traced  
4 as well. So I take your suggestions very, very  
5 seriously. And I was a New York City public school  
6 teacher for 25 years before I got elected to the city  
7 council. And so my first and primary responsibility  
8 was to insure the safety of the students in my class.  
9 And I remember every single day, even when they were  
10 just in the school yard, or picking them up from gym  
11 or anything like that. I always had to count and  
12 make sure that every student was there. And so I  
13 deeply feel what it is that you're saying and deeply  
14 believe that that is our first and foremost  
15 responsibility as elected officials, as adults in  
16 society is to protect our children. And I want to  
17 thank you for coming in.

18 Council Member Cornegy.

19 COUNCIL MEMBER CORNEGY: I don't have a  
20 question, I just want to say thank you so much for  
21 your strength and your resilience. Some of you have  
22 had to repeat this story over and over and over again  
23 with the same passion and compassion. And for that I  
24 am truly appreciative. And for Avonte's grandma.  
25 I'm watching advocate grow right in front of my eyes.

1  
2 And I think I should be a little scared, because  
3 they've started you on a path that you seem very  
4 prepared for. And I thank you for your family not  
5 going away and just mourning but getting very active  
6 and putting action as part of your moniker. And tell  
7 Avonte's mom I said hello, please.

8 [Background talk]

9 CHAIRPERSON DROMM: Thank you all very  
10 much for coming in today. We're going to call the  
11 next panel.

12 Okay. John Khani from Council  
13 Supervisors and Administrators, Kendra Oke, I hope I  
14 pronounced it right, O.K.E., Mona Davids, from New  
15 York City Parent's Union, Sam Pirozzolo, from the  
16 Community Education Council 31 and New York City  
17 Parent's Union, Valeria Williams from D-75 and that's  
18 it for this panel.

19 [Pause]

20 CHAIRPERSON DROM: Sergeant, we may need  
21 some chairs.

22 Okay, I'd like to start by swearing you  
23 all in. Would you please raise your right hand? Do  
24 you solemnly swear to tell the truth, the whole truth  
25

1  
2 and nothing but the truth and to answer council  
3 member questions honestly?

4 [Crosstalk]

5 CHAIRPERSON DROMM: Thank you, and I'm  
6 going to ask Mr. Khani to start please.

7 ASSISTANT DIRECTOR KHANI: Good morning,  
8 Chair Dromm and members of the Council Education  
9 Committee. My name is John Khani, I'm the Assistant  
10 Director of Political Affairs of the Council of  
11 School Administrators, better known as the CSA. And  
12 we represent 16,000 members. We also want to thank  
13 Councilman Cornegy for shedding light today and it's  
14 just very unfortunate that it took a tragedy for us  
15 to come together this morning.

16 Before I speak another word, I want to be  
17 very clear. The CSA commitment to the health and  
18 safety of our students and staff is non-negotiable.  
19 Our members are directly responsible for insuring a  
20 safe environment and we always look closely at any  
21 attempt to improve security. We are our brother's  
22 keeper. As school building administrators, security  
23 of our school fire doors both to prevent unauthorized  
24 exits and unwanted visits from unauthorized visitors  
25 is a constant challenge as Councilman Maisel was



1 saying earlier. Yet despite our best efforts and our  
2 commitment, nearly every school has found a door  
3 check not operating properly, causing a door not to  
4 completely close or a child who has left the school  
5 without permission. This is why CSA welcome the  
6 amendment to Section 528 of the Charter in 2006 which  
7 called for the installation of security cameras in  
8 New York City public schools. Unfortunately, the  
9 2006 amendment did not mandate cameras in every  
10 school but in locations where the Chancellor deems  
11 such cameras to be appropriate.

12  
13 So here we are after eight years and the  
14 tragedy of Avonte Oquendo, too many of our schools  
15 are still in need of the security cameras and we now  
16 look at Avonte's Law to the Charter and we hope it's  
17 added. This legislation, Intro 131 2014, would  
18 require the Department of Education to equip all exit  
19 doors with an alarm system in every elementary school  
20 and buildings that accommodate District 75 programs.  
21 We are pleased this legislation includes the caveat  
22 which requires the Chancellor to consult with the  
23 principal before deciding if the door alarm should be  
24 installed. Clearly any legislation designed to  
25 insure the safety and even the lives of our students

1  
2 and staff is welcomed. However, before moving  
3 forward we would like to discuss some concerns we  
4 have about the implementation of the new law.

5           For example, most elementary schools are  
6 assigned a single school safety agent. So, assuming  
7 the alarm is audible, who will respond when it  
8 sounds? How do we insure that the school safety  
9 agent is able to hear and identify the location of  
10 each alarm? If and when the school safety agent does  
11 leave the desk, who will relieve the agent who has  
12 responded to the alarm?

13           Ideally, the door alarms would work best  
14 as part of a comprehensive school safety plan.  
15 However, knowing that someone made an unauthorized  
16 departure from the school building is not enough.  
17 Cameras are needed to identify the person who exited  
18 unauthorized and allow the school safety agent or  
19 whoever is monitoring the cameras to take the next  
20 step in responding.

21           We have a few common sense suggestions.  
22 One of them, will the classes near an exit be  
23 interrupted by loud noises? And we just heard a lot  
24 of testimony about that, or will it scare the younger  
25 students. Will staff be able to disarm the alarms if

1  
2 they are leaving and returning from an outdoor  
3 activity? Will there be funds available to train  
4 additional personnel to monitor the cameras? When  
5 implemented will there be additional school safety  
6 agents to monitor the alarms and doors?

7           In conclusion, we support the goals of  
8 Intro 131 2014, but we have concerns about the  
9 implementation. Some schools have already purchased  
10 door alarms and have implemented the system before  
11 the law has been ratified. And our research shows  
12 that the system can work when the school safety team  
13 is on the same page. Where it is working, all staff  
14 members have deputized themselves to respond. It is  
15 not enough to let the administration and the school  
16 safety to have the sole responsibility. Just another  
17 few seconds.

18           This cannot be another unfunded mandate  
19 that advocates for something that is good and needed  
20 but never reaches the potential of what it was  
21 designed to do, because of a lack of funding. An  
22 alarm to alert us to an unauthorized exit is only  
23 part of the solution. There must be cameras to  
24 document the cause of an alarm and to deter  
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unauthorized departure and sufficient staff must be assigned and trained to make it work.

The bottom line is, if we're going to do this, let's do this right. Ultimately, each school safety plan must insure the safety of students and staff. Let me also conclude by saying that this won't be simple, but it certainly is necessary.

Thank you.

CHAIRPERSON DROMM: Thank you very much.

Next.

KENDRA OKE: First of all I want to say thank you to all the council...

CHAIRPERSON DROMM: Can you just identify yourself for the record.

KENDRA OKE: Yes, my name is Kendra Oke, I was a former PTA President at my son's prior school for two years and a secretary for one year. I was on the safety committee. I was on the FLT team for three years. I was on the space committee. I was on everything in school. So I understand the DOE and the policies that they have. And I also understand the things that, you on the council, may not understand. And you were asking questions that they did not give you the answers to this morning. And

1  
2 the one question that you asked about how do we  
3 identify and make it safe for students that are  
4 runners that will elope. And that is what they  
5 should be doing on the IEP. They should have a  
6 health para for those individuals. And for most of  
7 us we may not know about that.

