

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION JOINTLY WITH
COMMITTEE ON FINANCE AND COMMITTEE
ON LAND USE

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APRIL 18, 2018
Start: 10:15 A.M.
Recess: 1:30 P.M.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E:

COUNCIL MEMBERS: Mark Treyger, Chair
Alicka Ampry-Samuel
Inez D. Barron
Joseph C. Borelli
Justin L. Brannan
Andrew Cohen
Robert E. Cornegy, Jr.
Chaim M. Deutsch
Daniel Dromm, Chair Finance
Barry S. Grodenchik
Ben Kallos
Andy L. King
Brad S. Lander
Stephen T. Levin
Mark Levine
Ydanis A. Rodriguez
Deborah L. Rose
Rafael Salamanca, Jr., Chair Land
Use

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

Eric Ulrich
Peter Koo
Vanessa Gibson
Antonio REynoso
Rory Lancman
Costa A. Constantinides
Adrienne Adams
Helen Rosenthal
I. Daneek Miller
Jimmy Van Bramer
Keith Powers

Elizabeth Rose, Deputy Chancellor for the
Division of Operations at New York City
Department of Education

Lorraine Grillo, President and Chief
Executive Officer New York City School
Construction Authority

Jon Kaufman, Chief Operating Office of
City Planning

Laura Ringelheim, Deputy Commissioner for
Real Estate at DCAS

Leonie Jameson
Michelle Norris
Randy Levine
Jaclyn Okin Barney
Lori Povisker (SP?)

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

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

Christina Furlong, School Leadership Team
District 24

Michael Friedman, UFT Chapter Leader of
Pathways to Graduation

Christine Appa, Senior Staff Attorney at
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Rebecca Costachinko (SP?) parent 7th
grade student Brooklyn, member of ARISE
Coalition

COMMITTEE ON EDUCATION JOINTLY WITH COMMITTEE ON
FINANCE AND COMMITTEE ON LAND USE

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(test, test, test, one, two, one, two
Today's date is April 18, 2018. This hearing is on
finance, education and land use being recorded by
McKenzie Joseph). (Gavel banging.)

CHAIR MARK TREYGER: Good morning and
welcome to today's oversight hearing on the recent
City Council Report Planning to Learn, the School
Building Challenge, jointly sponsored by the
Education, Finance and Land Use Committees. We will
also hear testimony today on a number of related
bills and resolutions that I will talk more shortly
after some open remarks and then we will move on to
hear from my Co-Chairs Daniel Dromm of the Finance
Committee and Rafael Salamanca of the Land Use
Committee. The Planning to Learn Report is a result
of a commitment made by former Council Speaker
Melissa Mark-Viverito in her February 2017 State of
the City Speech to create a Council working group
focused on improving school planning and siting in
order to address widespread school overcrowding.
This effort was led by then Education Committee Chair
Daniel Dromm and Former Finance Chair Julissa
Ferreras-Copeland. We thank all of the three of them
for their leadership on this critical issue as well

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2 as our current speaker, Corey Johnson for his ongoing
3 support. The Working Group on School Planning and
4 Siting consisting of staff from the Council's Land
5 Use, Finance and Legislative Divisions met with
6 education advocates, representatives of the school
7 construction authority and the Department of
8 Education, Real Estate Experts Architects and other
9 professionals to better understand school space needs
10 and the major challenges in addressing those needs in
11 New York City. The Working Group also solicited
12 input from the public through a web portal on the
13 Council's website to allow parents, teachers,
14 students and other stakeholders to inform the
15 recommendations in this report. The Planning to
16 Learn report provides an analysis of the space
17 challenges faced by New York City Public School
18 System in a comprehensive set of recommendations to
19 address the ongoing and severe overcrowding that
20 exists in many public schools. Overcrowding is a
21 serious and chronic problem plaguing city schools.
22 According to the latest Preliminary Mayor's
23 Management Report in Fiscal year 2017 57% of
24 elementary schools, 22% of middle schools and 36% of
25 high school exceeded capacity and 53% of elementary

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2 and middle school students and 46% of high school
3 students citywide attended in overcrowded school.
4 There is also a increased need for new capacity to
5 the expansion of PreK and charter schools as well as
6 a push to remove all trailers from school yards.
7 While school overcrowding is not an issue in every
8 community it is widespread and likely to get worse in
9 the coming years without adequate intervention. The
10 City is in the midst of a residential housing boom
11 with new developments going up in every where across
12 the city including many neighborhoods where schools
13 are already overcrowded. In fact the Department of
14 City Planning estimates that New York City's
15 population will increase by almost 10% to 9 million
16 by 2040 including significant growth in the school
17 age population. We recognize there are competing
18 space needs in a city this large but more housing
19 means we need more schools. There is also a lack of
20 coordination and planning across city agencies which
21 hinders the ability to proactively address policy
22 goals such as improving integration and housing and
23 schools. Overcrowded schools short-changed students
24 when specialized spaces like science labs, music and
25 art rooms are converted into regular classrooms and

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2 when the only available spaces to provided services
3 for students with special needs are hallways,
4 closets, stairwells and other makeshift spaces.
5 Overcrowded schools often have large class sizes when
6 I am all too familiar with as a former teacher in a
7 very overcrowded school, New Utrecht High School. As
8 a former teacher and advocate for lowering class
9 sizes I know that individualized attention and
10 instruction based on each student's specific
11 strengths, weaknesses and challenges can be a
12 significant factor in achieving academic success but
13 overcrowding limits the amount of time and attention
14 an educator can devote to the unique needs of each
15 individual student. As a result the students who
16 need the most help fall even further behind as the
17 school year progresses while those students who are
18 ahead of the curve fail to receive the advanced
19 direction and materials they would benefit from.
20 Research has linked overcrowding with lower student
21 achievement and with increased stress which can
22 affect behavior, mental health and motivation.
23 Crowded schools are also noisier which can affect
24 children's attention and cognitive development and
25 cost teachers to be less patient and more fatigued

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2 leading to more teacher burnout. The SCA has made
3 substantial improvements in the quality and
4 efficiency of new school construction and has reduced
5 the construction time line for new schools from an
6 average of 10 years to 3 years. Despite these
7 improvements, overcrowding has persisted and new
8 school construction has been unable to keep pace.
9 That's why the Council is pleased to have published
10 the Planning to Earn Report which calls for greater
11 transparency in the school planning process and
12 provides recommendations to help expedite new school
13 construction as well as alleviate overcrowding in
14 other ways. I want to express our gratitude to the
15 staff from the Land Use, Finance and Legislative
16 Divisions who participated in the Working Group on
17 School Planning and Siting and whose hard work
18 produced the Planning to Learn Report. We hope this
19 report sparks greater collaboration between the
20 Council, DOE, SCA and other city agencies as well as
21 additional stakeholders in providing the best
22 possible educational environments for New York City
23 Students. As I stated earlier, we will also hear
24 testimony on a number of related Bills and
25 Resolutions including four Bills and one Resolution

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2 in the Education Committee. One Resolution in the
3 Finance Committee and one Bill in the Land Use
4 Committee. Legislation in the Education Committee
5 includes Intro 449, sponsored by Council Member Dromm
6 which required the DOE to post subdistrict maps
7 online. Intro 461 also sponsored by Council Member
8 Dromm would require the Departments of Citywide
9 Administrative Services to notify the DOE and the SCA
10 when city owned or leased property of an adequate
11 size is determined to have no current use. Intro 729
12 sponsored by Council Member Kallos would require the
13 DOE to post methodology and data for determining
14 identified seat need. Intro 757 sponsored by Council
15 Member Gibson would require the creation of an Intra-
16 Agency School Siting Task Force and Resolution 289
17 sponsored by Council Member Villone would call on the
18 New York City Construction Authority to more clearly
19 communicate to the general public how city residents
20 can submit potential school sites and the guidelines
21 used by the SCA considering whether a suggested
22 school site meets the evaluation standards used by
23 the authority. As I mentioned, there was additional
24 Legislation in the other two Committees which Chairs
25 Dromm and Salamanca will discuss. I would like to

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2 remind everyone who wishes to testify today that you
3 must fill out a witness slip which is located on the
4 desk at the, on the desk of the Sargeant at Arms near
5 the front of this room. If you wish to testify on
6 any of the Legislation please indicate on the witness
7 slip whether you are here testifying in favor or in
8 opposition to the Legislation. I also want to point
9 out that we will not be voting on any of the
10 Legislation today as this is just the first hearing
11 and to allow as many people as possible to testify,
12 testimony will be limited to 3 minutes per person.
13 Because of time constraints, questions from Council
14 Members will also be limited to three minutes and if
15 time permits we will have a second round of
16 questions. Now I would like to turn the floor over
17 to my Co-Chair the Chair of the Finance Committee
18 Danny Dromm for his remarks followed by the Co-Chair
19 Rafael Salamanca of the Land Use Committee.

20 CHAIR DANIEL DROMM: Thank you Chair
21 Treyger, good morning and welcome to today's hearing.
22 I am Council Member Daniel Dromm and I Chair the
23 Committee on Finance. I was proud to lead the
24 Council's work on School Planning and Siting with
25 former Finance Chair Julissa Ferreras-Copeland and

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2 former speaker Melissa Mark-Viverito and I am excited
3 to be Co-Chairing this hearing with Chair Treyger and
4 Chair Salamanca. I look forward to today's
5 conservation with our agency partners and working
6 collaboratively to implement the recommendations of
7 the Council's report Planning to Learn, the School
8 Building Challenge. Chair Treyger has already
9 discussed the overcrowding crisis facing our city's
10 schools. As a former educator, I too know first hand
11 the negative impact of overcrowded schools and
12 classrooms on the success of our students. This
13 issue is of particular concern to me as my District
14 includes some of the most overcrowded schools in the
15 city. School District 24 and School District 30 face
16 overutilization rates of 114 and 102% respectively
17 but this is not just a problem in my District. It is
18 a problem city wide. This is why we are hoping to
19 improve long-term planning and then back it up with
20 sufficient funding for new seats. As Finance Chair I
21 would like to focus on recommendations in the
22 Planning to Learn Report that seek to shed light on
23 the school planning process. The integrity and
24 transparency of the formulas we use to plan for new
25 schools is critical since this is the basis for

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2 funding allocated for new school construction. We
3 have made significant progress with the current
4 administration on improving the data we use to
5 determine school seat need, most significantly with
6 the Blue Book Working Group which made
7 recommendations regarding the formulas used to
8 calculate school buildings capacity. When many of
9 these recommendations were implemented, we got a more
10 realistic picture of overcrowding in our city schools
11 and as a result we saw a significant change in the
12 identified seat need in the DOE Capital Plan. The
13 Administration then invested more funding in the plan
14 to construct an additional 11,000 K-12 seats.
15 However, we still have a long way to go. Of the
16 44,628 seats funded in the current plan, almost
17 34,000 will be completed after 2019. This means most
18 new K-12 seats won't be ready until years after they
19 are needed. Last year the Mayor committed funding in
20 the 10 Year Capital Strategy for approximately 38,000
21 seats unfunded in the current DOE Capital Plan.
22 While I applaud this commitment it is evident that
23 the City is stuck playing catch up. These seats are
24 needed by 2019 but the funding is planned in Fiscal
25 20 to 24. Based on current construction time lines

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2 some of those seats will not finished until as late
3 as 2028 and of course, we can expect significant
4 additional seat need by the final year of the next 5-
5 Year Capital Plan 2024 and beyond. Even if we were
6 able to meet the current identified seat need there
7 are concerns about its accuracy. Data used in
8 enrollment projects are unclear. The current method
9 for calculating students from new housing is based on
10 outdated information and there are outstanding Blue
11 Book Work Group Recommendations that must be
12 implemented to provide an accurate picture of
13 existing capacity. In addition the identified seat
14 need is the result of adjustments, the DOE and SCA
15 make to the "raw seat need." These adjustments take
16 into account the DOEs non construction strategies for
17 reducing overcrowding but these plans are not clearly
18 communicated to the Council or to the public. We
19 need to know what these strategies are so we can hold
20 the DOE accountable for their success in reducing
21 overcrowding. The identified seat need should be a
22 best projection of the number of new school seats and
23 school buildings required to adequately accommodate
24 all students. While we may not have the funding or
25 capacity to meet this immense capital need in the

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2 short term, establishing a clear needs assessment for
3 additional school seats will allow us to play,
4 actually meet that need in the long term. As Chair
5 Treyger stated earlier, we will also hear testimony
6 on a Resolution in the Finance Committee, Resolution
7 286-2018 sponsored by Council Members Torres and Diaz
8 which would call on the New York State Legislature
9 and Governor to grant New York City and any Public
10 Authorities or Public Benefit Corporations therein
11 authority to utilize the design build delivery method
12 for capital projects. I would like to echo Chair
13 Treyger's thanks to the Finance Committee,
14 Legislative and Land Use Staff who worked on the
15 Planning to Learn Report and supported preparation
16 for today's hearing. I look forward to continuing
17 this discussion with the DOE, the SCA and the other
18 city agencies present that are crucial to ensuring we
19 provide every student with the quality educational
20 environment they deserve. Thank you.

