



**Department of
Education**

Carmen Fariña, Chancellor

**Testimony of the New York City Department of Education
Before the New York City Council Committee on Education
and Subcommittee on Non-Public Schools
on Special Education Achievement and Instruction, and Intro 435**

October 28, 2014

*Testimony of Corinne Rello-Anselmi,
Deputy Chancellor for the Division of Specialized Instruction and Student Support*

Good afternoon, Chair Dromm and Chair Deutsch and members of the Education Committee. My name is Corinne Rello-Anselmi, and I am the Deputy Chancellor for the Division of Specialized Instruction and Student Support at the New York City Department of Education (DOE), which includes the Special Education Office (SEO). I am joined by Jan McDonald, the SEO's Executive Director of Data and Accountability. Thank you for the opportunity to testify today on Special Education in NYC schools, and Intro 435, which requires the DOE to report information regarding students receiving special education services.

Until a few years ago, most students with disabilities in New York City were taught in separate classrooms from their non-disabled peers—and in many cases, in completely separate schools. Expectations for students with disabilities were too often set low, with little focus on graduation—let alone adequate preparedness for college, careers, and independent living. Too many of our students were deprived of access to the same opportunities as their peers, negatively impacting their futures.

Three years ago, the DOE launched the citywide expansion of a special education reform initiative—*A Shared Path to Success*— to end the segregation of students with disabilities in New York City. Special education must be viewed as a set of services to help students with disabilities on their paths to academic success, not as a separate place to send students. Chancellor Fariña has had a longstanding commitment to inclusive school communities that service the needs of all students and has made it essential to her sweeping vision of access and opportunity for all children. We are proud of our progress, but also recognize that we still have a long way to go. As we look ahead, we continue to focus on four major areas: access; quality Individualized Education Programs (IEPs); supporting student behavior; and transition to college, careers and independent living.

The primary focus of *A Shared Path* is access. Students with disabilities now have increased access to neighborhood schools and classrooms. This means learning in the “least restrictive environment,” with appropriate supports to meet their individual needs. We know that instructional access for students with disabilities benefits all students and, under Chancellor Fariña's leadership, we have begun several new initiatives to leverage special education expertise to boost achievement across the board.



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The first of these grew out of this administration's commitment to promoting literacy. Early intervention and support is critical to fostering success in reading and writing in young children. Next month, we will launch an early childhood literacy intervention program utilizing the expertise of speech teachers. These teachers will be able to use additional periods each week to collaborate with early childhood classroom teachers and work directly with students in small groups to build foundational phonemic awareness skills and prevent future reading deficits. We are consulting with national experts in language processing and development at the City University of New York's Lehman College to ensure that our strategies are based on the most current research.

Next, as of this month, all initial speech evaluations are being conducted by DOE speech teachers, rather than outside contractors. This change has already resulted in decreased wait times for families. It also enables DOE experts to work with classroom teachers to understand diverse speech patterns and support students in the general education environment.

Our Division is also leading an initiative to reimagine our approach to working with students with dyslexia. We are partnering with a local university to create a comprehensive program for training our educators to teach students with dyslexia. Many students with dyslexia may not need special education services if they can develop literacy skills with properly trained professionals.

In literacy, we support Orton-Gillingham (OG) based sequential multisensory reading intervention for students with disabilities. Reading intervention is supported across the city—through the work of the Office of Teaching and Learning and the SEO. The SEO is working on two pilots with OG-based programs (Wilson Foundations and Really Great Reading). Staff in our office have been trained in Wilson, and we are finalizing a proposal to continue this work in our schools.

In order to increase access to the Common Core curriculum for students with disabilities, we are strengthening and expanding our work in the area of Assistive Technology (AT). Assistive Technology consists of devices, hardware, and software that aid students in accomplishing educational tasks. In addition to providing professional development to integrate Assistive Technology and Instructional Technology (IT) into the classroom, we are also expanding the work of our Center for Assistive Technology, which will further improve the timeliness and quality of our AT evaluations and the implementation of AT devices and services.

In addition to these new initiatives, we have continued to strengthen our support structures and systems for related services (including counseling, speech therapy, occupational therapy, physical therapy, and hearing and vision education services) and have achieved historically high levels of service to students. By the close of the 2013-2014 school year, we were providing approximately 90 percent of services in full. We made particular progress in serving students recommended for bilingual counseling and bilingual speech therapy, providing both at a rate of over 90 percent.

We have also made significant progress in closing the gap in services to students in the parts of the city where it has been most difficult to hire providers. For Districts 7, 8, 9 and 12 in the



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Bronx and District 16 in Brooklyn, service levels rose nearly 10 percent from school year 2012-2013 to 2013-2014, and in District 13 in Brooklyn, service levels jumped 19 percent over the same period. In District 23 in Brooklyn, we are serving students at a rate over 30 percent higher than in 2008.

Although there is more work to do to ensure that every student in every neighborhood is fully served, we are confident that our progress will continue. One of the key elements of our success to date has been our commitment to recruiting and hiring providers in long-term shortage areas. Notably, as of May, we had a 28 percent increase in bilingual speech teachers on staff from the year before.

Another important development in our work is in the area of specialized instructional programs. While most of our students can be served in their neighborhood schools, there are some students who are best served in specialized programs. While serving as a Deputy Chancellor, Chancellor Fariña spearheaded efforts to study ways to meet the needs of high-functioning students with autism. At the time, she was one of the original members of the New York University ASD Nest Support Project. We have continued to work with ASD Nest to advance opportunities for children with autism-spectrum disorders, through a model of reduced class size with specialized supports, in a setting integrated with general education students.

In collaboration with the New England Center for Children, we have developed another specialized program for students with autism, ASD Horizon, which uses a special class model and curriculum. We currently have 270 individual classes across the City, in grades K through 12 that serve students with autism-spectrum disorders using this model.

Our Academics, Careers, and Essential Skills program, also known as ACES, is a specialized program intended to provide students with intellectual disabilities greater access to their local schools. ACES programs provide specialized supports for students who are alternately assessed within Districts 1 to 32 schools, using a special class model. We are committed to expanding highly effective specialized programs in order to meet the needs of our students.

Under Chancellor Fariña, we continue to focus on the professional development work that we know is necessary for teachers and other school leaders. The IEP functions as an educational roadmap, setting out an individualized program of supports and services tailored to the student's strengths and needs. High-quality IEPs are essential, and our teachers need ongoing support to deliver them for each and every student with a disability. We are offering comprehensive learning opportunities through our professional learning partnerships, professional development, curriculum planning, and other central initiatives. This year's professional development catalog has over 70 different topics available throughout the school year and in every borough. In the past two years, our office held over 5,000 workshops reaching over 112,000 professionals.

We also focus on training our teachers to provide positive behavior supports to students who need them. We are excited to continue and deepen our collaboration with the United Federation of Teachers on the Institute for Understanding Behavior. We are building on that collaboration to provide supports to paraprofessionals by offering trainings in positive behavior interventions and



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supports. We also continue to support schools to conduct Functional Behavior Assessments (FBAs) and create effective Behavior Intervention Plans (BIPs).

In the past, many students with disabilities were not challenged to succeed beyond high school. It is critical to develop a transition plan that sets out a series of interim goals and moves toward the highest diploma option. Through summer youth employment, work-based learning, and the Chancellor's focus on increased career and technical education options (CTE), we are creating multiple paths to successful futures. We have been working to ensure that students, families and schools understand the opportunities for students with disabilities in CTE, as well as how to use the new Career Development and Occupational Studies graduation credential, CDOS, as a supplement to a diploma, to ensure that students graduate with skills necessary to succeed in the workforce.

In keeping with Chancellor Fariña's strategic vision, we remain committed to engaging with those who know our students best: our parents and families. In order for our students to have access to a quality education, it is essential that we actively partner with their families and communities. Families must have the ability to engage fully in the special education process; to understand available resources and services; and to support their children through transitions. This past spring, the SEO hosted a Citywide Conference for Families of Students with Disabilities. This was a day-long event where families could attend workshops about the special education process, ask questions about individual student needs, and discuss with our staff how we can work together to best serve students. We have continued our commitment to work with parents and advocates by offering workshops across the five boroughs, including Kindergarten Orientation meetings, High School Admissions meetings, a Parent Academy, and the Chancellor's Parent Conferences. In addition, we have deepened our partnership with the Citywide Council on Special Education, and attend monthly public meetings and present information on relevant special education topics.

We have also revamped the special education sections of the DOE website, making it a rich source of detailed information on all aspects of the special education process. It can be viewed in nine languages other than English, and includes videos of the workshops from our Parent Conference, links to community resources, and detailed information, both for seasoned advocates and for parents just learning about special education.

This fall, we updated the *Family Guide to Special Education*, which was developed in partnership with families and advocates. It can be found on our website, in nine languages other than English, and we have also distributed hard copies to families throughout the city.

We know that families often need additional support in understanding the special education process. We have an ombudsperson in our office to address family concerns that have not been resolved at the school level. Families can reach us through a public email address at SpecialEducationReform@schools.nyc.gov, and the 311 special education hotline. We follow up within 48 hours of each inquiry. These interventions not only allow us to provide the individual supports necessary, but also give us a window into the range of needs of our families across the city, enabling us to identify and address systemic issues.



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I would also like to provide you with an update on the leadership of the Special Education Office. Next week Christina Foti, Principal of PS 231K, will take on the role of leading the Special Education Office as Chief Executive Director. Christina has worked as a Special Education Teacher, School-Based Literacy and Positive Behavior Supports Coach, Middle School Coordinator, Assistant Principal, and most recently, District 75 Principal. In these roles she has developed skills in instruction, positive behavioral supports, writing quality IEPs, collaborative team teaching, and self-contained classrooms, as well as a deep understanding of the Shared Path Framework and the Common Core Learning Standards.

I would now like to introduce Jan McDonald, who will review additional data with you. The SEO's data team represents another new structure that we put in place two years ago to inform our decisions and better monitor and manage our work. The data allow us to track the results of the Reform across multiple indicators, to intervene if the data reflect that any of our policies or practices are having unintended consequences, and to identify where we are having the greatest successes and challenges.

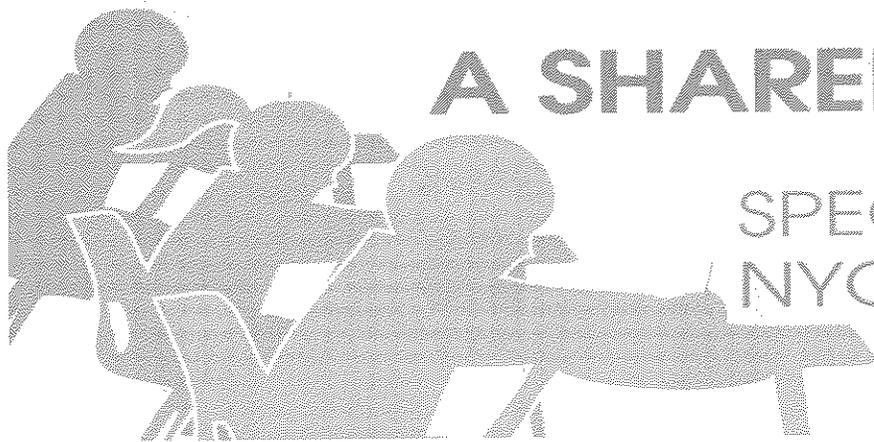
SLIDE PRESENTATION by Jan McDonald

As you have seen, the data show that we are making progress with respect to multiple indicators. While we still clearly have a long way to go, it is important to understand that we are working to reverse the policies, practices and school cultures reflecting decades of exclusion and low expectations for students with disabilities, and these will not be reversed overnight.

With Chancellor Fariña's longstanding commitment to effective policy, practice and professional development regarding students with disabilities, we are confident that the trends we are seeing will continue and accelerate.

Finally, with respect to Intro 435, we support the Council's goal to provide parents, advocates, elected officials and other stakeholders with useful information regarding students receiving special education services. Consistent with this Administration's commitment to transparency, we are already working to create school-level reports that will be available on each school's web page that will have much of the information required by the proposed legislation. We would like to work with the Council to revise the proposed legislation so it reflects the reporting already in progress and to ensure that the requirements align with existing State and federal legal and regulatory standards.

Thank you for the opportunity to testify today. I would be happy to answer any questions you may have.



A SHARED PATH TO SUCCESS

SPECIAL EDUCATION REFORM
NYC PUBLIC SCHOOLS

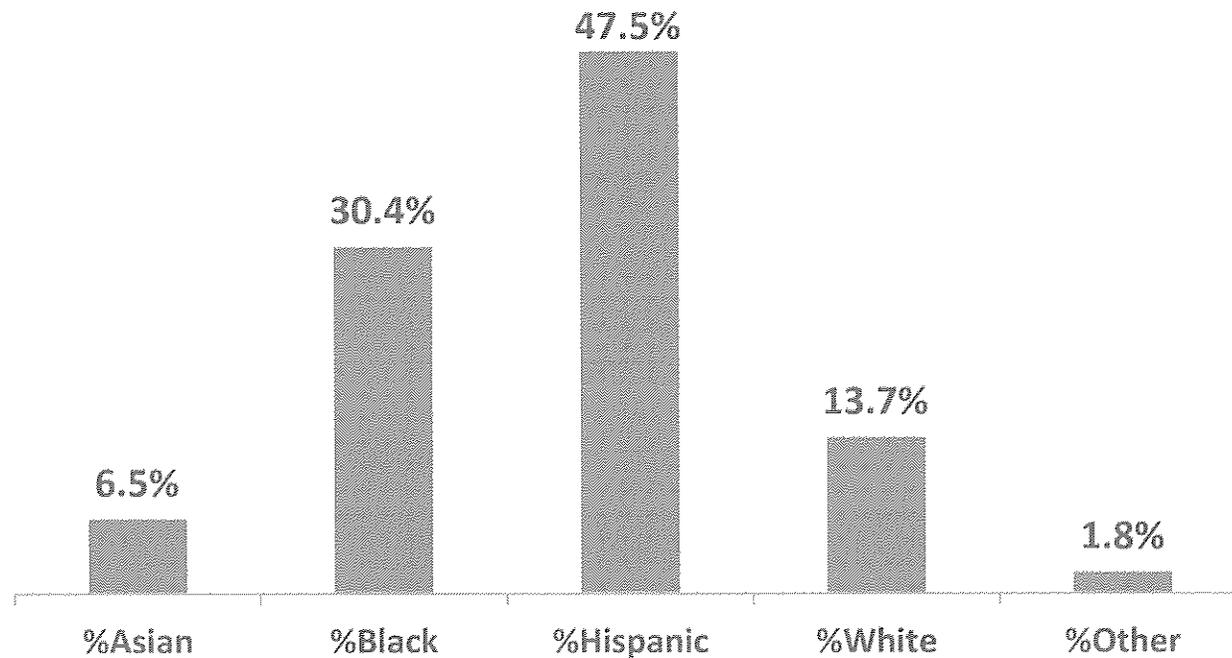
Presentation Before the NYC Council Committee on Education

Division of Specialized Instruction and Student Support
Deputy Chancellor Corinne Rello-Anselmi

October 28, 2014

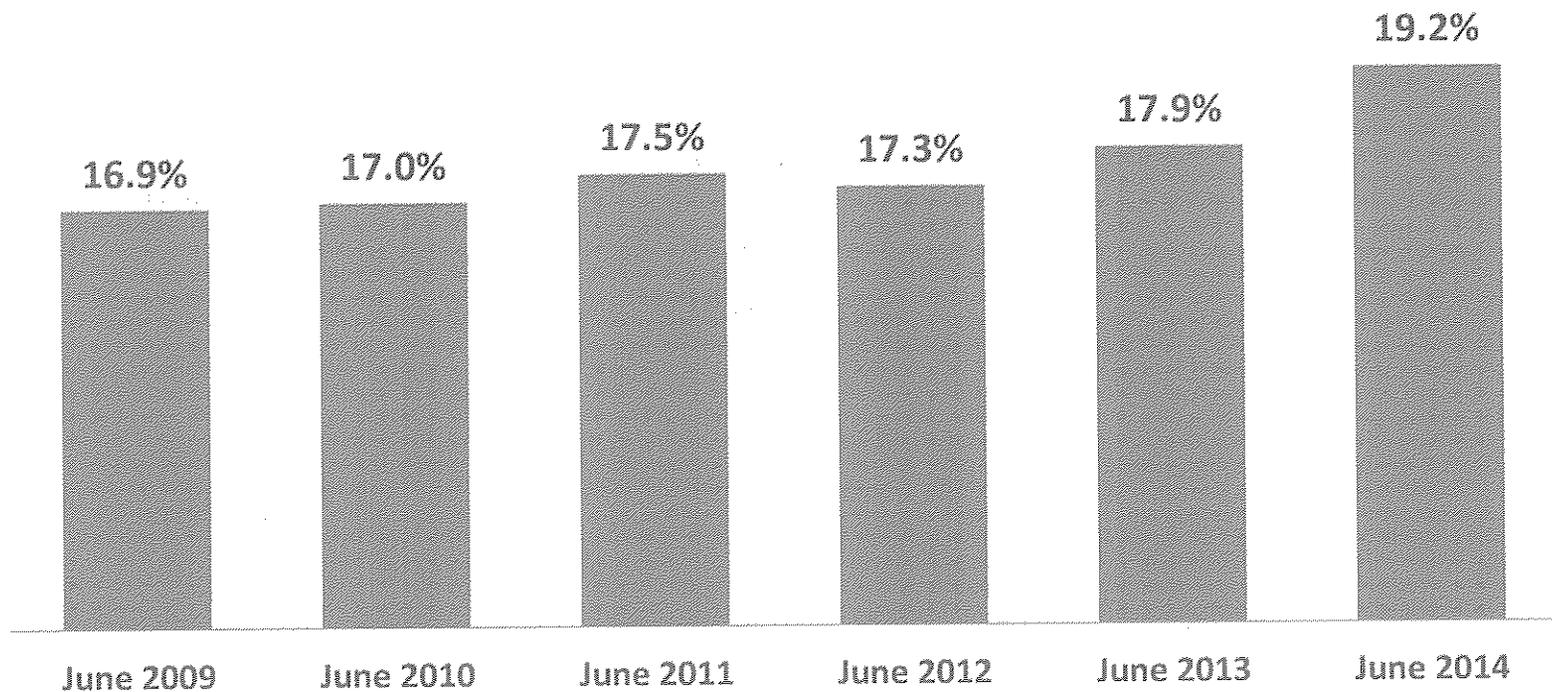
Of the approximately 185,000* students with IEPs in NYC schools in Districts 1-32 and 75:

- Almost 4 out of 5 are either Hispanic or black (77.9%)
- 2 out of 3 are male (66.6%) and
- Slightly more than 1 out of 6 is an English Language Learner (ELL) (18.0%)



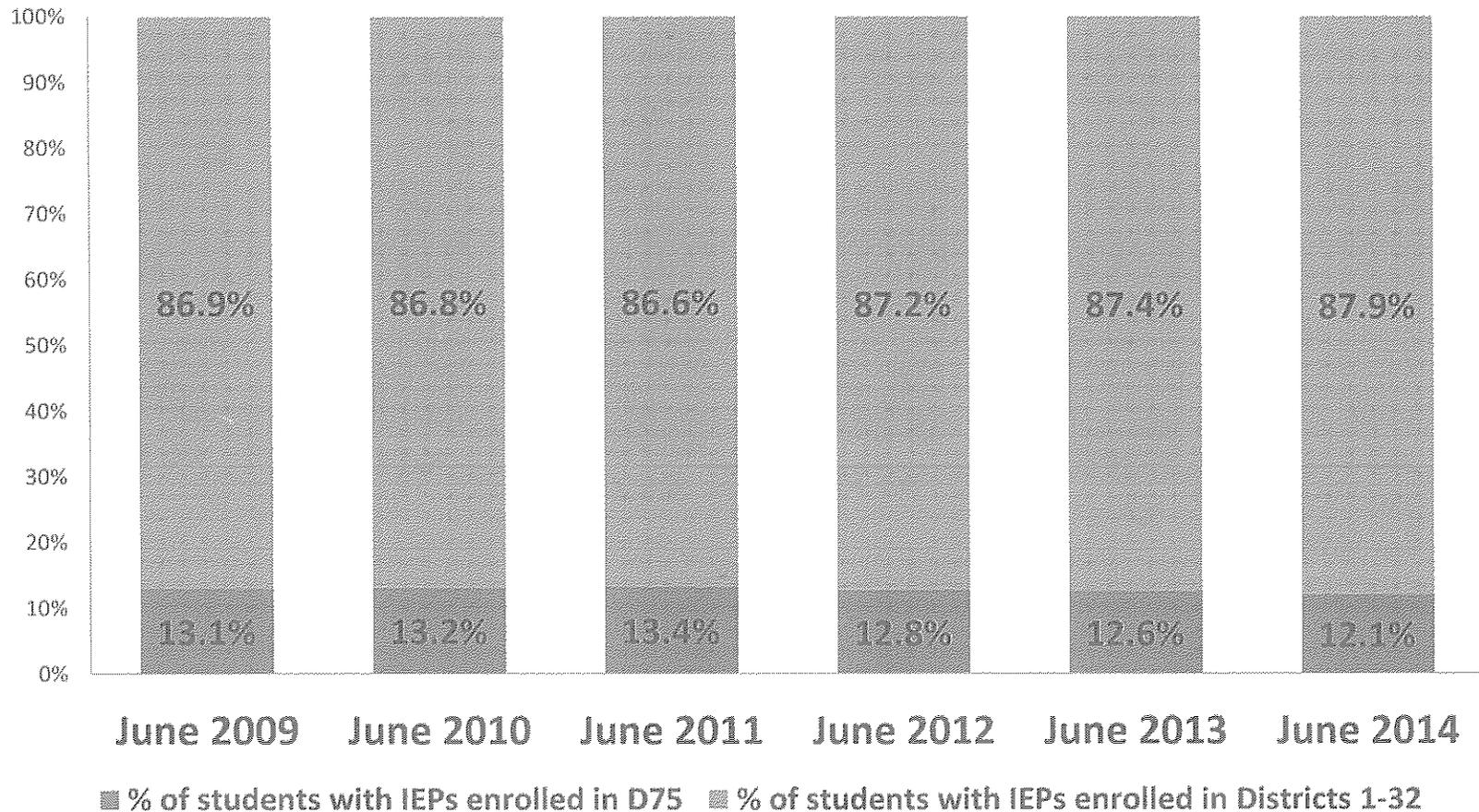
Race/Ethnicity for Students with IEPs in Districts 1-32 and 75 SY 2013-14

Approximately 1 out of every 5 students
in NYC Schools currently has an
Individualized Education Program (IEP)

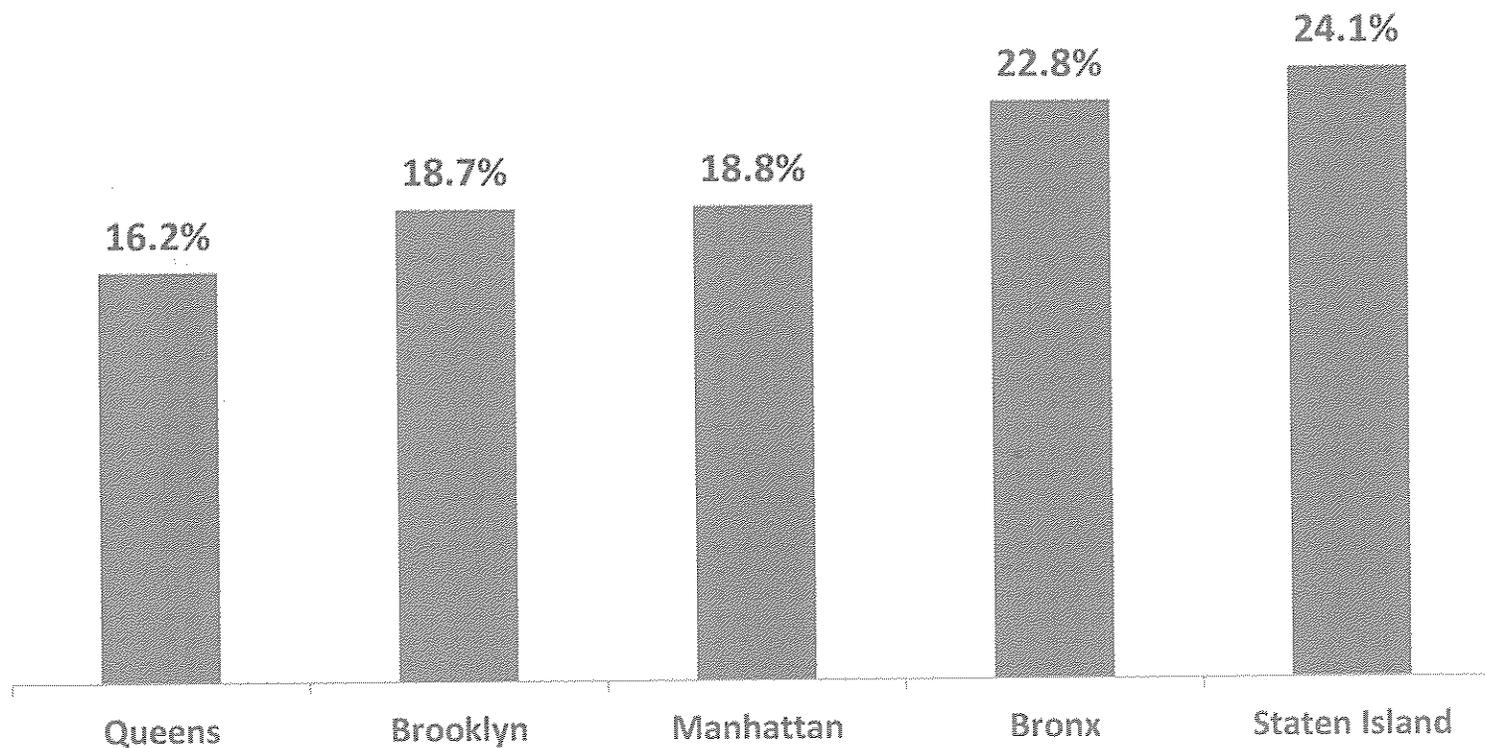


% of Students with an IEP Enrolled in a DOE School in Districts 1-32 or 75

Of all students with an IEP enrolled in NYC Schools,
approximately 1 out of 8 attends a school in District 75
(the District of specialized schools that only students with IEPs attend)

