

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
ON NON-PUBLIC SCHOOLS

----- X

October 28, 2014  
Start: 1:19 p.m.  
Recess: 6:56 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Daniel Dromm  
Chairperson

COUNCIL MEMBERS:

Vincent J. Gentile  
Daniel R. Garodnick  
Margaret S. Chin  
Stephen T. Levin  
Deborah L. Rose  
Mark S. Weprin  
Jumaane D. Williams  
Andy L. King  
Inez D. Barron  
Chaim M. Deutsch  
Mark Levine  
Alan N. Maisel  
Antonio Reynoso  
Mark Treyger

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

Joanna Duran

Sharon LaRoc

Corinne Rello-Anselmi  
Deputy Chancellor for New York City Department  
of Education

Jan McDonald  
New York City Department of Education

Amy Jones  
New York City Department of Education

Michael van Biema  
New York City Department of Education

Josh Morgenstern  
New York City Department of Education

Judy Nathan  
New York City Department of Education Counsel

Robert Randall

David Weprin  
New York Assemblyman

Carmen Alvarez  
Vice President of United Federation of Teachers

Liz Truly

United Federation of Teachers

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

Laverne Burrows  
Council of School Supervisors and Administrators

John Khani  
Council of School Supervisors and Administrators

Maggie Moroff  
Advocates for Children

Nina Lublin  
Resources for Children with Special Needs

Jaclyn Okin-Barney  
Parents for Inclusive Education

Cara Chambers  
Legal Aid Society

Tamika Carter  
District 75 Parent

Ellen McHugh  
Citywide Council on Special Education

Michelle Norris  
Citywide Council on Special Education

Karen Sprowal  
Class Size Matters

Erik Joeress  
New York City Charter School Center

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

Megan Davis-Hitchens  
New York City Special Education Collaboration

Dixon Deutsch  
New York City Special Education Collaboration

Elizabeth Springer  
Hyde Leadership Charter School

Jacob Adler  
Orthodox Union

Casey Vier  
Children's Aid College Prep in CSD 12

Ife Lenard  
Principal at Children's Aid College Prep in CSD  
12

Ruth Aberman  
Sterling School

Michael Godino  
New York City Youth in Vision Loss Coalition

Megan Boyle

Susan Crawford  
Right to Read Project

Susan Crosen

Stephanie Jackson  
School Aid District 28

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

Paul Levy

Monica Pintado-Agguio

Elizabeth Pado



COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
ON NON-PUBLIC SCHOOLS 7

CHAIRPERSON DROMM: Good afternoon and welcome to today's Oversight Hearing on Special Education Instruction and Student Achievement, jointly sponsored by the Education Committee and the Subcommittee on Non-public Schools. We will also hear testimony on a bill today that I sponsored, Intro Number 435. I'll talk more about the bill shortly after some opening remarks, and then we'll move on to hear the statement from my colleague, Council Member Chaim Deutsch, Chair of the Subcommittee on Non-public Schools. The Education Committee has held six hearings on Special Education over the past 12 years. Most of them in response to restructuring and reform efforts by the prior Administration. Those prior hearings focus primarily on structural aspects of special education reform such as serving the majority of special needs students in local district schools. At today's hearing, we want to focus on DOE's ongoing efforts to improve instruction for students with disabilities with a particular emphasis on literacy instruction. Students with disabilities comprise a large and growing segment of New York City public school population. According to the Mayor's Management

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 8

2 report, in 2013-14, the number of special education  
3 students in city public schools increased to 194,232,  
4 representing approximately 19 percent of student  
5 enrollment. In addition, the Department of Education  
6 supports Special Education Services for 29,743  
7 school-aged students in non-public schools and 26,534  
8 preschool students, 600 in public schools and 25,934  
9 in non-public schools for a total of 250,509 students  
10 with disabilities in the last school year. Despite  
11 several reform efforts by the DOE in 2003-07, and the  
12 latest citywide reform effort phased in from 2010 to  
13 2012, students with disabilities continue to perform  
14 at far below their general education peers. On the  
15 2014 state English Language Arts Exam, only 6.7  
16 percent of city students with disabilities in grades  
17 three through eight scored at or above proficient  
18 compared with 34.2 percent of their non-disabled  
19 peers. Similarly, on the 2014 state math test, 11.4  
20 percent of students with disabilities in grades three  
21 through eight scored at or above proficient compared  
22 to 40.3 percent of nondisabled students, and those  
23 percentages of special needs students who failed to  
24 achieve proficiency does not include students with  
25 the most severe disabilities who participate in



2 alternative assessments rather than standardized  
3 testing. Graduation rates for special education  
4 students in city schools have also historically been  
5 much lower than those with peers in general  
6 education. In 2013, the latest year for which data  
7 is available, only 37.5 percent of students with  
8 disabilities graduated within four years of entry  
9 into high school compared to 70.6 percent of general  
10 education students. Closing this achievement gaps  
11 and improving academic outcomes for students with  
12 disabilities is the chief reason cited by the DOE for  
13 its efforts to reform special education. Although  
14 they have been in control of the city schools for  
15 less than a year, Mayor de Blasio and Chancellor  
16 Farina have already made several changes to the DOE's  
17 special education system. Mayor de Blasio announced  
18 in June that the city would reduce legal challenges  
19 against parents who want the DOE to pay for their  
20 children with disabilities to attend private schools.  
21 The city has agreed not to face cases that have been  
22 previously settled or that parents have won, and will  
23 also ease paperwork requirements and expedite  
24 payments to parents seeking those reimbursements.  
25 Chancellor Farina has also made some organizational

2 changes, dividing the DOE's former division of  
3 students with disabilities and English language  
4 learners into the division of specialized instruction  
5 and a separate English language learners and student  
6 support. As part of the departmental restructuring,  
7 the Chancellor also established a special education  
8 office last March within the division of specialized  
9 instruction. We are also pleased to hear that the  
10 Chancellor has expanded the popular ASD Nest Program,  
11 which integrates students with autism into classes  
12 with general education students to four more schools  
13 this year. Parents and educators and advocates still  
14 have many concerns that they want the new  
15 Administration to address. Some parents still  
16 complain about the length of time it takes from  
17 evaluation until students receive services and many  
18 charge that their children are not getting all of  
19 their mandates services like speech, occupational and  
20 physical therapy or intensive counseling. And  
21 article earlier this month in Chalk Beat sites new  
22 data which shows that the DOE is still failing to  
23 provide thousands of services to students with  
24 disabilities, particularly in some of the city's  
25 poorest and least accessible neighborhoods.

2 Complaints related to special education that teachers  
3 filed with the United Federation of Teachers last  
4 year increase more than 60 percent over the prior  
5 year. One of the most common types of complaints  
6 lodged by teachers is a violation of the ratio of no  
7 more than 40 percent students with disabilities and  
8 an inclusion class with general education students.  
9 Some educators and advocates have also complained  
10 that school administrators have inappropriately  
11 altered the individualized education plans or IEP's  
12 of some of the special needs students based on  
13 available resources rather than the needs of the  
14 students. Advocates are also concerned that the DOE  
15 has not provided sufficient professional development  
16 to teachers in district schools to enable to  
17 adequately meet the needs of the influx of students  
18 with disabilities that they are now serving,  
19 especially in the area of literacy instruction. In  
20 particularly, advocates want to know how many  
21 teachers have been trained and certified in  
22 multisensory approaches to reading instruction, such  
23 as Orton-Gillingham and Wilson Reading Programs,  
24 which are particularly effective for many special  
25 needs students. Clearly this an important topic and

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 12

2 we have a lot to examine today regarding special  
3 education instruction in New York City Schools. The  
4 Committee also looks forward to hearing testimony  
5 from parents, students, educators, advocates, unions,  
6 CEC members and others on this issue. As I stated  
7 earlier, we will also hear testimony on Intro Number  
8 435 today. The goal of this bill is to get some basic  
9 data from the DOE on the number of students referred  
10 and evaluated for special education services, the  
11 timelines involved, the number of students actually  
12 receiving services, and whether they're getting their  
13 full services. Specifically, Intro Number 435 would  
14 require the DOE to submit to the council and post on  
15 the DOE's website an annual report by March 30<sup>th</sup>  
16 concerning each student seeking or receiving any  
17 special education services or programs. The proposed  
18 bill would require the DOE to report the number of  
19 referrals made and types of evaluations conducted,  
20 the number of students who underwent initial  
21 evaluations or re-evaluations less than 30 days after  
22 their referral and more than 30 days after their  
23 referral and the number of such students who are  
24 English language learners. The bill would also  
25 require reporting on the number of students who have

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 13

2 received individualized education programs and the  
3 number of placements made based on initial  
4 evaluations, re-evaluations or triennial evaluations  
5 and the length of time it took for placements to be  
6 completed. Intro number 435 would also require the  
7 annual reports to include the number and percentage  
8 of students in full compliance with their IEP's, the  
9 number and percentage of students who receive special  
10 education services inside the classroom for a 100  
11 percent of the time, 50-99 percent of the time, and  
12 less than 50 percent of the time, and demographic  
13 information including race, ethnicity, gender,  
14 English language learner status, and the percent of  
15 students eligible for free and reduced price lunch.  
16 Additional details on the bill can be found in the  
17 Committee Report on Intro 435, which is available on  
18 the side of the room. I would like to remind  
19 everyone who wishes to testify today that you must  
20 fill out a witness slip, which is located on the desk  
21 of the Sergeant at Arms near the entrance to the  
22 room. If you wish to testify on Intro 435, please  
23 indicate on the witness list whether you are here to  
24 testify in favor or opposition to the bill. I also  
25 want to point out that we will not be voting on the

2 bill today as this is just the first hearing. To  
3 allow as many people as possible to testify,  
4 testimony will be limited to three minutes per  
5 person, and that also includes my colleagues for  
6 questioning, and please note that all witnesses will  
7 be sworn in before testifying today. And now I'd  
8 like to turn the floor over to my colleague Chaim  
9 Deutsch for his remarks.

10 COUNCIL MEMBER DEUTSCH: Thank you,  
11 Chairman Dromm, as Chair of the Subcommittee on Non-  
12 public Schools, I want to thank you all for joining  
13 us here today. I also want to thank the Education  
14 Committee staff and my staff for the hard work in  
15 preparing for today's hearing. We are here today to  
16 discuss special education instruction and student's  
17 achievement in relation to Intro 435, a Local Law  
18 that would require the Department of Education to  
19 report information regarding students receiving  
20 special education services. There are often unique  
21 struggles that challenge families with special needs  
22 children whose disabilities can span from ADHD and  
23 dyslexia to falling into the autism spectrum. The  
24 government is an important and useful tool for these  
25 families in offering assistance and other options

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 15

2 that make the educational process as effective and  
3 smooth as possible for every child and family.

4 Accordingly, New York City has made available funding  
5 resources to all residents. I have had many

6 occasions to work with the Department of Education on  
7 many issues that have arisen within the public and

8 non-public school sector. I have been impressed with

9 DOE's dedication and commitment to providing services

10 to all students, including for those who require

11 special education services. This Administration has

12 committed itself to making the special education

13 paradigm more inclusive to provide resources to

14 special education students in the neighborhood

15 schools and to ultimately challenge the children into

16 integrated classes. I am continuously meeting with

17 parents of special education students, and

18 consequently formed a group of parents with children

19 in my district office who have a variety of needs in

20 order to provide assistance with some of the

21 challenges they face in procuring services for their

22 children. This process can be confusing at times,

23 however, many parents have conveyed accounts of the

24 current administration proactively taking steps to

25 streamline this method, these methods. Non-public

2 school parents and advocates have reported that the  
3 reimbursements are beginning to be paid in a timely  
4 fashion, a trend I hope to see continue. Among my  
5 concerns are the hurdles in obtaining services within  
6 an adequate timeframe. This point is illustrated in  
7 the case of Josh, a first grader with a significant  
8 delayed speech and hearing impairment. Josh was  
9 mandated for four sessions of speech therapy within  
10 his mainstream school. These services were crucial  
11 without which he would be unable to continue and  
12 attend and succeed in the mainstream school. Two  
13 months into the school year, these services are still  
14 not being provided and Josh's school work and social  
15 development are suffering. The school has become  
16 concerned that, as they had anticipated, Josh is  
17 unable to keep up with his peers. Josh's  
18 circumstances demonstrate the urgent need that  
19 services are delivered to qualifying children in a  
20 timely manner. While parents are reporting  
21 significant improvements in the delivery of special  
22 education services, I look forward to continuing to  
23 work with the new Administration, Chancellor Farina  
24 and the Department of Education in effecting the  
25 necessary changes in the delivery of special



COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 17

2 education services to all eligible students. There's  
3 a lot of work to be done in improving our educational  
4 system, and I'm looking forward to continuing my  
5 partnership and very close partnership with Chairman  
6 Dromm. Thank you very much.

7 CHAIRPERSON DROMM: Thank you, Council  
8 Member Deutsch. And today we're going to change it  
9 up a little bit, and we're going to ask a panel of  
10 parents to speak first before the Administration.  
11 And I'd like to now ask Joanna Duran [sp?] from the  
12 Winston Prep School and Sharon LaRoc [sp?] from PS  
13 369 to please come forward. Be seated right over  
14 there. Okay, and to my colleagues, since we're  
15 hearing the parents first today, we're going to  
16 start--we're just going to allow them to give  
17 testimony and hold questions 'til later, then we're  
18 asking the Administration to come forward and we'll  
19 proceed in the regular fashion, but I did want to  
20 give the parents an opportunity to have some voice  
21 here today at the front end of this hearing. So, I  
22 do have to swear you in. If you'd raise your right  
23 hand please? Do you solemnly swear or affirm to tell  
24 the truth, the whole truth, and nothing but the truth  
25 and to answer Council Member questions honestly?

2 Okay, good. Thank you, and I'd also like to thank  
3 the Department of Education for being here for this  
4 part of the presentation. I really deeply appreciate  
5 that very much, thank you. And who would like to  
6 start? Okay, great. And introduce yourself and  
7 state your name, please. Is that mic on? The red  
8 light--the red--

9 JOANNA DURAN: Okay, good. My name is  
10 Joanna Duran and I'm a parent from one of the  
11 students who attend Winston Prep. Thank you for the  
12 opportunity to testify. My name is Joanna Duran, and  
13 I am the parent of Anhenis [sp?], a 16 year old  
14 student who is in the ninth grade. Form the time  
15 Anhenis was a toddler, I noticed he had delays in his  
16 speech. Anhenis attended public school from the time  
17 he was in pre-k. In first grade, Anhenis was found  
18 eligible for an IEP. Within his first few years of  
19 school, he was held back because he could still not  
20 recognize letters. In the third grade, the DOE  
21 placed him in a 12 to one special education class at  
22 a different public school, and he stayed in this  
23 class through fifth grade. However, he still did not  
24 learn to read. The class mainly has students who  
25 were hyperactive and have behavior challenges.

2 Anhenis was quiet and well-behaved. Anhenis's  
3 teachers passed him along from grade to grade, but he  
4 could not read. When Anhenis was in fifth grade, his  
5 teacher suggested that I get a private evaluation  
6 from City College. The evaluation found that Anhenis  
7 had dilexia. It showed that he was smart and high  
8 average IQ scored, but could not read. The evaluation  
9 said that Anhenis needed a specialized program with  
10 daily tutoring in reading. On Anhenis's first day of  
11 middle school, I gave the City College evaluation to  
12 the principal. I asked the principal for help  
13 several times, but the school told me that they had  
14 never taught a student like Anhenis and did not know  
15 how to help him. I knew that something needed to  
16 change. At 12 years of age, Anhenis was a non-reader  
17 who did not even understand that letters made sounds.  
18 He could not read menus at restaurants. He could not  
19 read street signs. He could not do any of his  
20 homework. His inability to read had an emotional  
21 impact on me and others. Anhenis was bullied by  
22 other students. He begged me not to send him to  
23 school. He was terrified of being called on to read.  
24 He did not want his friends to know that he could not  
25 read. With the help of an attorney at Advocates for

2 Children of New York, I pulled Anhenis out of his  
3 middle school and enrolled him in the Sterling  
4 School, a specialized private school in the middle of  
5 sixth grade. At the start of the school, the  
6 teachers were trained in how to help students like  
7 Anhenis learn to read. They used the Orton-  
8 Gillingham method throughout the day and gave him one  
9 to one reading instruction four days per week. I saw  
10 a significant change in my son. Within two months at  
11 the Sterling School, Anhenis was reading his first  
12 words. When my son aged out of the Sterling School,  
13 he enrolled at Winston Prep, another school  
14 specializing in helping students with learning  
15 disabilities. At Winston Prep he continues to receive  
16 one to one reading instruction every day. Anhenis has  
17 made great progress. He's not reading on grade  
18 level, but he's reading, which that's what I really  
19 care about. He has much more confidence now, and I  
20 have hope for Anhenis's future. When I send my son  
21 to school, I expected him to learn to read. Instead,  
22 I found that the public schools were not prepared to  
23 teach Anhenis. I am here today because I want to make  
24 sure this does not happen to other children. If a  
25 private school can teach Anhenis to read, why

2 couldn't the public school do so. The DOE needs to  
3 make sure that teachers were trained in helping  
4 students with disabilities learn to read and that  
5 there's a way for parents to get help when their  
6 children are not reading. I believe in public  
7 education and what the DOE to work to make sure that  
8 every student in public school learns to read. Thank  
9 you for listening to Anhenis's story.

10 CHAIRPERSON DROMM: Ms. LaRoc.

11 JOANNA DURAN: Thank you.

12 CHAIRPERSON DROMM: Thank you very much.

13 Ms. LaRoc?

14 SHARON LAROC: Good afternoon. My name is  
15 Sharon LaRoc. I am the grandmother of Travis LaRoc;  
16 he's 12 years old. What I want to share with you  
17 about Travis's journey in public school, this may not  
18 be a lot on the paper, but I'm going to express it to  
19 you, because Travis from kindergarten, Travis was  
20 going through the same thing as she was speaking of  
21 her son. He was thrown into District 75 because he  
22 have a behavioral problem and he has ADD, cannot  
23 read. In District 75, Travis came from a school  
24 where he was reading. He end up not reading because  
25 all you got was fighting and cursing. The teachers

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 22

2 in District 75 was not made up for Travis's kind of  
3 way, the attitude that he had, and I was countless  
4 being called to come to the school to get him or his  
5 parents. My son has to come get him. I mean, I  
6 answered my phone. I let them left message at my  
7 job, and in 2011 I got help form Advocate for Kids  
8 for Travis. We will have IEP meetings, and when  
9 we'll have the IEP meetings, Ms. Smith, the Advocate  
10 for Kids for me, will ask for extra help for Travis.  
11 PS--at the school, at K231, they decide to tell me  
12 that Travis was getting enough help he was supposed  
13 to get. He was in a class for 11 to one with extra  
14 help. Travis could not read. Travis was  
15 embarrassed, so when he was embarrassed he would  
16 break stuff. He would kick. He would start problem  
17 in the class because he was embarrassed that other  
18 kids would laugh at him. And it kept going on and  
19 going on. I took--we went to court after the last  
20 IEP meeting that we got from K231, and when we got to  
21 court that's when I was awarded for him to go to  
22 private tutoring where I think the DOE is paying a  
23 lot of money. If you talking about 80 hours, 10,000  
24 dollars for 80 hours for one kid, how many more kids  
25 is out there who is looking for that stuff that the

2 public school can do it theirselves [sic]. We don't  
3 have to go to private tutoring when we have public  
4 school that they can pull him aside and teach him and  
5 learn him to read and write. He could not even  
6 recognize sight words. At 12, there were no sight  
7 words. At Linden Mubell [sic] he went up where he can  
8 do 50 sight words now within the summer. Presently,  
9 now, we found a school, a non-public school at Martin  
10 DePury [sic] where he will be starting soon. But my  
11 testimony today is just ask the DOE for those little  
12 kids like Travis who cannot read and is being pushed  
13 from grade to grade. Come to school summertime and  
14 you go to another grade. And he go to another grade,  
15 but he comes home and he says, "I don't know to do my  
16 homework." And I will say, "Did they not learn you  
17 that today?" And he will say, "Yes, but I don't  
18 know." And I keep telling the teachers, "Travis gets  
19 homework and he don't know what to do the homework,  
20 so why is he still getting the homework if he can't  
21 do the homework?" So I will cut my part off by  
22 saying thank you today for listening to me, and I  
23 hope you will listen to other parents like Travis.  
24 There's a lot of Travis. There's a lot of her son  
25 going around New York public school, just coming out

2 from one to the other, and at the end there's no job  
3 will take them in because you cannot read and write,  
4 you have no job nowhere, not even McDonald's. Thanks  
5 again for hearing me.

6 CHAIRPERSON DROMM: I want to thank both  
7 of the parents for coming in and expressing and  
8 telling us their experiences and their difficulties  
9 that they've had. That's exactly why we wanted to  
10 have the hearing today to see how we can work on  
11 those types of situations, and good luck to the  
12 children, and hopefully they're going to be able to  
13 read and write and get the services they need moving  
14 forward, and I thank you both for coming in today.  
15 And we'll have other questions of parents, etcetera,  
16 later on, their experiences once the DOE gives their  
17 testimony. So, I want to thank you again for coming  
18 in. Thank you very much. Thank you.

19 SHARON LAROC: Thank you.

20 JOANNA DURAN: Thank you.

21 CHAIRPERSON DROMM: And now I'd like to  
22 call up Corinne Rello-Anselmi, Deputy Chancellor for  
23 the New York City Department of Education, and John  
24 McDonald with the New York City DOE. Jan, I'm sorry.  
25 And while they're coming up, I'd like to introduce



COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 25

2 the Council Members who have joined us. We've been  
3 joined by Council Member Steve Levin from Brooklyn,  
4 Council Member Mark Weprin from Queens, Council  
5 Member Mark Levine from Manhattan, Council Member  
6 Margaret Chin from Manhattan, Council Member Alan  
7 Maisel from Brooklyn. Thank you. Deputy Chancellor  
8 and Ms. McDonald, if you could just raise your hand  
9 so I can swear you in. Do you solemnly swear or  
10 affirm to tell the truth, the whole truth and nothing  
11 but the truth and to answer Council Member questions  
12 honestly? Thank you. And you may begin.

13 CORINNE RELLOS-ANSELM: Good afternoon  
14 Chair Dromm and Deutsch and members of the Education  
15 Committee. My name is Corinne Rellos-Anselmi, and I  
16 am Deputy Chancellor for the Division of Specialized  
17 Instruction, Student Support at the New York City  
18 Department of Education, DOE, which includes the  
19 Special Education Office. I am joined by Jan  
20 McDonald, the Special Education Office Executive  
21 Director for Data and Accountability. Thank you for  
22 this opportunity to testify in special education in  
23 New York City schools and Intro 435, which requires  
24 the DOE to report information regarding students  
25 receiving special education services. Until a few

2 years ago, most students with disabilities in New  
3 York City were taught in separate classrooms far from  
4 their non-disabled peers, and in many cases in  
5 completely separate schools. Expectations for  
6 students with disabilities were far--were often set  
7 low, with little focus on graduation, let alone  
8 adequate preparedness for college, careers, and  
9 independent living. Too many of our students were  
10 deprived of access to the same opportunities as their  
11 peers, negatively impacting their futures. Three  
12 years ago, the DOE launched the citywide expansion of  
13 Special Education Reform Initiative, a Shared Path to  
14 Success to end the segregation of student with  
15 disabilities in New York City. Special education  
16 must be viewed as a set of services to help students  
17 with disabilities on their path to academic success,  
18 not as a separate place to send students. Chancellor  
19 Farina has had a long standing commitment to  
20 inclusive school communities that service the needs  
21 of all students and has made it essential to her  
22 sweeping vision of access and opportunity for all  
23 children. We are proud of our progress, but  
24 recognize that we still have a long way to go. As we  
25 look ahead, we continue to focus on four major areas,

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 27

2 access, quality, individualized education programs,  
3 supporting student behavior and transition to college  
4 careers and independent living. The primary focus of  
5 a shared path is access. Students with disabilities  
6 now have increased access to neighborhood schools and  
7 classrooms. This means learning in the least  
8 restrictive environment with appropriate supports to  
9 meet their individual needs. We know that  
10 instructional access for students with disabilities  
11 benefits all students, and under Chancellor Farina's  
12 leadership, we have begun several new initiatives to  
13 leverage special education expertise to boost  
14 achievement across the board. The first of these  
15 grew out of this Administration's commitment to  
16 promoting literacy. Early intervention and support is  
17 critical in fostering success in reading and writing  
18 in young children. Next month, we will launch an  
19 early childhood literacy intervention program  
20 utilizing the expertise of speech teachers. These  
21 teachers will be able to use additional periods each  
22 week to collaborate with early childhood classroom  
23 teachers and work directly with students in small  
24 groups to build foundational phonemic awareness  
25 skills and prevent future reading deficits. We are

2 consulting with national experts in language  
3 processing in the development at the City University  
4 of New York's Lehman College to ensure that our  
5 strategies are based on the most current research.  
6 Next, as of this month, all initial speech  
7 evaluations are being conducted by DOE speech  
8 teachers rather than outside contractors. This  
9 change has already resulted in decreased wait times  
10 for families. This also enables the DOE experts to  
11 work with classroom teachers to understand diverse  
12 speech patterns and support students in the general  
13 education environment. Our division is also leading  
14 an initiative to reimagine our approach to working  
15 with students with dyslexia. We are partnering with a  
16 local university to create a comprehensive program  
17 for the training of our teachers to teach students  
18 with dyslexia. Many students with dyslexia may not  
19 need special education services if they can develop  
20 literacy skills with properly trained professionals.  
21 In literacy, we support Orton-Gillingham based,  
22 sequential multientury reading intervention for  
23 students with disabilities. Reading intervention is  
24 supported across the city through the work of the  
25 office of teaching and learning and the Office of

2 Special Education. The Special Education Office is  
3 working on two pilots with Orton-Gillingham based  
4 programs, Wilson Foundations, and really great  
5 reading. Staff in our office have been trained in  
6 Wilson and we are finalizing a proposal to continue  
7 this work in schools. In order to increase access to  
8 Common Core Curriculum for students with  
9 disabilities, we are strengthening and expanding our  
10 work in the area of assistive technology. Assistive  
11 technology consists of devices, hardware and software  
12 that aids students in accomplishing educational  
13 tasks. In addition to providing professional  
14 development to integrate assistive technology and  
15 instructional technology into the classroom, we are  
16 also expanding our work of the center for assistive  
17 technology, expanding the work of our center for  
18 assistive technology, which will further improve the  
19 timeliness and quality of AT evaluations and  
20 implementation of AT devices and services. In  
21 addition to these initiatives, we have continued to  
22 strengthen our support and structure systems for  
23 related services, including counseling, speech  
24 therapy, occupational therapy, physical therapy,  
25 hearing and vision education services and have

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 30

2 achieved historically high levels of service to  
3 students. By the close of the 2013/14 school year,  
4 we are providing approximately 90 percent of services  
5 in full. We made regular progress in serving  
6 students recommended for bilingual counseling and  
7 bilingual speech therapy providing both at a rate of  
8 over 90 percent. We have also made significant  
9 progress in closing the gap in services for students  
10 in parts of the city where it has been most difficult  
11 to hire providers. For District Seven, Eight, Nine  
12 and 12 in the Bronx, District 16 in Brooklyn, service  
13 levels have rose nearly 10 percent from the school  
14 year 2012/13 to 2013/14, and in District 13 in  
15 Brooklyn service levels jumped 19 percent over the  
16 same period. In District 23 in Brooklyn, we are  
17 serving students at a rate over 30 percent higher  
18 than in 2008. Although there is much more work to do  
19 to ensure that every student in every neighborhood is  
20 fully served, we are confident that our progress will  
21 continue. One of the key elements of our success to  
22 date has been our commitment to recruiting and hiring  
23 providers in long term shortage areas. Notably, as  
24 of May, we have had a 28 percent increase in  
25 bilingual speech teachers on staff from the year

2 before. Another important development in our work is  
3 in the area of specialized instructional programs.

4 While most of our students can be served in their  
5 neighborhood schools, there are some students who are  
6 served best in specialized programs. While serving as

7 Deputy Chancellor, Chancellor Farina spearheaded  
8 efforts to study ways to meet the needs of high  
9 function students with autism. At the time, she was

10 one of the original members of the New York

11 University ASD Nest Support Project. We have

12 continued the work with ASD Nest to advance

13 opportunities for children with autism spectrum

14 disorders through a model of reduced class size with

15 specialized support in a setting integrated with

16 general education students. In collaboration with the

17 New England Center for Children, we have developed

18 another specialized program for students with autism,

19 ASD Horizon which uses a special class model and

20 curriculum. We currently have 270 individual classes

21 across the city in grades K-12 that serves students

22 with autism spectrum disorders using this model. Our

23 academics, careers, and essential living program also

24 known as ASIS is a specialized program intended to

25 provide students with intellectual disabilities

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 32

2 greater access to their local schools. ASIS program  
3 provide student supports for students who alternately  
4 assessed with Districts One through 32 schools using  
5 a special class model. We are committed to expanding  
6 highly effective specialized programs in order to  
7 meet the needs of our students. Under Chancellor  
8 Farina, we continue to focus on professional  
9 development work that we know is necessary for  
10 teachers and other school leaders. The IEP functions  
11 as an educational road map setting out individualized  
12 programs of supports and services tailored to  
13 student's strengths and needs. High quality IEP's  
14 are essential and our teachers need ongoing support  
15 to deliver them for each and every student with a  
16 disability. We are offering comprehensive learning  
17 opportunities through our professional learning  
18 partnerships, professional development, curriculum  
19 planning and other essential initiatives. This  
20 year's professional development catalog have over 70  
21 different topics available throughout the school year  
22 and in every borough. In the past two years, our  
23 office has lead over 5,000 workshops reaching 112,000  
24 professionals. We are also focused on training our  
25 teachers to provide positive behavioral supports to



2 students who need them. We are excited to continue  
3 and deepen our collaboration with the United  
4 Federation of teachers on the Institute for  
5 understanding behavior. We are building on that  
6 collaboration to provide supports to professionals by  
7 offering training and positive behavior interventions  
8 and supports. We also continue to support our  
9 schools to conduct functional behavior assessments  
10 and create effective intervention plans. In the  
11 past, many students with disabilities were not  
12 challenged to succeed beyond high school. It is  
13 critical to develop a transition plan that sets out a  
14 series of interim goals and moves towards the highest  
15 diploma option. Through the summer youth employment,  
16 work based learning and the Chancellor's focus on  
17 increased technical, a career in technical education  
18 options, CTE, we are creating multiple paths for  
19 successful futures. We have been working to ensure  
20 that students, families and schools understand the  
21 opportunities for students with disabilities in CTE  
22 as well as how to use the new career development and  
23 occupational studies graduation credential, CDAS as a  
24 supplement to a diploma to ensure that students  
25 graduate with the skills necessary to succeed in the

2 workforce. In keeping with Chancellor Farina's  
3 strategic vision, we remain committed to engaging  
4 with those who know our students best, our parents  
5 and families. In order for our students to have  
6 access to a quality education, it is essential that  
7 we actively partner with the families and  
8 communities. Families must have the ability to  
9 engage fully in the special education process to  
10 understand available resources and services and to  
11 support their children through transitions. This  
12 past spring, the Special Education Office hosted a  
13 citywide conference with families of students with  
14 disabilities. This was a daylong event where  
15 families could attend workshops about special  
16 education process, ask questions about individual  
17 student needs and discuss with our staff how we can  
18 work together to best service students. We have  
19 continued our commitment to work with parents and  
20 advocates by offering workshops across the five  
21 boroughs, including kindergarten orientation  
22 meetings, high school admission meetings, a parent  
23 academy, and the Chancellor's parent conferences. In  
24 addition, we have deepened our partnership with the  
25 citywide council of special education and attend

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 35

2 monthly public meetings and present information on  
3 relevant special education topics. We have also  
4 revamped the special education section of the DOE  
5 website, making it a rich resource of detailed  
6 information on all aspects of special education  
7 process. It can be viewed in nine languages other  
8 than English and includes videos of workshops from  
9 our parent conference, links to community resources,  
10 and detailed information, both for the seasoned  
11 advocates and for parents just learning about special  
12 education. This fall, we updated the Family Guide to  
13 Special Education, which was developed in partnership  
14 with families and advocates. It can be found on our  
15 website in nine languages other than English, and we  
16 have also distributed hard copies to families  
17 throughout the city. We know that families often  
18 need additional support in understanding the special  
19 education process. We have an ombudsman [sic] person in  
20 our office to address family concerns that have not  
21 been resolved at the school level. Families can reach  
22 us through public email address at  
23 [specialeducationreformatschools.nyc.gov](mailto:specialeducationreformatschools.nyc.gov) and at the  
24 311 special education hotline. We follow up within 48  
25 hours of inquiry. These interventions not only allow

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 36

2 us to provide individual supports necessary, but also  
3 give us a window into the range of needs of our  
4 families across the city, enabling us to identify and  
5 address systemic issues. I would also like to provide  
6 you with an update on the leadership of the special  
7 education office. Next week, Christina Foti [sp?],  
8 Principal of PS321K will take on the role of leading  
9 the Special Education Office as Chief Executive  
10 Director. Christina has worked as a special  
11 education teacher, school based literacy and positive  
12 supports coach, middle school coordinator, assistant  
13 principal, and most recently District 75 principal.  
14 In these roles, she has developed skills in  
15 instruction, positive behavioral supports, writing  
16 quality IEPs, collaborative team teaching in self-  
17 contained classes, as well as a deepened  
18 understanding of the Shared Path framework and Common  
19 Core learning standards. I would now like to  
20 introduce you to Jan McDonald, who will review  
21 additional data with you. The Special Education Data  
22 Team represents another new structure that we put  
23 into place two years ago to inform our decisions and  
24 better monitor and manage our work. The data allows  
25 us to track results of the reform across multiple

2 indicators to intervene if data reflects that any of  
3 our policies or practices have unintended  
4 consequences and to identify where we are having the  
5 greatest success and challenges. Jan?