8           But I remember when my son, my son is  
9 eight years old and he's autistic and he's a runner.  
10 He started running when he was four and to five years  
11 old. I found out when he also got hit by a car, when  
12 he pulled out of my hand and I became aware that my  
13 son is a runner.

14           And I want to say that it's most  
15 important..., they talked about noise as well. The  
16 fire drill. I was there on many, many fire drills.  
17 And fire drills, the kids are used to the noise  
18 because they're trained. The same thing with the  
19 doors. They will be trained that this is a noise  
20 that they will be accustomed to. They are accustomed  
21 to fire drills all the time. So this is not  
22 something that's strange. I didn't see any  
23 discomfort. We had nine schools, high schools,  
24 elementary and I didn't see any form of discomfort  
25 during all those fire drills. I thought that was

1  
2 very important to mention. And they spoke about two  
3 way radios. I wasn't sure what they meant. Would  
4 that mean that the classroom can communicate with  
5 security directly? Because that seemed to be what  
6 was missing on that day that the team that Avonte was  
7 with was not communicating with security. The radios  
8 are very important, they are a necessity. And I  
9 believe that all staff should have radios. The  
10 doors, you know, this is a combination of things that  
11 we need. I've been at meetings. I've spoken to Gary  
12 Hecht in the citywide meetings and said that these  
13 are some of the things that for safety, that we need  
14 in our schools.

15 I was very active. Then my son was  
16 injured at school. And it was not resolved. We're  
17 still waiting a year later to see what the report  
18 will say. So, I am quite aware of what happens in  
19 our DOE schools and general ed, because in those  
20 buildings, every schools seems to be co-located. And  
21 I think the same thing that Avonte's grandmother  
22 said, about not being able to identify Avonte for the  
23 student that he was. And this co-location that we  
24 have going on makes it very difficult. There are so  
25 many children in District 75 that we have enough...

1  
2 we're spread out in all these different high schools,  
3 and other schools, when we have enough students for  
4 our own high schools, our own buildings. We don't  
5 need trailers. If they stop the co-location and give  
6 our children the opportunity. As I said I was on a  
7 space committee. And on the space committee, just  
8 letting you know, we were fighting for just our  
9 children are being taught in hallways, because we're  
10 sharing with three schools. So our children are  
11 being taught how to walk and maneuver themselves in  
12 hallway. And I think this needs to stop. The door  
13 safety..., I wouldn't know what to do.

14 I want to say to Avonte's family and to  
15 the young lady that spoke along with Avonte's family,  
16 my condolences, because I know what it feels like.  
17 When that happened to my son my whole life stopped.  
18 It's been a year and I'm still trying to get my son  
19 back on track. So it's very important that we  
20 understand what's really going on. The DOE does not  
21 want to be responsible for certain things. We need  
22 our children to be safe. When they go to school they  
23 should come back home. We need the doors to be  
24 alarmed. We need it now. We need it today. Not one  
25 other child should go missing or turn up like Avonte.

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CHAIRPERSON DROMM: Thank you very much.

And who would like to go next?

VALERIE WILLIAMS: Good afternoon. My name is Valerie Williams. And I am a member of District 75 Citywide Educational Council.

I am so disgusted with the excuses that the Department of Education continues to give parents. Not only parents of special needs children but parents in general. We can't afford it. You have a \$3.4 billion dollar budget. It's only going to cost at the most \$1.5 million to make this act happen. Why do we constantly find excuses? Why does the DOE constantly make excuses? Because they don't want to be held accountable. They don't want to turn around and do the necessary work. So many people failed the Avonte family within the DOE. And they all need to be trained. They all need to be on the same accord.

I am a mother of a special needs child. My daughter was attacked. And I am now fighting the DOE for that. But you know what? The reality is they have not been held accountable. We need to put our foot on their necks. Let them know that we are parents. We're not going to take this. Not another



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child should go missing. Eight kids in less than a year. You're talking about from October 2013 till today. You're talking about eight children and I'm sure it could have been more. But what would definitely change that, would be Avonte's Law and the enforcement of the policies that they already have in place. Yes they have a safety team. Yes they have a space team. But what are they doing. They're not working like they're supposed to. And they're not doing what they should in reference to our children. And where is the money going? Because if you have \$3.4 billion it should not be a problem for sound. You can turn around and make those alarms silent if necessary, where they only ring at the security desk. I believe that's an excuse. I am tire of the excuses that we allow to continue to happen. I urge the New York City Council to make sure that Avonte's Law goes through. Thank you so much.

CHAIRPERSON DROMM: Thank you very much.

Who would like to go next?

PRESIDENT PIROZZOLO: Good afternoon.

Thank you for holding this hearing today. My name is Sam Pirozzolo. I am an elected CEC member from Staten Island. I am also President of CEC 31 for

1  
2 about seven years. And we met the other day. It's  
3 good to see you again. I am also the Vice President  
4 of the Parent's Union. The New York City Parent's  
5 Union.

6 My testimony has been submitted but I'd  
7 like for you to read it. It was very important to  
8 me. It was inspired by a young lady that was in this  
9 room this morning. And I wrote that testimony coming  
10 over on the Staten Island Ferry. But I would like to  
11 choose my time to address some of the things that I  
12 heard here today.

13 Yes, we have missing student protocols.  
14 We have BRTs, we have SLTs, we have ABCs, you name  
15 it, we've got it. But none of the testimony I have  
16 heard today, and none of the testimony talking about  
17 training to prevent the possible flight. None of it  
18 deals with why we are here today. And why we are  
19 here today is to say that an audible alarm is the  
20 only way that someone will know that a door was  
21 opened when it should not have been opened. And to  
22 me, that renders all of the testimony from the  
23 Department of Education, and the UFT, useless and  
24 worthless as to the issue that we are speaking.

1  
2 Not this gentleman, because he was on  
3 point when he was talking about that. So I want to  
4 say that Avonte was identified as a runner. The  
5 system did not work for Avonte. And it's great, we  
6 have a camera showing the boy running out of the  
7 school. That didn't work. But what that camera did  
8 tell us, is we need door alarms. We need to listen  
9 to that video.

10 I want to talk about one other thing.  
11 You mentioned stop signs. And I really had to laugh.  
12 We have stop signs almost on every corner in New York  
13 City. It does not really do what they need to do. I  
14 cannot imagine that a stop sign in a general ed  
15 school is going to do what you would expect it to do.  
16 I want to give you an idea and my biggest objection  
17 to the bill is written as when it says, at the  
18 discretion of the Department of Education.

19 On Staten Island we have a campus known  
20 as the Petride's Campus. And this campus houses  
21 kindergarten, elementary, middle and high school  
22 students and we also have one building that is an  
23 administration building. At the discretion of the  
24 Department of Education using their funds, they  
25 decided to put cameras in the administration building

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2 which houses only adults. It was our former  
3 operation center. Not only did they put cameras in  
4 that building, they only put door alarms on every  
5 exit door of only that building which is occupied by  
6 adults not students. The safety of those adults  
7 outweighs, I guess, at the discretion of the DOE, the  
8 safety of the kindergarteners, the elementary, the  
9 middle and high school students that also share that  
10 campus. I'm sorry, but as a parent and a parent  
11 advocate the discretion of the DOE worries me. And  
12 that's what I am here to tell you. I would be glad  
13 to answer any questions that you have.