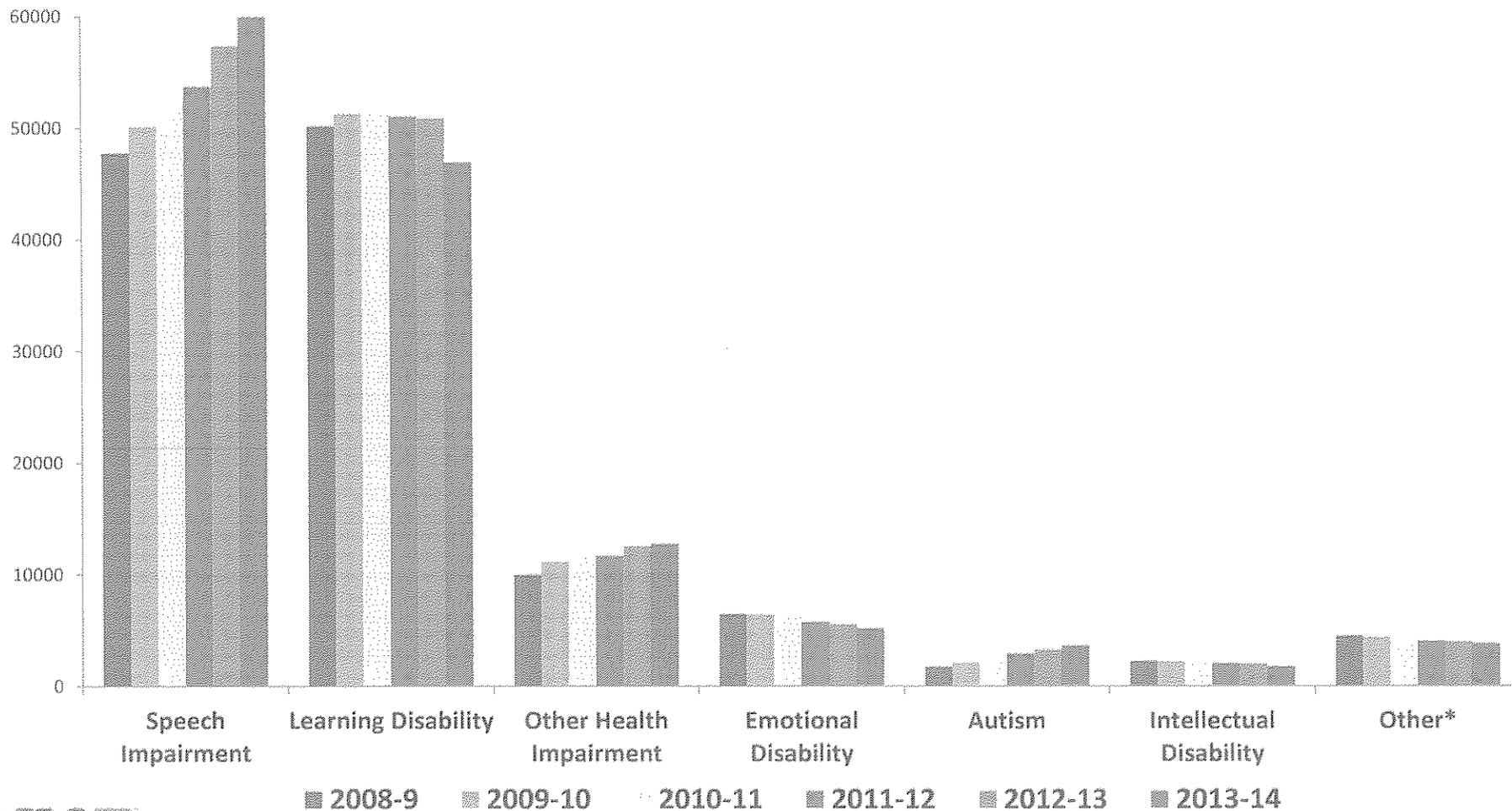


The proportion of students with IEPs varies considerably by borough

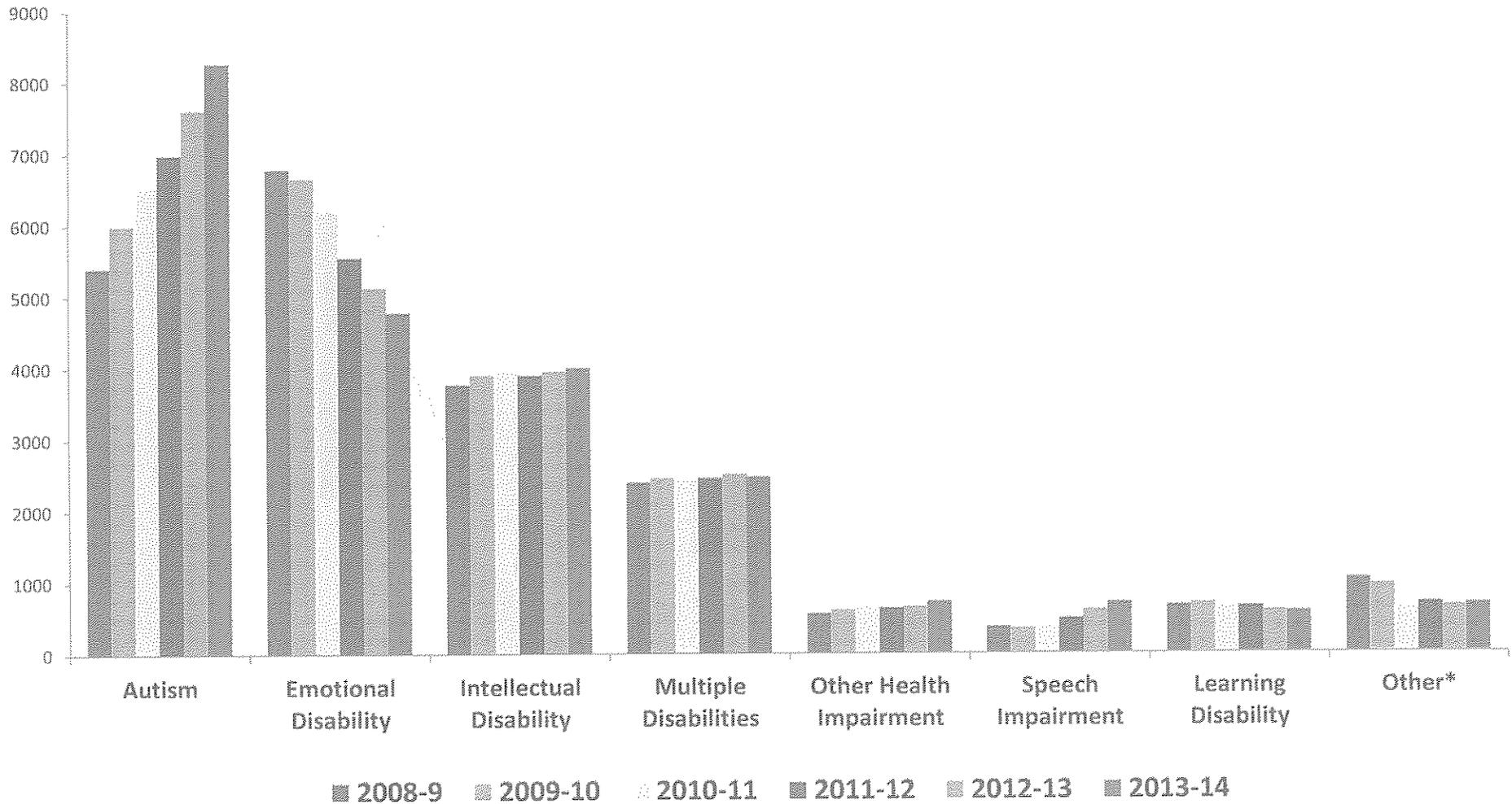


% of Students with IEPs, June 2014 by Borough

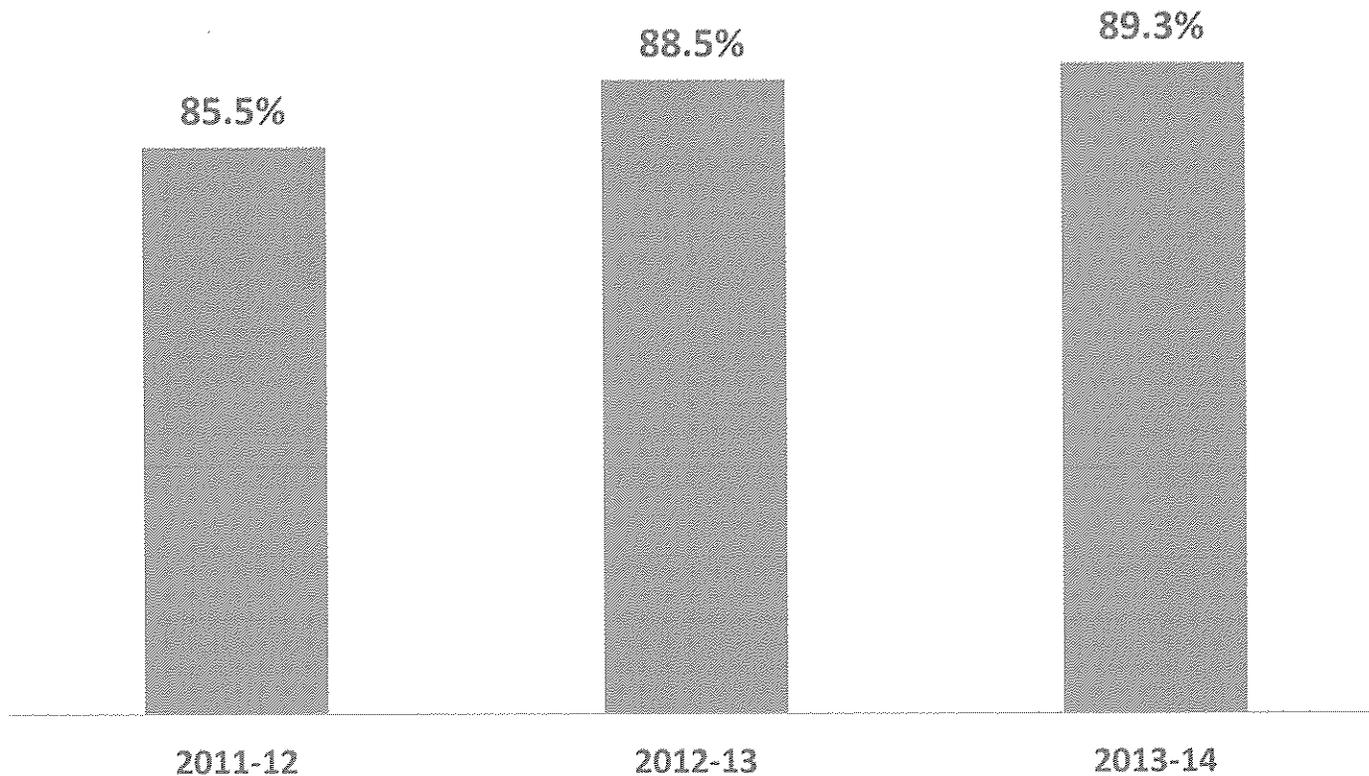
For students with IEPs attending Districts 1-32, approximately 4 out of 5 are classified as having either a Speech Impairment or a Learning Disability (79.8%)



For students attending District 75,
almost 2 out of 5 are classified as being on the Autism Spectrum (37.2%)

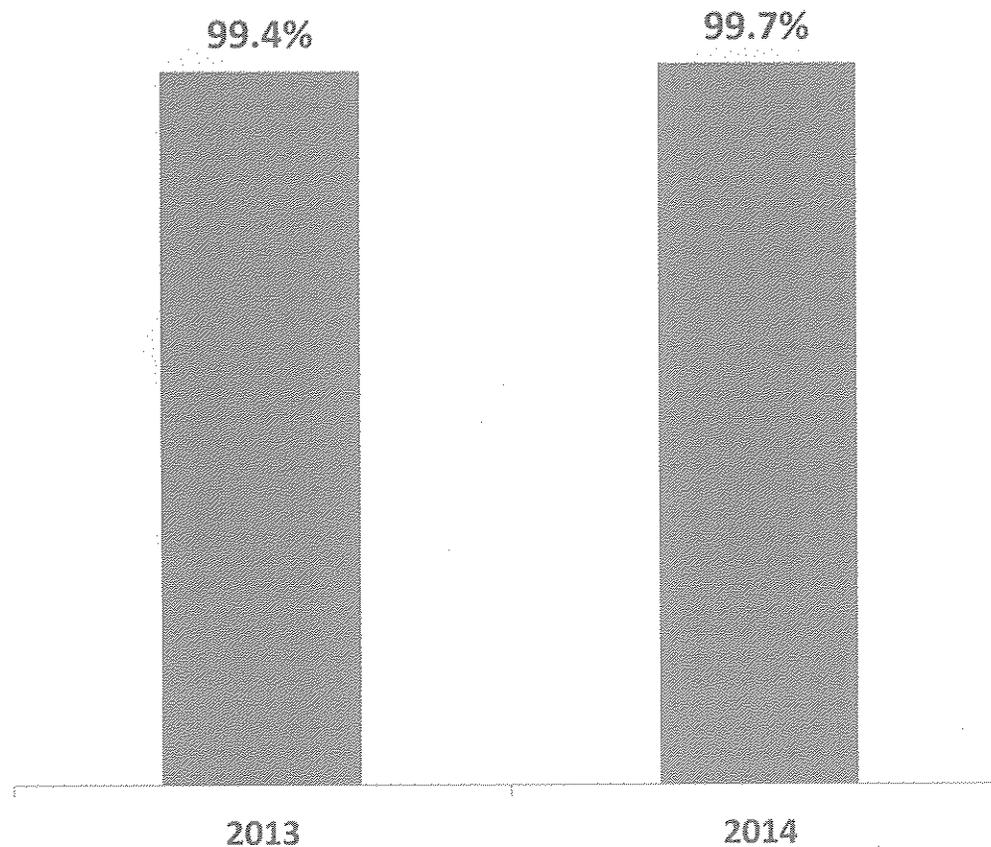


Through changes in policy and increased outreach to families, we have increased the access of students with disabilities to their neighborhood schools; the same schools where their non-disabled peers and siblings attend.



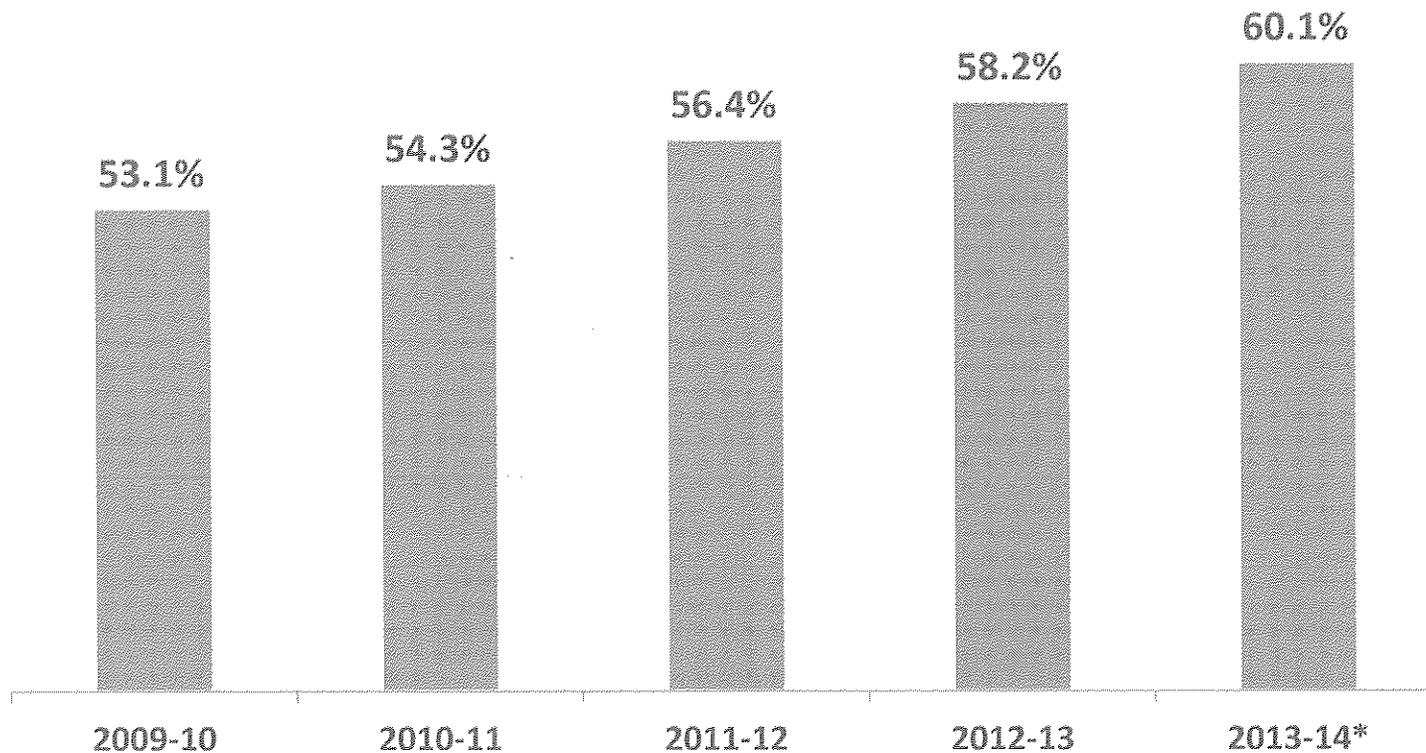
Percent of schools with > 10% of their enrollment students with IEPs

Over the past few years, we have also improved when most families and schools know about recommendations for kindergarten so that both can be better prepared for this important transition.



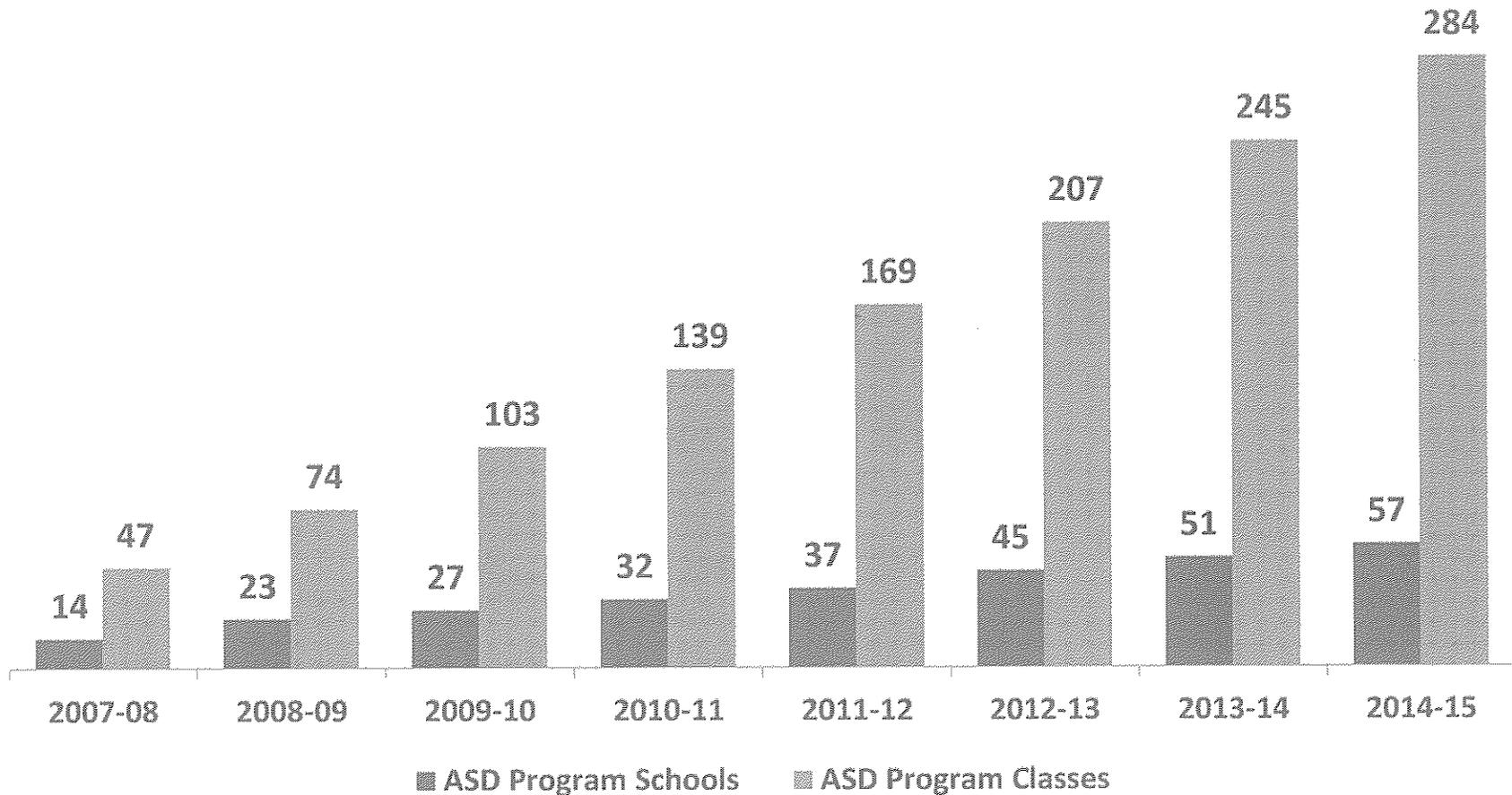
Percent of "Turning 5" IEPs completed on or before June 15 each year*

Through changes in policy and practices, additional professional development, and budgetary incentives we have increased the access of students with disabilities to their non-disabled peers.



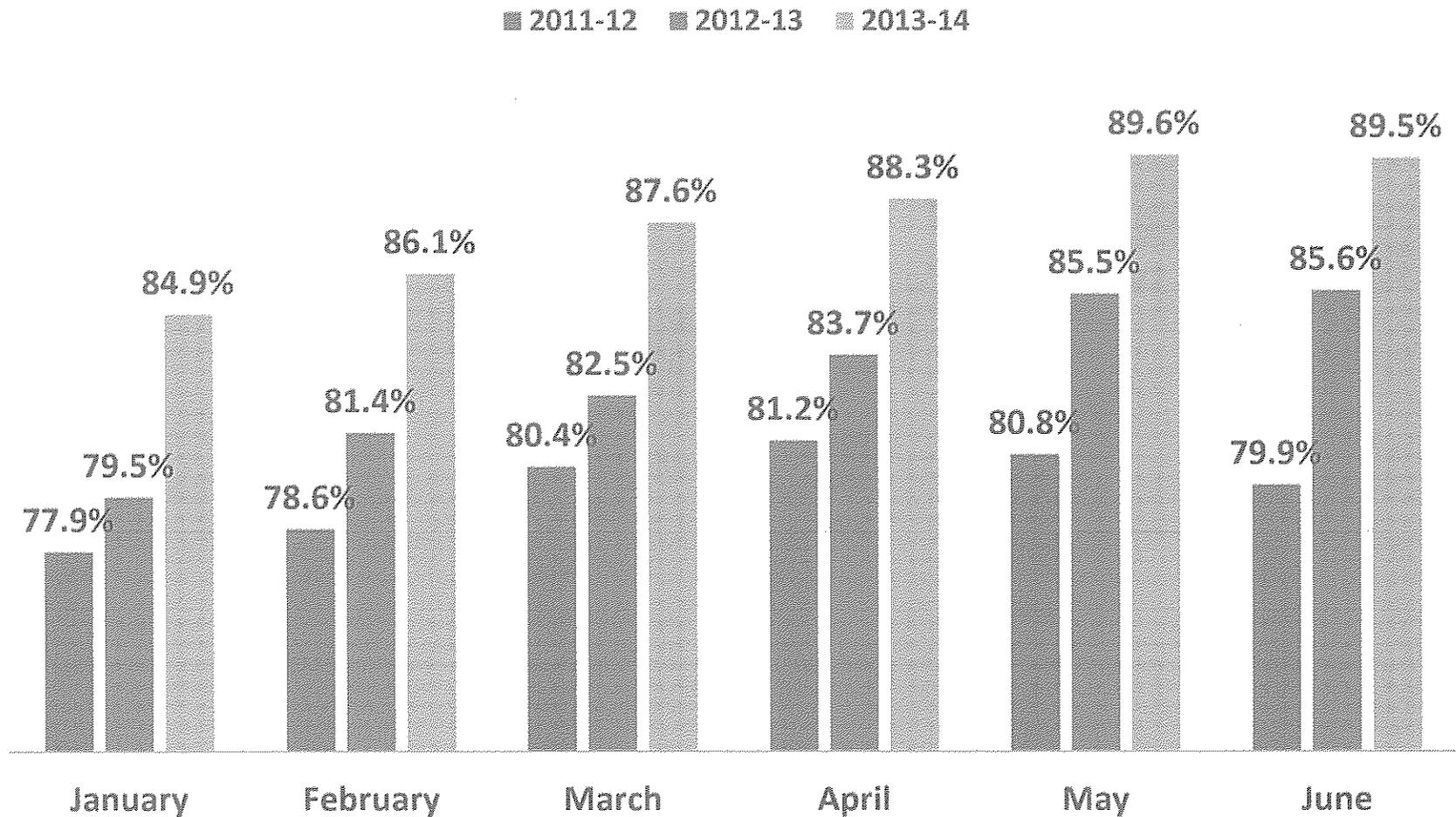
% of SWDs in general education programs for 80% or more of the day

Increased programs and support provide opportunities for students on the Autism Spectrum to be educated in their neighborhood schools.



Growth in Schools and Programs in Support of Students presenting with Autism Spectrum Disorders (ASD)

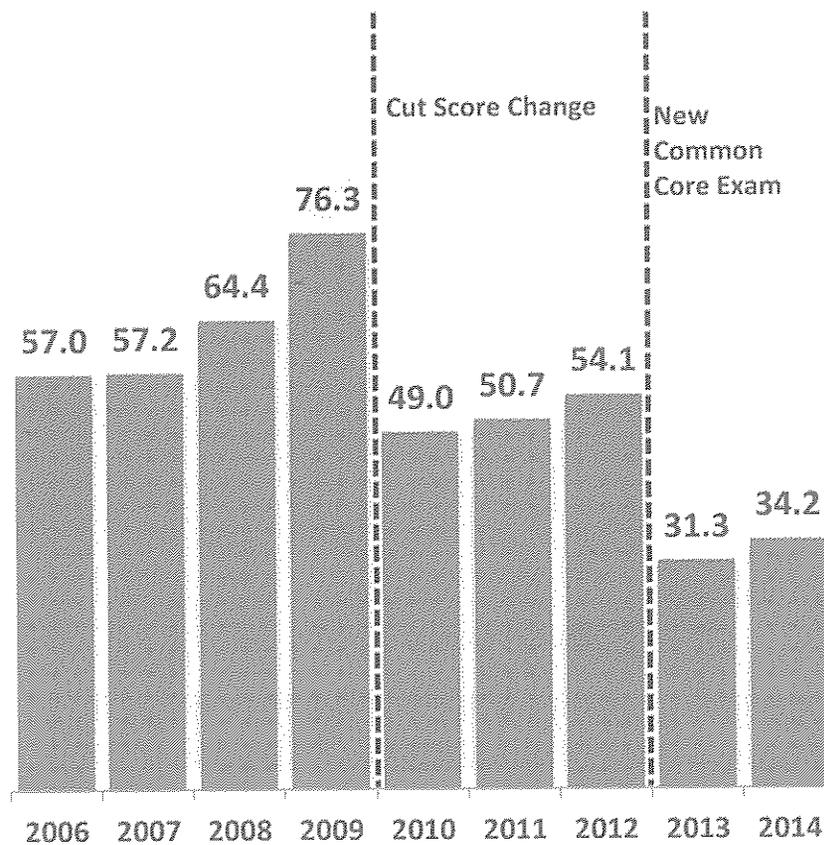
Through increased hiring and supervision, we have increased the access of students with disabilities to the timely provision of related services.



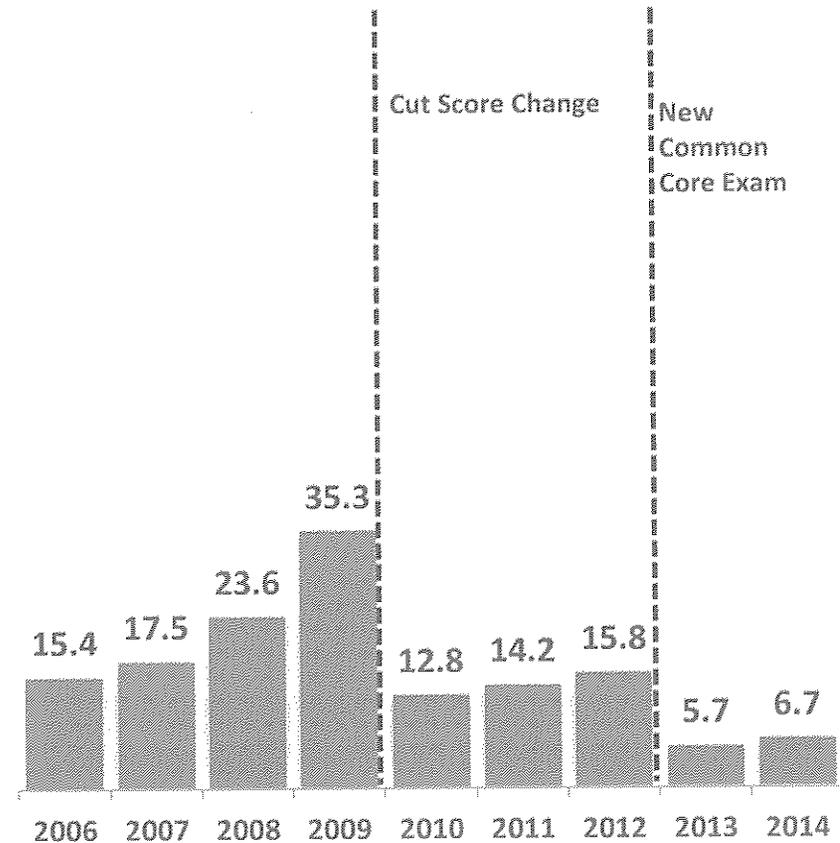
% of Related Services Mandates Fully Served - All Main Services

Increased cut scores for proficiency and increased rigor of State testing has been challenging for both students with and without IEPs in NY City.

Students without IEPs



Students with IEPs

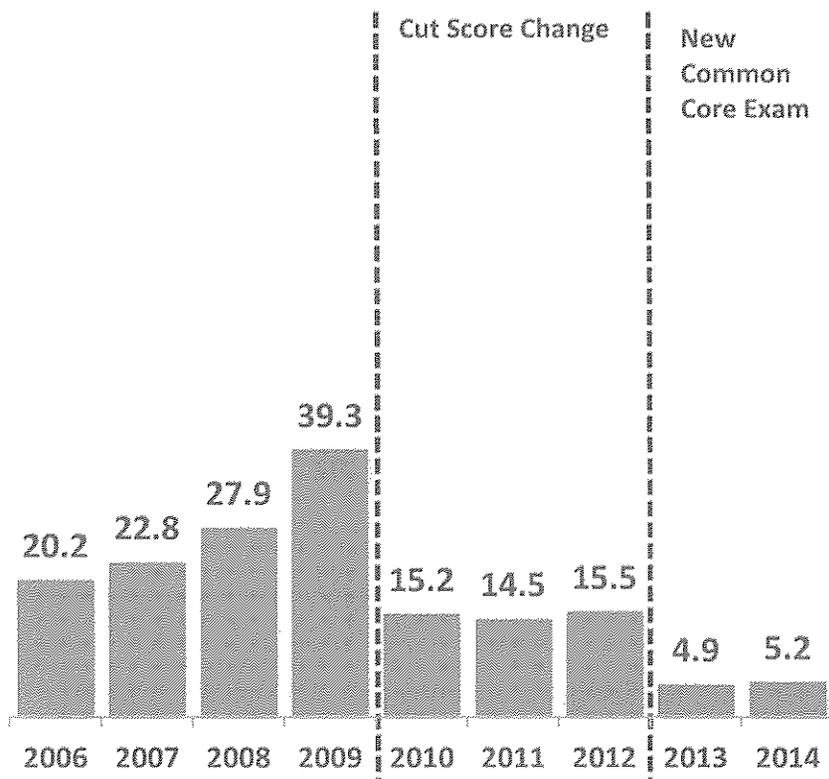


Percent of NYC Students at or above Proficiency (Levels 3 and 4) on NYS Grade 3-8 ELA Assessments

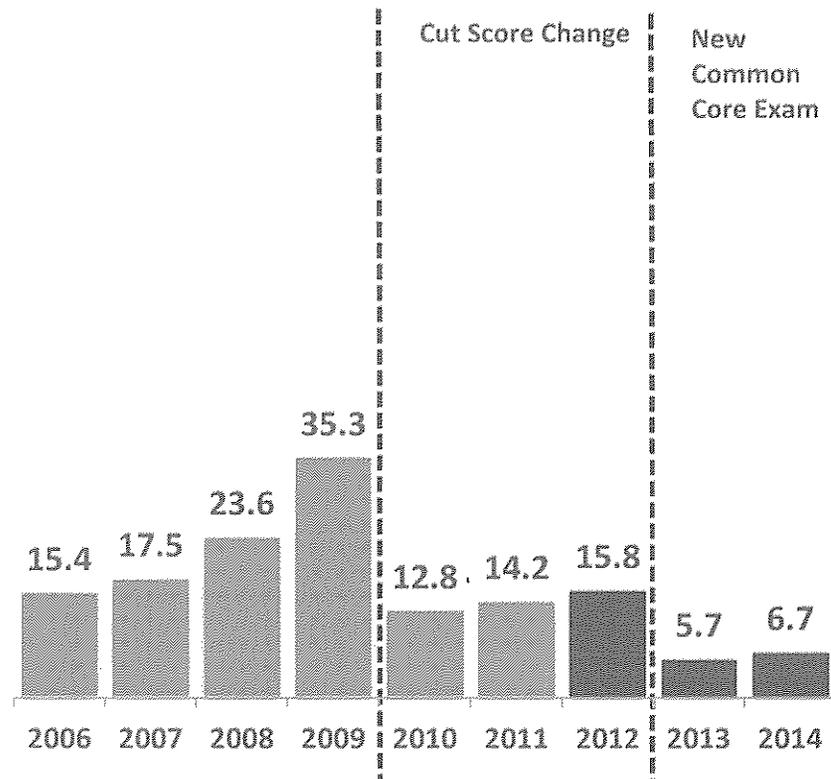
However, *since 2012*

NY City students with IEPs have out-performed students with IEPs across the State
on the Grade 3-8 ELA Assessments.