6 JAN MCDONALD: Good afternoon. I'd like  
7 to briefly start and run through some demographics  
8 about our students, and then I'd like to look at some  
9 of--

10 CHAIRPERSON DROMM: [interposing] Jan, if  
11 you could just introduce yourself on the mic.

12 JAN MCDONALD: I'm sorry.

13 CHAIRPERSON DROMM: State your name.

14 JAN MCDONALD: My name is Jan McDonald.

15 CHAIRPERSON DROMM: Thank you.

16 JAN MCDONALD: I'd like to first start  
17 with giving you some demographics about our students  
18 and then I'd like to look at some of the indicators  
19 that we use to track our progress. First, our  
20 students. As in most large urban centers in the  
21 United States for at least the last three decades, we  
22 have a very high large population of students with  
23 IEP's, a population that is predominantly of male  
24 students of color. At this point in time, almost one  
25 out of five students in our schools has been

2 determined to be in need of specialized education  
3 services. As you can see from this slide, one out of  
4 eight students with an IEP currently attend a school  
5 in District 75, but one of the important things to  
6 look at is down on the orange bars. You see that  
7 even as the general population of students with IEP's  
8 in the city had increased. The proportion of  
9 students who are attending District 75 segregated not  
10 just within a school or building, but within a entire  
11 district has proportionately decreased. While five  
12 years ago, one in five students in District 75 was  
13 new to the district that year. Now it's much closer  
14 to one in six as we provide greater access to other  
15 alternatives for students and families. Another thing  
16 that's important to understand is that these numbers  
17 are not going down rapidly. That's also by design.  
18 The reform was designed to be in a structured flow so  
19 that we didn't want all students to be shifting  
20 schools simultaneously, and we also knew that there  
21 was much work to be done in preparation. So, you'll  
22 see that this number is decreasing relatively slowly  
23 because the reform was actually designed to be  
24 implemented through the articulating grades. The  
25 articulating grades are grades where students change

2 from one school to another or one setting to another,  
3 and so for the two years that we've had the reform,  
4 we have currently impacted on grades one and  
5 kindergarten and also five and six and nine and ten.  
6 As we build programs that support for students with  
7 disabilities we obviously need to account for  
8 variability across boroughs, and you'll see here that  
9 there's a considerable variation from borough to  
10 borough. We actually see that level of variation  
11 across the city from districts, neighborhoods, and  
12 across all schools actually. For students with IEP's  
13 that attend our neighborhood schools, we see an  
14 interesting difference in classification then we'll  
15 see in the next slide for students who have been  
16 attending district 75. To receive special education  
17 services a student must demonstrate a disability in  
18 one of 13 specific categories designated by federal  
19 law. Within our neighborhood schools in districts 31  
20 through 32, students with IEP's predominantly have  
21 classifications of either speech impairment or  
22 learning disability. But within District 75, the  
23 students we serve are now in the greatest numbers,  
24 those students who have been classified as being on  
25 the autism spectrum. With approximately, in

2 combination 12,000 students classified as being on  
3 the autism spectrum citywide, we've of course  
4 identified that as an area of focus. As Corinne  
5 mentioned, we feel that many of those students who  
6 attend District 75 schools could be better served in  
7 specialized programs within their neighborhood  
8 schools, and as Corinne also detailed and the  
9 Chancellor have put additional resources in building  
10 programs to support programs on the spectrum in  
11 specialized programs within community schools. I'd  
12 now like us to look at a few key indicators that we  
13 track, so, what's important about this slide and the  
14 data that's here. Not too long ago because of  
15 policies that allowed students in schools to not  
16 serve students with IEP's, we had lots of schools  
17 that had no students with IEP's. So one thing that  
18 we track is how those numbers are shifting. We also  
19 track the overall percentage of students who have  
20 IEP's in a given building, and there's still a very  
21 wide range of variability across neighborhood  
22 schools. Currently from as few as zero percent of  
23 students with IEP's in a school, very few schools now  
24 are at that number we're delighted to say, and over  
25 40 to 50 percent within a given community school, but



2 we want students with IEP's to have access to all  
3 schools, just like their nondisabled peers, because  
4 as you've read in your briefing materials, it's not  
5 only the law, but we know that students achieve best  
6 in the least restrictive environment. The reform was  
7 implemented in a structured phase in as I mentioned,  
8 and so this is another thing that is impacting this  
9 shift in numbers. Each year, over 17,000 preschoolers  
10 with a disability transitioned to kindergarten. So  
11 we've put a lot of emphasis on that transition, and  
12 as this slide shows, we've done a much better job  
13 lately in getting evaluations done on time, which  
14 sadly has not been the case. It's important that we  
15 get things right in kindergarten, because the data  
16 show us that historically, once a student is enrolled  
17 in District 75, they tend to stay there. And when  
18 children is provided access to a neighborhood school,  
19 historically if recommended to a self-contained  
20 class, they tend to stay there. So we're working to  
21 increase access at the beginning and keep it there,  
22 both to community schools and also to their non-  
23 disabled peers. We're pleased that in the past two  
24 years we've not only gotten the job done more timely  
25 in the past at the kindergarten stage, but also each

2 of these two years we've recommended a higher  
3 proportion of children to their neighborhood schools.

4 Before the New York City Education Reform began,  
5 students with disabilities in New York City and New  
6 York State were among the most segregated in the  
7 United States, but research shows that students in  
8 general have much higher rates of achievement when  
9 instructed in classes with their non-disabled peers.

10 As such, the federal least restrictive environment  
11 mandate requires that all students in special  
12 education be educated with their non-disabled peers  
13 to the greatest extent possible and appropriate.

14 While we still have a long way to go, New York City's  
15 percent of improvement that you see on this graph in  
16 access to the general education program is actually  
17 better than virtually any other place in the country,  
18 ranking among top ten in the shift from 2008 to 2012.

19 To parallel the growth and the identification of  
20 students on the autism spectrum, as Corinne  
21 mentioned, we continue to increase the numbers of  
22 programs and community schools and we'll continue to  
23 do so. One of the areas where we've made some of our  
24 biggest improvements as Corinne mentioned is with  
25 IEP's and the timely delivery of related services.

2 While we still have a long way to go to get all  
3 students fully served especially earlier in the  
4 school and in particular areas in the city, the  
5 structures that have been put in place have really  
6 started to pay off. As you can see in this graph we,  
7 especially in this last year, made significant  
8 progress. I'd like to finish my remarks looking at  
9 some achievement data. It's very important to  
10 understand that achievement data or what we call in  
11 the educational statistics, a lagging indicator.  
12 Statistics in lagging indicators reform, it's like  
13 the--we're trying to shift the Queen Mary, and in  
14 order to make that shift, it takes some time to get  
15 going in the right direction, but it's our job to  
16 make sure that we are headed in the right direction  
17 in the beginning. With over 150,000 staff and 1,800  
18 schools that also have 75,000 students who need to  
19 change their practices in a scheduled way,  
20 educational research literature is clear that  
21 impacting test results takes time. This first slide  
22 summarizes the past several years on the state ELA  
23 assessments for grades three and eight, and what you  
24 see with those lines there is that between 2009 and  
25 10, the cut scores were shifted, and we determined

2 because we said that, you know, we're not like  
3 Wobegon [sic]. There aren't that many kids above  
4 average. The testing, the cut off scores are way too  
5 high, and they were cut, and as a result many fewer  
6 students scored as being proficient on the exams.  
7 Both were student with and without IEP's. Then two  
8 years ago, another shift occurred, the introduction  
9 of the new Common Core exams. Again, longer tests,  
10 harder tests, but important tests because they  
11 started looking at skills that our students really  
12 needed. Now, although it's very important for us to  
13 look at a comparison between students without IEP's  
14 and students with IEP's, it's also important that we  
15 compare apples to apples. So on the next slide  
16 you'll see a comparison across New York State of  
17 students with IEP's and their counterparts in the  
18 city students with IEP's, and one of the things  
19 that's important for you to note here is that in the  
20 last three bars on the right hand side I made a  
21 little bit darker so that you could take note of  
22 them, in each of those three years, the students with  
23 IEP's in New York City have actually out performed  
24 students across the state. Now, this important  
25 statistic for several reasons. First of all, for

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 45

2 decades, New York City scores for students with IEP's  
3 have been far below the rest of the state. Also, the  
4 New York State data that's on the left hand side  
5 includes New York City students, and therefore, the  
6 differential between non-New York City students and  
7 the rest of the state are even greater. Similarly,  
8 in mathematics in the testing of grades three to  
9 eight, similar patterns have occurred with very  
10 similar results, but if you shift the comparison  
11 again to students across the state with IEP's and  
12 students in New York City with IEP's, a much more  
13 apples to apples comparison, you'll see that even as-  
14 -and we clearly admit, both sets of New York and New  
15 York City scores remain way, way too low. This shift  
16 again is very, very promising and something that  
17 we've never seen before. Within the city, on the  
18 most recent Administration of the State Assessments,  
19 students with IEP's actually made greater year over  
20 year progress than any other subgroup in the city,  
21 making a 17 percent increase in English language arts  
22 and over 35 percent increase in mathematics. Now, I'd  
23 like to turn our attention to another lagging  
24 indicator, graduation rate. Again, it's lagging, but  
25 we've made goo distance. It's lagging. Consider a

2 10<sup>th</sup> grade student, graduation rate is--if you have a  
3 10<sup>th</sup> grade student who was two years ago in 10<sup>th</sup> grade  
4 when the reform began, he should now be ready to  
5 graduate. At that time, he was probably likely not  
6 attending his neighborhood school, and for those  
7 prior 10 years, that same student may have had little  
8 access to the curriculum or teachers who are content  
9 experts or his non-disabled peers, which would have  
10 made his environment one that was language rich.

11 It's also likely that for those same ten years we did  
12 not have high expectations of academic access for  
13 that student, even though it was likely that we  
14 started with a very different set of expectations. If  
15 we started with a different set of expectations when  
16 he was in kindergarten, then we predict that his  
17 success would be much greater. None the less, we've  
18 still shown a great deal of improvement in terms of  
19 our graduation rates. And the fact that fewer  
20 students are dropping out has also meant that more  
21 are staying around longer and eventually graduating  
22 in five or six or seven years, data points that we  
23 also track very closely. Although graduation rates  
24 are in questionably still too low, the data shows  
25 significant positive trends from 2005 to 2013, and

2 these increases have occurred during a time period in  
3 which graduation requirements have significantly  
4 increased. The examination should become more  
5 difficult and both of those make these gains even  
6 more meaningful. For 2013, that bump in the graph  
7 that you see, excuse me, represents over 1,800  
8 students who graduated with advanced Regents diplomas  
9 that would have been unheard of in the past. As  
10 you've seen the data show that we are making progress  
11 with respect to multiple indicators. While there's  
12 still clearly a long way to go, it is important to  
13 understand that we are working to reverse the  
14 policy's practices and school cultures reflecting  
15 decades of exclusion and low expectation for students  
16 with disabilities, and these will not be reversed  
17 overnight. With Chancellor Farina's longstanding  
18 commitment to effective policy practice and  
19 professional development regarding students with  
20 disabilities we are confident that the trends we are  
21 seeing will continue and accelerate. Finally, with  
22 respect to Intro 435, we support the Council's goal  
23 to provide parents, advocates, elected officials and  
24 other stakeholders with useful information regarding  
25 students receiving special education services.

2 Consistent with this Administration's commitment to  
3 transparency, we're already working to create school  
4 level reports that will be available to each school's  
5 web page that will have much more information  
6 required by the proposed legislation. We would like  
7 to work with the Council to revise the proposed  
8 legislation so it reflects the reporting already in  
9 progress and to ensure that the requirements align  
10 with existing state and federal legal and regulatory  
11 standards. Thank you for this opportunity to testify  
12 today, and I am happy to answer any questions you may  
13 have.

14 CHAIRPERSON DROMM: Well, thank you very  
15 much for your testimony, and it was an awful lot of  
16 information to digest there. I first want to ask  
17 you, is the slideshow available to the public or is  
18 it available on a website or something so that we can  
19 look at those numbers in--

20 JAN MCDONALD: [interposing] Sure.

21 CHAIRPERSON DROMM: I mean, I know I have  
22 it here.

23 JAN MCDONALD: It could be easily posted--

24 -



2 CHAIRPERSON DROMM: [interposing] But  
3 others may want--

4 JAN MCDONALD: on our website.

5 CHAIRPERSON DROMM: That would be great  
6 if--

7 JAN MCDONALD: [interposing] Sure.

8 CHAIRPERSON DROMM: we could have it up  
9 there so we could take a look at it, number one. In  
10 the slide show, in one of the slides, and I'm sorry I  
11 didn't get exactly which one, but I think you said  
12 that there was 16 percent of students in Queens and  
13 about 25 percent of students in Staten Island are  
14 receiving special education services. Maybe it was  
15 page five. Yeah, 24.1 in Staten Island. The  
16 proportion of students with IEP's varies considerably  
17 by borough. Any explanation for that? Why is it--  
18 it's an eight point difference, basically, between  
19 those boroughs.

20 JAN MCDONALD: Well, certainly, one of  
21 the impact in Queens is the larger population of  
22 Asian within the borough, and we know that across the  
23 United States often students are underrepresented in  
24 the IEP population who are of Asian descent. That's  
25 one of the impacts.

2 CORINNE RELLO-ANSELM: Things like this  
3 vary from programs and services offered by borough  
4 and their work that they're doing with students in  
5 terms of identifying the supports and programs that  
6 are necessary. A lot of the work that we're doing is  
7 making sure that in populations that are identified  
8 in existing areas that we are creating the programs  
9 that match the needs of the community, be it the  
10 borough and/or school district. A real causal  
11 effect, we can't speak to, except to say there are  
12 multiple factors that we would have students with  
13 this span across the five boroughs, but they are very  
14 complex in terms of determining a route cause.

15 CHAIRPERSON DROMM: So what I was trying  
16 to get at actually was, you don't think that the  
17 cause of that is a lack of referrals or a lack of  
18 identification of students who need special education  
19 services?

20 JAN MCDONALD: I would debate that it  
21 could be also the over-identification. Okay? They  
22 are both possibilities. That is why we're  
23 streamlining through our supports and services that  
24 we are sure that when a child is brought and a parent  
25 brings up the desire to have a child evaluated, that

2 the schools do the due diligence as well as our CSE's  
3 in really determining the needs of the child and the  
4 services that are necessary. That is why in the  
5 testimony is speak to the fact that we're trying to  
6 build out supports especially around literacy back  
7 into our schools so that students get services  
8 without an IEP and aren't dependent on that process  
9 to have their needs identified and services given.  
10 So, that is part and parcel of--

11 CHAIRPERSON DROMM: So, Deputy  
12 Chancellor, I think it was in your testimony where  
13 you mentioned that there were actually some schools  
14 where students had no IEP's at all in the past.

15 CORINNE RELLO-ANSELM: That's correct.

16 CHAIRPERSON DROMM: And to me, that's--

17 CORINNE RELLO-ANSELM: [interposing]  
18 There's still a few.

19 CHAIRPERSON DROMM: kind of fascinating to  
20 hear that. You know, I was a public school teacher  
21 for 25 years before being elected to this position.  
22 But in the schools where you say now you do have  
23 special education students, is that because of a  
24 local referral or is that because of the  
25 mainstreaming back into the schools of special

2 education students who would have been placed in a  
3 school outside of their local district school?

4 CORINNE RELLO-ANSELM: It's likely  
5 partly both, but the vast majority as far as we can  
6 tell are based on the policy shift that we made two  
7 years ago, which required schools who traditionally  
8 had not accepted students with IEP's to accept them.

9 CHAIRPERSON DROMM: So what has been with  
10 the cultural change then to get those schools to  
11 accept those students back into the--

12 CORINNE RELLO-ANSELM: [interposing]  
13 That's the hardest work.

14 CHAIRPERSON DROMM: Sorry?

15 CORINNE RELLO-ANSELM: That is the  
16 hardest work. One part, the part of this reform--as  
17 an educator for 40 years, I started out as a special  
18 education teacher, my journey through special  
19 education began with being very segregated and  
20 isolated in a school that would accept students that  
21 had a learning disability where a neighboring school  
22 felt that they couldn't serve the students, nor had  
23 the wherewithal to or the need to, so students from  
24 neighboring schools would be housed within a certain  
25 school, and that school worked with those students.

2 Taking them out of their communities, out of  
3 relationship with their peers and access to their  
4 neighborhood friends because they needed to have  
5 services and the school didn't offer it. Really what  
6 we're looking at--

7 CHAIRPERSON DROMM: [interposing] Would  
8 that include set services?

9 CORINNE RELLO-ANSELM: Everything.  
10 Everything. There are--well, there were resource  
11 room teachers that were back in the day, we were  
12 called Resource Room Teachers, and those were the  
13 services that schools were most comfortable providing  
14 for students, but when it came to really looking at  
15 specialized supports and services and development of  
16 programs it was to send the child away and not to  
17 really own the child, and develop the skill set of  
18 not only special education teachers, but general  
19 education teachers. Part of the reform in my own  
20 school was I inherited a school that had eight self-  
21 contained classes, and over the work, we worked with  
22 our general ed teachers and our special education  
23 teachers to create inclusive opportunities for our  
24 students to remain in their school, be serviced, and  
25 get the appropriate supports and strengthen the

2 teaching across the board for all struggling readers,  
3 writers and learners.

4 CHAIRPERSON DROMM: And that actually was  
5 a big issue for me, as a general education teacher,  
6 was trying to meet the needs of the special education  
7 students in my classroom and the diversity of the  
8 disabilities that existed. So, how are you dealing  
9 now with that type of training? And I know that you  
10 had given us some numbers in your testimony as well  
11 about large numbers of teachers actually coming to  
12 training, but are they getting training specific to  
13 the needs that they have in their classroom? How are  
14 you dealing with that right now?

15 CORINNE RELLO-ANSELM: Okay. Most of  
16 our professional development is geared towards that  
17 school community that needs to service students that  
18 have been identified with specific learning  
19 disabilities. We are doing work on creating  
20 inclusive classrooms. We are looking at methodologies  
21 around literacy development. We are working with  
22 Orton-Gillingham style reading protocols.

23 CHAIRPERSON DROMM: So when you do Ort-  
24 Gillingham, and how does that--Ort-Gillingham, when  
25

2 you do that in the regular classroom, is that a  
3 regular classroom teacher whose--

4 CORINNE RELLO-ANSELM: That could be  
5 serviced by a service provider and/or teacher who has  
6 the training and the understanding of the  
7 methodologies and could be utilized in small group  
8 instruction in the classroom. I'm--

9 CHAIRPERSON DROMM: So, how does Ort-  
10 Gillingham compare--

11 CORINNE RELLO-ANSELM: [interposing]  
12 Yes.

13 CHAIRPERSON DROMM: with balance literacy  
14 or with--

15 CORINNE RELLO-ANSELM: Okay, balance  
16 literacy is the overall vision on how to engage kids,  
17 you know. Shared, starting off with the concept of  
18 shared reading, small group work that's identified  
19 using Fontis [sp?] and Panele [sp?] levels and  
20 leveling text to children and doing it more in small  
21 and whole group work with the students. When we get  
22 into a more Orton-Gillingham style method, it's a  
23 very prescriptive style of really assessing the  
24 students need and creating a scaffolding support of  
25 bringing that child to test.

2 CHAIRPERSON DROMM: So you would probably  
3 need a teacher trained in Orton-Gillingham to be able  
4 to do that in the classroom, even where children are  
5 included in the regular mainstream classroom.

6 CORINNE RELLO-ANSEMI: So history--don't  
7 really want to harken back that many years, but when  
8 I was certified as a special education teacher, I was  
9 also certified in reading, which is a very powerful  
10 combination, because you really understand the root  
11 cause of a learning disability in language and  
12 understanding, and what was offered then were  
13 specific trainings to teachers around Orton-  
14 Gillingham methodologies. What we look to do now is  
15 we don't need to have licensed specialists, as many,  
16 as much as teachers that principals have designated  
17 as teachers that are really excellent teachers of  
18 reading and offering them the Orton-Gillingham  
19 training so that to strengthen their skills so they  
20 could build capacity within their own school to train  
21 other teachers as well as work with students that may  
22 have dyslexia for example.

23 CHAIRPERSON DROMM: So, just to get some  
24 numbers if you have them, how many workshops were  
25



2 offered in the past and what topics were included in  
3 terms of special ed training?

4 CORINNE RELLO-ANSELM: I'm going to turn  
5 this over to Amy Jones who leads our professional  
6 development work.

7 AMY JONES: Hi, I'm Amy Jones. In the  
8 past two years we have offered about 70 diff--  
9 professional development on about 70 different topics  
10 through over 5,000 individual workshops. Now, that  
11 covers a number of different staff. That includes  
12 opportunities for general educators and that's  
13 particularly important to note given the reform  
14 efforts, because we do want to impact more and more  
15 of the general education classroom teachers. It also  
16 includes special educators, para [sic] professionals,  
17 school leaders, psychologists, speech teachers,  
18 etcetera.

19 CHAIRPERSON DROMM: So that training's  
20 done in house?

21 AMY JONES: Those numbers represent boht  
22 opportunities that our central staff have offered as  
23 well as opportunities through some partnerships that  
24 we have with universities and other programs. What  
25 it does not include is professional development

2 opportunities that are offered through clusters of  
3 networks. So that is in addition to the numbers that  
4 we cited.

5 CHAIRPERSON DROMM: Did you say how many  
6 teachers were involved?

7 AMY JONES: I don't have that number  
8 disaggregated by teachers with me here today, though  
9 that is something that we could provide.

10 CHAIRPERSON DROMM: That would be a great  
11 number to be able to get from you, because I wonder  
12 how across the board the training's getting. Are you  
13 working mostly with elementary, middle school or high  
14 school teachers? Do you have an idea about that?

15 AMY JONES: Sure, so that is spanning K  
16 to 12, and if I may just give a little bit more  
17 information on how our training is being rolled out.  
18 As Corinne mentioned in her testimony, we focus on  
19 four strands, access quality IEP's, positive behavior  
20 supports and transition, and then all of those of  
21 course have a number of different areas that we would  
22 cover within them. There is also a way that we've  
23 been working with clusters and networks within that  
24 framework. So what we've been asking those school  
25 support organizations to do is to really look at and

2 study how their schools are performing, both those  
3 who are, you know, ahead of the curve and who have  
4 areas of improvement as well, and to create action  
5 plans for schools aligned to those four strands and  
6 to then monitor the progress of the schools along the  
7 way.

8 CORINNE RELLO-ANSEMI: Professional  
9 development takes place not only at the central site,  
10 but also at the cluster and network. With the  
11 structure that we currently exist in, we meet monthly  
12 with the lead special education specialists at the  
13 cluster level and with the coaches. At those  
14 sessions, we take on the topics around transition  
15 quality IEP literacy, and we do a train the trainer  
16 model where they go back and then they work with  
17 their schools. One of the asks that we had was that  
18 in their commitment and working with us is they take  
19 the time to, I guess for a better word, assess the  
20 current level of performance of the school, and where  
21 their strengths and weaknesses are and to develop a  
22 support plan with those schools that we can currently  
23 support centrally. So there's access to central based  
24 professional development, network cluster based  
25 professional development and on site professional

2 development. There are multiple levels. We look to  
3 touch as many teachers as possible, but we also look  
4 to build capacity within our schools to own this work  
5 and not be dependent upon outside partnerships or  
6 providers, but to send lead teachers and  
7 administrators and principals to our training so that  
8 they can begin to develop the capacity within their  
9 schools to really understand the work of serving all  
10 students that may have some form of disability or are  
11 just struggling in terms of basically coming on to  
12 reading and writing.

13 CHAIRPERSON DROMM: So, a concern that I  
14 have is that I rarely ever knew who the cluster or  
15 the network leaders were, and the provision of  
16 training, I don't know if it really happened or not,  
17 maybe somebody would dispute that, but how are you  
18 assuring that they're actually doing what it is that  
19 they're supposed to be doing?

20 CORINNE RELLO-ANSELM: I'll take it.  
21 So, we meet with them. We visit the schools. We  
22 visit the networks and the clusters. We hold them  
23 for submitting their action plans and evidence of the  
24 work that they've done in the schools and what is  
25 going on, and we twice a year, and we will be

2 shortly, go out and meet with the cluster and the  
3 networks, and we give them the feedback on the  
4 information, because if they are doing what they're  
5 supposed to do, we should be seeing it in the data.  
6 We should see better quality IEP's. We should see  
7 transition documents that really speak to knowing the  
8 child well and planning towards college and career.  
9 So our work is really very hands on, although we are  
10 currently working in the network and cluster  
11 structure, we have 60 coaches and five leads at the  
12 network cluster level that work with us so that we  
13 can have a more hands on approach and know our  
14 schools better and what the work, the level of work  
15 or the unevenness of the work that is going on out  
16 there. Not easy, but we do it.

17 CHAIRPERSON DROMM: One of the things  
18 that was most frustrating, and I'm going just turn  
19 this over co-chair in a minute, because I could go on  
20 about instruction all afternoon, but was that  
21 sometimes professional development would be provided,  
22 a teacher would ask for specific ways to either stop  
23 negative behavior or deal with a particular  
24 disability, and often times, the professional  
25 developers would say, "Well, how would you deal with

2 it?" Well, that's not really why I need the  
3 professional development. The way I might deal with  
4 may not be the appropriate way to deal with it. How  
5 are you ensuring that that is not the answer that  
6 developers give and that the quality of development  
7 so to speak is actually giving teachers concrete  
8 examples of what they can do to intervene with these  
9 disabled students?

10 CORINNE RELLO-ANSELM: Oh, you really are  
11 a teacher. A large part of that, that statement, how  
12 would you, is really to probe the thinking and access  
13 the level of understanding they have.

14 CHAIRPERSON DROMM: Right.

15 CORINNE RELLO-ANSELM: And where to  
16 begin in that response. Because as with our  
17 students, we try to scaffold the support of  
18 professional development for our teachers, and we get  
19 some insight into that kind of response as to what  
20 exactly is their entry point in understanding  
21 managing behaviors. And we are, as I said before,  
22 working with the United Federation of Teachers around  
23 our behavior work, but we're also offering specific  
24 methodologies and training in therapeutic crisis  
25 intervention, scaffolding the supports of behavior

2 within the classroom as well as through supports  
3 within the school, and then when it is time for more  
4 advance supports for students that are struggling  
5 behaviorally, socially and emotionally, really  
6 understating that a lot of the behavior work and the  
7 training we do. We do focus on the adults because a  
8 lot of the interactions between adults and students,  
9 the triggers, tend to come from the adults and we  
10 need to examine our behaviors when we are working  
11 with students as to what are we doing that triggers a  
12 behavior in a student that escalates to a point that  
13 the class is not manageable or the student has to be  
14 removed for some reason. So, it focuses a lot on the  
15 adults, and that's why that kind of question would be  
16 asked, but it really is to get a gauge on so what do  
17 we really need to be working with with that school,  
18 that school community around supporting positive  
19 behaviors.

20 CHAIRPERSON DROMM: I mean, I agree that  
21 that is a question that, you know, you need to know,  
22 but we were often left without something satisfying  
23 to say that I could take back to the classroom and do  
24 in the classroom to address that. I understand why  
25 they would pose that question, but I just want to be

2 sure the concrete examples. Do they do demonstration  
3 lessons, for example?

4 CORINNE RELLO-ANSELM: Demonstration  
5 lessons, or they might use case scenarios.

6 CHAIRPERSON DROMM: Scenario.

7 CORINNE RELLO-ANSELM: Case studies  
8 talking about a particular situation and what would  
9 be the course of action in addressing the specific  
10 needs of this child, yes. It's a combination of  
11 both.

12 CHAIRPERSON DROMM: Okay, let me just  
13 turn it over to my co-chair Chaim Deutsch.

14 COUNCIL MEMBER DEUTSCH: Thank you very  
15 much, Chair Dromm. I'm not a teacher, so my  
16 questions will not--I'm going to--

17 CORINNE RELLO-ANSELM: [interposing]  
18 Fair enough.

19 COUNCIL MEMBER DEUTSCH: But changing the  
20 subject going to another issue, I'd like to ask you  
21 if you could please describe to me the process  
22 whereby school-age and pre-school age child becomes  
23 eligible for the special education services.

24 CORINNE RELLO-ANSELM: Okay, so we're  
25 looking very early on through early intervention.



COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 65

2 Children as young as two to three years old are  
3 either identified through a medical observation  
4 and/or assessment that has been done through our CPSE  
5 on students that have demonstrated either coming to  
6 language in a delayed way, not speaking  
7 appropriately, not reading those developmental  
8 benchmarks, and parents become concerned and  
9 pediatricians become concerned. So they are  
10 evaluated for early intervention services. Then we  
11 have our pre-k world that continues to work with  
12 these students and asses and evaluate and work with  
13 our students, and then there is the turning five  
14 procedure where we come from the preschool world to  
15 the school-age world, and at that time, the  
16 assessments and the evaluations that have been done  
17 while the children may have been from ages two to  
18 four are looked at and the testing updated, of  
19 course. Social history is updated and we look at  
20 what would be the appropriate course of action for  
21 this child to service them once they enter the  
22 school-age arena, which now with the implementation  
23 of preschool is a true, true help to all of our  
24 students that need that extra time and language  
25 development, and then determine when they enter

2 kindergarten what would be the appropriate setting  
3 for that child with supports and services in place.  
4 Often, what happens is there is, and rightfully so--I  
5 remember as a parent picking out a preschool for my  
6 own child and then kindergarten. There's a lot of  
7 tension and anxiety about releasing your child to a  
8 system, especially a child that's been identified as  
9 having special needs. What we're working with are  
10 teams and coaching our teams and hopefully we are  
11 getting more successful at this, is how to engage  
12 parents in the process and understanding the journey  
13 from two to four can look significantly different  
14 when we enter school-age, and exploring the  
15 possibilities for those students to have as much  
16 access to their general education peers as early on  
17 as possible in a language rich environment if it  
18 works with the child. One of the things we struggled  
19 with with this reform was that inclusive for let's  
20 say the better word for it of course is least  
21 restrictive environment became synonymous with taking  
22 every child and placing them in an ICT class. I'm  
23 fumbling at this point with all the letters, myself.  
24 But essentially, we want to make sure that we're  
25 looking at the best opportunity for kids to get their

2 start in school-age programs after having received  
3 the early intervention that is necessary, and we're  
4 hopeful to see a significant change now with the  
5 preschool initiative that Mayor de Blasio has  
6 implemented with Carmen Farina.

7 COUNCIL MEMBER DEUTSCH: Thank you very  
8 much. And can you also define a timeline as you  
9 describe this process from when they come evaluate to  
10 when they get the services, when the child gets the  
11 services.

12 CORINNE RELLO-ANSELM: Okay. Let's go  
13 with just pre-k to school-age. The process of  
14 turning five we're starting right now, informing  
15 parents, looking at their evaluations, and then  
16 convening as soon as possible a review of their IEP  
17 and the placement for kindergarten in the fall. Most  
18 of our evaluations, and I think we have a group that  
19 can validate this, are to be done by spring. June  
20 15<sup>th</sup> is the date we usually use as a target to review  
21 all of our preschool children that are turning five  
22 to go to kindergarten, and the process is one where  
23 there's multiple levels to it, and by law it has to  
24 get done within a certain span of time--

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 68

2 COUNCIL MEMBER DEUTSCH: [interposing]  
3 What's that span of time?

4 CORINNE RELLO-ANSELM: Well, it's the 30  
5 to 60 day span time. T5 process, I think--Amy you  
6 want to speak to a little bit more about that, or?  
7 Sixty days--where's Randi when I need her? So, but  
8 essentially it is an extended process, but it is a 60  
9 day window for decisions to be made, when a child's  
10 case is opened and started for review.

11 COUNCIL MEMBER DEUTSCH: Alright, okay.  
12 Thank you very much. Is any--

13 CHAIRPERSON DROMM: [interposing] Can I  
14 just interrupt? Do you have numbers on when, how  
15 many kids, how many students are--how are you meeting  
16 those goals, those days?

17 CORINNE RELLO-ANSELM: Okay, well, I  
18 think what you're asking is how many time--how--

19 CHAIRPERSON DROMM: [interposing] No,  
20 after the 30--

21 [cross-talk]

22 CHAIRPERSON DROMM: How many referrals  
23 are being served after the 30 days versus after the  
24 60 days?

25

2 CORINNE RELLO-ANSELM: Oh, the breakdown  
3 I don't have specifically, but I can tell you as we  
4 shared in the slide--excuse me. Okay.

5 CHAIRPERSON DROMM: Do you collect that  
6 information?

7 CORINNE RELLO-ANSELM: Yes, because  
8 actually we're held accountable for it, but the way  
9 we look at it is that within the 30 and 60 day span,  
10 how we offer the letter and the child, the parent be  
11 notified of the placement for the next school year.

12 CHAIRPERSON DROMM: But even during the  
13 year, when you--

14 CORINNE RELLO-ANSELM: [interposing]  
15 Yes.

16 CHAIRPERSON DROMM: make a referral--

17 CORINNE RELLO-ANSELM: Yes.

18 CHAIRPERSON DROMM: there's the 30 to 60  
19 day window, and what I'm curious to know is exactly  
20 how many of those students are getting the services  
21 they need. Is the testing done within the 30 day to  
22 60 day frame work, and then are they actually getting  
23 the services.

24 CORINNE RELLO-ANSELM: So, as it exists  
25 right now, we are in transition into the SESIS data

2 system, and I don't want to the hear a groan from the  
3 office, the audience, but it is a very essential data  
4 system that has an online IEP system. There are many  
5 reports and data we try to pull from the system.

6 Currently, our way of tracking cases when they are  
7 opened and when they are completed is at a school  
8 based level through a summary that is sent to each  
9 school each week in terms of tracking the opening and  
10 closing of cases and the new referrals that come in  
11 and their completion dates. We ask our  
12 administrators of special education to work with the  
13 schools to track that and we periodically look at it  
14 through our supervisors of psychologists, our  
15 administrators of special education to see how far we  
16 are from meeting those deadlines. It is our hope, my  
17 sincere hope that this kind of data will be able to  
18 be pulled from SESIS as we build out the capability  
19 within the system.

20 CHAIRPERSON DROMM: Will there ever come a  
21 time where parents can access that information?

22 CORINNE RELLO-ANSELM: Helen [sic],  
23 where are you? Okay, that's one of our biggest  
24 questions. It--absolutely would it become the  
25 ultimate goal is that a parent could go in as I can

2 go in when I receive an escalation concerning a  
3 parent and a child not getting service. I can look at  
4 the IEP. I can call the school. I can talk to the  
5 parent as well as resolve it. Yes, that is our goal  
6 that parents would have that kind of access. Again,  
7 there are so many things within this very complicated  
8 system, and as we just look at the span and the  
9 numbers that we are dealing with, we are hoping to  
10 get to that point where access to parents is  
11 available. That is the ultimate goal.

12 CHAIRPERSON DROMM: So, while we're on  
13 this track, let me also ask, is there a way for  
14 parents to track that the actual services has been  
15 provided? Let me give you an example. We had a  
16 speech teacher who actually was accused of theft of  
17 service. She didn't show up. Teachers weren't aware  
18 whether she was supposed to be there or not.  
19 Eventually, in the school, we developed the system so  
20 that we know if she was there or she wasn't there,  
21 but often times, especially with the little ones,  
22 parents don't know if somebody's actually come to  
23 provide that service or to pick up that child or  
24 whatever. Is there a way currently now that parents

2 can know that information and be assured that those  
3 services have been provided?

4 CORINNE RELLO-ANSELM: This is Michael  
5 van Biema, he leads our work around Related Services.

6 CHAIRPERSON DROMM: Okay, let me just  
7 swear you in also. Just raise your right hand. Do  
8 you solemnly swear to tell the truth, the whole  
9 truth, and nothing but the truth, to answer Council  
10 Member questions honestly?

11 MICHAEL VAN BIEMA: I do. So, we do not  
12 currently have an electronic mechanism for parents to  
13 check that information. As Corinne indicated, that  
14 would be a goal of ours with the new system.  
15 However, within the schools that we manage directly,  
16 you know, District one through 32 and District 75,  
17 the practice is for providers to notify parents when  
18 they have started serving, and there's actually a  
19 process for that to occur, and for in the non-public  
20 schools, there is a form that is supposed to be  
21 signed by the parent or by the school indicating the  
22 service has been provided. And there actually is  
23 also a process on the payment side that's implemented  
24 with contracted providers where periodically our  
25 payments group follows up and sends an email actually



2 to a parent or in some cases, I think, to the school  
3 asking for confirmation. So there are a variety of  
4 ways that we would circle back to the parent either  
5 directly or indirectly.

6 CHAIRPERSON DROMM: So, just to follow up  
7 on this, I'm sorry I'm interjecting myself here with  
8 Council Member Deutsch's question, but it's of  
9 particular concern and interest to me. So, when do  
10 those parents sign on that form the services are  
11 being provided? It's once a year.

12 MICHAEL VAN BIEMA: Again, what I was  
13 referring to was for contracted services. You know,  
14 so if there was a DOE provider and a DOE school it  
15 wouldn't apply, but for a contracted service, if the  
16 service is provided in a setting where the parent is  
17 present. So for example, for pre-school services  
18 that might be in the home or, you know, there are  
19 various settings where there might be a service  
20 provided where the parent's present, then the process  
21 is on a piece of paper, you know, for there to be a  
22 signature.