14 CHAIRPERSON DROMM: Thank you, next.

15 PRESIDENT DAVIDS: Good afternoon, my  
16 name is Mona Davids, I am the founder and the  
17 President of the New York City Parent's Union. I  
18 would like to thank Council Member Dromm, Council  
19 Member Cornegy and the 46 other council members who  
20 are sponsors on the audible alarms bills, as well as  
21 Public Advocate Tish James.

22 It's so difficult to hear the testimony  
23 of the Department of Education. It's also difficult  
24 to hear the testimony of the United Federation of  
25 Teachers. Because in all the testimony, what's

1  
2 missing there is parents voice. These are our  
3 children. We should have a say as well. And I think  
4 that it's pretty unanimous here in New York, across  
5 the nation and across the world, everyone one that  
6 looked and mourned for Avonte. Parents say we want  
7 the audible alarms bill. It's great to have cameras.  
8 We're all for training the teachers, training the  
9 rest of the staff, training the security personnel.  
10 We're 100% in support of that. But you know what?  
11 It did not save Avonte, nor did it prevent the other  
12 eight children and it may be more, who have all  
13 walked out of the building since we found Avonte. So  
14 again, we urge you, council members, to please, bring  
15 this bill to the floor and pass this bill with  
16 urgency. Because we need to put our children's  
17 safety first before anything else and before anyone  
18 else. And coming back to safety plans, safety  
19 meetings, yes, and cameras yes. It's wonderful. But  
20 the one thing I want to say is thank goodness there  
21 was camera there that showed us the door open for  
22 half an hour and then young Avonte walking through.  
23 If there's any proof that you need, that this is the  
24 right thing to do, it's that. We need you to pass  
25

1  
2 this bill, pass Avonte's Law and put the safety and  
3 the security of our children first. Thank you.

4 CHAIRPERSON DROMM: Thank you for coming  
5 in. I deeply appreciate your testimony. I don't  
6 know that UFT said that they didn't support it. I  
7 think that they said they wanted to see other measure  
8 included in there. So I just..., that's the testimony  
9 I believe that I heard. And, are you opposed, Ms.  
10 Davids to silent alarms? Or do you just support the  
11 audible alarms? Do you support any of the other  
12 suggestions as the president of the New York State  
13 Parent's Union?

14 PRESIDENT DAVIDS: With the Parent's  
15 Union, our members support the audible alarms. The  
16 other measure can be put in place afterwards. But we  
17 support the audible alarms first. The idea of a  
18 silent alarm is new, but right now with the urgency,  
19 we support the audible alarms, sir.

20 CHAIRPERSON DROMM: Can I ask if you've  
21 seen them. Because I couldn't get an answer from the  
22 DOE about what schools they're in right now, and how  
23 they've worked. Do you know of those schools that  
24 they're in and how they've worked?

1  
2 PRESIDENT DAVIDS: No I do not know. Bur  
3 what I do know is that we've have asked for the  
4 information. I know Councilman Cornegy's staff has  
5 asked for the information from the Department of  
6 Education and they have simply not complied in  
7 providing this information.

8 CHAIRPERSON DROMM: So before they left,  
9 I did ask them for one, the protocol. Let me just  
10 see what I actually wrote down. The protocol, the  
11 number of schools that it's in, the number of D75  
12 schools that have alarms and video cameras as well.  
13 And the cost for all of that. So, we hope to get  
14 that information and then I'd like to share that with  
15 you all. And see what we can do as we move forward  
16 on it.

17 PRESIDENT DAVIDS: Thank you. I would  
18 also like to add one thing. Parents and parent  
19 associations. This so important, that even parents  
20 are willing to fundraise to pay for the cost to get  
21 it done and put those alarms in there. And the one  
22 thing that we would ask is that if this bill is  
23 passed, that parents or parent associations are  
24 allowed to pay for it and be reimbursed at a later  
25 point by the Department of Education, because our

1  
2 children's safety simply cannot wait and we're  
3 willing to do whatever it is that we must to insure  
4 that they're safe during school.

5 PRESIDENT PIROZZOLO: I would like to add  
6 some things if I may, please.

7 CHAIRPERSON DROMM: Sure.

8 PRESIDENT PIROZZOLO: You're talking  
9 about what schools may currently have door alarms and  
10 whether they're successful. I don't know what that  
11 policy is in place to respond to those door alarms.  
12 So I really could not say, and you could not really  
13 say, whether they've been successful, because we  
14 don't know what they were intended to approve or to  
15 do. And the other thing I would like to say, is I  
16 heard one of the young ladies, I'm not sure from the  
17 UFT, mention something about an entire school  
18 community being allowed or should be allowed to know  
19 of a child's individual IEP. And I'm going to have  
20 to say that I think that's 100% incorrect.

21 [Interpose]

22 CHAIRPERSON DROMM: They didn't actually  
23 say that because I asked them for clarification on  
24 that. And what I asked them was, is there a way to  
25 identify without violating FERPA.



1  
2 PRESIDENT PIROZZOLO: What I'm saying is  
3 that New York State law only allows the teachers  
4 directly involved with the education of a particular  
5 student, to know what's on that IEP. So safety  
6 agents, other teachers in the building, para,  
7 whatever, do not have the ability, or should not have  
8 the ability to know. Now unless you're changing  
9 state law...

10 [Interpose]

11 CHAIRPERSON DROMM: So are you saying  
12 that you agree that other people should not know.

13 PRESIDENT PIROZZOLO: No. It would be  
14 nice if we could work that out. But don't just  
15 assume because someone has told you, oh well it's a  
16 step to making it better. It's not a step to making  
17 it better, because right now as the law is written  
18 you're not allowed to identify or to tell other  
19 personnel who do not directly respond with the child  
20 throughout the day what's on their IEP. So don't use  
21 that as a way to possibly soften something, because  
22 it's not reality. State law is very clear in saying  
23 that only people who work directly with a student, as  
24 a teacher for example, has the right to know what's  
25 on that child's IEP.

1  
2 CHAIRPERSON DROMM: So are you saying  
3 that you would like to see the state law change so  
4 that everybody in the school would know or be able to  
5 look at the IEP.

6 PRESIDENT PIROZZOLO: No what I'm saying,  
7 is that I don't want you to be confused and think  
8 that that may be a solution to not putting in door  
9 alarms. We need door alarms. That's what I'm  
10 saying. Notifying other people in buildings that  
11 children are flight risks, do nothing to let you know  
12 when a child has opened a door that they should not  
13 have.

14 CHAIRPERSON DROMM: I don't fully  
15 understand your position, but leave it as it may be,  
16 that's fine. Anybody else.

17 I'm sorry. If forgot to mention that  
18 we've been joined by Council Member Inez Barron and  
19 she'd like to ask a question.