21 CHAIR RAFAEL SALAMANCA: Thank you uhm
22 Chair Treyger. Good morning I am Council Member
23 Rafael Salamanca, I am the Chair of the Land Use
24 Committee. My colleagues have laid out the status of
25 overcrowding and the significant challenges we face

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2 to resolve this problem in our schools. This Council
3 has lead on this discussion by laying out a Blue
4 Print in the report we issued last month Planning to
5 Learn. I look forward to working closely with Chair
6 Dromm and Chair Treyger to take real action on
7 addressing overcrowding in our schools and this
8 hearing on the packages of bills in another step in
9 this process. I also look forward to hearing from
10 our agency partners how we can address the chronic
11 and persistent overcrowding many of our neighborhoods
12 confront as well as planning for the needs of our
13 future. As our report lays out, there are a number
14 of Districts where this problem has been a challenge
15 for decades and so the focus of many of our
16 recommendations is really in these places where the
17 need is greatest, places like Sunset Park in
18 Brooklyn, Corona in Queens and Norwood in the Bronx
19 and Lower Manhattan at the North Shore of Staton
20 Island just to name a few. I think that we all know
21 that overcrowding challenges are not likely to get
22 easier as we expand preK and 3K, as our graduation
23 rates hopefully improve, as our population grows, as
24 land gets more and more scarce, we need to develop
25 new solutions to addressing these challenges. The

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2 Council report focused on three major areas: (1) How
3 do we do a better job of understanding when
4 neighborhoods are growing and we will likely see an
5 increase in the number of school age children? (2)
6 How do we do a better job at siting schools in the
7 most overcrowded Districts? (3) How do we build
8 schools more quickly? We provide a range of
9 recommendations in our report to help address all of
10 these challenges from creating new ini... incentives,
11 for developers to build schools, to soliciting
12 proposals for new school siting from private sectors
13 to revising our methodologies and how we plan for new
14 schools to reviewing our design guidelines for
15 schools. Much of this is very wonky and detail work
16 but the big question we are trying to answer is how
17 can we make sure that all children in New York have
18 an environment to learn that maximizes the chances
19 for success. In addition to some of the broader
20 challenges, we are also hearing Legislation including
21 Council Member Gibson's bill, Intro 759. This Bill
22 will require applicants to DCP and DOB to indicate
23 whether the applicant owns or controls a lot or
24 adjacent lots which are subject to the application
25 and meet the SCA size requirements for a potential

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2 new school site solution. This information will be
3 referred by the relevant agency to the President of
4 the SCA for the assessment about whether the
5 applicant's property is an appropriate site for new
6 school construction. I look forward to the testimony
7 on this Bill today and how we can share information
8 accordingly, our planning effectively across agencies
9 and with the public before we start, I would like to
10 thank Council Staff, of course Finance, Legislative
11 and Land Use Divisions who worked on the Planning to
12 Learn Report and who have helped frame the discussion
13 for today's hearing. We have a lot of work to do as
14 a City on this issue and the solutions will require
15 all stakeholders in the schools planning and
16 construction process to be at the table so I look
17 forward to the productive discussion today on how we
18 can move forward together. Thank you and I will hand
19 it over to Chair Treyger. Thank you. Mr. Chair.

20 CHAIR MARK TREYGER: Thank you Chair
21 Salamanca. So I recognize our colleagues who are
22 present, uhm, Minority Leader Matteo, Council Member
23 Richards, Council Member Grodenchik, Council Member
24 Cohen, Council Member Rose, Council Member Kallos,
25 Council Member Koo, Council Member Gibson, Council

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2 Member Reynoso and Council Member King and Council
3 Member Lancman. Uhm, I our first panel that we have
4 the Deputy Chancellor of the Education Department,
5 Elizabeth Rose and the President of the School
6 Construction Authority Lorraine Grillo. Uhm before I
7 ask you begin your remarks, if so I'm going to swear
8 you in. If you could raise your right hands, uhm do
9 you affirm to tell the truth, the whole truth and
10 nothing but the truth in your testimony before this
11 Committee or Committees and to respect honestly to
12 Council Member questions?

13 ELIZABETH ROSE: I do.

14 CHAIR MARK TREYGER: You may begin thank
15 you.

16 LORRAINE GRILLO: Good morning Chairs
17 Treyger, Dromm and Salamanca and members of the
18 Education, Finance and Land Use Committees. My name
19 is Lorraine Grillo and I am the President and Chief
20 Executive Officer with the New York City School
21 Construction Authority. I am joined today by
22 Elizabeth Rose, Deputy Chancellor for the Division of
23 Operations at the New York City Department of
24 Education. We are pleased to be here today to
25 discuss our work and to address overcrowding and

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2 successfully planning new school capacity and the
3 proposed Legislation. OULURP mission is to design
4 and construct safe, attractive and environmentally
5 sound public schools for the children throughout New
6 York City as well as modernize existing school
7 facilities. The SCA was established in December 1988
8 to build new public schools and to manage the design
9 construction and renovation of capital projects in
10 New York City's more than 1400 public school
11 buildings nearly half of which are over 60 years old.
12 Following changes in School Governance Law in October
13 2002, management of the DOEs Capital Program was
14 consolidated under one agency, the SCA and functions
15 that were once divided between different
16 organizations are now integrated. To put this
17 plainly the consolidation and comprehensive approach
18 to planning, siting and construction has lead to a
19 dramatic reduction in overall duration for capacity
20 projects resulting in a shorter time frame for the
21 completion of new schools. On average, the SCA can
22 deliver a new ground up school in three to four years
23 depending on size. An important part of our success
24 is the partnership we have with the City Council.
25 With your support we are more successful in pursuing

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2 new sites. With your general funding we are able to
3 do more to modernize existing schools. We value our
4 partnership and we believe that collaboration is the
5 best way to achieve success. We thank the City
6 Council for its work on the recently released
7 Planning to Learn Report and believe that there are a
8 number of recommendations that we can collectively
9 work together on for the betterment of all of our
10 students. Our comprehensive planning process
11 includes developing and analyzing quality data,
12 creating and updating the 5-Year Capital Plan and
13 monitoring projects through completion. We have
14 sought out opportunities to strength and refine our
15 planning strategies, including the introduction of an
16 annual amendment process and the identification of
17 need at the sub District level. We look forward to
18 continuing the conversations on ways to better define
19 and enhance our process. In order to support our
20 Capital Plan Development, we undertake an annual
21 review of our capacity needs analysis which includes
22 updating our enrollment projects. For this work, we
23 solicit professional services from statistical
24 forecasting LLC, a reputable demographic firm. These
25 projections incorporate data on birth, immigration

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2 and migration rates from various city agencies.
3 Additional agencies provide statistics on housing
4 starts and rezoning efforts whether city led or
5 through private applications. These enrollment
6 projects which are performed on a District and sub
7 District level help inform our need for new capacity
8 projects. When compared to actual enrollments, our
9 projections consistently take an aggressive stance
10 towards growth. Over the years, our estimates have
11 been between 1 and 2% over actual enrollment figures
12 city wide. Using a broad range of sources provides a
13 complete view of potential student demand. Any
14 annual updates allows us to make timely adjustments
15 when there is a sustained increase in student
16 population in one part of the city or a decline in
17 student population in another. This also ensures
18 that our projections accurately represents all of New
19 York City and its nuances. Coupled with the work of
20 our enrollment projections is a look at our existing
21 portfolio and the capacity we will be bringing
22 online. For this work we employ the latest data from
23 the report on Capacity Enrollment and Utilization
24 commonly known as the Blue Book. As you may know, we
25 exclude the capacity of all many buildings and

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2 transportable classroom units from existing capacity
3 calculations. Public feedback plays a crucial role
4 in our capital planning process. Each year we
5 undertake public review process with Community
6 Education Councils, the City Councils and other
7 elected officials and Community Groups. We offer
8 every CEC in the City the opportunity to conduct a
9 public hearing on the plan and we partner with
10 individual Council Members and CECs to identify local
11 needs. Your insights during this process are
12 essential. We look forward to our continued
13 partnership. It should be noted that the Capacity
14 Program makes up almost 40% of our overall Capital
15 Budget. The rest of the funding in the 5-Year Plan
16 is allocated to the Capital Investment Program and
17 the mandated program categories to cover
18 infrastructure work in our existing building. Over
19 the past two years, the city added over \$1 billion to
20 the 5-Year Capital Plan to build additional new seats
21 in the most overcrowded and fastest growing
22 neighborhoods. This brings the total number of new
23 seats in the current Capital Plan to over 44,000 and
24 total funding to the highest ever level of
25 approximately \$16.5 billion. Since 2004, the SDA

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2 will have opened over 145,000 new school seats across
3 the five boroughs by the start of this new school
4 year. We know that our ability to site and construct
5 new schools is critical to our success. We thank
6 Mayor de Blasio for his commitment to fully fund the
7 current identified additional needs in the next plan
8 and the Office of Management and Budget (OMB) for
9 working with us to begin this process now. The next
10 5-Year Capital Plan will continue on the track of
11 success we have had in our previous plans. In Fiscal
12 Year 2005 to 2009 the SCA sited nearly 90% of the
13 funded seats at the conclusion of the plan. We
14 continued making progress towards our goal in FY2010
15 to 2014 plan where we sited nearly 80% of our funded
16 seats and like this current plan we saw a funding
17 increase mid cycle. As of the February amendment we
18 have sited 31,807 seats and are working on additional
19 new projects that will bring us to nearly 40-year-
20 old000 seats. The need for new schools is almost
21 always linked to thriving and booming neighborhoods
22 where vacant and unused space is uncommon and here we
23 face the tremendous challenge of finding sites that
24 are large enough and suitable for building new
25 schools. The SCA employs independent professional

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2 real estate brokers in each borough who are tasked
3 with investigating listing and pursuing all
4 opportunities for new seats. SCA Real Estate
5 Services Staff works without brokers and actively and
6 constantly looking for properties throughout the five
7 boroughs in areas of funded need to purchase or
8 lease. The brokerage firms that currently have a
9 contract with the SCA are as follows: Cornerstone
10 Real Estate Services in Brooklyn and Staton Island,
11 Newmark Knight Frank in Manhattan, Cushman and
12 Wakefield in the Bronx, Savill Studley in Queens. In
13 our discussion with various stakeholders, we have
14 talked about the challenges in siting new schools and
15 what we look for typically. These considerations
16 which are worth repeating here today can be driving
17 factors in whether a site moves forward or not. The
18 SCA looks for sites that are at least 20,000 square
19 feet for a new elementary school but we will even
20 consider smaller lots and areas of significant need
21 but they must be at least 12,000 square feet. The
22 location and context of a site is also evaluated to
23 ensure the appropriateness. Considerations are made
24 for factors that include traffic conditions, and
25 adjacent uses that are not compatible with the

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2 school. Lastly, the SCA conducts extensive
3 environmental review on each and every property being
4 considered. There may be times when environmental
5 challenges are deemed sufficient enough to remove a
6 site from consideration. While finding new sites can
7 be challenging we approach siting in a comprehensive
8 way that allows us to take advantage of unique
9 situations. Over the years, we have developed a deep
10 relationship with both the Archdiocese of New York
11 and the Diocese of Brooklyn and Queens which with our
12 shared mission of Education we have been able to
13 transform former parochial school buildings into new
14 homes for New York City's Public School Children.
15 Over the last 14 years, this has lead to nearly
16 15,000 new seats. Additionally we have forged new
17 partnerships over the past decade by working with
18 developers on large scale projects in areas of
19 existing or projected overcrowded. These
20 partnerships allow the SCA to provide new school
21 facilities in areas of need with the developer
22 providing dedicated land or space within the project.
23 Over 5,000 seats within developer projects projected
24 to begin during this 5-Year Capital plan are funded
25 for design or design and construction including

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2 Hudson Square Rezoning, Trinity Place Holdings,
3 Hudson Yards in Manhattan, Crotona Park East, West
4 Farms Rezoning in the Bronx, Atlantic Yards, Albee
5 Square, Green Point Landing and Domino Redevelopment
6 in Brooklyn and Hallett's Point Rezoning in Queens.
7 Many of these projects are actively in design.
8 Working with the Department of City Planning, the
9 City Council and Developers we have been able to take
10 advantage of both city owned and private property to
11 secure sites for future schools. OULURP engagement
12 during both city initiated neighborhood rezonings as
13 well as developer projects has proven to be helpful
14 in securing new school siting opportunities such as
15 Parcel C and F in Long Island City in Queens and the
16 Jerome Neighborhood in the Bronx. We know our
17 strategies have to be flexible in order to address
18 the unique challenges of neighborhoods and we know
19 that emanate domain has a role to play. We have and
20 will continue to use this resource appropriately and
21 judiciously. In Sunset Park we have been successful
22 in keeping negotiations moving forward with the force
23 of emanate domain most recently with the former Sea
24 Town Site at 4525 8th Avenue and a Parcel of land
25 making up the former police precinct at 4302 4th

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2 Avenue. In these two cases, the SCA went so far as
3 holding Article 2 hearings. In School District 20
4 through the use of emanate domain we have acquired
5 property at 59th Street and 3rd Avenue that will be
6 home to a new 976 seat school. In Queens we have
7 exercised our right to threaten emanate domain, most
8 recently at Q419 the future home of a new 640 seat
9 intermediate school. We are successful in pursuing
10 new sites with your support. Take for example, Chair
11 Treyger who suggested an existing school for an
12 addition. This new addition at PS97 will add 468
13 needed seats. Working with Council Member Koslowitz
14 and Grodenchik we were able to successfully identify
15 two new addition or annex sites in each of their
16 Districts which will bring over 1600 new seats.
17 While these are great examples of our collaboration
18 and partnership we have seen too many good sites that
19 don't become home to schools because the support is
20 not there. We need everyone's help in ensuring these
21 good sites become schools. Currently over half of
22 our overcrowded buildings are located in areas where
23 we have funded new capacity in the FY2015-2019
24 Capital Plan. New capacity is an important tool to
25 tackling areas of overcrowding; however, resource

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2 constraints mean that we cannot depend solely upon
3 new capacity to address overcrowding. Cross
4 departmental meetings happen regularly between the
5 DOE's office of space planning, the SCA, DOE's Offices
6 of District Planning, Student Enrollment and the
7 Division of School Facilities and Superintendents to
8 evaluate seat need and consider strategies to relieve
9 overcrowding. DOE's strategies to alleviate and
10 address overcrowding include great expansion, great
11 truncation, rezoning of elementary and middle school
12 catchment areas and conversion of inefficient
13 spaces in existing school facilities. In an effort
14 to build on this work, the Office of Space Planning
15 is implementing a system to better track over
16 utilization and monitor the strategies we are using
17 to alleviate overcrowding. We know that noncapital
18 interventions have a positive impact on
19 overutilization. Working with Community Education
20 Councils which have the authority to approve zoning
21 lines and other community stakeholders, DOE has
22 worked to reduce overcrowding by rezoning the
23 catchment areas of elementary and middle schools.
24 Since 2010-2011 school year 244 elementary schools
25 and 30 middle schools have been rezoned for the

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2 elementary schools where the goal was to reduce
3 incoming kindergartner moment to alleviate
4 overcrowding, 94% was successful. Because rezoning
5 only impacted incoming grade level each year, the
6 full impact of rezoning is felt after 6 years for
7 elementary schools and after three years for middle
8 school. DOE also uses existing underutilized space
9 to alleviate overcrowding by resiting existing
10 schools by opening new schools and programs to
11 attract students from over utilized buildings or by
12 creating additional capacity for different grade
13 levels. With respect to the proposed Legislation we
14 support the Council's goal for increased efforts
15 across city agencies to address the challenges of
16 binding and securing adequate sites for future school
17 locations. We look forward to working with the City
18 Council to ensure that any reporting requirements
19 aligned with the information and data we currently
20 capture and are available in our system. We have
21 made great progress in our efforts to reduce
22 overcrowding citywide yet there remain pockets of
23 overcrowding in our system. We know we have more
24 work to do, we will continue to target these areas to
25 reduce overcrowding. The support of our partners in

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2 the City Council is paramount to this success.
3 Whether it's through your generous funding or through
4 your support for our new school sites, all of our
5 students benefit. We plan to continue that tradition
6 of partnership and look forward to working with all
7 of you toward the shared goal. Thank you again for
8 allowing me to testify and we would be happy to
9 answer any questions you have.