23 CHAIRPERSON DROMM: So, what I'm kind of  
24 interested in--

2 CORINNE RELLO-ANSELM: [interposing]

3 Yeah, can I just--I think I know where you're going  
4 with this. In terms of our schools, our public  
5 schools, I think it's very clear that the message  
6 we've put out through this reform that everything  
7 that--everything that is surrounding the IEP and the  
8 compliance around the IEP is under the leadership of  
9 the principal. We have asked schools to implement  
10 SI-Teams, School Implementation Teams, to review  
11 IEP's, look at the services, make sure the children  
12 are getting them, and then to report to the Related  
13 Service Office or their administrator for special  
14 education that a child is not being served.  
15 Chancellor Farina has come out very strong on this.  
16 Recently, as you know, she's announced the new  
17 superintendents and she is holding each and every one  
18 of them accountable for the compliance and the  
19 service delivery of all mandates that are on a  
20 child's IEP in the world of special education as well  
21 in the world of English language learners, that we  
22 take this very seriously, and we are going to be  
23 holding our school leaders and administrators  
24 responsible for full compliance.

2 CHAIRPERSON DROMM: So one of the things  
3 that I've seen happen, and this is where I'm going  
4 with this, is that I have seen teachers who, like,  
5 they get pregnant and then there's no replacement.  
6 There is, you know, somebody fell and broke their leg  
7 and they're out for six weeks and then there's no  
8 replacement. There are, you know, other  
9 circumstances where principals may pull at special ed  
10 teacher, actually, to cover a class. Services are  
11 not provided. I think parents need to know when that  
12 happens, because if that happens too often, then the  
13 child is not getting the mandated services that  
14 they're legally entitled to.

15 CORINNE RELLO-ANSELM: You have no  
16 argument from us. We enforce this. We message this.  
17 We have speech supervisors that if a teacher is to go  
18 out on maternity leave, they are responsible for  
19 helping the principal identify someone else or we  
20 send additional supports for those students to get  
21 their services in the absence of the teacher. You're  
22 speaking, and I can relate totally to the experiences  
23 that you're speaking of because this is what has  
24 happened in the area of special education in our  
25 schools. We've lost that ownership, that

2 accountability, and we're looking to bring this back  
3 within this reform that is much as we want our kids  
4 included, we have to hold our school leaders, our  
5 teachers, our administrators responsible to make sure  
6 that those services are delivered, because if we are  
7 to get better outcomes for our students, Related  
8 Services is a very important part. Just as we see  
9 them where students get speech in kindergarten, and  
10 they have it on their high school IEP makes us wonder  
11 what's going on that--where is the benchmarking of  
12 progress? Where is the supervision of the teachers?  
13 So in the structure that we have developed, there are  
14 supervisors that we are asking those questions to and  
15 holding them accountable. Psychologists, supervisors  
16 of psychologists as well now report to us centrally.  
17 So we are looking at what is happening in school-  
18 based teams, what's happening at our CSE's to really  
19 ask people if they are engaging parents first and  
20 foremost in a process that they understand and that  
21 the IEP is true one of quality. And I'm going to say  
22 it here, we are working to find the best examples of  
23 a quality IEP, and it begins with the present level  
24 of performance and knowing the child well, which is a  
25 universal commitment to every teacher to know

2 children well before we determine whether or not an  
3 IEP is necessary. It's part of being a teacher,  
4 especially in New York City.

5 CHAIRPERSON DROMM: This is why  
6 ultimately I was very happy to see in your testimony  
7 that the number of service providers, particularly in  
8 the area, bilingual service providers has increased,  
9 because I saw kids go through the system without ever  
10 seeing those service providers.

11 CORINNE RELLO-ANSELM: Absolutely.

12 CHAIRPERSON DROMM: Thank you. Council  
13 Member Deutsch?

14 COUNCIL MEMBER DEUTSCH: Thank you very  
15 much. Again, I'm not a teacher. I'd like to ask  
16 you, Deputy Chancellor, for parents that are new to  
17 having children who are special needs, do you have  
18 any workshops available? Because I see there's a lot  
19 of parents that sometimes they don't want to come  
20 forward. They don't know what to do, and it could  
21 take sometimes from when they find out from their  
22 pediatrician that the child is special needs to when  
23 they actually go for services.

24 CORINNE RELLO-ANSELM: Yes, there are  
25 workshops offered through our CCSE's and through us

2 centrally, but you're hitting on a point that I found  
3 amazing these past two years working with the CCSE  
4 and hearing parents speak about the process and their  
5 understanding the process, and we have ramped up our  
6 support in terms of creating more opportunities for  
7 parents to be engaged around the special education  
8 process at the school level. We are working with our  
9 IEP teams, our CSE teams that exist in schools as  
10 well as in central locations to really understand the  
11 engagement process with parents and to make sure that  
12 parents fully understand the process, what is  
13 happening with the child, and that when we have, when  
14 we review the findings of an evaluation that we to  
15 the fullest extent explain opportunities for the  
16 child, the current level of performance of the child  
17 and what can be done to service the child  
18 successfully. Parent advocacy is something that I  
19 take very, very strongly, seriously because of the  
20 fact that as I hear what parents feel. I mean,  
21 today's testimony by the two parents, understood,  
22 completely understood, and these are things that we  
23 are trying to address, that parents understand very  
24 early on the needs of their child, the best ways we  
25 can service and the right questions to ask their

2 school about what can be done for their child. This  
3 is a commitment that the Chancellor has made and that  
4 we have made in terms of parent engagement and  
5 increasing it on every level.

6 COUNCIL MEMBER DEUTSCH: For parents of  
7 children in non-public schools, I wanted to see if we  
8 could maybe organize something in my district to have  
9 parents come down, just kind of a workshop.

10 CORINNE RELLO-ANSELM: We would be more  
11 than happy to support it.

12 COUNCIL MEMBER DEUTSCH: Yeah, right.  
13 Thank you very much. And one final question before  
14 I'll move onto my colleagues. I want to ask you  
15 about the Learning Partners Program. If you could  
16 describe to me a little bit about it.

17 CORINNE RELLO-ANSELM: Okay, yes. Okay,  
18 the Learning Partners Program is established by  
19 Chancellor Farina. In terms of creating schools  
20 that--identifying schools that really have best  
21 practices in one or many areas, and then partnering  
22 host schools with those schools so they can share  
23 their best practices and learn from their success.  
24 We, I visit many schools in search of Learning  
25 Partner schools with the lens of special education,

2 and those schools are part of the Learning Partners  
3 Program so they can share the best practices. As a  
4 Principal I was under the leadership of Chancellor  
5 Farina, a community partnership school that was then  
6 existed, and the strength of that was, was bringing  
7 schools together to really look at effective  
8 practices in all areas, but in my area of specialty,  
9 working with students with identified learning needs.  
10 I am particularly sensitive to the need for robust  
11 academic intervention and support for our students  
12 and ensuring that everything that we can do possibly  
13 for our students to prevent them from a feeling that  
14 there isn't opportunities at the end of their  
15 educational career, and having them experience  
16 success whether through an IEP process or through  
17 academic interventions within the context of their  
18 school.

19 COUNCIL MEMBER DEUTSCH: So does this  
20 include the special ed., and also D75 schools?

21 CORINNE RELLO-ANSEMI: Oh, yes,  
22 absolutely. Christina Foti who is coming on in the  
23 office, her school was identified as a learning  
24 partner school for best practices in District 75.



COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 81

2 COUNCIL MEMBER DEUTSCH: Great. Is it--I  
3 just want to get a list of the schools throughout the  
4 city--

5 CORINNE RELLO-ANSELM: [interposing]  
6 Sure.

7 COUNCIL MEMBER DEUTSCH: that are  
8 identified as--

9 CORINNE RELLO-ANSELM: There is a  
10 published list.

11 COUNCIL MEMBER DEUTSCH: Alright, great.  
12 Thank you so much.

13 CORINNE RELLO-ANSELM: Sure.

14 CHAIRPERSON DROMM: Okay, thank you.

15 Council Member Levine will now ask questions followed  
16 by Council Member Gentile, Levin, Treyger and Barron.

17 COUNCIL MEMBER LEVINE: Thank you Chairs  
18 Dromm and Deutsch. Great to see you. Thanks for  
19 your excellent presentation Deputy Chancellor. For a  
20 portion of the school aged special needs kids in New  
21 York City, DOE is unable to meet their special needs,  
22 either because these children need more intensive  
23 services or more specialized services. They are  
24 referred to private schools, correct, non-public  
25

2 schools? I believe the number is 30,000. You're  
3 shaking your head.

4 CORINNE RELLO-ANSELM: That is a more  
5 complex process, but we will--I can explain that for  
6 you, but there are children that are served in non-  
7 public schools for various reasons, not only because  
8 of the inability to successfully negotiate a  
9 placement within the DOE.

10 COUNCIL MEMBER LEVINE: What are those  
11 other reasons?

12 CORINNE RELLO-ANSELM: Okay, on this  
13 one, I'm going to ask--Josh, do you want to talk a  
14 little bit about the non-publics and the levels of  
15 non-public we have? Okay, this is Josh Morgenstern.  
16 He'll speak to you a little bit about the various--

17 COUNCIL MEMBER LEVINE: Okay.

18 JOSH MORGENSTERN: Hi.

19 CHAIRPERSON DROMM: I also have to swear  
20 you in. Raise your right hand. Do you solemnly swear  
21 or affirm to tell the truth, the whole truth, and  
22 nothing but truth, and to answer Council Member  
23 questions honestly?

24 JOSH MORGENSTERN: I do.

25 CHAIRPERSON DROMM: Thank you.

2 JOSH MORGENSTERN: Councilman, this  
3 might--it depends where your question is going with  
4 this, but there are different students with  
5 disabilities in New York who are served in private  
6 schools of different types for a few different  
7 reasons. So, what you seem to be referring to I  
8 think is students who have been referred by the  
9 Department to a state approved private school--

10 COUNCIL MEMBER LEVINE: Right.

11 JOSH MORGENSTERN: which can happen if a  
12 student has needs that can't be met through one of  
13 our community schools or specialized schools.  
14 Certain private schools have programs designed to  
15 meet certain needs that we can't meet in our schools.

16 COUNCIL MEMBER LEVINE: And then there  
17 are the--

18 CORINNE RELLO-ANSELM: [interposing]  
19 Complicated cases, and they require the high level of  
20 support and specialization, and even though the  
21 students are sent to these schools, it is always that  
22 our hope to return them over time.

23 COUNCIL MEMBER LEVINE: Then there are  
24 the Carter and Connor [sp?] cases as well, right?

2 JOSH MORGENSTERN: Right, so there are  
3 also students who when parents have chosen to place  
4 their child in a private school because they feel  
5 that the Department services could not meet their  
6 child's needs. They then bring a proceeding to have  
7 that funded by the Department.

8 COUNCIL MEMBER LEVINE: Right, and then  
9 there are children in sectarian schools as well,  
10 correct?

11 JOSH MORGENSTERN: Right, excuse me.  
12 You're doing better than I am. So, there are--we  
13 call those parentally placed students. Families have  
14 elected to choose a private or religious school, but  
15 they're still eligible to receive special education  
16 supports and services from the Department, but they  
17 don't receive their instructional program from the  
18 Department.

19 COUNCIL MEMBER LEVINE: So, for a  
20 significant number of these cases, 30,000 in total if  
21 the Chairman's number is correct, the process of  
22 getting approval for a non-public setting is  
23 extremely challenging. Often requires hiring of a  
24 lawyer or other special advisor, often requires  
25 litigation. I've heard it described as Kafkaesque,

2 and our current Mayor has identified this as a  
3 challenge, which he wishes to address, and he has  
4 said he wants to break with what was the previous  
5 Administration's practice of working hard to limit  
6 the number of cases which are approved for non-public  
7 education. Can you update us on the status of this  
8 change in policy and what its implications are going  
9 to be?

10 JOSH MORGENSTERN: So, our counsel will  
11 speak to that in a moment. I just want to say that  
12 the number of families who pursue this is--30,000 is  
13 not a number I'm familiar with. There's about 5,000  
14 cases in the past few years of parents seeking  
15 private school tuition, and Judy can speak about the  
16 process for that.

17 CHAIRPERSON DROMM: I have to swear you  
18 in also. Raise your right hand. Do you solemnly  
19 swear to tell the truth, the whole truth, and nothing  
20 but the truth and to answer Council Member questions  
21 honestly?

22 JUDY NATHAN: Yes.

23 CHAIRPERSON DROMM: Thank you.

24 JUDY NATHAN: My name is Judy Nathan.

25 The goal of the new settlement process is to try to

2 streamline and expedite settlements for parents who  
3 are what we call unilaterally placing their children  
4 in private schools. So some of the changes that have  
5 been going on so far is decisions of whether or not  
6 these cases should be settled are being made earlier  
7 and more quickly so that if the cases are going to be  
8 settled, parents don't have to spend so much time in  
9 preparing to go to hearing or to go to hearing. We're  
10 trying to reduce the paperwork that parents have to  
11 submit, although there still is paperwork that needs  
12 to be submitted if a case is being settled, and then  
13 once paperwork is submitted and appropriate paperwork  
14 to be able to pay those cases more quickly.

15 COUNCIL MEMBER LEVINE: Okay. Those are  
16 all welcome changes. I know I'm way over time, but  
17 I'll just close with a comment that a system that  
18 requires parents to hire attorneys or otherwise  
19 secure outside assistance is going to be inherently  
20 unfair, because middle class and upper income parents  
21 have those resources, and the vast majority of  
22 students are going to be left to fend for themselves.  
23 So we welcome this movement. I'd like to hear more  
24 about it in the future, but I encourage you to  
25 continue down this path. Thank you.

2 CORINNE RELLO-ANSELM: Please keep in  
3 mind--to service all our children in our own schools,  
4 and we are looking at specialized programs and  
5 supports for those students that seek other  
6 placements.

7 CHAIRPERSON DROMM: Okay. Thank you,  
8 Council Member Levine, and now Council Member  
9 Gentile. Not here. Okay, Council Member Levin.

10 COUNCIL MEMBER LEVIN: Thank you very  
11 much, Mr. Chairman. Thank you, Deputy Chancellor.  
12 So I have four questions and five minutes, so I'm  
13 going to try to get through these pretty quickly  
14 here. First question, SESIS. We hear from parents  
15 that would like to have access to SESIS and to have  
16 access to their children's records. Is that  
17 possible? Is that doable? Are we working towards  
18 that?

19 CORINNE RELLO-ANSELM: As I said when  
20 Councilman Dromm--

21 COUNCIL MEMBER LEVIN: [interposing] Sir,  
22 if you could say that last part on the record, the  
23 first--

24 CORINNE RELLO-ANSELM: We most certainly  
25 want that to happen.

2 COUNCIL MEMBER LEVIN: Thank you.

3 CORINNE RELLO-ANSELM: Okay? The SESIS  
4 system as it stands right now is so complex. There  
5 are so many asks in terms of really looking at an IEP  
6 and making sure everything is accurately represented  
7 and integrated into the IEP so the parent actually  
8 can see a full picture, as well as the school. We  
9 have dev--we are developing it in house, and we are  
10 reviewing it constantly, looking at the successes and  
11 the glitches. We are working in collaboration more  
12 than ever before with the UFT, with other, to look at  
13 our data systems and help us to see what the end user  
14 look, feel, looks like.

15 COUNCIL MEMBER LEVIN: Right.

16 CORINNE RELLO-ANSELM: When they  
17 actually open it up and use it, and getting those  
18 systems to be much more streamlined and easier for  
19 the end user.

20 COUNCIL MEMBER LEVIN: Right. Yeah, and  
21 I mean, just the way that a parent can go and see it,  
22 not go in and tweak it, but go in and have--

23 CORINNE RELLO-ANSELM: [interposing] Yes.

24 COUNCIL MEMBER LEVIN: a, you know, just  
25 as a essentially like a third party, not going in--



2 CORINNE RELLO-ANSELM: [interposing] As  
3 you know that there's also the complication of FAPE  
4 [sic] and no so much in terms of making sure--not so  
5 much FAPE, but--thank you, FERPA. I had it mixed up.

6 COUNCIL MEMBER LEVIN: Right.

7 CORINNE RELLO-ANSELM: My FERPA laws, we  
8 have to be very careful that when a parent signs on  
9 that they only have access to their own child's--

10 COUNCIL MEMBER LEVIN: Of course. Okay,  
11 a couple of other questions. Do you--I noticed in  
12 your testimony that you said first page, 66 percent  
13 of children that have IEP's are male. Do we know why  
14 that is?

15 CORINNE RELLO-ANSELM: Do you really  
16 want--no. It just historically has been the case.

17 COUNCIL MEMBER LEVIN: Yeah.

18 CORINNE RELLO-ANSELM: There are a  
19 number of reasons for it, but that would be quite a  
20 lengthy conversation to really understand why it  
21 exists predominantly more in males than in females.

22 COUNCIL MEMBER LEVIN: Right, I mean, so-

23 -

24 CORINNE RELLO-ANSELM: [interposing] It  
25 could be our--

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 90

2 COUNCIL MEMBER LEVIN: obviously,  
3 significantly more.

4 CORINNE RELLO-ANSELM: Yes.

5 COUNCIL MEMBER LEVIN: Twice as many, so  
6 two to one.

7 CORINNE RELLO-ANSELM: Yes, it's not  
8 only within New York City.

9 COUNCIL MEMBER LEVIN: Okay. Just wanted  
10 to bring that up. With children with autism in D75  
11 settings, so that number has increased significantly  
12 over the last five years, and it looks like it  
13 increases almost at--it's been increasing at a steady  
14 pace since 08-09, and that's alarming. I know you  
15 mentioned programs like ASD Nest and other programs  
16 that are available in District One through 32  
17 schools, and but what I've noticed is when you look  
18 at the number of children with IEP's in--is that  
19 going up at the st--it doesn't look like it's going  
20 up at the same rate in the Districts One through 32  
21 schools, right? So, if we've seen this 50 percent  
22 increase, essentially, over the last five years--

23 CORINNE RELLO-ANSELM: [interposing]  
24 Around autism?

2 COUNCIL MEMBER LEVIN: Yeah, in D75. We  
3 haven't seen a 50 percent increase in D1 through 32  
4 for children with autism diagnosis.

5 CORINNE RELLO-ANSELM: I think I can  
6 handle this, Jan, but tell me if I'm wrong, but I  
7 will answer simply by saying that historically what  
8 we've done is students identified on the spectrum  
9 have been placed in District 75 and very restrictive  
10 environments for their support. We're looking to  
11 shift that back into community schools and develop  
12 appropriate programs so it isn't such a heavy  
13 concentration within District 75.

14 COUNCIL MEMBER LEVIN: Right.

15 CORINNE RELLO-ANSELM: And that we have  
16 the support services and the training of personnel  
17 and teachers to fully integrate those students back  
18 into community schools, but that av--the percentage  
19 of students that have been identified on the spectrum  
20 nationally--

21 COUNCIL MEMBER LEVIN: [interposing] Has  
22 gone--

23 CORINNE RELLO-ANSELM: [interposing] is  
24 off the charts.

2 COUNCIL MEMBER LEVIN: Absolutely, but  
3 yeah, I guess my concern was just that--and I don't  
4 know because it's such a greater number on the chart  
5 here, so the increase would look like a smaller  
6 increment even if it's the same increase, but it  
7 looks like it's essentially increased by 50 percent  
8 in for D 75 where that same level of increase hasn't  
9 happened--

10 CORINNE RELLO-ANSELM: [interposing]  
11 Because--

12 COUNCIL MEMBER LEVIN: in the other  
13 districts.

14 CORINNE RELLO-ANSELM: we're serving more  
15 of our kids in District 75 that are on the spectrum  
16 than we are in community schools, and that's the  
17 shift we're trying to bring back.

18 COUNCIL MEMBER LEVIN: Right. And so  
19 that's going to be a consorted effort.

20 CORINNE RELLO-ANSELM: Yes.

21 COUNCIL MEMBER LEVIN: So in future  
22 years, so if we come back two years from now, we  
23 should be seeing that rate of increase level off a  
24 little bit in D75 and maybe go up a little bit in  
25 Districts One through 32.

2 CORINNE RELLO-ANSELM: Because we want  
3 to serve them back in their communities.

4 COUNCIL MEMBER LEVIN: Of course, yes.

5 JAN MCDONALD: That's correct. In fact,  
6 actually those bars are so small because of the  
7 autism being so large on the other one.

8 COUNCIL MEMBER LEVIN: Right.

9 JAN MCDONALD: But if you look at the  
10 District One through 32 graph, if you were to expand  
11 that, there actually is significant growth within  
12 District One through 32 as well.

13 COUNCIL MEMBER LEVIN: Right.

14 JAN MCDONALD: We have another graph that  
15 I can send you that actually splits it out and shows  
16 actually that there's greater growth currently within  
17 the community schools.

18 COUNCIL MEMBER LEVIN: There is?

19 JAN MCDONALD: Yes.

20 COUNCIL MEMBER LEVIN: Okay, so then if  
21 it's more than 500 kids a year, okay. And then I  
22 wanted to ask about special ed--

23 CHAIRPERSON DROMM: [interposing] Quickly,  
24 quickly.

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 94

2 COUNCIL MEMBER LEVIN: pre-k, but I will  
3 have to ask at another time, but that's an area that  
4 we've--I've focused on for the last five years and  
5 major cost overrun, so I would love to maybe talk  
6 offline about that issue and what this  
7 Administration's doing on special ed pre-k, you know,  
8 structurally. Thank you.

9 CHAIRPERSON DROMM: Thank you. Council  
10 Member Treyger followed by Council Member Barron.

11 COUNCIL MEMBER TREYGER: Thank you,  
12 Chair. And I guess we'll have teachers once again  
13 ask some questions here on this committee.

14 CORINNE RELLO-ANSELM: Oh, okay.

15 COUNCIL MEMBER TREYGER: I, myself, as a  
16 former educator. Do schools get additional resources  
17 for over-the-counter students who enter after  
18 October, which is the register month? So, if--I know  
19 when I was teaching, October was a big deal because  
20 those were numbers reported to the DOE about how many  
21 kids are in the school, but if a kid comes after  
22 October and has an IEP and has certain needs, are  
23 additional resources given to that school after the  
24 register month?

2 CORINNE RELLO-ANSELM: Okay. So, now  
3 I'll respond as principal to a teacher.

4 COUNCIL MEMBER TREYGER: Okay.

5 CORINNE RELLO-ANSELM: Okay? The date  
6 for projections and enrollment for special education  
7 is December 31<sup>st</sup>. We've moved that date, because--

8 COUNCIL MEMBER TREYGER: [interposing]  
9 When did that happen?

10 CORINNE RELLO-ANSELM: Excuse me?

11 COUNCIL MEMBER TREYGER: Was this always  
12 the case, or when did this happen?

13 CORINNE RELLO-ANSELM: No, it was--I--  
14 oh, gee. I would have to say it's been a good ten  
15 years that we've moved for special education that--we  
16 moved it to December 31<sup>st</sup> because it's easier to  
17 capture all the services--

18 COUNCIL MEMBER TREYGER: Okay.

19 CORINNE RELLO-ANSELM: for the child,  
20 and to make sure that the funding is in place. What  
21 does take place for general education and special  
22 education is the mid-year adjustments. So there is an  
23 opportunity for the school to report a growth in a  
24 certain area and request the mid-year adjustment of  
25 funds accordingly.

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 96

2 COUNCIL MEMBER TREYGER: So, schools are  
3 given resources after that December month?

4 CORINNE RELLO-ANSELM: Yes, yes, because  
5 the mid-year adjustment occurs sometime around  
6 January, and if a school does not have sufficient  
7 funds, we have a protocol in place for them to ask  
8 for additional supports for students they may have  
9 that significantly increase their population and they  
10 may need additional support services.

11 COUNCIL MEMBER TREYGER: Well, the thing  
12 is the schools might have funds, but those funds were  
13 set aside for student preparation, test preparation,  
14 other things.

15 CORINNE RELLO-ANSELM: No, no,  
16 additional funds I'm talking about. We would supply  
17 additional funds for that.

18 COUNCIL MEMBER TREYGER: Okay. With--I'd  
19 like to follow up with you afterwards about that  
20 because there's still a discrepancy I'm hearing from  
21 educators on the ground, yes.

22 CORINNE RELLO-ANSELM: Yeah.

23 COUNCIL MEMBER TREYGER: With a lack of  
24 guidance services in schools, which soon the DOE will  
25 be reporting, how can you ensure the social and



2 emotional learning needs of kids are being met? We  
3 have data coordinators tracking testing, but do we  
4 have the same level of monitoring to ensure mandated  
5 needs are being met?

6 CORINNE RELLO-ANSELM: Okay. I'm going  
7 to answer that with two hats on this one. Carmen  
8 Farina has recently announced the reinstating of and  
9 reemployment of guidance counselors at the school  
10 level and has established a guidance office under the  
11 office of school and youth development that looks at  
12 mandates of schools and children needing to be  
13 served. So that is one of the new tracking systems  
14 and support services that have been put in place, and  
15 we work with that office to identify students with  
16 guidance mandates on their IEP so that they can  
17 better provide the service at the school level and  
18 make sure that there is a guidance counselor on staff  
19 to service the children. This is a big part of the  
20 guidance initiative that the Chancellor has  
21 announced. Michael, has already, as part of the  
22 Related Service work that we do, we do track guidance  
23 counselors and mandates and we work with the Office  
24 of School and Youth Development to ensure those  
25 services are received at the school level.

2 COUNCIL MEMBER TREYGER: Right, I would  
3 just add that because there's a lack of them, I don't  
4 think that there's--

5 CORINNE RELLO-ANSELM: [interposing]  
6 They're hiring.

7 COUNCIL MEMBER TREYGER: an adequate  
8 monitoring of making sure that these needs are being  
9 met. There's a report in New York Chalk Beat that  
10 IEP students from Coney Island are not getting the  
11 full set of services they deserve, two and a half  
12 times higher than the city average. How is the DOE  
13 addressing this very disturbing statistic?

14 CORINNE RELLO-ANSELM: Okay. Michael,  
15 do you want to address that?

16 MICHAEL VAN BIEMA: So, what I would say  
17 is that what we're doing for those districts is  
18 something that we've been doing across the board,  
19 which is we're seeking to hire at much higher rates  
20 in order to ensure that we have adequate levels of  
21 service providers in the schools. So for example, I  
22 can tell you across the board for the DOE that over  
23 the last three years we've hired about 700 new  
24 therapists, and in the last year or so we've hired  
25 about 400 alone in one year. And in the districts,

2 I'm not--which I apologize, which districts we're  
3 talking about.

4 COUNCIL MEMBER TREYGER: Well, this is  
5 District 21.

6 MICHAEL VAN BIEMA: Right, so in--I have  
7 looked at Districts 20 and 21 together. We had about  
8 12 new speech providers hired and about six new  
9 occupational therapists hired.

10 COUNCIL MEMBER TREYGER: But do you have--  
11 --because District 20 is a pretty large district, and  
12 that's a neighbor to the north, Bensonhurst, Bay  
13 Ridge, but do you have anything for Coney Island?

14 MICHAEL VAN BIEMA: I don't have it  
15 broken down by zip code. I would note that at that  
16 level of granularity, if there's one school, you  
17 know, that is not covered it could have a significant  
18 impact, which is not to say we care any less about  
19 it. You know, we care about every child and every  
20 service, but the short answer is that when we've been  
21 doing, I think, a more careful intensive job of  
22 looking to see not only where the mandates were that  
23 were not served previously, but also to project what  
24 the need is going to look like in the coming year,  
25 and as a result of that, we've really ramped up our

2 hiring, and I'm confident that, you know, you know,  
3 you'll see continued improvement not just in those  
4 districts, but across the board.

5 COUNCIL MEMBER TREYGER: Because I don't  
6 think I have to tell you what we've gone through with  
7 the storm and other issues even that predate the  
8 storm, but this is a very, very serious need that has  
9 to be met. I mean, these are not--It's very important  
10 for the public to know that what's--IEP's are not  
11 simply recommendations. These are mandates. These  
12 are federal, state mandates, and they must be met  
13 because we have an obligation to educate our children  
14 equally, to give them the best education possible,  
15 and I'll close by asking one final question, Chair,  
16 and thank you for your generosity of time. A lot has  
17 been mentioned about PD and staff development. I  
18 guess I'll join in the Chair in mentioning that I  
19 didn't always attend, I think, the greatest most  
20 effective PD offerings, but what efforts are under  
21 way to partner with educational colleges to help  
22 equip all teachers with skills once they're out of  
23 the college to teach them to deal with children with  
24 special needs or with bilingual needs? Because I,  
25 you know, many of my colleagues when I was teaching

2 said that--you know, I was a gen. ed. teacher. I  
3 taught history, and I had an inclusion class, which  
4 is another issue because they never really gave us  
5 the proper guidelines or recommendations on how to  
6 effectively have that. Our school would run  
7 workshops inside, but I need to hear something from  
8 the DOE directly from the top, and but many teachers  
9 would say that our preparatory schools did not really  
10 help prepare us to meet the needs. And what's being  
11 done to address that at the college level? So, we  
12 don't just bandage it with workshops afterwards.

13 CORINNE RELLO-ANSELM: So, rightfully so.  
14 One of the things that we are partnered--

15 CHAIRPERSON DROMM: [interposing] Deputy  
16 Chancellor, if you could just speak into the mic.

17 CORINNE RELLO-ANSELM: Oh, I'm sorry.

18 CHAIRPERSON DROMM: That's okay.

19 CORINNE RELLO-ANSELM: [off mic] Your  
20 point is well taken. When I went through my  
21 certification process, I had come out with a specific  
22 curriculum, expertise in training that afforded me  
23 work both in general education and special education.  
24 Chancellor Farina has been reaching out to colleges  
25 and universities as well as we have to talk about the

2 need for more specialized training and instruction  
3 for all teachers. We have partnerships currently  
4 with Columbia University, NYU, Hunter and several  
5 others that we are in negotiation with to really  
6 speak about teacher training programs that equip all  
7 teachers to work with all students. Right now,  
8 principals are especially interested in hiring  
9 teachers that have dual certification that have both  
10 the special education training and the content  
11 knowledge to work with all students. It's long been  
12 my belief that a teacher that has had specific  
13 training in working with students with any type of  
14 learning problem or need that special education  
15 trained teachers are very effective in working with  
16 those students and general education teachers, and I  
17 don't like using the general education/special  
18 education--

19 COUNCIL MEMBER TREYGER: [interposing]

20 Right.

21 CORINNE RELLO-ANSELM: piece, it's about  
22 a teacher knowing--

23 COUNCIL MEMBER TREYGER: [interposing]

24 Correct.

2 CORINNE RELLO-ANSELM: how to teach all  
3 children, and we're looking for those types of  
4 programs and supports so that every teacher feels  
5 skilled and equipped to work with all students they  
6 meet in their class, especially in New York City.

7 COUNCIL MEMBER TREYGER: And I'll say  
8 that after teaching that inclusion class, I believe I  
9 became a more effective educator because it really  
10 forced me to adapt and to adjust to all learning  
11 styles, but I will say that I, you know, my school  
12 tried to support me as much as they can, but as far  
13 as from the above the DOE, not the current DOE, I  
14 don't feel that I got the adequate support that I  
15 needed.

16 CORINNE RELLO-ANSELM: Yeah, agreed.

17 CHAIRPERSON DROMM: Thank you. Council  
18 Member Barron?

19 COUNCIL MEMBER BARRON: I want to thank  
20 the Chairs for having this very important hearing. I  
21 want to thank the panel for coming and presenting  
22 your information to us today, and I have to join with  
23 my colleagues Dromm and Treyger to say that I too  
24 spend years with the Board of Education, 36 years  
25 with the Board of Education, 18 in the classroom, and

1 18 various other supervisory positions. The  
2 testimony from one of the persons on the first panel  
3 indicates that, I hope I pronounce the name right,  
4 Angenis [sp?], Angenis was in 5<sup>th</sup> grade--Anheldis?  
5 [sic] Anhenis [sp?], okay, was in the 5<sup>th</sup> grade. His  
6 teacher suggested that he get private evaluation.  
7 The evaluation found that Ahenis had dyslexia. On  
8 Ahenis's first day in middle school, I gave the City  
9 College evaluation to the principal. I asked the  
10 school for help several times, but the school told me  
11 that they had never taught a child like Anhenis and  
12 did not know how to help him. So if this parent were  
13 to take her child to any neighborhood school today,  
14 what would be the protocols and what would be the  
15 timeline?  
16

17 CORINNE RELLO-ANSELM: For getting the  
18 child assistance?

19 COUNCIL MEMBER BARRON: For a child who  
20 came to the school with an evaluation from City  
21 College.

22 CORINNE RELLO-ANSELM: Okay.

23 COUNCIL MEMBER BARRON: Saying that the  
24 child had dyslexia.



2 CORINNE RELLO-ANSELM: Sure. We would  
3 take that IEP, that, well, that evaluation and bring  
4 it to the school team, and then from there work with  
5 the parent to identify programs and/or support  
6 services for that child to meet the child's need.  
7 The child would--one of the things that we are  
8 encouraging our schools and we are insisting that our  
9 school do is when a child is sent to a school that  
10 has an evaluation or a pre-existing IEP, that they  
11 team meet with that parent with that student, with  
12 the school leaders to determine the best source of  
13 support for that individual student, whether it be  
14 within that school or not. So there are children  
15 that--and this is our commitment right now is to  
16 develop very specialized programs for students,  
17 especially with dyslexia, but also to build capacity  
18 at the schools through the training of teachers of  
19 reading and teachers in general on how to work with  
20 students that have dyslexia. This is something that  
21 is really a growing need and we have acknowledged  
22 that, and we need to get back to that type of  
23 specialized training and support of our teacher in  
24 our community schools, and this is something that the  
25 Chancellor is committed to and we hope to be able to

2 announce a very robust professional development for  
3 it.

4 COUNCIL MEMBER BARRON: So, would that  
5 child remain in that school, or--

6 CORINNE RELLO-ANSELM: [interposing]  
7 Not if the services were not available. If we--

8 COUNCIL MEMBER BARRON: [interposing] So,  
9 how will we know which schools have the services and  
10 which schools don't, because the child's supposed to  
11 be put in the neighborhood school? So, how would we  
12 know?

13 CORINNE RELLO-ANSELM: Okay, let--what I  
14 want to be clear on is that although the reform  
15 speaks about least restrictive environment and  
16 access, whether a child has--if a child has any  
17 specific learning disability that the school is  
18 unable to address successfully through multiple  
19 service models and programs, that child will be moved  
20 to a school that we can accurately say has the  
21 program within close proximity to their school and we  
22 will service the child. But we want to engage the  
23 child, the family at the school level to ensure that  
24 maybe additional resources are needed at the school.  
25 Maybe additional personnel is needed at the school,

2 especially as we learn about the communities those  
3 schools service. What we have found in this reform  
4 is that as we--each year we have integrated the  
5 reform by the articulating rate. We are getting a  
6 service delivery model.

7 COUNCIL MEMBER BARRON: Okay, my time has  
8 clicked and I see the Chairman look at me. I just  
9 want to jump to another question then. So, what are  
10 we doing to prepare classroom teachers to be able to  
11 address the needs of a child who has dyslexia so that  
12 those students don't all again get sent to one  
13 particular school? What's being done to train  
14 teachers in that regard, so that they would have the  
15 appropriate background and techniques to serve the  
16 needs of these children?