NY State – Students with IEPs



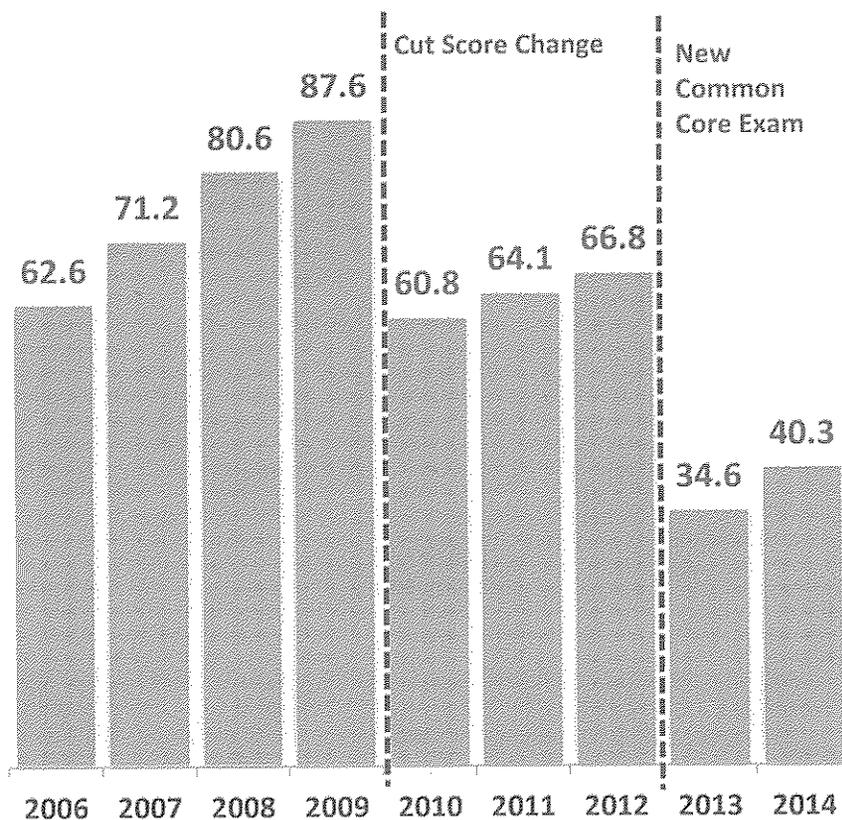
NY City – Students with IEPs



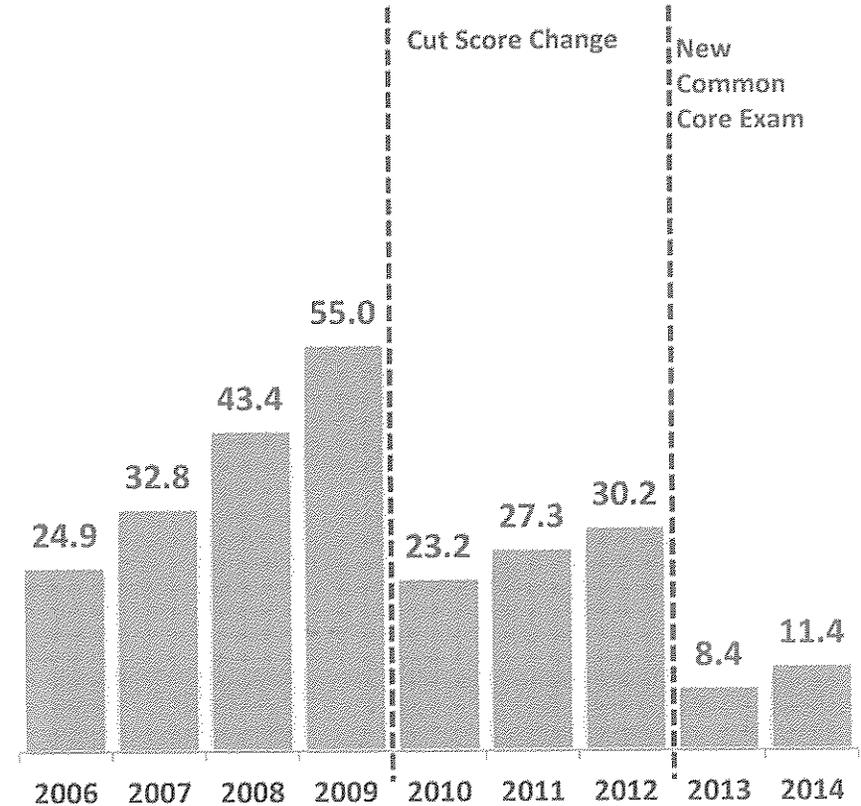
Percent of NYS and NYC Students at or above Proficiency on NYS Grade 3-8 ELA Assessments

Although the scores in mathematics have been slightly higher than those on the ELA exams, increased cut scores for proficiency and rigor has also been challenging for both students with and without IEPs in NY City.

Students without IEPs



Students with IEPs

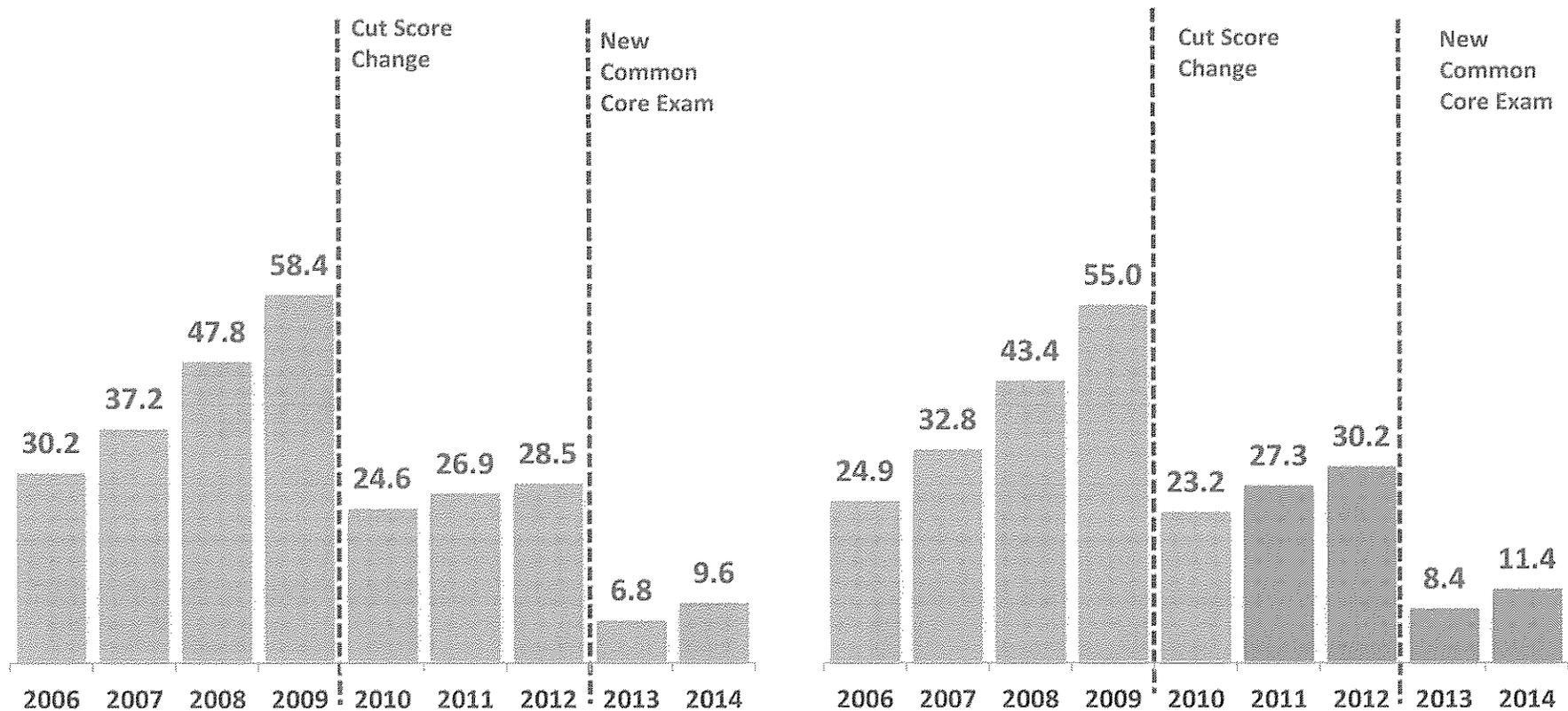


Percent of NYC Students at or above Proficiency (Levels 3 and 4) on NYS Grade 3-8 Math Assessments

However, similar to the results in the ELA exams, *since 2011* **NY City students with IEPs have out-performed students with IEPs across the State** on the Grade 3-8 Assessments of Mathematics.

NY State – Students with IEPs

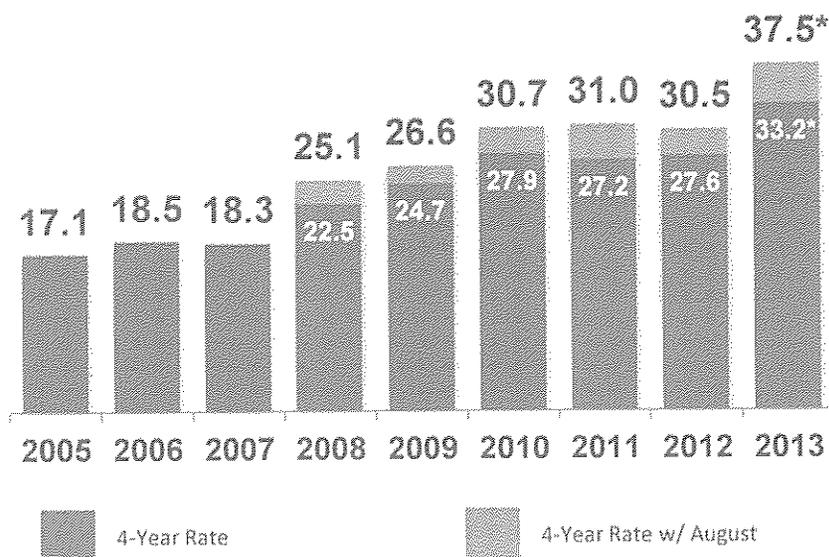
NY City – Students with IEPs



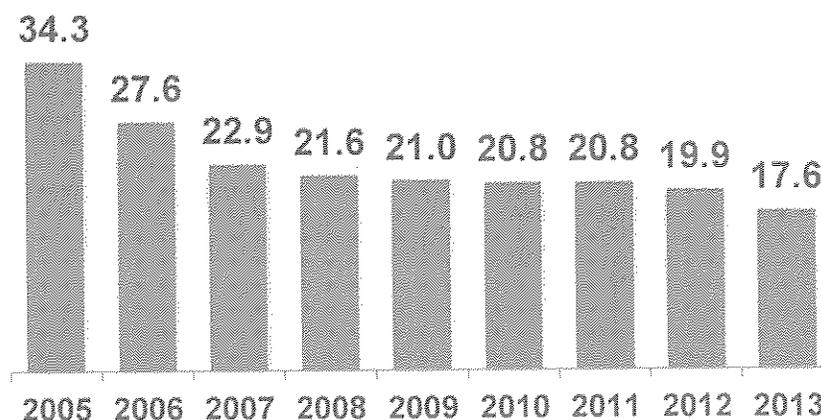
Percent of NYS and NYC Students at or above Proficiency on NYS Grade 3-8 Math Assessments

Although still too low, 4-year graduation rates of NYC students with IEPs have seen a 119% increase over 2005 and 4-year dropout rates for students with IEPs in NYC have decreased by 95%.

Students with Disabilities Graduation Rates



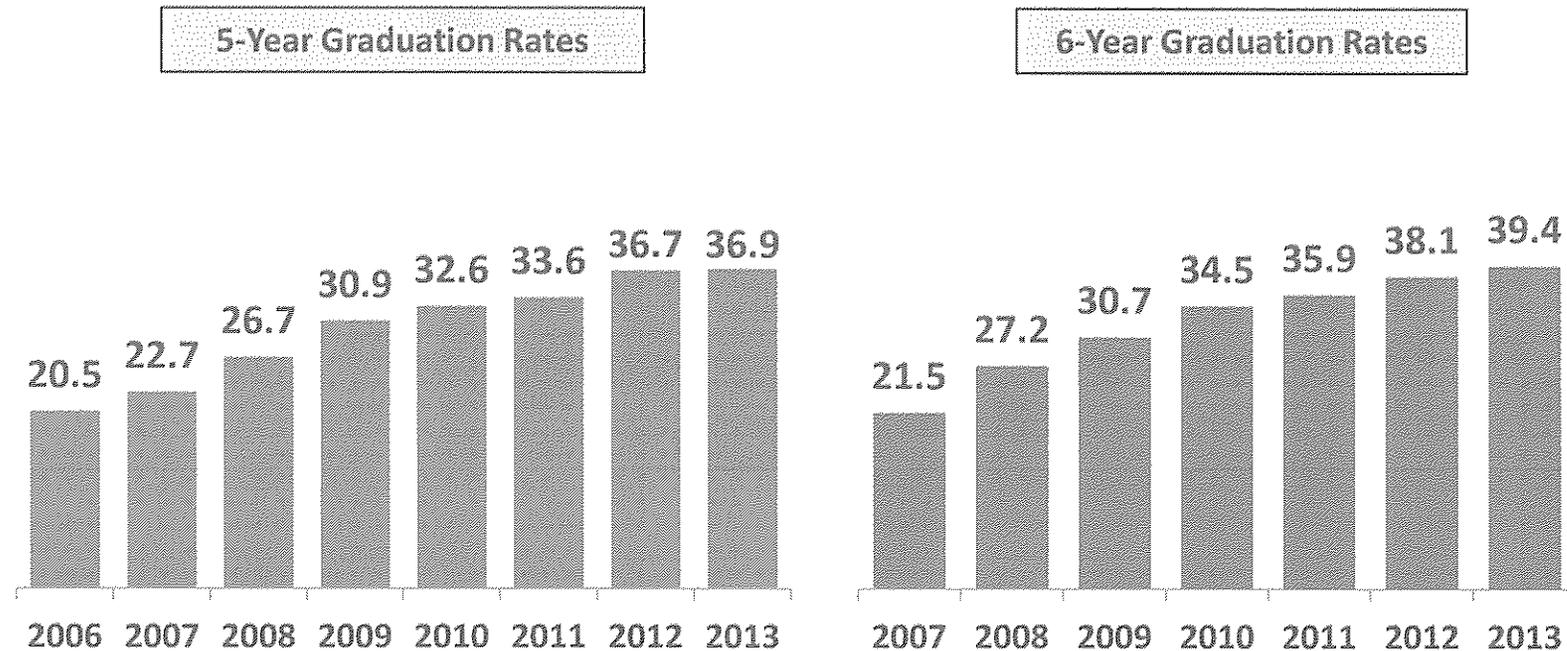
Students with Disabilities Drop Out Rates



Four Year Graduation and Dropout Rates for Students with Disabilities

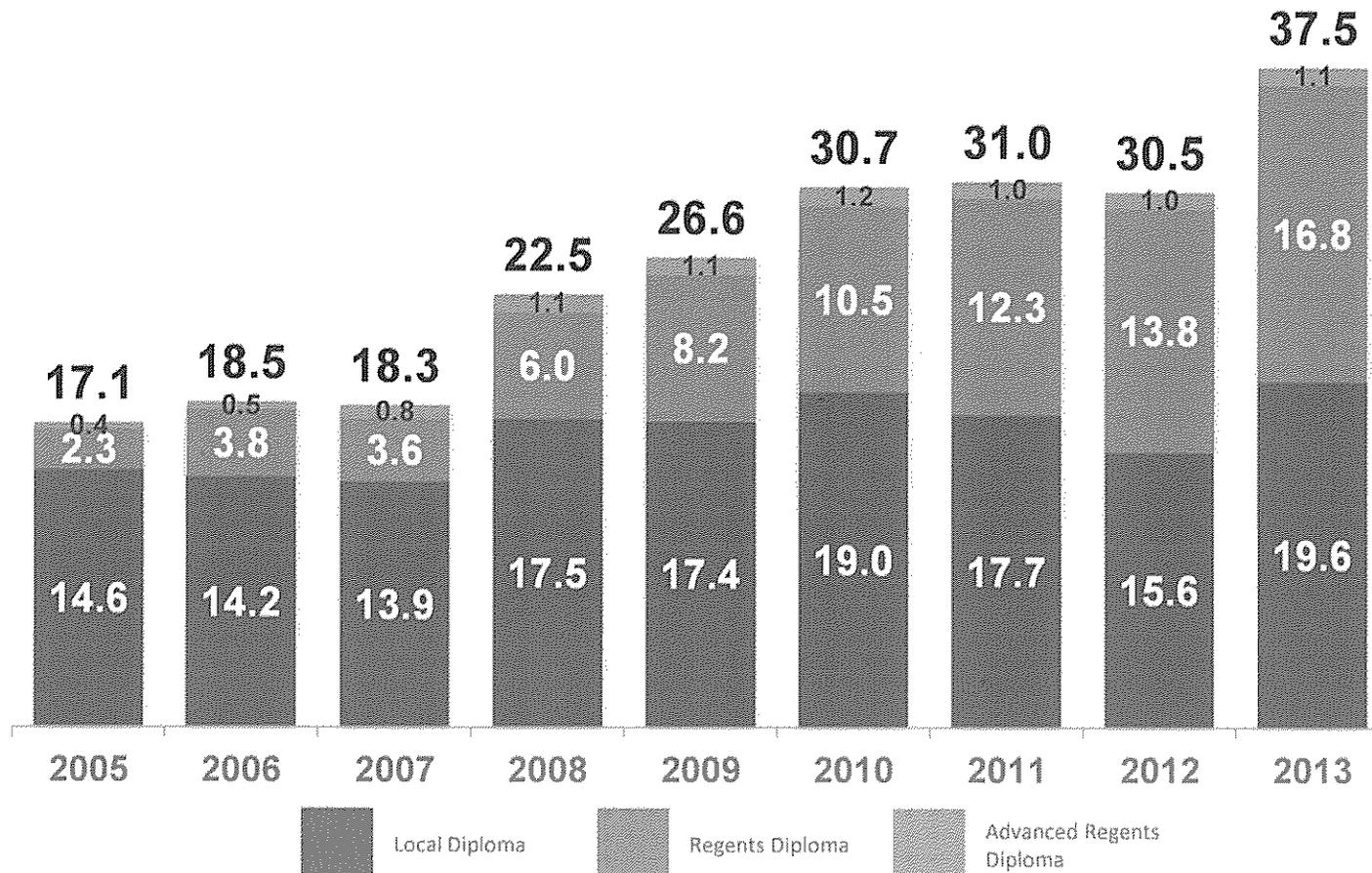
**In 2011, NYSED changed how ungraded (NYSAA-eligible) students were assigned to a 9th grade cohort, which led to fewer ungraded students in the Class of 2013 and a substantial increase in the graduation rate for this cohort.*

5 and 6-year graduation rates
have seen increases of 80% and 83% respectively



Five and Six year Graduation Rates for NYC Students with Disabilities

Most encouraging with regard to the increases in graduation rates for students with IEPs is the large increase in the % of students graduating with Regents and Advanced Regent Diplomas.



Four year Graduation Rates for NYC Students with Disabilities

TESTIMONY of ROBERT RANDALL

Oversight: Special Education Instruction & Student Achievement: City Hall, New York, NY, Tuesday, October 28, 2014.

Before I start I want to thank Councilmembers Dromm and Deutsch and the Committee on Education and Subcommittee on Non-Public Schools for hearing my testimony.

My name is Robert Randall, the proud father of Dylan who died last December. He had a severe neuromuscular condition and was not able to stand, walk, talk or swallow. He couldn't breathe without the help of a ventilator attached to his tracheostomy. Dylan was so medically fragile; he had to be transported to school by ambulance on a stretcher with two EMT's and a nurse.

In September 2012, Dylan transferred from pre-school, where he thrived, to PS141, for his Kindergarten year. The principal promised that Dylan would get his mandated physical, occupational, and speech therapies. But, for the first few months there wasn't even an adaptive toilet seat. Over the following months the therapies — critical for maintaining his muscle strength — were never given consistently. So, his body and general health declined.

By June 2013 my son's regression was so noticeable, he only wanted to spend time in bed. And so, we requested that Dylan be transferred to UCP (a mostly state funded school) where they had the resources to cater to his mandated needs.

After observing Dylan, the school psychologist, conferring with his teacher, recommended his immediate transfer. However, the principal who was also the DOE representative, stated that because of her position she would refuse to recommend that her school was not appropriate for Dylan.

Shockingly, in the impartial hearing the DOE argued that my son was not even medically fragile and was therefore already appropriately placed. All their witnesses, except for the nurse, testified under oath to this. Even the teacher that had originally conferred with the school psychologist testified to this. Yet, it was preposterous that any educator or therapist would consider Dylan to be anything but fragile. Either the DOE's witnesses were completely incompetent, or they were willfully directed to commit perjury. The DOE also did its best to cover up missed therapy sessions by not being forthcoming with attendance records.

The DOE dragged out the hearing as long as it could, calling numerous witnesses — two who had only met Dylan once or twice, and one who had never met him at all. Off the record, I pleaded with the DOE representative, telling him that if he dragged out the hearing much longer my son might die, but his response was that he was only doing his job. He must have hoped I would drop the case because of mounting legal fees which eventually reached \$33,000, and which ironically ended up being paid for by the DOE.

On November 18th — more than five months after our initial transfer request — the hearing officer released her finding of facts and completely sided with us. She found that the DOE was incapable of taking care of a child as severely medically fragile as my son. Dylan was awarded over 14 weeks of missed therapies. Those missed therapies, were why my son regressed. The hearing officer recommended a quick transfer to UCP. But, unfortunately, by the time he received his admittance letter it was too late.

On December 8th just three weeks after his sixth birthday, he had regressed to the point where he did not have any more strength to fight and went into cardiac arrest and died.

By using the impartial hearing as a tool for delay and obstruction of truth the DOE has shown that it is morally and ethically bankrupt. It budgets on the backs of New York City's most vulnerable and innocent children by willfully denying their civil right of FAPE. By doing so their actions can only be described as child endangerment and therefore in my dear Dylan's case, manslaughter.

I thank you for hearing my testimony and I sincerely hope you can help me bring meaning to my son's death by working with me to bring change. I welcome your questions.

Balancing Special-Education Needs With Rising Costs After Son Dies, Man Still Seeks Change for Disabled Students

By AL BAKER

Dylan B. Randall could not speak or stand. He never tasted food because he was fed through a gastric tube in his belly. He breathed through a ventilator; his own saliva would choke him unless a nurse cleared his throat every few minutes.

It was a daily struggle to keep Dylan alive, much less educate him. And when his public school could not deliver all the daily therapy the then 5-year-old was supposed to receive, his parents asked that New York City pay for what they believed was the kind of education Dylan needed: a private school for disabled children.

Rather than pay, however, the city decided to fight. For several months, the Randalls and their lawyers battled with city lawyers, until Nov. 18, when a hearing officer ruled in the family's favor. Not only did the boy deserve placement in a private school, the hearing officer, Diane R. Cohen, said, but he was also owed hundreds of therapy sessions that the city had failed to deliver during his kindergarten year.

"For a student who is unable to ambulate on his own and is dependent on the provision of therapies for every aspect of life's functions, the failure to consistently provide related services is a serious impediment to the student's well-being," Ms. Cohen wrote.

He never got those services. On Dec. 6, the same day Dylan got into a private school program at United Cerebral Palsy, he was rushed to New York Methodist Hospital struggling to breathe. Two days later, his strength sapped, he went into cardiac arrest and died.



Mr. Randall's son, Dylan, died last December. He had just been cleared to attend a private school.

His case was one of thousands being fought each year as a growing number of families seeking private schooling at public expense have butted up against the city's attempts to keep spending under control. This year, after complaints from parent groups reached state legislators, Mayor Bill de Blasio agreed to make changes that would streamline the process for some families, though he did not promise to challenge them less often.

For decades, parents of special-education students nationwide have been able to seek private schooling at no extra cost at public expense when public schools fail to meet their needs. Court rulings over the last decade have strengthened that right, and the city now spends more than \$200 million a year on such education, up from just a few million dollars a year in the 1990s, when requests were far rarer.

Under the Bloomberg administration, the city beefed up its special-education legal team. The team evaluates requests and, increasingly, has denied them, arguing that city schools — where the cost of educating a special-needs student is generally \$20,000 cheaper than in private school — are appropriate. Families can challenge the denial in a hearing. The Randalls' hearing was one of 6,241 requested by families last year, up from 5,403 in 2008, according to State Education Department data. Families win a majority of those cases, according to city education officials. Either side can appeal a hearing decision to the state and, after that, in court.

In the past, members of the Bloomberg administration said they scrutinized requests to weed out families who were simply trying to get free private schooling, when public schools could meet their needs. Eric Nadelstern,

Balancing Special-Education Needs With Rising Costs

a former deputy schools chancellor who is now a professor at Teachers College at Columbia University, said the efforts were rooted in a desire to pour money into special-education programs for all public school children, not to deny any one child's chances for the best possible education.

"The more money that is diverted out of the system, to pay for private school education for youngsters, the smaller school budgets are," Mr. Nadelstern said.

Sometimes, the city wins: Last month, for example, a federal judge ruled against a family whose daughter has multiple disabilities, saying the family fell short of proving that the program offered by the city could not do the job.

"The court does not begrudge the parents' desire to place their child in the school that they believe is best," the judge, Valerie E. Caproni, wrote. "But the law does not guarantee disabled children — or, for that matter, gifted or normally talented children — the best education that money can buy."

Dylan's case represented the extreme. Most of the 190,000 special-education students in the city — and roughly 12,000 being educated privately at public expense — are not as severely disabled. Told of Dylan's case, supporters of special-needs families and others said they could not understand why the city would fight it, because Dylan's family had wanted to place him in one of a handful of private schools where the state picks up most of the tab. (Those schools serve about two-thirds of the 12,000 students.) But some said it was an example of how litigious the city had become.

"Unfortunately, every day, our office hears from parents who have to fight with the D.O.E.," said Randi Levine, policy coordinator at Advocates for

Children of New York. "Too often we see a level of antagonism and resistance to helping children that can have harmful consequences."

Education Department officials declined to speak about Dylan's case, or whether it would have been handled differently today. Devora Kaye, a department spokeswoman, suggested that the department would be able to avoid such fights in the future by building more trust with families. "A parent has to believe in us, and has to believe in what we are offering," Ms. Kaye said.

Dylan's problems began at birth. He had a rattling sound in his lungs and no strength to suckle. When he was six weeks old, he was given a diagnosis of nemaline myopathy, a congenital neuromuscular disorder that, in severe cases like Dylan's, can lead to early death from respiratory failure. At 2, he got a tracheotomy and was put on a ventilator.

For kindergarten, his parents, Robert and Yenja Randall, chose a special-education program in a public school in Williamsburg, Brooklyn, because the city promised to handle Dylan's multiple disabilities, Mr. Randall said. Dylan went to school by ambulance and was always with a nurse.

But weeks into his first year, his parents said, red flags emerged.

A classmate of Dylan's often screamed, which his father took as a sign that the pupils were not grouped by similar need. Though Dylan required toilet training, there was no adaptive toilet seat during the first months. His therapists kept changing. The hearings chronicled how much he missed in speech language therapy, occupational therapy and physical therapy sessions, programs that his parents saw as essential for keeping his muscles as strong as possible.

At school, Dylan's nurse, Frantzie E. Adam, faced battles. Testifying at Dylan's hearing, she said a supervisor at the school wanted doctors' orders for suctioning saliva from his mouth to be rewritten since the job had to be done so frequently.

"She was telling me that I could not keep suctioning him every five minutes, which it was a big deal to me, because I told her whenever it's needed, I will do it," Ms. Adam testified. "I still have to treat Dylan as he needs, because I can't let him die because I can't suction him because I suctioned him five minutes ago."

By June, Dylan's parents said, they had had enough. Still, the city argued that the school could handle Dylan.

"The school feels the program is appropriate," an education department representative, Gregory J. McCullough, wrote on Oct. 16, according to emails provided by Marion M. Walsh, one of the Randalls' lawyers. "There is nothing I can do as a district representative. I've tried my best."

In winning the case, the Randalls not only won the right to private school tuition and hundreds of therapy sessions, but also reimbursement for about \$33,000 in legal fees.

Dylan's parents are divorced. His cremated remains are now in a box in his father's apartment. Mr. Randall, who said he has lost 50 pounds since his son's death, is reaching out to elected officials, proposing that an independent body, outside the Education Department, be created to make placement decisions for disabled students.

"He loved to go to school," Mr. Randall said of Dylan one recent day, spreading out photos of the boy in a restaurant near his home. "This was such abuse to a little, innocent, 6-year-old boy."

MEMO

From: Madina Nizamitdin, Legislative Financial Analyst at New York City Council

Date: October 28, 2014

Re: Special Education Expense Budget

This Fiscal 2015 Adopted Budget includes \$4.32 billion for Special Education, which is roughly 20 percent of Department of Education's (DOE) budget. The Fiscal 2015 Special Education budget increased by 9 percent as compared to the Fiscal 2014 Budget. According to the recent Mayoral Management Report, New York City schools had 194,232 special education students in public school and 29,743 special education students in non-public schools. Out of the public school students 124,858 are in special education setting in their public schools. In Fiscal 2014 DOE employed 40,400 employees in special education, of which 36,631 were pedagogical staff and 3,769 were non-pedagogical staff. All of the funding allocated to special education supports the following six program areas:

- Special Education Instruction & School Leadership (U/A 403)
- Special Education Instructional Support (U/A 404)
- Transportation of Special Education Pupils (U/A 438)
- Special Education Pre-K (U/A 470)
 - Special Education Pre-K Transportation
 - Special Education Pre-K Tuition & Related Services
- Citywide Special Education Instruction & School Leadership (U/A 421)
- Contract Schools (U/A 422)

The total Special Education funding includes \$1.28 billion for Special Education Instruction & School Leadership in Fiscal 2015 with 1.6 percent increase in PS and almost 20.5 percent increase in OTPS from Fiscal 2014. The total headcount budgeted in Fiscal 2015 for Special Education Instruction & School Leadership is 22,341 employees, up from 21,124 in Fiscal 2013 an increase of 1,441 in headcount (personnel) in Fiscal 2014 for Special Education Instruction & School Leadership

Funds for transportation services for special education pupils are budgeted at \$765 million in Fiscal 2015, which is nearly 4 percent more than actually spent in Fiscal 2014.

Table 1 shows a projected increase of 29.3 percent in Fiscal 2015 in Special Education Pre-K Budget. The Special Education Pre-K Budget was \$824.8 million in Fiscal 2014, including funding for Special Education Pre-K Transportation and Special Education Pre-K Tuition & Related Services. The budget in Fiscal 2015 for Special Education Pre-K is projected to increase by nearly 15 percent or total of \$947.6 million.

The budget for Contract Schools increased by almost 7 percent in Fiscal 2015, it is \$313.33 million.

TABLE 1
Department of Education's Special Education Budget

Figures in thousands

	FY 13 Close	FY 14 Close	FY 15 Adopted	% Change FY 14-FY 15
New York City	\$73,614,189	\$76,911,722	\$76,823,618	-0.11%
Department of Education	\$19,232,415	\$20,085,287	\$20,770,048	3.41%
Special Ed Instr & Sch. Ldrshp - PS	\$1,209,572	\$1,261,228	\$1,281,497	1.61%
Special Ed Instr & Sch. Ldrshp - OTPS	\$2,628	\$3,176	\$3,825	20.42%
Subtotal	\$1,212,200	\$1,264,404	\$1,285,322	1.65%
<i>Headcount</i>	21,124	22,565	22,341	-0.99%
Special Ed Instructional Support - PS	\$255,200	\$241,394	\$244,149	1.14%
Special Ed Instructional Support - OTPS	\$242,247	\$220,686	\$222,742	0.93%
Subtotal	\$497,447	\$462,080	\$466,892	1.04%
<i>Headcount</i>	3,534	3,721	2,845	-23.54%
Transportation of Special Education Pupils	\$726,046	\$735,787	\$764,846	3.95%
Special Ed Pre-K Transportation	\$111,741	\$83,370	\$107,828	29.34%
Special Ed Pre-K Tuition & Related Svcs	\$830,005	\$741,440	\$839,843	13.27%
Subtotal	\$941,746	\$824,810	\$947,671	14.90%
Citywide Special Ed Instr. & School Leadership - PS	\$779,124	\$807,030	\$864,782	7.16%
Citywide Special Ed Instr. & School Leadership - OTPS	\$14,765	\$15,340	\$16,415	7.01%
Subtotal	\$793,889	\$822,370	\$881,197	7.15%
<i>Headcount</i>	13,610	14,114	14,468	2.51%
Contract Schools - In State	\$277,671	\$264,741	\$277,636	4.87%
Contract Schools - Out of State	\$33,260	\$28,622	\$35,700	24.73%
Subtotal	\$310,931	\$293,363	\$313,336	6.81%
Total Special Education	\$4,215,339	\$3,966,941	\$4,324,457	9.01%
Spec. Ed. as Percent of DOE Budget	21.9%	19.8%	20.8%	5.42%
Total Headcount	38,268	40,400	39,654	-1.85%

Source: Data from New York City Financial Management System

Special Education Student Registers

	2012-2013	2013-2014	2014-2015	% Change FY 14-FY 15
New York City Public Schools	124,067	124,858	N/A	N/A

Source: NYC Department of Education, <http://schools.nyc.gov/AboutUs/data/stats/Register/default.htm> and NYCDOE Division of Financial Operations, "Contracted Schools Cost and Enrollment" updated February 21, 2012



MAKING THE CASE FOR HUMANITY

TESTIMONY

The Council of the City of New York

Committee on Education
Daniel Dromm, Chair

and

Subcommittee on Non-Public Schools
Chaim M. Deutsch, Chair

Joint Hearing on Special Education Instruction and Student Achievement
and Int. 435-2014

October 28, 2014
New York, New York

Submitted by
The Legal Aid Society
199 Water Street
New York, NY 10038

Good afternoon. I am Cara Chambers, Director of The Legal Aid Society's Kathryn A. McDonald Education Advocacy Project, a unit that provides early intervention and special education advocacy to children who are involved in the New York City Family Court system. I thank Chairperson Dromm and Chairperson Deutsch for inviting our thoughts on special education instruction and on Int. 435-2014.