10 CHAIR MARK TREYGER: Thank you I just
11 want to note that we have also been joined by Council
12 Member Constantinides as well as Council Member Adams
13 and Council Member Rosenthal. Uhm, okay so I just
14 want to ask a very simple question to start us off,
15 Deputy Chancellor Rose do you believe overcrowded
16 schools negatively impact the school's ability to
17 delivery quality instruction?

18 ELIZABETH ROSE: Some of our highest
19 achieving schools are also schools that are
20 overcrowded and one of the uhm reasons that some
21 schools are overcrowded is because of the quality of
22 instruction so uhm clearly in the ideal world none of
23 our schools would be overcrowded uhm we do have
24 schools that are extremely successful in spite of
25 overcrowding.

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CHAIR MARK TREYGER: And are we ensuring that every student in that school is, is experiencing success or because success takes many shapes and forms. Uhm and you know again you have former educators up here who know that because of large classrooms, classroom size and overcrowded experiences it is very hard to provide that individualized customized instruction when you have overcrowded classrooms and so yes there are some extraordinary resilient educators, resilient students uhm but there are some folks who need extra help and extra support and it is very difficult to provide that support in very overcrowded classroom settings. Uhm I just want to kind of go into right to the coordination uhm to the agencies. Are there any, are there currently any formal processes through which the SCA is notified of available city owned or leased spaces that may be suitable for a school?

LORRAINE GRILLO: Council Member we work very closely with uhm Department of City Planning and DCAS and the other agencies. Uhm a formalized processed, I don't believe so but certainly we have a regular communication with all of those agencies.

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CHAIR MARK TREYGER: And how would you
define regular communication?

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LORRAINE GRILLO: Uhm anytime there is a
rezoning we are certainly at the table for those, for
those issues, we are notified for example when when
sites are available. We worked very, very closely
with City Planning and DCAS on the preK sitings for
example. Uhm I'm trying to think of other, during
the uhm during the siting process when we are
actually going through those, those siting we work
with those agencies as well on issues like the,
what's the surrounding community looking like and
that sort of thing so we work, we work very closely
with all of them.

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CHAIR MARK TREYGER: So if I heard you
correct, you are saying that these intra-agency
discussions happen during, only during the rezoning
process? Is that correct?

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LORRAINE GRILLO: No, we are, as I said
we are always in contact with, with other agencies.
We have a very good relationship with everyone.

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CHAIR MARK TREYGER: Because rezoning are
very, you know, they don't happen everywhere and they
happen in certain neighborhoods and, and not across

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2 all and I think that these types of, this type of
3 communication should occur regularly regardless if
4 there is a rezoning or not. Uhm I know that we have
5 also been joined by some other agencies here too, uhm
6 so for example, for City Planning here I believe.

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JON KAUFMAN: Yes:

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CHAIR MARK TREYGER: Right if maybe if we
9 can ask you to join the panel. Uhm. Just like to
10 swear you in as well. Uhm do you affirm to tell the
11 truth, the whole truth and nothing but the truth in
12 your testimony before these Committees and to respond
13 honestly to Council Member questions?

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JON KAUFMAN: I do.

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CHAIR MARK TREYGER: Yes and and state
your name, your title?

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JON KAUFMAN: I'm Jon Kaufman the Chief
Operating Officer of City Planning.

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CHAIR MARK TREYGER: Right so, uhm do you
work with DOB, HPD, EDC, SCA on school siting,
planning and decisions?

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JON KAUFMAN: Yeah we work with all of
those agencies regularly on a variety of issues as
you said both related to rezoning and more broadly
and we work very closely with SCA and DOE on the

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2 school's issue. Is there a particular staff person
3 or staffers within City Planning when they come
4 across a number of Land Use Applications or Zoning
5 Applications where there is significant density being
6 added to a certain neighborhood. Is there someone
7 charged with the responsibility in your agency to
8 flag this for SCA, DOE and other Agencies?

9 JON KAUFMAN: Yeah I mean there are a
10 couple of ways to answer that. One is that we are
11 always thinking about that whenever we think about
12 rezoning as a level of city infrastructure in place
13 and indeed with SCA it is quite important that they
14 understand as soon as possible or even think or when
15 we even hear about something possibly happening in
16 those areas, so all of our planners are on guard for
17 that activity. In addition, the seeker analysis
18 itself make sure that we do think about all sorts of
19 city services when we go into rezoning by law, and
20 that's why we have people that are technically
21 qualified to compute the secret analysis and provided
22 actual specific answer to the degree of impacts and
23 we pass it along to SCA as soon as we have it.

24 CHAIR MARK TREYGER: But during the
25 course of a rezoning process or a ULURP process, if

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2 it's determined during that process that there is
3 significant need for additional school seats but the
4 zoning ultimately does not get approved by the
5 Council, does the school, does the school still get
6 constructed. Does the City Agencies, do the City
7 Agencies still say we have to build this school
8 regardless if the zoning passes the Council or not?

9 JON KAUFMAN: If it doesn't, if there is
10 no zoning change, there is no change to the density
11 projected from a development, that's, it would fall
12 just by normal of what SCA looks at which involves
13 all sort of projections about the City and students
14 which I'm sure you are familiar with, so City
15 Planning's role is not, you know we look at ULURP
16 specifically and that has obligations for us to pass
17 along. If it doesn't pass, it's in the general
18 course of discussions we will have with them about
19 what we see happening in the City.

20 CHAIR MARK TREYGER: Right but my
21 question is during the course of the, of your
22 process, you, you come across data and information
23 about density in that neighborhood about potential
24 school seats. Is a decision made at that point to
25 say look this neighborhood clearly needs additional

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2 schools? We have to do this with or without this
3 ULURP getting final output?

4 JON KAUFMAN: Yeah a method is already in
5 the underlying information that we share, so that's
6 nothing newly discovered there. It is part of an
7 ongoing dialog.

8 CHAIR MARK TREYGER: But that information
9 seems to be only viewed during the ULURP process.
10 I'm not sure if it is viewed on a regular process,
11 because we haven't seen any evi, any evidence of
12 that.

13 JON KAUFMAN: Uhm I might let SCA comment
14 after this.

15 LORRAINE GRILLO: Yeah.

16 JON KAUFMAN: I would say that given
17 these ongoing discussions we have, already, always
18 present them with what we think is happening in these
19 neighborhoods which is our regular ongoing activity
20 and that was, that would be the same information that
21 is drawn into ULURP if we get that, if there is
22 specific rezoning to be considered.

23 CHAIR MARK TREYGER: Well let me ask this
24 it this way, is there, is there a Deputy Mayor or
25 another lead staff person who coordinates between all

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2 of these agencies? Who do you, who do you have to
3 answer to? Whose in charge of overseeing this?

4 LORRAINE GRILLO: I will well actually in
5 this particular situation I mean, I report to the
6 First Deputy Mayor so uhm I don't know, we all work
7 very closely together though.

8 CHAIR MARK TREYGER: Right and so that's,
9 First Deputy Mayor?

10 LORRAINE GRILLO: Dean Fuleihan.

11 CHAIR MARK TREYGER: Dean Fuleihan.

12 Okay. Uhm and so can you outline to the extent that
13 you can the formal process in which SCA engages uhm
14 the City Agencies when a large City Sponsored project
15 is being considered, can you just walk us through
16 that process?

17 LORRAINE GRILLO: I can, we do, to start
18 with.

19 CHAIR MARK TREYGER: Yeah.

20 LORRAINE GRILLO: We do our enrollment
21 projections on a yearly basis, okay, so we already
22 have as Jon said earlier, we have that information
23 for those Districts that are either potentially
24 getting a rezoning or not or ULURP application. If
25 it is an overcrowded District already we certainly

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2 pursue new sites, whether or not that particular
3 ULURP application passes or not. Uhm if it's an
4 underutilized area, we are certain that it is not
5 overcrowded in any, in any of the schools, we are not
6 looking for a site but we do that as a normal course
7 of business for our projections.

8 CHAIR MARK TREYGER: Right, and so for
9 example, in the Department of Buildings when they
10 come across significant number of permits.

11 LORRAINE GRILLO: Yes.

12 CHAIR MARK TREYGER: That are being filed
13 to you know construct additional buildings, to add,
14 add more density, is there communication happening?

15 LORRAINE GRILLO: Absolutely. When we.

16 CHAIR MARK TREYGER: Can you explain
17 that?

18 LORRAINE GRILLO: When we are doing our
19 projects of first of all our demographers are doing
20 their particular projections, on top of that, we also
21 go to the Department of Buildings every year and they
22 give us information on, on permits and and whatever
23 is coming up in terms of housing, City Planning gives
24 us information on potential rezoning and potential
25 applications that are coming up. We have all of

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that, we pull that information together when we are
doing our, our plan.

CHAIR MARK TREYGER: Right. Uhm to, so
now is the SCA open to the Council's recommendations
around improving and formalizing inter-agency
coordination to assist in the siting of schools and
to be more direct does Administration support Intro
757 requiring the creation of an intra-agency task
force.

LORRAINE GRILLO: The SCA actually
supports anything that will, will assist us in siting
schools where they are needed. On the individual
resolution we are certainly open to participating in
a task force.

CHAIR MARK TREYGER: So you are in
support of the task force creation?

LORRAINE GRILLO: Sure.

CHAIR MARK TREYGER: Uhm okay that's
good.

LORRAINE GRILLO: Yeah we are fine.

CHAIR MARK TREYGER: Does the DOE support
it as well?

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ELIZABETH ROSE: Similar to SCA we support anything that helps us site schools in difficulty to identify areas.

CHAIR MARK TREYGER: Okay and to what extent is the DOE involved in determining whether a site or space is suitable for a school?

ELIZABETH ROSE: So in determining whether a space is suitable for a school, we defer to the school construction authority. There are sometimes when Lorraine will you know identify a location and we will have a conversation but for the most part uhm once we have identified collectively the need for a school, SCA is responsible for finding the best site possible.

CHAIR MARK TREYGER: Uhm I'm going to have one more then the my colleagues as here as well. There have been repeated instances where communities and Council Members have brought sites to the attention of SCA which are then use to site school which were not identified by SCAs brokers. How does SCA evaluate the performance of its brokers?

LORRAINE GRILLO: Well I think it is important to know that our brokers are paid through commission, okay. So I think what is important about

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2 that is obviously if they are not doing the job they
3 are not getting the commission but we got out with an
4 RFP uhm every, I believe it is every 3 years, uhm
5 we've had enormous success with our brokers but again
6 it is always important to work with the folks on the
7 ground, okay the people the live in the
8 neighborhoods, the people that get the information
9 that says we believe that this particular factory for
10 example is going to be sold but has not yet hit the
11 market. So those are the things that are very, very
12 helpful to us. Uhm giving an example, Council Member
13 Dromm uhm was able to give us information on a, a
14 particular company that was going out of business and
15 we were able to grab that piece of property before
16 any, anyone else was interested and now we are
17 building a school there.

18 CHIEF MARK TREYGER: Do you have, can we
19 have a copy of the RFP for the brokers?

20 LORRAINE GRILLO: Sure.

21 CHIEF MARK TREYGER: I would like to see
22 it and how many brokers do you have?

23 LORRAINE GRILLO: Four.

24 CHAIR MARK TREYGER: Four.

25 LORRAINE GRILLO: Four currently.

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CHAIR MARK TREYGER: Citywide?

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LORRAINE GRILLO: One in each, well
actually cornerstone, one of our brokers is in
Brooklyn and Staton Island, Newmark in Manhattan,
Cushman and Wakefield in the Bronx and Savill Studley
in Queens.

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CHAIR MARK TREYGER: Now do these
workers, work exclusively for the SCA?

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LORRAINE GRILLO: No.

CHAIR MARK TREYGER: So even if they are
paid commission they are still earning a salary
somewhere else?

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LORRAINE GRILLO: That, that I believe so.

CHAIR MARK TREYGER: Right so uhm if they
don't find a school they are, they are working
somewhere else and that's, that's how they are
supporting their livelihood. Uhm how many of the
sites in the current Capital Plan were identified by
brokers rather than members of the public or elected
officials.

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LORRAINE GRILLO: I'll have to get back
to you on that, I, I don't have that information.

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CHAIR MARK TREYGER: That would be very,
very helpful. Uhm and what percentage of potential

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2 sites for Capacity Projects identified by SCA Real
3 Estate Division are, are actually used?

4 LORRAINE GRILLO: If I had to, if I had
5 to take a guess, I would guess probably 60 to 70% of
6 those.

7 CHAIR MARK TREYGER: Right, it's, there
8 is a concern and I don't think we are questioning the
9 equality of the, the staff, the question is the
10 capacity.

11 LORRAINE GRILLO: Uh-huh.

12 CHAIR MARK TREYGER: Whether it is enough
13 and do you believe, that, there are, there are enough
14 folks dedicated in this in this particular area to
15 find sites and to find sites and to actually acquire
16 them?

17 LORRAINE GRILLO: I uhm, I thin I
18 mentioned this at our last hearing, I would never
19 turn down additional staff. It certainly would
20 always be helpful but I think that our folks in our
21 real estate division do an extraordinary job.