17 CORINNE RELLO-ANSELM: We are wrapping  
18 up our professional development on Orton-Gillingham  
19 methodologies as well as we have, as I announced in  
20 the testimony, we are working with a local university  
21 to help increase our professional development  
22 opportunities for teachers to become skilled in the  
23 area of working with students with disabilities, with  
24 dyslexia, I'm sorry. And one of the things that I  
25 think is essential here is that when we know our

2 school community well, we know the needs of those  
3 communities, we are asking that our supervisors of  
4 psychologists, our principals and our leaders work  
5 with the school to develop those programs in that  
6 community. As I began to say before, we're starting  
7 to look at what are the trends in the school  
8 communities, what it needs for--

9 COUNCIL MEMBER BARRON: [interposing] And  
10 one last part. How long would that process take to  
11 find out--

12 CORINNE RELLO-ANSELM: [interposing]  
13 It's ongoing--

14 COUNCIL MEMBER BARRON: where this child--  
15 no, from the initial parent coming with the--

16 CORINNE RELLO-ANSELM: [interposing] We  
17 keep to the 30, 60 day compliance.

18 COUNCIL MEMBER BARRON: Thank you.

19 CHAIRPERSON DROMM: Okay. Thank you.

20 Thank you, Council Member Barron. Just a couple more  
21 questions and then we're going to let you go because  
22 you've been very good with your time. And so just a  
23 curiosity that I have, summer programs. One thing  
24 that was very frustrating for me as a teacher as well  
25 is when I would teach summer school and the IEP would

2 not follow the student who are not 12 month IEP's.  
3 How are you dealing with that? How are you ensuring  
4 that those students get the services that they need?  
5 Often times I would find that if the students who  
6 were at risk of having to repeat the school year, or  
7 students that actually had IEP's and not having  
8 access to them as the summer school teacher was very  
9 frustrating.

10 CORINNE RELLO-ANSELM: That's all  
11 available now in SESIS. So if a child has a 12 month  
12 IEP, the programs are--we pull the data from SESIS,  
13 and we build the programs for the students that have,  
14 need 12 month services.

15 CHAIRPERSON DROMM: And that can be  
16 accessed by the summer school teacher?

17 CORINNE RELLO-ANSELM: Yes, of course.

18 CHAIRPERSON DROMM: And another issue  
19 that I'm working on, I actually hope that you'll join  
20 me on is that the District 75 citywide council has  
21 requested iPads for District 75 students. With the  
22 Smart Schools Bond Act, it's included that they say  
23 that, you know, districts could purchase them.  
24 Unfortunately, in the city of New York, the  
25 Comptroller has not allowed that to happen in the

2 past. I'm wondering if you would work with me on  
3 that so that we can get those students who have-- you  
4 know, the use of iPads has been proven successful  
5 with many of these students, and it's something that  
6 I certainly would like to see have happen here in the  
7 city.

8 CORINNE RELLO-ANSELM: We would love to  
9 work with you. We are developing our instructional  
10 and assistive technology team, and that would be  
11 something we would love to partner with you on.

12 CHAIRPERSON DROMM: Great. So, we're  
13 going to be talking soon, I hope with the Comptroller  
14 on that issue, and see what we can do.

15 CORINNE RELLO-ANSELM: Sure. I'll come  
16 with you and testify.

17 CHAIRPERSON DROMM: Very good. Okay.  
18 Council Member Deutsch wanted to just close it up.

19 COUNCIL MEMBER DEUTSCH: Thank you very  
20 much, Chair. Like I mentioned before, I have in my  
21 office, in my district office every three to four  
22 weeks I have a support group of parents of special  
23 needs, and I feel it's very important. There's a lot  
24 of issues that we need to deal with, and first of  
25 all, I'd like to commend you and your office for

2 working very closely with me and my constituents and  
3 all the parents of special needs. And my wife just  
4 sent me a text and she said you are very  
5 knowledgeable, okay? And you are. So I want to  
6 thank you, and I look forward to working with you for  
7 years to come on all issues. Thank you so much.

8 CORINNE RELLO-ANSEMI: Thank you. It's a  
9 pleasure.

10 CHAIRPERSON DROMM: Thank you, Deputy  
11 Chancellor and all of the members of your team, and  
12 now we're going to move to our next panel. Our next  
13 person up will be Robert Randall [sp?], who I believe  
14 is a parent. Mr. Randall, would you raise your right  
15 hand please, and I want to swear you in? Do you  
16 swear or affirm to tell the truth, the whole truth,  
17 and nothing but the truth and to answer Council  
18 Member questions honestly?

19 ROBERT RANDALL: Yes, I do.

20 CHAIRPERSON DROMM: Okay, and you may  
21 begin.

22 ROBERT RANDALL: Can you hear me? Do I  
23 put the red--

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 112

2 CHAIRPERSON DROMM: Yes, I can hear you  
3 well. And you have written testimony? You gave it  
4 to the sergeant?

5 ROBERT RANDALL: Yes, I gave it.

6 CHAIRPERSON DROMM: Okay, thank you.

7 ROBERT RANDALL: Before I start, I want  
8 to thank Council Members Dromm and Deutsch and the  
9 Committee on Education and Subcommittee on Non-public  
10 Schools for hearing my testimony. My name is Robert  
11 Randall, the proud father of Dylan, who died last  
12 December. He had a severe neuromuscular condition  
13 and was not able to stand, walk, talk or swallow. He  
14 couldn't breathe without the help of a ventilator  
15 attached to his tracheostomy. Dylan was so medically  
16 fragile he had to be transported to school by  
17 ambulance on a stretcher with two EMT's and a nurse.  
18 In September 2012, Dylan transferred from preschool  
19 where he thrived to PS 141 for his kindergarten year.  
20 The principal promised that Dylan would get his  
21 mandated physical, occupational, and speech  
22 therapies, but for the first few months there wasn't  
23 even an adaptive toilet seat. Over the following  
24 months, the therapies critical for maintaining his  
25 muscle strength were never given consistently. So,



2 his body and general health declined. By June 2013,  
3 my son's regression was so noticeable he only wanted  
4 to spend time in bed, and so we requested that Dylan  
5 be transferred to UCP, a mostly state-funded school  
6 where they had the resources to cater to his mandated  
7 needs. After observing Dylan, the school  
8 psychologist conferring with his teacher recommended  
9 his immediate transfer. However, the principal who  
10 was also the DOE representative stated that because  
11 of her position, she would refuse to recommend that  
12 her school was not appropriate for Dylan.

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

2 as long as it could, calling numerous witnesses, two  
3 who had only met Dylan once or twice, and one who had  
4 never met him at all. Off the record, I pleaded with  
5 the DOE representative, telling him that if he  
6 dragged out the hearing much longer my son might die.  
7 But his response was that he was only doing his job.  
8 He must have hoped I would drop the case because of  
9 mounting legal fees, which eventually reached 33,000  
10 dollars, and which ironically ended up being paid for  
11 by the DOE. On November the 18<sup>th</sup>, more than 5 months  
12 after our initial transfer request, the hearing  
13 officer released her finding of facts and completely  
14 sided with us. She found that the DOE was incapable  
15 of taking care of a child as severely medically  
16 fragile as my son. Dylan was awarded over 14 weeks  
17 of missed therapies. Those missed therapies were why  
18 my son regressed. The hearing officer recommended a  
19 quick transfer to UCP, but unfortunately, by the time  
20 he received his admittance letter, it was too late.  
21 On December the 8<sup>th</sup>, just three weeks after his sixth  
22 birthday, he had regressed to the point where he did  
23 not have any more strength to fight and went into  
24 cardiac arrest and died. By using the impartial  
25 hearing as a tool for delay and obstruction of truth,

2 the DOE has shown that it is morally and ethically  
3 bankrupt. It budgets on the backs of New York City's  
4 most vulnerable and innocent children by willfully  
5 denying their civil right of FAPE. By doing so,  
6 their actions can only be described as child  
7 endangerment, and therefore, in my dear Dylan's case,  
8 manslaughter. I thank you for hearing my testimony,  
9 and I sincerely hope you can help me bring meaning to  
10 my son's death by working with me to bring change. I  
11 welcome your questions.

12 CHAIRPERSON DROMM: Thank you, Mr.  
13 Randall. It's--I don't really know what to say. I  
14 was just saying to my counsel, "How do you respond to  
15 something as horrible as this?" My heart, my  
16 sympathies go out to you. I read of this last  
17 summer, and actually, it was one of the motivations  
18 for me to want to have this hearing moving forward,  
19 and that's why today in many ways, it's your case and  
20 other cases that I'm aware of that we decided to have  
21 this special education hearing to prevent these types  
22 of things from ever happening again in the future.  
23 So, I don't know how to express myself any other way  
24 than to say to you I express my condolences to you  
25 and maybe that some hope that out of this hearing

2 will come some of the changes that are necessary to  
3 prevent this from happening in the future.

4 ROBERT RANDALL: Well, I hope so too, but  
5 I just want to say something. I have approached the  
6 Executive Branch on numerous occasions for a  
7 response. The New York Times approached the  
8 Executive Branch for a response. The only response  
9 was, "People should trust us." There isn't--how can  
10 anyone trust them when they will not respond? They  
11 will not respond. They are practicing plausible  
12 deniability. And furthermore, in the Mayor's  
13 recommendations, the very second word of his  
14 recommendations was "when appropriate." The DOE has  
15 been playing with that word "appropriate" for many  
16 years, and they will carry on doing it. They are not  
17 the body to decide when it is appropriate. It is  
18 clinicians who have to decide, and what they have  
19 done, what Mayor de Blasio has done, even though I  
20 voted for him, what he has actually done is added  
21 another few weeks onto the procedure. The procedure  
22 is you go to your school psychologist. The school  
23 psychologist suggests. It then goes to an IEP.  
24 After the IEP, it then goes to a resolution meeting.  
25 What the Mayor has done is now stuck another two

2 weeks in and saying "when appropriate." Well, if the  
3 people that are deciding when it is appropriate are  
4 the very same people that deny, it is a farce, and it  
5 is a farce you are playing Russian roulette with  
6 children's lives, not you, but the DOE is playing  
7 Russian roulette with children's lives because of  
8 budgetary concerns and in my case, the gun went off.  
9 Now, I am trying to get legislation through that will  
10 put rules on the impartial hearing, and impartial  
11 hearing should be a finding of facts, not an  
12 obstruction of facts, a finding of facts. They need  
13 to decide. It takes two hours for people to bring  
14 clinician's reports and for the DOE to show what  
15 resources are available. There are resources. There  
16 are needs, and there are adults and there are  
17 children that depend on adults, and it does not take  
18 five months. It is not an O.J. Simpson trial. My  
19 son came into the impartial hearing. He has to be  
20 suctioned every few minutes. He's drooling. He can't  
21 even swallow his saliva, yet this went on for five  
22 months. The DOE killed my son, and I am not crazy.  
23 This happened and it is happening today as we speak.  
24 This is what you need to be addressing, not the crap  
25 that they put forward with statistics and facts. It

2 is that. Children have a right, a civil right, and  
3 as you rightly said, it is not a civil right. It's  
4 not a luxury, it is a civil right to give them a  
5 chance of life. They took that chance away, and I  
6 cannot even get a response from them, and I've  
7 specifically told them I'm not after money. I'm not  
8 after money. I do not want to profit from my son's  
9 death, but an apology would be nice, and maybe for  
10 the Mayor to stand up and stand with his words that  
11 he said in his inauguration speech of protecting the  
12 most vulnerable of our society would also be nice,  
13 but he will not give a response. His office says he  
14 has many letters every day. He doesn't respond to  
15 his letters. This is the death of an innocent child.  
16 It is a disgrace. Thank you very much.

17 CHAIRPERSON DROMM: Thank you, and I do  
18 believe that you are owed a response, and I think  
19 you're absolutely right. I also want to say that my  
20 legislation, which I agree, we hope to move forward,  
21 will begin to address some of the issues in terms of  
22 the numbers and what it looks like, how many children  
23 are being evaluated in a timely fashion, and I think  
24 that's the first step in that direction.

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 119

2 ROBERT RANDALL: Well, it's one day. If  
3 one day is the law, one day.

4 CHAIRPERSON DROMM: So we need to begin  
5 to collect that data, and as you can see, even today,  
6 they didn't have a lot of those numbers, and that's  
7 why I think my legislation is so important to move  
8 that forward.

9 ROBERT RANDALL: I am working with  
10 Senator Squadron and hopefully soon to be  
11 Assemblywoman Simon, and I'm going to on a state  
12 level try and get legislation to stop this happening,  
13 and the DOE from their part have to start  
14 understanding that they are there for children, not  
15 to trick children. And if you can't afford it, then  
16 be adults and say, "We do not have the funds." And  
17 then maybe adults will come to different decisions  
18 about what to do, but don't kill children or put them  
19 in harm's way, just don't. You don't deserve to be  
20 in education. People that do that do not deserve to  
21 be in education at all. Thank you.

22 CHAIRPERSON DROMM: Thank you. Okay, next  
23 I'd like to call Assemblyman David Weprin.  
24 Assemblyman, before we begin we swear everybody in in  
25 this committee. So I'm going to ask you to raise

2 your right hand please. Do you solemnly swear or  
3 affirm to tell the truth, the whole truth and nothing  
4 but the truth, and to answer Council Member questions  
5 honestly?

6 ASSEMBLYMAN WEPRIN: I do.

7 CHAIRPERSON DROMM: Thank you. And would  
8 you begin, please? And welcome, thank you for being  
9 here with us.

10 ASSEMBLYMAN WEPRIN: Thank you. I'm used  
11 to being on the other side, as you probably can  
12 imagine, so it's a nice experience to once in a while  
13 be on this side. I spent eight wonderful years of  
14 fond memories in this very chamber, sitting right  
15 where you are sitting, Chairman Dromm and Chairman  
16 Deutsch, and it's great to be back and see familiar  
17 faces and happy to here.

18 CHAIRPERSON DROMM: It's great to have  
19 you here.

20 ASSEMBLYMAN WEPRIN: Good afternoon,  
21 Chairman Dromm, Chairman Deutsch and distinguished  
22 members of the City Council. It's nice to see my  
23 former colleague in the Assembly, Inez Barron, in her  
24 new capacity. I thank you for providing the public  
25 the opportunity to testify on this very important



COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 121

2 subject matter. My name is David Weprin. I'm an  
3 Assembly Member representing the 24<sup>th</sup> Assembly  
4 District in Queens County, but in Albany, I also  
5 Chair the New York State Assembly Taskforce on People  
6 with Disabilities. Prior to my election to the  
7 Assembly, I spent eight years in this City Council  
8 and chaired the Finance Committee during that time,  
9 and I had a unique opportunity to work with various  
10 different groups and organizations throughout New  
11 York City dealing with people with disabilities,  
12 developmental disabilities as well as other  
13 disabilities and other advocacy groups on their  
14 behalf. Their message was crystal clear, equal  
15 educational opportunities for not just some, but for  
16 all children in New York City. To that end, I  
17 sincerely support and applaud the Council Committee's  
18 decision to introduce Intro Number 435, Chairman  
19 Dromm's legislation. In order for the city to better  
20 meet the needs of New York's most vulnerable  
21 community, the special needs students, first we must  
22 understand the dynamics and challenges surrounding  
23 the current circumstances. With the enactment with  
24 Intro Number 435, which would require the Department  
25 of Education to annually submit to the City Council a

2 report concerning each student seeking or receiving  
3 special education services in our school. The city  
4 will be in a far better position to implement  
5 necessary measures to assist those students with  
6 special needs, and the City Council will be in a  
7 better position to evaluate that data and to see what  
8 other legislation might be necessary. More  
9 specifically, per Subdivision B of Section Two of  
10 Intro Number 435, by fully grasping the total number  
11 of students who underwent an initial evaluation after  
12 their referral, the number of placements made  
13 resulting from re-evaluation and triennial  
14 evaluation, the number and percentage of students who  
15 receive special education services inside the  
16 classroom and whether that's 100 percent of the time,  
17 50 percent of the time or more, or less than 50  
18 percent. And finally, the number and percentages of  
19 students in full compliance with their individualized  
20 education programs at the end of the academic period  
21 as defined in Section Two of that intro. I am  
22 confident that this committee would be able to make  
23 accurate legislative decisions based on that data.  
24 With that said, while enhancing the long term  
25 objectives being set forth by this committee, I would

2 like--these committees I should say. I would like to  
3 ask the members of the City Council here today as to  
4 how I in Albany and colleagues of mine in chairing  
5 the task force on people with disabilities can better  
6 assist you in Albany by making this a reality on a  
7 statewide basis or giving you the power to enact  
8 different legislation based on the data that  
9 hopefully you will be obtaining shortly. It too is  
10 my goal to look for additional ways to provide for  
11 the ever growing disability community including  
12 students with special needs in both public and non-  
13 public school settings in our state. Once again, I  
14 want to thank Chairperson's Dromm and Deutsch and  
15 fellow members of the New York City Council for  
16 allowing me to address this committee. As a member  
17 of the New York State Assembly and in a continued  
18 partnership, you can always count on my support in  
19 Albany in the effort to improve the lives of not just  
20 some, but for all New York students with special  
21 needs. I'd be happy to answer any questions.

22 CHAIRPERSON DROMM: Well, thank you so  
23 much Assembly Member Weprin for coming in and for  
24 making an offer to work with this committee or these  
25 committees, I should say, on efforts that we might be

2 able to do at the state level. Perhaps, if I may  
3 suggest, you know, a transparency bill, a reporting  
4 bill similar to what I'm doing on that level. I think  
5 that those issues are statewide as well as locally  
6 would be very beneficial, and I think that what we've  
7 begun to hear from some of the testimony from the  
8 parents in particular and from working with parents  
9 involved in special education in the past is that  
10 there's a desire to know one, the status of their  
11 referrals to special education, how long it's taking,  
12 why it's taking so long, access to SESIS information,  
13 and also access to some type of a database that  
14 indicates the services that are being provided as  
15 they should be, like on a daily basis as to whether  
16 or not a child has been provided with the services  
17 during one week or another, you know, the speech  
18 services or whatever it may be. So perhaps thinking  
19 on the state level, because I think if we had state  
20 legislation we'd see the city move a lot quicker.  
21 When Deputy Chancellor Rello-Anselmi was here, they  
22 said that they're trying to move forward in that  
23 direction and that that is one of their hopes, but I  
24 think that state legislation would make that move  
25 even more quickly.

2 ASSEMBLYMAN WEPRIN: Well, I'd be happy  
3 to introduce that legislation when we return to  
4 Albany in January, and I'd like to work with you and  
5 hopefully you'll be able to evaluate the testimony  
6 you receive today and at other hearings, which could  
7 better help us in introducing the bills in Albany or  
8 the bill or bills in Albany and follow up on that.

9 CHAIRPERSON DROMM: Council Member  
10 Treyger?

11 COUNCIL MEMBER TREYGER: Thank you,  
12 Chair, and welcome Assemblyman Weprin, former  
13 Councilman, former Finance Chair, thank you very  
14 much. I would begin by saying that--and I'm pretty  
15 confident that the Assembly would agree with us on  
16 this that let's also begin with the state, and again,  
17 this is not a knock on the Assembly. I think the  
18 Assembly has been great partners with us  
19 historically, but let's make sure that the resources  
20 to New York City come down from the state to meet the  
21 needs of all of our children, because historically,  
22 there has been an inequity in how the state funds New  
23 York City schools, and unfortunately, many parents  
24 and children pay that price, and we heard the story  
25 before, emotional powerful story of where too many

2 kids have been short changed, in some cases very  
3 extreme levels. So I know that the Assembly has  
4 historically always been with us. If we can  
5 definitely just urge our colleagues on the other side  
6 and the Governor's Office to make sure that they fund  
7 New York City schools the way they're supposed to. I  
8 would also add that as the Chair has a very good bill  
9 to report on transparency for with regards to  
10 children getting services to meet their needs, I  
11 would also expand it to, you know, each school has a  
12 state report card. You know, the city used to have  
13 progress reports, now they're being called snapshots  
14 and other terms, but each school has a New York State  
15 report card by the State Department of Education, and  
16 they focus in on the movements of children with IEP's  
17 and the movement of children who are ELL's, but they  
18 really don't report on the number of counselors  
19 assigned to those kids. That they don't really  
20 report on. Now, I don't want the state to pass down  
21 another unfunded mandate to the city, but this is the  
22 situation where I think they should both require  
23 reporting of number of guidance counselors who in  
24 actuality should be--are also advocates for the kids  
25 so the parent wouldn't have to fight alone on getting

2 the critical services the child needs, but they'd  
3 have a guidance counselor or someone assigned to the  
4 school to help advocate with them along the way. So  
5 I think it will be helpful for the report cards to  
6 reflect the number of services each kid has in each  
7 school, but to also complement that with the state,  
8 giving the city schools what they rightfully deserve,  
9 and I thank you so much for your support and we thank  
10 the Assembly Chamber for always being very supportive  
11 of our school system here. Thank you so much.

12 ASSEMBLYMAN WEPRIN: Thank you, and those  
13 are very good suggestions, and I think that's a  
14 possible additional bill to include in the state  
15 report card. That was a very good suggestion,  
16 Council Member Treyger, and I will definitely follow  
17 up on that.

18 CHAIRPERSON DROMM: Thank you,  
19 Assemblyman Weprin--

20 ASSEMBLYMAN WEPRIN: Thank you.

21 CHAIRPERSON DROMM: for coming in today.  
22 Okay, so our next panel will be Carmen Alvarez, the  
23 Vice President of the UFT, Liz Truly from the UFT,  
24 Laverne Burrows from CSA, and John Khani from CSA.  
25 Okay, let me just ask you all to raise your right

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 128

2 hand. Do you solemnly swear or affirm to tell the  
3 truth, the whole truth and nothing but the truth, and  
4 to answer Council Member questions honestly?

5 JOHN KHANI: I do.

6 LAVERNE BURROWS: I do.

7 LIZ TRULY: I do.

8 CARMEN ALVAREZ: I do.

9 CHAIRPERSON DROMM: Okay, good. Who's  
10 going to begin?

11 CARMEN ALVAREZ: I'm going to go first.

12 CHAIRPERSON DROMM: Alright, Carmen.

13 CARMEN ALVAREZ: Okay. Good afternoon,  
14 Chairman Dromm and Subcommittee Chair Deutsch and the  
15 members of the Education Committee and the  
16 Subcommittee on Non-public Schools. My name is Carmen  
17 Alvarez, and I am the Vice President for Special  
18 Education for the United Federation of Teachers. On  
19 behalf of our union's more than 200,000 members, I  
20 want to thank you for this opportunity to offer  
21 testimony on special education instruction. We are  
22 also pleased to weigh in on your bill Intro 0435,  
23 mandating special education services reporting. And  
24 before I begin, I really want to thank you for  
25 allowing the parents to speak first, because their



2 voices, there's nothing that can compare to what they  
3 are experiencing now and moving forward. So, thank  
4 you for having them first. First, we would like to  
5 acknowledge the New York City Council for being a  
6 leading voice for students with special needs and  
7 English language learners. Your oversight is crucial  
8 and helps ensure that our children and their families  
9 receive the services and the supports they need to  
10 succeed and thrive. Secondly, I have to acknowledge  
11 Chancellor Farina for her extraordinary efforts and  
12 successes in changing the culture of the school  
13 system from replacing the gotcha mentality of the  
14 prior Administration with an expectation that our  
15 members will be treated as respected professionals to  
16 restoring superintendents as crucial links between  
17 the community and schools. The new Chancellor has  
18 been a breath of fresh air. I want to add that's her  
19 first phase to finally find somebody, one person, who  
20 can answer the question about what's going on in the  
21 district. Because I have to tell you, the history  
22 I've had over the past couple of years, the most  
23 difficult thing to work through were the networks and  
24 the clusters, because it was like a terrible game of  
25 telephone, and to implement and to standardize

2 approach of professional development or knowledge was  
3 very difficult. So I am looking forward to supporting  
4 my colleagues, the UFT district representatives, as  
5 they work with superintendents to improve instruction  
6 for students with disabilities and hold schools  
7 accountable for implementing students IEP's as soon  
8 as possible. The conditions are right to change the  
9 narrative. The instruction service delivery issues  
10 that are before this body today are familiar to most  
11 of us, since most of us have been in teaching. I  
12 can't wait for the day when I am here at the  
13 microphone applauding our collective success with  
14 differently abled students. Realistically, we have  
15 some ways to go, but I am hopeful. While the UFT  
16 cautions against using state standardized test scored  
17 to fully understand what our students have learned,  
18 the English language arts and math tests are  
19 sobering, particularly for special ed students,  
20 English language learners and English language  
21 learners who need special education related services.  
22 For the school year that ended in June 2014, just 6.7  
23 percent of special ed students passed the ELA exam,  
24 while 11.7 percent were successful on the math test.  
25 Only 3.6 of English language learners passed the ELA

2 exam, while 14 percent passed the math. Of New York  
3 City's there's a 145,000 English language learners.  
4 Thirty-five thousand, nearly 23 percent are students  
5 with disabilities. Currently, there's no public  
6 reporting of the achievement levels of the subset of  
7 the English language learners on the ELA math  
8 assessments, but given that we know that these  
9 students need the proficiency rates for the groups  
10 are likely low and in single digits. I'm not going  
11 to go into the graduation rates because that was  
12 already addressed. You had also spoken about how are  
13 these professional development topics going to be  
14 handled at the school level, and I would have to say  
15 thanks to the Department of Ed and the city of New  
16 York, the new collective bargaining agreement between  
17 the UFT and the DOE have given us an avenue to  
18 provide professional development on a weekly basis to  
19 the degree that the voice from the members at the  
20 school level actually say this is what we need in  
21 addition to what you offer us and it has to be  
22 collaborative. This is the first time in a long time  
23 that we have teachers, para-professionals, parents,  
24 supervisors talking about what the professional  
25 development needs are in a school, and it's

2 contractual, which means if the voice isn't heard,  
3 superintendents and district reps will help, and if  
4 there's still a problem, you have the Chancellor and  
5 you have our President of the UFT making sure that  
6 the professional development needs to help young  
7 people achieve is being developed, designed and  
8 implemented in a way that makes sense in a school.  
9 So, what are the works that needs to be done? Again,  
10 you brought up the issue of pre-service teacher  
11 preparation. I can tell you when I went to school,  
12 and I graduated many decades ago, I left the state  
13 with a certificate instructing students with  
14 emotional disabilities. That was my undergrad, over  
15 60 credits across the board. Then, I had my master's  
16 degree at Banks Street with bilingual education  
17 focused on literacy, and I got all my skills in terms  
18 of learning how to instruct reading. From the  
19 beginning, if you don't know how to teach reading and  
20 what that means, then you don't understand how to  
21 plug in Orton-Gillingham, Foundations [sic], Wilson.  
22 You have to have the baseline first. Why am I  
23 telling you this now? It's because unfortunately,  
24 the State Education Department, and this is something  
25 we have to do with the colleges, have made the

2 licensing a generic license. So they don't have a  
3 certificate that says you deal with the autistic  
4 spectrum or intellectually delayed or emotionally  
5 disturbed. It doesn't exist. So what happens now is  
6 our people who come through the higher ed are jacks  
7 of all trades and master of none. And even if you're  
8 dually certified, you're still a jack of all trades  
9 and master of none. And so we have to get back to  
10 what we need to support our young people and all  
11 staff so they understand how to move forward. So  
12 let's look at reading. We dedicated a lot of things  
13 about literacy. Instruction in foundational reading  
14 skills is lacking across the system in general ed and  
15 special ed across the system, and we believe that we  
16 have to create a professional development program  
17 that really addresses the five pillars of reading  
18 plus writing. I'm working very closely with Corinne  
19 Rello-Anselmi, Doctor Esther Friedman who works  
20 directly with Chancellor Farina to kind of break down  
21 the silo's and work together to create a real  
22 curriculum that all schools understand. How do kids  
23 read? Not just in inclusive environments, I'm  
24 looking at District 75, District 79, incarcerated  
25 youth, self-contained classrooms, everywhere. You

2 can't just focus on little pieces. Everybody needs  
3 to understand what reading is all about. So what do  
4 we do now? Again, that professional development  
5 portion of our contract, this is one vehicle that  
6 we're going to work at the schools, but by the same  
7 token at a central level we're going to work at what  
8 kind of reading instruction we can do together,  
9 Department of Ed, UFT, State Education Department so  
10 we have a standardized understanding about how do  
11 children read. And then, once you find out about how  
12 children read, what about those young people in high  
13 schools who are reading at a third grade level? How  
14 do you instruct them? How do you work with the young  
15 people in the incarcerated school environments that  
16 we have? We have to challenge--we have to reach this  
17 challenge together. Another thing, again, you were  
18 mentioning about unfunded mandates, another structure  
19 from the wonderful State Education Department is the  
20 response to intervention. A very good practice, but  
21 you have to have researched based reading programs,  
22 not anything you pish-posh together. They have to be  
23 researched based. Unfortunately, it's unfunded, and  
24 how you provide the infrastructure in the school  
25 system today is the challenge that faces us. So we

2 are willing to look at what kind of infrastructure  
3 can we build with what's existing right now. So, on  
4 some of the pages I talk about some of the  
5 collaborations we're doing now. So for instance,  
6 today and tomorrow we work together with Doctor  
7 Friedman at the UFT offering literacy classes for  
8 teachers of general ed from three--of all classes,  
9 not just general ed, special ed as well from three to  
10 six, and tomorrow it'll be middle schools and high  
11 school, and on November 19<sup>th</sup>, we're going to do one  
12 on reading. So, we really--you know, the members  
13 trust us. So when they see that we're working  
14 together and this is a good thing to do, it makes  
15 them speak to their administrators because they have  
16 to be released for the day, "Please release me for  
17 the day, because this is meaningful." And that's  
18 what we have to create together with administrators  
19 and everybody. We're in this together. So I'm not  
20 going to go into that other part. Behavior, we got  
21 to look at behavior. Sometimes it's the chicken or  
22 the egg, which came first, the behavior, the reading,  
23 the reading, the behavior? You heard the parents say  
24 first because they couldn't read the behavior  
25 happened, or maybe the behavior happened and then it

2 stopped their flow to receive information and then  
3 they were delayed in instruction. It's critical that  
4 we work together to create different programs, and I  
5 want to thank you, Danny, for supporting us because  
6 we are working very closely, and you heard Corinne  
7 say that we're developing and implementing. We're in  
8 14 schools now, and we're already beginning to see  
9 the benefits of the understanding behavior  
10 partnership with the UFT, the Department of Ed and  
11 Cornell University, and our newest partner is the  
12 Museum of Tolerance. And what we do is we use the  
13 Cornell Therapeutic Crisis Intervention in Schools  
14 curriculum. Staff, and I mean staff, that's from the  
15 aids, the staff who work in the kitchens, the guard,  
16 everybody gets the skill set on how to not allow  
17 things to escalate, because once they escalate it's  
18 over. What we try to do is bring the temperature  
19 down so there are fewer people who hit that  
20 particular issue. So the IUB practices focus on  
21 helping school staff identify behavior issues before  
22 they escalate and become crisis. The thing that is  
23 especially compelling about the IUB approach is its  
24 intensive ongoing professional development, which is  
25 what you were talking about. It's on site. We have



2 somebody in there as a behavior specialist who works  
3 with a school-base team, and that's the team that  
4 takes data, analyzes where's the break down. Is it  
5 at lunch time? Is it when they come in? Is it a  
6 transition? Analyze it to intervene to make sure it  
7 works, and we are now getting really good data out of  
8 that. And again, Chairman Dromm, thank you for  
9 championing us because you really brought this to the  
10 table last year. So, making--I'm going to go  
11 straight to Intro 0435, making special education data  
12 more transparent. Clearly, what was asked by  
13 parents, teachers and everybody is critical. How's  
14 my kid doing? Are they passing? Are the supports  
15 adequate? Are they inadequate? Did everybody get  
16 seen? Did they not get seen? Why is it not working?  
17 What's going on here? Now, we have to look at if  
18 we're going to put money in all this effort, we want  
19 to make sure we get the bang for our buck, if you  
20 will. Are the kids learning? Now, for me,  
21 graduation rate, ice in winter. You pass with a 55,  
22 65, I'm very glad it increased, but what they're  
23 looking at in colleges is 75. So, what are we giving  
24 them? What are really giving? I want my kids to  
25 thrive. I mean, I had a granddaughter, took her six

2 freaking years to graduate, but she graduated and she  
3 is now in Kingsborough Community College, and she  
4 just graduated there. Let her take the time. Let  
5 her take the time, but she's passing with a 75, just  
6 like her non-disabled peers or higher, because we  
7 gave her the time to learn and the staff in the  
8 school helped her support that. So, one of the  
9 things we're asking for in further discussion,  
10 because I think we can refine your bill, is let's  
11 look at what's in the system right now. You have  
12 ARIS [sic]. You have SESIS. You have STAR. You have  
13 a number of programs. Let's finally see how they can  
14 all talk to each other and get that basic information  
15 out. There is no need to keep creating a new  
16 program, when we can really re--we kind of reset the  
17 button in terms of what we have right now. And  
18 finally, into summing up, you know, I'd like to do a  
19 little problem solving here. Again, we need to build  
20 an infrastructure. I'm looking forward to the second  
21 phase of Chancellor Farina's reshuffling of how  
22 schools and districts are supported, but we need an  
23 infrastructure to support literacy instruction and  
24 interventions and behavior supports in our schools.  
25 Building an infrastructure involves a lot of pieces,

2 leadership, resources, professional development and  
3 accountability mechanisms just to name a few, but the  
4 most important piece is dedicated, well trained  
5 educators in every school to guide and assist school  
6 staff as they learn to implement new methods of  
7 reading instruction and new positive proactive ways  
8 of supporting appropriate behavior. What is some of  
9 the structures in the system right now that are  
10 poorly used? SETS [sic] teachers, our resource room  
11 teachers, they're 1,200 of them. Let's train them.  
12 Give them the certification in the five pillars of  
13 literacy and writing and then create hubs in each  
14 borough of experts in Orton-Gillingham, Foundations,  
15 Wilson, and that it's built--you got to build  
16 capacity from the schools. Couldn't do that with the  
17 networks. And then you have IEP teachers. Why is  
18 the special ed rate--excuse my hands, it's a very  
19 Latin thing, you know? The thing that happens is,  
20 you know, here's a parent in general ed who wants the  
21 expertise of somebody who knows how to teach reading  
22 or Foundations. You can create--and we're working on  
23 this to be honest with you with Corinne. Take the  
24 IEP teacher position. There are a thousand of them in  
25 the system, and create it to support special ed and

2 then academic intervention services, which is again,  
3 an unfunded mandate. We have some possibilities in  
4 the system, let's build on it. Let's work together,  
5 and I am looking forward to coming in a couple of  
6 years and really talk about some successful practices  
7 that are really helping our most vulnerable students  
8 in the school system. Thank you.