The Legal Aid Society is the nation's oldest and largest provider of legal services to low-income families and individuals. Each year, the Society provides legal assistance in some 300,000 matters involving civil, criminal and juvenile rights issues. Last year, the Civil Practice worked on more than 46,000 individual legal matters, including substantial numbers of families and individuals who are currently homeless, formerly homeless, or at risk of homelessness. The Criminal Practice provides representation in some 220,000 cases each year for clients accused of criminal conduct, several thousand of whom are young adults in middle school and high school. Annually, the Juvenile Rights Practice represents more than 34,000 children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. In addition to representing these children each year in trial and appellate courts. The Legal Aid Society also pursues impact litigation and other law reform initiatives on behalf of our clients, which benefit all two million low-income children and adults in New York City.

Legal Aid's clients are among the most vulnerable students in New York City. Many of them are homeless, victims of abuse and neglect, in foster care, or court involved. An overwhelming number of them have some type of delay or disability that qualifies them for special education services.

Int. 435-2014

The Legal Aid Society supports City Council's efforts to require detailed reporting on the Department of Education's compliance with timelines and other requirements under the Individuals with Disabilities Education Act. We believe, however, that the proposal is under-inclusive. For example, The Legal Aid Society would suggest adding reporting requirements such as:

- The number of students who are entitled to a PIR ("Nickerson") letter; the number of students who receive a PIR ("Nickerson") letter; the number of students who use (redeem) a PIR ("Nickerson") letter to enroll in a state-approved non-public school.
- The number of students who are entitled to receive related services, disaggregated by type of related services (including counseling, speech/language therapy, physical therapy, occupational therapy, etc.); the number of students who receive their full mandate of related services during the school day at the school they attend, disaggregated by type of related service; the number of Related Service Agreements that are issued, disaggregated by type of related service; the number of Related Service Agreements that are used (redeemed), disaggregated by type of related service.

The Legal Aid Society would also like to suggest some technical and definitional changes to the proposed bill. We have attached a partial mark-up to this testimony and would be happy to discuss the proposed changes in greater detail with the Committee.

Specially Designed Reading Instruction

Each year, The Legal Aid Society works with hundreds of students who struggle with dyslexia and other learning disabilities. Year after year, we struggle to locate appropriate supports for these students in the public school system.

Several years ago, the DOE invested in training a number of teachers to use the Wilson reading program. Unfortunately, we were often unable to locate those trained staff members when we needed them for a particular client. It seems the DOE did not keep track of which schools had trained staff members, and further, was unwilling to transfer students or staff members to different schools in order to ensure that students with the greatest instructional needs had access to the teachers who were trained to assist. Additionally, teachers who did receive the training often told us that they received no follow-up support, or that they were not provided with enough resources or time in their schedules to faithfully follow the program with students who needed intensive reading intervention.

Because the DOE does not have a systematic approach to instructing students with reading disabilities, we frequently resort to resources in the private sector – expensive private schools and specialized tutoring services – to provide students with the instruction they need. We generally have to file and litigate impartial hearings against the DOE to obtain payment for these services.

We call on the City Council to help ensure that every public school in New York City – whether elementary, middle or high school – has access to teachers who can provide specialized reading instruction to students who are struggling with literacy.

We also wish to call special attention to the literacy needs of students at Passages Academy and East River Academy, the DOE schools that serve students who have been arrested and detained in New York City. More than half of these students are significantly over-age for their grade, indicating that they have been held over more than once.¹ Almost half have been identified as having special education needs. Despite the profound needs of this population, neither Passages Academy nor East River Academy is currently able to provide students with intensive reading remediation. The DOE must immediately allocate trained reading specialists and resources to these two schools in order to remediate students' deficits and re-engage them in school.

Instruction in Vocational Training

Many students with disabilities who struggle in traditional classroom environments excel at hands-on activities involving vocational skills. Unfortunately, very few students with special

¹ See Sixteen Going on Seventh Grade: Over-Age Students in New York City Middle Schools, Advocates for Children, September 2014, page 16, available at www.advocatesforchildren.org.

education needs have access to robust vocational training opportunities. When instruction for special needs students focuses exclusively on traditional classroom learning, the DOE deprives students of the opportunity to acquire functional vocational skills that will enable them to become productive citizens who are capable of working and supporting themselves throughout life.

The Department of Education's District 75 operates several Occupational Training Centers (OTCs) and Career Development Schools. These schools, however, generally do not provide on-site vocational training opportunities. Instead, they tend to place students in externships at businesses in the community. Often, the nature and type of externships available through the OTCs and Career Development Schools are limited, and are not well matched to the students' interests or talents. The quality of students' experiences at these externship sites varies greatly.

The Department of Education's District 79 oversees Co-op Tech, an outstanding model for vocational programming. Co-op Tech operates a main site in Manhattan and a handful of satellite sites in other boroughs, but the demand for such programs far exceeds capacity. Programs like Co-op Tech are admittedly expensive to operate. They require an investment in infrastructure and equipment, as well as technically trained teachers. But the cost of not providing programs like Co-op Tech is far greater. When students – particularly students who have not performed well in traditional classroom environments – do not have access to vocational training, they frequently lose motivation, become disengaged from school, drop out, and fail to become self-supporting adults. As a society, we cannot afford that cost.

We ask the City Council to demand that the DOE build on Co-op Tech's successful model and expand access to high quality vocational training programs for students with disabilities.

We appreciate the opportunity to speak with the Committee about special education instruction and Int. 435-2014, and would welcome the opportunity to meet with you to further discuss these important issues.

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Int. No. 435

By Council Members Dromm, Arroyo, Barron, Chin, Gentile, Koo, Mendez, Cohen, Rodriguez, Lancman, Treyger and the Public Advocate (Ms. James)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information regarding students receiving special education services.

Be it enacted by the Council as follows:

Section 1. Section 21-950 of the administrative code of the city of New York, as added by local law 32 for the year 2014, is amended to read as follows:

§21-950 Definitions. Whenever used in this title, the following terms shall have the following meanings:

[a.] "Chancellor" shall mean the chancellor of the New York city department of education.

[b.] "Department" shall mean the New York city department of education.

"English language learner" shall mean a student who is eligible for a program of bilingual education, dual language education, English as a second language instruction, or any other similar educational program, as set forth in subdivision three of section 3204 of the New York state education law and any regulations promulgated thereto.

"Individualized education program" shall have the meaning of such term as defined pursuant to section 1401 of title twenty of the United States code and any regulations promulgated thereto.

"Special education services or programs" or "special education services" shall mean "special services or programs" as defined pursuant to section 4401 of the New York state education law and any regulations promulgated thereto.

[c.] "Student" shall mean any pupil under the age of twenty-one enrolled in a district school or charter school within the city district.

§2. Title 21-A of the administrative code of the city of New York, is amended by adding a new chapter 3 and to read as follows:

Chapter 3. Reporting on Students Receiving Special Education Services

§21-952 Annual reporting on special education services. a. For the purposes of this section, the following terms shall be defined as follows:

1. "Academic period" shall mean the academic school year beginning ~~in~~ on July 1 September and ending on in June 30 and the remaining period of that calendar year, including the summer school session, until the next academic school year begins in September.

Comment [C1]: NYSED and the DOE define the school year as June 1 – July 31. We would recommend that the reporting period used in this bill be consistent with that definition.

2. "Initial evaluation" shall mean an "individual evaluation" as defined pursuant to subdivision four of section 4401-a of the New York state education law and any regulations promulgated thereto, that is conducted for a student who is not currently receiving any special education services or programs.

3. "Length of time" shall mean the number of school days that are counted from the official date of receipt of a referral by the person or entity designated by the department to receive such referrals.

4. "Placement" shall mean placement of a student in education programs with appropriate supports that offer special education services or programs in accordance with

the student's individualized education program and pursuant to section 4401-a of the New York state education law and any regulations promulgated thereto.

5. "Reevaluation" shall mean an "individual evaluation" as defined pursuant to subdivision four of section 4401-a of the New York state education law and any regulations promulgated thereto: (i) that is conducted for a student currently receiving any special education services or programs, or (ii) where conditions warrant an evaluation or where the student's parent or guardian or teacher requests an evaluation; provided that such term shall not include a triennial evaluation.

6. "Referral" shall mean a referral for special education evaluations, services or programs pursuant to section 4401-a of the New York state education law and any regulations promulgated thereto.

7. "Triennial evaluation" shall mean an "individual evaluation" as defined pursuant to subsection four of section 4401-a of the New York state education law and its implementing regulations which is (i) conducted for a student currently receiving any special education services or programs and (ii) mandated to be conducted at least once every three years during which any other reevaluation has not already occurred.

b. The department shall compile data concerning each student seeking or receiving any special education services or programs and beginning on March 30, 2015 and annually thereafter not later March 30th, shall submit to the speaker and post on the department's website a report which shall include, but shall not be limited to the following:

1. the number of referrals made during the academic period, including, the number of referrals for (i) initial evaluations; and (ii) reevaluations and (iii) triennial evaluations;

Comment [C2]: Triennials should happen automatically, without the need for a separate "referral." The DOE does not have to conduct a triennial if they believe that new evaluations are not necessary and the parent agrees in writing. Triennial evaluations should therefore be a separate reporting section (see new paragraph 2).

2. The number of students due for a triennial evaluation; the number of triennial evaluations waived by the parent; and the number of triennial evaluations conducted.

3. the number of evaluations conducted during the academic period, as well as the number of (i) initial evaluations; (ii) reevaluations; and (iii) triennial evaluations;

4. the number of students who underwent initial evaluations that occurred less than thirty school days after their referral, between thirty-one and sixty days after referral, and more than sixty days after referral, as well as the number of such students who are English language learners;

Comment [C3]: The timeline for conducting evaluations and providing services is 60 school days. It would therefore be useful to include the 60 day benchmark in the reporting requirements.

5. the number of students who underwent reevaluations that occurred less than thirty school days after their referral, between thirty-one and sixty days after referral, and more than sixty days after referral, as well as the number of such students who are English language learners;

6. the number of students who underwent initial evaluations that occurred in thirty or more school days after their referral, as well as the number of such students who are English language learners;

7. the number of students who underwent reevaluations that occurred in thirty or more school days after their referral, as well as the number of such students who are English language learners;

76. the number of students who received individualized education programs for the first time; the total number of students who had individualized education programs; and the number of students who were declassified from special education;

87. the number of placements resulting from (i) initial evaluations; (ii) reevaluations; and (iii) triennial evaluations; the number of students placed within their then current school; the number of students placed in a community school other than their then current school; the number of students placed in District 75; the number of students placed in State Operated Schools; the number of students placed in non-public schools.

98. the number of placements resulting from initial evaluations, and the length of time it took for such placement to be completed;

109. the number of placements made resulting from reevaluations, and the length of time it took for such placement to be completed;

110. the number of students who underwent an initial evaluation and the results of such evaluation of the Individualized Education Plan meeting that followed the evaluation, including whether or not such evaluation resulted in the student was found eligible for special education services; the placement and services recommended for the student; whether or not the student received a placement; and the length of time it took to complete such evaluation and placement;

121. the number of students who underwent a reevaluation and the results of such reevaluation of the Individualized Education Plan meeting that followed the evaluation, including whether or not such reevaluation resulted in the student was found eligible for special education services; the placement and services recommended for the

Comment [C4]: Under the reforms recently implemented by the Department of Education, each school is now expected to fully meet the special education needs of all the students enrolled there, except for students whose needs warrant a District 75 or non-public school setting. Consequently, students evaluated for special education services should rarely receive a placement outside of their current school. It would be helpful to request additional specificity here.

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Comment [C5]: The bill would need to specify precisely which "results" must be reported. It likely would not be useful or appropriate to collect data such as each students' IQ, academic performance levels, learning styles, etc. More useful would be to track the results of the IEP meeting that occurs after the evaluations are completed. Specifically, was the child deemed eligible for services? If so, what services? Same applies to the following two paragraphs.

COMMENTS BY THE LEGAL AID SOCIETY

student; whether or not the student received a placement; and the length of time it took to complete such reevaluation and placement;

1312. the number of students who underwent a triennial evaluation and the results of such evaluation of the Individualized Education Plan meeting that followed the evaluation, including whether or not such evaluation resulted in the student was found eligible for special education services; the placement and services recommended for the student; whether or not the student received a placement; and the length of time it took to complete such triennial evaluation and placement;

1413. the number and percentage of students in full compliance with their individualized education programs at the end of the academic period

1514. the number and percentage of students who receive special education services inside the general education classroom:

i. 100% of the time,

ii. 50-99% of the time, and

iii. less than 50% of the time; and

1615. Demographic information including, but not limited to, race, ethnicity, gender, english language learner status, and the percentage of student eligible for free and reduced price lunch.

§ 3. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

Comment [C6]: It would be useful to have this information broken down by district, Children First Network, and type of disability so that remedial measures can be targeted to the groups that exhibit the most significant challenges with compliance.

§ 4. Effect of invalidity; severability. If any section, subsection, sentence, clause, phrase, or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§ 5. This local law shall take effect sixty days after its enactment.

Youth and Vision Loss Coalition

C/o VISIONS 500 Greenwich Street, Suite 302

New York, NY 10013

Larry Ringer
Attention: IDEA Determinations RFI
U.S. Department of Education
400 Maryland Ave. SW. Rm 4032, Potomac Center Pl.
Washington, DC 20202-2600

July 10, 2014

RE: CEIS and Significant Disproportionality, Docket No. ED-2014-OSERS-0058

Recently the stakeholders, organizations and agencies providing vision services or representing people who are blind in New York City came together to create the Youth and Vision Loss Coalition of New York City. The Youth and Vision Loss Coalition consists of over thirty organizations and agencies serving youth with vision loss in a variety of capacities. The goal of the coalition is to promote the quality and consistency of vision services for youth throughout NYC. Youth with vision loss deserve the best opportunity for success through equal access to the highest quality and consistency of services.

Many youth with vision impairment have other disabilities including developmental delays, learning disabilities, physical impairments and/or hearing loss. Because service providers are frequently focused on addressing the presenting disability that is more apparent than the vision loss at the time of intake, it is common the child's vision loss is not documented as a disability or overlooked within the service provision plan or IEP. Moreover, under the IDEA regulations, the child can only be categorized in one classification of disability. This requirement serves as a major factor in creating the disproportionality summarized in this testimony. This disproportionality according to category of disability is causing lack of service related to vision loss in the IEP and limits the broadest array of services and supports to the students with multiple disabilities.

According to the New York State Education Department (NYSED)¹ the numbers of students receiving services and supports under the category of blind or visually impaired has been significantly lower than the numbers of students registered by school districts for Quota² eligibility within the State of New York. It is unfortunate but, the current findings of the Youth

¹ Summary of students receiving Special Education services in New York State:
<http://www.p12.nysed.gov/sedcar/goal2data.htm>

² The Federal Quota Program makes textbooks and aids available free to eligible legally blind students in educational settings ranging from early intervention programs for visually impaired infants to, residential school programs and regular classroom settings. <http://www.aph.org/federal-quota/>

and Vision Loss Coalition have substantiated the past accusations of disproportionality by others in the field. According to the American Foundation for the Blind³:

The US Department of Education (ED) is required by the Individuals with Disabilities Education Act (IDEA) to report to Congress annually on the number of children receiving special education, by disability category, for ages 3-21 years. The count must be unduplicated - that is, children can only be counted in one category, regardless of the number of disabilities they experience. This has led to an underestimate of the number of children with visual impairment in this country.

Using the table below, we show the data reported to OSERS by the State of New York as well as the data publicly disclosed by the American Printing House for the Blind for the years 2006 through 2012 to emphasize the issue that legally blind students are not receiving the full range and quality of services the overall education system should be providing.

Table: Column 1 shows the years included within the analysis. Column 2 is the number of students who are blind and or visually impaired reported to the federal Department of Education by the New York State Education Department (NYSED). Column 3 shows the percentage of students who represent the blind and visually impaired portion of the overall census of students receiving services within the statewide Special Education system. Column 4 represents the numbers of blind students registered to receive services from the American Printing House for the Blind (APH) under the federal Quota program. Column 5 shows the difference between column 4 and column 2. And finally, column 6 shows the differences from column 5 in a percentage value.

Year	# NYSED blind	% Blind in SE	# Quota	Quota - NYSED	% greater
2012	1335	0.3	4109	2774	308%
2011	1328	0.32	4222	2894	318%
2010	1294	0.3	4260	2966	329%
2009	1502	0.4	4231	2729	282%
2008	1421	0.4	4278	2857	301%
2007	1585	0.4	4342	2757	274%
2006	1537	0.4	4251	2714	277%

This above table clearly shows a disproportionality of services being provided to students who are blind and receiving special education services within New York State. The calculated average of students who are blind underrepresented by the state is 298% per year between 2006 and 2012. However, when the analysis looks back to 2002, there is a clear trend of increasing disproportionality by the underrepresentation of students who are blind according to the Individual Education Plan (IEP). This is undisputable disproportionality or what has come to be known as the silo effect of students according to the disability addressed or, in this case, not addressed.

³ Source: <http://www.afb.org/info/programs-and-services/public-policy-center/education-policy/estimates-of-severely-visually-impaired-children/1235>

The Youth and Vision Loss Coalition have hypothesized that this disproportionality could be a result of the recent push to serve youth in the least restrictive setting or the most integrated setting, under IDEA and the Olmstead Decision respectively. The aforementioned silo effect is a result of children having their "primary" disability identified or categorized, tracking them into educational services specific to their "primary" disability. If they receive any services for additional disabilities it is typically provided by a different service system that may not even be aware of the other services being provided. These multiple service systems include: NYC Department of Education, NYS Office for People with Developmental Disabilities (OPWDD), NYS Office of Mental Health (OMH), NYS Department of Health (DOH) and NYS Commission for the Blind (NYSCB). An example might be a student with Autism and an undiagnosed visual impairment receiving home and community based services from OPWDD. While the classroom teacher may provide the student with larger font documents (common prior to sixth grade) and permit the student to sit in the front of the class at the request of the parents and the student, the teacher never feels the need to pursue clinical assessment of the visual deficiency or inclusion of vision services such as orientation and mobility in the IEP.

The Youth and Vision Loss Coalition makes the following recommendations based on the above analysis:

- Require all students entering the special education system to have a comprehensive clinical visual assessment prior to their attendance by an eye care specialist (ophthalmologist or optometrist).
- Mandate the state special education systems include the Expanded Core Curriculum (ECC) be taught to all students designated as legally blind within their IEP. For more information on the ECC see:
<http://www.perkins.org/resources/scout/education/expanded-core-curriculum.html>
- Mandate a proof of a comprehensive clinical visual assessment be provided to the education system every three years or as recommended by the child's eye care professional.
- During this current reauthorization of IDEA OSERS must expand the categorization of disability to include sensory (blind, deaf and deaf-blind) as a secondary disability in addition to the primary disability designated.

The above recommendations would go far to realize and ensure greater quantity and quality of services to the greatest number of students who are blind and visually impaired within the State of New York and across the nation. The Youth and Vision Loss Coalition believes the lack of identification of students with sensory disabilities on their IEP effects academic achievement, causes youth with vision loss to miss developmental milestones, impedes successful transition and places an undue burden on the adult rehabilitation service system. Evidence is clear that youth with good mobility and communication skills (Braille and/or technology) have a greater likelihood of employment.

The Youth and Vision Loss Coalition of New York City thanks you for the opportunity to share our views and opinions on the disproportionality confronting students with vision loss and other disabilities in special education. If you have any questions or comments regarding the information within this testimony, feel free to contact Mike Godino, Coalition Manager at 212-625-1616 ext. 142 or by e-mail mgodino@visionsvcb.org.

Respectfully submitted,
Mike Godino

The New York City Charter School Center
Erik Joerss, Deputy for Government Affairs
Testimony Presented to the New York City Council Education Committee and Subcommittee on
Non-Public Schools
Oversight Hearing on Special Education Instruction & Student Achievement and Intro-435
Tuesday, October 28, 2014

Good afternoon, Chair Dromm and Chair Deutsch and members of the New York City Council Committees. My name is Erik Joerss and I am the Deputy for Government Affairs at the New York City Charter School Center. Thank you for the opportunity to present testimony today.

The New York City Charter School Center is an independent, not-for-profit organization established in 2004 to help new charter schools get started, support existing schools, build community support, and train new leaders so that highly effective public charter schools can flourish.

I am pleased to be joined by my educator colleagues from the New York City Special Education Collaborative (a program of the Charter Center) as well as charter schools from across the city. The Charter Center supports charter schools citywide in their work to reach and teach all learners, including students with special needs. Although much work remains to be done, we were gratified to see that charter school enrollment of students with special needs increased from 13.4% to 15.8% between 2012-13 and 2013-14, according to data recently released by the New York State Education Department.¹

Equally importantly, we continue to monitor the *outcomes* of special education in charter schools, since enrollment of students with special needs is only the beginning of any school's educational mission. And we continue to pay particular attention to the issue of over-identification; research shows that New York City charter schools are less likely to identify students as having a learning disability, a subjective category that has long been an area of concern for civil rights advocates given its tendency to be identified among students of color, and particularly boys.²

¹ Charter Center analysis of New York State Education Department: Public School Enrollment files. Available online at <http://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html>

² Winters, Marcus. *Why the Gap?: Special Education and New York City Charter Schools*. Seattle: Center on Reinventing Public Education. Available online at <http://www.crpe.org/publications/why-gap-special-education-and-new-york-city-charter-schools>

The Charter Center strongly supports the goals of Intro-435, and the goals of transparency and accountability for service delivery in special education, both of which are longstanding concerns of ours:

Accountability for service delivery: By state law, New York City charter schools are dependent on the Department of Education (DOE) and its Committees on Special Education for purposes of special education. For years, we have urged DOE to improve its services to allow charter school students to receive IEP-mandated services without delay, and our conversations with the current lead us to be optimistic that we will see improvement.

Transparency: As part of our Data Transparency Initiative, the Charter Center recommended that DOE release more granular detail about special education. To quote our 2012 white paper, *Four Simple Ways to Improve New York City School Data*: “Distinctions and movements within special education are now the subject of serious reform efforts and intense debate. Simply reporting how many students are in special education of any kind is no longer sufficient.”³ That remains true today, which is why Intro-435 is necessary to provide richer, more informative data about this vital topic of education policy and practice.

In order to improve the bill’s ability to accomplish these goals, we suggest two sets of revisions:

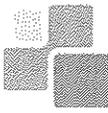
1. Revisions to Align Bill Language with Conventions of Practice

- In §21-952(1), “beginning in September” should be “beginning in August or September” to be inclusive of charter schools with summer start dates.
- In §21-952(15), “inside the classroom” is an unclear term and could inadvertently lead DOE to attempt to exclude pull-out services. This section should ask for numbers and percentages either in total, or in total with subtotals for pull-in and push-out services.
- Also in §21-952(15), the time “tiers” should be aligned with service billing conventions (less than 20%; 20-59%; 60% or greater) in order to ensure accurate reporting.

2. Added Requirements to Ensure Data are Rich and Informative

NYC DOE should be required to include counts and percentages for:

³ Also online at <http://www.nyccharterschools.org/resources/four-simple-ways-improve-new-york-city-school-data>



- students moving toward less restrictive environments; and
- students who received all mandated related services within 15 days of the first day of instruction at their own school, whether district or charter.

NYC DOE should also be required to report all of the required counts and percentages:

- by school;
- by type of enrollment structure, as defined in the Enrollment Guides (e.g. charter, specialized, screened, zone);
- by disability type;
- by Community School District; and
- by Committee on Special Education

Thank you. I am happy to take any questions.

Students with Special Learning Needs and NYC Charter Schools

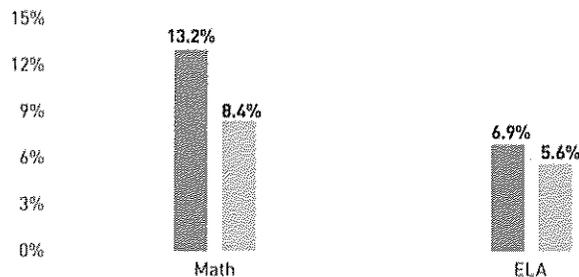
2014
2015

Charters Address Students' Needs...

- The Special Education Collaborative, an initiative of the Charter Center, provides schools with the training, professional development, resources, support and expert guidance needed to create a successful and compliant program. In the 2014-15 school year, over 85% of NYC's charter schools are members, all of which are dedicated to sharing and learning best practices.
- Expanding upon the Recruiting and Educating English Language Learners (REELL) program launched in 2013, the Charter Center hired a new ELL Specialist in 2014, to help schools build successful programs and implement best practices.
- Several charter schools are explicitly designed to work with students with special needs, and many others have built more inclusive programs to support students with a variety of abilities.
- The Common Online Charter School Application introduced by the Charter Center in 2010 is a multi-lingual tool, used by tens of thousands of parents citywide.

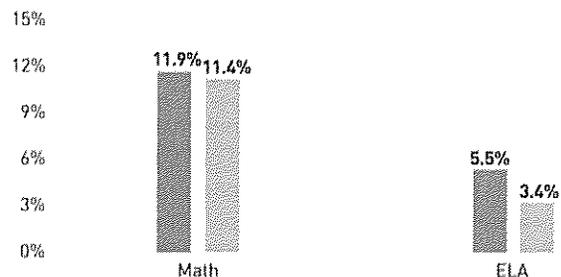
MATH AND ELA PROFICIENCY, STUDENTS WITH DISABILITIES (NYS Report Cards, 2012-13)

■ Charter ■ Citywide



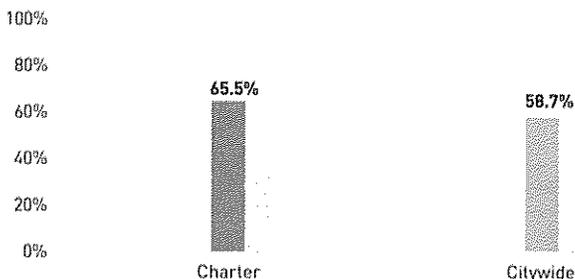
MATH AND ELA PROFICIENCY, ENGLISH LANGUAGE LEARNERS (NYS Report Cards, 2012-13)

■ Charter ■ Citywide



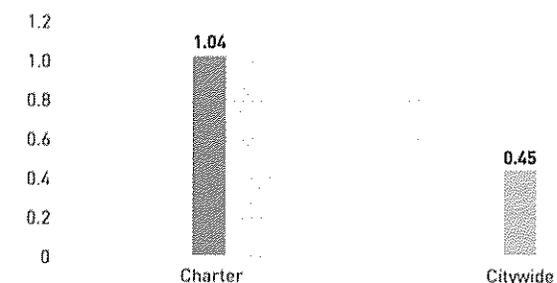
PERCENT OF ELL STUDENTS MOVING TOWARDS ENGLISH PROFICIENCY (NYC Progress Reports, 2013)

■ Charter ■ Citywide



AVERAGE MOVES TOWARD LESS RESTRICTIVE SETTING; STUDENTS WITH IEPs, LAST FOUR YEARS (NYC Progress Reports, 2013)

■ Charter ■ Citywide



Students with Special Learning Needs and NYC Charter Schools

2014
2015

Charter schools are finding ways to effectively educate students with special needs and English Language Learners in New York City and are making strong progress in recruiting more of these students into their schools.

- NYC charter schools' students with special education needs and English Language Learners score proficient in Math and English Language Arts (ELA) at higher rates than citywide averages.
- Students with special education needs in charters are more likely than district peers to be declassified from special education and move into less restrictive settings (such as a mainstream classroom with extra support).

Research Highlight

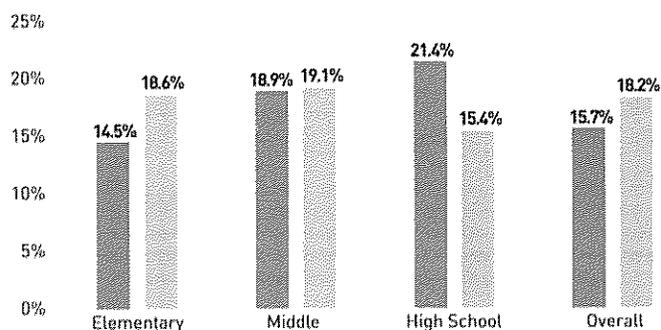
According to a recent lottery-based study, enrolling in a NYC charter school makes it less likely that a student will be identified as "learning disabled." Since that label is relatively subjective, and often attached to students who are simply struggling in class, charter schools seem to be making a difference in keeping students where they have the best chance of academic success.

Source: Marcus A. Winters, *Why the Gap? Special Education and New York City Charter Schools* (Seattle, WA: Center on Reinventing Public Education, September 2013).

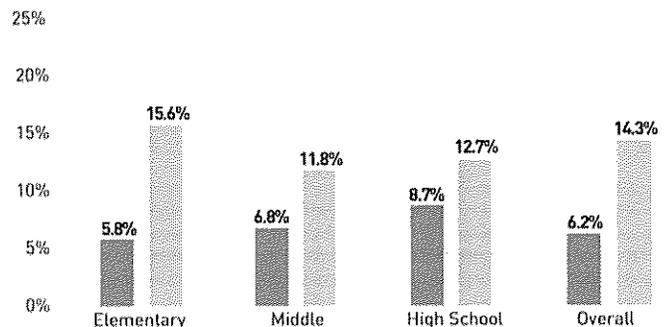
Program Highlight

In October 2014, the Charter Center launched a public outreach campaign, "Charters Open Doors," with multi-lingual advertising targeting English Language Learner families. The campaign has two goals: to spread the word that charter schools do in fact serve families from every community across NYC and to encourage more families apply. Informational sheets are available on CharterNYC.org in English, Spanish, Mandarin, Arabic, French and Haitian Creole.

ENROLLMENT OF STUDENTS WITH IEPs, BY INTAKE GRADE LEVEL (NYSED Public School Enrollment Files, 2013-14) ■ Charter ■ Citywide



ENROLLMENT OF ELL STUDENTS, BY INTAKE GRADE LEVEL (NYSED Public School Enrollment Files, 2013-14) ■ Charter ■ Citywide



Notes: Our analysis excludes D75 Schools and New York Center for Autism Charter School. Source data excludes Leadership Prep Canarsie and Metropolitan Lighthouse Charter Schools.