22 CHAIR MARK TREYGER: How many would you
23 say you would need to improve performance?

24 LORRAINE GRILLO: I, I don't believe that
25 we need any more to improve performance because I

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2 think our performance is pretty darn good but I will
3 say that it would probably make some people's lives a
4 lot easier because they work very, very hard.

5 CHAIR MARK TREYGER: Right but if I
6 appreciate your candidness that you would welcome
7 more help, so it would help us from an advocacy point
8 of view and policy making point of view and a Budget
9 point of view to know how much more help you need?

10 LORRAINE GRILLO: Again, I, I, want to
11 say that at this particular point do I feel that we
12 need more people to do this particular function? No
13 I feel that our folks managing those brokers get the
14 job done.

15 CHAIR MARK TREYGER: Right well, to
16 follow up I've been asking I think for years and
17 haven't received a thorough response about who made
18 the decision or how was the decision made to give
19 PS248 in my District over to the MTA? In an area
20 that DOE and the SCA know is extremely overcrowded.

21 LORRAINE GRILLO: And again as, as, I, I
22 think I've said before, this happened well before the
23 SCA was involved.

24 CHAIR MARK TREYGER: Right and so who,
25 how do we, how do we hold folks accountable for these

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2 types of decisions if that's even again made today?
3 How do we hold folks accountable?

4 LORRAINE GRILLO: I can, I can only say
5 from experience that way back in the 70s when the
6 city was going through a Fiscal Crisis it sold off a
7 number of underutilized school buildings and I can
8 tell you this was well before the SCA was created
9 when we were created and after a period of time, we
10 paid a trem, and by the way they sold off these
11 properties for \$1 and we had to buy them back for
12 many millions of dollars in those areas where we
13 needed them. Uhm again, I don't believe that the SCA
14 since its inception has sold off a piece of property.
15 I think if I recall and if I'm correct, there were
16 two pieces of property that uhm were given over to
17 DCAS because they weren't being used and the cost of
18 rehabbing them would have been astronomical.

19 CHAIR MARK TREYGER: Well I know my Co-
20 Chair has a Bill in relation to DCAS. I will turn it
21 over now to the Finance Chair for his questions.

22 CHAIR DANIEL DROMM: Thank you very much
23 Chair Treyger and it's good to be back here at an
24 Education Committee Hearing in joint with the other
25 committees as well. Well I, I, I just want a thought

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2 off the top of my head is that in terms of testimony
3 President Grillo as well I noticed several times the
4 citywide numbers and I think what we are trying to
5 drill down on here because I do congratulate you on
6 your citywide efforts. I think overall the SCA has
7 done a good job.

8 LORRAINE GRILLO: Thank you.

9 CHAIR DANIEL DROMM: Where we find the
10 problems are in pockets where we see tremendous
11 problems with overcrowding and somewhat the inability
12 to catch up with that overcrowding. So as a follow
13 up to what Council Member Treyger was saying, uhm
14 what I don't understand and maybe this is really for
15 City Planning is that when we have large development
16 plans like one in the neighboring District to mine,
17 uhm the 5,000 units of housing or more, initially
18 there was not even going to be a school there, then
19 the Council Members over the course of the history of
20 this site fought and they got one school, an
21 elementary school. Okay so it's 400-500 seats for an
22 elementary school, but my question is like what
23 happens after they leave elementary school? So do we
24 take into consideration like what happens? Where do
25 they go to middle school? And then I guess high

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2 school they move around on their own but there is
3 definitely an impact, especially in a District like
4 24 where mostly they go for the zoned Junior Highs if
5 I'm not mistaken. So what happens in that process?
6 Because I think that is partially to blame for the
7 breakdown.

8 LORRAINE GRILLO: Okay I think that
9 forgive me but if you are talking specifically about
10 the Long Island City area.

11 CHAIR DANIEL DROMM: No I was talking
12 more about Willets Point actually.

13 LORRAINE GRILLO: Oh Willets Point.

14 CHAIR DANIEL DROMM: But it's going to
15 happen in Long Island City as well, these are
16 concerns I see and, and Long Island is 30, Willets
17 Point is 24, two of the most overcrowded Districts.

18 LORRAINE GRILLO: Again in uhm first of
19 all, in the Willets Point area, as you said, we are
20 planning for an elementary school in that area. Uhm
21 Queens High School generally have been overcrowded
22 for many, many years and we are constantly looking
23 for seats but we site high schools borough wide we
24 are not siting specifically to that particular
25 Willets Point area would be great to do that if we

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can but we know we have a seat need for high school seats in that area, so.

CHAIR DANIEL DROMM: Thank you I was talking about junior high school seats, intermediate schools, did I say high school? I'm sorry.

LORRAINE GRILLO: That's okay.

CHAIR DANIEL DROMM: Yeah that's really one of the areas I think where we have some problems. Where do those kids go, especially in 24 because they are going to go into, in that particular site they are going to go into IS 61 which I believe is already overcrowded?

LORRAINE GRILLO: Right, well I don't know that the Willets Point area would be a part.

CHAIR DANIEL DROMM: Well they wouldn't go across the line which is District 25.

LORRAINE GRILLO: Yeah.

CHAIR DANIEL DROMM: School District 25.

LORRAINE GRILLO: I, uhm I'd have to get into specifics I would have to really take a look at that, I'm sorry.

CHAIR DANIEL DROMM: And I, I just want to ask too.

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LORRAINE GRILLO: And actually Chair

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Dromm if I could add, this is a great example of

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where we also use non-new capacity strategies to help

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address demand. So you raise IS 61 in Districts 24

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uhm that's a school where we actually relocated a

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program to another school to allow for the growth of

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the zone demand for that school. So uhm there are

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the Capacity Needs take in to account as we do the

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annual projections, so the 5,000 apartments would

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generate some number of elementary seats and some

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number of middle seat needs which are accounted for

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in the annual enrollment process. And on top of

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that, we worked to identify non-capacity strategies

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that can also help address.

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CHAIR DANIEL DROMM: And there was some

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controversy around removing that G and T program from

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61 over to 73 but uhm you know I just don't see, and

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this is really, I, I would like to hear from City

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Planning on this, what, how do you take this into

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account? Building one school but then not taking in

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to account for the middle school needs?

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JON KAUFMAN: Uhm again mean I mean the

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Capital Plan is to get SCAs all, it would give them

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regular dialogs about where we see new units coming

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2 in and try to give them additional input, I ask for
3 specifically what are you doing at the rezoning where
4 there may be more dynamic movement happening. In the
5 enrollment projects, you know I know that they are
6 detailed and enrollment does think about how those
7 kids have progressed through grades and there is and
8 that is part of their overall capacity planning.

9 CHAIR DANIAL DROMM: Well look I hear
10 what you are saying. I know that you move the G and
11 T program out of 61 and as a local example but this
12 is I think citywide as well. But maybe moving out of
13 the G and T program, 200 kids probably at max but you
14 have built a school for 450-500 so where do the other
15 300 go. I would really urge as we move forward in
16 this discussion that we begin to look at issues like
17 that uhm I think that is really important to this
18 discussion. Uhm let me move on a little bit. Uhm is
19 there any rule of thumb for the number of apartments
20 that would be developed in terms of the number of
21 schools that would be part of the development.

22 LORRAINE GRILLO: That's you.

23 CHAIR DANIEL DROMM: I'm sorry, so in
24 other words if you are building 5,000 units is there
25 any type of an estimate that City Planning uses to

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2 say okay 5,000, you need a school for 500 kids, or
3 you need a school for 500 uhm, you know 500 middle
4 school, or whatever?

5 JON KAUFMAN: Yeah so again our input is
6 limited to the number of units and that information
7 is headed over regularly to the SCA and they work
8 again with their demographers and Lorraine may talk
9 more about that.

10 CHAIR DANIEL DROMM: And so what is that
11 role?

12 JON KAUFMAN: That we just forecast the
13 units, we don't forecast.

14 CHAIR DANIEL DROMM: So if you get 5,000
15 units, how many seats, school seats would you need?

16 LORRAINE GRILLO: I'm sorry, yeah we have
17 a specific housing multiplier that we use. I don't,
18 I don't have the figures in front of me but certainly
19 we use a particular multiplier to generate the number
20 of, of seats.

21 CHAIR DANIEL DROMM: Okay let's also when
22 we meet further on this discuss that formula.

23 LORRAINE GRILLO: Of course.

24 CHAIR DANIEL DROMM: I think that is
25 really important to the discussion. Uhm the public

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2 has a vested interest in the sub District lines since
3 this is the level of geographic planning to which
4 funding new school seats is used. We appreciate the
5 SCA sharing sub District maps with the Council which
6 are allowed up to prepare the maps shown here. I
7 believe it is up there on the, on the uhm television
8 now but data on school District and school zone lines
9 are, are uhm publically, they are not publically
10 available. Why aren't the sub District lines
11 similarly made available to the public as the
12 District lines?

13 LORRAINE GRILLO: Uhm well we have
14 actually seen the Legislation that would require
15 that. We have no issue with that. We are certainly
16 willing to do it.

17 CHAIR DANIEL DROMM: Okay, good. What is
18 the origin of the sub District lines that the SCA
19 uses to determined identified seat need. Is there a
20 mandate that these boundaries be co-terminus with
21 school District lines.

22 LORRAINE GRILLO: We are, we are both uhm
23 kind of perplexed because these sub District lines
24 were created long before uhm SCA existed and they
25 predate both of us.

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CHAIR DANIEL DROMM: So they need to be
co-terminus with District lines do you know?

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LORRAINE GRILLO: They are within
District lines, certainly.

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CHAIR DANIEL DROMM: Not always, if you
take an example in Jackson Heights where you have um
addresses that are in District 30 but their kids are
going to District 24 schools.

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ELIZABETH ROSE: So that's, that's not
actually a sub District line issue. That is a zone
and so some of the school zones did predate the
division of the City to um 32 Districts and there
are in many locations school zone lines that cross
District lines, in, in general that can be a very
positive thing because it allows for some diversity
as you may have very different neighborhoods right at
those District lines.

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CHAIR DANIEL DROMM: How long ago was the
last rezoning?

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ELIZABETH ROSE: So I think you are
asking about re-Districting rather than rezoning?

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CHAIR DANIEL DROMM: Well both.

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ELIZABETH ROSE: We rezone elementary
schools and middle schools on an ongoing basis as we

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2 determine need and that need can be driven by the
3 opening of a new capacity which creates an
4 opportunity to rezone to the adjacent schools.

5 CHAIR DANIEL DROMM: I mean when was the
6 last re-Districting?

7 ELIZABETH ROSE: So the last change in
8 Districts I think was the creation of District 32
9 which goes back about 20 years or so, maybe longer.

10 CHAIR DANIEL DROMM: Longer.

11 ELIZABETH ROSE: Long.

12 CHAIR DANIEL DROMM: And before that it
13 was about 50 years.

14 ELIZABETH ROSE: Uhm before that it would
15 have been 1968.

16 CHAIR DANIEL DROMM: 68.

17 ELIZABETH ROSE: Most likely.

18 CHAIR DANIEL DROMM: Okay does the SCA
19 have the authority to change uhm the sub District
20 lines, the boundaries?

21 LORRAINE GRILLO: The sub District
22 boundaries, these have been historic boundaries, I
23 think I, the SCA would not change those. Those are
24 DOE sub Districts; however, the Deputy Chancellor

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1
2 mentioned the DOE regularly does their own rezoning
3 within that sub District.

4 CHAIR DANIEL DROMM: Would there be any?

5 LORRAINE GRILLO: And and if in some
6 cases, uhm they have actually uhm worked a situation
7 where you have two Districts sharing a particular
8 school together.

9 CHAIR DANIEL DROMM: Would there be any
10 cost associated to uhm the process?

11 LORRAINE GRILLO: So the process of re-
12 Districting is actually pretty complicated. It
13 requires, it it's described in section 2590b2c of
14 Education Law. Amazed that I manage to get to this
15 page, uhm it requires us to uhm draft a plan
16 describing proposals. Uhm it requires us to hold
17 public hearings in all boroughs to gather community
18 feedback, uhm them potential revisions to the plan
19 and additional public comment and it would then have
20 to go to the vote for the panel for educational
21 policy. There are a couple of interesting things
22 about the law uhm for example, the law requires that
23 the boundaries of District 10 may not be changed, yet
24 District 10 is one of our most overcrowded Districts.
25 And so it, re-Districting won't help us there. Uhm

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2 in general, we think that the ability to use school
3 zones to have Districts work across District lines
4 where we have opportunities like in District 13 and
5 15 where we have, we have built new capacity located
6 in District 13 but intended to help address
7 overcrowded in District 15 so we have created a
8 school that serves two Districts uhm the CECs have
9 worked together to do so so there are many strategies
10 can use uhm at the local level that doesn't require a
11 full re-Districting process.

12 CHAIR DANIEL DROMM: So would the DOE be
13 willing to change sub-District lines?

14 LORRAINE GRILLO: So I think that's
15 something that we can discuss, again the sub-District
16 lines really help to localize analysis uhm and
17 because they do cut across neighborhoods it also
18 helps us to just adjacent schools to potentially
19 address overcrowding in a very local area and use our
20 space efficiently.

21 CHAIR DANIEL DROMM: Okay let's go to our
22 next chart there. The New York State Contract for
23 Excellency for E. Law requires New York City to
24 include a Class Size Reduction Plan for all Grades
25 but New York City has still not met the agreed upon

1
2 class size reduction goals established in 2007. The
3 Blue Book's Target Class Sizes for grades 4 to 12
4 also remain above the City's reduction goals are in
5 fact above the existing average class sizes as shown
6 in this graphic. This means DOE is planning for
7 schools with larger sizes than they currently exist
8 rather than planning to reduce class sizes as
9 mandated by the state. Uhm will you begin to reduce
10 Blue Book Class Size Targets for grades 4-12 through
11 the Seaford Eagles as has already been done for
12 grades K-3.