9 CHAIRPERSON DROMM: Let's let CSA go, and  
10 then I have a question or two.

11 LAVERNE BURROWS: Okay. Good afternoon,  
12 Chair Dromm and Chair Deutsch, and I would like to  
13 thank you both for this hearing today. My name is  
14 Laverne Burrows, and I am the Assistant Director at  
15 CSA, the Council of School Supervisors and  
16 Administrators, and I'm a former Assistant Principal  
17 in the Bronx. Joining me is John Khani. He is CSA's  
18 Assistant Director for Political Affairs. While we  
19 have submitted testimony, or are submitting  
20 testimony--if you would hand it out. Okay, great.  
21 I'm not going to read it in its entirety, but I'm  
22 going to highlight some of the key points. CSA has  
23 also attached a memorandum of support to that  
24 testimony. It is universally accepted that special  
25 education is not providing all of its students with

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 141

2 the services to which they are entitled. Therefore,  
3 it must be reformed. The data is clear. Fewer than  
4 six percent of special education students are  
5 proficient in reading, and only eight percent are  
6 proficient in math. Also, 18.1 percent of our  
7 students, that's nearly one out of five, are  
8 classified as special education and account for 1.8  
9 billion dollars of the budget. The council took a  
10 step in the right direction recently by requiring the  
11 Department of Education to provide the committee with  
12 accurate numbers relative to guidance counselors and  
13 their case loads in terms of ratios. The Chancellor  
14 has gone on record that the discipline code must be  
15 updated, because too many students are being  
16 suspended for nominal infractions. This is  
17 particularly true for our special education students.  
18 School leaders recognize the importance of  
19 maintaining high standards by providing quality  
20 professional development so our teachers can  
21 differentiate instruction to meet the special needs  
22 of each student. It is incumbent upon us to work  
23 together with parents to nurture and develop the full  
24 potential of each of our student. Exemplary programs  
25 in special education include nuts and bolts workshops

2 for parents, because an informed parent is an  
3 educator's and child's best ally. There must be  
4 greater equity in terms of the distribution of  
5 special education students throughout the system.  
6 Some schools have an overabundance while others have  
7 a minimal amount. In order to create this equity,  
8 superintendents can assess availability of services  
9 and/or programs and space in order to provide each  
10 student with the appropriate placement. Ideally,  
11 once a student has an IEP and it is sent to the  
12 receiving school, fair student funding allocates the  
13 budget, and again, I say ideally. All of this must  
14 take place on the student's first day of school.  
15 However, too often, student services are lagging  
16 because of the lack of personnel to provide various  
17 services. The school's contact their ASE, the  
18 Administrator of Special Education, for assistance in  
19 completing what the DOE calls the core checklist to  
20 determine that the school has considered all the  
21 possible ways in which existing school resources  
22 could be used to support the IEP. When the  
23 recommended program doesn't exist at a school,  
24 another alternative is offered. The family is  
25 welcomed to the school and a meeting is arranged

2 where the school officials must ask the parent to  
3 reconsider the recommended program and/or services on  
4 the IEP. Our CSA members bristle at this approach.  
5 I'm sorry, they bristle at this approach to  
6 placement. They feel as many of us here do that the  
7 recommended program and/or services should be  
8 provided. Asking a family to reconsider what they  
9 have just agreed to was the best for their child is  
10 not something parents should be asked to do, to  
11 support the Department of Education's philosophy that  
12 special education is not a place, but a menu of  
13 services and supports. By starting with this hearing  
14 and working together, we can help build a better  
15 future for all of our students. Thank you for your  
16 time, and CSA would be happy to assist in any way  
17 that we can. Thank you.

18 CHAIRPERSON DROMM: Thank you very much.  
19 Anybody else on the panel? Okay. So thank you for  
20 your support, also for the legislation. We look  
21 forward to working with you on ironing that out as we  
22 move forward, and hopefully we can pass that soon  
23 here in the council, because I do believe that even  
24 with the passage of the guidance counselor reporting  
25 legislation, we're going to get a better grasp in

2 terms of what exactly is going on in the system. So,  
3 just for clarification, Ms. Alvarez, you had  
4 mentioned an IEP teacher. I'm not familiar with  
5 that. What's an IEP teacher? Is that the same as a  
6 resource room teacher?

7 CARMEN ALVAREZ: No. No, an IEP teacher,  
8 there's about 1,000 of them in the system. About 12  
9 years ago there used to be a position called a  
10 special education ed evaluator. And because of a  
11 certain lawsuit that happened, that position  
12 transformed into the IEP teacher. Now, it's a  
13 contractual position, because we felt it was  
14 important and the focus of that, the main  
15 responsibility of that teacher is to be part of the  
16 initial IEP meeting of a student who's never received  
17 special education services, because you need a  
18 practicing special ed teacher to sit in that meeting,  
19 but if he's from general ed, he never had a spe--or  
20 she had a special ed teacher. So, that was the role,  
21 and they are also supposed to cover special ed  
22 teachers when they go into IEP meetings. Now, given  
23 that the whole day doesn't need that over time, what  
24 has happened as you know principals need a lot of  
25 help, so they took the position and they don't



2 necessarily follow--I don't think it's the most  
3 effective way that they've used their positions for  
4 variety of reasons, which I don't need to go into.  
5 But I do believe if we have a renegotiated  
6 discussion, I think it's a position that should  
7 maintain the first part. You speak, you represent  
8 that general ed student in that IEP meeting, initial  
9 one, and then the rest of the day is dedicated to  
10 academic intervention services. They need to be  
11 trained in the five pillars of reading, writing, and  
12 then you create specific expertise in Foundations,  
13 Wilson, or Orton-Gillingham, one or more, with a real  
14 certification process, not just I trained you today  
15 and you're it tomorrow. You get a certificate from  
16 the Wilson people. You get a certificate from the  
17 Orton-Gillingham. So you start capacity building so  
18 over time you have expertise in teaching reading the  
19 way you can so kids in general ed as well as special  
20 ed, because special ed kids didn't necessarily get  
21 the expertise of how you get reading instruction  
22 properly, so you can really help at a school, and  
23 your capacity building at the building. It is one of  
24 the things that Corinne and myself are looking at  
25 right now.

2 CHAIRPERSON DROMM: So, does that IEP  
3 teacher travel throughout the day?

4 CARMEN ALVAREZ: No, that IEP teacher is  
5 in the building full time.

6 CHAIRPERSON DROMM: But their daily  
7 responsibilities are limited to only covering IEP  
8 conferences or do they--

9 CARMEN ALVAREZ: No, what happens--

10 CHAIRPERSON DROMM: actually begin to push  
11 in now into--

12 CARMEN ALVAREZ: [interposing] What  
13 they're doing right now, so for example, some are  
14 taking actual sets. They'll do some resource room  
15 positions or they'll do ICT or they'll do other types  
16 of things for the administration, which is allowable,  
17 but it may not--for what we need right now, which is  
18 capacity building, this may be a time to really  
19 rethink how do we create the expertise in the  
20 building right now. They're there; let's create  
21 this. So that's one of the things we're rethinking  
22 at this moment.

23 CHAIRPERSON DROMM: So, those IEP  
24 teachers could be used for professional development?

2 CARMEN ALVAREZ: Well, if they have the  
3 trained expertise. You don't want to do what I call  
4 drive by trainings. They only know it 20 seconds  
5 before you did. You really want them to understand  
6 the curriculum, the content and how to implement it  
7 in the building. So for instance, if you're teaching  
8 the pillars of reading, they would be able to go  
9 through the five tools and actually instruct early  
10 childhood teachers or whomever in their building what  
11 that's like, and if they have the additional training  
12 of Wilson, Foundations, or Orton-Gillingham, they can  
13 also provide that support in the building. That's  
14 what we're trying to think about. How do you create  
15 capacity at the school building with certified staff  
16 who actually know what they're doing? And that's  
17 going to be the challenge.

18 CHAIRPERSON DROMM: And you said there's  
19 a thousand of them. So, what is that? Do you know  
20 how they're located, or what schools they're placed  
21 in?

22 CARMEN ALVAREZ: The formula for assigning  
23 is how many kids get referred for special education,  
24 and there was a cut off. It's an arbitrary cut off.

2 And if your school had that many, you were entitled  
3 to that position, which is a centrally paid position.

4 CHAIRPERSON DROMM: Do schools share  
5 them?

6 CARMEN ALVAREZ: No.

7 CHAIRPERSON DROMM: Oh, okay. I'm curious  
8 to know your position and CSA's as well on the level  
9 of professional development that's provided to staff  
10 right now. Is it sufficient? Does it match the  
11 needs of the school? How could it improve?

12 JOHN KHANI: I think we all agree that it  
13 could definitely be improved. It's lacking right now,  
14 and we're all working on it, but it needs to finally  
15 trickle down to the school, but we need to work with  
16 central to make it happen. But it's absolutely  
17 lacking, yes.

18 CHAIRPERSON DROMM: And UFT feels the  
19 same way?

20 CARMEN ALVAREZ: Well, I think with the  
21 prior Administration it was really difficult, but now  
22 that Chancellor Farina who comes from the school base  
23 up, and she was a former deputy, so she understands  
24 the policy to support the school base. I think we  
25 have a better chance to really address that issue

2 over the next couple of years. It's not going to  
3 happen overnight. I mean, you have to really train  
4 your staff. You can't do quickies.

5 CHAIRPERSON DROMM: And I don't think you  
6 can do, although I get where they were coming from  
7 when I asked the question earlier about turning the  
8 question on the teacher about what would you do, you  
9 know, in these circumstances. I really do believe  
10 that teachers need to be handed concrete ideas about  
11 how to deal with certain situations, not to have the  
12 situation turned on them to say, "What do you do?"

13 CARMEN ALVAREZ: If I may, I would agree  
14 with you, and that's one of the things we used to  
15 tell teachers, that if somebody tells you they expect  
16 you to do something, it's, "Well, show me first, and  
17 then I'll be able to do it." And I think that's what  
18 we asked our staff to do, not just teachers, but  
19 Related Services Providers, Para-professionals. If  
20 you expect me to teach or support a teacher, you show  
21 me what that looks like, and then we can practice it,  
22 because one of the things of professional development  
23 is you need a coaching component. You can't just  
24 say, "Read this book or look at this webinar and you  
25 are magically trained." So, that coaching component

2 is a very critical piece to the professional  
3 development. That's why we're looking at school-  
4 based support.

5 CHAIRPERSON DROMM: My difficulty as a  
6 teacher, and I think many teachers would agree with  
7 me, is that in theory we love inclusion. We want to  
8 do inclusion. We understand the theory behind it.  
9 We understand the theory behind a lot of the  
10 developmental issues that the students have, but give  
11 me something that I can use in the classroom and I'll  
12 do it. And that has--that has really--that's  
13 lacking. That's not what it is happening in the  
14 system. Council Member Treyger?

15 COUNCIL MEMBER TREYGER: Thank you,  
16 Chair. Thank you both to the CSA and UFT for being  
17 advocates, I really think not just for your members,  
18 really for the kids, which is really driving all this  
19 and I really appreciate that. Can you respond to the  
20 DOE's comments before that schools are being provided  
21 resources even after the register month? Because I  
22 was teaching up until December of last year, and this  
23 was always an issue in the DOE, that after the  
24 register month, over the counter students, which we  
25 in my area got a lot of, particularly immigrant

2 students coming from different countries. We'd have  
3 to welcome, of course we welcome all kids. They come  
4 in, but the DOE did not give the resources to really  
5 meet their needs. Is the DOE providing additional  
6 resources to school after the register months? If  
7 you could speak to that I greatly appreciate it.

8 CARMEN ALVAREZ: I'm going to start and  
9 I'm sure they're going to add, CSA will add. I'm  
10 going to start from what CSA shared, fair student  
11 funding. Here is a budget which is basically a bank.  
12 So, if you have 250 students with disabilities it  
13 goes into the bank. Every piece of money that that  
14 student is entitled to, except for Related Services  
15 and the IEP, one to one IEP paraprofessional, goes  
16 into that bank, and then they have some other kind of  
17 formulas to add to if you have more kids who are in  
18 ICT. But you can't track the money. So once you  
19 have that money in there, principal sees their needs.  
20 They're going to make their decisions. Sometimes  
21 it's on the backs of ELL's and others. It happens,  
22 we all know that. I go to schools all the time, have  
23 an exit conference with the principal and I say, "I  
24 can help you." And they have a core process, which  
25 means central comes in, looks at your budget, looks

2 at your kids, and see how you spent it. And they  
3 say, "Nevermind, I don't want it." Because there's  
4 so many things that a principal needs, they're going  
5 to try to find the best way to fund it, and sometimes  
6 they use special education money to fund additional  
7 positions, and this is not in all cases, but I could  
8 tell you right now, fair student funding doesn't  
9 translate fairly for students with disabilities  
10 because you cannot track the money.

11 COUNCIL MEMBER TREYGER: Thank you.

12 Thank you.

13 JOHN KHANI: Just want to ditto what my  
14 colleague is saying. Councilman Treyger, I can  
15 totally relate to you because I have also been  
16 outside of active service, but we can check into with  
17 our colleagues who are in service, but we do want to  
18 take the DOE at their word that December 31<sup>st</sup> is the  
19 cut off, and the most important pieces, the money  
20 must follow the student.

21 COUNCIL MEMBER TREYGER: And that's  
22 exactly what I'm trying to get at, and I thank you  
23 for that honest feedback. So I will follow up with  
24 the DOE forcefully as well.



2 CARMEN ALVAREZ: That'll make a big  
3 start.

4 COUNCIL MEMBER TREYGER: Yes. I just, I  
5 mentioned this before and it's just worth repeating,  
6 because we have a lack of guidance services, and not  
7 just guidance counselors, I would say even school  
8 psychologists, you know, people--support services,  
9 support staff. How do they acur--how do they know  
10 that they're meeting the needs of our kids? I don't  
11 believe--obviously, the data shows we're not. So,  
12 this council passed a bill, and I appreciate--it will  
13 go a long way in increasing transparency on reporting  
14 the numbers of guidance counselors, but there's so  
15 much other support staff that go into this. Teachers  
16 became mandated reports as well in the classroom, but  
17 was I given adequate support in the classroom to  
18 identify and look for those things? No. So, what  
19 can we do to make sure that those services are there?  
20 Is this simply--is this a state resources issue? Is  
21 this a city? Is this a partnership? If we could  
22 hear directly from you, what can we do to make sure  
23 that guidance is adequate? What can we do to make  
24 sure that the support school psychologists is  
25 addressing the kids with mental health issues? Look

2 what just happened in Seattle. You know, I mean,  
3 teachers are--educators, the principals are first  
4 responders to these types of crisis. How could we  
5 prevent them from happening in the first place? What  
6 can we do? Is there an action plan that we can  
7 implement to address these needs before a crisis  
8 happens in our school system?

9 CARMEN ALVAREZ: Well, that's very  
10 loaded. You have a lot of issues you brought, but  
11 let's just look at do we have enough guidance  
12 counselors. Guidance counselors, which they're one  
13 of our titles at the UFT, they serve different  
14 functions. So you have guidance counselors that help  
15 students articulate from one grade to the other. You  
16 have some guidance counselors who actually provide  
17 Related Services. It's another category. Often  
18 times, in a general ed school if you have 900 kids,  
19 you have one guidance counselor. If you really want  
20 guidance, you have to look at the needs of the  
21 population, what they need, and determine it based on  
22 the need of that school community. And right now,  
23 it's like from my understanding, and you'll correct  
24 me if I'm wrong, it's another budget formula. If you  
25 have so many kids, you get so many this. It's not

2 based on this is a school that needs this particular  
3 support at this particular point in time, this is  
4 what we need to gravitate. I don't feel that's where  
5 it's set up at this point in time.

6 JOHN KHANI: And just to add to that, one  
7 of the solutions that was being used in the past when  
8 I was a principal, I relied heavily on the person who  
9 was my special education supervisor. Unfortunately,  
10 that position has been removed, and if that person  
11 were in the building, that person is the one that has  
12 the expertise to know what to do, when do it, are the  
13 services appropriate, and are all children receiving  
14 everything on their IEP as they should.

15 COUNCIL MEMBER TREYGER: Thank you.  
16 Thanks very much.

17 LAVERNE BURROWS: Can I just add? In my  
18 elementary school, I can just speak for the  
19 elementary school, that we had mandated guidance  
20 counselors that serviced the children who had  
21 counseling on their IEP's, but we also had an  
22 additional guidance counselor that provided at risk  
23 counseling, so that person was able to identify  
24 students that prior to the referral process for an  
25 evaluation and also to utilize and work with the

2 teachers on coming up with interventions that might  
3 support that child or at least narrow down and  
4 pinpoint what type of if special education services  
5 were needed, you know, to try to pinpoint which  
6 direction, you know, it would go into. But I think  
7 additional guidance counselors in the school, it's  
8 extremely useful. We also had PBIS, which was  
9 Positive Behavior Intervention Supports, and the  
10 guidance counselor, the one that provided at risk was  
11 able to do a check-in with certain students that were  
12 identified in the morning and in the afternoon, and  
13 sometimes that was all it took to make a positive  
14 change in that student's behavior.

15 CHAIRPERSON DROMM: Okay, well thank you  
16 very much, and I appreciate you coming in and sharing  
17 your testimony with us. Thank you.

18 LAVERNE BURROWS: Thank you.

19 CHAIRPERSON DROMM: Alright, and I'm told  
20 I have to move it along here. So, let me ask Maggie  
21 Moroff from the Advocates for Children to come up,  
22 Nina Nublin from Resources for Children with Special  
23 Needs, Jaclyn Okin Barney from Parents for Inclusive  
24 Education, and Cara Chambers from the Legal Aid  
25 Society come up. Okay, I'm going to ask you raise

2 your right hand so I can swear you in. Do you  
3 solemnly swear or affirm to tell the truth, the whole  
4 truth and nothing but the truth, and to answer  
5 Council Member questions honestly? Okay, very good.  
6 And who would like to begin? Let's start over here.

7 NINA LUBLIN: Good afternoon or almost  
8 good evening. My name is Nina Lublin. I am the  
9 Early Childhood Specialist at Resources for Children  
10 with Special Needs. I want to thank the City  
11 Council's Education Committee and the Subcommittee on  
12 Non-public Schools for scheduling this hearing. I've  
13 been with Resources for Children for 21 of our 30  
14 years of existence, and I've been in the field of  
15 special education since 1975. For over 20 years,  
16 Resources for Children has been a United States  
17 Department of Education parent training and  
18 information center. We also conduct the New York  
19 State Education Department's special education parent  
20 technical assistance centers for the New York City  
21 boroughs of the Bronx, Manhattan, Brooklyn and  
22 Queens, and since October 1<sup>st</sup>, the regional  
23 Rehabilitative Service Administration Transition  
24 Parent Center for New York State. Our parent centers  
25 provide New York City families and young people with

2 special needs with information, confidence and skills  
3 to make informed decisions, navigate complex public  
4 systems and participate effectively in the special  
5 education process. We speak with parents every day  
6 and work to increase their voice and their role in  
7 the special education process and provision of  
8 services. Because of this experience, we are in an  
9 excellent position to comment on the proposed  
10 legislation and the questions the committee has  
11 posed. We have been eager supporters of the special  
12 education reform initiative by the Department of  
13 Education even while we assist parents to push back  
14 against some of the rigid requirements, especially  
15 those related to home zoned schooling issues and the  
16 school enrollment process. Keeping students with  
17 disabilities in integrated and mainstream  
18 environments and providing maximum exposure to  
19 general education curriculum and standards is exactly  
20 the intent of IDEA, the Individuals with Disabilities  
21 Education Act. We fully support the DOE's efforts to  
22 move the system in this direction and towards  
23 compliance with state and federal law, but we know  
24 that to do this successfully requires enormous  
25 systemic efforts focused on professional development,

2 capacity building and resources. On a school level,  
3 it requires buy-in from professional staff, evidence  
4 based practices, collaboration, and creation of a  
5 school culture based on inclusiveness and a common  
6 sense of belonging. On the student level, it requires  
7 individualize scaffolding of academic support,  
8 Related Services, technology and ongoing assessment.  
9 It also requires an avenue for genuine parent  
10 involvement and decision-making. Our concern is that  
11 many of these requirements on the system level, the  
12 building level and the student level are not fully in  
13 place, and that without these things, the success of  
14 the reform is in question. In our work with parents,  
15 we have seen many situations where the school does  
16 not have the services or the supports needed by a  
17 student. The changing of IEP's to reflect what a  
18 school has as opposed to what a student requires is  
19 common place. Related Services and Assistive  
20 Technology are not distributed equally across the  
21 system, and without these supports, many students  
22 struggle and the gap between performance and great  
23 expectations widens. In other situations, schools  
24 have an abundance of resources which are unavailable  
25 to outside students based on geography. Schools are

2 not equally equipped to provide all services. This  
3 undermines student achievement and the success of the  
4 reform efforts. It also erodes parental trust in the  
5 system. Our message is simple. Decades of research  
6 and examples of comprehensive implementation have  
7 shown that school success is not impossible, and its  
8 components are not elusive. The ingredients are  
9 extensive professional development, well-funded and  
10 resourced schools, evidence based practices, and  
11 extensive and robust engagement with parents to  
12 include them in all aspects of their child's  
13 education. I do not suggest these components are  
14 easy to provide, only that they are commonly  
15 recognized and generally agreed upon. One  
16 frustration experienced by parents is a lack of  
17 clarity about escalating requests for changes in  
18 services and supports. Certainly, there is a legal  
19 pathway to open an IEP at any time. New evaluations  
20 can be requested or obtained from the outside and  
21 submitted to the CSE, but there exist many road  
22 blocks to this happening. Teachers, administrators  
23 and CSE members routinely push for a calendar that  
24 recognizes only annual reviews, a wait and see  
25 attitude and a postponement of decisions until after



2 test results are in or after he or she has adjusted  
3 to the program. We then see extended periods of  
4 academic and social struggle. When this happens, the  
5 recommendation is often made to repeat the grade,  
6 further demoralizing students and parents. Our  
7 advocacy efforts focus on increasing communication  
8 between parents and schools so that the topic of  
9 discussion at IEP meetings is not what--not about  
10 what the system can offer, but can we do to support  
11 this student, and how can additional resources be  
12 assembled to help the students succeed. These are the  
13 kinds of conversations that will establish trust from  
14 parents. We support the proposed legislation  
15 requiring the reporting of information regarding  
16 students receiving special education services. This  
17 certainly advances the cause of openness and  
18 transparency, both are which are priorities for this  
19 Administration and the Department of Education.  
20 Reporting of information will increase accountability  
21 at the system level, the school level, and at the  
22 student level. Parents and the Council will have  
23 access to information about how the DOE is assessing  
24 its efforts and how the implementation of the reform

2 can be strengthened. Thank you for your time and  
3 consideration.

4 MAGGIE MOROFF: Good afternoon. Thank  
5 you. I'm Maggie Moroff. I'm the special education  
6 Policy Coordinator at Advocates for Children, and I'm  
7 the Coordinator of the Arise Coalition. AFC is a  
8 nonprofit organization that's been working to protect  
9 the rights of New York City's most vulnerable  
10 students, including students with disabilities for  
11 over four decades. The Arise Coalition is a group of  
12 concerned stakeholders who work to push for system  
13 wide changes to New York City's special education  
14 system. AFC and the members of Arise have come to  
15 see raise in literacy rates for students with special  
16 needs as crucial in our quest to improve outcomes for  
17 those students. The DOE needs to commit to building  
18 the skills school by school to teach struggling  
19 readers. You've already heard from a few parents  
20 today, and thank you for that. It's their  
21 experiences and so many other like that that have  
22 brought us here today, like Travis and Hageis [sp?].  
23 We've seen students of all ages who were failed by  
24 the public system start making real progress in  
25 reading once they get specialized tutoring and making

2 use of evidence based methodology. The problem isn't  
3 the children. It's the school system that isn't  
4 prepared yet to teach those children effectively.

5 You also did a really good job of going through some  
6 of the devastating facts and data, so I'm not going  
7 to belabor that part of my testimony. But instead,  
8 what I'm going to do is jump right to the main point  
9 of my testimony. Disability should not be destiny.

10 Federal and state laws mandate more than our schools  
11 currently deliver. The IDEA in Section 504 require

12 that students with disabilities receive all the  
13 supports and services necessary to meet their

14 academic needs, including specially designed

15 instruction and assistive technology. Those same

16 laws also mandate that schools offer curriculum

17 through a variety of formats designed to reach all

18 kinds of learners. So, designing or converting

19 materials to make them useable to a wide range of

20 readers, not just those who use pen and paper, but

21 those who benefit from digital graphics and audio and

22 visual modes. Research backs up all of the things

23 that you're hearing today and supports the promises

24 of improving literacy rates for students with special

25 needs as long as those students again receive

2 intensive and systemic evidence based interventions.

3 I want to jump now to the applied forum that the

4 Arise Coalition has come up with. So the Arise

5 Coalition, which is coordinated out of Advocates for

6 children has five key recommendations for the city in

7 order to improve literacy rates for students with

8 disabilities. Basically, what we're looking for is

9 the for the DOE to come up with a long term plan for

10 teaching all students, including students with

11 disabilities, to read at or above grade level by the

12 end of second grade. And to do that, we have five

13 specific recommendations. Beginning in pre-

14 kindergarten, students must receive evidence based

15 core literacy instruction, designed to prepare them

16 to become competent in the five pillars of reading,

17 pardon me, beginning at least with kindergarten and

18 continuing right through high school. Schools need

19 to provide ongoing screening for reading ability, and

20 those students not reading on grade level need to

21 receive additional evidence based targeted

22 intervention with ongoing monitoring. Students who

23 require additional evidence based intervention,

24 you'll notice I keep saying evidence based

25 intervention, must have the chance to receive it

2 during the school day, but also after school and  
3 during summer months by using augmentative  
4 communication devices, assistive technology,  
5 digitalized text and other multimedia to promote  
6 dynamic teacher and learning. Schools should make  
7 use of technology to support literacy development and  
8 content instruction for all students. And then  
9 schools absolutely need to partner with parents and  
10 literacy instruction providing strategies for them to  
11 use at home and engaging in an ongoing dialogue with  
12 them about the needs and progress of their children.  
13 On that point also, the DOE also has an obligation to  
14 provide information to parents on how to assess  
15 needed screening and interventions for their  
16 children. Finally, AFC does support the idea behind  
17 the reporting bill before the council today. We  
18 wanted to devote our testimony today, however, to the  
19 literacy piece. So we do plan to suggest some  
20 changes to the language and some additional items to  
21 be reported beyond evaluation and placement. We hope  
22 to provide the council with suggestions early next  
23 week and would be more than happy to sit down with  
24 any of the council staff to discuss our  
25 recommendations at that point if it's helpful. Thank

2 you again for the opportunity to speak today, and I'm  
3 here and happy to answer any questions now or later  
4 if that's helpful.

5 CHAIRPERSON DROMM: Thank you very much.

6 JACLYN OKIN BARNEY: Hi, good afternoon.

7 Thank you for hearing us today and thank you for  
8 holding this City Council meeting. My name is Jaclyn  
9 Okin Barney. I'm speaking today as a coordinator of  
10 Parents for Inclusive Education, also known as PIE.  
11 PIE is a parent-led advocacy group of educational  
12 reformers that works to ensure that all students with  
13 disabilities in New York City public schools have a  
14 meaningful inclusive educational and community [sic]  
15 experiences. PIE has been in existence for over 15  
16 years, and we have members in all five boroughs. We  
17 are the only group in New York City that is solely  
18 dedicated to advocate for inclusion of kids with  
19 disabilities. We work to achieve our goals in many  
20 different ways, including collaborating with the  
21 Department of Education when we can. I want to talk  
22 to you today for a moment on the importance of  
23 inclusion and will ask you to think about inclusion  
24 in other things [sic] as you consider this special  
25 education sources delivered to students. As we all

2 know, as you said two minutes ago, I applaud what you  
3 said, that inclusion is a key component in the  
4 education comes with disabilities. It provides  
5 students and environment that fosters higher  
6 expectations, peer modeling and creates social  
7 interactions, all of which lead to better outcomes  
8 for students with disability and their non-disabled  
9 peers. Additionally, inclusion instills a sense of  
10 community and builds understanding of diversity and  
11 acceptance for all students. Studies have shown that  
12 there is direct correlation between students with  
13 disabilities in general education classrooms and an  
14 increased academic achievement as well as decreased  
15 dropout rate. Parents of PIE know this firsthand, as  
16 they so often speak about how their children would  
17 not be where they are today if not for inclusive  
18 opportunities that they had. In order for inclusion  
19 to succeed, PIE members know that schools need proper  
20 resources, appropriate preparation and training of  
21 teachers and staff as well as support from  
22 individuals in the whole system and the community.  
23 Schools need to create environments where all  
24 learners are welcome and accommodated. Schools need  
25 to make sure that children receive the services and

2 support that they need to be included in their  
3 schools. That's includes assistive technology,  
4 behavioral support, and academic supports. Inclusion  
5 requires the DOE at each school to plan effectively  
6 and expand its practices in meeting the needs of all  
7 students. And as already discussed today, it  
8 requires that schools have the funding they need to  
9 serve their students and the flexibility to use the  
10 funding to meet the individual needs of their student  
11 population. New York City has a number of schools  
12 that foster inclusive school communities where  
13 students with disabilities thrive alongside their  
14 non-disabled peers. However, in a system of 1,700  
15 schools there are far too few schools that fulfill  
16 this need. As the City Council listens to testimony  
17 today from parents, advocates and the DOE speak of  
18 the improving instruction, we urge the City Council  
19 to remember the importance of students with  
20 disabilities receiving appropriate special education  
21 services in general education classrooms alongside  
22 their non-disabled peers. Because as we know, it  
23 increases test scores, increases graduation rates,  
24 and increasing post-graduation experiences, including  
25 attending college. I ask you to specifically look at



2 three main as you go forward. One, why more schools  
3 are not more inclusive, and what the DOE can do to  
4 provide the support and services necessary to enable  
5 all students to be in inclusive settings and school  
6 committees. Two, to make sure parents have the  
7 information they need to be effective partners and  
8 advocates in their children's education. Inclusion  
9 works best with parents as partners, but they need  
10 information. They ask you questions. All the  
11 information that the DOE has is being given to the  
12 parents. And third, I ask you to take a look at the  
13 middle and high school choice process. As you know,  
14 the application process is well intentioned to  
15 provide students with choices in their school  
16 options. However, for students with disabilities,  
17 not all schools are equally equipped or willing to  
18 serve the students. And for students who need  
19 physically accessible schools there are far too few  
20 choices. Almost done. Inclusion--in conclusion,  
21 creating inclusive school communities will impact  
22 education outcomes for all students, and in many  
23 respects, inclusive education is a civil rights issue  
24 and all students should be full members of their  
25 school community in order to prepare them for real

2 world experiences. As always, PIE welcomes any  
3 opportunity to further discuss and collaborating on  
4 ways to make this City more inclusive. Thank you  
5 again for the opportunity to speak to you today.

6 CHAIRPERSON DROMM: Thank you very much.  
7 Next?

8 CARA CHAMBERS: Good afternoon. I'm Cara  
9 Chambers, Director of the Legal Aid Society's Kathryn  
10 A. McDonald Education Advocacy Project, which is a  
11 unit that provides early intervention and special  
12 education advocacy to children who are involved in  
13 New York City Family Court system. Thank you very  
14 much for inviting our thoughts today on special  
15 education instruction and on Intro 435. Legal Aid's  
16 clients are among the most vulnerable students in New  
17 York City. Many of them are homeless, victims of  
18 abuse and neglect in the foster care system, involved  
19 in the juvenile justice system or otherwise involved  
20 in the court system. An overwhelming number of them  
21 have some kind of disability or delay that qualifies  
22 them for special education services. The Legal Aid  
23 Society supports City Council's efforts to require  
24 detailed reporting on the Department of Education's  
25 compliance with timelines and other requirements

2 under the Individuals with Disabilities Education  
3 Act. We actually believe, however, that the proposal  
4 that you set forth in Intro 435 should be broadened.  
5 For example, the Legal Aid Society would suggest  
6 adding reporting requirements such as requirements  
7 relating to the issuance of P1R Nickerson letters for  
8 timeline violations, and the issuance of Related  
9 Service agreements in instances where the Department  
10 of Education is unable to provide Related Services on  
11 site at the child's school. The Legal Aid Society  
12 would also like to suggest some technical and  
13 definitional changes to the proposed bill. We have  
14 attached a partial mark-up to our written testimony  
15 and would be happy to discuss the proposed changes in  
16 greater detail with the committee at a later point in  
17 time. We'd like today to comment on two aspects of  
18 special education instruction. First, specially  
19 designed reading instruction and second, vocational  
20 instruction. Each year the Legal Aid Society works  
21 with hundreds of students who struggle with literacy,  
22 dyslexia and learning disabilities. Year after year  
23 we struggle to locate appropriate supports for these  
24 students in the public school system. Several years  
25 ago, the DOE invested in training a number of

2 teachers to use the Wilson Reading Program.

3 Unfortunately, we are often unable to locate these

4 trained staff members when we need them for a

5 particular client. It seems the DOE does not keep

6 track of which schools have trained staff members,

7 and further, have been unwilling to transfer students

8 or staff members to different schools in order to

9 ensure that students who have the needs are in a

10 school that has appropriately trained staff.

11 Additionally, teachers who did receive training often

12 told us that they receive no follow-up support or

13 that they were not provided with enough resources or

14 time in their schedules to faithfully follow the

15 programs with the students who needed intensive

16 reading instruction. Because the DOE does not have a

17 systematic approach to instructing students with

18 reading disabilities, we frequently result to the

19 private sector, expensive private schools, expensive

20 specialized tutoring services to provide students

21 with the instruction that they need, and we generally

22 have to file and litigate impartial hearings against

23 the DOE to obtain payment for these services. We

24 call on the City Council to help ensure that every

25 public school in New York City, whether elementary,

2 middle or high school has access to teachers who can  
3 provide specialized reading instruction to students  
4 who are struggling with literacy. We also wish to  
5 call special attention to the literacy need of  
6 students at Passages Academy and East River Academy,  
7 which are the DOE schools that serve students who  
8 have been arrested and detained in New York City. I  
9 want to thank Carmen Alvarez from the UFT for  
10 mentioning these students in her testimony today as  
11 well. More than half of the students who attend those  
12 schools are significantly over age and have been held  
13 over more than once. Almost half have been  
14 identified as having special education needs. The  
15 DOE clearly failed to instruct most of these students  
16 long before they ended up in the juvenile justice  
17 system, but despite the profound needs of this  
18 population, neither Passages nor East River Academy  
19 is currently able to provide students with intensive  
20 reading remediation. The DOE has to immediately  
21 allocate trained reading specialists and resources to  
22 these two schools in order to remediate student's  
23 deficits and re-engage them in school. Very briefly,  
24 regarding vocational instruction, very few students  
25 with special education need have access to the robust

2 vocational training opportunities that they require.

3 The Department of Education's District 75 operates  
4 several occupational training centers and career  
5 development schools, but those schools generally do  
6 not provide onsite vocational training opportunities.

7 Instead, they tend to place students in externships  
8 and businesses in the community. Often the nature  
9 and type of those internships are not well matched to  
10 the student's interests or talents, and the quality

11 of student's experiences at those externship sites  
12 varies greatly. In contrast, the Department of  
13 Education's District 79 operates Co-op Tech, which is

14 an outstanding model for vocational programming. Co-  
15 op Tech operates a main site in Manhattan and a  
16 handful of satellite sites in other boroughs, but the  
17 demand for such programs far exceeds capacity. We

18 would ask the City Council to demand that the DOE  
19 build on Co-op Tech's successful model and expand  
20 access to high quality vocational training programs

21 for students with disabilities. We appreciate the  
22 opportunity to speak to you today about both Intro  
23 435 and about special education instruction and would  
24 welcome the opportunity to meet with you further.

25 Thank you.

2 CHAIRPERSON DROMM: Thank you very much.

3 I don't want to say too much because we're really  
4 running late, but I just want to thank you all for  
5 coming in. You know, the issue of Rikers Island has  
6 been an issue of major importance to me. I never  
7 thought I'd become somewhat of an expert on Rikers as  
8 well, and I do plan to do some visits to the schools  
9 over there and other unannounced visits to Rikers  
10 Island as well in the future to look at that  
11 situation. And then for Ms. Barney, I noticed in  
12 your testimony the choice process for the junior high  
13 and the highs. How does that work? I mean, that's  
14 something I never really thought of actually.

15 JACLYN OKIN BARNEY: I'm happy to meet  
16 with you after to discuss, but I think [sic] that all  
17 students in sixth grade as well as eighth grade go  
18 through for their next school, but although all  
19 schools are welcoming of kids with disabilities or so  
20 it says, we don't believe that the schools actually  
21 are--that all schools are actually equipped to meet  
22 the needs of all kids, and because of a very  
23 confusing and difficult process, when you're applying  
24 to schools and not knowing what schools may meet your  
25 needs or what schools may not meet your needs, and

2 there are a lot of criteria that look beyond those  
3 along with those weakened [sic] that at times, but  
4 kids with disabilities are disadvantaged.