20 COUNCIL MEMBER BARRON: Yes, I just want  
21 to make a comment that I'm in strong support of this  
22 bill. I think that it's very important. You may  
23 know..., some of you may know that I was a school  
24 principal and we shared our building with a District  
25 75 school. They were on the fourth floor, we had

1  
2 floors 1, 2 and 3. Their children were very closely  
3 supervised and the ratio was such that they really  
4 always had an eye on a child. And they were able to  
5 keep their children in safe conditions. We had an  
6 incident with a child leaving, but it wasn't a  
7 District 75 child. It was a child from the regular  
8 school, of which I was the principal. The teacher  
9 was returning from lunch. She turned the corner and  
10 went to her classroom and when she got back, of  
11 course by protocol, she took attendance and realized  
12 that a child who'd been placed in her class for the  
13 day because the teacher was absent was not there.  
14 She immediately notified me. The first thing I said  
15 was call 911. And of course we followed the  
16 protocols of looking in the bathrooms, and where  
17 children might be, to see if we could find the child.  
18 We called the parent. The parent didn't have a  
19 phone. So several staff members and I walked to the  
20 parent's home to let her know, listen, we hate to  
21 tell you this, but we don't really know where your  
22 child is at this moment. We knocked on the door, the  
23 parent opened the door. And there was the child  
24 standing there. He was a kindergartener and his  
25 teacher wasn't there and he decided that he didn't

1  
2 want to stay with the class that he had been assigned  
3 to so he walked home by himself. Fortunately, he was  
4 safe. Fortunately, the parent understood that we  
5 took the actions that we could once we know the child  
6 had left the building. Of course we filled out...,  
7 there are lots of schools that don't fill out those  
8 forms, and don't notify the people that they should  
9 notify because they don't want their records to go  
10 up.

11 Our children's safety is the most  
12 important thing. We have to make sure all these  
13 incidents are recorded. The building as I recall.  
14 My school building, had about 18 different doors that  
15 had access to the street. At least 18 different  
16 doors. We didn't have a staff person. We had  
17 volunteers, staff members, who would on their time,  
18 you know, we had paraprofessionals and we had parent  
19 volunteers who would try to man the doors.  
20 Especially during the times when children were going  
21 to lunch.

22 But this is a critical bill and it's even  
23 just know talking about District 75 schools. Perhaps  
24 had that happened, the door been alarmed, we would  
25 have immediately found this child and this child

1  
2 would not have been in danger. Because the child had  
3 to cross DeKalb Avenue, which is a busy, busy street.  
4 But we certainly have a need for this and I support  
5 this starting with District 75 schools and moving  
6 beyond. Thank you.

7 CHAIRPERSON DROMM: Council Member  
8 Miller.

9 COUNCIL MEMBER MILLER: Thank you  
10 Chairman Dromm and Cornegy for your leadership on  
11 this issue. I think that the consensus across the  
12 board no matter who's represented of these parent  
13 advocacy groups, professional advocates and certainly  
14 the council members. The consensus is that this is  
15 something that needs to be done and needs to be done  
16 yesterday. I think that when this latest unfortunate  
17 incident occurred and the legislation was introduced  
18 was during the time when we had just embarked on our  
19 issue of capital and discretionary budget process.

20 And the miniscule cost involved in  
21 applying these audible alarms to every school that's  
22 necessary is certain within the budgets of each  
23 council members and I had spoken personally to  
24 council members because I had indicated that if it  
25 was at all within my purview that I would certainly

1  
2 add the small amount of money onto each school's  
3 capital plan to make sure that this happened. And  
4 I'm sure that most of the council members considering  
5 that it was unanimous when we signed onto this  
6 legislation would do the same thing. So I think that  
7 we do need to do what was suggested, which is just  
8 put it to the floor and make it happen. It was  
9 suggested that parents would be reimbursed. Listen,  
10 we don't have a lot of money to do a lot of things,  
11 but we are committed and it's our responsibility to  
12 invest in our young people and make sure that they're  
13 safe and I say that we have the access and the  
14 wherewithal to do it, and we should do it now. Thank  
15 you.

16 CHAIRPERSON DROMM: Thank you, and I'm  
17 going to say that will be the last question for this  
18 panel and we're going to bring in the next panel.

19 [Background talk]

20 CHAIRPERSON DROMM: So quickly, quickly,  
21 very quickly. Because we have to move on.

22 UNIDENTIFIED FEMALE: I just wanted to  
23 say this. When Avonte's grandmother brought up the  
24 calling 911 immediately. My son is ecolalic and if  
25 he were to walk out of that building he would surely

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get hit by a car immediately. So calling 911..., if you're talking to the DOE about policy and procedure. Please speak to them about that and the one to one paras for children that have elopement tendencies. Thank you.

CHAIRPERSON DROMM: Okay. Thank you very much. Thank you everybody for coming in. I appreciate it.

Okay, we're going to go to our next panel. Stephanie Gendell, Citizens Committee for Children, Gary Mayerson from Autism Speaks, Kim Mack Rosenberg from National Autism Association, Pat Barrientos from CUSAC.

[Pause]

[Background talk]

CHAIRMAN DROMM: I'm so sorry. I have to swear you in. So would you please raise your right hand? Do you solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth and to answer council member questions honestly?

[Crosstalk]

CHAIRMAN DROMM: Okay. Very good. Who would like to start?

1  
2 EXECUTIVE DIRECTOR GENDELL: I'm going to  
3 start. Because I have to testify on the run, I  
4 apologize. Good morning..., I mean good afternoon. I  
5 am Stephanie Gendell. I am the Associate Executive  
6 Director for Policy and Government Relations at  
7 Citizens' Committee for Children. We're a 70 year  
8 old independent child advocacy organization dedicated  
9 to insuring every New York child is healthy, housed,  
10 educated and safe. We believe that this bill will go  
11 a long way towards meeting that goal of helping to  
12 keep children safe. I'd like to thank the council  
13 members for holding this hearing, all 47 of you for  
14 co-sponsoring the legislation and the Public  
15 Advocate. We'd especially like to thank Council  
16 Member Cornegy for spearheading and championing this  
17 legislation.

18 We agree with a lot who have testified  
19 and talked earlier that this legislation is not a  
20 cure all. By the time the side door alarm would  
21 ring, we've already failed our children by allowing  
22 them to start to leave the school building. That  
23 said, we need it as a fail-safe for the children who  
24 do start to leave. Unfortunately, all too often it  
25 takes a tragedy before common sense solutions are put



1  
2 into place. We have already had a horrific tragedy  
3 and we've had eight other children leave since the  
4 tragedy. We are extremely lucky that none of those  
5 other stories ended in any number of countless  
6 tragedies that could befall a young, unsupervised  
7 child wandering New York City's streets alone. Be it  
8 traffic, the subway, or encountering a stranger who's  
9 not a Good Samaritan.

10           The timing of this bill is extremely  
11 important given that there will thousands more young  
12 children in school buildings with the expansion of  
13 Universal Pre-Kindergarten. We are really  
14 disappointed that DOE has expresses such reluctance  
15 to implement this measure. We believe it is  
16 relatively inexpensive and we ask that if the DOE  
17 continues to refuse to pay for the door alarms, that  
18 the city council create a new city council initiative  
19 to fund the alarms as part of the FY15 budget. In  
20 fact, it makes for a great city council initiative  
21 because it only has to be purchased one time and we  
22 don't all have to stand on the steps and advocate for  
23 restoration next year. Thank you.

24           CHAIRPERSON DROMM: Very good. Thank  
25 you. Next please.

1  
2 GARY MAYERSON: Mr. Chairman thank you  
3 very much and remaining members of the council. My  
4 name is Gary Mayerson, I'm hear wearing basically two  
5 hats in my unconditional support for the Avonte's  
6 Law, which is now what it should be called.

7 First my law firm, Mayerson & Associates  
8 is the very first law firm in the nation dedicated to  
9 the representation of individuals on the autism  
10 spectrum. In that capacity we represented well over  
11 a thousand families both in New York and in over 30  
12 states in the country.