13 LORRAINE GRILLO: Well I've certainly,
14 we've certainly worked closely with the Blue Book
15 Working Group on some of the issues that, that you
16 are talking about. Uhm it may be mandated from the
17 State to go for three C3 goals but it hasn't been
18 funded by the State to move forward with C480 so uhm
19 as much as this we would love to do this, there is
20 just not enough money so that is something that the
21 state mandated without the funding to support it.
22 But we will continue to work with either our working
23 group or the Blue Book Working Group on this issue.

24 ELIZABETH ROSE: I wanted to add uhm to
25 what President Grillo said in middle school and in

1
2 high schools the Blue Book formulas actually you know
3 we've target, we say our target class size is 28 but
4 the actually Blue Book Formula only counts a
5 classroom for a certain number of periods a day. So
6 the capacity contributed by a classroom, a regular
7 classroom for middle school is actually only about
8 24.5 students. It is very close to the C3 goals. So
9 in that, in that way, many ways, the Blue Book
10 Capacity is actually very aligned so it. The count
11 of that classroom, uhm is only about 24.5 kids,
12 that's what it contributes to capacity.

13 CHAIR DANIEL DROMM: So if where we see
14 class sizes uhm actually lower than C480 uhm
15 regulations are you, willing to reduce, are you
16 leaving those class si... those numbers the same in
17 anticipation of increasing enrollment?

18 LORRAINE GRILLO: I'm sorry I'm not
19 following the question?

20 CHAIR DANIEL DROMM: Alright your actual
21 are lower than the Blue Book.

22 LORRAINE GRILLO: Uh-huh.

23 CHAIR DANIEL DROMM: It makes us wonder
24 why the Blue Book is remaining at that number?

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LORRAINE GRILLO: So the Blue Book is our assessment of capacity and so if the class size that is actually in the classroom is 18 students instead of 20 students the capacity remains 20 students.

CHAIR DANIEL DROMM: But you could still go higher in that room, is that?

LORRAINE GRILLO: That's correct.

CHAIR DANIEL DROMM: But then if you...

LORRAINE GRILLO: If the class size is higher than that 20 students, uhm you would likely see that the utilization of that building is overcapacity.

CHAIR DANIEL DROMM: Okay so the rapid roll out of UPK demonstrates the SCAs ability to quickly construct thousands of additional school seats with the right political will. Almost all the preK seats funded in the current 5-Year Capital Plan have been completed while the majority of the K-12 seats funded in the plan will not be completed until after the Plan has ended. Perhaps due to the rapid roll out of UPK, no formal process for identifying preK seats need exist. This is particularly concerning giving the roll out of 3-k for all and the existing challenges planning and in siting K-12

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2 seats. So will the next 5-Year Capital Plan include a
3 formal identified seat need for PreK including seats
4 for 3 year olds as appropriate.

5 LORRAINE GRILLO: Well we work very, very,
6 closely with DOEs early learning group on the PreK.
7 I think there are a couple of things. I think uhm
8 they are consistently looking at the numbers as far
9 as the PreK is concerned. Uhm the formulas are
10 different because uhm PreK is really borough wide so
11 for example if I lived in Queens but worked in
12 Manhattan I have the right and the ability to
13 register my child in Manhattan. So it's, it's a
14 little bit of a complicated process.

15 CHAIR DANIEL DROMM: So we know the
16 formula is different.

17 LORRAINE GRILLO: Yes.

18 CHAIR DANIEL DROMM: But we want to know
19 a little bit more about how you go about the process
20 of siting those seats and will you include that in
21 future projection and need for UPK seats and 3PK?

22 LORRAINE GRILLO: Uhm well yes, certainly
23 but again the numbers for the locations and really
24 are coming out of early childhood at DOE where they
25 are doing a deep dive into where those needs are. So

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2 certainly we are happy to you know report the
3 information that we have, uhm in the, in the Blue
4 Book or in any formula that we can.

5 CHAIR DANIEL DROMM: Can the DOE also
6 speak to that process?

7 ELIZABETH ROSE: So, as we get a
8 tremendous amount of information from the enrollment
9 process, uhm family's apply online, they can rank uhm
10 many choices both in their District outside of their
11 District so after each year, the Division of Early
12 Childhood reviews the application trends effectively
13 of where families live, where they are applying to
14 school and feedback information to school
15 construction authority of where they believe they
16 will need additional PreK seats in the following
17 year.

18 CHAIR DANIEL DROMM: Let's go to the next
19 slide then. The Capital Plan currently projects
20 identified seat need only through the Fis, the final
21 year of the plan, which means that the identified
22 seat need is as of 2019 however showing this slide
23 the majority of the K-12 seats funded in the current
24 plan will not be complete until after 2019? This
25 means SCA is playing catch up, constructing seats

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2 that may have been needed for years even if as the
3 identified seat need grows. One of the reports
4 recommendations is that the SCA projects seat need
5 for a rolling 10 year period in the Capital Plan. We
6 believe that this would allow the city to plan actual
7 need, actually meet the need in the long term rather
8 than continually, continually projecting an
9 unachievable seat need in the fixed 5-Year periods.
10 How are long term seat need projections currently
11 accounted for in the DOEs Capital Plan?

12 LORRAINE GRILLO: And again we update
13 those projections every year. Okay so we look forward
14 for those additional years, each, each year we update
15 it and we move forward another year. The 5-Year
16 Capital Plan, we are mandated by law to doing it that
17 way, so uhm we are comfortable uhm by the end of this
18 Plan you will have the next 5 years out. You will
19 know exactly what it is and we are in the middle of,
20 at this point, uhm we are close to beginning to create
21 the next 5-Year Capital Plan. So those projections,
22 again are updated yearly so we are going out further
23 every year.

24 CHAIR DANIEL DROMM: So in the report it
25 is recommended that we have a rolling 10-Year Plan.

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2 Would you be working with, be willing to work with us
3 on that 10-Year Plan.

4 LORRAINE GRILLO: I would like to but
5 again we are mandated by law to have a, our
6 Legislation indicates at 5-Year Capital Plan.

7 CHAIR DANIEL DROMM: And you can't go
8 beyond that?

9 LORRAINE GRILLO: Uhm, it would
10 certainly be an enormous task. We are set up in our
11 systems and in our analysis for a 5-Year Capital Plan.

12 CHAIR DANIEL DROMM: Okay, alright we
13 will talk more about that I'm sure off line but let
14 me, let me ask is DCAS here? A representative from
15 DCAS. Yeah can I have, I have them come up and would
16 you swear them in?

17 CHAIR MARK TREYGER: Okay if you could
18 raise your right hand? Do you affirm to tell the
19 truth, the whole truth and nothing but the truth in
20 your testimony before these Committees and to respond
21 honestly to Council Member questions?

22 LAURA RINGELHEIM: I will.

23 CHAIR DANIEL DROMM: And if you can
24 just state your name, your title, we appreciate that.

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LAURA RINGELHEIM: Sure. Uhm the
Deputy Commissioner for Real Estate at DCAS.

CHAIR DANIEL DROMM: Okay thank you and
welcome. And uhm a lot of time people in the
neighborhood come up to me and they say, a very thing
like uhm you know what about city owned land, does
uhm, DCAS share that information with SCA and with the
DOE on a regular basis?

LAURA RINGELHEIM: We do, we uhm
routinely reach out to agencies and have agencies
reach out to us all the time to find out what land we
are holding in our portfolio that might be available
to them.

CHAIR DANIEL DROMM: Is there a formal
process for the uhm distribution of that information?

LAURA RINGELHEIM: I wouldn't say it's
a formal process I think agencies know where to go
when they need this information so we get inquires
routinely, yeah I wouldn't call it a formal process
but it exists. And is...

CHAIR DANIEL DROMM: So President
Grillo do you communicate with them on a regular
basis?

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LORRAINE GRILLO: We certainly do, as a matter of fact, as an example we work very, very closely with DCAS during our effort for uhm UPK.

LAURA RINGELHEIM: Yeah we just got an inquiry two weeks ago for 3K from DOE and are conducting a site search now with them in the catchment that they are requesting.

CHAIR DANIEL DROMM: Is that information available to Council Members as well?

LAURA RINGELHEIM: Absolutely.

CHAIR DANIEL DROMM: Where is that?

LAURA RINGELHEIM: So some of the information is on open data but we can certainly provide a list of properties that are uhm again we think we routinely provided to different members of Council upon request.

CHAIR DANIEL DROMM: It would be very interesting for me to see also.

LAURA RINGELHEIM: Absolutely.

CHAIR DANIEL DROMM: Alright thank you I thank you for your time and I'm going to turn it back over to the chair.

CHAIR MARK TREYGER: Thank you uhm Chair Dromm. At this point I also want to recognize

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2 that we have also been joined by Council Member
3 Miller, Council Member Lander and Council Member Van
4 Bramer and now I would like to turn to the Co-Chair,
5 Chair of the Land Use Committee, uhm Chair Salamanca.

6 CHAIR RAFAEL SALAMANCA: Uhm thank you
7 Chair Treyger, good morning. Uhm how long does a
8 siting review take? Let's say a piece of land is
9 identified by the broker, how long does that process
10 take? For the SCA to determine this is a suitable
11 site for a school?

12 LORRAINE GRILLO: Well there are a
13 number of things. We certainly uhm have our
14 architects review the site, review the topography,
15 review the uhm location and the surrounding area,
16 traffic issues and so on. We also do again an in
17 depth environment review. And that can include and
18 does include phase 1 and phase 2 which has phase 1 is
19 background information, phase 2 becomes soil borings
20 and the like if it is necessary and I will say we do
21 it almost every single, at every single site. So that
22 process uhm can take probably 3 months before we know
23 that this site is suitable.

24 CHAIR RAFAEL SALAMANCA: How many
25 months would you say average?

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LORRAINE GRILLO: Again, that, that
will take three months or so just to see if the site
is suitable.

CHAIR RAFAEL SALAMANCA: Okay.

LORRAINE GRILLO: And then we do our
own environmental assessment of the, of the building,
then we go through our, we don't, we don't, we are not
subject to ULURP; however, we do have a public process
that is required before we come and take it to the
City Council for approval.

CHAIR RAFAEL SALAMANCA: Uhm the Jerome
Avenue rezoning that just occurred.

LORRAINE GRILLO: Yes.

CHAIR RAFAEL SALAMANCA: There were
other rezoning that occurred prior to the Jerome
Avenue rezoning. What is your involvement in these
rezoning?

LORRAINE GRILLO: Yeah, uhm actually we
are at the, sitting at the table with City Planning
and others when these rezoning are discussed and we,
we are actually for example with Jerome Avenue as a
result of those discussions we are planning two new
schools, one in District 10 and one in District 9.
Another example of a rezoning that resulted in a new

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2 school would be the East New York rezoning where in
3 fact we are planning an 8,000 seat school. So.

4 CHAIR RAFAEL SALAMANCA: I'm sorry the
5 Jerome Avenue rezoning I know there is one that was
6 approved in Cabrera. When did the second one come up?

7 LORRAINE GRILLO: We have in the course
8 of the discussions we recognized that there would be
9 seat need in both District 9 as well as District 10,
10 so uhm there is a school planned. We do not have a
11 site as of yet but it should, we feel very comfortable
12 that we will be able to.

13 CHAIR RAFAEL SALAMANCA: So in reality
14 you only have one school coming to that rezoning.

15 LORRAINE GRILLO: No we have two.

16 CHAIR RAFAEL SALAMANCA: So you have a
17 site for the second one?

18 LORRAINE GRILLO: One in District 9.

19 CHAIR RAFAEL SALAMANCA: Yes.

20 LORRAINE GRILLO: And one in District
21 10.

22 CHAIR RAFAEL SALAMANCA: And you have
23 sites for both?

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LORRAINE GRILLO: I have a site for District 10 and we are investigating several sites in District 9.

CHAIR RAFAEL SALAMANCA: Okay. Uhm in terms of the uhm the rezoning that just occurred. Uhm there was an EIS that is done and there was a projection that 6,000 more seats will be needed over the course of 10 years in the Jerome Avenue rezoning? Uhm that's approximately 12 new schools. Uhm now if the SCA is thinking about long range or even medium range planning why are they are not able to deliver more sites to address this need?

LORRAINE GRILLO: I'm not familiar with these figures. I apologize but I really, I would have to look at this a little bit.

CHAIR RAFAEL SALAMANCA: Okay that's fine. Uhm in the Jerome Avenue Rezoning there was a site, they were looking for schools and there was a site that was identified by Council Member Cabrera.

LORRAINE GRILLO: Yeah.

CHAIR RAFAEL SALAMANCA: And it came to light that this site was a DOE owned property.

LORRAINE GRILLO: Yes.

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CHAIR RAFAEL SALAMANCA: And I know

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that it had to do there was a garden and a playground.

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LORRAINE GRILLO: Uh-huh.

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CHAIR RAFAEL SALAMANCA: Where there

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were concerns with. But the Council Member needed to

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identify this site.

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LORRAINE GRILLO: I'm sorry, I

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apologize.

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CHAIR RAFAEL SALAMANCA: The Council

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Member needed to identify this site. Does DOE have a

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list of all their DOE open spaces that are not being

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properly utilized where you, where these spaces can

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potentially be good sites for school?

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LORRAINE GRILLO: Yes and in this

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particular case this was flagged. This is used uhm

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right now as play space I believe and that is exactly

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the site that we are planning to move forward with.

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Fortunately it is DOE space but yes we have

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information on those pieces of property which are very

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few by the way that are not being used at this time.

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CHAIR RAFAEL SALAMANCA: Does DOE share

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that information with you? Does SCA have a list of

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all these open spaces, sites that.

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LORRAINE GRILLO: Absolutely.

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CHAIR RAFAEL SALAMANCA: So there's a list that exist, so I can request that list and that's public information?

LORRAINE GRILLO: I sure, I would probably say that we will have to compile it for you but we certainly can.

CHAIR RAFAEL SALAMANCA: Uhm so a broker did not find this site for Cabrera, so there was no broker's fee paid.

LORRAINE GRILLO: That's right.

CHAIR RAFAEL SALAMANCA: Okay, alright, I just wanted to be clear. Uhm how long does it typically take to make an offer to purchase a site?