5 NINA LUBLIN: I just want to make a  
6 comment. I'm the Early Childhood Specialist where I  
7 work, but I am more than aware from the other 25  
8 people that I work with about the challenges that  
9 families face at all transition points. We've kind of  
10 gotten up through the turning five process to a place  
11 where we're comfortable, but really don't want to get  
12 too comfortable. The whole process of applying to  
13 middle schools now if you're a parent of a child with  
14 an IEP is absolutely as daunting as anything I can  
15 possibly imagine having been born and raised and am a  
16 product of the school system. But the other things  
17 is, the part about going to high school is for me  
18 unimaginable, but you know, there are a number of  
19 projects going on. We run a project in our office  
20 called High School Match. We're in 23 schools. We  
21 work with 700 students, all of whom have IEP's, all  
22 of whom would like to go to the high school of their  
23 choice, and that process for them starts in 7<sup>th</sup>  
24 grade, and for some of them it might even start in  
25 6<sup>th</sup> grade, but it starts in 7<sup>th</sup> and 8<sup>th</sup> grade because



2 it takes almost two years to work with students to  
3 get them to the point where they are confident about  
4 what they are going to do, and we coach them, we work  
5 with them and their parents and the school personnel.  
6 Nobody ever imagined it would ever get to be this  
7 challenging. And you know, if you're a parent of  
8 the, you know, child without an IEP it's one set of  
9 issues, but it's ten times harder for a parent of a  
10 child with an IEP, and I think that that's something  
11 that the Department and the Council and all of us  
12 advocates, you know, can work on to kind of improve  
13 and make a little bit better.

14 MAGGIE MOROFF: Can I add one brief point  
15 on that also? So the process is incredibly fraught  
16 for all families. Obviously, it's a very scary time  
17 of life, but when you layer on for families of  
18 students with disabilities, the questions about  
19 whether or not the building is going to be physical  
20 accessible, whether it's going to be fully physically  
21 accessible, about the expertise that exist at the  
22 school about the past history of the school and how  
23 welcoming it is. Families are given this list, you  
24 know, for, I forget how many it is, but applying to  
25 middle schools I think they get eight choices. High

2 schools they get 12 choices, and it's hard for them  
3 to come up with that many choices. I mean, I was at a  
4 meeting recently of advocates, a number of whom had  
5 physical mobility needs, and three of them had ended  
6 up in the same high school because their choices,  
7 they were not--they had no cognitive delays, and just  
8 on the basis of the physical needs alone, their  
9 choices were essentially null.

10 JACLYN OKIN BARNEY: I think my point was  
11 that do they look at the quality of the process for  
12 the kids with disabilities. We fully support kids  
13 with disabilities being a part of the process as they  
14 should, but what information they're given about it  
15 [sic] on individual schools as it pertains to kids  
16 with disabilities, as well as a totally separate  
17 issue [sic] with ninety-seven in the equality process  
18 will keep [sic] the physical needs who just don't  
19 have the same options as kids without physical needs,  
20 and that the quality is totally diminished. Thank  
21 you.

22 CHAIRPERSON DROMM: And then when you  
23 think about sometimes adding a household where  
24 English isn't your first language on top of it, it  
25 just must be unbelievable to try to figure that all

2 out. Well, thank you. Much more to talk on that. I  
3 really appreciate you all coming in and bringing up  
4 the points that you did. Thank you very much.

5 JACLYN OKIN BARNEY: Thank you very much.

6 MAGGIE MOROFF: Thank you.

7 NINA LUBLIN: Thank you.

8 CARA CHAMBERS: Thank you.

9 CHAIRPERSON DROMM: We've all been doing  
10 a bad job of sticking to the time as I'm being told,  
11 but I'm going to ask everybody to please to do that  
12 because it is really getting late. So let me call up  
13 our next panel. Tamika Carter [sp?], who is a parent  
14 of two children in District 75, great. Ellen McHugh,  
15 Citywide Council on Special Education. Michelle  
16 Norris, Citywide Council on Special Education, and  
17 Karen Sprowal from Class Size Matters Parents. Okay,  
18 so let me swear you in, and if you'd raise your right  
19 hand? Sergeant, if--where is our sergeant? Yeah,  
20 okay. Do you solemnly swear or affirm to tell the  
21 truth, the whole truth and nothing but the truth, and  
22 to answer Council Member questions honestly?

23 UNIDENTIFIED: Yes.

24 UNIDENTIFIED: I do.

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 180

2 CHAIRPERSON DROMM: Okay, thank you. Why  
3 don't we start and then we can get your testimony?

4 TAMIKA CARTER: Okay, thank you Council  
5 for allowing me to speak today. My name is Tamika  
6 Carter. I have four children, two are in District  
7 75, and three of them have IEP's. Though the DOE  
8 provided data for improvement in the special  
9 education, I wonder where they got their data from.  
10 I went to school--I know schools that have, that are  
11 currently struggling with children with IEP's in  
12 Brooklyn. They, the number of students in the school  
13 with IEP's outweigh the general population. The  
14 graph does not tell the real truth. If you find--if  
15 you had this meeting probably about 5:30/6:00 today,  
16 this room would be packed, and they would really tell  
17 you exactly what's going on in these schools  
18 regarding the DOE. Though the DOE provided the data  
19 for improvement, I know at this meeting--okay, even  
20 though the--even though the special education reform  
21 was done with good intentions of inclusion, the  
22 implementation of it was not thought out fully.  
23 There was not enough money, personnel staff to  
24 support the schools, and professional development.  
25 Children are being placed in general ed classes with

2 teachers that are not trained to deal with special  
3 education students, and not trained with the  
4 implementation of planning and IEP. When the DOE  
5 took out the educational evaluators, this is where  
6 they went wrong. The purpose of the evaluates [sic]  
7 is to evaluate the child's educational level, but now  
8 principals are placing special education teachers as  
9 IEP coordinators with a case load of maybe 30 to 40  
10 students. These coordinators/teachers are under  
11 pressure to make sure all children are receiving  
12 appropriate services and placements in the classroom.  
13 This is where we find that a lot of our IEP's are  
14 being copied and paste. Okay? The DOE needs to  
15 provide appropriate support to schools and they are  
16 not providing the services to our children. The line  
17 of communication with the DOE regarding special  
18 education has been broken down a long time ago, and  
19 parents are lost in the system, and we are dependent  
20 on the schools to help us navigate, educate us on our  
21 children's needs, but how can the school help us when  
22 they need support themselves? The DOE has continued  
23 to drop the ball on the special education population.  
24 There are cases that I know of children going three  
25 months without services, without speech, and not

2 being informed. They find out maybe within the  
3 fourth month that their children was not receiving  
4 services and that they could have went to get outside  
5 resources through the DOE. If I was not a active  
6 parent, I don't know what I would be doing and how my  
7 children would be going through this DOE system.

8 Okay, I have a daughter. Her name is Bryanna [sp?].  
9 She's currently in the District 75 school in P721K,  
10 and before she got there, she's in high school now in  
11 the 10<sup>th</sup> grade, before she got there she changed  
12 schools five different times because they told me  
13 these are teachers, guidance counselors, social  
14 workers told me that they could not--they did not  
15 know how to educate her or teach her. I went from  
16 school to school to school until when she got to the  
17 sixth grade. They told me, they sat--they called me  
18 in. They sat me down and told me that she would best  
19 at a District 75 school. I knew that she didn't  
20 really need to go to a District 75 school knowing her  
21 disability, but I felt that within that setting of  
22 the District 75 School she would receive the  
23 services, that one on one services that she needed.  
24 She is social. She is outgoing. She is warm-  
25 hearted, but she struggled academically, and for a

2 school to tell you that they don't know how to teach  
3 your child is the wrong thing to do. I think that the  
4 DOE needs to provide the proper services to these  
5 schools and a support system for these schools,  
6 because that data that they showed there, guarantee  
7 that they didn't show any schools from Brooklyn; all  
8 from the Bronx. These are schools that they found  
9 that, you know what, there has been an increase in a  
10 different set of population of children, but I know  
11 for a fact that half the comments that was made today  
12 was not true. They are not providing the services  
13 for the parents. They're not providing workshops for  
14 the teachers nor the guidance counselors. If the  
15 guidance counselor's there every day and not leaving  
16 that building, when do they have time for  
17 professional development? So, that's my testimony  
18 today. I thank you. Right now I have to go pick up  
19 my kids from school. So thank you very much.

20 CHAIRPERSON DROMM: Well, thank you for  
21 staying too to give the testimony, but I really  
22 appreciate it, and much of what you said I'm very  
23 familiar with as well. So, I've seen it with my own  
24 eyes. Thank you.

25 TAMIKA CARTER: Thank you.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON DROMM: Next, please?

KAREN SPROWAL: Can I approach?

CHAIRPERSON DROMM: Oh, yeah, sergeant?

Okay.

KAREN SPROWAL: Hi, I know we're really pressed for time, so I'm going to try to do this as fast as I can. First, thank you for the opportunity for us to speak with you, giving us the opportunity to speak with you today, and Councilman Dromm, you know you are our champion. I want you to know that. My name's Karen Sprowal. I'm a public school parent of a sixth grader with special needs. I'm here today, however, speak on behalf of Class Size Matters, a citywide advocacy group devoted to providing information on the benefits of smaller class sizes to parents and others nationwide. The reason I'm why I'm speaking on--I'm here as a child parent with special needs, but the reason why I'm speaking on behalf of them because this is so closely connected to what is happening with me and my child. A few weeks ago, 73 professors of education of psychology and education from every college you can imagine, Ivy League to community college, wrote a letter to the Chancellor pointing out that--they



2 said--this is what they said, they said, "We believe  
3 that the benefits of many and other positive reforms  
4 that the city is pursuing such as increased access,  
5 increasing access to universal pre-kindergarten,  
6 establishing community schools, and inclusion for  
7 students with disabilities will be completely  
8 undermined unless the trend of growing class sizes is  
9 reversed in the city. In particular, placing  
10 students with special needs in classes of 25 or 30 or  
11 more will not work to serve the individual needs or  
12 the needs of the other students in the class." And  
13 as we know, research showing reducing class size to  
14 increase student achievement is a proven approach  
15 whose value that has been shown over and over again.  
16 Lowering class sizes will lead to a host of health  
17 and economical benefits as we substantially, as well  
18 as substantial state [sic] savings in avoiding cost  
19 of private school placements, and more importantly,  
20 enhance the chance of successful academic outcomes  
21 for thousands, not only special needs children, but  
22 for thousands of children including those with  
23 disabilities. What is just as problematic is that in  
24 the effort to provide inclusion, the DOE is pushing  
25 special needs students into general education classes

2 and inclusion classes that are much too large to meet  
3 their needs, and these class sizes are increasing  
4 every year, and now they are at their largest in 15  
5 years. Don't get me wrong, inclusion is a great  
6 model if class sizes can be kept low enough, but we  
7 all know that that's not what's happening. In 2012,  
8 a memo in which the DOE instructed principals made it  
9 very clear in a very threatening tone that they could  
10 not deny zone students a seat in an inclusion class  
11 until class size had reached the maximum level of 25  
12 in kindergarten and 32 in grades one to five, and 30  
13 to 34 in middle school and upper grades. They  
14 further said, "For recommendations, that this is not  
15 in the best interest of kids of students, regular  
16 progress, disciplinary measures for school leaders  
17 and IEP teams will be applied." I'm just about  
18 finished. When my own son entered school back in  
19 2008, he was fortunate enough to get in a class that  
20 had only 20 students. His class remained between 18  
21 and 23 from kindergarten to third grade, despite the  
22 difficulties he had learning, learning challenges he  
23 faced daily, he flourished during those years in both  
24 general and inclusion class settings. At one point  
25 he was so--he had sustained such a well above grade

2 level, his teacher suggested that he go into the  
3 gifted program. However, by the time he entered  
4 fourth grade, which was last year, his class size  
5 increased to 29 students. I'm almost finished. And  
6 it was apparent more than any other factor that his  
7 class size, that class size mattered for my son. As  
8 many children with ADHD, he was unable to focus or be  
9 productive in a class with so many students. I  
10 watched in horror as my son unraveled. Here once was  
11 an inquisitive, bright, eager to learn child, happy,  
12 who essentially stopped learning and became  
13 emotionally unhinged whenever he was in school. His  
14 fourth grade teacher wrote on his report card, "He  
15 only participates in instruction when he worked in  
16 smaller groups." By middle of that year, in order to  
17 keep my son in school, he required an arsenal of IEP  
18 support service that included a crisis  
19 paraprofessional. These services are badly run on a  
20 school level, with very little oversight, no  
21 collaboration or accountability. I, myself, am  
22 bringing in people to train teachers and have  
23 workshops so that they can deal with my child. He  
24 began having frequent meltdowns in class. His  
25 attendance, he was absent 67 days as result of having

2 a bad day in school. He was subjected to  
3 suspensions, and for the first time he was  
4 hospitalized by the last week of school for six weeks  
5 from school. During the Mayoral Campaign, when asked  
6 directly by parents, Bill de Blasio promised that he  
7 would reduce class size in all grades to the level  
8 the city agreed to in the original Contract for  
9 Excellence Plan. Mayor de Blasio has yet to show any  
10 signs to follow on his promise as we expect class  
11 sizes to increase again throughout the year. The  
12 city's lack of commitment to reduced class size and  
13 failure to implement its own Contracts for Excellence  
14 Plan has been absolutely devastating for my son and  
15 so many like him as well. Despite class size  
16 reduction being a number one concern for public  
17 schools parents, the DOE, on the DOE survey for eight  
18 years and numerous town halls, and I went to five of  
19 them where the Chancellor spoke. She completely  
20 brushed off parents who expressed the need for  
21 smaller class sizes. The special education inclusion  
22 program will not work to help special needs children  
23 until and unless class sizes are reduced to the basic  
24 constitutional right to smaller class sizes are met.  
25 You know, and I can't say again that you know, it's

2 not complicated. We don't need all of this fancy  
3 stuff that people are talking about and more money  
4 and this that and the other. This was just a simple  
5 thing that made the difference for my son. My son  
6 went from a kid who was capable of being in a gifted  
7 program to the one sitting on hospital ward with  
8 medication unable to be in school, and we're still  
9 struggling. He was eventually approved for a private  
10 non-pri--a private plan. I wanted to talk to other  
11 gentleman that was there, non-private--a private non-  
12 public school. However, by the time that that  
13 approval came through, his behavior was such a issue  
14 on his records, no--if you didn't have a lawyer and  
15 you weren't middle class and was able to pay, show  
16 that you could pay, none of those schools would  
17 accept him. So guess what? He's in a district  
18 school and they're still trying to deal with him, and  
19 it is not on the school level, because the teachers,  
20 I've had teachers sit with my son for three hours  
21 when he a had a meltdown and still deal with 30 other  
22 kids. So it's not happening on the school level. It  
23 is the Department of Education. Thank you so much.

24 CHAIRPERSON DROMM: Thank you, and class  
25 size is a huge issue for me as well. For many years

1 of my 25 years as a teacher I had 38 kids in my  
2 class, and I don't know how you can do inclusion with  
3 38 to be honest with you, in the classroom. It's  
4 very difficult to deal with just 38 kids in the room  
5 in and of itself, and to be honest with you, I never  
6 had less than 34. So, even though, you know, you  
7 quoted the contractual agreements on that, often  
8 times it's violated or there's no place to put the  
9 kids except for on the roof, you know. So I'm with  
10 you on that. Thank you. Thank you for coming in.

11  
12 KAREN SPROWAL: Thank you.

13 ELLEN MCHUGH: [off mic] we're not sure  
14 who's going. Good evening. I would recommend that  
15 for those people who are diabetic, there is an orange  
16 stand across the street in case you have any issues.  
17 Thank you for having this meeting, although I have to  
18 say in some ways it's rather depressing. You said  
19 there's been six and 12 years. I think I've been at  
20 every one of them, and at no time have I ever heard  
21 any Administration say that they want children to  
22 fail or that they want children to be segregated, or  
23 they want children to be warehoused, and we're back  
24 here one more time discussing the fact that kids are  
25 segregated or warehoused or are failing. I don't

2 know where we've gone wrong as parents. I'm a  
3 parent. Despite my youthful appearance, I'm the  
4 parent of a child who is 37 years old now and went  
5 through the public schools system. I don't know why  
6 we're back here, and it's depressing. I don't mean  
7 to laugh, but it is depressing. Having said that,  
8 every year parents ask for three things, smaller  
9 class sizes, better programs, and the list of where  
10 those programs are. Everything is a mystery, and that  
11 only works at Halloween. It doesn't work now. We're  
12 not getting any answer. I applauded them for what  
13 the DOE provided us in information today, but it's  
14 still numbers, and numbers don't reflect the effect  
15 on a child or on the family, or on the community that  
16 is supporting, hopefully, that child. We have asked  
17 for lists. We've been promised lists. We've been  
18 told parents, told that staff have been trained.  
19 Everybody today has blamed somebody else. CSA seem  
20 to think it was the teacher's fault. The teachers  
21 seem to think it was the CSA's fault. Everybody said  
22 it was tough for the kids, and when they looked at  
23 parents, it was almost as if they don't exist,  
24 they're just on the outside, sort of a screaming  
25 match around the cloud that creates our problems. I

2 don't know where to go with this. I'm at a loss.

3 I've given you four pages of recommendations, but I  
4 wrote those recommendations when Rourke [sic] was in  
5 grade school. He was in six--he was a six year old.

6 The recommendations stay the same. The only thing I  
7 can ask is that somewhere along the lines somebody  
8 puts a halt to this dance, somebody stops the music

9 or somebody says to the DOE, and I know you have no  
10 oversight over them, but somebody says to the DOE,

11 "By reporting to us, you are responsible." The last  
12 piece is the number of children. We heard today that

13 250,000 children in this city have IEP's. The DOE has  
14 made promises to increase programs for children with  
15 autism, which is I think a great idea, but the vast

16 majority of children in this system have mild to  
17 moderate learning disabilities. Others, I think it's

18 35 percent, have speech and language delays. I can't  
19 say that we should give up one for the other, but we

20 can't ignore the whole for the sake of saying that we  
21 have improved programs for children with autism. We

22 have to improve children's programs, period, whether  
23 they're children with autism or in my own son's case,

24 deaf. So where do we go from here? I'm at a loss.

25 You're on. I wish you good luck.



2 CHAIRPERSON DROMM: The numbers are  
3 staggering.

4 ELLEN MCHUGH: Pardon?

5 CHAIRPERSON DROMM: The numbers are  
6 staggering, 24 percent when you look at the pre-k  
7 kids in the system as well are kids with IEP's, and  
8 that's a quarter of the system basically, and we're  
9 not addressing this really as we should, so.

10 ELLEN MCHUGH: That's one out of every  
11 five children in the classroom.

12 MICHELLE NORRIS: Four.

13 ELLEN MCHUGH: Four out of every--sorry.  
14 The state allows the city to program up to 40 percent  
15 of any class with students with IEP's. The word is  
16 "up to." It's not that's what you do. And principals  
17 look at these things, say, "We got two teachers  
18 there. I got a classroom full of kids that are  
19 unruly and I got 12 kids who have an IEP. I can put  
20 'em all together." Now we have a large class of  
21 anywhere between 28 and 30 kids who have specific and  
22 specialized needs. No two people can do that, none.  
23 Even if they had a para for each child. This is  
24 depressing. I apologize.

2 CHAIRPERSON DROMM: Look, this is the  
3 point I was trying to make in terms of professional  
4 development, you know, which is just--I wouldn't say  
5 it's nonexistent, but it just it's not appropriate to  
6 what is going on in the classroom, especially when  
7 you're talking about 38 kids in your room and each of  
8 those kids that are in an inclusion class have very  
9 different needs, every single one of them, and then  
10 to draw up lesson plans for every single one of those  
11 kids, it's just not sufficient.

12 ELLEN MCHUGH: I just want to clarify one  
13 thing about the parent participation. In any of this  
14 staff development that's going on, we are not  
15 consulted. We're the committee on--we are the  
16 Citywide Council on Special Education. The  
17 Department of--what is it? DEFACE [sic] goes right  
18 ahead and decides what to do without consulting us.  
19 When we, as a CSE, made an attempt to have a high  
20 school evening where people could actually come speak  
21 to staff at high schools, have a one on one  
22 conference with parents, one on one conference with  
23 staff, it devolved into an hour and a half of 53  
24 slides. That's what it--and that was considered  
25

2 parent involvement and taking us into consideration.  
3 It is slightly appalling.

4 CHAIRPERSON DROMM: So, Ellen, is that  
5 different at all with the new Administration?

6 ELLEN MCHUGH: Pardon?

7 CHAIRPERSON DROMM: Is that different now  
8 with the new Administration at all?

9 ELLEN MCHUGH: The new Administration is  
10 very nice. I've known Carmen for 30 years, before we  
11 had wrinkles, before we had 20 pounds. I could get up  
12 every day and say this is going to be the new and  
13 better Administration. At the school level, whether  
14 you want to use the phrase "in the weeds, in the  
15 woods, boots on the ground" whatever you want to talk  
16 about it, we're still getting phone calls where  
17 teachers are telling parents, "I don't know what to  
18 do. I can't work with your child." Or principals are  
19 saying, "Not in my school. I can't handle this. It's  
20 too much." Or worse yet, "They bring down my  
21 scores." And honest to God, if I had a child who was  
22 going to be integrated into a school where two or  
23 four or seven percent of the children were  
24 functioning at or above grade level, I would be  
25 howling and saying, "Get my kids out of here. Get my

2 kids out of here." It's--this is the ultimate  
3 indignity, I think, especially for a kid like mine. I  
4 mean, granted he's older, but the opportunity was to  
5 be with age appropriate peers learning, age  
6 appropriate language, have an age appropriate social  
7 interaction, and age appropriate curriculum. Two  
8 percent of his age appropriate group would be at that  
9 level. We all hunt, hunt and peck. Fetch and moan.  
10 I don't know where to go. If this new Administration,  
11 if that's the question without being publicly  
12 obnoxious, how could you say it's changed? In  
13 January we were fetching about the fact that the  
14 Mayor wouldn't let anybody give us anything, and now  
15 we're back and it's October and we're fetching that  
16 we can't get information, we can't get our kids  
17 educated, and the result is that we're all frustrated  
18 in here well after five o'clock. I'm sorry.

19 CHAIRPERSON DROMM: Thank you.

20 MICHELLE NORRIS: It's okay. It's  
21 alright. It's good.

22 CHAIRPERSON DROMM: Do you want to start  
23 your testimony?

24 MICHELLE NORRIS: Do you want to say  
25 more?

2 ELLEN MCHUGH: No, I'm boring after a  
3 while.

4 MICHELLE NORRIS: Okay. So, I'm Michelle  
5 Norris, and I'm sorry for coughing all afternoon. I  
6 have laryngitis. I'm going to try really hard. I  
7 represent the Citywide Council on Special Education.  
8 I have three children, one of whom has an IEP, but  
9 the concerns I bring to you today are called from the  
10 responses that we get from parents. So we have  
11 intakes. We have parents who call our office. We  
12 have parents who email us. We have parents who come  
13 to our meeting, and I write down everything they say,  
14 or I take from them, and once a year we provide an  
15 annual report. So, we're working on our annual  
16 reports. It's not done yet, but these are some of  
17 our top issues, and I thought I would just sort of  
18 lay them out there. So, the first one is parental  
19 involvement in the IEP process. Given that you're  
20 already there, you're at the meeting, are you being  
21 listened to? Parents are concerned they're not, and  
22 further, that the IEP has changed without them. IEP  
23 meeting is called. They only give you five days'  
24 notice. They change the IEP. We no longer are  
25 required to accept the IEP in writing, and it

2 sometimes takes months before it comes to you in the  
3 mail. Common Core instruction: So the Common Core  
4 is new, relatively in terms of curriculum material.  
5 It has not been well adapted to students with special  
6 needs, and I don't just mean adapted as in sort of  
7 modified, but just made it with bigger text.  
8 Digitized so that they have access to it, masking--  
9 getting an audio version of it. Accountability:  
10 Special Ed Reform has produced no reporting. We see  
11 the reporting on graduation rates, etcetera. So, one  
12 of the things you have from me is questions that we  
13 as the council are recommending be added to the New  
14 York City School Survey for this year. While it is  
15 not going to give you a numbers sort of driven  
16 approach, it will give you the parent's view of  
17 whether they feel like the reform is actually taking  
18 effect, and it'll give you a baseline. Accessibility  
19 of other instructional materials: You have all these  
20 "I" things, I-zone, I-learn, etcetera, but they  
21 aren't actually accessible for all the students with  
22 disabilities. They're very sort of general ed focus.  
23 So a child comes into an inclusion setting and can't  
24 access those extra things you're supposed to do at  
25 home. The middle school applications: Children with

2 IEP's are still in a mass. Whereas high school is  
3 being given quotas. Middle schools don't have them.  
4 Transportation, we talk about forever, but very  
5 specifically, we need more training for matrons and  
6 drivers, and there is a problem where students who  
7 are not a full 12 month student are assigned a center  
8 based program for their related services, and they  
9 have no way to get there. And so parents are handed  
10 the job of transportation when really it's an  
11 education job. You've heard about Related Services.  
12 SESIS we get asked about all the time. Kindergarten  
13 Connect: All of the admissions programs are harder  
14 for parents who have children with disabilities,  
15 because we basically have three processes. Everyone  
16 else has one that's really hard, but we have the  
17 admissions process, which is not choice. We have the  
18 IEP process, which is not coordinated with the  
19 admissions deadlines in any way, so we're sent off to  
20 look for a school before we know what our placement  
21 is going to be, and then we have these specialized  
22 programs process, which is mostly for children with  
23 autism, but there are other specialized programs, and  
24 if you would like your child considered for that, you  
25 have to go through a whole other evaluation process.

2 So the parents have the hardest time have to do the  
3 most work. IEP's have to be translated into native  
4 language. Twice exceptional children have to get  
5 services. Just because you're gifted doesn't mean  
6 you don't need speech, and you have to get it. It's  
7 not oaky that they won't. We need more training for  
8 staff, particularly for general education staff and  
9 behavior interventions. So as we move children who  
10 need behavior intervention and have it be a behavior  
11 intervention plan into a general ed environment, we  
12 need to train our staff on what to do, can't just  
13 send them away. We need paraprofessional treatment,  
14 training. The process of keeping your child in  
15 community school when it comes to summer school is a  
16 problem. So a child was a 12 month program where  
17 they do attend a community school, then there's no  
18 school there for them. So they're a fa--they're sort  
19 of tossed off to another school for six weeks.  
20 There's no really good carry over. It ends up being  
21 lost time, and often they're not even put in the  
22 right placement because they'll be told--we have  
23 parents who say, "They put my kid in D75. They're in  
24 a community school." But they're told, "That's all we  
25 have." Assistive Technology: They have hardware.



2 They have software. They don't have content. It's  
3 like when the internet started and we had all this  
4 stuff streaming, but nothing in a stream. So, they  
5 need to have people who are creating content that  
6 matches to the core curriculum, to whatever  
7 curriculum you're going to do, because what they do  
8 is they hand you a computer and they walk away, and  
9 there's no training, but there's also no content on  
10 it, and it's a very time consuming process.

11 Inclusion: D75 students were included in community  
12 schools for most of their classes, sometimes all  
13 their classes, often aren't included in the other  
14 program. We have placement concerns. What do I do  
15 when the placement's wrong? I think you heard about  
16 that. And lastly, one of my favorites is SAT prep,  
17 which people don't normally think of for children  
18 with disabilities, but the SAT prep programs that are  
19 out there are geared towards students from the  
20 general education environment, and they're not  
21 adapted so that they aren't accessible for our  
22 students with disabilities, and they should be.

23 Thank you.

24 CHAIRPERSON DROMM: Thank you very much  
25 to everybody in the panel. I appreciate it.

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 202

2 ELLEN MCHUGH: that was really the three  
3 minutes?

4 MICHELLE NORRIS: I did it?

5 KAREN SPROWAL: You did it.

6 CHAIRPERSON DROMM: You actually went  
7 over, but we give you extra time.

8 MICHELLE NORRIS: Sorry.

9 CHAIRPERSON DROMM: Thank you very much.  
10 I really appreciate it. Thanks everyone. Jacob  
11 Adler, Orthodox Union, I believe. Erik Joerss from  
12 the New York City Charter School Center, Megan Davis-  
13 Hitchens, New York City Special Education  
14 Collaborative, Dixon Deutsch from the New York City  
15 Special Ed Collaborative, Elizabeth Springer from  
16 the Hyde Leadership Charter School, and Vashti Acosta  
17 from Amber Charter School. Okay, if you would all  
18 raise your right hand, please, to swear you in? Do  
19 you solemnly swear or affirm to tell the truth, the  
20 whole truth and nothing but the truth, and to answer  
21 Council Member questions honestly? Okay, thank you.  
22 Would you like to start?

23 JACOB ADLER: I will keep it as quick as  
24 possible, hopefully under the three minutes. Thank  
25 you. It's good evening now. Chair Dromm and Chair

2 Deutsch, thank you for hosting this important  
3 hearing. I'm going to skip down to the next  
4 paragraph. I represent the Orthodox Union. I do  
5 their New York City political work. I used to work  
6 for the City Council. I used to--I'm used to these  
7 marathon hearings. In brief, we support Intro 435.  
8 We think it's a necessary first step towards ensuring  
9 that the Mayor's promised reforms are actually  
10 enacted. Our constituency's over 10,000 Jewish day  
11 school students in New York City and across the  
12 state. I would recommend the following additions or  
13 emendations to the existing bill, and then I will let  
14 my colleagues next to me take over. I would suggest  
15 biannual reporting to the Council as a whole, not  
16 just once a year, a quarterly reporting to local  
17 Council Members about all SESIS data in their council  
18 district, uniform access to special education to  
19 SESIS for non-public schools as well as public  
20 schools, and lastly uniform standards for inputting  
21 SESIS data. I was speaking to my wife last night.  
22 She's a speech therapist in Queens, and she said that  
23 her old school in Tribeca had a different standard  
24 for what data went in and what data didn't go in than  
25 her new school in Queens. I think that's something

2 that has to be addressed if we're talking about  
3 council oversight. All four points are essentially  
4 just geared towards giving the council more  
5 information. Parents come to the Council Members  
6 when they can't get anywhere else and the DOE isn't  
7 helping them, and Council Members shouldn't have to  
8 file FOIL requests to get basic information about  
9 SESIS. That should be available to them upon  
10 request, and it should be given to them by statute  
11 quarterly. Thank you.

12 CHAIRPERSON DROMM: Thank you. Mr.  
13 Joerss?

14 ERIK JOERSS: Good evening--

15 CHAIRPERSON DROMM: [interposing] Just--  
16 that mic, yeah.

17 ERIK JOERSS: Chair Deutsch, my name is  
18 Erik Joerss. I am the Deputy for Government Affairs  
19 at the New York City Charter School Center. Thank  
20 you for the opportunity today. One of our panelists,  
21 Vashti Acosta from Amber Charter School, regretfully  
22 couldn't stay for the duration. She submitted written  
23 testimony. In the interest of protecting everybody's  
24 time and the fact that I'm not an educator and that  
25 my panel-mates will have much more interesting things

2 to say than I will, I'll skip the testimony other  
3 than to say we support the introduction with some  
4 technical fixes that are in the written testimony,  
5 and I will turn it over now to my colleague, Dixon  
6 Deutsch.

7 CHAIRPERSON DROMM: Erik, do you have  
8 written testimony that you submitted?

9 ERIK JOERSS: Yes, it's in there.

10 CHAIRPERSON DROMM: Okay, I got it, yep.  
11 Wait a minute. Okay, I'm sorry. Okay, sorry, you can  
12 go ahead.

13 DIXON DEUTSCH: Good evening Chairperson  
14 Dromm, Chairperson Deutsch and members of the New  
15 York City Council Committee on Education. My name is  
16 Dixon Deutsch, and I'm the Vice President for--

17 COUNCIL MEMBER DEUTSCH: [interposing] No  
18 relation. No relation to me.

19 DIXON DEUTSCH: No relation, no relation.  
20 I'm the Vice President for the Special Education  
21 Collaborative and ELL [sic] Support Teams, both  
22 program initiatives of the New York City Charter  
23 School Center. Thank you for the opportunity to  
24 present testimony today. Having taught both the New  
25 York City District and Charter schools, I've seen the

2 challenges and successes of working with schools and  
3 their support of students with disabilities. In an  
4 effort to address some of these challenges, I came on  
5 board the Charter Center in 2011 to build an  
6 initiative to support the City's charter schools with  
7 their special education programs. This initiative,  
8 the New York City Special Education Collaborative is  
9 an organization whose sole mission is to ensure New  
10 York City schools are empowered to build world class  
11 special education models. Four years later, this  
12 initiative is a success. One of our original  
13 outcomes was around special education enrollment.  
14 Our enrollment numbers over the last four years has  
15 increased by about four percent. So we're right  
16 under the city percent average for kids with  
17 disabilities in school programs. We currently serve  
18 over 165 New York City charter schools. We conduct  
19 over 200 school visits a year, focusing on program  
20 supports for principals and special education  
21 leaders. We hold over 125 trainings a year and  
22 provide the tools, resources and technical assistance  
23 necessary to ensure best practice and allow schools  
24 to build and maintain the capacity to service a  
25 diverse student population. I'm going to go ahead

2 and turn it over to my colleagues who are actually  
3 coming from school sites. So first we're going to  
4 start with Ife Lenard, who is the principal, and her  
5 colleague Casey Vier, who's Academic Dean at  
6 Children's Aid College Prep in CSD12. We're then  
7 going to turn it over to Liz Springer who is the  
8 Director of Special Education at Hyde Leadership  
9 Charter School of the Bronx in CSD8, and then finally  
10 close out with Megan Davis-Hitchens of the New York  
11 City Special Education Collaborative. She is the  
12 program manager who actually supports the schools on  
13 the ground. At the conclusion of their testimony,  
14 I'd be happy to answer any of your questions. Thank  
15 you.

16 CASEY VIER: Good evening, Chair Dromm,  
17 Chair Deutsch and members of the New York City  
18 Council Committees. We appreciate the opportunity to  
19 share the philosophy, systems and successes of our  
20 program at Children's Aid College Prep Charter  
21 School. We are a community school located in the  
22 South Bronx. We have a partnership with the  
23 Children's Aid Society. Currently, we serve 288  
24 children in grades kindergarten through third. About  
25 18 percent of our children have been identified with

2 disabilities in the mild to severe spectrum,  
3 including children with emotional disturbance,  
4 specific learning disabilities, speech and language  
5 impairments, autism, and other health impairments.

6 Our goal is to reach families and children who need  
7 us the most. Children's Aid College Prep offers  
8 weighted lottery preferences to children who are from  
9 single parent households, households living below the  
10 New York self-sufficiency standard, children who did  
11 not attend full day kindergarten, English language  
12 learners, and those who have been in the child  
13 welfare system. We prepare our children for success  
14 in middle school, high school, college, and life by  
15 providing them with a rigorous instructional  
16 experience and in addressing their physical,  
17 emotional and social needs. Our philosophy is that  
18 children who learn together learn from one another.  
19 We believe that a diverse inclusive school community  
20 promotes socialization, empathy and acceptance.

21 Programming and support services aren't contingent  
22 upon an IEP alone. We assess all of our children to  
23 ensure we are meeting their needs through our mission  
24 and vision. All of our classes have co-teaching and  
25 integrated Related Services. We have a life coaching



2 team comprised of social workers who function both as  
3 clinicians and also teach life skills classes. We  
4 also have a paraprofessional team, and that again is  
5 not contingent on an IEP that is employed by the  
6 school who are trained in the core child therapy,  
7 child play therapy skills.