13 School safety is a two-way street. It's  
14 usually about keeping the good guys..., actually it's  
15 about keeping the bad guys out, but it's also about  
16 keeping the good guys in. I'm also here in my  
17 capacity as a member of the National Board of Autism  
18 Speaks which is the world's largest autism not-for-  
19 profit. Autism Speaks is extremely concerned about  
20 the wandering threat. We get the reports every day  
21 from not just New York, but from all over the  
22 country. Not a day goes by that we don't get a  
23 report. And usually it has a happy ending. Oh they  
24 found the child. Thank God they found the child.

1  
2 Some Good Samaritan. It's amazing what good luck we  
3 had until Avonte came along, of course.

4           So Autism Speaks knows that this problem  
5 continues to occur on a regular basis and that the  
6 next Avonte situation is absolutely inevitable. We  
7 had eight since Avonte. My own practice, we had two  
8 or three before Avonte. It's just going to continue.  
9 What are we waiting for?

10           We cannot allow excuses to stand in the  
11 way. And I heard a lot of excuses and I don't want  
12 to..., and because I do sue the Board of Education to  
13 get funding for students with autism. I don't want  
14 to look like I'm just slamming the Department of  
15 Education unnecessarily, and I'm not. But the whole  
16 thing about having the door alarm, is an admission of  
17 failure. By the time the child gets to that door,  
18 everything else has failed. So I understand that  
19 this is the elephant in the room. Why the Department  
20 of Education wants to do everything short of putting  
21 that alarm on that door, because it's an admission of  
22 failure. But when the kid walks out that door, it's  
23 not time to go looking for an IEP. Oh let's start  
24 looking through..., what does the IEP say? Who's going  
25 to read it? It's too late, they've gotten through

1  
2 their classroom, and they've gotten through the aid,  
3 the teacher, the floor of the building, out the front  
4 door or the side door of the building. It's too late  
5 unless you have that alarm on the bill.

6           So the other excuses I heard, I'm just  
7 going to say it, they're lame. This whole idea about  
8 ultra-sensitivity to noise. You've heard the other  
9 people explaining why. Yes, some students with  
10 autism have special sensitivity to noise. So, you  
11 de-sensitize them to noise. We live in New York  
12 City. There are fire alarms going off, there's  
13 sirens going on..., who can sleep through the night  
14 without hearing at least one siren go off in New York  
15 City. This is where we live. Students with autism,  
16 some of them have undo sensitivity even to labels  
17 sometimes in their clothing, does it mean we walk  
18 around naked. No, we teach children with autism how  
19 to tolerate and be de-sensitized to the touch. SO  
20 this whole idea about over-sensitization is just an  
21 excuse.

22           And the issue of discretion. This is  
23 what I heard. Let's not talk about fire alarms,  
24 let's not talk about fire extinguishers or fire  
25 departments. Let's talk about fire prevention. All

1  
2 good, but when the fire breaks out we have to call  
3 the fire department, we have to pull the fire  
4 extinguisher off the wall or we have to be able to  
5 pull that alarm. This idea that we should somehow...  
6 that these are mutually exclusive ideas or that we  
7 should tie one to the other is silly. Because time  
8 is passing. It's been months now since Avonte. I  
9 got a message from Danny Oquendo just this afternoon.  
10 He's in support of the bill. Who wouldn't be in  
11 support of the bill? Your name does not have to be  
12 Oquendo to be in support of this bill. Common sense  
13 tells all of us that we must pass this now before  
14 we're all to blame for causing the next Avonte  
15 situation.

16 The cost. I'm embarrassed

17 [Interpose]

18 CHAIRPERSON DROMM: I'm just going to ask  
19 you to wrap up because you're a little over your  
20 time.

21 GARY MAYERSON: I'm embarrassed. I  
22 thought it was more than a million dollars. They've  
23 spent tens of millions of dollars looking for Avonte.  
24 There's always a cost, whether it's the cost of the  
25 consequences or the cost of the prevention. So I'm

1  
2 just going to end by saying that the door we alarm  
3 today, is going to be the saving of a life tomorrow.  
4 Thank you very much.

5 CHAIRPERSON DROMM: Thank you. Next  
6 please.

7 PRESIDENT ROSENBERG: Good afternoon. My  
8 name is Kim Mack Rosenberg, and I'm the President of  
9 the New York Metro Chapter of the National Autism  
10 Association and also a Board Member of the Elizabeth  
11 Birt Center for Autism Law & Advocacy and probably  
12 the most important hat I wear is the parent of a 14  
13 year old on the autism spectrum.

14 I want to thank you all for the  
15 opportunity to participate here today and also thank  
16 you Council Member Cornegy and other sponsors of this  
17 bill. Avonte's Law is extremely important and we  
18 unequivocally support its implementation. As Mr.  
19 Mayerson said, it's just common sense that we need to  
20 protect, not only children with autism or other  
21 special needs, but all our students in schools and  
22 keep them safe.

23 As the number of students with autism  
24 increases in New York City Schools, wandering is also  
25 going to become a bigger and bigger issue that the

1 district is going to have to deal with. We don't  
2 need any more Avonte's. We don't need eight other  
3 children leaving their schools and not being  
4 accounted for. And studies have shown that  
5 approximately half of individuals with autism engage  
6 in wandering behaviors. It's something that everyone  
7 who lives with, cares for or works with children or  
8 adults with autism, needs to be aware of and trained  
9 to address.

11 Many children with autism spend many  
12 hours a day in a school environment and as Avonte's  
13 tragic case demonstrated, they're very vulnerable in  
14 that environment. We also know that he's not the  
15 only child to have gone missing. I testified in  
16 April before the Public Safety and Mental Health  
17 Committees concerning measures to safely recover  
18 vulnerable individual who do wander. However, the  
19 most effective thing that can be done is to stop the  
20 wanderer before he or she leaves that safe  
21 environment. And that's what this bill intends to do  
22 and why its passage is so important. To implement a  
23 simple cost effective safeguard such as an audible  
24 alarm in a place where children spend a significant  
25 portion of their day will undoubtedly curtail

1  
2 wandering incidents. In fact many parents use  
3 similar systems in their own home. They purchase  
4 inexpensive door and window alarms at home  
5 improvement stores so that they can get some sleep at  
6 night and that their child who wanders won't escape  
7 their home or apartment.

8           Time is of the essence when a person  
9 wanders. An alarm system alerting school personnel  
10 that a child has triggered an exit door will demand  
11 immediate attention and will likely result in  
12 stopping the wanderer. The need for a comprehensive  
13 program shouldn't stop the implementation of this  
14 program. Of course people need to be trained, but we  
15 can't take the time..., we need to act immediately so  
16 that children are protected immediately. Those other  
17 things can come after. And I don't again, as Mr.  
18 Mayerson said, I don't discount the reality of  
19 sensory issues, my own child has them. But I think  
20 you need to balance the cost and benefits and we're  
21 talking about the lives of children here. And that  
22 needs to outweigh momentary sensory dysregulation. I  
23 thank you all for your time today.

24           CHAIRPERSON DROMM: Thank you. Mr.  
25 Barrientos.



1  
2 PAT BARRIENTOS: Thank you. Good  
3 afternoon, Chairman Dromm, Council Member Cornegy,  
4 council staff and guests. My name is Pat Barrientos  
5 and I serve as the External Affairs Coordinator for  
6 Quality Services for the Autism Community, otherwise  
7 known as QSAC. We are a New York City and Long  
8 Island based organization founded by a group of  
9 parents in 1978. Since then QSAC has grown  
10 significantly and provided person centered services  
11 to more than 1,600 children and adults with autism  
12 each year. We also provide support services to  
13 parents and siblings.