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October 28, 2014

Chairman Dromm, Chairman Deutsch and distinguished Members of the City Council:

I thank you for providing the public the opportunity to testify on this very important subject matter.

My name is Assembly Member David Weprin, and I have had the privilege of serving as the Chair of the New York State Assembly Task Force on People with Disabilities. Long before my appointment as Chair, I was a Member of the New York City Council from 2002 through 2009. During which time, as Chair of the Finance Committee, I have had a unique opportunity to work with various different groups and organizations throughout the City including several developmental disabilities advocacy groups. Their message was crystal clear: equal educational opportunities for not just some but for all children.

To that end, I sincerely support and applaud this Council Committee's decisions to introduce Int. No. 435.

In order for this City to better meet the needs of New York's most vulnerable community – the special-needs students, first, we must understand the dynamics and challenges surrounding the current circumstances. With the enactment of Int. No. 435, which would require the Department of Education (DOE) to annually submit to the city council a report concerning each student seeking or receiving special education services in our schools, the City will be in a far better position to implement necessary measures to assist those students with special needs.

More specifically, per subdivision b of section two of Int. No. 435, by fully grasping the total number of students who underwent an initial evaluation after their referral; the number of placements made resulting from reevaluation and triennial evaluation; the number and percentage of students who receive special education services inside the classroom (whether 100%, 50-99% or less than 50% of the time); and finally the number and percentage of students in full compliance with their individualized education programs at the end of the academic period, as defined in section two of the said Intro., I am confident that this Committee would be able to make accurate legislative decisions.

With that said, while enhancing the long-term objectives being set forth by this Committee, I would like to ask the Members of the Council here today as to how I, as Chair of the Task Force can better assist you in Albany by making this a reality on a statewide level. It, too, is my goal to look for additional ways to provide for the ever growing disability community including students with special needs in both public and nonpublic school settings in our State.

Once again, I thank the Chairpersons Dromm and Deutsch, and fellow Members of the City Council for allowing me to address this Committee. As a Member of the State Assembly, and in a continued partnership, you can always count on my support in Albany in the effort to improve the lives of not just some but for all New Yorkers with special needs.

Testimony of the United Federation of Teachers
Before the
New York City Council
Committee on Education and Sub-Committee on Non-Public Schools
Regarding Special Education Instruction and Achievement &
Int. 435: Mandating Special Education Services Reporting

October 28, 2014

Good afternoon, Chairman Dromm and Subcommittee Chair Deutsch and the members of the Education Committee and the Subcommittee on Non-Public Schools. My name is Carmen Alvarez, and I am the vice president for special education for the United Federation of Teachers (UFT). On behalf of our union's more than 200,000 members, I want to thank you for this opportunity to offer testimony on special education instruction. We are also pleased to weigh in on your bill, Int. 0435, mandating special education services reporting.

First, we would like to acknowledge the New York City Council for being a leading voice for students with special needs and English language learners. Your oversight is crucial and helps ensure that our children and their families receive the services and supports they need to succeed and thrive.

Secondly, I have to acknowledge Chancellor Fariña for her extraordinary efforts — and successes — in changing the culture of the school system. From replacing the “gotcha” mentality of the prior administration with an expectation that our members will be treated as respected professionals to restoring superintendents as crucial links between the community and schools, the new chancellor has been a breath of fresh air. I am looking forward to supporting my colleagues, the UFT district representatives, as they work with superintendents to improve instruction for students with disabilities and hold schools accountable for implementing students' IEPs.

The Conditions Are Right to Change the Narrative

The instruction and service delivery issues that are before this body today are familiar to most of us. Be assured, I can't wait for the day when I am here at the microphone applauding our collective success with our differently abled students. Realistically, we have some ways to go before that day arrives.

While the UFT cautions against using state standardized test scores to fully understand what our students have learned, the English Language Arts and math test results are sobering — particularly for special education students, English language learners, and

English language learners who need special education related services. For the school year that ended in June 2014, just 6.7% of special education students passed the ELA exam while 11.7% were successful on the math test. Only 3.6% of English language learners passed the ELA exam, while 14% passed the math test. Of New York City's 145,509 English language learners, 35,787 — nearly 23% — are students with disabilities. Currently, there is no public reporting of the achievement levels of this subset of English language learners on the ELA or math assessments. But given what we know about these students, the proficiency rates for this group are likely in the low single digits.ⁱ

Graduation rates for special education students and English language learners are similarly lower than the citywide average.

Despite the challenges, we have the opportunity to change the special education narrative. We now have a willing partner in Chancellor Fariña and her team. We believe they're serious about engaging in this important work. Make no mistake, real education reform can happen when educators work together to support students and teachers. Thanks to the new collective-bargaining agreement between the UFT and the Department of Education, our members now have dedicated time every week to improve their practice through professional development and collaboration and to learn more about their students and how to support them by engaging with their parents. This chancellor brings a real educator's sense of what does and does not work from the classroom up through the districts to DOE headquarters.

The Work That Needs to Be Done

Part I: Pre-service Teacher Preparation

Why are our students with special needs and our English language learners performing so poorly? There are many reasons, but let me start with pre-service preparation. You may have heard me say this before, but it bears repetition. I began my career in the schools as a special education teacher. My undergraduate degree prepared me to work with students with emotional and behavioral challenges. I was fortunate to study for my graduate degree at Bank Street College. There I focused on bilingual education with an emphasis on literacy. My preparation in diagnostic reading instruction allowed me to identify and address the highly individualized needs of my students.

Why am I telling you this? The overwhelming majority of students with disabilities have learning and/or emotional disabilities. Today, the colleges and universities preparing our special educators no longer focus on giving them the skills to work with these students with these challenges. Our state and city certification and licensing systems issue generic special education certificates. They are now tied to content areas and grade levels, but do not ensure that special educators have the expertise to work with our young people with learning and emotional or behavioral challenges. Today's special educators are *jacks-of-*

all-trades and masters of none. Corinne Rello Anselmi, the deputy chancellor for specialized instruction and support services, is aware of this and working to change it. But it will take time. And time is something we don't have, with so many of our young people failing to acquire the knowledge and skills they need to become ready for college or careers.

Part II: Reading

Instruction in foundational reading skills is lacking across the system. At the same time, protocols designed to address behavior issues are largely late and implemented after the fact. We believe these are not independent challenges. Behavior and reading, in our view, are linked in a vicious cycle. Educators find that students who can't read often demonstrate behavior issues during instruction, and likewise students with profound behavior issues most often are poor readers.

Let me start by saying that the increase in the number of students receiving special education services is directly related to what is not available in the general-education classroom.

Many young people do not learn to read intuitively. These students need explicit reading instruction in the five foundational areas (phonemic awareness, phonics, fluency vocabulary and comprehension). This instruction is most successful when provided before Grade 3, but older students who have not learned to read need it as well.ⁱⁱ Currently, there is no systemic infrastructure to support this type of instruction. We need to create this infrastructure in all of our schools — elementary, middle and high — and in all of our instructional settings — District 75, District 79 and programs for incarcerated youth.

While all students benefit from a sound core reading program, there will still be students who continue to struggle. Response to Intervention (RTI) is an excellent research-based instructional approach that provides students with “interventions at increasing levels of intensity to accelerate their rate of learning,” while carefully monitoring and assessing student progress. RTI enables informed decision-making when applied in “both general education and special education, creating a well-integrated system of instruction and intervention guided by child outcome data.” Under regulations adopted in 2007 to implement this unfunded mandate, schools are legally required to provide RTI prior to determining that a child in grades K-4 has a learning disability in reading.ⁱⁱⁱ Currently, only a small handful of educators in the central DOE are responsible for spreading the RTI throughout our system. Again, there is no infrastructure to support this necessary intervention.

I cannot overstate the urgency of the need for our schools to address literacy with proven reading programs and interventions, with an emphasis on providing access to early learners and English language learners. The UFT, as you may know, is a member of the ARISE coalition. The coalition recently outlined critical literacy goals in a letter to the

chancellor. Among other things, the coalition is asking the DOE to provide a plan for ensuring that all students, by the end of second grade, are reading on grade level and that students not reading on grade level receive additional evidence-based, targeted intervention with ongoing monitoring on their progress. Chancellor Fariña has said that this is her expectation. Universal prekindergarten is an important first step, but how do we provide this instruction and support across all levels to students who are not reading?

We at the UFT are stepping up our efforts to get critical information to our members. This week, tomorrow and Thursday to be exact, we are cosponsoring two literacy workshops with the DOE. Part of the Literacy Intervention Toolkit Series, participants will receive a full day of training and materials to use in their schools for the *Recipe for Reading* program and *Really Great Reading*. We also regularly host workshops for teachers and service providers in the highly acclaimed ASD NEST program. The special education resource page on our website² provides information and links to a number of free online literacy supports. We highlight programs like *Newsela*, a leveled reading comprehension tool that uses daily news stories, and *Make Beliefs Comix*, a tool that helps students articulate their thoughts and feelings through creating comic strips from a diverse cast of characters, scenes and emotions while gaining critical literacy skills.^{iv}

Part III: Behavior

Challenging behavior is the next critical pathway to special education for many young people across the country. I have been looking to help members find more effective ways of responding to challenging behaviors since I became a UFT vice president 25 years ago. Some of you know about the Institute for Understanding Behavior, a partnership between the UFT, the DOE and Cornell University. Our newest partner is the Museum of Tolerance. Using the Cornell Therapeutic Crisis Intervention in Schools curriculum, staff in participating schools examine their own attitudes and beliefs about behavior and gain the competencies to manage their own emotional responses to behavior.^v The IUB practices focus on helping school staff identify behavioral issues *before* they escalate and become crises. The thing that is especially compelling about the IUB approach is its intensive, ongoing professional development and on-site school support and its insistence on obtaining 100% buy-in from the entire school community, with all educators and other staff members working together. Chairman Dromm understands the need and has been a vocal supporter. We thank you, Chairman Dromm, for your support.

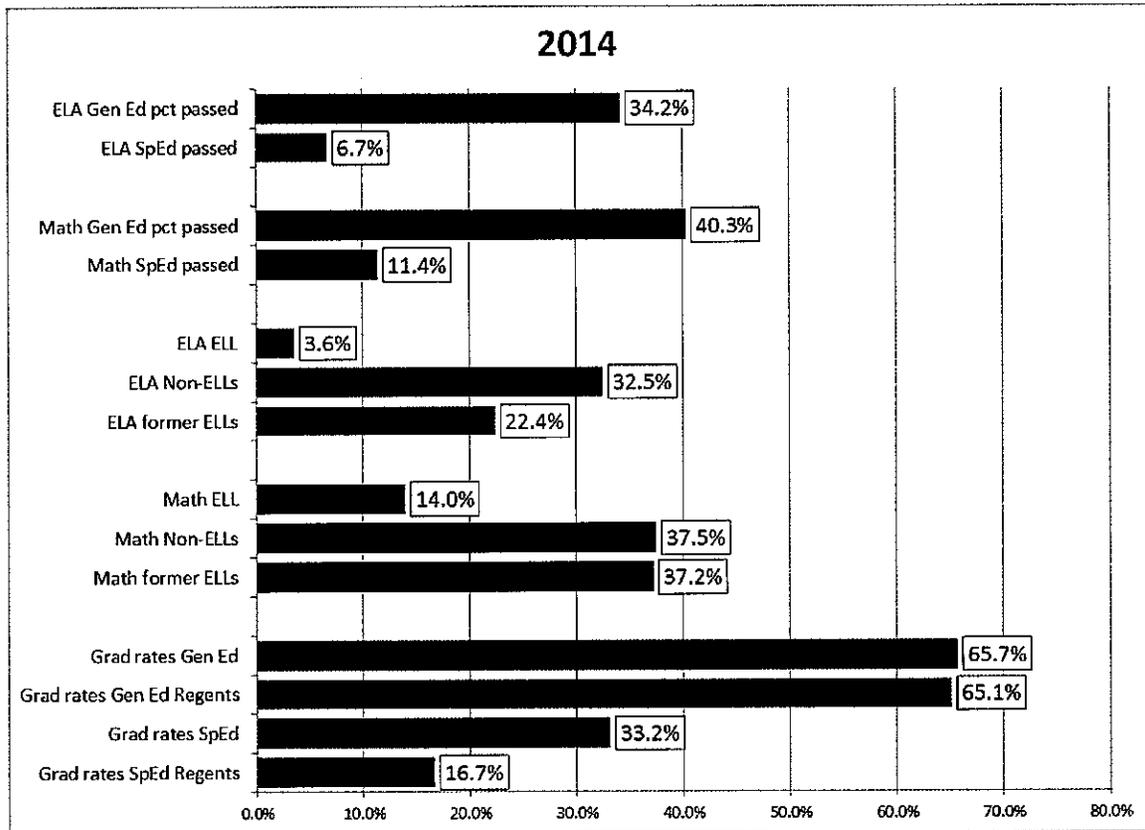
We are starting to gather data from our participating schools and what we are seeing confirms the power of this program to transform schools. Staff members feel far more confident in addressing challenging behavior, they are more engaged with the school community, and they feel more valued. Our goal is to implement this program in as many schools as possible. But to do that, we need more financial support from the City Council, the State Education Department, the federal government and the private sector.

Int. 0435: Making Special Education Data More Transparent

We want to thank Chairman Dromm and the other sponsors of this bill for their efforts to bring greater transparency to information about students receiving special education services. Int. No. 435 is an excellent start. We think that there are ways that the bill can be strengthened. For example, educators, parents and other stakeholders would like to know what's working to improve outcomes for students with disabilities and what's not working. We would like to explore the potential for tapping existing DOE data systems such as ARIS and SESIS to collect, synthesize and report information about special education services and student progress. We have a number of other suggestions that we would be happy to share in staff-level discussions. We will reach out to you next week to set that up.

Summing Up

We need an infrastructure to support literacy instruction and interventions and behavior support in our schools. Building an infrastructure involves a lot of pieces — leadership, resources, professional development and accountability mechanisms, to name a few. But the most important piece is dedicated, well-trained educators in every school to guide and assist school staff as they learn and implement new methods of reading instruction and new positive and proactive ways of supporting appropriate behavior. I think many of our Special Education Teacher Support Services (SETSS) teachers, IEP teachers and paraprofessionals would be ready for this challenge if they received the time and professional development. The UFT stands ready to work with the Department of Education to make this happen.



ⁱⁱ "Rethinking Learning Disabilities," Lyon, Fletcher, Shaywitz, Torgesen, Wood, Schulte and Olson, Chapter 12 in *Rethinking Special Education for a New Century*, Finn, Rotherham and Hokanson, Eds., May 2001

ⁱⁱⁱ Use of Response to Intervention When Determining if a Student in Grades K-4 Has a Disability in Reading, New York State Education Department, July 2012, <http://www.p12.nysed.gov/specialed/RTI/implementation712.htm>,
 Response to Intervention: Overview for Parents and Families, NYCDOE, November 2012, <http://schools.nyc.gov/NR/rdonlyres/6002B557-EE35-42DA-9842-61F7E4AFCF77/0/RTIFAQParents.pdf>;
 New York City requires schools in K – 5 to use the RTI model. See, <http://schools.nyc.gov/Teachers/TeacherDevelopment/Response+to+Intervention.htm>

^{iv} United Federation of Teachers, <http://www.uft.org/teaching/special-education-resources>

^v "Educators' Social and Emotional Skills Vital to Learning," Stephanie M. Jones, Suzanne M. Bouffard, and Richard Weissbourd, *Phi Delta Kappan*, May 2013; vol. 94, 8; pp. 62-65.

TESTIMONY

City Council Committee on Education and the Subcommittee on Non-Public Schools

**Honorable Daniel Dromm
Education Committee Chair**

**Honorable Chaim Deutsch
Non-Public Schools Sub-Committee Chair**



Tuesday, October 28, 2014

**The Council of School Supervisors and Administrators
Ernest Logan, President
Mark Cannizzaro, Executive Vice President
Randi Herman, Ed.D., 1st Vice President
40 Rector Street
New York, New York 10006
(212)823-2020
www.csa-nyc.org**

On behalf of the 15,000 members of the Council of Supervisors and Administrators (the CSA), we first would like to thank both Chairs Council Members Dromm and Deutsch for this hearing today. As educators, we know it is well past time we open the doors and windows into examining our Special Education efforts.

We are excited and hopeful these hearings will help provide an educational map which will lead all students, no matter their situation, on the road to reaching their full potential.

Clearly, reform efforts are needed. Even a cursory look at the data indicates that despite our best efforts our students in special education are lagging far behind their mainstream peers. According to the most recent numbers, fewer than 6% of special education students are proficient in reading and a mere 8% are proficient in math.

These disheartening numbers are all the more troubling when we learn that our special education population is growing. According to published reports, special education students account for 18.1% of our student population. And spending for these programs has risen to \$1.8 billion.

We must do better.

We strongly endorse the Council's desire to increase the transparency of the data that is being provided in terms of special education services. Namely, it is critical to evaluate whether or not schools are in full compliance with each student's Individualized Educational Plan (IEP), and we need to know additional information such as the child's race, gender, English Language Learner (ELL) status and poverty level vis-a-vis lunch status.

We were happy to note that Chair Dromm wanted to know whether students are actually getting the services and whether or not they were being evaluated in a timely manner. We agree with the Chair that "there are many questions around that."

This legislation would go a long way in requiring the release of information relevant to special education reform efforts by encouraging schools not to isolate students with special needs. In essence, the bill requires the city to report the number of students receiving special education service in the classroom 100% of the time, a significant portion of the time or a small portion of the time. This is a realistic expectation.

We are pleased that the Advocates for Children have also lent their support for this bill. According to executive Director Kim Sweet who said “We will be testifying in support of the effort to make public the delays in service provision and to hold the DOE accountable for those delays”.

Earlier this year, the Council took a major step in the right direction by passing legislation that would require the DOE to provide the committee with updated and accurate numbers relative to the numbers of guidance counselors and the ratio of students to counselors. We know that with more qualified guidance counselors in our schools, students will be better equipped to cope with social/emotional issues that might otherwise negatively impact their learning.

Another positive step is once the DOE updates the city-wide Discipline Code. The Chancellor quite properly recognized the need to update this document which can have a major impact on students’ behavior and the culture in a school. We need to maintain an atmosphere of mutual respect, without continually seeking various punishments for nominal infractions. Most educators recognize that a student’s IEP is not the only way to define a student receiving special education services. As noted earlier, a similar proportion of our students in special education are gifted- about the same number that is proficient in reading (6%).

Therefore, these students need to be identified and offered instruction that helps them develop their giftedness.

School leaders recognize that it is critical to maintain high standards of professional development as we continually train our staffs to become better

teachers. Our special education staff in particular must learn how to differentiate instruction to meet the special needs of each student.

As an organization, CSA believes very strongly that the system must also promote greater equity. Too many schools have a disproportionate number of special education students, while by design other schools have a negligible proportion of these students.

We must also work toward developing and expediting the exchange of information when students transfer or enroll in new schools. Under the current system principals and administrators have no access to any background or history of students until the student is officially enrolled in their school.

Because of this disconnect, there is nothing in place when the student arrives. Too often students languish for weeks or months without a proper Instruction Plan, once again, placing an unfair burden on those students who are in the greatest need of our help.

These inequities must be addressed if we are truly interested in reforming the system. This same argument can be made for our ELL students.

As educators and as a city, it is incumbent upon us to work together with parents to nurture and develop the full potential of all our children. We must find new paths and develop new ideas.

By starting with this hearing, and working together we can help build a better future for all of our children.

Thank you

MEMORANDUM OF SUPPORT
Int. 435-2014

The Council of School Supervisors and Administrators (CSA), which represents some 15,000 members, whole-heartedly support Int. 435-2014, that would require the Department of Education to report information regarding students receiving special education services.

CSA has always stood at the forefront of movements that would add to the transparency of data coming from the Department of Education. It is critical to assess this data in order to make sound pedagogical policies that will foster greater achievement among all of our students, especially those students who have been classified as needing special education services.

CSA looks forward to working with the Council to disaggregate this information and help formulate policies and practices that will better serve our most needy students.

October 27, 2014

NYC Council

RE: NYC Education Committee Oversight Hearing on Instruction for Students with Disabilities

Dear NYC council / Education Committee:

This testimony is not personal but a factor of what I have experienced as a Parent of a District 75 child. In reference to literacy – a guest at the District 75 working meeting brought the problem to my attention in September 2013. Her question to me was “Why are you guys letting children graduate without being able to read or write?” I was dumbfounded because I didn’t have the answer and didn’t even know that this problem really existed.

To my surprise after doing some research, I found out that only 1% of over 154,000 children graduate from High School with a Regents Diploma, and all the other children are given an IEP Certificate (a piece of paper that is not worth the amount it cost to print it). The Special Education Diploma has no weight in the real world, so much so that at the Office of Family and Community Engagement there is a catalog of “Other ways to get your High School Diploma 2013-2014” in this guide you will find every GED program across all five boroughs. Once again leaving the job of education to the parents of the children.

It amazes me that, the NYC DOE never takes responsibility for the lack of education that they provide to Students with Disabilities. Instead of working hand – in – hand with the Parents NYC DOE rather work against the parent. Parents complain daily about services that their children do not receive that would benefit the educational instruction, but those complaints are not taken seriously and unless you threaten the NYC DOE with a lawsuit or attorney – your child has no hope for being adequately educated.

Fast forward, to 2014 – I am a member of D75 CEC – but I am also “the Black Sheep” of this council. I thought that being on the council would afford me some perks because I was representing children and other parents to get the services that they are entitled to from NYC DOE (I was extremely wrong) I found out that not only were parents afraid to speak up for their children, but they were also afraid of RETALIATION from NYC DOE. Most parents rather, accept the services that they already have then to ask the DOE for an increase in their children services because they will be denied. The DOE denies services that would increase instruction even when, all of the proper rules and regulations are followed. (EX: The parent wants increased speech for their child and they have the Physician prescription of 5x60. The parent presents the prescription to the IEP Team at the students’ school. The school cannot fulfill this because they are mandate to do 5x30 at best. The remainder of the prescription will be 5x30, which should be taken up in a RSA. The Director of Related Services MS Helen Kauffman – personally said she would not provide that parent with an RSA. When this information was brought to Superintendent of District 75 – Mr. Gary Hecht – he informed the parent to take this up with litigation.)

When 500 complaints from charter school parents of Students with Disabilities, came across the NYC DOE those parents and children received every service that they requested for their children – and where not advised to take litigation. Why should a parent have to get a lawyer, spend more money just to receive the educational instruction and services that are legally due to them.

The Disabilities Act states that the state should provide an Adequate education, not the Least amount of services necessary.



Sincerely,

Valerie Williams
[Your Title]

I had hoped to attend the oversight hearing today, but my daughter's school problems have meant that I had to schedule an emergency session with her therapist. I don't know if it is too late for me to submit some testimony, but here it is: (I have excluded my daughter's name intentionally to protect her privacy. Also to protect her privacy, I wish to be known by my initials: ANL, even though I realize that you will see my real name on this email. You may contact me at this email.)

My daughter is a bright, beautiful, caring, loving 5-year-old girl who attends Kindergarten at a District 6 school of choice. She has autism. She was diagnosed by Catherine Lord, of the Columbia Center for Autism and the Developing Brain. Dr. Lord is one of the best known researchers in the field of autism because she developed the diagnostic tests for autism, conducted numerous studies, and published her research in the most highly respected peer-reviewed journals. My daughter was last evaluated this spring by Dr. Lord.

(1)

Last year, I tried to get her into the ASD nest program. My daughter is 'high functioning'. But, she is indeed autistic (9 on ADOS). She is very verbal, with a large vocabulary, but pragmatic language delays. She also has sensory issues which, on occasion, mean that she has meltdowns. Her meltdowns are very personal -- she collapses and kicks out. She has never exhibited any aggression towards any other children.

The nest program told me she was 'too autistic' for their program. They suggested the intensive-K nest program instead. The intensive K program functions as a means to vet potential candidates for the regular asd nest program. Its function is to insure that kids in the nest program are successful. It does not function to best serve the children suggested for this program. In contrast to the regular nest, it is a 6:1:2 class room with only asd children (=no role models), where they require children to be at the same academic level as the other nest program (=at or above grade level), yet still require them to complete an additional year of Kindergarten. Dr. Lord said that this program was not appropriate for my daughter. The nest program went against the recommendation of Dr. Lord. Further they (and DOE) have thus far denied me my FERPA rights to receive copies of the evaluations they used to pigeon hole her into the intensive K nest program. Dr. Lord thought the intensive K nest program is contra-indicated in my daughter's case.

The nest organizers told me they only admit children into the regular nest program who have low ADOS scores, with excellent self-regulatory skills and minimal to no behavioral problems. Point of fact: The ADOS score is *not* an indication of whether a child is high or low functioning. Rather, it is an indication of how likely 'autism' is the correct diagnosis, with higher scores having greater confidence in the diagnosis. Limiting the asd nest program to children who have low ADOS scores all but insures that some asd nest kids, are not autistic. Their other criteria intentionally exclude many high functioning children who may not be 'easy' to work with. In their lifetime, asd nest has served a mere 900 children. Given the size of the NYC school district, and the incidence of high functioning autism, they should be servicing about 4000 children per year.

(2)

I decided to enroll my daughter instead at a D6 community 'school of choice'. This school refuses to provide her the related services specified on her IEP. The SETSS teacher looked at her services the first week of school and has insisted that 'there must be some mistake'. She saw her ~1/10 of the mandated rate in September. Also, they provide ~1/2 of the SLT mandated on her IEP. My letters to the (new) superintendent of D6, CSE10 head, local council member, and principal of the school have not resulted in my daughter getting the services on her IEP. She went from very well managed behaviors (a tantrum per month) and enjoyment of school to daily tantrums and dislike of school over the last two months of this school year. The school assigned her a paraprofessional who does not have asd training. The 1:1 IEP mandated para is shared as a general classroom aid. And, in spite of the fact we are a bilingual (non-Spanish) family and my daughter's significant pragmatic language delays, they assigned her a Spanish dominant para with whom communication is an issue.

The layers of bureaucracy between the school and OPT mean that my daughter's limited time travel door-to-door busing was not implemented until last week. This might not have happened at all had my local council member not helped me.

The school's response to my numerous written, in person, and phone calls about concerns is that they want to re-evaluate her to tailor her IEP to the services that the school wants to provide. Her IEP is already written to give her FAPE in LRE. The purpose of the IEP is not to suit the needs of the school, rather those of the student. To carry out the school's suggestion would be a 'slippery slope' where children could be systematically denied their FAPE in LRE right to provide for the wants of the school.

(3)

In addition, the K connect program assigned my daughter an OSIS number different from her CPSE/CSE OSIS number, creating needless delays. The K connect program is confusing for CPSE kids and their parents.

Thank you,

Allegra N. LeGrande

October 28, 2014

FOR THE RECORD

City Council: Committee on Education

October 28, 2014

Hearing on Special Education Instruction & Student Achievement

Submitted by Jordana Mendelson

Parent of a student at community school PS 3 and D75 P94 (East 14th St)

Member SLT, PS 3

Dear members of the Committee on Education,

Thank you for giving me the opportunity to submit testimony on behalf of my son Aedan (who will be 7 years old on November 2 and was diagnosed at birth with Down syndrome). **Our son is a "dual citizen" in the NYC public school system: he attends our zoned community school PS 3 for the regular ten month school year (and has a split program there between the 12-1-1 special education classroom and a General Education classroom), and during the summer he attends a District 75 school, P94 on East 14th Street.**¹

When our son was just a few weeks old (he was born 6 weeks premature), we had our first meeting to determine eligibility for services through Early Intervention. To the state administrator's question of the primary goal we had for our son, we answered: **"We want our son to go to school."** We had no idea at that time that this basic intention would prove so complicated, indeed monumentally so at times. No one explained to us back then the minefield that "school" is for a student with a disability, or that in addition to wanting our son to go to school, we should also have mapped out from that first meeting *what kind of school, what kind of setting, and what level of services our son would need.* We had no idea just how complex every step of our son's evolution since birth would be, nor how challenging it would become to negotiate our son's passage from early intervention, through CPSE, to CSE and into the public school system. Though many parents fight for a placement for their child in a private school or for a more restrictive setting (and for many students this is the most appropriate setting) our wish has always been for our son to progress into the least restrictive environment in our neighborhood public school with his peers.

Our son's story is still being written, and more and more by himself as he learns to write his name, say more words, do basic addition, socialize with his peers, and become every day more independent. Already in the just over two years since he

¹ My interest and investment in special education instruction and student achievement are also informed by my position on the School Leadership Team at PS 3 and as the volunteer education director at GiGi's Playhouse NYC, a Down syndrome achievement center. My full-time job is in education, as I am a tenured professor at New York University, however my field specialty is not in special education, but as an art historian in the Department of Spanish and Portuguese. I do have students with disabilities in my classroom, and as an educator I am sensitive to the responsibilities and challenges faced by my son's teachers and the administrators at his school.

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entered Kindergarten he has progressed from a nearly full time placement in the 12-1-1 special ed classroom to this year being mainstreamed for the better part of every day. His first year at PS 3 was very hard and extremely challenging for him and no doubt for the staff at the school. With a November birthday, he was young to enter Kindergarten but he also transitioned from the very small and protective environment of a special education Preschool (YAI's Roosevelt Children's Center) to a school that houses over 800 students across six grades. Based on that first year, I was apprehensive about what the following year would hold for him, it felt like a litmus test: either he and the school would grow together so that his next year would be better or we would have to look for an alternative placement.

Thankfully, last year his progress was notable. Between Kindergarten and First Grade he attended summer school at D75's P94 and there he internalized lessons about transitioning, discipline, structure, and routine that he seemed to carry with him back to PS 3. Everyone at school noted his greater maturity and preparedness for learning; he was also a year older. For mainstreaming, he was placed with a highly experienced K/1 teacher (who has taught the full range of students, from special ed to G & T) and with her support he graduated from 2 x 30/week for circle time to nearly 40% time in her classroom. By the end of last year, it was clear that our son was starting to really learn in school, that the time focused on behavior, daily living skills, attending, and socialization were taking a back seat to the time devoted to literacy, math, music, art, games, and choice time.

This year, he started the year with a split program between the K/2 12-1-1 special ed classroom and a General Education classroom with the same teacher from last year (who has leveraged her knowledge and experience with our son to scaffold a highly effective curriculum for him that dovetails with that of her other students). From the start expectations have been held high in terms of behavior, attention, and completion of work in school and at home. He has an assistive speech device (Touch-Chat on an iPad) and by now the school staff, related service therapists, and the school's Paraprofessionals know our son and all have worked together to raise the bar and support him in achieving alongside his peers. Whether or not our son will be able to progress at the same pace as his peers is unclear, but we are certain that by being included in our community school our son has been challenged to understand himself as part of a dynamic community of students who expect from him the same friendship, intelligence, and respect that they award him. He is a full member of his school communities (both PS 3 and P94), and while accommodations made for him are constantly in flux and it is uncertain what his education plan or placement will be in the future, for now there is no doubt that he is making progress and that the reason for that is the tremendous (and largely uncompensated) labor invested in his education and well being by his teachers and therapists, all of which far surpasses any per capita formula devised by the DOE.

We believe our son's story is a success story, still in process. Every day he becomes more and more aware of himself, his strengths, and his own place among his peers.

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He is emerging verbal, with high receptive language skills, and emerging daily living skills. He is recently toilet trained (finally) but still needs assistance with that, and benefits from having a one-on-one Paraprofessional to help him throughout his day, though every day he achieves greater independence.