LORRAINE GRILLO: Uhm that's a good question, well first we want to know that the site is appropriate for our kids and engage in those discussions and negotiations. A negotiation can certainly take from you know a month to in some cases, in one case specifically took a year before we reached a price that everybody was comfortable with.

CHAIR RAFAEL SALAMANCA: Uhm my, my other question on the broker.

LORRAINE GRILLO: Yes.

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CHAIR RAFAEL SALAMANCA: When a broker, what is their role? They just identify sit... I know you give them guidelines as to what space is needed, what is suitable, cause formula what is suitable for what school.

LORRAINE GRILLO: Uh-huh.

CHAIR RAFAEL SALAMANCA: Once they identify there is that site, what is their role here?

LORRAINE GRILLO: Okay their role would be, first of all notifying us appropriately and we would send our architects and engineers to take a look to verify that it is a site we would be interested in, uhm if it is then the broker is really in contact with the owner, okay and in some cases, as begins the negotiations, makes an offer to the owner and then certainly then our attorneys take over but they will begin until such time that we are in active negotiations with the, uhm the owner they will really be the point of contact. Is there a certain dollar amount per square footage that you allow the broker to negotiate. I know land in certain boroughs are cheaper than other boroughs.

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LORRAINE GRILLO: Right, we, we do an appraisal of every property so that we are paying a fair market value.

CHAIR RAFAEL SALAMANCA: Okay you know in the uhm, in the City of New York where you have a housing crisis, uhm there is a lot of affordable housing or mixed use housing being built.

LORRAINE GRILLO: Right.

CHAIR RAFAEL SALAMANCA: Especially in the Bronx. Uhm there is a lot of development occurring in my District for example. What conversations is City Planning having with SCA to give you a heads up to say in terms of what's coming down the line in the next three years in terms of housing?

LORRAINE GRILLO: Sure.

CHAIR RAFAEL SALAMANCA: Uhm (1) To create your formula. (2) To start scoping out potential sites for schools?

LORRAINE GRILLO: Sure, uhm actually in our process as I, as I mentioned earlier we do our projections yearly so we work with our demographers and in that process as well we work very closely, we get information from City Planning on those, on those rezonings and those applications that have come up

1
2 formerly and what they anticipate over time to come
3 up, so we've, so we've very well aligned with City
4 Planning on that information. We know what's in the
5 pipeline for example.

6 CHAIR RAFAEL SALAMANCA: Right. Uhm as
7 part of this plan uhm the uhm the Planning to Learn
8 Report uhm you know it spoke in detail in terms of
9 affordable or a mixed use affordable housing and at
10 least in my Council District I am seeing a lot of
11 development occurring and the developers are
12 partnering with Charter Schools. They are bringing in
13 charter schools, uhm I guess because of space. Is
14 there a conversations, are there any conversations
15 that SCA is having with developers to see if the can
16 uhm accommodate the amount of space that you need in
17 some of these uhm mixed used developments?

18 LORRAINE GRILLO: Absolutely, now this
19 is based upon what our projections are for seat need
20 in a particular district. So for example, if you are
21 currently in a District where in fact there is no
22 identified seat need and we don't have information
23 that tells us that there will be seat need in the
24 future, we won't have that conversation; however, if
25 we anticipate seat need and we see that kind of

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2 development, I, I think I mentioned in my testimony a
3 number of uhm developers who we are currently working
4 with on exactly that, uhm where in fact we can find
5 space within a building.

6 CHAIR RAFAEL SALAMANCA: I know that
7 the Mayor has this plan in terms of building
8 affordable housing and their goal is to build 300,000
9 units within an x amount of time. Uhm in talking to
10 developers, do you see that they in order for them to
11 give you more space, they would have to build less
12 units and therefore is there a compromise. Is the
13 Administration, are they involved in their saying we
14 prefer more affordable units than building schools?

15 LORRAINE GRILLO: Do you want to get
16 that one?

17 JON KAUFMAN: Yeah I mean I think uhm
18 good morning, uhm you can imagine it's a case by case
19 basis as we look at sites that we do see and you know
20 many that don't ever get to see in City Planning. We
21 do think about what is, what could work in that site
22 and whether there is an opportunity for any agency in
23 particular SCA to use some of it there are other
24 instances where the site is better suitable for
25 affordable housing. So it really depends a bit on the

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2 dimensions of the site and the location of a site in
3 addition to what other site can accommodate density
4 nearby or whether they actually you know can't really
5 accommodate density as it is. Uhm as I wanted to
6 mentioned, there is a lot of conditions as to what
7 makes a good site, some cases that are mentioned just
8 aren't suitable for a gym or a laboratory uhm given
9 the footprint. So we do think about on a case by case
10 basis but it is part of the ongoing dialog is to why
11 with them what we are learning when developers uhm do
12 come to us. It is worth noting that often developers
13 don't come to us at all and it's you know it's as a
14 right building in which case, we don't, that's where
15 SCA really is spending a lot of their time focusing
16 already outside of City Planning.

17 CHAIR RAFAEL SALAMANCA: The
18 frustration here City Planning is that you are coming
19 to us Council Members with projects in terms of
20 building affordable housing. We understand it is a
21 need, I, I do understand it but I have yet to see City
22 Planning come and say we are going to add a school in
23 your District or hey x amount of units, in my time
24 that I have been in office, I have approved over 4,000
25 units of new 100% affordable housing. Not one time

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2 has City Planning say we need to have a discussion in
3 terms of how many seats you need to accommodate these
4 4,000 that are coming to your community. That has not
5 happened and that needs to happen. That needs to be
6 part of your conversations. It is not just about
7 building affordable housing but what resources are we
8 giving communities that are coming in. These new
9 families that are coming in to our communities and
10 that is what is lacking here. Uhm when a site is
11 available through the SCA or through the, or the SCA
12 that does not meet your ideal size requirements for a
13 new school, but you feel that it is still worth
14 pursuing for a new school, what kind of trade offs uhm
15 in terms of designs do you consider if any?

16 LORRAINE GRILLO: Yeah uhm again our
17 uhm ideal site for an elementary school would be a
18 footprint of 20,000 square feet but we recognize that
19 that is rare and few and far between so we will go
20 down as low as 12,000 square feet. What you find now
21 that you didn't find years and years ago when schools
22 were being built is you will see what we call a
23 gymnasium which is a gymnasium that has a stage and
24 moveable seating that can be used in both ways, those

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2 are the kinds of things that we had to do based upon
3 what's available.

4 CHAIR RAFAEL SALAMANCA: Okay I want to
5 talk a little bit about the City Environmental Quality
6 Review process.

7 LORRAINE GRILLO: Okay.

8 CHAIR RAFAEL SALAMANCA: Uhm how do you
9 determine the number of new residential units that you
10 expect will occur in the future which is used during
11 the environmental review process.

12 LORRAINE GRILLO: Again that is with
13 our partners in Government and the information that we
14 have from City Planning and, and yeah.

15 CHAIR RAFAEL SALAMANCA: Well then why
16 are there no housing units projected to be constructed
17 between years 5 and 10 of the housing projection
18 numbers and the City Environmental Quality Review.

19 JON KAUFMAN: Is there a specific area
20 that you are looking at there?

21 CHAIR RAFAEL SALAMANCA: Sorry?

22 JON KAUFMAN: Is there is a specific
23 area that you are looking at overall?

24 CHAIR RAFAEL SALAMANCA: The housing
25 source data that is being used.

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2 JON KAUFMAN: Again, its I don't know if
3 you are referring to a specific rezoning application
4 or if it is a broader comment you are making but
5 Secritech Annual (SP?) is quite specific as to what we
6 need to incorporate as to how to build out those
7 projects and how to think about the different impacts
8 on a lot of different agencies and we take, you know
9 guidance on the Secritech (SP?) Manual which is
10 managed by the managers, the Mayor's Office
11 Environmental Coordination who also may be here to
12 answer some questions on that.

13 CHAIR RAFAEL SALAMANCA: What I'll do
14 is I'll give this question to the Council, maybe you
15 guys can give us something in writing with a more
16 detailed answer because I just do not understand your
17 answer to this question right now.

18 JON KAUFMAN: Okay.

19 CHAIR RAFAEL SALAMANCA: I uhm in terms
20 of the uhm the formula that is used per borough it's
21 called a multiplier. Why is there only one multiplier
22 or formula for each borough. And I'll give you an
23 example, in Crown Heights and in Green Point they have
24 very different numbers in terms of school aged
25 children and how does the same multiplier apply to

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2 projects in those two places do a good job predicting
3 the number of students generated. In Crown Heights
4 has more than 20,000 children under the age of 18 and
5 in Green Point they have less than 8,000 children
6 under the age of 18 yet the same multiplier or the
7 same formula is used to identify the needs in those
8 communities.

9 LORRAINE GRILLO: Again, that is one
10 piece of the, of the puzzle. That is not the entire
11 puzzle, okay those multipliers, uhm I will say this,
12 we are certainly open to uhm working with the task
13 force or working group on the multipliers, but let me
14 just say this, we are typically the SCAs numbers and
15 our projections are typically on, we over project 1-2%
16 citywide, so we are very comfortable with the numbers
17 that we are using because they are very, we've proven
18 that we are very accurate.

19 CHAIR RAFAEL SALAMANCA: Even though
20 that there's different needs in different communities
21 in the same borough.

22 LORRAINE GRILLO: Again because that is
23 one piece of the puzzle, we use other things, we use
24 uhm immigration numbers, we use a migration numbers,
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2 we use a number of different variables to come up with
3 the formula to do our projections.

4 CHAIR RAFAEL SALAMANCA: Which are our
5 recommendations from this Planning to Learn Report are
6 you willing to adopt?

7 LORRAINE GRILLO: The SCA is open to
8 all of them, uhm again there are some in there that
9 would require other agencies to provide information
10 and data and they can speak to that. I can only say
11 and as I've said early on is we are always open to
12 ways in which we can do things better.

13 CHAIR RAFAEL SALAMANCA: Alright uhm
14 I'm sorry, DOE, are, which uhm which recommendations
15 are you willing to adopt as part of this plan?

16 ELIZABETH ROSE: Well uhm one of the
17 things that we were very struck by in reading the plan
18 is that many of the suggestions regarding noncapacity
19 approaches are things that we actively engage in and
20 will continue to engage in and would like to, are
21 happy to continue discussing but the opportunities to
22 place programs in underutilized buildings to draw
23 families from overutilized schools is something that
24 we currently do and and will continue to do. Uhm and
25 looking at needs and potentially how we can using

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2 rezoning, ECF and, and other programs that we have
3 that don't depend upon SCA finding a perfect new site,
4 uhm we absolutely are pursuing those and and are happy
5 to continue discussing them.

6 CHAIR RAFAEL SALAMANCA: Uhm thank you
7 Mr. Chair. I will be around for a second round of
8 questions.

9 CHAIR MARK TREYGER: Thank you uhm and
10 just uhm since we have all the rele, some of the
11 relevant agencies and Authorities here uhm just, just
12 very quickly go through the line here, so Deputy
13 Chancellor Rose have you had a chance to review this
14 report?

15 ELIZABETH ROSE: I have read the report
16 cover to cover.

17 CHAIR MARK TREYGER: Thank you
18 President Grillo, have you reviewed the report?

19 LORRAINE GRILLO: Absolutely,
20 absolutely.

21 CHAIR MARK TREYGER: City Planning?

22 JON KAUFMAN: Yes.

23 CHAIR MARK TREYGER: DCAS?

24 LAURA RINGELHEIM: Yes.
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CHAIR MARK TREYGER: So we've heard from DOE and uhm SCA about an openness to adopt or accept some of these recommendations, let's hear from DCAS and from City Planning.

LAURA RINGELHEIM: So the part that, that pertains to DCAS as far as information sharing, I think that the Council is going to work with some of our colleagues to work on the language but in principal we have no objection and we are happy to share that information uhm as often or as a formalized process as is determined is best to get that information back and forth.

CHAIR MARK TREYGER: Okay just, just so we understand uhm because there is a number of bills that we are also hearing today, does so does DCAS support Intro 461?

LAURA RINGELHEIM: The uhm the uhm sharing of any lots that become in our surplus over 20,000 square yes.

CHAIR MARK TREYGER: Alright so just DCAS is on the record.

LAURA RINGELHEIM: Again, I think there was an issue with some of the language but we in

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2 principal we have no problem sharing that information
3 as it is specified.

4 CHAIR MARK TREYGER: Okay and does SCA
5 and DOE support Intro 729?

6 LORRAINE GRILLO: Remind me which one?

7 CHAIR MARK TREYGER: That is the Intro
8 by Council Member Kallos and Menchaca to requiring the
9 DOE to post methodology and data for determining
10 identified seat need?

11 LORRAINE GRILLO: And again we are
12 always open to this kind of suggestion; however, I
13 think what we need to do is work together with the
14 Council Staff on exactly how to present information
15 like that. I'm not, I'm not negative on this. I
16 think what is important though is our expectations are
17 the same on this, on this particular Intro.

18 CHAIR MARK TREYGER: Okay so there is
19 an openness for a discussion on this Legislation?

20 LORRAINE GRILLO: Absolutely.

21 CHAIR MARK TREYGER: And does DCP and I
22 don't know if Buildings is here support Intro 759?

23 JON KAUFMAN: I'd say uhm we've spoken
24 to Council Member Gibson's staff about this Bill that
25 she introduced and have some concerns about the way

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2 that it's been fixed and put up, not in concept of
3 what it's trying to accomplish but just in that we
4 feel that it is not going to accomplish what they have
5 intended and indeed what we are supportive of looking
6 at as many developments as possible, this one if you
7 attack it this way, it will come up way to late in the
8 process for what SCA needs.

9 CHAIR MARK TREYGER: What, what
10 concerns do you have? I'm just.

11 JON KAUFMAN: Again this, this Bill
12 would suggest that we for certain size appl,
13 applications of certain sizes we would flag that with
14 SCA, uhm or require anyone of certain sizes to flag
15 that and what we in thinking of the Bill more deeply
16 what we find is that actually, by the time we get
17 something at the Department of City Planning, they
18 have already developed a site, they already have plans
19 for what they want to do with it, it is way too late
20 for the SCA to get involved in most cases and it's
21 going to create a lot of agitose (SP?) something that
22 actually isn't going to result in that, we would
23 rather keep working with SCA as we have been and work
24 with the Council Member to try to find a different way
25 to accomplish that goal. Again SCA is quite involved

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2 with a lot of these sites where there is opportunity
3 and this particular channel isn't going to, I don't
4 think is service anything useable for SCA.