14 Earlier this year I testified in support  
15 of a package of legislation that revolved around the  
16 issue of GPS technology. Which was in response to  
17 the case of Avonte Oquendo. In that testimony, I  
18 stated that GPS technology should be used in  
19 coordination with other precautionary measure that  
20 parents and service providers have in place. Coupled  
21 with valuable community based training for parents  
22 and caregivers. Requiring the Department of  
23 Education to equip all exit doors with an alarm  
24 system in all elementary school buildings and all  
25 building accommodating District 75 programs, falls

1  
2 within that category of other precautionary measures.  
3 That is why QSAC lends its support to Council Member  
4 Cornegy's bill Introduction 131.

5           The case of Avonte Oquendo brought to  
6 light the fear that many parents of a child or adult  
7 with autism have on a daily basis. Whether at home,  
8 school, a neighborhood store or family outing. The  
9 fear of their child eloping, otherwise known as  
10 wandering, bolting or running is very real.

11 According to a study conducted by the Interactive  
12 Autism Network through the Kennedy Krieger Institute,  
13 49% of children with an autism spectrum disorder try  
14 to run off at least once after they reach the age of  
15 four. In that same study 58% of parents stated  
16 eloping was the most stressful behavior they've  
17 encountered. Further, the study also highlights  
18 children between the ages of four and seven with  
19 autism were four times more likely to wander than the  
20 children of the same age without autism. That number  
21 doubles to eight times between the ages of seven and  
22 ten.

23           When it comes to children with autism,  
24 especially in a school setting, all precautionary  
25 measures must be taken to insure the safety of

1  
2 children with autism. Even if that means installing  
3 an alarm system. As an organization that has served  
4 the autism community for more than 36 years,  
5 Introduction 131 means a great deal to the families  
6 we serve throughout New York City. Introduction 131  
7 would provide another layer of safety for our autism  
8 community. Since 1978 QSAC has been trusted by  
9 families on a daily basis, not only to provide high  
10 quality services for their loved ones but also  
11 trusted to keep their children safe. Community based  
12 organizations like QSAC can provide valuable insight  
13 and guidance to insure the success of new programs  
14 that seek to assist families in protecting their  
15 loved ones.

16 We look forward to working together with  
17 Council Member Cornegy and members of this committee  
18 together as we insure the safety and wellbeing of  
19 children with autism. Thank you.

20 CHAIRPERSON DROMM: Okay. Thank you very  
21 much. I don't have any questions, do you?

22 Okay, very good, we appreciate you coming  
23 in and spending time and sticking it out. So thank  
24 you so much for being here. Thank you.

1  
2 Our next panel will be Reverend Takisha  
3 Robinson, perhaps? Okay, gone okay. Jason  
4 Montgomery from New York City College of Tech CUNY,  
5 not here any longer? Joshua Morales from Bedford-  
6 Stuyvesant New Beginnings. Darlene Boston from  
7 Student's First. Okay. We'll do Cecilia Green,  
8 District 75 Citywide Education Committee Council, and  
9 William McDonald from Queens Chapter of NAN, Sarah  
10 Aline (phonetic) from PS106 PA and Marlana Odom from  
11 My Son's. Okay who would like to start? Very good.  
12 Just identify yourself for the record please. Oh I  
13 have to swear you in please. Would you raise your  
14 right hand? Do you solemnly swear to tell the truth,  
15 the whole truth and nothing but the truth and to  
16 answer council member questions honestly?

17 [Crosstalk]

18 CHAIRPERSON DROMM: Thank you.

19 VICE PRESIDENT MCDONALD: Good morning.

20 Or should I say good afternoon. My name is William  
21 McDonald, I'm the Vice President of the Queens  
22 Chapter of the National Action Network. I served as  
23 the Chairman of the NAACP Metropolitan Council  
24 Education Committee. I've served as the Chairman of  
25

1  
2 the Chairman's Parent Advisory Council, right over  
3 there at DOE.

4 I'm here to put on record that the Queens  
5 Chapter of the National Action Network and National  
6 Action Network supports this bill. We support an  
7 audible alarm on the doors. Training can be given to  
8 the school staff to where they can respond, or  
9 whoever's in that vicinity. I would also like to  
10 clarify something regarding..., I know you all had an  
11 issue regarding the IEPs. IEPs are an individual  
12 education plan. That means that the child's parents  
13 must be engaged, the teacher and the administration.  
14 If they decide to put a picture on their school  
15 safety agent's desk of that child, alerting them to  
16 certain situations, that's allowed. Of course, each  
17 plan is for each student. Each student has different  
18 needs, or whatever. That's basically, I understand  
19 that it's state law in general that each student's  
20 plan is specifically designed for that student.

21 Basically I've heard and you've heard  
22 everything else. So that's pretty much all I have to  
23 say. Thank you so much for listening.

24 CHAIRPERSON DROMM: Thank you very much.  
25 Next please.

1  
2           DARLENE BOSTON: Good afternoon, my name  
3 is Darlene Boston, I'm the organizer for the Bedford-  
4 Stuyvesant Chapter for Student's First New York. And  
5 I'd like to thank Councilman Cornegy and I'd like to  
6 thank the other 45 sponsors of this bill. Thank you  
7 so much for giving me the opportunity to speak to you  
8 today. I am a constituent, the parent's whom I  
9 organize are constituents and we are all proud that  
10 you're playing a leadership role in this important  
11 issue.

12                   I am here today in a number of roles.  
13 First, I'm here to represent the hundreds of Bed-Stuy  
14 parents actively involved with Student's First New  
15 York. And the thousands of Student's First New York  
16 parents in chapters all around the city. Our parent  
17 volunteer their time to fight for a better education  
18 for every child and they have spoken out strongly in  
19 favor of the audible alarms bills. A number of them  
20 joined me this morning on the steps of city hall and  
21 they are here in the chambers to show their support.  
22 Our Bed-Stuy parents have seen too many children  
23 leave school through unsecured, unalarmed school  
24 doors. Tanya Pierre who is the President of the Bed-  
25 Stuy Chapter of Student's First, found her four year

1  
2 old son on the street by his school. He had left his  
3 Pre-K program, remember he's only in Pre-K, he was  
4 four years old and he wandered out. He's a smart kid  
5 but he's also only four years old. And with mayor's  
6 new pre-k plan we're going to have many more young  
7 kids in school buildings who have never been in  
8 settings like that before. Thankfully Tanya's son  
9 made it home safe. But our school safety policy  
10 shouldn't be luck. We've seen the tragedies and we  
11 must put a stop to it now. On top of being a parent  
12 organizer, I am also a parent. My youngest son,  
13 Shaquille is autistic and non-verbal. He has  
14 attended any public schools around New York City.  
15 One of my biggest worries every day was Shaquille's  
16 safety at school. I would worry that he would wander  
17 out of school and be in danger. As a parent of an  
18 autistic child, or a parent of a young child entering  
19 pre-k, one of the scariest things you can do is  
20 entrust the safety to the City of New York.