I give these details -- and I ask for the committee's patience -- because when you consider special education instruction and achievement it is important that you *never* lose sight of the fact that many students with special needs in the NYC public school system have long medical shadows and they and their families have long histories that often complicate, color, and also nourish their experiences with the public school system. The fact that our son entered Kindergarten in a diaper, and only two years later is toilet trained (despite having an assigned Paraprofessional for health and toileting) is not irrelevant because the ability of Paraprofessionals to support our children at the highest level directly impacts their ability to achieve academically. The inter-related, and impossible to separate, issues of health (physical, emotional and psychological) to academic achievement *must* be a priority when evaluating every aspect of special education. And this, unfortunately, has very real implications for budgets, classroom size, training for teachers and Paraprofessionals, the transfer of knowledge and the sharing of best practices, and the high risk of failure among students with special needs.

Our son is thriving in his public school placement *because* he has extraordinary teachers, who are supported by a compassionate principal. Our son's IEP does not explain all that has to happen every day, every moment, of his time in school to insure his safety and education, nor is there any calculation that compensates the time and energy that his teacher puts in to finding ways to accommodate our son. In his case, his academic level is on a sliding scale between Kindergarten and 1st Grade, though he is chronologically a 2nd grader. The coordination of his services and placement is complicated as he moves between his K/2 special ed classroom and the Gen Ed Kindergarten classroom; but also coordinating his related services (2 x 30 PT, 3 x 30 OT and 4 x 30 speech). Our son is making progress: he can write his name, he can do some simple addition with manipulatives, he can draw a stick figure dog, and he can read aloud at an A level. I know that he achieves more -- socially, physically, academically -- by being in school with his so-called "typical" peers, and I know that his world is bigger, better, more complex, and richer because he attends public school, and he is fortunate that he attends a school where the investment in his education is not measured by the calculations of the fair student funding formulas but based on what he *needs*, and how those needs can inform not only the tools that are used to educate him, but also on the ones that will benefit him in relation to his peers.

Based on our experience with our son I would urge the committee to find ways to incorporate more of the following in support of special education students, their families, and the teachers and staff who support them to insure the highest level of academic achievement:

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- 1. Create funding formulas that more accurately measure the cost of mainstreaming students with disabilities into their community schools, and more appropriately reflect the fluidity of their educational settings and supports.**
- 2. Support greater transparency and transfer of best practices and resources for teachers and support staff at community schools that enroll students with IEPs.** (For example: creation of teacher support groups, more intensive professional training for Paraprofessionals and teachers, "master" special educators who could more frequently visit and support teachers, greater leveraging of knowledge from D75 to community schools, but also from community schools to D75)
- 3. Bring parents and teachers together earlier in the process: have an orientation day a few days before the start of school for ALL teachers who have students with IEPs.** (Students with IEPs are placed across the range of classrooms -- special ed, ICT, Gen Ed -- and some Gen Ed classrooms are now almost like ICT with the number of students with IEPs in them; all of these teachers need more support, but so do the parents!)
- 4. Clarify promotion criteria for special education students early on, and create multi-year plans for flexibility and promotion so that students can more easily stay with their peer groups while receiving the supports they need.** (It is very hard to understand the role of testing, assessments, and promotion in relation to our son when his progress takes place at such a different pace from many of his peers.)
- 5. Consult more actively and frequently with Principals and with teachers "on the ground" to gauge their frustrations and needs to best support all of their students.** (The rise of students with IEPs in community schools is notable since the special ed reform, and it places extra pressures on those schools and teachers who want to successfully mainstream, as much as possible, their students with IEPs.)

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In light of this last point, I have asked my son's Principal at PS 3 Lisa Siegman to submit her questions or concerns, what she would wish to submit as part of my testimony. The following is from her:

- "1) Why are small classes "low funded" since some students really need them? There has to be a better way to make sure that schools aren't warehousing special needs students.
- 2) Why are paraprofessionals for 12:1:1 classes underfunded, since this can be a mandated program?
- 3) Why is it so difficult to get a timely bilingual evaluation (even in Spanish, and more so in a less common language)?
- 4) Why are the SESIS issues acknowledged but not adequately addressed? Is it true that the contract with the company that constructed it has expired? (If so, who is doing maintenance and repairs?)
- 5) Why is there not more easily accessible support for schools and families for students who have behavioral/emotional problems that extend beyond skillful classroom management? These students impede their own learning and those of classmates.
- 6) Why does adaptive technology require an out-of-school (CAT team) evaluation? Why is there not the capacity for the school-based teams to recognize and recommend adaptive technology? The information should be easily accessible to school-based teams. The cost could be shared between school and central funding. That way, students who required support for writing could easily be provided with shared Chromebooks and writing support programs (such as co-writer) without undue delay, something that would be of inestimable value in moving toward meeting Common Core Standards.
- 7) Why is there nothing between meeting CC standards and requiring Alternative Assessment. There are students who, despite excellent instruction and their own hard work, will not meet grade level standards, but who are only moderately cognitively weaker than their typically developing peers. Why is there no effective official way to measure their progress?"



Class Size Matters
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Testimony of Karen Sprowal before the NYC Council Education Committee on the negative impact of excessive class sizes on students with disabilities

October 28, 2014

Thank you for the opportunity to speak to you today. My name is Karen Sprowal, I am a public school parent of a sixth grader with special needs. I am here speaking to you today on behalf of Class Size Matters a citywide advocacy group devoted to providing information on the benefits of smaller classes to parents and others nationwide.

A few weeks ago, 73 professors of education and psychology sent a letter to Chancellor Farina, pointing out that the sharp increase in class sizes over the last few years was not only undermining the quality of education in our schools, but also working against the potential benefits of the administration's special education initiatives:

"We believe that the benefits of many of the other positive reforms that the city is pursuing, such as increasing access to Universal prekindergarten, establishing community schools, and inclusion for students with disabilities, will be undermined unless the trend of growing class sizes is reversed in the city's public schools. In particular, placing students with special needs into classes of 25, 30 or more will not work to serve their individual needs, or the needs of the other students in the class."¹

I attach the letter to my testimony. As research shows reducing class sizes to increase student achievement is a proven approach whose value has been shown over and over again. Lowering class sizes will lead to a host of health and economic benefits, as well as substantial savings in avoiding the costs of private school placements and most importantly, enhance the chance of successful academic outcomes for thousands of NYC students with disabilities.

Recently Chalkbeat reported that special education complaints from teachers rose 60 percent between 2012 and 2013, citing issues including too-large class sizes and a lack of services.² Our analysis of DOE statistics show that last year, 3805 special needs children in grades K-8 were in self-contained classes that violated the class limits; 10 percent of those assigned to 12/1 classes; 11 percent of those in 12/1/1 classes; 18 percent of those in 6/1/1 classes, and 9 percent of those in 8/1/1 classes.³

What is just as problematic is that in the effort to provide inclusion, the DOE is pushing special needs students into general education and inclusion classes that are much too large to meet their needs-- as these class sizes are increasing every year, and now at their **largest in early grades in 15 years**. Don't get me wrong, inclusion is a great model if class sizes can be kept low enough; but we all know this is not what is happening in NYC schools.

¹<http://www.classsizematters.org/73-education-professors-urge-the-chancellor-and-the-mayor-to-reduce-class-size/>

²<http://ny.chalkbeat.org/2014/10/15/teachers-complaints-reveal-tensions-sparked-by-special-ed-overhaul/#.VExAEcm2Wk0>

³<http://schools.nyc.gov/AboutUs/schools/data/classsize/classize.htm>

As described in Chalkbeat, the parent of a sixth grader who attended P.S.276 in Brooklyn with a learning disability explained that her son could concentrate better and he received more attention during small-group sessions with other special-education students than in his integrated class. The child himself said, "When I'm in my regular class, sometimes they don't notice me."⁴

In 2012 a memo in which DOE instructed principals made it clear in a very threatening tone, that they could not deny a zoned student a seat in an inclusion class – until class sizes had reached maximum levels of 25 in Kindergarten, and 32 in grades 1st- 5th, and 30-34 in middle and upper grades:

The need to cap a grade arises when a zoned school is physically unable to accommodate all of its zoned students. In order for a cap request to be approved, all of the following conditions must be met:

- *All GE/ICT in a given grade have reached the contractual maximum (K = 25; Grades 1-5 = 32; Grades 6-8 Title I = 30/ Non-Title I = 33); and*
- *There is no mechanism to collapse sections, more efficiently program, or repurpose rooms; and*
- *There is no other space to open an additional section.*

"For recommendations that are not in the best interest of students, regular progressive disciplinary measures for school leaders and IEP teams will apply."⁵ (emphasis added)

The result has been failure: failure for the inclusion initiative, and failure for too many of our children. I'm not just talking about academic failure. This initiative has also led to a rise in the share of suspensions experienced by students with disabilities as well – as noted in DOE data.⁶

The blog Motherlode in the NY Times recently published the poignant account of a mother whose son repeatedly acted out and was suspended as a direct result of being placed in a large inclusion class. It was only when he switched schools and was assigned to a smaller class that his behavior improved and he was able to learn:

"Last year, I saw my son, now age 9, at the lowest of lows in his classroom. He was hitting other children, spitting on them, stealing, leaving the classroom and even kicking a teacher. He barely got any schoolwork done. Things got so bad that he got two in-school suspensions.

All this time, Xavier, who is in special education, was in an "integrated co-teaching class" with a full classroom of other children. Xavier's school seemed happier to punish him than to help him. For three years it pushed him to the side because it didn't know how to deal with him. I often wondered to myself whether this was happening in every public school, to all special education children or just to my son.

Six months ago, I was able to get my son transferred to another public school. I've been able to see how a child can thrive with the right support. This new school is awesome. It immediately placed my son in the right setting — there are only 11 students in his class. Xavier is doing great. No outbursts, no being sent to the principal's office. Instead, Xavier is going in

⁴<http://ny.chalkbeat.org/2014/08/11/special-education-overhaul-leaves-students-less-isolated-but-schools-struggle-to-keep-up/#.VE-w2Mm2Wk0>

⁵<http://schools.nyc.gov/NR/rdonlyres/4C52B390-1162-4D9F-8ED0-0D96E21E4B55/0/SpecialEducationReformReferenceGuide060512.pdf>

⁶<http://ny.chalkbeat.org/2013/10/31/suspensions-fall-but-disparities-for-some-students-remain/#.VE1bysm2Wk2>

*early for math tutoring. He is passing spelling tests. He is rushing in the house after school to do homework because now he understands it.*⁷

When my own child entered school, back in 2008, he was fortunate enough to be in a classroom with only twenty students. His class sizes remained between eighteen and twenty-three from kindergarten through third grade. Despite the difficult learning challenges he faced daily, he flourished during those years in both general and inclusion class settings. At one point when he was well above grade level his teachers suggested that we consider the gifted program for him.

However, when he entered fourth grade his class size increased to twenty-nine students and it was apparent that more than any other factor, class size mattered for my son. As many student with ADHD he was unable to focus or be productive in a classroom with so many students. I watched in horror as my son unraveled, here was my once inquisitive, bright, eager to learn and happy child who essentially stop learning and became emotionally unhinged whenever he was in school.

His fourth grade teacher wrote on his report card, he only participated in class instruction when the class worked in smaller groups. By the middle of the school year in order to keep in school, here required an arsenal of IEP support services, including a crisis Paraprofessional. These services were badly managed with very little oversight, collaborations or accountability. He began having frequent meltdowns in class, his attendance suffered; he was subjected to suspensions and for the first time ever hospitalized just weeks before that school year ended.

Tragically this became a huge problem for not only my son, but for many other students with special needs who suffered academically as well the same fate behaviorally as a direct result of excessive class sizes.

During the mayoral campaign when asked directly by parents, Bill De Blasio promised he would reduce class size in all grades, to the levels the city agreed to in their original Contract for Excellence plan.⁸ Mayor De Blasio has yet to show any sign that he intends to follow through on his promises, and we expect class sizes to increase yet again this year in schools throughout the city. The city's lack of commitment to reduce class size and its failure to implement its own Contracts for Excellence plan has been devastating for my son and so many others like him as well.

Despite class size reduction being the number one concern for public school parents on the DOE survey for eight years, in numerous town hall meetings this fall the Chancellor has brushed off parents who expressed the need for smaller classes.

The special education inclusion program will not work to help special needs children learn, until and unless class sizes are reduced and their basic constitutional rights to a smaller class are met.

Thank you for your time.

⁷<http://mobile.nytimes.com/blogs/parenting/2014/10/07/with-black-students-some-schools-are-more-ready-to-punish-than-help/>

⁸<http://nyckidspac.org/wp-content/uploads/2013/06/NYC-Kids-PAC-Questionnaire-Bill-de-Blasio.pdf>

Letter on the need for NYC schools to reduce class size; signed by 73 professors of education/psychology/child development

September 22, 2014

Cc: Mayor de Blasio

Dear Chancellor Fariña:

We, the undersigned, professors and researchers, urge you to put forward an aggressive but practicable plan to reduce class size in NYC public schools. Last school year, class sizes were the largest in 15 years in grades K-3, and the largest since 2002 in grades 4-8. More than 330,000 children were sitting in classes of 30 or more, according to DOE data.

As you know, robust research shows that class size matters for all students, but particularly students at-risk of low achievement, including children of color, those in poverty, English language learners, and students with special needs. This is why class size reduction has been shown to be one of the few reforms to narrow the achievement gap.

Smaller classes have also been shown to increase student engagement, lower disciplinary referral and drop-out rates, and reduce teacher attrition. No teacher, no matter how skilled or well prepared, can be as effective in the large classes that exist in many of our city's public schools.

We believe that the benefits of many of the other positive reforms that the city is pursuing, such as increasing access to Universal prekindergarten, establishing community schools, and inclusion for students with disabilities, may be undermined unless the trend of growing class sizes is reversed and class sizes are lowered in the city's public schools.

In particular, placing students with special needs into classes of 25, 30 or more will not work to serve their individual needs, no less the needs of the other students in the class.

New York City schools have the largest classes in the state and among the largest in the nation. We believe strongly that more equitable outcomes depend on more equity in opportunity. We commend you for your commitment to expanding prekindergarten programs, but as you know, early childhood education does not begin and end at age 4.

We urge you now to focus on lowering class sizes in all grades, which will improve teaching and learning in our public schools.

Yours sincerely,

Jacqueline D. Shannon, Chair, Dept. of Early Childhood and Art Education, Brooklyn College
Diane Ravitch, Research Professor of Education, New York University
Barbara Schwartz, Clinical Professor, Dept. of Teaching and Learning, NYU Steinhart
Sonia Murrow, Associate Professor, Brooklyn College
Mark Alter, Professor of Educational Psychology, Programs in Special Education, New York University
Xia Li, Assistant Professor, Undergraduate Deputy, Dept. of Early Childhood and Art Education, Brooklyn College
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Karen Zumwalt, Evenden Professor Emerita of Education, Department of Curriculum and Teaching, Teachers College, Columbia University
Beverly Falk, Ed.D., Professor/Director, Graduate Programs in Early Childhood Education, The School of Education, City University of NY
David Bloomfield, Professor of Educational Leadership, Law and Policy, Brooklyn College & CUNY Graduate Center
Jessica Siegel, Assistant Professor, Education, English and Journalism, Brooklyn College
Barbara Winslow, Professor, Secondary Education, Brooklyn College
Diana B. Turk, Ph.D., Associate Professor and Director, Social Studies Education, Steinhardt School of Culture, Education, and Human Development, New York University
Peter Taubman, Professor Secondary Education, Department of Secondary Education, Brooklyn College
James E. Corter, Prof. of Statistics and Education, Dept. of Human Development, Teachers College, Columbia University
Jeanne Angus, Ph.D., Assistant Professor, Childhood, Bilingual & Special Education Head, Graduate Program in Special Education Co-Director, Brooklyn College
David Forbes, Associate Professor, Brooklyn College
Fabienne Coucet, Ph.D., Associate Professor and Program Leader, Program in Childhood Education, Dept of Teaching & Learning, NYU Steinhardt School of Culture, Education and Human Development
Laura Kates, Associate Professor, Deputy Director, Education Program, Kingsborough Community College, CUNY
Eliza Ada Dragowski, Ph.D., Faculty Graduate School Psychology, Counseling, and Leadership, School of Education, Brooklyn College
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To: The New York City Council Committee on Education
From: Nina Lublin, Program Coordinator, Resources for Children with Special Needs
Date: October 27, 2014

RE: Oversight hearing on special education instruction and student achievement

Thank you to the City Council's Education Committee and to the Subcommittee on Non-Public Schools for scheduling this hearing. My name is Nina Lublin and I am the Early Childhood Specialist at Resources for Children with Special Needs. I have been with RCSN for 21 of our 30 years of existence. I have been in the field of Special Education since 1975.

For over 20 years RCSN has been a United States Department of Education Parent Training & Information Center. We also conduct the New York State Department of Education Special Education Parent Technical Assistance Centers for the NYC boroughs of the Bronx, Manhattan, Brooklyn and Queens, and since October 1 the regional Rehabilitative Service Administration Transition Parent Center for New York State. Our parent centers provide NYC families and young people with special needs with information, confidence and skills to make informed decisions, navigate complex public systems, and participate effectively in the special education process. We speak with parents every day and work to increase their voice and their role in the special education process and provision of services. Because of this, we are in an excellent position to comment on the proposed legislation and the questions the committee has posed.

We have been eager supporters of the Special Education Reform initiative by the DOE, even while we assist parents to push back against some of the rigid requirements, especially those related to home zoned schooling issues and the school enrollment process. Keeping students with disabilities in integrated and mainstream environments and providing maximum exposure to general education curriculum and standards is exactly the intent of IDEA. We fully support the DOE's efforts to move the system in this direction and towards compliance with State and Federal law.

But we know that to do this successfully requires enormous systemic efforts focused on professional development, capacity building, and resources. On a school level it requires "buy-in" from professional staff, evidence-based practices, collaboration, and creation of a school culture based on inclusiveness and a common sense of belonging. On a student level it requires individualized scaffolding of academic support, related services, technology and on-going assessment. It also requires an avenue for genuine parent involvement and decision-making.

Our concern is that many of these requirements, on the system level, the building level, and the student level, are not in place, and that without these things the success of the reform is in question. In our work with parents we have seen many situations where the

(over)



school does not have the services or supports needed by a student. The changing of IEPs to reflect what a school "has" as opposed to what a student requires is commonplace. Related services and assistive technology are not distributed equally across the system, and without these supports, many students struggle and the gap between performance and grade expectations widens. In other situations, schools have an abundance of resources which are unavailable to outside students based on geography. Schools are not equally equipped to provide all services. This undermines student achievement and the success of the reform efforts. It also erodes parental trust in the system.

Our message is simple. Decades of research and examples of comprehensive implementation have shown that school success is not impossible and its components are not elusive. The ingredients are extensive professional development, well-funded and resourced schools, evidence-based practices and extensive and robust engagement with parents to include them in all aspects of their children's education. I do not suggest these components are easy to provide, only that they are commonly recognized and generally agreed upon

One frustration experienced by parents is a lack of clarity about escalating requests for changes in services and supports. Certainly there is a legal pathway to "open" an IEP at any time. New evaluations can be requested or obtained from the outside and submitted to the CSE. But there exist many roadblocks to this happening. Teachers, administrators, and CSE members routinely push for a calendar that recognizes only annual reviews, a "wait and see" attitude, and a postponement of decisions until "after test results are in," or, "after he/she has adjusted to the program." We then see extended periods of academic and social struggle. When this happens, the recommendation is often made to repeat the grade, further demoralizing students and parents. Our advocacy efforts focus on increasing communication between parents and schools so that the topic of discussion at IEP meetings is not about what the system can offer but "what can we do to support this student" and "how can additional resources be assembled to help this student succeed." These are the kinds of conversations that will establish trust from parents.

We support the proposed legislation requiring the reporting of information regarding students receiving special education services. This certainly advances the cause of openness and transparency, both of which are priorities for this administration and the DOE. Reporting of information will increase accountability at the system level, the school level, and the student level. Parents (and the Council) will have access to information about how the DOE is accessing its efforts and how the implementation of the reform can be strengthened.

Thank you for your time and your consideration.



Advocates for Children of New York
Protecting every child's right to learn

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

RE: Oversight: Special Education Instruction and Student Achievement

**Advocates for Children of New York
October 28, 2014**

Thank you for the opportunity to submit testimony today

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My name is Maggie Moroff. I am the Special Education Policy Coordinator at Advocates for Children of New York (AFC) and the Coordinator of the ARISE Coalition. AFC is a non-profit organization that has been working to protect the rights of NYC's most vulnerable children, including students with disabilities, for over 40 years. The ARISE Coalition is a group of parents, educators, advocates, and academics who work together to push for system-wide changes to NYC's special education system. AFC and the members of ARISE have come to see raising literacy rates for students with disabilities as crucial in our quest to improve outcomes. Until our school system makes a major commitment to the hard work of building the skills, school by school, that are needed to teach struggling readers, we are not likely to see substantial gains for this population.

You are going to hear from several parents today, so I'll leave it to them to tell you what it's like from a parent's point of view when your child isn't learning to read and you're left without sufficient support from the schools. I do want to tell you, though, that our school system can change this situation. At Advocates for Children, we've seen it again and again through the families we help every year. When students of all ages have been failed by the system and still can't read, they start making significant progress once they receive specialized tutoring, using evidence-based methods, in



after-school settings or over the summer, or are placed in non-public school settings with expertise in teaching students with disabilities to read and write. The problem is not the children; it's a school system that is not prepared to teach them effectively.

To make clear the magnitude of the crisis facing the City, let me share some statistics:

- Over 17% of students in NYC public schools have a disability.
- In 2012-2013, just over 6% of those students who participated in standardized testing scored a 3 or 4 on their ELA exams. Compare that to the 35% of students without disabilities. And the 93% of students with disabilities who failed to achieve proficiency doesn't include students with the most profound needs who participated in Alternative Assessments rather than standardized testing.
- To make it clear what this means for older students, of those students with disabilities who took the English Regents Exam, only 31.6% of them passed in the 2012-2013 school year. That's identical to the pass rate for students learning English.
- Not surprisingly, only 33.2% of the students with disabilities who began high school in 2009 have graduated with a Regents or local diploma – slightly more of them with a local diploma than a Regents diploma.

But disability should not be destiny. Federal and state laws mandate more than our schools are currently delivering. For example, the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act require that students with disabilities receive the supports and services necessary to meet their academic needs, including specially designed instruction and assistive technology. Those same federal laws also require that schools offer curriculum through a variety of formats



designed to reach all kinds of learners. Those legal mandates to provide Accessible Instructional Materials (AIM) mean that curriculum must be designed or converted to make it usable for a wide range of students – presenting it not just through print, but also through digital media, graphics, audio and visual.

Research supports the potential to improve literacy rates for students with IEPs. Numerous studies show that when students with disabilities receive intensive and systematic evidence-based interventions, their literacy skills improve. If students, including students with IEPs, are learning in literacy-rich environments that include phonics, reading connected text, and explicit, small group, intensive instruction, improvements follow. High-quality language and literacy instruction in inclusive classrooms has also been shown to speed up reading growth and narrow literacy gaps.

The ARISE Coalition, which we coordinate out of AFC, has several concrete recommendations for the City to improve literacy rates for students with disabilities. We're looking for the DOE to come up with a **long-term plan** for teaching all students, including students with disabilities, to read at or above grade level by the end of second grade. To that end, we urge the DOE as follows:

- Beginning in pre-kindergarten, students must receive evidence-based core literacy instruction designed to prepare them to become competent in the 5 pillars of reading (phonemic awareness, phonics, fluency, vocabulary, and comprehension).
- Beginning at least with kindergarten and continuing through middle school and high school, schools need to provide on-going screening for reading ability, and those students not reading on level must receive additional, evidence-based, targeted intervention with on-going progress monitoring.



-
- Students requiring additional evidence-based intervention must be provided with opportunities to receive it not only during the school day, but after school and during the summer months.
 - By using augmentative communication devices, assistive technology, digitalized texts and other multi-media to promote dynamic teaching and learning, schools should make use of technology to support literacy development and content instruction for all students, regardless of their ability to use spoken language or access the curriculum through paper and pencil alone.
 - Schools must partner with parents in literacy instruction, providing strategies to use at home and engaging in on-going dialogue about the needs and progress of individual children. The DOE also has an obligation to provide information to parents on how to access needed screening and interventions for their children.

Finally, Advocates for Children supports the idea behind the reporting bill before the Council today. We would like to suggest some changes to the language and some additional items to be reported, beyond evaluation and placement. We plan to provide the Council with specific suggestions early next week and would like to offer to sit with Council staff to discuss our specific recommendations at that point.

Thank you for the opportunity to speak before you today. I am available to answer any questions you have now or in the future.

Testimony for New York City Council Hearing on Special Education.
October 28, 2014

Hello, my name is Susan Crowson. I've spent 2 years being president of a district 2 K-8 school, secretary of Presidents Council, 2nd VP and secretary on chancellors Parent advisory council, and I've sat for another 2 years as an alum at CPAC. More importantly, I'm the mom of 2 high schoolers. One with an IEP and enjoying the fruits of a public high school Frank McCourt in its 5th year. My other son has been the victim of Special Education Reform and is currently in a residential school in Massachusetts. Not only does my child need to go to school away from his family and friends, but we've spent our life savings to find him that classroom setting. (That whole process is for another day). However, that process wouldn't need to be necessary if the Department of Education provided seats to children with learning disabilities. Kids that are simply challenged by the fact that they can't learn in a class of 32 children. Quite frankly, I'm not sure who can really learn and get the attention that they need with 32 kids in a class.

When my son was tested, it showed that he was a bit behind. He was diagnosed with ADHD (impulsive type) and really needed a small classroom. So he was put in a 12:1 classroom. I'm not sure why DOE thinks that all kids that need a 12:1 or 12:1:1 are aggressive and get off throwing things in a classroom. Maybe if they actually took the time to place kids with like minded issues then, there could be some learning going on. Without boring you all to death, I'll skip the two years that my son had to endure chair throwers and spending most of his time waiting to be taught until there was some sort of order in the classroom to the 7th grade disaster. Yes, 7th grade....no tests, no homework, basically no learning. Ben's learning took the form of him reading his paper that he brought in every morning, watching the news in the evening and whatever workbooks I provided for him. Once again, no support for the teacher with an out of control class and no support for the kids either. No learning. THEN "special ed reform" rolls out and they shut down the 12:1 class (WITHOUT discussion with the SLT by the way) No learning in 7th grade and these kids that haven't had a functioning classroom in 3 years were faced with an 8th grade ICT class and the challenge of these kids

finding high schools that would accept them.(they attempted to reconvene IEP's to reclassify these kids for ICT placement. Ben had just had his triennial 3 weeks earlier and I told them no way. Sure enough, the General Ed kids spent most of their time trying to catch the "new kids" up. It was a mess...Meanwhile we had to find Ben a classroom. DOE was non-responsive. This summer, yes 2 years after they shut down the 12:1 did we get a response and an IEP meeting was convened. How can we expect our kids with special needs to be successful when there is clearly no place for them in the system that DOE has created? What about the student, whose parent doesn't have the money to front a school until the DOE gets around to dealing with their case? A high schooler was out of school waiting for funding for an "appropriate placement" for 1 ½ years. Did I mention that one of this boys biggest issues is the capacity to socialize? Funding came in and the boy is finally in a school and now has to catch up socially, and academically. And next year, they'll have to do the same thing all over again. Once again, a huge potential of these kids being pulled out of their schools if the parents don't have the funding to cover tuition until the DOE decides whether or not to reimburse the families.

These children are our future. They have special learning challenges. Why are they treated like they have a disease? Maybe the DOE should put more money into jobs that can keep up with evaluating and monitoring these children, rather than with the armies of lawyers that they have on staff to fight against reimbursing parents for placement. How about hire more special ed teachers to support these special learners? The process that parents have to go to for placing kids in private or residential schools because there aren't appropriate models available in community schools is criminal.

Our public schools are failing our special needs children. This system has created a generation of lost learners. Our public schools have closed the classes that could help our challenged learners. And have made parents do all of the work for them.

NYC Youth and Vision Loss Coalition

Presented to the NYC Education Committee

On the Oversight of Student Achievement

And Int. 0435-2014

NYC City Hall, October 28, 2014

Chairman Dromm and Education Committee Members:

Thank you for hosting this hearing to learn more about the Special Education services being provided to students and the tracking processes of these services within New York City.

My name is Mike Godino; I am the Project Manager of the NYC Youth and Vision Loss Coalition. The coalition was created last year by NYC's vision service providers, advocates for children with low vision or no vision and parents of children with vision loss and multiple disabilities. Currently we have over 30 organizations represented by more than 75 people working to improve the quantity and quality of services being provided to children and youth who are blind in NYC. One of our goals is to identify and remedy the underrepresentation of children and youth who are blind and should be receiving vision services.

Although common knowledge to the professionals in the field of vision loss, the majority of educators, legislators and the general population do not know that many children struggling with vision loss go through school unaware of their disability as it is never properly identified, corrected or adjusted to. Some of these students have other disabilities and/or

behavioral issues that might be exacerbated as a result of the visual impairment. We must identify, document and track these students while providing them quality vision services.

Last year the Office of Special Education and Rehabilitation Services (OSERS) requested information on underserved students. Staff of the NYC Youth and Vision Loss Coalition made a comparison of the documented numbers of students receiving services for a visual deficiency reported by the New York State Department of Education (NYSED)¹ to the numbers of students reported to be receiving funding for Accessible Informational Materials (AIM) through Quota² (a Federal Act to Promote the Education of the Blind, enacted by Congress in 1879). Our analysis showed a six year, 2006 to 2012, statewide average of 298% more students receiving Quota funding than those who received in school vision services. See the attached July 10, 2014 letter to OSERS.

The NYC Youth and Vision Loss Coalition has recommended in the OSERS letter and other testimony to the Mayor, Chancellor and Community Education Councils (CECs), that all students should be mandated to have a comprehensive dilated eye exam/vision evaluation conducted by an eye care professional (optometrist O.D. or ophthalmologist M.D.) prior to entering the education system. Additionally, we believe students should have follow up vision evaluations every three

¹ Summary of students receiving Special Education services in New York State:
<http://www.p12.nysed.gov/sedcar/goal2data.htm>

² The Federal Quota Program makes textbooks and aids available free to eligible legally blind students in educational settings ranging from early intervention programs for visually impaired infants to, residential school programs and regular classroom settings. <http://www.aph.org/federal-quota/>

years or as recommended by their eye care professional. These vision evaluations will identify any and all youth experiencing eye disease and functional vision loss and insure they receive the necessary vision services to mitigate the deficiency during their school years. We believe that any student identified as having a visual deficiency be tracked as such in addition to any other disabilities identified on their Individualized Education Program (IEP) as this will insure the student receives vision services throughout. Examples of school based vision services are orientation and mobility training, braille instruction, instruction in adapted computer software that magnifies print or reads aloud, adapted physical education, adapted activities of daily living, etc.

The NYC Youth and Vision Loss Coalition serving as representatives, providers, advocates, parents and members of the community of people who are blind know there are far too many youth with vision loss not having their needs met as a result of their disability not being identified. We firmly believe that through a rigid screening process with comprehensive vision evaluations and longitudinal tracking, more students with vision loss will reach the ultimate goal of graduation with an academic diploma from high school.