8 IFE LENARD: Good afternoon. I'm  
9 Principal of Children's Aid College Prep. We are  
10 proud of our weighted lottery because it allows us to  
11 receive and keep the children of the neighborhood,  
12 especially those with the special needs. Yes. Ife  
13 Lenard, Principal of Children's Aid College Prep.

14 CHAIRPERSON DROMM: I heard you say  
15 principal, but I didn't hear your name.

16 IFE LENARD: Yes, Ife Lenard. I'll start  
17 again.

18 CASEY VIER: And my name is Casey Vier,  
19 Academic Dean.

20 CHAIRPERSON DROMM: Very good, thank you.

21 IFE LENARD: We are proud of our weighted  
22 lottery because it allows us to receive and keep the  
23 children of our neighborhood, especially those with  
24 special needs to help us be a more inclusive school.  
25 Our teachers receive ongoing professional development

2 and in-class support in implementation of  
3 instructional strategies that promote academic rigor,  
4 coupled with purposeful scaffolds so that all  
5 children have the opportunity to develop their  
6 critical thinking skills. It is our belief that our  
7 special education children and general education  
8 children receive the same instruction. Everyone gets  
9 the same classes. We maintain 24 size for every  
10 single class. Additional academic and  
11 social/emotional interventions are provided as a  
12 supplement, not as a replacement. Our philosophy and  
13 systems have helped us to meet our mission so that  
14 the most vulnerable children experience success. I  
15 have one case example where we have a student in the  
16 second grade from a single family household who is  
17 living below the New York self-sufficiency standard.  
18 He has significant cognitive delays and chronic  
19 diabetes, which greatly impact his social/emotional  
20 development and academic progress. After one year  
21 with us, he was offered special--a private school  
22 placement due to the severity of his disability and  
23 his parents turned down this offer so that he could  
24 remain at our school and be with his typical peers.  
25 He has grown three reading levels since August, and

2 he is beginning to express himself and socialize with  
3 his peers as a second grader, and he will remain with  
4 our school. It has helped, going through these cases  
5 has definitely helped us to be the sort of inclusive  
6 model that everyone strives for.

7 ELIZABETH SPRINGER: Hi, my name is  
8 Elizabeth Springer, and I'm the Special Ed Director  
9 at Hyde Leadership Charter School. I want to thank  
10 you for the time to listen to us this evening. Let  
11 me tell you a little bit about our school. Hyde  
12 Leadership Charter School is a kindergarten to 12<sup>th</sup>  
13 grade charter school in Hunts Point in the Bronx. We  
14 serve just under 1,000 students and we're divided  
15 into three developmental levels, K through five, six  
16 through eight and high school between two campuses  
17 within a few blocks of each other. Our mission is to  
18 develop the deeper character and unique potential of  
19 all of our students through family based character  
20 education. And so you're asking--you're probably  
21 asking why would a parent want their child at our  
22 school? It's because we built a vision for inclusion  
23 and we're currently developing our practices to move  
24 towards the most inclusive practices possible. We  
25 build all of our student's self-awareness through

2 practices that require constant self-growth process  
3 from an action reflection cycle. We work closely  
4 with our families, and we believe the home is the  
5 primary classroom. Sixteen and a half percent of our  
6 students have IEP's and receive special education  
7 services and eight percent of our students are  
8 English language learners, and we've had two  
9 graduating classes so far. A hundred percent of our  
10 students with IEP's have graduated. More  
11 specifically, why would a parent of a child who has a  
12 disability want to be at Hyde? Our special education  
13 program includes a variety of services and programs  
14 that range from Related Services to special education  
15 teacher support services to collaborative teaching.  
16 We have a staff of 16 special education teachers, and  
17 we continue to grow. Our professional development  
18 program for our staff is primarily job embedded. So  
19 we do a combination of frequent observation and  
20 feedback and then professional learning communities.  
21 We also professional develop teachers on a variety of  
22 evidence based programs and approaches based on the  
23 individual needs of our students with disabilities.  
24 So some examples of those are teach, which is an  
25 approach to instructing students with autism, Orton-

2 Gillingham, which has been mentioned multiple times  
3 during this hearing, Stern Math. We also provide  
4 coaching on the collection of functional behavior  
5 assessment data around behavior. I think it's  
6 important to also hear stories about some of our  
7 students, not just our programs. So I just wanted to  
8 talk to you about two students. One, a second grade  
9 student who has been with us for a few years. He has  
10 autism and he's currently in the second grade. The  
11 Committee on Special Education recommended a District  
12 75 placement for him, and we pushed to keep him at  
13 our school. We trained two general education  
14 teachers, general education teachers, in teach and  
15 during his first grade year, and we provided coaching  
16 on the approach through observation and feedback, and  
17 he went from having temper tantrum three to four  
18 times a day to being able to advocate for himself to  
19 take a break. He's currently reading at grade level.  
20 He's only receiving Related Services, speech and  
21 occupational therapy, and we are on target to  
22 decertify him from all services in two years. If you  
23 move forward to our middle school, we've got an  
24 eighth grade student who's been with us since the  
25 sixth grade. He has a speech and language

2 impairment. When he came to us in the sixth grade,  
3 his mom had been so fed up with years of lack of  
4 progress that she had terminated his services in his  
5 other school. He was in a small self-contained  
6 class, and for his entire elementary career he was  
7 reading at a kindergarten level when he came to us.  
8 We spent the first few months of his time in sixth  
9 grade working with him around escape maintain  
10 behaviors, meaning he had outbursts and left the  
11 classroom without permission. We struggled to get him  
12 to do work that was even on his level, and did  
13 through collaboration with his family, through work  
14 with Orton-Gillingham, Read 180 and the Strategic  
15 Instruction Model for Writing, we have been able to  
16 really move him forward and he went from reading on  
17 the first percentile to the 22<sup>nd</sup> percentile. So, if  
18 you see overall our combination of the work we do  
19 with our families, the programs that we do with our  
20 students and our professional development really  
21 helps our students. Thank you.

22 MEGAN DAVIS-HITCHENS: Thanks, Liz. Good  
23 evening, Chairperson Dromm, Chairperson Deutsch and  
24 members of the New York City Council Education  
25 Committee. My name is Megan Davis-Hitchens, I'm the

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 215

2 Program Manager for the Special Education

3 Collaborative, which is a school supports program of

4 the New York City Charter School Center. Thank you

5 for the opportunity to present testimony today. I'll

6 be paraphrasing my written statement. My experiences

7 working in both district elementary and charter

8 elementary schools heavily shaped the work that I do

9 now in supporting special educators and the work that

10 they do in their schools. Since joining the special

11 education collaborative in January I've conducted

12 over 65 school visits, spending more than 200 hours

13 in schools with special education teachers, general

14 education teachers and their school leaders. What

15 all schools need is an overarching--sorry. What all

16 schools need is a better overarching special

17 education system with clearly communicated processes,

18 shared systems for data collection and accountability

19 measures for timelines and quality of education. I've

20 identified six areas that schools should continue to

21 focus on and prioritize and receive support in. The

22 first being that they should continue to enhance RTI,

23 sorry, Response to Intervention and pre-referral

24 systems and engage families every step of the way

25 during that process. Schools should continue

2 prioritizing teacher collaboration and developing  
3 stronger systems for observation and coaching of  
4 teachers. Schools should continue creating work  
5 flows that emphasize collaboration with IEP writing,  
6 lesson planning, unit planning, differentiating  
7 instruction, and analyzing behavior. Schools should  
8 continue demanding high quality related service  
9 providers for their students and working towards more  
10 trans-disciplinary collaboration within the  
11 classroom. School should continue to focus on  
12 building their capacity, through research,  
13 professional development, peer modeling, inter-  
14 visitations and professional learning communities in  
15 order to meet the needs of all students and focus on  
16 ways to develop programs that support a range of  
17 needs. And last, schools should continue to dedicate  
18 time to tracking and analyzing special education data  
19 and collaborating with families and their committees  
20 on special education to ensure the highest quality  
21 special education process from initial referral to  
22 declassification and everything in between. The goals  
23 should be developing dynamic programs that produce  
24 academic and social/emotional achievement in all  
25 students. Thank you for providing me with this



2 opportunity to speak today. I feel privileged to be  
3 here with all the fellow educators and advocates in  
4 the room. Thanks.

5 CHAIRPERSON DROMM: Just wanted to be  
6 sure we got everybody on that panel. That was a big  
7 panel, and thank you all for coming in. I'm just  
8 curious to see what your reaction is to. It seems to  
9 me if you're having the success that you're  
10 reporting, that key to part of your success is having  
11 lower class sizes and two teachers in the classroom,  
12 something that doesn't happen in the public school  
13 system. Am I right about that?

14 IFE LENARD: It's a part of the formula,  
15 yeah.

16 CHAIRPERSON DROMM: Yeah, so if you're  
17 talking, you know, like me, I had 38 kids in my  
18 class. I had 50 percent more number of kids in my  
19 classroom, it's much harder for me as a public school  
20 teacher to work with that group of kids, and I was  
21 alone in the classroom, and if I had two teachers in  
22 the classroom. So, that seems to be part of the key  
23 to your success. Right? In the Children Aid College  
24 Prep Charter School, you had mentioned, Madam

2 Principal, that you don't have any specialized  
3 instruction for the students?

4 CASEY VIER: I think just one of our core  
5 beliefs is that when working with the teachers on  
6 these instructional strategies, because that is one  
7 of the pieces for all children right now and where  
8 we're going, to make sure that children have an  
9 opportunity to develop their critical thinking  
10 skills, and I think that's something that we often  
11 lose sight of because we're so focused on getting  
12 kids up to par, and so a lot of our professional  
13 development is in still allowing children to  
14 experience that rigorous academic experience, but  
15 training teachers on being really thoughtful about  
16 what that looks like. So whether it is particular  
17 scaffold or embedded accommodations, we still want  
18 our children to access that. We also have a response  
19 to intervention, which is a separate time where we  
20 use research-based interventions. So we also use  
21 Wilson Foundations, Marilyn Burns [sic] Do the Math.  
22 So we do all of that as well, but we don't compromise  
23 the critical thinking and the rigor, because children  
24 struggle. We're really strategic about when we're  
25 providing that remedial support, and when they're

2 experiencing what their peers are, but making sure  
3 that it's accessible to them.

4 CHAIRPERSON DROMM: So with the--thank  
5 you for that clarification. I appreciate it. It  
6 seems that you do differentiate the instruction--

7 CASEY VIER: [interposing] Oh,  
8 absolutely.

9 CHAIRPERSON DROMM: to an extent, but not  
10 the goal for the students.

11 CASEY VIER: We don't take it away or we  
12 don't water down or deviate it, as this is the goal  
13 and how the children get there might look a little  
14 different, but they're going to get there.

15 CHAIRPERSON DROMM: So have--

16 CASEY VIER: [interposing] And they're  
17 going to experience.

18 CHAIRPERSON DROMM: Have your schools  
19 been around long enough to look at the graduation  
20 rates? What grade does your school go up to?

21 IFE LENARD: No, third.

22 CHAIRPERSON DROMM: Third, so it's still  
23 early on to see the real results of your efforts in  
24 that sense. Because we're comparing today here  
25 graduation rates. We're talking about, you know, the

2 practices, the provision of services. So it's a much  
3 smaller example of what's work--

4 IFE LENARD: It is, but we have had  
5 national testing. So we have been able to actually  
6 two years in a row, the special education population  
7 that we have actually outperform our general  
8 education children in kindergarten, first, second  
9 grade in the first three years of our school, and  
10 that has helped us to be able to understand that the  
11 strategies, the accommodations, all of the  
12 modifications that we've done is actually working.  
13 So we've been able to compare scores nationally  
14 before we move into this New York State testing.

15 CHAIRPERSON DROMM: But what about in New  
16 York State, because--

17 IFE LENARD: [interposing] Not--

18 CHAIRPERSON DROMM: what test are you  
19 comparing it to in New York State?

20 IFE LENARD: Not yet. This will be our  
21 first year with regards to that. We've taken some  
22 preliminary stuff and we're doing very well. I think  
23 what also helps is that we removed the stigma of  
24 being in special education. I mean, I think having  
25 that sort of parent engagement and not parent

2 involvement. I mean, we have brought our parents in  
3 to actually assess goals and to create class-wide  
4 goals, which is very different. There's a real sort  
5 of conversation that parents understand that we're in  
6 a professional relationship for the next nine years.  
7 So that's been a little different also.

8 CHAIRPERSON DROMM: Are you parents  
9 required to come in as part of remaining in the  
10 charter school?

11 IFE LENARD: No, we let--required, you  
12 can't mandate a parent to come in. We--

13 CHAIRPERSON DROMM: [interposing] Well,  
14 some do. Some do mandate--

15 IFE LENARD: Oh, no, you--

16 CHAIRPERSON DROMM: parental involvement  
17 or they get thrown out.

18 IFE LENARD: It's a part of the norm.  
19 It's a part of the school culture. It's just how we  
20 sort of orient the parents when they first come in.

21 CHAIRPERSON DROMM: Because I think, you  
22 know, there are many instances where it is difficult  
23 to get parental involvement, whether it be because of  
24 the culture of the school, or whether it be--

2 IFE LENARD: [interposing] I mean, the  
3 culture of the school, that also helps. They know--  
4 we really are pretty up front up, you know, when they  
5 first come in. I think that life coaching, having  
6 life coach as a part of the team. They are clinical  
7 social workers. That's a huge part of being able to  
8 stop the silos that teachers and clinicians work, you  
9 know, in separate domains.

10 CHAIRPERSON DROMM: I think any time you  
11 get a parent involved in a child--

12 IFE LENARD: [interposing] It's huge.

13 CHAIRPERSON DROMM: It's huge.

14 IFE LENARD: It's a huge plus.

15 CHAIRPERSON DROMM: It's really important  
16 to the process. What about sharing best practices?  
17 Do you work with local public schools for--

18 IFE LENARD: [interposing] Yes, yes.  
19 We're a community school. We're a charter school.  
20 We're a college preparatory school. There are best  
21 practices. There are two other--we're a public  
22 school as a charter school, but there are two other  
23 DOE public schools.

24 CHAIRPERSON DROMM: In the same building?  
25

2 IFE LENARD: In the same building and we  
3 have been always upfront about sharing practices and  
4 benchmarks. And they have best practices that they  
5 have established. They've been in the building 14  
6 years, and all of the children are either related,  
7 they all come from the same community. So, we have  
8 to be the--we want to be the oddity to say that we're  
9 up for it. So we come to the table, and we've done  
10 very well. The three schools in the building, this  
11 community knows that we're like that.

12 CHAIRPERSON DROMM: So, you'd say you're  
13 a functional building in terms of the relationship  
14 that you have--

15 IFE LENARD: [interposing] Oh, yes.

16 CHAIRPERSON DROMM: with the other public  
17 schools.

18 IFE LENARD: You have to be because we  
19 are a community school. Yeah, we don't participate--

20 CHAIRPERSON DROMM: [interposing] And how  
21 do you do the sharing, how does that happen?

22 IFE LENARD: You talk. You normalize  
23 things.

2 CHAIRPERSON DROMM: But do you have like  
3 professional development days with other, with the  
4 other schools in your building?

5 IFE LENARD: We have--so there's a new  
6 principal for one of the other buildings. We have  
7 started that, talks about what we're going to do.  
8 We're going to align next week. We have a  
9 professional development day on election day when  
10 teachers come to school and children are off. So--

11 CHAIRPERSON DROMM: [interposing] So that  
12 means the teachers from the other two schools--

13 IFE LENARD: [interposing] Oh, yes, yes.

14 CHAIRPERSON DROMM: even come to your  
15 professional development as well?

16 IFE LENARD: Yes.

17 CASEY VIER: And a lot of it, too,  
18 because we've established and it's, you know, it  
19 takes work and time, but even like the informal where  
20 teachers who might have a classroom next door to one  
21 another to go over and say, you know, I'm teaching x,  
22 and can we talk to you about this. And also, even  
23 with some of their after school programming, because  
24 with Children's Aid Society, we also share some of  
25 those services. So in working out the programming



2 for afterschool, for the summer, and also learning  
3 from them and what they are doing, because it effects  
4 all of our children.

5 CHAIRPERSON DROMM: Now, I ask only  
6 because there are some charter schools that do not  
7 allow interaction with the other existing schools in  
8 the building.

9 IFE LENARD: No, like we are not adult  
10 centered. We really are children centered.

11 CHAIRPERSON DROMM: Okay, good. And, I  
12 guess that's probably about it for right now.

13 IFE LENARD: I appreciate it.

14 CHAIRPERSON DROMM: I mean, I have other  
15 questions, but--

16 IFE LENARD: I thank you for the  
17 questions.

18 CHAIRPERSON DROMM: interesting models,  
19 and I thank you for coming in and sharing stories as  
20 well.

21 IFE LENARD: Thank you. Thank you so  
22 much.

23 CHAIRPERSON DROMM: Thank you. Okay, our  
24 next panel, Ruth Aberman from Sterling School, Mike  
25 Godino, I believe, or Grodino [sic], New York City

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
1 ON NON-PUBLIC SCHOOLS 226

2 Youth in Vision Loss Coalition, Megan Boyle [sp?],  
3 Special Education Teacher in high school, Susan  
4 Crawford, the Right to Read Project, and Susan Crosen  
5 [sp?], herself on behalf of herself and special ed  
6 students. Okay, if you just raise your right hand,  
7 I'm going to swear you in. Do you solemnly swear or  
8 affirm to tell the truth, the whole truth and nothing  
9 but the truth, and to answer Council Member questions  
10 honestly?

11 UNIDENTIFIED: I do.

12 UNIDENTIFIED: Absolutely.

13 CHAIRPERSON DROMM: Okay, good. Let's  
14 start on my right, I guess on your left over here.

15 SUSAN CRAWFORD: Thank you, Chair Dromm  
16 and I'm sorry, I can't say your name.

17 CHAIRPERSON DROMM: Council Member  
18 Deutsch.

19 SUSAN CRAWFORD: Thank you. My name is  
20 Susan Crawford. I'm Director of the Right to Read  
21 Project, which I founded out of my own experience of  
22 having two dyslexic children. And I just first want  
23 to say that it is an extraordinary leap forward that  
24 you heard the word dyslexia coming from a DOE panel  
25 at all, because you would never hear that in the

2 previous Administration. I submitted an article to  
3 you that I wrote as pre-testimony, so I hope the  
4 panels, the committees have--

5 CHAIRPERSON DROMM: [interposing] I just  
6 want to interrupt you. Why is that you wouldn't have  
7 heard that word dyslexia?

8 SUSAN CRAWFORD: It's as if it didn't  
9 exist, as if it was some kind of--

10 CHAIRPERSON DROMM: [interposing]  
11 Intentionally?

12 SUSAN CRAWFORD: esoteric, strange thing  
13 that only as Sally Shay [sp?] who's an expert on  
14 dyslexia said, it's as if it only occurred on the  
15 Upper West Side or something from parents who, you  
16 know, were coming in looking for some kind of  
17 diagnosis, as opposed to it being a real diagnosis,  
18 for which there was real remedial help, about which  
19 you've heard much of the help today, and if it were  
20 just implemented quickly, we would have very  
21 different structure in this city of accomplishment  
22 among the students because it effects dyslexia,  
23 affects 20 percent of the population, the general  
24 population throughout the world. It's not just--but  
25 it especially effects English speaking people,

2 because of the-- it's complicated. I don't want to  
3 get too deep in the weeds, but it is a reason that it  
4 effects in Australia, England, the UK, Canada,  
5 etcetera, and US more than say in Asian countries.  
6 But it's not to say Asian students don't get it, it  
7 just manifests differently, or Italian students  
8 because they have so few letter combinations for the  
9 sounds, it affects even less. So, this is all to  
10 say, there are things in place which could help those  
11 250,000 dyslexic students in the city, and on top of  
12 those are another 200,000 or so who need special  
13 decoding skills. And so four out of ten children  
14 have trouble learning to read, according the NICHD,  
15 and if they had been helped under that previous  
16 Administration all through those years, we would be  
17 in a much different place, and it wasn't from my lack  
18 of trying. I came to many, many--I testified many  
19 times before your two predecessors, one of whom is  
20 now running a chain of charter schools with a highly  
21 evolved RTI protocol, which as you mentioned, she  
22 will not share with the public education system at  
23 large. So, I just want to quickly hit some bullet  
24 points. The DOE noted there are 12,000 children with  
25 autism. I just want to underscore, over 200,000

2 children have dyslexia, and another 200,000 or so  
3 more need special help with decoding skills. You  
4 wondered about how could there be so many schools  
5 with no IEP's. That's because the previous  
6 Administration when it would open a new school said  
7 for the first--charter or small school. For the  
8 first two years you don't have to take any IEP's or  
9 ELL's. And then that just kind of went on and on.  
10 The cuts score shift in 2010 came after an extremely--  
11 -in 2009 we had the miracle of all schools getting  
12 scored with A's and B's, which also happened to be an  
13 election year. And then the--

14 CHAIRPERSON DROMM: [interposing] I  
15 thought as well, and I meant to bring it up during  
16 the hearing. I just didn't get an opportunity to do  
17 that, but that is a really important point to be  
18 made, and thank you for reminding me of it.

19 SUSAN CRAWFORD: There is something to be  
20 said for institutional memory, and I will say, the  
21 lack of parent involvement is to airbrush that away  
22 too under the previous Administration. So, I'll just  
23 try to sum it up by saying if--well, actually the DOE  
24 mentioned dyslexia is a growing need, and one that we  
25 need to be getting back to. It's not a growing need.

2 It's always been there, but what's really needed is  
3 to address it. And Saul Stern wrote an article a  
4 number of years ago called, "We Need a Marshall Plan  
5 for Reading." And it's not just in K through three,  
6 it's K through 12 needs all these children whose need  
7 were not addressed under the previous Administration.  
8 Still need that help. The same as in the Rikers  
9 Island high school and in the transfer schools and so  
10 on, and you've heard it from a number of panels. I  
11 just want to pick up on that very last panel. You  
12 hear highly evolved special ed protocols there. Why  
13 aren't those in the public school? Because the  
14 previous Administration poured resources into the  
15 charter school movement. That's where it's being  
16 done. I was very happy to hear them share their  
17 practices, and they should just be disseminated  
18 tomorrow to all other schools. Thank you.

19 CHAIRPERSON DROMM: Okay, and next  
20 please.

21 RUTH ABERMAN: Hi, I'm Ruther Aberman.  
22 I'm the--I'm an Orton-Gillingham trained reading  
23 specialist and I'm the founder of the Sterling  
24 School, which I founded for my dyslexic son 15 years  
25 ago. When I was invited to speak before this august

2 body, I asked myself what as a non-public school  
3 director could I add to a discussion of special  
4 education that's valuable in a broader context? And  
5 so I started to think about how different is the way  
6 we approach our learning disabled and dyslexic  
7 students than common public schools practice? First,  
8 our curriculum is development is research based, and  
9 it continues to evolve as brain science updates our  
10 understanding of how we learn. It's also critical  
11 that it is reactive to individual student needs.  
12 Secondly, it's not conceptualized. How can we fit  
13 the student into a preconceived box? But how rather  
14 do we adapt concept and skill instruction to  
15 individual needs. And thirdly, we must reinforce  
16 instruction until automaticity is achieved. We must  
17 understand that where our students differ from their  
18 main stream peers is not in the areas of needing  
19 targeted instruction, high expectations, meaningful  
20 goals, but rather in their rate of acquisition and  
21 retention of reading skills. I'm going to skip the  
22 part with the numbers. You can go there yourself.  
23 But the National Reading Panel told us more than a  
24 decade ago what we needed to do. We need systematic  
25 phonics instruction, direct instruction of

2 comprehension, and gradual improvement in fluency to  
3 lead to success. Not only should students learn to  
4 read, but read to learn. This is not new, but  
5 teachers must work in cultures that promote teaching  
6 of skills until automaticity is developed. In other  
7 words, think back to how you learned to drive a car.  
8 At the beginning you had to go through a mental  
9 checklist: step on the gas, look over your shoulder.  
10 You don't want to have to do that when you're  
11 reading. You need to have mastered the basic skills  
12 before somebody asks you to learn stunt driving  
13 techniques. Otherwise, you most likely would act  
14 out, quit, or never really develop sound driving  
15 skills. Instead, you got targeted practice, and  
16 that's what our students need with reading. They  
17 need to free up the attention from reading at the  
18 word level, which allows us to have mental space to  
19 process language and get meaning from print. Some of  
20 you are sitting here thinking, of course she's  
21 successful, she picks and chooses her students.  
22 She's a non-public school. You're both right and  
23 wrong. We're not exclusive. We have children who  
24 receive free lunch from single parents and ethnically  
25 diverse families. In fact, most of our population



2 mirrors the public schools our students came from.

3 One of the things we do is we don't wait to see if we  
4 can intervene less or wait until they fail before  
5 starting intensive instruction using research based,  
6 multisensory, Orton-Gillingham instruction to target  
7 student's needs. Too often we hear from our parents  
8 that when they went to their assigned school, they  
9 were told they didn't have the program delineated on  
10 the IEP, but they'd be glad to change the IEP so the  
11 kid could enter the school. I think that's backwards.

12 When we're contacted by a parent whose 10 year old  
13 daughter is still in first grade, one must wonder how  
14 many times can you do the same thing over and expect  
15 a different result. Using intense remediation, we  
16 took a fourth grader who entered Sterling last  
17 December not knowing the letters of the alphabet to  
18 one who is now reading chapter books, and we can't  
19 stop there. We have to stay on the offensive. The  
20 lack of differentiation with the special education  
21 classes and programs makes it very difficult for  
22 teachers working in public school classes to increase  
23 the rates of student learning, and that's what we  
24 must do. We must not only stem the tide of loss, but  
25 increase the rate of growth. So you're asking

2 students who failed to learn to now learn faster than  
3 the pace of learning we expect of the main stream  
4 student, and I know we can do it because the 10 year  
5 study of our own student shows that it's possible.  
6 But what happens--that must happen if our students  
7 are going to compete in the adult world. If you ask  
8 a botanist about cucumbers, he'll tell you they're  
9 fruit, yet we don't make cucumber pie. You buy them  
10 in the vegetable aisle and you treat them  
11 accordingly. We must classify students by needs and  
12 then use research based methodology delivered by well  
13 trained staff early and with intensity if we want to  
14 stem the numbers of students being identified for  
15 special education and see real progress for those  
16 students already receiving services. Thank you.

17 CHAIRPERSON DROMM: Thank you. Next  
18 please?

19 MICHAEL GODINO: Thank you for hosting  
20 this hearing. My name is Mike Godino. I'm the  
21 Project Manager of the New York City Youth in Vision  
22 Loss Coalition. We were created a year ago to--by  
23 vision service providers, advocates, children with  
24 low or no vision, parents of children with vision  
25 loss and multiple disabilities. Currently, we are

2 over 30 organizations represented by more than 75  
3 people working to improve quantity and quality of  
4 services being provided to children and youth with  
5 blind in New York City, or blind in New York City.

6 One of our goals is to identify and remedy the  
7 unrepresented--under-representation of children and  
8 youth who are blind in New York City and not  
9 receiving the proper services within the schools.

10 Although common knowledge to professionals in the  
11 field of vision loss, not the -- the majority of  
12 educator--although common knowledge to the  
13 professionals in the field of vision loss, the  
14 majority of educators, legislators and the general  
15 population do not know that many of the children  
16 struggling with vision loss through school are  
17 unaware of their disability and never, because it's  
18 never properly identified, corrected or adjusted to.

19 Some of these students have other disabilities and/or  
20 behavioral issues that are sometimes exacerbated by  
21 the result of their vision impairment. We must  
22 identify, document and track these students while  
23 providing them quality vision services. New York  
24 City, the New York City Vision Loss Coalition has  
25 recommended in a letter that I've incorporated into

2 the back of the testimony there to the special  
3 education and rehabilitation services and the Mayor  
4 and other testimonies to the Mayor, Chancellor and  
5 Community Education Council, that all students should  
6 be mandated to have comprehensive vision assessments  
7 prior to entering school. Currently, they're only  
8 receiving vision screenings, and it's not identifying  
9 all of the children with some of the visual  
10 impairments, especially some with the cognitive  
11 visual impairments which these ladies talked about  
12 earlier. Additionally, we believe that students  
13 should have the following visual evaluation every  
14 three years or as recommended by their eye care  
15 professional. These vision evaluations will identify  
16 any and all youth experiencing eye diseases and  
17 functional vision loss and ensure they receive the  
18 necessary vision services to mitigate the deficiency  
19 during the school years. We found--we further  
20 believe that any students identified as having a  
21 visual deficiency be tracked as such and in addition  
22 to any other disability identified on their IEP. As  
23 this will result in the student receiving vision  
24 services throughout. The Youth and Vision Loss  
25 Coalition serving as representatives, advocates,

2 parents, members of the blind community know all too  
3 well too many youth are being not being identified as  
4 having vision loss, and we feel that identifying  
5 these kids early on, getting them the services they  
6 need and following them, tracking them throughout  
7 their school careers will get them the services they  
8 need and we believe that it will also allow them to  
9 receive these services and hopefully achieve that  
10 ultimate goal of a academic graduation, academic  
11 diploma when they graduate. So, we believe getting  
12 them the services they need early, not just  
13 identifying them, because we know they're being  
14 missed. We know they're out there. We find them  
15 when they enter school later on, in college years.  
16 So we know they're out there, and they say, "This is  
17 the way I've always seen. I don't know any other  
18 vision. But they've cuddled me and coddled me through  
19 school, tried to meet my needs, never really teaching  
20 me that I can't see what I'm looking at." I'm  
21 legally blind. I have no direct vision. As long as  
22 both eyes are open, I can scan a room fairly well,  
23 but I can't see any of your faces. I can't identify  
24 any of the words. I mean, look at the font that I'm  
25 reading here. It's 30 point. It's very difficult to

2 make sure that we get these kids early on, identify  
3 them, track them through school. The IDEA only  
4 identifies one disability on each IEP. We know that  
5 there are children with developmental disabilities,  
6 autism, mental illness, that are coming through the  
7 program with visual impairments that are not  
8 identified, and these children may be acting out as  
9 such because of that visual impairment. So, please,  
10 try to in your tracking bill 435, we want to make  
11 sure that they're tracking visual impaired children  
12 in addition to one of the other 13 disabilities on  
13 the IEP. Thank you.

14 CHAIRPERSON DROMM: You know, your  
15 testimony brings up an issue that I always had in my  
16 classroom, which was kids who needed glasses, and who  
17 came to school every day without their glasses, came  
18 to school without their glasses for the reading test,  
19 had to take their test without their glasses, and it  
20 just reminded me of another issue that's out there in  
21 terms of vision and sight as well, and that was every  
22 year I would have kids. Their parents, sometimes  
23 they were lucky enough to be able to afford them and  
24 go out and buy them a pair. Other times they bought  
25 them a pair and the kids would lose them and they

2 couldn't go out and buy another pair. So it's a big  
3 problem in the schools. Anyway, thank you.

4 MICHAEL GODINO: These types of vision  
5 assessments are covered under the Affordable Care  
6 Act, so they're part of the essential benefits  
7 provided within the Affordable Care Act. So we can  
8 do away with that nurse one year, every year  
9 examination of reading the Snelling [sic] chart. We  
10 can get real visual examinations where we dilate the  
11 children's pupils and actually look into the eye to  
12 see if there are any real issues in there.

13 CHAIRPERSON DROMM: That's great. Thank  
14 you.

15 MICHAEL GODINO: Thank you.

16 MEGAN BOYLE: Thanks. I am Megan Boyle.  
17 I am a--this is my 12<sup>th</sup> year as a teacher in the DOE.  
18 I'm a special ed high school teacher. I had not  
19 actually intended on speaking today, but I noticed  
20 that you hadn't heard from any teachers, so I thought  
21 I should add my voice to the conversation. So, I  
22 don't have anything to hand you besides my notes if  
23 you would like them when I'm done, and these are not  
24 necessarily in priority order, but they are what came  
25 to mind. I'm really lucky. I work in a wonderful

2 school. Almost all of our students with and without  
3 IEP's go onto college. We have a lot of students  
4 with IEP's who graduate with Regents and Advanced  
5 Regents Diplomas, but we are still not satisfied with  
6 what we are doing, and there are a lot of things that  
7 are in our way. So my hope is that your legislation  
8 can be expanded to also address the root causes of  
9 the service gaps and to address the quality of  
10 service. So, the first thing on my list is space.  
11 Right now, my understanding is that the building  
12 allocation formulas don't address things like Related  
13 Services or testing accommodations. So we look at  
14 like what the program recommendation is, but you  
15 know, for instance, the other day I gave a test. I  
16 have three students in one section that are supposed  
17 to have questions read to them. I only had one room  
18 available and only one me available, so like that's  
19 an issue that comes up a lot. I heard about the ASD  
20 Nest program a lot. We are lucky enough to be an ASD  
21 Nest school this year. ASD Nest is supposed to come  
22 with reduced class sizes and with a Nest room. So  
23 those are--like, those sorts of things and those are  
24 not reflected anywhere in the formula right now. But  
25 also love if the emphasis on the quality IEP could be



2 balanced with emphasis on quality instruction. Every  
3 year our network comes in and does a PD with us where  
4 they audit one of our IEP's, and we go through, and  
5 it's helpful, and it you know, shows us what some of  
6 the gaps are in the IEP writing, but my experience as  
7 an educator is that the change for the children  
8 doesn't happen in the IEP. It happens in the  
9 classroom. So, I'd love to see more emphasis there.  
10 SESIS has to work better. I'm so sorry my colleagues  
11 at the DOE are no longer here. It's incredibly time  
12 consuming and incredibly inaccessible to families.  
13 You know, I think that only teachers are given access  
14 to it is contradictory of the message that the IEP is  
15 the shared work of the teachers, the students and the  
16 parents. If we want everyone involved, then everyone  
17 should have access. Transparency and budgeting: The  
18 first time I ever went to a PEP meeting was because I  
19 had a very vocal young man in my class who really  
20 wanted to take Spanish, and his IEP said ICT, and he  
21 had already filled his graduation requirement, so the  
22 understanding on the school level was we're actually  
23 not funded to provide you with Spanish ICT beyond  
24 your graduation requirements. So I went to the PEP  
25 meeting to address this, and they told me that wasn't

2 true, but no one could actually tell me how the  
3 funding formula works, so I think that's a big issue.  
4 Also, one of the great things about the phase one  
5 reform was that it allowed us to do things like say,  
6 "A student really needs ICT, but they also need SETS  
7 [sic]." But then it didn't allow us to fund that, so  
8 it caps at that 60 percent. So, big issue, back to  
9 the paperwork. Also, just that process really needs  
10 to be streamlined. I know none of you have ever sat  
11 and done encounter attendance. It's like this  
12 incredibly time consuming process for all Related  
13 Service providers and SETS teachers. And when I was  
14 doing this, I'm not doing SETS this year, but I would  
15 often tell my principal that I felt extremely  
16 conflicted between accountability and instruction and  
17 that's not something that we should be putting people  
18 in the position to feel. High school issue  
19 specifically, up until students are in high school  
20 they're allowed to progress based on modified  
21 promotion criteria. So if they're meeting the goals  
22 of their IEP and what the team has agreed to, then  
23 they move forward, and then they arrive in high  
24 school and they're no longer allowed to do that. So  
25 we see kids coming into high school significantly

2 below grade level because they've moved forward on  
3 modified promotion criteria, and then we tell them,  
4 "Actually, that's not allowed anymore, and you have  
5 to meet all your grade level standards and you have  
6 to pass all these tests." I'm all for the high  
7 expectations, but they can't begin in high school.