21 But as parents, we do this on a daily  
22 basis and we hope for the best. As the mom of an  
23 autistic child and as an organizer who talks to  
24 public school parents all day, every day, I implore  
25 you to pass the audible alarms bills. I don't want

1  
2 to hope for the best and gamble with the safety of  
3 any more precious young lives. Adding alarms to New  
4 York City schools should be a no-brainer. It is the  
5 city's responsibility to protect my child while he's  
6 at school. We have seen the danger of students  
7 wandering out. We've seen tragic ends and many more  
8 stories that could have ended tragically. Please  
9 pass this bill to protect our kids and meet your  
10 responsibility to parents like myself. Thank you.

11 CHAIRPERSON DROMM: Thank you very much.  
12 Who would like to go next?

13 JOSHUA MORALES: Thank you for this  
14 opportunity to speak before the council and thank you  
15 Mr. Cornegy for bringing this to the floor so that we  
16 can address this as soon as possible.

17 CHAIRPERSON DROMM: Can you just identify  
18 yourself first.

19 EXECUTIVE DIRECTOR MORALES: My name is  
20 Joshua Morales and I'm with Bedford-Stuyvesant New  
21 Beginnings Charter School. I'm the Executive  
22 Director and founder of the school. Previous to my  
23 role at Bed-Stuy New Beginnings, I served at the New  
24 York City Department of Education Central Office from  
25



1  
2 2003 to 2009, on both the traditional and school  
3 choice side.

4           Bed-Stuy New Beginnings is an independent  
5 public school. We serve 591 families in our  
6 community in community school district 16. We serve  
7 youth living primarily in Bedford-Stuyvesant, Crown  
8 Heights, Brownsville, East New York and Bushwick.  
9 Our students are part of the fabric of New York City  
10 and our students require an inclusive representation  
11 regarding these issues as well. Over 95% of our  
12 students are classified as free and reduced lunch,  
13 24% of our students arrive with two years below grade  
14 proficiency, 19% of our students are students with  
15 disabilities and 7.5% of our students are English  
16 language learners.

17           We're not co-located. We lease our  
18 space. Trading overcrowding and politics for  
19 budgetary constraints and lack of additional wrap-  
20 around resources. You know, Avonte's tragic  
21 circumstances are symptomatic of a larger  
22 comprehensive gap in our city and state safety  
23 provisions in education. Our school served students  
24 who regularly experience violence in our neighborhood  
25 and homes. Since September our school community has

1  
2 lost three direct family members to gun violence.  
3 For our student's caretakers, Bed-Stuy New Beginnings  
4 is one of the few places in their lives where they  
5 know their children will be in a safe environment. A  
6 time when they can have peace of mind and that they  
7 can live safely.

8           We serve this neighborhood because we are  
9 passionate about giving our children opportunities to  
10 improve their community through their education and  
11 their work. We are acutely aware of the challenges  
12 that come with educating a population where many  
13 children have post-traumatic stress disorders, living  
14 in temporary housing and who's family members have  
15 been wounded or killed because of gang rivalries and  
16 such other issues.

17           But this knowledge only reinforces our  
18 commitment to support this bill and to provide  
19 Central Brooklyn's children with a safe, stable and  
20 rich learning environment. Our building was built in  
21 1926 and we are very aware of our structural  
22 weaknesses when we leased our building. We invested  
23 tons of money in this just to bring it up to safety  
24 code. When we found a stray bullet in the library in  
25 the summer of our first year. We knew that we had to

1  
2 plan to protect our children from falling victim to  
3 violence within our walls and outside our walls. We  
4 made emergency plans to the best of our knowledge and  
5 capacity. Leveraging the wisdom of New York's  
6 education community but could not afford all the  
7 security experts and reinforcements that could be  
8 provided that can truly create a safe building or  
9 community.

10 In the wake of Avonte, Sandy Hook,  
11 Seattle and all the other countless tragedies past  
12 and to come, we cannot emphasize enough the need for  
13 this bill and for resources to support robustly  
14 building security deterrents and lockdown  
15 initiatives.

16 Mayor de Blasio and others have advocated  
17 for years to have cameras installed in NYCHA  
18 buildings. And even though funds were allocated, no  
19 actions were taken in nearly two years. We cannot  
20 wait for the lives of our students to be lost in the  
21 same situation. Whether it's in constituents' homes  
22 or in their place of learning to take action to  
23 secure our buildings. The school safety issue is not  
24 so different than the recent tragedies in the NYCHA  
25

1  
2 system. We had the resources but failed to act. We  
3 cannot afford to not act now.

4 We ask the city council's immediate  
5 action to invest in New York City School safety. We  
6 demand support in making experts available to help  
7 school administrative design plans and systems  
8 adapted to each buildings realities and needs to our  
9 population. There needs to be moral, ethical and  
10 political will to save our children.

11 Some opportunities that we see are  
12 redundancy measure within the system. And we spoke a  
13 little earlier about what happens when bell rings and  
14 somebody leaves that. We need to know who's going to  
15 replace that person. So there should be redundancy  
16 systems. Where ever technology been talked about as  
17 part of a comprehensive health and safety program,  
18 they can wear fitness bands and necklace trackers,  
19 key chains, pins, badges and so forth as part of the  
20 holistic approach to this.

21 Capacity development is something we see  
22 opportunity in. Enhancing the robust arm boarding to  
23 mitigate turnovers in school safety. School safety  
24 agents aspire to other things as well and I know  
25 about being in the administration there was a lot of

1  
2 turnover around that. So when someone leaves,  
3 where's the institutional knowledge that follows  
4 that.

5           Expanding school parameters and presence  
6 or deterrence's by deputizing and perhaps allocating  
7 more resources and training to our school crossing  
8 guards. Maybe extending that to create a perimeter  
9 around the building. We know that if you leave the  
10 building there could be somebody outside the building  
11 to sort of be a hedge against that. More effective  
12 and proactive support of student's awareness and  
13 impact regarding safety zone and procedures. So we  
14 need to train our students as well. Not just the  
15 adults but the students as well. And to some of the  
16 earlier points, we need more parent involvement and  
17 we need more trust building between parents and  
18 schools because also as I have a son. He's not on  
19 the spectrum but he has emotional issues and he has  
20 his own flight reasons. So every student is very  
21 individual, has their own issues and we need to take  
22 them all into consideration. And try to really plan  
23 around this. I think comprehensive planning would  
24 really help us get ahead of this and then we can  
25

1  
2 buttress it with all the technology and all these  
3 other components. Thank you very much.

4 CHAIRPERSON DROMM: Thank you. Next  
5 please.

6 CELIA GREEN: Good afternoon. My name is  
7 Celia Green. And I'm the mother of four young  
8 autistic men on the spectrum who have autism spectrum  
9 disorder. I am speaking as a parent and I'm also  
10 speaking on behalf of the District 75 Citywide  
11 Education Council. We represent 60 organizations and  
12 approximately 500 buildings. Thank you to Council  
13 Member Dromm for holding this hearing. And thank you  
14 to Council Member Cornegy for putting forward this  
15 bill.

16 While audible alarms cannot be the only  
17 safeguards. These alarms are very necessary. My  
18 youngest son attends an elementary school building  
19 that houses three schools. One is District 75, one  
20 is general education and one is charter. This  
21 building has at least 700 children and has a minimum,  
22 at minimum 16 exit doors on the first floor. This  
23 building has one safety agent.

24 In our particular case the safety agent  
25 is aware that there is a D75 program in the building.

1  
2 However, that's not the case in all schools. And  
3 although it is against the law to notify a safety  
4 agent or anyone else about a child's specific IEP.