Thank you for the opportunity to present the views and opinions of the NYC Youth and Vision Loss Coalition. If you or the committee have any questions or concerns we would be pleased to address them here or in the future, my full contact is in the below signature.

Respectfully Submitted,

Mike Godino, MPA, Project Manager

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CITY COUNCIL HEARING: October 28, 2014

Testimony of Dr. Vasthi R. Acosta, Executive Director, Amber Charter Schools

Thank you Council member Dromm for holding this hearing today, as well as to the entire Education Committee for being here for this long day. I appreciate the opportunity to testify.

My name is Dr. Vasthi Acosta and I am the Executive Director of Amber Charter School in East Harlem. Amber has been in East Harlem serving children for 15 years. We are one of the oldest charter schools in the state.

Amber's enrollment reflects the demographics of the community we serve. Among our 494 students, 59% are Latino and 31% are African-American. 85% qualify for free or reduced-cost lunch, and 16% are students with an Individualized Education Plan [IEP].

Amber provides a nurturing environment while maintaining the highest expectations for its students. Our curriculum focuses on core academics, with a rich array of arts programming and other enrichments. The school invests heavily in the growth and development of its staff. Other key elements include:

- We have a successful union partnership. Amber's faculty is represented by the UFT, with a contract that exempts the school from both pension costs and tenure restrictions.
- Amber is NOT co-located but owns its own building, formerly a Catholic school.
- Amber has a proven curriculum that is aligned with the common core standards.
- Amber tracks all manner of performance data, allowing for instruction that is tailored to the academic needs of students while monitoring their progress. 100% of 4th graders were proficient on the NYS Science assessment; 72% of 4th graders were proficient in the NYS Math Assessment and 41% in the ELA assessment.

We are very proud of these things, but today I want to highlight Amber's deep commitment to serving students with special needs. Amber has a large special education population; it comprises 16% of our student body, even though we are a general education charter school.

Amber has worked from its inception to create an inclusive environment. The heart of inclusion is ensuring that "all children learn together in the same schools and the same classrooms, with the services and supports necessary so they can be successful" (Kochbar, p. 8). All our students participate in all aspects of school life together. We have a SETSS teacher on staff who provides academic intervention for those students with learning disabilities, and a Title One Reading Specialist who provides reading intervention for struggling students from Kindergarten to second grade. Counseling is provided by our School Social Worker for students identified as mandated for counseling or at-risk for socio-emotional needs. A speech therapist meets with students weekly and conducts informal assessments of students who may need speech therapy. Amber students who need occupational and physical therapy receive those services outside the school premises. The presence of Teacher Assistants in every classroom from Kindergarten to second grade and tutors in grades 3-5 allow teachers to more effectively differentiate instruction for struggling students, students with disabilities, English Language Learners, as well as high-achieving students.

Just like every other school in NYC we have encountered children with major discipline issues. Children who have punched, slapped, bitten, and hurt staff members and other children; children who have run away, and children who have run through the building while staff pursued them, children who had such severe emotional meltdowns that EMS had to be called to assist in calming them down. And yet, in 15 years as a school we have only expelled one student. One student out of over 4000 students educated.

This is a testament to our commitment to think outside the box, try every angle, look for every possible way to reach the child. Our autonomy and flexibility have been key ingredients that enable us to respond to the individual child and their special circumstances.

I want to tell you the story of Federico (not his real name).

Federico started at Amber in kindergarten and eventually graduated in fourth grade to start 5th grade at KIPP Star middle school.

While Federico was at Amber in 1st and 2nd grade he brought to school and threatened students with a BB gun, hypodermic needle, pocket knife, and often made a weapon of innocuous items such as a pencil, the stapler, a ruler, and other objects. We had him evaluated in 2nd grade and he was diagnosed with ADHD. Yet, his episodes seemed far beyond his diagnosis. He would run out of the classroom unexpectedly, attack classmates with no provocation, become defiant and belligerent one moment and as compliant as a baby the next. In 3rd grade he ran out of the playground into the street and blocked the entrance to the local KFC. There was no calming him down and the police were called. Once the police arrived they took him to the ER, we finally learned that he was experiencing psychotic episodes.

To support this family, the teacher, school counselor and I, the school principal, went to visit his psychiatrist. Together with his mother we wanted to know how the school could help him. The psychiatrist said to me that in her 25 years of practicing she had never had a principal visit her office to learn how to work with a student. She was amazed, but to us this was what had to be done to help Federico. This is what we do to reach our students.

During that visit we learned that Federico was bi-polar, a detail the mother had failed to share, but one we had suspected. We immediately put into place a structured plan to support him daily so that his episodes would not be triggered and minimize any further violence: he knew every adult in the building was a helper ready to support him, we taught him how and when to ask for help before an episode could escalate. And, until the day he graduated, he ended each school day with a visit to me to report the challenges and the successes of his day. Federico was never expelled from Amber but graduated.

Community-engaged charter schools make a commitment to the student and the family upon acceptance into the school. The commitment is deep and lasting. It is a commitment we hold as a sacred bond.

That is why Amber Charter School joined the Special Education Collaborative and the Coalition of Community Charter schools. We are committed to providing a

high-quality education to students who reflect our communities and neighborhoods, particularly students with the greatest needs. We believe that parent and community engagement is essential to student success. We seek out opportunities to collaborate. We also believe that all students and families have the right to choice in education.

Amber is a community charter school that is deeply committed to serve every child whatever their challenges may be.

Thank you for this opportunity.



**Testimony Presented to The New York City Council Education Committee and Subcommittee
on Non-Public Schools
Oversight: Special Education Instruction & Student Achievement
Tuesday, October 28, 2014**

**Megan Davis-Hitchens, Program Manager
NYC Special Education Collaborative**

Good afternoon, Chairperson Dromm, Chairperson Deutsch, and members of the New York City Council Education Committee. My name is Megan Davis-Hitchens and I am the Program Manager of the NYC Special Education Collaborative, a school supports program of the New York City Charter School Center. Thank you for the opportunity to present testimony today.

My experiences in special education, both positive and negative, have greatly shaped the work I do now in supporting special educators and the work they do in schools.

I began my career in education as a New York City Teaching Fellow in a New York City Department of Education elementary school in Bedford Stuyvesant, Brooklyn. I taught a fifth grade self-contained class and struggled to make an impact. With no support or coaching, and no professional collaboration, I was left alone to teach the most needy students in the school. By developing relationships with each of my students, doing my own research about strategies and techniques for individualized instruction, and sharing high expectations and goals for each of my students individually, I started to develop an understanding of what essential elements special education teachers and programs need in order to be successful. I also became more aware of what was missing in my school's program.

Over the next three years, I involved myself in school wide curriculum mapping, inquiry teams, and led professional development sessions. I developed collaborative relationships with my student's related service providers and other teachers in the building. There were elements in place that should have fostered a strong special education program in a strong school. What prevented this from occurring were inconsistent expectations and poorly defined measures for teacher growth, lack of structure, and a lack of school culture - all which communicated lowered expectations for students. While clearly defined special education programs and good providers were in place, there was no plan or expectation for students with disabilities to move to less restrictive settings and to eventually achieve at the same level as a typically developing peers. We didn't focus on developing individualized supports or strategize on how to build the capacity of staff to teach students with a wide range of needs. The conversation was centered around which of the three types of classrooms (general education, Integrated Co-Teaching, or Self-Contained) was most appropriate for a given student, or whether he or she should transfer



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to the District 75 school upstairs. Special education was truly a place not a dynamic delivery of service.

While committed to the students and families of my school community, I felt something was missing. I was passionate about my work and had grown so much as a professional, but I felt so defeated. I needed a change and decided to transition to an independent charter school a few blocks away. It was a newer school with a strong leadership team who held high expectations for teacher performance. The school's priorities were student engagement and achievement, strong school culture and structure, and professional growth. There were systems in place that provided support for parents, students, and teachers at all levels. What solidified my choosing to work at this school was when I heard that the vision for special education was inclusion.

That year, I discovered a lot about charter schools, the importance of school culture, and the dynamic possibilities of special education delivery, all areas which do not only impact charter schools. We worked to develop more inclusive practices while balancing intensified supports for students with greater needs. Special education services were provided in the general education classroom, which an emphasis on differentiated instruction and individualized student support systems.

Since joining the NYC Special Education Collaborative in January 2014, I have conducted over 65 school visits, over 200 hours at schools, in addition to facilitating school staff professional development and sector wide trainings. I have established collaborative relationships with teachers, special education coordinators, and school leaders across the city. As with my classroom when I was a teacher, I get to work early and work late to ensure our schools have the tools, resources, and supports needed to develop high quality special education programs.

Recently, our team hosted five NYC charter schools at an Inclusive Environment Institute in Los Angeles, California. To see the school leaders, special educators and general education teachers so impacted, challenged, and empowered was an inspiring experience. We have been reinvigorated with the work at hand: to ensuring all students have access to the best education possible alongside their peers, with supports and services being delivered by the best professionals tailored to the needs and abilities of each child.

Based on the work I have done with schools, I have noticed the following trends:

1. Schools are focusing on enhancing their Response to Intervention and pre-referral systems, engaging families every step of the way,
2. Schools are prioritizing supports for various co-teaching models and developing stronger systems for observation and coaching teachers,
3. Schools are creating workflows that emphasize collaboration with IEP writing, lesson planning, differentiated instruction, and classroom management





NYC Special Education
COLLABORATIVE

4. Schools seek out high quality related service providers for their students and are working towards more trans-disciplinary collaboration in the classroom,
5. Schools are working hard to build their capacity (through research, professional development, conferences, and professional learning communities) to meet the needs of all students and focus on ways to develop programs that support a range of needs, and
6. Schools dedicate a large amount of time and energy tracking compliance data and collaborating with their CSE Teams to secure the highest quality special education process from initial referral to declassification.

In addition to supporting schools on the ground, the NYC Special Education Collaborative works closely with the New York City Department of Education to ensure students are receiving timely evaluations and high quality services. We support our schools by providing resources, tools, and trainings to inform their work with students, families, and the Committee on Special Education.

What all schools need is a better special education system, with clear processes, systems for data collection, and accountability measures for timeliness and quality of instruction. Schools need to prioritize teaching children, supporting families, and developing strong educators. The focus should be on increasing teacher ability through strong coaching from school leaders. The goal should be developing programs that produce academic and social emotional achievement in all students.

There are no families we can't serve. There are no students we can't teach. There are no teachers we can't coach. There is no system we can't fix.

I want to thank you for providing me this opportunity to speak today. I feel privileged to be here with all these fellow educators, working towards a common goal.

Thank you.



EDUCATE · ADVOCATE · INNOVATE

ORTHODOX UNION



ADVOCACY CENTER

TESTIMONY OF JAKE ADLER, NYC POLITICAL DIRECTOR FOR THE ORTHODOX UNION
IN SUPPORT OF PROPOSED INTRO 435

Good afternoon Chair Dromm, Chair Deutsch and Members of the Education Committee. My name is Jake Adler and I am the New York City Political Director for the Union of Orthodox Jewish Congregations of America, the nation's largest Orthodox Jewish umbrella organization. We represent tens of thousands of yeshiva and Jewish day school students throughout New York City and New York State. On behalf of our constituent schools and their students, thank you for hosting this important hearing, and thank you for allowing me to testify in support of Proposed Intro 435.

Prior to advocating for education policy for the Orthodox Union, I worked for many years for the City Council. I am very familiar with the struggles that parents of children with special needs face when dealing with New York City's Department of Education, regardless of whether their children are enrolled in public school or non-public school.

When parents reach the end of their rope, they often reach out to their local Council Member for assistance with the DOE. They assume that their Council Member would have greater access to relevant and necessary information, and would be able to get it in a timely fashion. However, as Mayor de Blasio highlighted this past June in his announcement of the sweeping changes at the DOE, the DOE is not responsive to parents, individual Council Members, or the City Council as a whole when it comes to providing timely and substantial data on special education services. The DOE requires FOILs on even the smallest amount of information.

Proposed Intro 435 would have a significant impact on changing the current climate of DOE's unresponsiveness by requiring annual reporting to the Council. The Orthodox Union and our New York constituents applaud this proposal and urge the Council to consider even greater reforms including:

- Bi-annual reporting by the DOE to the Council as a whole on city-wide Special Education Services data
- Quarterly reporting by the DOE to individual Council Members on Special Education data for both public and non-public school students in each individual Council district.

- Granting uniform access to the Special Education Student Information System, (SEGIS), for students receiving services in non-public school settings. This will ensure that the relevant Special Education Services data is available for every student.
- Uniform standards for inputting data into SEGIS in order to streamline the methods and scope of data input by all schools.

The Orthodox Union actively supported the Assembly and Senate remedies to the Special Education issues within New York City's Department of Education and applauded Mayor de Blasio and the Administration for instituting reform. I believe that proposed Intro 435 is a necessary first step toward ensuring that the promises that were made to the City's parents are kept and that our Council retains its vital role of oversight. Only through Council oversight can we ensure an equitable resolution to these issues.

Proposed Questions for NYC School Survey – CCSE

1. Does your child have an IEP? (Y/N) if no skip the rest
2. Is your child attending a community school? (Y/N)
3. Do you think your child is in the right classroom setting? (Y/N)
4. Is your child in the class placement mandated on their IEP? (Y/N)
5. When did your child begin receiving ALL of their mandated services? (Sept, Oct, Nov, Dec, Jan, Feb, Mar, not yet)
6. Were you invited to the last IEP or triennial meeting? (Y/N)
7. Did you attend? (Y/N)
8. Did you have enough time at your meeting? (Y/N)
9. Was the meeting scheduled at a time that was good for you? (Y/N)
10. Have you ever asked for a team meeting that was not a scheduled meeting? (Y/N)
11. How often have you receive invitations to IEP team meetings? (One time a year, Twice a year, More, Never)
12. Have you ever been asked to reduce or change therapies for your child? (Y/N)
13. If so, why were you asked to change the services?
14. Did you agree to change the services? (Y/N)
15. If you agreed to change services, why did you agree?

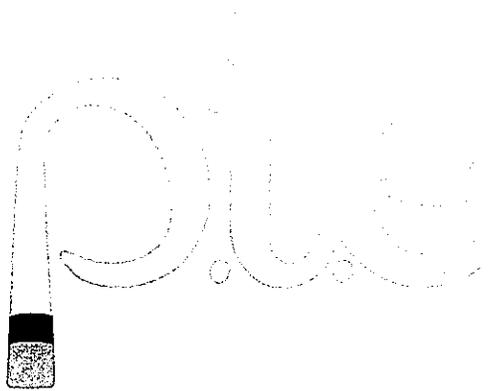
The questions 16-26 are on a basis of 1 to 5 with 1 being I strongly disagree and 5 being I strongly agree

16. My child is comfortable in their class.
 17. My child has friends in their class.
 18. My child takes part in activities in the school.
 19. My child's class teacher was prepared for her/him to enter this class.
 20. My child's teacher has the necessary skills to help with her/his special education needs.
 21. Other support staff in the classroom were prepared to help my child with her/his special needs.
 22. My child is learning in their class.
 23. My child's Academic development is well supported by his/her school.
 24. My child's Social/Emotional development is well supported by his/her school.
 25. My child has been bullied at their school because of their disability.
 26. The IEP team takes my opinions seriously and incorporates these in the IEP.
-
27. Have you been informed of my rights to hearings and mediation, should I believe my child's IEP in not appropriate? (Y/N)
 28. Have you been informed that you have the right an independent evaluation? (Y/N)
 29. If your child is in high school, do they have access to advanced placement course? (Y/N/ NA)
 30. If your child has turned 15, has your school begun a post high school transition plan? (Y/N/NA)

Citywide Council on Special Education – Specific Concerns 2013-2014

1. Parent involvement in the IEP process - including parent approval of the final IEP.
2. Common Core instruction - adapting for students with different needs.
3. Accountability - a report for Special Education Reform, principal accountability.
4. Accessibility of instructional materials - iZone, iLearn
5. Middle School applications still showing IEP info that promotes handpicking of students.
6. Transportation - Training for matrons and drivers, long runs, late pick ups, none provided for center based summer services.
7. Related services - shortages, maternity leave coverage, not getting services and parents don't know
8. SESIS – parents have no access to the child's educational records
9. K-Connect and other kindergarten admissions processes, Nest program access
10. IEP translation
11. Twice exceptional (gifted and disabled) getting services in G&T schools
12. Discipline and Behavior Intervention Plans - training for staff in behavior management
13. Paraprofessional Training and not enough paraprofessionals
14. Summer School/Community school vs D75 placement - going to a zoned school that doesn't have summer school when you need a 12 month program
Trailers for D75 schools
15. Assistive Technology – access to hardware, training for staff, content to match curriculum
16. Inclusion problems for D75 students in community schools - notices home, Specialized HS test, Awards ceremony.
17. Placement concerns - regression, how does a change happen?
18. SAT prep – adapted instruction based on IEPs

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Parents for Inclusive Education

www.parentsforinclusiveeducation.wordpress.com

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PIE's Testimony to City Council

Regarding: Oversight: Special Education Instruction & Student Achievement

October 28, 2014

Good afternoon. My name is Jaclyn Okin Barney, and I speak today as the coordinator of Parents for Inclusive Education (known as "PIE"). PIE is a parent-led advocacy group of educational reformers that works to ensure that all students with disabilities in the NYC public schools have access to meaningful inclusive educational and community opportunities. PIE has been in existence for over fifteen years with members throughout the five boroughs. We are the only New York City group dedicated solely to advocating for the inclusion of students with disabilities.

We work in many different ways to achieve our agenda, including collaborating with the Department of Education on different projects. Among other projects, for the past few years, PIE worked with the DOE to sponsor an Inclusion Summit – an opportunity for students with and without disabilities to come together to discuss and celebrate projects they created that were focused on promoting an inclusive school community.

As we know, inclusion is a key component in the education of children with disabilities as it provides students an environment that fosters high expectations, peer modeling, and increased social interactions – all of which leads to better outcomes for students with disabilities and their non-disabled peers. Additionally, inclusion instills a sense of community and builds an understanding of diversity and acceptance for all students in our communities. Studies have shown that there is a direct correlation between students with disabilities being educated in general education classrooms and increased academic achievement as well as decreased dropout rate. PIE parents know this firsthand, as they routinely speak about how their children would not be where they are today, if not for the opportunities of inclusion.

In order for inclusion to succeed, PIE members know that schools need proper resources, appropriate preparation and training of teachers and staff, as well as support from all individuals within schools, the system, and the community. Schools need to create environments where all learners are welcome and accommodated. This may mean that some students with disabilities require the use of assistive technology. Technology not only helps some students access the curriculum, but for other students it is vital to just

enabling students to participate in the classroom. Inclusion may also mean that students need behavioral supports and/or intervention plans to help them. Inclusion requires the DOE and each school to plan effectively and expand its practices to meet the needs of all students. And, inclusion requires that schools have both the funding they need to serve their students and the flexibility to use that funding to meet the individual needs of their student population, including students with disabilities.

In New York City, there are a number of schools that foster inclusive communities where students with disabilities thrive alongside their nondisabled peers. However, in a school system of seventeen hundred schools there are far too few schools that fulfill this need. As the City Council listens today to the DOE, parents and advocates speak about how to improve special education instruction for students with disabilities, we urge Council Members to remember the importance of students with disabilities receiving appropriate special education services and supports in the general education classrooms alongside their nondisabled peers. As stated above and research has substantiated, such opportunities will have a direct impact on improved test scores, graduation rates, and post graduation experiences, including preparing students to attend college.

In closing, we ask you to closely consider three main areas:

1) We urge the Council to question the barriers for why more schools are not inclusive and how the DOE can further aid schools to support students in inclusive settings by providing appropriate services and supports so that a broad range of students with disabilities can be successfully included in general education classrooms and schools. Such supports include the provision of assistive technology, behavior plans, testing accommodation and other academic assistance. For example, it is important to look at whether students are currently being assessed for the use of assistive technology in an effective manner and how the use of technology is being supported and delivered to students. Best practices require this.

2) We also encourage you to look at the information given to parents and to question our school system's policies and practices' regarding what information is publicly disseminated. An important component of including students with disabilities is ensuring parents are partners with schools in the education process. To do this most effectively, parents need deeper and more timely information about existing inclusive education and instructional expertise at the school level.

3) Finally, we ask you to pay special attention to the "choice" process for middle and high schools. As you may know it is an application process that is well intentioned to provide students with choices in their school options. However, for students with disabilities, far too few schools are equally equipped or willing to serve all students, and there are far too few choices for students who need physically accessible schools. This

application process needs to be further evaluated with an eye towards creating a true choice process for all students with disabilities.

In conclusion, creating inclusive school communities will impact the educational outcomes of all students and create education equality for students with disabilities. In many respects, inclusive education is a civil rights issue as it allows students to be full members of their communities and, in turn, prepares them for real world experiences. As always, PIE welcomes any opportunity to further discuss and collaborate on ways to improve our City's public school system and, of course, and the inclusion of students with disabilities.

Thank you for considering our testimony today.

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FOR THE RECORD

Testimony of Brenda Brazell

My name is Brenda Brazell. My daughter, Ashley, is 13 years old and attends Community School, a state-approved non-public school.

From kindergarten through fifth grade, Ashley was in a 12:1:1 special class with 12 students, one teacher, and one paraprofessional, at a public school. Each year, I grew more and more concerned. Ashley was not learning, and I could not understand why. Ashley did not have an attendance problem. And Ashley did not have a behavior problem. Yet, Ashley was falling behind more and more each year. She was being promoted, but had not mastered basic skills.

I was so concerned about Ashley's lack of progress that I started to explore other school options. I received a flyer in the mail about a charter school, and enrolled Ashley there for sixth grade, hoping that the charter school would help my daughter make progress and thrive. However, the charter school placed Ashley in a large Integrated Co-Teaching class, instead of the 12:1:1 class on her IEP. Ashley worked very hard every day, but could not keep up. Her teachers did not have experience working with students with needs like Ashley's, and they were not teaching Ashley in ways that would allow her to learn. Ashley failed all her classes.

When I saw how much Ashley was struggling at the charter school, I asked the DOE to reevaluate Ashley. The DOE found that my daughter, who was twelve years old at the time, had the reading comprehension skills of an *eight* year old. However, the next month, at Ashley's IEP meeting, the DOE recommended placing Ashley in an Integrated Co-Teaching class—the type of class that she was already in and where she was failing her classes. I asked if Ashley could also have Special Education Teacher Support Services, SETSS, so that a teacher would work with her on reading, but the DOE told me that students in Integrated Co-Teaching classes could not get this additional support.

I continued to be very concerned about Ashley's education. I began looking for another school and found the Community School, a state-approved non-public school that provides specialized supports to help students with disabilities learn to read. Last year, when Ashley was in seventh grade, I filed a hearing request to ask the DOE to place Ashley at Community School and to give her after-school tutoring. Eventually, the DOE agreed to place Ashley at Community School, and she began attending in March 2014. After a hearing, the hearing officer ordered the DOE to provide Ashley with 400 hours of one-on-one tutoring.

Ashley's tutoring and specialized school placement are making a difference. Finally, Ashley is becoming a better reader. However, I wish that Ashley had gotten the support she needed in the first place starting in kindergarten in her public school. I wish I did not have to get a lawyer to get Ashley support for reading. I hope the DOE will listen to the parents here today and will announce changes to help students with disabilities learn to read and live up to their potential.

**SINERGIA, METROPOLITAN PARENT CENTER
TESTIMONY FOR OCTOBER 28, 2014 CITY COUNCIL HEARING ON
SPECIAL EDUCATION INSTRUCTION**

My Name is Lizabeth Pardo and I am an attorney in the Metropolitan Parent Center at Sinergia where I have worked for over 11 years. The Parent Center is a federally funded Parent Training and Information Center. We provide trainings and advocacy services to parents of children with disabilities with a particular attention to low income and ELL parents.

The Metropolitan Parent Center is member the ARISE Coalition and a member of it's Literacy Committee. We support the goals and recommendations of our colleagues in the ARISE coalition. We commend the new administration for the steps taken thus far to address this important issue and we are appreciative of the meetings the DOE has had with the Coalition where they have listened to our concerns. We are also impressed by the team of reading experts that the DOE has put together, by their hard work and deep commitment to such an important area of need.

We thank the Education Committee of the City Council for holding this important hearing.

In my work we look at many IEPs and for any particular student we will review several past IEPs. What we see again and again is a child making little to no progress. When compared to their progression from elementary to middle school, there is actually regression as the gap between a student's reading level and his/her grade level has widened.

It is shameful and unfortunately common that a child despite receiving years of special education, is not only reading poorly but has lost motivation, may be acting out, and has become anxious, especially with the new demands of the Common Core.

As has long been recognized, reading is probably the most important skill a person is required have to function and succeed in our society. In light of the many students with disabilities having reading delays and seeing how critical a skill it is, it is essential that the DOE take bold steps to address this problem. As an attorney assisting many parents with their child's special education needs, I don't believe it would be an exaggeration to say that the DOE is failing to provide the vast majority of the students with disabilities with their right to a Free Appropriate Public Education.

I know that in the past the DOE has embarked on the utilization of one particular research based reading program, the Wilson Program, but it was my experience that teachers got insufficient training and students were in need of more intensive services. It is imperative that the DOE not repeat these mistakes once again.

Let me say again that the Parent Center respects the work of teachers and the expertise of the DOE's team of reading specialist, but we have concerns and recommendations:

1) It is our understanding that the read instruction trainings are attended voluntarily by principals and/or teachers. Given the importance of reading, we cannot hope to address this problem with a

volunteer line up of dedicated teachers and principals. We need for every elementary, middle and high school to have at least one certified reading specialist.

2) It is our understanding that schools choose to access online instructional toolkits that recommend reading programs. These programs can be expensive for one school, as they probably require an array of programs to meet the varied needs of the students. It is left to the school to choose to invest, or to take the initiative and pool together with other schools to invest in these programs. When I have visited schools and participated in IEP meetings, it is not evident that schools are using these research based programs.

3) The DOE's team of reading experts that conduct the trainings is small in comparison to the need. We cannot hope to address this enormous deficit with such a small team.

Under IDEA the District has a mandate to oversee and supervise the progress of the special education services and to see that students with disabilities are receiving a Free Appropriate Public Education. As such, we recommend that the DOE immediately conduct a comprehensive assessment of the effectiveness of its initiatives. This assessment must look to what is impeding the widespread use of the toolkits, whether schools are using research-based reading programs, how are schools using their special education funds, and what plan, if any, does a school have to address the reading delays of its students? For it is my considered opinion, based upon the numerous families we assist, that the DOE's efforts that are based upon individual initiative are not working at a level necessary to address this rampant problem. The DOE cannot act tentatively to address this problem, but must use its authority and responsibility under the IDEA to embark on a bolder initiative.

To my mind, it should never be the case that a student with obvious reading delays has gone years without intensive reading instruction and that an advocate, such as myself, who is not an educator, much less a reading specialist, must point out at an IEP meeting the need for intensive reading instruction.

Lastly, I would like to point out that in the Introduction or Legislative Findings Section of the IDEA it speaks of 30 years of research that inform us of the impediments to IDEA's implementation. The research and experience tells us that the education of children with disabilities can be made more effective by having high expectations; strengthening the role and responsibility of the parent; supporting high quality, *intensive* pre-service preparation and professional development, and providing *incentives* to utilize scientifically based reading programs. I cannot emphasize enough that DOE has a mandate to oversee the delivery of special education services and to insure that students are receiving a FAPE; it must act boldly and investigate what is happening when it passes this responsibility onto schools.

We thank you again for holding this hearing and for hearing our concerns. It is our hope that hearings like this will continue to occur in the near future as the DOE makes progress in this vital work.

When I was invited to speak before this august body, I asked myself what I as a non-public school director could add to a discussion of Special Education that is valuable in the broader context. I started to think what is different in the way we approach our learning disabled students than common public school practice. First, our curriculum development is research based and continues to evolve as brain science updates our understanding of how we learn. It is also critical that it is reactive to individual student needs. Secondly, it is not conceptualized "how can we fit the student into a preconceived box or a preset concept" but rather how can we adapt concept and skill instruction to individual needs. Thirdly, we must reinforce instruction until automaticity is achieved. All students, not just those designated Special Education need targeted instruction, high expectations, realistic but meaningful goals and social/ emotional skills. We must understand that where Special Education students differ from their mainstream peers, is not in these areas, but rather in their rate of acquisition and retention of skills; particularly Reading/Writing Skills.

The Federal Commission on Excellence in Special Education estimated that 40% of children receiving Special Education services are struggling with the acquisition of reading (writing) skills. However, The National Reading Panel, more than a decade ago, confirmed that Systematic Phonics Instruction, Direct Instruction of Comprehension and gradual improvement in Fluency leads to success- not only with students being able to read but being able to read to learn. This is not new, but teachers must work in a culture that promotes teaching skills until automaticity is developed. In other words reading/ writing/math must be carried out without conscious intention and effort. Think back to how you learned to drive a car. At the beginning you had to go through a mental checklist- step on the gas, shift- look in the mirror- look over your shoulder – pull out into traffic etc. It was all conscious intention and if somebody has asked you to learn stunt driving techniques before you mastered the basics you most likely would have quit- acted out or never really developed sound driving skills especially if you had underlying weaknesses. Instead over time and with targeted practice you no longer had to consciously go through the checklist anymore, you automatically went through the steps and therefore freed up attention which then gave you the ability to focus on the road, just like freeing up attention from reading at the word level, allows us to have mental space to process language and get meaning from print. That's what special education students, and in fact all students, need in order to have a strong foundation and the ability to layer on new learning.

I'm sure some of you are sitting here thinking, "well of course she can be successful at this because she gets to pick and choose her students." You would be both right and wrong. We are not exclusive. We have children who receive free lunch, from single parents and ethnically diverse families. In fact our population mirrors the public school setting where most of our students came from before coming to Sterling. Where we differ is that all of our students have Language Based Learning Disorders and we don't see if we can intervene less or wait until they fail before starting intensive instruction using research based multi-sensory methodology to target the student's needs. Too often we hear from parents that when they went to their assigned school they were told they didn't have the program delineated on the IEP, but could change the IEP so the child could enroll. They seem to miss that the IEP was created to mandate what level of support/methodology/ and management strategies the child will need to progress. When we are contacted by a parent whose 10 year old daughter is still in first grade, one must wonder how many times can you do the same thing over and expect a different result. Whereas using intensive remediation, 1 to 1 direct multi-sensory instruction we took a 4th grader who entered Sterling last December, not knowing the letters of the alphabet, to one who now is reading

chapter books. However, we can't stop there -we have to stay on the offensive, expanding the student's lexicon and listening comprehension skills so that as ones reading skills improve so does ones comprehension and ability to learn. We use the student's strengths and interests in hands- on activities as a bridge to help the student develop a sense of competence, improve engagement and provide practice for usage of newly burgeoning skills. This is crucial to help students continue to step up to new challenges and improve self-concept as a learner through achievement.

The lack of differentiation within Special Education classes (programs) makes it very difficult for teachers working in public Special Education Self Contained classes to increase the rate of student learning. The task is challenging, one must not only stem the tide of lose, but also increase the rate of growth because in order to catch up, they must learn faster than mainstream students. Think about this for a moment we are asking the student who failed to learn, to now learn faster than the pace of learning we expect of the mainstream student. Due to a 10 year study of our own students we know this is not only possible but exactly what must happen if these students are going to complete in the adult world someday. If you ask a botanist about cucumbers- he will tell you they are a fruit- yet we don't make cucumber pie. You buy them in the vegetable aisle and treat them accordingly. We must classify students by needs and then use research based methodology delivered by well trained staff early and with intensity if we want to stem the numbers of students being identified for Special Education; and see real progress for those students already receiving services. As you can see, you must know which fruit you have and how to treat it before you set up to make pie. The same is true for teaching children with learning challenges.