5 CHAIR MARK TREYGER: Okay uhm I guess
6 there will be some follow up with Council Member
7 Gibson on the bill. Uhm and just you know I've heard
8 during the course so far today and we are going to
9 hear it more from my colleagues now is that there has
10 been a lot of these informal discussions between
11 agencies. We are looking for a formalized process of
12 communication between these agencies, because as I
13 heard with regard to the Jerome Avenue Rezoning.
14 Sites were identified once the ULURP was really taking
15 shape and it seems that the, the DOE or SCA might be
16 aware of certain seat needs, across, you know across
17 the City of New York but they are not acted upon only
18 until there is an active ULURP Process taking shape.
19 Uhm and that's when the phone calls seem to be being
20 made between City Planning, SCA, DCAS and others, DOE
21 about we need to find sites here because there is an
22 ULURP here and we have to make this work. That's not
23 responsible planning. That should be happening with
24 or without a ULURP happening and so I think that we
25 need a more formalized process of, of communication

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2 across all the relevant agencies and to also just
3 expand the SCAs capacity to act upon the, the
4 identifying need. Uhm, let's turn to my colleagues
5 now. We have also been joined by Council Member
6 Barron, Council Member Powers, Council Member Cornegy
7 and Council Member Ulrich. Uhm so just to remind my
8 colleagues the clock is at 3 minutes for round one
9 questions. Uhm we will begin with Council Member
10 Kallos.

11 BEN KALLOS: Thank you to the many
12 chairs within this committee, with three minutes I
13 will jump right in to question. Over the past three
14 years, sorry over the past four years, three months
15 and 11 hours 59 minutes I've been asking you the same
16 questions at every single hearing. Is there a need
17 for more seats in my District? How many seats are you
18 building in my District? Uhm so let's, let's start
19 with that question. You usually say that you see no
20 identified seat need.

21 LORRAINE GRILLO: Okay I see no
22 identified seat need at this time.

23 BEN KALLOS: Alright and yet you are
24 building more seats in my Districts because we have
25 seats, we were getting 900 preK seats?

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LORRAINE GRILLO: That's a very different question. I was specifically talking about the K to K to 8 seats.

BEN KALLOS: Fair enough and and so I guess the concern that I've had all along is that the identified seat need omits the preK need and the coming need and I guess the, so I have this hypothesis that the methodology and underlying data is leading to inaccurate projections which is why I introduced Introduction 729. So just, so just to be clear, not negative doesn't sound like support. Do you support opening up your methodology and the data so that all of us around can see what may be leading to any of the inaccuracy?

LORRAINE GRILLO: And again, we support the concept of opening up the data. What we would need to do is work with staff to see what is possible and what specifically and what particular intro, information in what order that you would like that information to to be public.

BEN KALLOS: I, I, I am hoping, I don't believe that transparency should need Legislation. I am hoping we can get a lot of, a lot of not only what's in this Bill but a whole lot more information

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2 disclosed to the public as we, as we look at this
3 without having to just do another Bill because I don't
4 think that is the right way to do things. We are
5 Legislating too much when we can just get things done
6 by agreement.

7 LORRAINE GRILLO: Okay again we need to
8 have discussion.

9 BEN KALLOS: So in terms of the
10 accuracy, is it true that the SCA Accuracy for the
11 Blue Book Enrollment Projections is often off by 1 to
12 2% city wide?

13 LORRAINE GRILLO: No actually our
14 projections for enrollment are typically 1-2% over, we
15 over project 1-2% city wide.

16 BEN KALLOS: Is there any District
17 where the projections are off by more than 1-2%. Is
18 there any District where it is under and if so, how
19 much and which District?

20 LORRAINE GRILLO: I don't have that
21 information but we will get it for you.

22 BEN KALLOS: I guess it just, okay and
23 so will you agree to not only share that information
24 with the City Council but share publicly annually

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2 moving forward down to community School District and
3 sub District?

4 LORRAINE GRILLO: Again we are, we are
5 more than happy if we have under projected, remember,
6 we do the projections every year. We update them
7 every year so if we've made an error which I'm sure
8 has happened we will do our very best to correct that
9 error in next years projections. So that information,
10 all of that information is out there. So you have a
11 projection for a particular District, you also have
12 the Blue Book information which is capacity and
13 utilization. If there is that huge difference that
14 will easily be picked up in having those, having that
15 bit of information available.

16 BEN KALLOS: And.

17 LORRAINE GRILLO: And it's already
18 available.

19 CHAIR MARK TREYGER: And we could
20 certainly go for round two once that time comes,
21 Council Member Kallos. Uhm, next we will have Council
22 Member Gibson.

23 VANESSA GIBSON: Thank you so much,
24 thank you President Grillo, thank you Deputy
25 Chancellor and DCP and DCAS, certainly before I every

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2 criticize I always compliment. I have had an
3 incredible working relationship with SCA and I
4 appreciate all of the work that you have really put
5 together. I want to thank your Chairs and certainly
6 the City Council in 2017 for formulating this Working
7 Group to even come up with a series of
8 recommendations. Uhm I'm grateful that there is
9 acknowledgement that we can always improve, that we
10 can always operate more efficiently and effectively
11 and I will say just in terms of working on the Jerome
12 Neighborhood Rezoning Plan the brokerage firm that is
13 assigned to the Bronx did nothing to help in Jerome.
14 The organizations and the groups that SCA is now
15 working with to identify a site to build my school in
16 School District 9 I recommended all of those land
17 owners to SCA. So you know again and this is why are
18 having these conversations, because we have enough
19 stakeholders in this toolbox where we can really come
20 up with ideas and ways in which we can site schools
21 and so I'm grateful that there is a level of
22 understanding of why we've put forth this
23 comprehensive package of legislation. Uhm my
24 particular Bill 757 which does create a task for, I
25 believe that we should have better inter-agency

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2 coordination, not just DOE and SCA but HBD and DCP and
3 DCAS because for all of the thousands of housing units
4 that we are building whether it is a zoning or not we
5 have to be prepared and so that's the reason why the
6 Bill was proposed in the first place because I do
7 think there is no inter-connectivity to make sure that
8 for every thousand units of housing we are building we
9 are also building the schools as well and so I would
10 love to continue to talk to you about that uhm, and
11 making sure that HPD and DOB are that the table uhm
12 because while I was able to get a zoning there is no
13 guarantee that School District 9 would see a brand new
14 school outside of having a zoning and now we may have
15 had the numbers but obviously the zoning propelled
16 that even more. Uhm I just had one question it was
17 following what one of our Chairs has said just in
18 terms of the housing multiplier and the fact that it
19 almost seems to be a citywide multiplier and nothing
20 something that is a little bit more borough based an
21 even within a particular borough like the Bronx that
22 does have a lot of city owned land that remains at our
23 disposal are there any changes that SCA is looking to
24 do to that multiplier to really keep up with current
25 times and current challenges that we are facing so my

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2 School District 9 we have the highest concentration of
3 students in temporary housing. And a lot of those
4 families are living in shelters came from our
5 community and come from the community and so there is
6 an urgency to keep them in the community so I just
7 like to understand in terms of future conversations if
8 there would be any changes to focus on unique aspects
9 of borough and neighborhoods.

10 LORRAINE GRILLO: Actually thank you
11 Council Member, uhm actually we are considering a
12 change to the multiplier at this particular point but
13 I think you have raised a broader question which has
14 to do with particularly homeless children and their
15 specific needs and I think that we, this deserves as
16 you said a task force or at least a further discussion
17 with the Working Group to see how we can attempt to
18 address that.

19 VANESSA GIBSON: Okay thank you so
20 much, thank you Chairs I look forward to working with
21 you on certainly a better tracking system so we can
22 all have one conversation as we look to not just to
23 create new schools but also the challenges of an ever
24 demanding and growing population in New York City so I
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2 thank you Chair Treyger, thank you Chair Dromm and
3 thank you to Chair Salamanca. Thank you.

4 CHAIR MARK TREYGER: Thank you Council
5 Member, next we will hear from Council Member
6 Grodenchik.

7 BARRY GRODENCHIK: Thank you Mr. Chair,
8 thank you everybody, thank you Ms. Grillo, thank you
9 Deputy Chancellor Rose for being here today. It is
10 always a pleasure to see you. And thank you for your
11 excellent work in Eastern Queens. Uhm, my question is
12 about joint operated playgrounds and I know that we
13 are going to building on one at PS46 Queens. Are they
14 always available to you? Is it, and how does that
15 work? And I may be having a hearing as Parks Chair
16 later this about that but that's not to be discussed
17 today but the question is, are they always available?

18 LORRAINE GRILLO: No and answer and
19 answer uhm Council Member, uhm they are not always
20 available and I think that you will probably hear this
21 from Parks as well. I mean there are certain areas of
22 the City where we have jointly operate playgrounds and
23 very, very little open space anywhere else. So in
24 those cases we will certainly and in every single case
25 that we are attempting to take some space in a jointly

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2 operated playground for an addition or that sort of
3 thing, we certainly sit down with Parks and we look at
4 this on a case by case basis.

5 BARRY GRODENCHIK: And I'm looking at a
6 site, another site which I will talk to you offline
7 actually I have three sites for you actually uhm but
8 is it possible always or almost always to build if we
9 were to take a, a playground that was school property.
10 Is it easy to put a playground on top of the school so
11 that we would just have a playground in the sky so to
12 speak?

13 LORRAINE GRILLO: No it's easy, I would
14 not describe it as being easy, it's difficult because
15 there are a couple of things. You don't certainly.
16 It's going to have a noise impact to those people if
17 you are living near a high rise for example.

18 BARRY GRODENCHIK: I don't have any of
19 those so keep going.

20 LORRAINE GRILLO: Okay, alright so
21 that's not a problem. It's, it's also expensive, uhm
22 but by the same token we have done it in a lot of
23 cases because there are laws about how much open space
24 must is required for school yards and so we do it
25 where in fact we are taking enough open space that

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2 leaves the children very little so, so we'll do it
3 then.

4 BARRY GRODENCHIK: Okay. Alright uhm,
5 I will give your my card with the spots on it. Thank
6 you very much Mr. Chairman.

7 CHAIR MARK TREYGER: Thank you Council
8 Member. Next we will hear from Council Member King.

9 ANDY KING: Thank you uhm, Chair, Char,
10 and Chair. Uhm but as always a delight to have school
11 construction authority in front of us to answer
12 questions of how do we create houses for our children.
13 Uhm I have five questions, not too difficult but if
14 you hear something that piggybacking off of something
15 that I heard Treyger say as well but uhm but I would
16 just like to know do you have a list of, throughout
17 the City of New York (1) of your overcrowding
18 neighborhoods and Districts? The reason I ask that
19 one question is because that type of issue might
20 should be a priority other than someone who just wants
21 a new school just because. The second question is how
22 effective have been the relationships with the
23 realtors in the four boroughs that you have been
24 working with because they are on a payment plan or
25 schedule to deliver and if they are not delivering

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2 what is the plan to continue the relationship or not
3 continue the relationship? Third, uhm how much do you
4 work with your local City Council Members to identify
5 sites. I know you've worked with, and through your
6 testimonies about two or three, between council witz
7 and I forget the other one that you've worked with for
8 sites and being engaged with, how often do you reach
9 out and get involved with them? Fourth, uhm how do
10 you handle utilizing space when you are trying to
11 create seats. I know in the past I've visited some
12 schools that they've taken storage closets and made
13 seats in them, but being a school, that's a reality,
14 how have you managed if you had a request to say we
15 want to convert this space into classroom space that
16 might be unbecoming of learning because I know if I'm
17 a student and all of a sudden I get placed in a place
18 that I know that never was a classroom it might mean,
19 uhm not a motivating factor for me to lean, so how do
20 you deal with those kind of requests? And what
21 external factors, last question.

22 LORRAINE GRILLO: Six, that's six.

23 ANDY KING: Oh really I must have had
24 an A and B in there somewhere, my bad. Uhm what
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2 external factors would you say get in the way of you
3 building or designing a school?

4 LORRAINE GRILLO: I think I remember
5 everything, I'm not quite sure but I will say this,
6 first of all the list of neighborhoods and, and all of
7 that information is in our Capital Plan. It's online.
8 It tells you we break it down into specific areas
9 within sub Districts within school Districts so that
10 is all there and that is what we focus on. We focus
11 on the areas of need certainly. I think you asked
12 about our brokers. And again we have them under
13 contract, we go out with an RFP every 3 years I
14 believe and I I may be wrong but it may be two but if
15 they are not performing obviously that is going to be
16 part of our evaluation and they probably won't get
17 another contract uhm let me think now. Now just
18 forgive me.

19 ANDY KING: Number three was how often
20 do you work with City Council.

21 LORRAINE GRILLO: Oh absolutely.

22 ANDY KING: Identifying sites.

23 LORRAINE GRILLO: I, I will, I will say
24 to you that Council Member Kallos was very helpful in
25 finding UPK locations. Council Member Dromm found us

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2 a site before it went on the market for uhm a new
3 school in his District. As Council Member Gibson
4 mentioned earlier she identified several sites as part
5 of the Jerome Rezoning. Council Member Treyger gave
6 us some sites for uhm additions to schools and I'm
7 sure that uhm in those areas of need we've had it,
8 we've had a terrific relationship with the City
9 Council and the members and they have been very, very
10 helpful.

11 ANDY KING: But none of us got the
12 commission.

13 LORRAINE GRILLO: Sorry.

14 ANDY KING: So I thank you, I was just
15 trying to get to see how proactive that SCA is as
16 opposed to waiting for us to say here listen we got a
17 crisis or there is a new development. Does the SCA
18 let them know this is a site we have, how proactive
19 SCA reaching out to the Council Offices, listen do you
20 have potential spaces, is it, are you overcrowded. We
21 see that you are overcrowded, can you help us identify
22 or as opposed to waiting until a deal gets negotiated
23 and then we come into the process, I guess that was
24 the question I was trying to figure out.