5 It is not illegal to tell the safety agent that there  
6 is a D75 program in the building and there are  
7 certain types of communities that are in this  
8 particular building.

9 I do hope that this passes, because which  
10 special ed reform there are a lot more children with  
11 IEPs in general ed locations, who are not necessarily  
12 attended to by a para but are receiving services in  
13 their community school and in their local zoned  
14 school. But they still have an IEP and need to be  
15 supported.

16 And to that end I really hope that this  
17 bill pass because as a mother with four children who  
18 are on the spectrum, two of them are runners and I am  
19 a very active parent. I've always been an advocate  
20 since my children have been in school. I really do  
21 believe that there never needs to be another tragedy.  
22 Because, you know, a mother put a child on a bus one  
23 morning and I empathize with that. She never saw the  
24 child again. And I hope that never happens to anyone  
25 else.

1  
2 CHAIRPERSON DROMM: Well thank you for  
3 that, and thank you for your heart felt testimony.  
4 And four children who fall in the spectrum, and look  
5 at you, you know, coming here to testify and doing  
6 such a good job. I congratulate you and thank you  
7 all today for coming in to give your testimony.  
8 Thank you very much.

9 So we think this is our last panel. If  
10 there's anybody else after I call this list who is  
11 not on it. If you want to testify, please see the  
12 Sergeant at Arms. But these are the last people we  
13 have here. Calvin Hunt, the People of Harlem. Mrs.  
14 Raquel James, Kiersten Philips (phonetic) and Shirley  
15 Phips (phonetic).

16 Nobody else to testify after that. Okay  
17 so this will be our last panel.

18 Okay would you like to start?

19 Yes

20 CHAIRPERSON DROMM: Oh I have to swear  
21 you in yes. Thank you for reminding me. Could you  
22 raise your right hand please? Do you solemnly swear  
23 to tell the truth, the whole truth and nothing but  
24 the truth and to answer council member question  
25 honestly?



[Crosstalk]

CHAIRPERSON DROMM: Thank you.

SHIRLEY PHIPS: My name is Shirley Phips.

I represent AACEA, Inc. which is an African-American Caribbean Education Association. We award scholarships to writers, young African children who are going off to college. And I wish I was here today to be able to ask you for more money for our scholarship fund.

This is an unfortunate situation because Avonte, regardless of his situation. He had a right to a future. He had a right to go to school and return home to his parents. I don't have any children and I feel that children are sacred. That's our future. And he had a right to a future. And this was a very grave, basically a security issue. I am a former New York State corrections officer. I worked in the prison system for the state for 29 years. I've done private corporate security. And when you're doing security you have to have experts to come in to do a physical security layout of a building and you have to do risk assessments. What are your risk assessments? You have to have an emergency plan. You have to have safeguards. I

1  
2 support your bill. Because I believe the bill is  
3 going to bring change. Because we do need change.  
4 But I know in the prison system we were taught, we  
5 provide care, custody and control to the inmate  
6 population. Our children should have care, custody  
7 and control.

8           That particular day when Avonte left that  
9 school. It was shown on the cameras on TV. That  
10 there was an exit that he went out the door pushed  
11 out. That door should have been locked and secured.  
12 I understand he was on lunch break. When there's  
13 movement of people around a building, especially  
14 children. This just requires a man person just to  
15 man that door to assure that no one go out that door  
16 because it was open time for kids to be around and  
17 about. I understand its parents said that he was a  
18 flight risk because he liked to run. So there should  
19 have been a flag at the security desk with his  
20 picture. So that he's seen moving around that he  
21 should be observed and brought back to his classroom.

22           So this whole situation is all about  
23 security and all our schools should have the best  
24 security safeguards in place for the risk assessment  
25 and more so, this was a District 75. It should have

1  
2 tighter controls, tighter overview of risk  
3 assessments and security.

4 I mean we're living in a different time.  
5 Our schools are not..., it's not like it was when I  
6 went to school. You went to your classroom and you  
7 stayed there. But kids today have high energy.  
8 Whether they are autistic or not. They're curious  
9 and sometimes they want to flee. So therefore there  
10 have to be certain things in place. So we have to  
11 decide if we're going to provide the care. Are we  
12 going to have control, I hate to say custody.  
13 Because custody is usually for people that's  
14 apprehended. But we have to be able to know our  
15 children and know where they are and what's going on.  
16 That school should have had more school safety  
17 agents, because it was a high risk school. So that  
18 it should have provided better security. Because  
19 like I said this was basically a simple security risk  
20 that even with the cameras, whatever, it just about  
21 having the manpower in place at certain soft areas...,  
22 hard areas where someone can leave the building.

23 So I'm just here to say that I hope this  
24 bill brings about change where kids that there will  
25 never be another Avonte are that will leave our

1  
2 system. Especially in a District 75 School. Because  
3 we owe that young man the best. He should not die in  
4 vain. We owe his mother, his father, his  
5 grandmother. Our children deserve the best and I  
6 just hope this bill brings about the best so that  
7 this will never happen again. Thank you for your  
8 time.

9 CHAIRPERSON DROMM: Thank you very much.

10 KIRSTEN PHILLIPS: My name is Kirsten  
11 Phillips. I am a former District 75 teacher. And  
12 we've heard a lot of testimony today from very  
13 important people, parent advocates, the district, the  
14 UFT. But we have not heard from many teachers.  
15 First hand contact with these students who are at  
16 risk.

17 I am a former District 75 teacher because  
18 I am an unfortunate victim of the blind panic  
19 reaction the DOE has taken in light of the Avonte  
20 Oquendo tragedy. To make a long story short. Four  
21 adults in a classroom were not ready to take  
22 responsibility for a student that I had escorted to  
23 that classroom, leaving and going into the next  
24 adjacent room. He was then determined missing and I  
25 was dismissed from my position since I had escorted

1  
2 him in the first place. And I am an untenured  
3 teacher.

4 I have seen firsthand, the IEPs outright  
5 ignored. With excuses from administration, we don't  
6 have the funds, it takes a village, and oh you have  
7 three paras in a classroom. So we obviously don't  
8 need to assign a student elopement issues another  
9 para. There's a lot of noise and not a lot of  
10 action. If there is going to be protection for the  
11 vulnerable students that we are..., that this act  
12 serves to protect. We should also have protection  
13 for the caretakers who risk their safety every day to  
14 insure their safety. So I've been taken away from  
15 the students and job I've been grown to love and been  
16 removed from a profession I've devoted years of hard  
17 work, time and money. And it saddens to even write  
18 about this injustice.

19 But I only hope no other educators may be  
20 falsely accused and made to suffer the same extreme  
21 consequence I've had to endure.

22 The tragic and unnecessary loss of Avonte  
23 is, of course, the most profound. But the loss of  
24 valued educators and providers should also be taken  
25 into consideration.

1  
2 CHAIRPERSON DROMM: Thank you for your  
3 testimony and thank you for providing a bit of a  
4 teacher's voice in this as well. Any questions?  
5 Okay thank you. We appreciate you coming in today  
6 and seeing that there are no others who are going to  
7 give testimony. I believe that this meeting will  
8 adjourn. It is now 1:35. This meeting is adjourned.  
9 Thank you very much.

10 [Gavel]

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C E R T I F I C A T E

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



Date June 15, 2014