8 On a personal note, I came into teaching as a  
9 teaching fellow, and I appreciate it, but it got me  
10 in the door. But I think that we have in the city a  
11 lot of our neediest students being taught by our  
12 least experienced teachers, and I think that's really  
13 unfair. And just--I'm almost done, I think.

14 Managing teacher case loads, the only special ed  
15 requirements with a teacher case load attached to  
16 them right now in the city are that a SETS teacher  
17 can't have more than 40 students in their case load.

18 That's a lot, but you can have a situation where you  
19 have two ICT sections and three sections of SETS.

20 So, you have 24 kids in your ICT classes that you're  
21 responsible for and then 24 more kids in your--it's  
22 overwhelming and you can't possibly do the job the  
23 way that you're supposed to if you're in that  
24 position. So I think a real teacher case load limit  
25 would be valuable. Also, the 40 percent ratio that

2 we heard about a lot here, students with 504's are  
3 not included in that 40 percent ratio. So you have  
4 often times in classes, in a class of 34 you'll have  
5 25 students with some kind of disability, maybe only  
6 12 of them have an IEP, but there are a myriad of  
7 other issues going on in the room. So, I think  
8 including that into that number would be valuable.  
9 And I guess the last thing I will say is that I  
10 appreciated all your questions about professional  
11 development. I really do actually am in agreement  
12 that the way to do this is through capacity building  
13 in the buildings. I get concerned when I hear about  
14 online videos is the way for PD. I think we really do  
15 need to like invest the time and money into getting  
16 experts in the buildings who can work with the staff  
17 and who can do things like model lessons, because no  
18 PD that has gone to an isolation and is never treated  
19 again will every change. So, that's it.

20 CHAIRPERSON DROMM: Just a couple of  
21 observations. In my school for many years, when we  
22 used to have resource room, kids would be pulled out  
23 of the classroom to get their resource room session,  
24 but it was done in the hallway at the end or in the  
25 stairwell, and that what was where the resource room

2 was, you know. So that was one thing. So we used to  
3 complain about that, and then one day the maintenance  
4 crew came up and they opened a closet door, which was  
5 a--like they used to put shovels and pitch forks and  
6 things like that in there and rakes and stuff, and I  
7 said, "Watch what they're going to do now, they're  
8 going to make this into a classroom." I said it as a  
9 joke, but sure enough that's what they did. They  
10 threw up a coat of paint and they made it the speech  
11 room, and it was--the room was so small you could  
12 hardly get, you know, one of those little round  
13 tables in there, but they managed to push it in, and  
14 like they could have speech for one or two kids in  
15 the room. That was the value they placed on that  
16 type of instruction, and unfortunately, I think it  
17 still may be going on to be honest with you. So,  
18 next please?

19 SUSAN CROSEN: Hi, my name is Susan  
20 Crosen [sp?]. I've spent two years being President of  
21 a district two k through eight school, secretary of  
22 President's Council, Second VP and Secretary on  
23 Chancellor's Parent Advisory Council, and I've sat  
24 for another two years as an alum at CPAC. More  
25 importantly, I'm the mom of two high schoolers, one

2 with an IEP and enjoying the fruits of a public high  
3 school, Franklin Court, in its fifth year. My other  
4 son has been the victim of special education reform  
5 and is currently in a residential school in  
6 Massachusetts. Not only does my child need to go to  
7 school away from his family and friends, but we spent  
8 our life savings to find him that classroom setting.  
9 That whole process just--I've written to you about  
10 it. It's got to change. However, the process wouldn't  
11 need to be necessary if the Department of Education  
12 provided seats to children with learning  
13 disabilities, kids that are simply challenged by the  
14 fact that they can't learn in a class of 32 children.  
15 Quite frankly, I'm not sure who can really learn and  
16 get the attention that they need with 32 kids in a  
17 class. When my son was tested, it showed that he was  
18 a bit behind. He was diagnosed with ADHD impulsive  
19 type and really needed a small classroom. So, in  
20 fourth grade he was put in a 12 to one classroom. I'm  
21 not sure why DOE thinks that all kids need a 12 to  
22 one or 12 to one to one are aggressive and get off  
23 throwing things in a classroom. Maybe if they  
24 actually took the time to place kids with like minded  
25 issues, then there could be some learning going on.

2 Without boring you all to death, I'll skip the two  
3 years my son had to endure chair throwers and  
4 spending most of the time waiting to be taught until  
5 there was some sort of order in the classroom to the  
6 seventh grade disaster, seventh grade testing year.  
7 Seventh grade, no test, no homework, basically no  
8 learning. Ben's learning took the form of him  
9 reading his paper that he brought in every morning  
10 watching the news in the evening and whatever  
11 workbooks I provided for him. Once again, no support  
12 for the teacher with an out of control class and no  
13 support for the kids either, no learning. Then  
14 special ed reform rolls out and they shut down the 12  
15 to one class without discussion with the school  
16 leadership team, by the way. No learning in seventh  
17 grade, and these kids that haven't had a functioning  
18 classroom in three years were faced with an eighth  
19 grade ICT class and the challenge of these kids  
20 finding high schools that would accept them. They  
21 attempted to reconvene IEP's to reclassify these kids  
22 for ICT placement. My son had just had his triennial  
23 three weeks earlier, and I told them no way. Sure  
24 enough, the general ed kids spent most of their time  
25 in eighth grade trying to catch the new kids up. It

2 was a mess. Meanwhile, we had to find Ben a  
3 classroom. DOE was non respondent. This summer,  
4 yes, two years after they shut down the 12 to one,  
5 did we get a response and an IEP meeting was  
6 convened. How can we expect our kids with special  
7 needs to be successful when there is clearly no place  
8 for them in the system that DOE has created? What  
9 about the student whose parent doesn't have the money  
10 to front a school until the DOE gets around to  
11 dealing with their case? A high schooler that is now  
12 my son's roommate who's from Chelsea spent a year and  
13 a half waiting for funding for an appropriate  
14 placement. One of his biggest issues is the capacity  
15 to socialize. They spent a year and a half in his  
16 house. Funding came in, and the boy's finally in a  
17 school and now has to catch up socially and  
18 academically, and next year they'll have to do the  
19 same thing all over again. No doubt he'll be sitting  
20 at school waiting until the funding arrives. Once  
21 again, a huge potential of these kids being pulled  
22 out of their schools if the parents don't have the  
23 funding to cover tuition until the DOE decides  
24 whether or not to reimburse the families. These  
25 children are our future. They have special learning



2 challenges. Why are they treated like a disease?  
3 Maybe the DOE should put more money into jobs that  
4 can keep up with evaluating and monitoring these  
5 children rather than with the armies of lawyers they  
6 have on staff to fight against reimbursing parents  
7 for placement. How about hiring more special ed  
8 teachers to support these special learners. The  
9 process that parents have to go through for placing  
10 kids in private or residential schools because there  
11 aren't appropriate models available in community  
12 schools is criminal. Our public schools are failing  
13 our special needs children. The system has created  
14 a generation of lost learners. Our public schools  
15 have closed the classes that could help our  
16 challenged learners, and have made parents do all the  
17 work for them. Thank you.

18 CHAIRPERSON DROMM: Can you just quickly  
19 tell me why they closed the 12 to one?

20 SUSAN CROSEN: Special ed reform.

21 CHAIRPERSON DROMM: But they still have 12  
22 to one classes, don't they, in the system?

23 SUSAN CROSEN: I'm sorry?

24 CHAIRPERSON DROMM: We still have 12 to  
25 one classes in the system?

2 SUSAN CROSEN: This was a community  
3 school, so I don't-- they just--the principal  
4 unilaterally just shut it down and they didn't  
5 provide my son with a class.

6 CHAIRPERSON DROMM: Okay, thank you. I  
7 thank you to the panel. I really appreciate you  
8 waiting out this long. Yes?

9 UNIDENTIFIED: Can I just add one other  
10 point I had wanted to make especially since  
11 Assemblyman Weprin was here, which is that you've  
12 heard the terms RTI and AIS a number of times, and  
13 there is no funding attached, like dedicated funding  
14 streams that parents can rely on will go their  
15 students for help. They shut them up. Funding show  
16 up at the schools and you heard that principals will  
17 then decide how to use it, and this needs to end.  
18 Special ed is underfunded. The tier three special  
19 interventions for dyslexics can only be accessed  
20 through special ed. It's just a mixed ball that  
21 needs to be unraveled, and the funding needs to be  
22 dedicated and used properly, and it needs to be  
23 worked out between the city and the state. And I  
24 know you don't have oversight about what the DOE, but  
25

2 you do have oversight of the budget. So, I pass that  
3 on.

4 RUTH ABERMAN: I would love to add one  
5 comment. Mom [sic] was talking about how long it is  
6 that parents wait for a funding decision. I'm a  
7 nonpublic school who takes many, many Connor's [sic]  
8 kids, parents who can't afford to put the money up up  
9 front and we're still waiting for reimbursement on  
10 settlements for two years ago. So, we're a really  
11 small school. It's really hard for us to front it and  
12 keep fronting it if--like, for me, last year, even  
13 though I spent 90 percent of my time in hearing, at  
14 least I knew I'd get paid. Now, if everything goes  
15 to settlement, I don't know if I'll ever see the  
16 money, 'cause I don't know whether--when it will ever  
17 get through legal services department. So on both  
18 sides of that funding stream, it's a huge issue for  
19 us.

20 SUSAN CROSEN: And it puts pressure on  
21 our kids at the schools. 11,000 dollars a month.

22 CHAIRPERSON DROMM: Yeah.

23 SUSAN CROSEN: 11,000 dollars a month  
24 that I'm asked to pay. Both my parents died, and it's  
25 the only way that I've gotten this far.

2 CHAIRPERSON DROMM: Amazing.

3 SUSAN CROSEN: And my kid will be thrown  
4 out, and you know, they don't move it.

5 UNIDENTIFIED: And I'm the other side, I  
6 can't meet salary if I don't get the money that's  
7 been, you know, promised to us.

8 CHAIRPERSON DROMM: Thank you very much.  
9 I really appreciate it. Thank you everyone. Okay.  
10 Now, for our last panel, Elizabeth Prillo, Stephanie  
11 Jackson--is Stephanie here? Okay. Jordan Meddleson  
12 [sp?], no? Anthony Tack [sp?]? Monica Pentallo  
13 [sp?] Aguio [sp?]? She's here. Brenda Brazelle?  
14 She here? She had to leave, okay. And Paul Levy?  
15 Nope? Okay, good. Okay. Thank you all for staying  
16 to the very end. I really appreciate it, and we want  
17 to hear what you have to say. So, let me swear you  
18 in. If you just raise your right hand. Do you  
19 solemnly swear or affirm to tell the truth, the whole  
20 truth and nothing but the truth, and to answer  
21 Council Member questions honestly?

22 UNIDENTIFIED: I do.

23 UNIDENTIFIED: I do.

24 CHAIRPERSON DROMM: Okay, thank you very  
25 much. Would you like to begin over here?

2           STEPHANIE JACKSON: Hi, my name is  
3 Stephanie Jackson. I'm a school aid in District 28.  
4 I'm also a parent in District 28. The reason that  
5 brought me here today is because I work one on one  
6 with a student named Kyina Atoya [sp?]. I just  
7 started working with her like October the sixth, and  
8 when I was put into her classroom, nobody explained  
9 to me her needs. I was told to sign the fact that I  
10 read her IEP, and the teacher really didn't want me  
11 to see it. So I finally asked and I glimpsed through  
12 it. As the days were going on Kyina became very  
13 aggressive, wouldn't want to take directions from me.  
14 Should would hurt herself. She would pull her hair.  
15 She would eat pencils and things of that nature.  
16 There was only one staff member on the IEP team named  
17 Dawn Kelly, the speech teacher. She would try to  
18 give me strategies to help with Kyina. I spent my  
19 lunch with her, but as far as the physical therapist,  
20 occupational therapies on down, no one would help me.  
21 They told me their hands were tied. They told me  
22 that I would have to speak to the principal. So,  
23 yesterday, I came in early and I asked to speak with  
24 the principal, and she wasn't very inviting, so I  
25 clocked out and I waited for her, and she basically

2 blew me out the water for the fact that I give away  
3 my power by going to speak to other adults, but  
4 they're more educated than me and they understand the  
5 diagnosis. So, I'm just seeking knowledge. So we  
6 went back and forth and it brought me to tears  
7 because all I want to do is just help. That was the  
8 purpose of me taking the job. So I told her, you  
9 know, I would take the rest of the day because I  
10 wasn't on the clock. So then she called me at three  
11 o'clock yesterday afternoon and told me that I  
12 abandoned the student and she doesn't feel  
13 comfortable with me in the building. So I went to  
14 the superintendent's office this morning and I  
15 explained to them what happened. So they told me to  
16 return back to work tomorrow because she never told  
17 me to come. But just coming here today, I just  
18 learned like so much as far as like being a parent.  
19 I have my own child in public school, and she's  
20 struggling. She doesn't have an IEP, but my baby is  
21 struggling, and when I was in school I had resource  
22 room. My teacher, her name was Ms. Toby, and she  
23 would come get me and she would help me. And I'm on  
24 the SLT Committee at my school, and I asked them  
25 because I can't afford, you know, tutoring for my

2 kids. I worked to bus my daughter out to district 25,  
3 but I can't afford the bus, but the school is PS354  
4 in Queens is not getting the kids the support and the  
5 reinforcement that they need. They take the  
6 paraprofessionals out of the classroom and make them  
7 do lunch duty. I've been asking about a resource  
8 room and her teacher finally told me they don't have  
9 any IAF [sic] in the building. So, they have  
10 something on Thursdays and Fridays. And one of my  
11 good friends is a third grade teacher, she said  
12 that's before the IEP. So you kind of feel like I  
13 have to--my daughter needs an IEP to get help. She's  
14 a level R in reading, but she's a level two, and the  
15 way they grade it, they're grading it like maybe on a  
16 science project. So when she gets the progress report  
17 it's average. Don't tell me that my child is  
18 average, because she's over certain kids. And the  
19 principal told me in the SLT meeting that from grade  
20 three to five, only 12 kids are on grade level, and  
21 that's what made me decide that I don't want my  
22 child--it shouldn't be like that. I don't want my  
23 child to go to school in my own community. I  
24 shouldn't have to bus my child out. So it was just  
25 my concerns of my student and just my emotions, I

2 want the best for her. Like, she's isolated in the  
3 side the classroom. The kids don't want to be around  
4 her. The teacher tell them to sit in a semi circle.  
5 She has to sit to the side. So why they have me  
6 doing sort of lunch duty because I want my student,  
7 they're throwing hand sanitizer on her. And then when  
8 you ask for support, they shut you down. It's  
9 basically inside my school, it's better not to care.  
10 Just come to work, get paid, shut up, and then you  
11 can work, but soon as you actually care about a  
12 child, and you know, you go a little over and beyond,  
13 it's not appreciated. Thank you.

14 CHAIRPERSON DROMM: Are you a  
15 paraprofessional or an aid?

16 STEPHANIE JACKSON: I'm a  
17 paraprofessional now. I've been working for the DOE  
18 for 13 years. I was a school aid for 13 years, and  
19 Mr. Green at PS 354, he nominated because he saw  
20 something in me. Mr. Green passed away last  
21 December, so we have a new principal now. Her name is  
22 Raven Asscu [sp?]. She just came in. I have letters  
23 where she was supposed to staff me as a permanent  
24 paraprofessional, but the--but everything closed. So  
25 I was supposed to be staffed between 2014 and 2015



2 school year. I have emails from Angela Brown, but  
3 since I was trying to get help for this student, she  
4 told me she doesn't feel comfortable with me in her  
5 building.

6 CHAIRPERSON DROMM: So, just let me give  
7 you a little advice if I may. Number one, I was a  
8 Chapter Leader, so my advice to my members in the  
9 union was always don't sign anything that you haven't  
10 seen or that they throw in your face and tell you to  
11 sign it.

12 STEPHANIE JACKSON: She didn't give me  
13 anything to sign. She called me over the phone and  
14 just said, "You know, I just don't feel comfortable  
15 with you in the building." So when I went to the  
16 superintendent's office today they told me don't make  
17 her job easy for her, go back, because that's the  
18 only school where I've been and that's where I've  
19 been nominated.

20 CHAIRPERSON DROMM: And now, in regard to  
21 your own child, right?

22 STEPHANIE JACKSON: Parish Johnson.

23 CHAIRPERSON DROMM: Right. So did you  
24 say you wanted a special ed referral for your child?

2           STEPHANIE JACKSON: I wanted some type of  
3 services to see exactly where she's at because for  
4 some reason I don't believe them. They tell me that  
5 she is where she's supposed to be, but she shouldn't  
6 be home doing homework until eight o'clock, nine  
7 o'clock at night.

8           CHAIRPERSON DROMM: You have a right to  
9 demand a referral. So, any parent at any time should  
10 demand that referral, and within 30 days they're  
11 supposed to act on that.

12           STEPHANIE JACKSON: Okay.

13           CHAIRPERSON DROMM: So keep that in the  
14 back of your mind. AIS, Academic Intervention  
15 Services, are a way to evaluate that--

16           STEPHANIE JACKSON: [interposing] They  
17 told me there is no AIS in my building.

18           CHAIRPERSON DROMM: There's no AIS. So  
19 then, you need to make a decision what you want to do  
20 personally, and if you want to do a referral to the  
21 Committee on Special Education, you have every right  
22 to be able to do that as a parent.

23           STEPHANIE JACKSON: Okay.

24           CHAIRPERSON DROMM: Okay? Thank you.

25           STEPHANIE JACKSON: Thank you.

2 CHAIRPERSON DROMM: Next please?

3 PAUL LEVY: My name is Paul Levy. I'm  
4 here as a parent. Our daughter is 12 years old.  
5 She's diagnosed on the autism spectrum 10 years ago.  
6 She's been in both the public schools and in recently  
7 the last year and a half in one on one schools, and  
8 actually I want to talk about the exact same thing  
9 that Stephanie, that's your name, that Stephanie was  
10 just talking about in regard to what I wrote in my  
11 notes here listening to the hearing, which has been  
12 very beneficial to my furthering my understanding of  
13 how I can help my own child and how my wife, we both  
14 went into special ed after our daughter got  
15 diagnosed. I did it through the New York City  
16 Teaching Fellows Program, taught in East New York  
17 and Manhattan, and my notes are based on both  
18 simultaneously me as a parent and as someone, as  
19 Stephanie was saying, trying to do the right thing  
20 and be part of helping other families so that it  
21 would be reciprocal. I go in as a teacher and I'm  
22 learning things that I can bring home to daughter,  
23 and I'm taking what I learn from my daughter, and I'm  
24 bringing it into the classroom. But the environment  
25 doesn't let you do that. And I think you, Mr.

2 Chairman, very nicely cut off all the data discussion  
3 that the Department of Ed was doing for the first  
4 hour of these hearings when you asked, "What are we  
5 going to do about cultural change?" And my answer to  
6 that is, is there organizational compassion? Is  
7 there organizational compassion in the DOE? And it's  
8 very easy to tell if there is building to building.  
9 You, sir, you walk into one of these buildings  
10 unannounced, not with an appointment. You walk into  
11 a class. You walk into the resource room. You're a  
12 former teacher yourself. You can sense if  
13 something's wrong, and I can tell you that the  
14 hardest part of me being a New York City teaching  
15 fellow wasn't that I was one of the oldest fellows,  
16 it was watching the compassion drain out of half of  
17 my peer who are in their 20's. Thank God the other  
18 half had the resilience not to, but that is painful  
19 to watch. Over the course of two years in the New  
20 York City teaching fellows to watch these dedicated  
21 smart students from around the country turn into  
22 bureaucrats overnight. So I have some  
23 recommendations. One, do not have a data driven  
24 Board of Ed system. I spent my career in data  
25 analysis, worked for the Port Authority New Jersey

2 Transit. There's a limit to what data can do. The  
3 Board of Ed is way over that limit. It's reached the  
4 point of absurdity, absolute absurdity. The IEP  
5 process is a fake process. It's not real. The IEP's  
6 that I wrote took me between 10 and 20 hours to write  
7 for each student, and I wrote it for each student as  
8 if it was my own daughter or my own son. No  
9 difference in the time I put in because those parents  
10 deserved it also. When you do that, you're attacked.  
11 And let me tell you this, not only is there a lack of  
12 compassion, but for all the talk of diversity in the  
13 city of New York, the least accepted diversity are  
14 people that have an intellectual deficit, whether  
15 it's autism, whether it's mental retardation. No one  
16 can put themselves [sic] in that position where a  
17 knock on the head or an infection can turn you into  
18 the same state as those people that you feel you're  
19 too good to help, and that's not the case. So, two  
20 quick stories. I have title for the first one. The  
21 first one's called Silent Lunch. Our daughter was in  
22 the community school. She was the only autistic  
23 student in the school and we sent her there out of  
24 desperation because we had fought the Board of Ed for  
25 seven years, and she was thrown out of the school

2 that she was in on a technicality, a school that was  
3 doing wonders for her, a private school, and we just  
4 ran out of energy, and we threw up our hands and we  
5 sent her to the school down the block, the only  
6 autistic student in the school. After about seven  
7 months she'd come home and say, "Silent lunch.  
8 Silent lunch. Silent lunch." And we didn't know. Is  
9 she going crazy? What's going on? And then the next  
10 year, I came in and took her to school. She was  
11 running late after a doctor's appointment, and I hear  
12 the words, "Silent lunch. Silent lunch." And it's  
13 coming from a DOE paid staff member yelling at the  
14 general ed students, "Silent lunch. Silent lunch."  
15 Now, for my daughter, that's as much as a trauma as  
16 the poor gentleman who had to drag his child into the  
17 hearings, the impartial hearings, not as death  
18 threatening as that man had to live with and he lives  
19 with now, but on an intellectual level, taunting  
20 torture for my daughter. And I looked at her, and I  
21 said, "Is that what you've been talking about, silent  
22 lunch?" And she said, "Yes." And she felt better  
23 instantly. She was trying for a year to tell us  
24 silent lunch, silent lunch. And we told the  
25 principal, and we told everyone, and no one was

2 outraged. No one was outraged. And the flip side  
3 for me as a teacher, I taught in three schools in  
4 East New York and two high schools in Manhattan. In  
5 the high school in Manhattan, 1,500 students, one  
6 autistic student, and thank God I was his teacher.  
7 And it was co-teaching. And my co-teacher, some of  
8 which were wonderful teachers, wonderful, wonderful,  
9 dedicated teachers, but they didn't understand that  
10 this is a child who can put his head on the table. He  
11 needs to put his head on the table. He needs to draw  
12 pictures. And guess what? He understands math better  
13 than anyone in the room, including me and my co-  
14 teacher. And I didn't teach that student a drop of  
15 math. All I said to him, day one when I met him,  
16 was, "You can ace this class. You can get a hundred  
17 on this. And I know you're listening, and I know you  
18 get it all." He's looking obliquely at the board,  
19 and my co-teacher, a wonderful man, he laid off him.  
20 He let him do whatever he needed to do, sit in the  
21 back and be distracted, and that was a wonderful  
22 happy story, except the DOE in the beginning of the  
23 2013 school year, in the year that I was in, did not  
24 have students assigned to classes. So they assigned  
25 students randomly the night before. I walked into my

2 science class, 50 students. I do not exaggerate.  
3 Fifty students in a room that has 20 seats, and my  
4 students who I was so happy that I helped the year  
5 before in all the juggling that went on the next few  
6 weeks, they did not have him on a no-transfer list,  
7 that you don't take an autistic student and transfer  
8 his classes after six weeks when he's comfortable.  
9 They transferred him and he had a meltdown, and he  
10 freaked out, and he was never the same again, and he  
11 was unreachable by me and by everybody else because  
12 of what they did to him. So, I plead with you, in  
13 addition to all the good work you're doing here, pop  
14 in to the public school systems. Pop into the one on  
15 one schools, like the school my daughter is in, and  
16 you can judge by the size of the principal's office,  
17 where it's 20 percent of this room for some of the  
18 principals in the public schools, but my daughter's  
19 principal sits in almost a closet because the office  
20 is not important to her, my daughter is and the other  
21 students. Thank you for taking the time to listen to  
22 us.

23 CHAIRPERSON DROMM: Thank you. I've heard  
24 of this silent lunch thing before, but I'm hoping  
25 that it's not something that has been exported from



2 the charter schools, because a number of the charter  
3 schools that I visited require silent lunch as well.  
4 I don't get the purpose behind it, because that's the  
5 only time kids can, you know, talk to each other, and  
6 actually the Chancellor has said that she wants to  
7 walk into cafeterias and hear conversation. This is  
8 a goal of hers, you know, because that's how kids  
9 learn language is by talking with each other,  
10 particularly kids that are English language learners,  
11 you know. That's really where they pick up the  
12 language, but yeah, I mean I've seen many charter  
13 schools that have silent lunches. It's just--I don't  
14 get it. So, let's go to the next couple of people and  
15 then we'll finish up.

16 MONICA PINTADO-AGGUIO: Hi, good  
17 afternoon--

18 CHAIRPERSON DROMM: [interposing] Can you  
19 just speak into the mic, and then introduce yourself  
20 as well?

21 MONICA PINTADO-AGGUIO: Hi, my name is  
22 Monica Pintado-Agguio [sp?]. I'm also in District 28.  
23 I have a child in elementary school, nine years old  
24 in the fourth grade, and an eighth grader in middle  
25 school. I have to say that it can't be a coincidence

2 sitting here at this table that you have two parents  
3 who have to share anecdotes about District 28. I'll  
4 sort of--I'm going to start kind of backwards. My  
5 daughter was diagnosed with Stage III cancer in April  
6 2011, right before her sixth birthday. She spent a  
7 few days at LIJ. We transferred her to Sloan because  
8 the doctor there was world-renowned for her type of  
9 cancer. When we came back--initially, we were told  
10 she could go back to the school. Then we told she  
11 was immunocompromised and she couldn't, but we sought  
12 out assistance for the school to get her home  
13 instruction. Instead, I got in writing that my  
14 daughter was not entitled to home instruction. We  
15 subsequently--I can't tell you the stress. I'm  
16 sitting here and I'm empathetically crying because  
17 I'm feeling everybody's pain and frustration. So a  
18 friend of a friend referred me to a pro-bono  
19 attorney, well not really pro-bono. The ones that  
20 they do the work and then they charge at the end. I  
21 can only imagine what the impartial hearing must have  
22 cost New York City DOE simply because the principal  
23 and her staff did not want to assist with the  
24 application for home instruction, and of course at  
25 impartial hearing, we did get home instruction for

2 her. We wanted some normalcy, because with Stage  
3 III, we really thought we were going to lose her.  
4 But the interesting story, the way we found out my  
5 daughter had cancer was because she was the tonka  
6 baby. She never got sick. I had actually asked my  
7 children's elementary school for assistance for my  
8 son Aiden who's chronically medically ill. He misses  
9 on average if you look at ARIS [sic], 25 to 30 days  
10 per year not including latenesses, not including  
11 early pick ups. I can't even do the math to tell you  
12 how much lost instruction we're talking about.  
13 Having said that, he missed about a month that  
14 February 2011, went back to school, was given a math  
15 test. He came home and hesitantly had his hand  
16 behind his back with a tear in his eye, and I asked  
17 him, "What's going on, Aiden?" He said, "Mommy, I'm  
18 afraid to show you what's behind my back, because  
19 you're going to think I'm a failure." He showed me a  
20 big fat zero in red for his math test. I mean, I'm a  
21 product of the old Board of Education. I grew up in  
22 Washington Heights. When a kid was absent, teachers  
23 sat you down and reviewed, whether it was their lunch  
24 hour or after school or before school. They sent the  
25 work home. So, I--he got sick again, and I went to

2 the pediatrician. The pediatrician said, "Aiden  
3 should have services. There's no reason why he  
4 shouldn't have at the very least 504 services or an  
5 IEP. You go in there and you tell them that you  
6 demand services for your child, and I'll give you the  
7 medical documentation." So I did. I wrote a letter.  
8 What the principal did and what the school  
9 psychologist did was that they sent a case worker to  
10 my house and accused my husband and I of educational  
11 neglect. The case was subsequently unfounded because  
12 I invited the case worker in, and I showed her all my  
13 email correspondence, all my scanned email medical  
14 doctor's notes, putting everyone in school on notice  
15 of his illnesses. The reason they found my daughter's  
16 cancer was that because they were unhappy with the  
17 fact that they couldn't get me on my son, they  
18 examined my daughter without my knowledge or consent,  
19 and the way I found out that she was examined at  
20 school was my five year old telling me over dinner  
21 that something strange happened and she got a check-  
22 up at school. Now, we could sit here and say that  
23 it's a wonderful silver lining and the world works in  
24 mysterious ways, and I wasn't very religious before,  
25 but amen to that, but the point is that they thwarted

2 my efforts in getting my son any help and he's 12.  
3 He'll be 13 on November 13, and to date he has no  
4 services. The first time I asked for assistance, or  
5 the first time I was made privy to that he might have  
6 an issue was his second grade teacher at the November  
7 parent/teacher conferences in 2008. She said, "Ms.  
8 Agguio, Aiden is very bright, but I think you need to  
9 have him evaluated at the school level. I give him  
10 extra time, but he's not going to do well in third  
11 grade if you don't get him that assistance." In the  
12 interim I've had two kidney transplants. I had had  
13 my second kidney transplant, so when I asked for the  
14 evaluation in April, they put it off and they said,  
15 "Do it in the summer, so it could be done under one  
16 umbrella so we don't have to rush it." Then they  
17 called me in June and they said, "Do it in the fall  
18 so that a staff that knows him can evaluate him."  
19 The fall came, he was now in the third grade, and  
20 then they said, "You need to resubmit the application  
21 because otherwise, you know, the clock doesn't tick."  
22 When they evaluated him they said that it wasn't that  
23 he had ADHD or serious underlying medical issues,  
24 they said it was the "life stressors." I had had a  
25 kidney transplant, and I had failed my son with

2 anxiety, and they closed the case. And just to give  
3 you how insidious this is, last year he was sick six  
4 consecutive weeks. He had an upper respiratory. He  
5 had strep and then acute bronchitis. He missed two  
6 days of the ELA. He came back on Friday. He was  
7 made to take both ELA sections in the same day with  
8 less than a full 40 minute lunch break, sick, and he  
9 didn't finish either part. Then he went into the  
10 math exam with strep and on antibiotics. I told the  
11 Assistant Principal, "Please let him go to the  
12 bathroom, because the antibiotics will give him GI  
13 issues." My son said the proctor did not allow him  
14 to go to the bathroom. Once again, he was unable to  
15 complete the test, and now it's impacted his scores,  
16 and now he's disqualified from applying for screen  
17 programs for the high schools. So, what does a  
18 parent do?

19 CHAIRPERSON DROMM: These stories are very  
20 moving, and I don't know what to say. We're going to  
21 try to see if we can do some outreach for you to try  
22 to get you some help as well. Thank you.

23 MONICA PINTADO-AGGUIO: Thank you for  
24 listening.

25 CHAIRPERSON DROMM: Thank you.

2 ELIZABETH PARDO: I really need my  
3 glasses. So, strain here. My name is Elizabeth  
4 Pardo [sp?], and I'm an attorney in the Metropolitan  
5 Parent Center at Synergia [sp?] where I have worked  
6 for over 11 years. The Parent Center is a federally  
7 funded parent training and information center. We  
8 provide training and advocacy services to parents of  
9 children with disabilities with particular attention  
10 to the needs of low income and ELL parents. The  
11 Metropolitan Parent Center is a member of the Arise  
12 Coalition and a member of its Literacy Committee. We  
13 support the goals and recommendations of our  
14 colleagues in the Arise Coalition. We commend the  
15 new Administration for the steps taken thus far to  
16 address the important, this important issue, and we  
17 are appreciative of the meeting the DOE has had with  
18 the coalition, where they have listened to our  
19 concerns. We thank you for holding this important  
20 hearing and for focusing on literacy. For reading  
21 has long been recognized as probably the most  
22 important skill a person is required to have to  
23 function and succeed in society. In light of the  
24 many students with disabilities having reading delays  
25 and seeing how critical a skill it is, it is

2 essential that the DOE take bold steps to address  
3 this problem. As an attorney assisting many parents  
4 with their child's special education needs, I don't  
5 believe it is an exaggeration to say that the DOE's  
6 failing to provide the vast majority of the students  
7 with disabilities, with their right to a free  
8 appropriate public education. I'll move quickly onto  
9 our concerns and recommendations. If you listen  
10 closely to the DOE you will have heard that when they  
11 speak of trainings, they speak of the opportunities  
12 for trainings. It is our understanding that the  
13 reading instruction trainings are attended  
14 voluntarily by principals and our teachers. Given  
15 the importance of reading, we cannot hope to address  
16 this problem with a volunteer line up of dedicated  
17 teachers and principals. We need every elementary,  
18 middle and high school to have at least one certified  
19 reading specialist. Number two, with respect to tool  
20 kits, which is something that we have heard about for  
21 years, it is our understanding that schools choose to  
22 access online instructional tool kits that recommend  
23 reading programs. These reading--these programs can  
24 be expensive for one school, as they probably require  
25 an array of programs to meet the needs of the varied



2 needs of the students. It is left to the school to  
3 choose to invest or to take the initiative and pull  
4 together with other schools to invest in these  
5 programs. When I have visited schools and  
6 participated in IEP meetings, it is not evident that  
7 the schools are using these researched based  
8 programs. Number three, the DOE's team of reading  
9 experts that conduct the trainings is small in  
10 comparison to the need. We cannot hope to address  
11 this enormous deficit with such a small team. Under  
12 IDEA, the district has a mandate to oversee and  
13 supervise the progress of special education services  
14 and to see that students with disabilities are  
15 receiving a free appropriate education. As such, we  
16 recommend that the DOE immediately conduct a  
17 comprehensive assessment, when I say we I mean the  
18 Parent Center. We recommend that the DOE immediately  
19 conduct a comprehensive assessment of the  
20 effectiveness of its initiatives. The assessment  
21 must look to what is impeding the widespread use of  
22 the tool kits, whether schools are using research  
23 based reading programs, how are schools using their  
24 special education fund, and what plan if any does the  
25 school have to address the reading delays of its

2 students. It is my considered opinion based upon the  
3 numerous families we assist that the DOE's efforts  
4 that are based upon individual initiative are not  
5 working at a level necessary to address this rampant  
6 problem. The DOE cannot act tentatively to address  
7 the problem, but must use its authority and  
8 responsibility under the IDEA to embark on a bolder  
9 initiative. To my mind, it should never be the case  
10 that a student with obvious reading delays has gone  
11 years without intensive reading instruction and that  
12 an advocate such as myself who is not an educator,  
13 much less a reading specialists must point out at an  
14 IEP meeting the need for intensive reading  
15 instruction. I'll just close with that. Thank you.

16 CHAIRPERSON DROMM: Well, thank you very  
17 much. And I'm following along with your suggestions  
18 as well, and we'll look at them even more closely as  
19 we move along down the road. I do want to thank  
20 everybody for coming in today and for staying as long  
21 as you've stayed. An awful lot of good stuff. I wish  
22 that other people had heard some of the testimony  
23 that we heard here this evening, but word will get  
24 out, and we have heard your stories, and I want you  
25 to know that that's very important to all of us here.

COMMITTEE ON EDUCATION JOINTLY WITH THE SUBCOMMITTEE  
ON NON-PUBLIC SCHOOLS

275

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PAUL LEVY: Thank you.

UNIDENTIFIED: Thank you.

CHAIRPERSON DROMM: So thank you again  
for coming here, and we look forward to working,  
continuing to work with you. And I guess with that,  
unless there's not anybody else right, that is it.  
And it is now 7:00 p.m. or five to--6:56 p.m. This  
meeting is adjourned. Thank you.

[gavel]

C E R T I F I C A T E

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



Date November 7, 2014