Finally we need collaboration, flexibility and partnership in the system. Encourage principals to partner with Non-Public Schools, university programs, tutoring sites in their districts etc. This partnership goes both ways. When I'm invited to work with the teachers, or observe in the public school across the street, it improves staff moral, provides staff development and allows those teachers to gain perspective, strategies and new ideas to infuse their classrooms with positive energy and purpose. It helps me to understand and respect the challenges those teachers face. No student or teacher exists in a vacuum; a support network for teachers and students is needed not only to bolster student achievement but teacher empowerment. This along with flexibility, strong research based methodology, a solid knowledge base, intensive reading instruction and well grouped classrooms will significantly move public schools towards the solutions that non-public schools (like mine) use to succeed with our most challenging students.

Ruth Arberman

Founding Director: The Sterling School

www.sterlingschool.com

Good Afternoon Chairperson Dromm:

We appreciate the opportunity to share the philosophy, systems, and successes of our program at Children's Aid College Prep Charter School.

CACPCS is a community school located in the South Bronx. We have a partnership with the Children's Aid Society. Currently, we serve 288 children in grades K-3. 18% of our children have been identified with disabilities in the mild to severe spectrum, including children with Emotional Disturbance, Specific Learning Disabilities, Speech and Language Impairments, Autism, and Other Health Impairments.

Our goal is to reach families and children who need us the most. CACPCS offers weighted lottery preferences to children who are from single-parent households, households living below the NY self-sufficiency standard, did not attend full-day kindergarten, English Language Learners, and those who have been in the child welfare system. We prepare our children for success in middle school, high school, college and life by providing them with a rigorous instructional experience and addressing their physical, emotional and social needs.

Our philosophy is that children who learn *together* learn from another. We believe that a diverse, inclusive school community promotes socialization, empathy, and acceptance.

Programming and support services aren't contingent upon an IEP alone. We assess all of our children to ensure we are meeting their needs through our mission and vision. All classes have co-teaching and integrated related services. We have a Life Coaching Team with social workers who function as clinicians and teach life skills weekly.

Our teachers receive ongoing professional development and in-class support in implementation of instructional strategies that promote academic rigor coupled with purposeful scaffolds so that all children have the opportunity to develop their critical thinking skills. Additional academic and social/emotional interventions are provided as a supplement, and not a replacement.

Our philosophy and systems have helped us meet our mission so that the most vulnerable children experience success.

Christopher* is a second grade student from a single-parent household living below the NY self-sufficiency standard. He has significant cognitive delays and chronic diabetes, which impact his social emotional development and academic progress. After one year at CACPCS, Christopher was offered a private school placement due to the severity of his disability. His parents turned down this offer so that he could remain in our school and be with his typical peers. Christopher* has already grown 3 reading levels since August. He is beginning to express himself and socialize with his peers.

Matthew* is a third grade student who was abandoned by his biological mother and then adopted by a caring, committed caregiver. Due to these early experiences in his life, he has been diagnosed with anxiety, ADHD, and autism. He is learning how to regulate his own behavior and manage his own day independently. This has led to significant academic gains.

*Names have been changed

Thank you again for allowing us to share our approach at Children's Aid College Prep Charter School. Again, we believe that children who learn *together* learn from one another. This is possible when teachers receive the proper training and resources, and students have accessibility to a comprehensive program.

*Names have been changed

Chairperson Dromm,

My name is Elizabeth Springer, and I am the Special Education Director at Hyde Leadership Charter School. I want to thank you and the council for the time provided me to share an overview of our Special Education program at Hyde Leadership Charter School.

Let me tell you a little about our school. Hyde Leadership Charter School is a Kindergarten to 12th grade charter school in Hunts Point in the Bronx. We serve just under 1,000 students, and we are divided into three developmental levels: K-5, 6-8, and 9-12 between two campuses within a few blocks of each other. Our mission is to develop the deeper character and unique potential of all of our students through family-based, character education.

Why would a parent want to enroll his or her child at our school? We have built a vision for inclusion, and we are currently developing our practices to move towards the most inclusive practices possible. We build all of our students' self-awareness through practices that require a constant self-growth process from an action reflection cycle. We work closely with our families, and we believe the home is the primary classroom. Sixteen and a half percent of our population receives Special Education services, and 8% of our students are English Language Learners. We have had two graduating classes thus far, and 100% of our students with IEPs graduated!

More specifically, why would parents of children with disabilities want their children at Hyde Leadership Charter School? Our special education program includes a variety of services and programs, from related services only, to both direct and indirect special education teacher support services, to integrated collaborative teaching. We have a staff of 16 special education teachers, and we continue to grow. Our professional development and support for staff is primarily job-embedded – a combination of frequent observation and feedback and professional learning communities. We also professionally develop our teachers on a variety of evidence-based programs and approaches based on the individual needs of our students with disabilities. Examples include TEACCH (Treatment and Education of Autistic and Related Communication Handicapped Children), Orton-Gillingham, and Stern Math. We also provide coaching on conducting data collection for functional behavior assessment.

I think it's important to not just hear about our program, but to hear about our kids so I wanted to share stories of two of our students with disabilities. Let me start with DG, a second grade student with Autism. The Committee on Special Education recommended District 75 placement, but we advocated to keep him at Hyde Leadership Charter School based on the supports we could provide. We trained two general education teachers in TEACCH during his first grade year, providing coaching on the approach through observation and feedback. He went from having temper tantrums three to four times a day to being able to advocate for himself for the need to take a break. He is currently reading at grade level, and he is receiving related services only. He is fully integrated into his class, and we are on target to de-certify him from services within two years.

Let's move forward to our middle school, and JR, who is currently enrolled in the eighth grade at our school. He enrolled at Hyde Leadership Charter School for 6th grade, and when he came to us, he was reading on a Kindergarten level. He had received services in a small, self-contained

class for his entire elementary career. His mother got so frustrated by lack of progress that she wrote the CSE and terminated all services before coming to our school. He spent the first few months of his 6th grade year at Hyde Leadership Charter School escaping the classroom with frequent outbursts in the hallways. We struggled to get him to even try work on his level, and he had extremely low self-esteem. We worked in collaboration with his family to get a re-evaluation, and after the evaluation, we did a combination of Orton-Gillingham, Read 180, and Strategic Instruction Model instruction. We set up a peer tutor from our high school to do after school work with him using the Strategic Instruction Model program for writing. His escape-maintained behaviors decreased to almost zero. If you go observe him today, you will observe him willingly and openly struggling through difficult work, and he has moved from the 1st to the 22nd percentile in reading.

In summary, through a combination of inclusive Special Education program supports, collaborative work with our families, and overall focus on self-awareness through character education, our students with disabilities make a great deal of social-emotional and academic progress. Hyde Leadership Charter School's belief in the unique potential of each child really means every child, including all of our students with disabilities.



NYC Special Education Collaborative
Dixon Deutsch, Vice President, Special Education Collaborative & ELL Supports
Testimony Presented to The New York City Council Education Committee and
Subcommittee on Non-Public Schools
Oversight Hearing on Special Education Instruction & Student Achievement and
Intro-435
Tuesday, October 28, 2014

Good afternoon, Chairperson Dromm, Chairperson Deutsch and members of the New York City Council Committee on Education. My name is Dixon Deutsch and I am the Vice President for the Special Education Collaborative and ELL Support teams, both program initiatives of the New York City Charter School Center (Charter Center).¹ Thank you for the opportunity to present testimony today.

Having taught both in NYC district and charter schools, I have seen the challenges and successes of working with schools in their support of students with disabilities. In an effort to throw my hat in the ring to address some of these challenges, I came onboard the Charter Center to build an initiative to support NYC schools with their special education programs. This initiative, the NYC Special Education Collaborative, is an organization whose sole mission is to ensure that NYC schools are empowered to build world-class special education programs.

Four years later the initiative is a success. We currently serve more than 165 of NYC's charter schools, conduct over 200 school visits per year, hold over 125 trainings a year and provide the tools, resources and technical assistance necessary to ensure best practice and allow schools to build and maintain the capacity to meet a diverse student population.

In my work with schools I've realized that there is no secret formula for world-class special education supports, just great all-around supports for all students. Unfortunately, our proficiency rates tell a different story. In ELA over 90% of students with disabilities are not proficient. In math over 85% of students are not proficient. It's clear and simple, we're failing our students with disabilities. Make no mistake, instructing students with disabilities is hard but the framework of specialized instruction is essentially doing "whatever it takes" to provide students with the supports and services they need. And we can do better.

It's with pleasure that I introduce five of my colleagues in this work: Megan Davis-Hitchens of the NYC Special Education Collaborative, Vasthi Acosta, Principal of Amber Charter School in CSD 4, Liz Springer, Director of Special Education at Hyde Leadership Charter School of the Bronx in CSD 8, and Casey Vier, Academic Dean at Children's Aid College Prep Charter School in CSD 12.

At the conclusion of their testimony I would be happy to answer any of your questions. Thank you.

¹ The New York City Charter School Center is an independent not-for-profit organization established in 2004 to help new charter schools get started, support existing schools, build community support, and train new leaders so that highly effective public charter schools can flourish.





October 22, 2014

Cooke is a non-profit organization founded in 1987, by a group of NYC parents of children with Down syndrome. These parents explored public and private school options for their children, but were shut out of all but the most segregated classrooms in public schools, which offered little prospect of robust learning and socialization for their children. These parents were committed to insuring that *all* children – not just their own – would have the same education opportunities to reach their full potential, whether or not they could afford the tuition. Over the past 27 years, this grass roots organization has grown from one small class of seven children, to a K-age 21 special education school for 250 children.

Today, Cooke serves students with serious and complex learning challenges resulting from a range of developmental disabilities (e.g., Down syndrome, Autism, Cerebral Palsy, Seizure Disorder, etc.). These disabilities gravely impact their acquisition of academic, social and daily living skills. A Cooke education addresses these deficits with intensive instruction and therapeutic interventions. Cooke is also actively engaged in supporting efforts to improve the quality of public special education programs, through advocacy channels as well as by providing consulting and training services as an approved DOE provider.

Cooke has also remained true to its core mission to serve students who need our program irrespective of whether their families can afford our tuition – and in this respect we are unique among private special education schools. Eighty percent of Cooke students come from low-to-middle income families; fully one-half earn less than \$50,000 per year (and, of those, 17% receive SSD). We are also proud that our families come from all five boroughs and truly represent the racial, cultural, religious and socio-economic diversity of this great city.

After spending 15 years with the Department of Education as both Teacher and Special Education Coordinator, and 8 years with the Cooke Center For Learning And Development, I have tangible experience in the field of special education. I have visited hundreds of programs servicing a variety of students with special needs. As a psychologist, I have had the unique opportunity to evaluate and focus on the academic and social emotional growth of many students with special needs.

Regarding the status of special education at this time, it is clear that there are methods and formats which have been proven effective. While many have yet to be implemented city wide, the community of special educators is in agreement on certain strategies that have been effectively implements in the Cooke Center Schools for all populations of students regardless of diagnosis.

Placement

All students with special needs require modification to the structure and approach of their education. This begins with placement. In some cases where students are placed in Integrated CoTeaching Classes, the essential modification is the additional teaching staff. However, to date most schools are not prepared for the abundance of needs on such a wide spectrum. Class sizes are

too large at this point to make the ICT program worthwhile. In many site visits I have seen the same strategies as I see in a 12:1 class. Having 24 students with 2 teachers adds a higher distraction level, a higher level of need within a group, and a reduction in self-advocacy and metacognitive skill use in a large group. Only small group instruction (3 to 4 students) on a consistent basis will produce the results needed.

Integration of Related Service

Services which provide “push in” or “pull out” sessions do not effectively target related service goals relating to counseling nor speech and language. The integrated model goes much further in targeting student goals. Having related service providers plan lessons and collaborate with teaching staff creates an environment that supports and enhances these goals. For example, visual cuing and executive functioning tasks must be operationalized by a related service provider for students in order for any lesson, worksheet, or direct instruction to be effective. In addition, the model of “pull out” does not easily allow for generalization of skill usage. Instead, many students are not using skills and strategies learned in a pull out session unless prompted. Thus collaboration between RSP and Teachers must form the foundation of curriculum development.

Learning For Living Curriculum

The Learning for Living Curriculum (L4L) was developed by the Cooke Center to address the academic, social/emotional, and adaptive skills of the student population. To date, this curriculum is used for all students, regardless of their level of need. The integration of these domains alleviates the need for generalization, provides the integrated related service, and addresses the individuals learning needs. It consists of practical daily living task blended with functional academics. For the L4L curriculum to be successful, the learning environment must maintain a natural and conducive environment. As of now most 6:1:1 students (those who would benefit most from L4L) within the NYC DOE are housed in converted small book closets. This does not lead to the physical/occupational or adaptive goals being met. It is impossible to provide direct instruction in an environment that does not replicate a naturalistic setting.

Small Group Instruction

Currently, research supports that a group of 3 students is ideal for direct instruction in terms of learning and achievement. Thus a 12:1 ratio cannot support this. Given that most of our students with special needs have great difficulty with attention, visual tracking, and language processing, it is not feasible to work with 12 of these students at a time. The addition of a paraprofessional allows for behavioral and organizational help, not instructional. Thus without the support of educators students cannot be broken into small groups. In many cases where teachers are working with small groups, the other students are left to work independently which is counter intuitive to best practices in special education. The guidance, modeling and support are essential for growth.

Data Driven Instruction

The removal of criterion referenced assessments is essential in tracking the true growth of our students. Students with special needs, follow differing trajectories in their advancement. Thus setting a bar for achievement results in failure after failure without recognizing their incremental growth. Careful assessment of basic skills should be monitored and reported as their true growth. Most general education students will make a year of growth in a given academic domain, Students with special needs do not. Their growth varies with an average of 6 months growth. If the domains are not measured accurately setting IEP Goals and standards does not correlate with reality of student achievement. Neither a leveling system nor alternative assessment in the DOE captures true achievement.

The Balance of Vocational Skills

Vocational skills can be an essential part of a student's path. However, the balance between academic and work-site time is critical. Students with special needs will continue to make academic gains in the classroom past the age of 18. This means that the classroom instruction is still an important part of their plan. Working on site for most of the week, trains (but does not teach) students for a specific activity they may never encounter after leaving. In addition, 1 site supervisor leaves the student on their own for most of the day. Most of these programs leave out the "soft skills" of employment such as appropriate language use, asking for help, office etiquette etc. and goes directly into the specifics of the activity. It is not reasonable that a student working 30 hours a week and going to class for 6 would make any gains academically, leading to long term growth, and better opportunities.

Francis Tabone, PhD – Head of School
Cooke Center For Learning And Development



Black Women's Blueprint | 279 Empire Boulevard | Brooklyn, N.Y. 11225
347-533-9102 P | 347- 750-1652 F | www.blackwomensblueprint.org | ftanis@blueprintny.org

TESTIMONY TO THE CITY COUNCIL

SEXUAL ASSAULT AND BLACK WOMEN ON NYC COLLEGE CAMPUSES

ABOUT BLACK WOMEN'S BLUEPRINT

Black Women's Blueprint works to protect the civil and human rights of women and girls with a focus on those of the African Diaspora including: (African-American, African immigrant, West-Indian, Caribbean, Afro-Latinas) who are victims/survivors of sexual assault.

We provide sexual assault prevention and intervention services, public education, advocacy and opportunities for community organizing.

- ▶ **At the national level we are the national technical assistance (TA) provider for the DOJ, Office on Violence Against Women**, working with 105 Historically Black Colleges and Universities (HBCUs) to provide culturally specific trainings and strengthen their capacity in 4 core areas: Prevention, Coordinated Community Response, Law Enforcement and Judicial Boards.

TESTIMONY – The Rape of Our Co-Founder

It is a tremendous honor to speak in front of the Committee on Public Safety, Committee on Women's Issues and the Committee on Civil Rights URGING passage of The Campus Accountability and Safety Act; URGING passage of the Survivor Outreach and Support Campus Act, to amend the Higher Education Act of 1965 to require campuses to have confidential advisors for victims of sexual assault and an independent advocate on campus for sexual assault prevention and response.

As co-founder of Black Women's Blueprint, I've been asked by one other co-founder Christina who couldn't be here today to share her story. At 19 years old she was fixed-up on a date with a young man on her college campus. Upon picking her up so they could go to the movies, he convinced her to let him into her residence. And she says, not 2 minutes had passed that he was in the door and he raped her, covering her mouth to muffle her screams and then immediately fled the scene. She bravely returned to school, having been the first person in her African-American family ever to attend college; finishing school was crucial. Not having access to information on campus, not knowing where to turn, the police not an option given the long-standing and violent history of policing and criminal justice system in Black communities, not knowing her rights, not feeling safe, with no advocate to fight for her, and thinking she had no support at all, she didn't make it through the week back at school, and she dropped out of college, NEVER to return again until she was almost 40 years old and could muster up the courage to be on any campus.

This is not just Christina's story. It is the story of thousands of Black college students. I say Black women, because our issues are culturally specific.

ABOUT SURVIVORS WHO COME TO BWB

95% of young Black women coming to the organization report at least one experience of rape, including sexual intercourse, sodomy, oral copulation, sexual assault with an object and fondling.

60% report the first S.A. before their 18th birthday and half report more than two sexual assaults across their life-span.

12% report having been incapacitated: tied up, passed out, intoxicated by drugs and/or alcohol.

82% of these assaults occurred at the hand of an acquaintance (30% marital rape).

75% have received a diagnosis of Post-traumatic Stress Disorder, Major Depression with past suicidal attempts and many present with somatic issues.

Less than a tenth of all these women have reported the crime to police or have sought health or other services.

OUR ISSUES ARE CULTURALLY SPECIFIC

–For women of color, an advocate or confidential advisor on campus represents more than just the support needed for victims of sexual assault on campuses, it represents a step in our racial-justice battles.

- ▶ At Black Women’s Blueprint we believe these proposed legislation provide an opportunity to look at the intersections of race, sexuality/identity, class, immigration and other factors that impact reporting, impact help-seeking behavior and impact response by organizations and systems, including campuses and legal and criminal justice.

For Black women like us on campus, these proposed legislation will mean culturally sensitive options...this will mean options to report to someone outside the university’s sexual assault adjudication chain of command.

It will mean that whether or not we report, because we carry our communities on our shoulders as a result of the violent history between our Black brothers, law enforcement and any legal systems process....we can still have the right to access support and to access information and care.

In considering both proposed legislation, it is important to know the following: For many of us as Black women and especially survivors of rape, sexual assault or any form of violation—we fear how we will be perceived because historical/cultural stereotypes about Black women which leave us experiencing we're less likely to be believed and less likely to get justice.

Stereotypes like: we're "unable to be raped", "sexually promiscuous", "hypersexual", "stronger", "emasculating", or are "used to this kind of treatment" continue to present as a barrier to our reporting and to our perception or the reality of options we have when dealing with racialized/sexualized violations within the context of a society where systemic violence make it almost a requirement to protect our Black communities from stigma and punishment.

The right to have somebody to tell, who is on our side as survivors;
The right to:

- Emergency and follow-up medical care
- Guidance on reporting assaults to law enforcement if we so choose
- Medical forensic or evidentiary exams
- Crisis intervention, ongoing counseling and assistance throughout the process
- Information on our legal rights
- Public information campaign on our campuses...

What these proposed legislation would require....

We at Black Women's Blueprint are moved and grateful beyond words that these provisions are being uttered. We urge you to please make them a reality for our sake and for the sake of every rape or sexual assault survivor on college campuses in New York City.

MORE INFORMATION

NEIGHBORHOODS

- ▶ Crown Heights, Flatbush/East Flatbush, Bed-Stuy, Brownsville and East New York. Others are from Harlem, Morrisania and High Bridge sections of the Bronx; A smaller number are from Jamaica Queens and other parts of Queens.

ETHNICITY

- ▶ About 50% identify as first or second generation West-Indian or Caribbean Immigrants, 40% African-American, 8% African-Immigrants and 2% Afro-Latina.
- ▶ Of the immigrant women we serve, many are not English proficient, are unfamiliar with U.S. cultural norms, are undocumented or in the process of receiving documentation.

SEXUALITY AND IDENTITY

- ▶ Approximately 45% of the survivors at Black Women's Blueprint identify as Black Lesbians, Queer or Bisexual.

HOW WE'RE RESPONDING

- ▶ Primary prevention: (RESOURCES ARE NEEDED)
 1. A Campus Training Institute providing a myriad of trainings of several issues (please see the attached brochure):
<http://www.bwbtraininginstitute.org/seminars.htm>
 2. The Training Institute shares not only toolkits but actual curricula developed using participatory models with and by community as well as evidence-based and survivor centered models.

Workshops include Culturally Specific Bystander Intervention, Understanding Sexual Violence, Culturally Specific Rape Culture and Hook Up Culture, First Responders Training, Consent 101, and other trainings.

3. Art, public deliberation, public education and public theater with young men on campus to address accountability and other issues.

Secondary and Tertiary prevention/Intervention:

1. Long-term and short term counseling
2. Basic case management and advocacy
3. We've just launched a crisis hotline
4. Community organizing opportunities (including leadership development and student organizing)
5. Alternative opportunities to prevent poverty and promote economic security (i.e. solidarity economy) as a response to sexual assault and discrimination.



In Order to Ensure Institutions and Communities Have Access to these Necessary Quality Trainings and Workshops, All Fees Are Based on The Size and Budget of Your Institution, Program or Department.



The Institute for Gender and Cultural Competency Training.
www.bwbtraininginstitute.org

REQUEST A WEBINAR OR A WORKSHOP ON-SITE

Contact Us at

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347-533-9102/9103

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Train Staff, Peer Educators, Faculty, Law Enforcement and Judicial Boards Using Innovative Curricula. Address the Special Needs of LGBTQ Campus Communities, International Students and other culturally specific populations.

Deliver Student Orientation Trainings, including Bystander Intervention, Dating Violence, Consent & Hook Up Culture.

The Training Institute is a project of Black Women's Blueprint, a national organization engaged in progressive and participatory research, the development of intersectional analysis and intervention as these relate to ending gender violence in communities and on college campuses.

THE INSTITUTE FOR GENDER AND CULTURAL COMPETENCY TRAINING

Training and Building Capacity At Organizations, Campuses and Other Institutions

**Invite a Trainer to Your Organization, Campus or Institution
Request a Custom Webinar**

The Training Institute delivers prevention education and intervention curricula based on an understanding of the complex interplay between the individual, relational, social, cultural, environmental, historical and persistent systemic factors that influence the spectrum of discrimination, oppression and violence that impact people's lives. Using proven effective pedagogy and methodologies, the Institute works to equip organizations and institutions with a framework for the development of strategies that directly address civil and human rights measures, offers anti-oppression analysis and key points for intervention.

BUILDING CULTURAL COMPETENCE

Brief Description: Systems and organizations may be at different stages at different times with different populations and cultural groups. This workshop provides a framework and process for achieving cultural competency along a continuum and sets forth six stages. Participants will develop tools to assess and measure cultural competency in: physical environments, materials and resources, communication styles, values and attitudes; and learn to incorporate what they've learned in all aspects of policy-making, administration, practice and service delivery, systematically involve consumers, families and communities.

DISMANTLING RACISM

Brief Description: Unlike "diversity trainings" which primarily focus on interpersonal relations and understanding, this workshop emphasizes how to challenge and change institutional racial inequities. Participants will learn key concepts in structural racism, including the difference between diversity, equality and equity, the definition and role of implicit bias, the four levels of racism and gain practical tools and viable strategies for counteracting unconscious bias by explicitly and effectively addressing racial equity at the intersections.

ADDRESSING SEXISM USING AN INTERSECTIONAL FRAMEWORK

Brief Description: Sexism is often the one form of oppression left out of the conversation and anti-oppression strategies built on intersectionality. Rooted in patriarchy, sexism is often uncomfortable to discuss and address, and yet it is one of the most pervasive form of oppressions experienced today. This workshop engages in the intersectional analysis, centering gender and other axes of gender identity and experiences, helping participants build comprehensive strategies to use a full intersectional framework in their work.

GENDER VIOLENCE 101 - DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING

Brief Description: Two comprehensive workshops help participants develop in depth understanding of the various forms of gender-violence, their histories, the social, cultural, and individual and other perpetuating norms. Participants will learn to map available resources for victims/survivors and potential harm-doers; and develop skills in organizing programs and campaigns to address violence directly.

LET'S TALK ABOUT CONSENT BABY

Brief Description: Offering explanations and guidelines in plain language for seeking and receiving expressed and enthusiastic consent.

HOOK UP CULTURE: DIFFERENTIATING SEXUAL FREEDOM FROM RAPE CULTURE

Brief Description: A workshop using a participatory and guided discussion and role play. "Hookup" culture has in many ways replaced traditional dating, radically altering how we think about intimacy and sex, sexuality. Participants will learn both the liberating factors as well as components of power and pressure, consent, rape culture, sexual agency as well as real choice without negative ultimatums.

LGBTQ 101: STOPPING HOMOPHOBIA, TARNSPHOBIA AND CREATING SAFE & INCLUSIVE CAMPUSES FOR LGBTQ STUDENTS

Brief Description: Tailored for colleges and universities, this workshop will promote acceptance, inclusion, understanding, and equity for LGBTQ persons of all ages, abilities, colors, and genders on campus. Participants will engage in exercises that help students or staff articulate stereotypes, assumptions as well as rights that protect LGBTQ people. It is designed to help college students, staff and other personnel strategically plan to provide a safe and supportive climate for all and prepares participants to become better advocates for LGBTQ communities.

TRAININGS CAN BE CUSTOMIZED FOR WEBINAR OR ON-SITE PRESENTATIONS. FOR GROUP AND INDIVIDUAL RATES . EMAIL info@blueprintny.org

BYSTANDER INTERVENTION EDUCATION: HAVING EACH OTHERS BACK!

Brief Description: This workshop uses culturally specific curricula, responses, tactics and strategies for bystander intervention developed through participatory processes involving indigenous and people of color. It directly engages participants in scenarios, promotes an understanding of why people depending on cultural background engage in various types of interventions, why they build environments of accountability, and how they identify high-risk situations in their communities or campuses. It is meant to be responsive to marginalized communities and communities at risk for abuse and violence including sexual assault and bullying, and uses culturally relevant language and strategies for action before, during or after an incident of harm.

TRANSFORMING RAPE CULTURE: AN ASSET BASED APPROACH

Brief Description: This workshop examines the ever-shifting nature of rape culture on campuses and broader communities which can make sexual assault and the cultures within which it thrives both difficult to respond to and difficult to resist. This Workshop provide participants with both a mainstream and culturally-specific context for rape culture; and identify concrete ways this with students on communities using an intersectional approach on a micro and macro-levels.

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I represent: NYC DOE

Address: 52 Chambers St, New York, NY

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I represent: Resources for Children w/ Special Needs

Address: Same

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I represent: myself

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I represent: Advocate for Children & ARISE

Address: 151 West 30th St

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Name: Michelle Norris

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I represent: Citywide Council on Special Education

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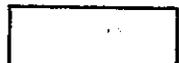
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Name: Laverne Burrowes Asst. Director

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I represent: CSA

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I represent: AEPAN PIAK

Address: 9D "

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I represent: Amber Charter School

Address: 220 E. 106 ST.

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

in favor in opposition

Date: 10/28/14

(PLEASE PRINT)

Name: Jedena Johanna Duran

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 435 Res. No. _____

in favor in opposition

Date: 10/28/14

(PLEASE PRINT)

Name: Elizabeth Springer

Address: _____

I represent: Hyde Leadership Charter School

Address: 730 Bryant Ave. 4th Fl. Bronx, NY
10474

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 435 Res. No. _____

in favor in opposition

Date: 10-28-14

(PLEASE PRINT)

Name: Dixon Deutsch

Address: _____

I represent: NYC SPECIAL ED Collaborative

Address: 111 Broadway, suite 604, NY, NY 10011

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 435 Res. No. _____

in favor in opposition

Date: 10/28/2014

(PLEASE PRINT)

Name: Megan Davis-Hitchens

Address: ~~111 Broadway~~

I represent: NYC Special Education Collaborative

Address: 111 Broadway, Suite 604 10006

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 435 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ERIK JOACSS

Address: _____

I represent: NYC Charter School Center

Address: 111 B'way, NYC, NY 10006

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Carmen Alvarez, Vice President

Address: 52 B'way NYC

I represent: UFT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ROBERT RANDALL

Address: 505 COURT ST #4M. 11231

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/28/14

(PLEASE PRINT)

Name: Sheron Laroc

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Stephanie Jackson

Address: 134-17-166 PI Apt 11D

I represent: Parent / Sub Parca

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 435 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Cara Chambers, The Legal Aid Society

Address: 199 Water Street, NY NY 10038

I represent: The Legal Aid Society

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: 10/28/2014

(PLEASE PRINT)

Name: Tameya Carter

Address: 149 Lefferts Ave

I represent: DOE, Parent of 2 children in D.75

Address: 149 Lefferts Avenue, BKly, NY 11225

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: 10/28/2014

(PLEASE PRINT)

Name: Susan Crowson

Address: 350 Bleeker St 2X NYC 10014

I represent: Self + Special Ed Students

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: 10/28/2014

(PLEASE PRINT)

Name: Judy Nathan

Address: 52 Chambers St.

I represent: DOE

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card []

I intend to appear and speak on Int. No. 435 Res. No. _____
 in favor in opposition

Date: 10/28/14

(PLEASE PRINT)

Name: Jacob Adler East Ruck NY 11691

Address: 83 Central Ave Flushing NY NY
~~11 Broadway~~ ~~Flushing~~ ~~NY NY~~

I represent: Orthodox Union

Address: 11 Bredy, NY NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card []

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

Date: _____

(PLEASE PRINT)

Name: Liz Tully

Address: 52 Broadway

I represent: YFT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card []

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

Date: _____

(PLEASE PRINT)

Name: Susan Crawford

Address: 501 W 110

I represent: The Right to Read Project

Address: Stone

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Ruth Arberman

Address: 299 Pacific St

I represent: Sterling School

Address: 299 Pacific St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Karen Sprowal

Address: 631 Edgewood Ave

I represent: Class Size Matters Parents

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: 10-28-14

(PLEASE PRINT)

Name: Monica Pintado Aquayo

Address: 108-15 Union Tpke

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/23/14

(PLEASE PRINT)

Name: Casey Vior

Address: _____

I represent: Children's Aid College Prep

Address: 1919 Prospect Ave, 5th fl. Bronx, NY 10457

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: Oct. 28, 2014

(PLEASE PRINT)

Name: Ife Lenard, Children's Aid College Prep

Address: 1919 Prospect Avenue Bronx, NY 10457

I represent: Children's Aid College Prep

Address: 1919 Prospect Ave 3rd floor Bx, NY 10457

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/28/14

(PLEASE PRINT)

Name: PAUL LEVY

Address: 1223 Ave L Brooklyn

I represent: PARENT / NYC Teaching Fellow (former)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 10/28/2014

(PLEASE PRINT)

Name: JOSH MORGENSEN

Address: 52 CHAMBERS ST

I represent: DOE

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MICHAEL VAN BIEWA

Address: _____

I represent: NYC DOE

Address: 52 CHAMBERS ST.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

Name: _____

(PLEASE PRINT)

Address: _____

I represent: _____

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