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2 LORRAINE GRILLO: Okay and I, and I
3 believe that we have had uhm meetings with each
4 individual Council Member, uhm dealing with whatever
5 the concerns are and particularly if there is
6 overcrowding and those are things that we very often
7 say to the Councilmen, nobody knows better than the
8 local elected official as well as the local community
9 of where sites could be, could be available or what's
10 the most uhm, what's the best location for an addition
11 for example, things like that, so yes we have a great
12 relationship with.

13 ELIZABETH ROSE: And I can address the
14 question about what are the school, was interested in
15 converting space within their building. Our office of
16 space, our Space Management Group is responsible for
17 working with schools on that and sometimes it can be
18 the school identifies or has a question about, can we
19 reconfigure a space? And sometimes we will look at an
20 overcrowded building and, and send someone in to sort
21 of assess, and, and send someone in to sort of assess.
22 Is there anything we can do to help the school out by,
23 you know are there rooms with windows that could be
24 Administrative space or could be uhm we've converted a

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2 lot of unused locker rooms to exercise spaces or dance
3 spaces in ways to help schools.

4 ANDY KING: Okay and in my final
5 question.

6 CHAIR MARK TREYGER: Council Member if
7 we can do it in round 2 that will be good, we can add
8 you to the list because Council Member Adams has been
9 waiting very patiently.

10 ANDY KING: Okay.

11 CHAIR MARK TREYGER: Thank you, thank
12 you so much.

13 ADRIENNE ADAMS: Thank you Chair
14 Treyger, Chair Dromm, Chair Salamanca. Thank you so
15 much Deputy Chancellor, President Grillo, members of
16 DCAS and City Planning for being here with us today.
17 I actually have one question and then I have a general
18 comment. Regarding working with Council Members to
19 discover an uncovered new sites, my colleague Council
20 Member Miller mentioned that there were talks with him
21 and my predecessor regarding a site on 115
22 specifically the Southeast Queens which I'm just going
23 to deal with, 115th Avenue and Guyer (SP?) Boulevard.
24 That was a site that is intended for something else, I
25 believe a hotel which apparently there were some talks

1
2 about pos, possibly being a new school building. Does
3 that ring a bell at all?

4 LORRAINE GRILLO: I'm not familiar with
5 that particular site but I can certainly get back to
6 you, I, I really don't recall that.

7 ADRIENNE ADAMS: Okay thank you. Uhm
8 the last thing that I'm going to say, it's going to be
9 a general comment uhm and it's not a pleasant comment
10 unfortunately, I kind of have to unroll the spool a
11 little bit because we are speaking about placement of
12 children and building out and quite the opposite we
13 have seen in Southeast Queens where the Blue Book has
14 been continually used against us and against
15 communities of color uhm in Southeast Queens and
16 across the city of New York and case in point, we are
17 now looking at the 7th education administration coming
18 into August Martin High School. This proposal is
19 going to be brought forth on April 25th. August Martin
20 High School is one of 78 renewal schools right now.
21 It is also a community school also adopted by
22 community board 12 which happens to my community board
23 that I chaired over many, many years. August Martin
24 High School is co-located right now with New Visions
25 Charter High School which is still phasing in up to

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2 12th grade. It is also co-located with Voyages with a
3 South Transfer High School. It is also co-located
4 with an alternate learning center with a suspension
5 list. It is also co-located with a District 79
6 Program, Pathways to Graduation, ages 17 through 21.
7 It is also co-located with Restart Academy. Now my
8 question now is when does the DOE say enough and allow
9 the growth of a renewal school to happen. When does
10 the DOE say enough. To me it seems preposterous and
11 an irresponsible decision to continue to co-locate
12 schools, specifically in communities of color for the
13 most part. Now we have looked at tremendous progress
14 in Council Member Grodenchik's District with Martin
15 Van Buren High School, something that we are very,
16 very proud of. My question is why is this disservice
17 continuing to happen not just to the District 75
18 students who will be brought in but also to all of
19 these students in six different education
20 administrations in August Martin High School.

21 ELIZABETH ROSE: So Council Member I am
22 afraid that we are going to have to disagree on this.
23 Providing an opportunity to students with disabilities
24 to attend high school with their nondisabled peers is
25 incredibly important and valuable to those students

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2 and the notion that we would not use space that we
3 have available in order to serve students who have
4 particular needs uhm in a building that we think is
5 working well, where we have confidence in the
6 Education Administration that they can well serve
7 these students would be its own disservice.

8 ADRIENNE ADAMS: I would respectfully
9 disagree with you. In every school that I have gone
10 in to spoken with different Administrators and
11 Principals they make it work because they have to make
12 it work. Not because it is a pleasant agreeable
13 situation or even in the best situation. Uhm in my
14 humble opinion we are doing a disservice to our
15 students who do attend District 75 Schools by bringing
16 them into an environment like this. I think we can do
17 much, much better as a City, thank you.

18 CHAIR MARK TREYGER: Thank you Council
19 Member. Next we will hear from Council Member Powers.

20 KEITH POWERS: Thank you thank you for
21 being here and uhm and I apologize for missing your
22 testimony but I, I did get notes on it. I, I wanted
23 to thank uhm thank the DOE and the SCA and presumably
24 others to piggyback on Council Member Kallos and I
25 think you mentioned earlier to responding to universal

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2 PreK needs on the Upper East Side. I, I assume that we
3 will still need more in the future but I think that
4 the constituents in both of our Districts are very
5 pleased with the fact that a program that has been
6 touted so much is accessible and available so I thank
7 you for that. My question is I think part of the,
8 part of the issue on the Eastside Manhattan and it's
9 other dense Districts is space and affordable space
10 and the second one is growth. It's the fact that we
11 have buildings going up and we have, we see them every
12 day, large scale buildings, some are occupied, some
13 are more vacant. But my question is more global for
14 the moment which is how as the building. This may be
15 for City Planning. As all of these buildings are
16 filing for permits and and going on you presumably
17 don't know how big or large those buildings are, how
18 many are going to be for families and things like
19 that. At what point do we capture that in this
20 process. Do we actually capture, you are doing a year
21 by year projection of need but these buildings are
22 going up and you are doing some analysis but I assume
23 only at the end of when the buildings start, when the
24 buildings start to be occupied, so how do, when do we

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2 start capturing the need as all these sort of mega
3 towers in our Districts are going up?

4 LORRAINE GRILLO: Sure, thank you
5 Council Member. Uhm yeah in fact we capture that
6 information every year when they are issued permits.
7 The builder is issued a permit, that information comes
8 to us every year so it is not a surprise. We don't
9 have to wait until the building is, is you know
10 constructed and finished. What we like, we would like
11 to have that information because that informs what the
12 seat need will or will not be in your particular
13 District.

14 KEITH POWERS: And do you have specific
15 data then or I know you have to make an estimation on
16 everything but then do you when you get a permit does
17 it actually give you information about or can you make
18 an estimation and an appropriate one about how many
19 family, I mean one bed studios are likely to net
20 something different than three bedrooms or.

21 JON KAUFMAN: A lot of the information
22 they draw on is the Department of Building Permits
23 which has the number of unit is, met new units that
24 are going to be on that site. In some cases they are
25 demolishing a site and adding units, in some cases

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2 there are demolishing a site and reducing the net unit
3 and that is something that is part of the input that
4 we give them on an annual basis which they can then,
5 the use to integrate with some other inputs for the
6 overall student projection.

7 KEITH POWERS: Got it and I don't, I
8 don't pretend that this point, my District is as
9 oversaturated as some of the other ones of my
10 colleagues but I think we do still have issues where
11 we are looking at. I know one of the schools right in
12 my District is because there is a lot of complaints
13 about you know overcrowding already and so as we are
14 going, as we are, as new buildings are being added
15 online and there is a lot of them going up, is there,
16 I mean do you have brokers who are doing it? What is
17 the proactive approach. Not just we bring one to you
18 or we are able to negotiate one to ULURP but what is
19 the proactive approach for getting for negotiating and
20 then also I guess what is your receptiveness to adding
21 school space versus commercial space or other uhm
22 other uses?

23 LORRAINE GRILLO: So again we are going
24 into those areas that we have identified seat need and
25 all brokers are searching, okay now, what is the

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2 advantage? And this is something that we do and I
3 have done personally is uhm speak to the Real Estate
4 Board and speak to other groups uhm about the
5 advantage. Speak to developers in groups and so on
6 about the Advantages of putting a school within the
7 building and how it often sells their apartments
8 because it's such a great convenience for people. But
9 I can't force the developer who is building has a
10 right what's is the advantage, the advantage for them
11 is they will get their rent on time and there's, you
12 know, we sign a long term lease, we pay for a long tem
13 lease. So those are some of the things that we try to
14 use but again if a builder is doing it as of right
15 there nothing that I can do to force that person to,
16 the.

17 KEITH POWERS: It was, it wasn't a
18 request that you can't or you or anything it was more
19 about the receptiveness to that versus another use and
20 someone that will also pay the use on time, I'm sure,
21 chains and things like that.

22 LORRAINE GRILLO: Interestingly enough,
23 I know, I know your area well, there is a, a
24 tremendous amount of empty store fronts.

25 KEITH POWERS: There is.

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LORRAINE GRILLO: Along first avenue.

KEITH POWERS: Which leads into my next question uhm which is actually just. What is the minimum baseline for school space? I imagine that under IV funding you have to get a certain amount of students into a building to make it even, even affordable to open the doors and turn the lights on. What, what is that?

LORRAINE GRILLO: I'm going to say that we would not want to go lower than a total of 95,000 square feet. For a, for our students to build a small elementary school.

KEITH POWER: And I.

CHAIR MARK TREYGER: Can you save for round two. Uhm thank you very much.

JON KAUFMAN: Uhm I just. Just want to respond to earlier comments with regards to when the DOE will send staff to visit an overcrowded school and say let's reimagine or repurpose some existing space to, to address that because I've experience that uhm in a school where uhm classrooms that were once used to provide CTE opportunities had to be taken away to address overcrowding. Certain spaces were teachers can collaborate and plan together and debrief after

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2 they would observe each others classes were taken away
3 to accommodate the growth in student enrollment and so
4 there were consequences, instructional consequences
5 when space is repurposed inside of a school building
6 to accommodate the overcrowded, you know the high
7 number of enrollment and that does have a negative
8 impact on education that does have negative impact on
9 the quality instruction, that does have a negative
10 impact in my view with regards to opportunities for,
11 for kids and this is something that I know I think we
12 need to have prioritized across the board, because
13 again Deputy Chancellor I agree that there are
14 extraordinary students and extraordinary educators
15 that despite all of these challenges they still have
16 an ability to overcome of these obstacles but there
17 are a number of kids that still need that
18 individualized attention. There are still a number of
19 our students who still have talents and abilities that
20 will only be kind of exposed in, in a variety of
21 settings that sometimes are removed to accommodate
22 overcrowded schools and also respectfully you know
23 educators are not robots, they, they can't just, you
24 can't lesson plan in a closet in a school or sit in a
25 noisy cafeteria and try to you know grade papers or to

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2 try to plan, plan ahead so they need space too. I
3 mean this is an issue that impacts virtually every
4 stakeholder and then I hear from PTAs and parent
5 groups that when they want to get involved in their
6 school, it's hard for them to find space for them as
7 well. So I just, I just want to kind of sink in
8 across all agencies here that this has a profound
9 impact in classrooms for educators to, to evaluate and
10 to edit their instructions. It has an impact on CTE
11 growth and expansion because we are only seeing CTE
12 growth and expansion in certain areas and certain
13 schools and not seeing it in other areas and so uhm I
14 don't know if you want to respond to that and then I
15 have some more follow up questions Deputy Chancellor.

16 ELIZABETH ROSE: Well I think many of
17 those topics that you just raised are addressed in and
18 in part of the Blue Book formulas that help us
19 determine when we need to build new capacity so there
20 is expected to be a certain amount of administrative
21 space in every school and if there isn't, the Blue
22 Book actually deducts from the capacity of that
23 building to reflect that it doesn't have all of the
24 Administrative space it needs or if it doesn't have
25 the number of cluster rooms that the school should

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2 have, the, you know they add up the capacity of each
3 classroom, the formula will deduct capacity if they
4 don't have enough cluster rooms. So that information
5 is part of, we've determined that this school is
6 overcrowded, this neighborhood is overcrowded and we
7 need to build new capacity. It's not clearly for ev,
8 every individual school, a one to one but it does help
9 create the picture for a neighborhood and it helps us
10 determine that we need to build more seats.

11 CHAIR MARK TREYGER: Which which leads
12 me to my next question. Uhm how does DOE determine
13 whether or not to cap enrollment in a particular grade
14 in a school or overall enrollment in a school?

15 ELIZABETH ROSE: So uhm we try to
16 accommodate all zone students in their school wherever
17 we possibly can. If there are no opportunities to
18 open additional class sessions for students in a
19 particular grade, and every class in that grade is at
20 it's contractual maximum, that is when we will cap
21 enrollment in a, in a grade and identify an
22 alternative location for those students.

23 CHAIR MARK TREYGER: But to be clear,
24 are there schools that are experiencing significant
25 overcrowding that still do not have cap enrollment and

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2 the DOE Family Welcome Center still will send students
3 to that school knowing that it is significantly
4 overcrowded? Is that correct?

5 ELIZABETH ROSE: So by definition we
6 will not cap a school until it is significant
7 overcrowded such that we don't have the ability to
8 accommodate a student.

9 CHAIR MARK TREYGER: How do you define
10 significant overcrowding.

11 ELIZABETH ROSE: So the school will
12 have would have not be able to open an additional
13 class section and all class sections would be at their
14 contractual limits for of enrollment.

15 CHAIR MARK TREYGER: So how do you
16 ascertain that? Is there a number?

17 ELIZABETH ROSE: So for kindergarten
18 the contractual class size limit is 25 students and
19 uhm the number of class sections potential is based on
20 the number of classrooms that a school has available.

21 CHAIR MARK TREYGER: And so let's say a
22 high school is exceeding 130-140% capacity so what
23 happens then?

24 ELIZABETH ROSE: So it depends, most of
25 our high schools are not zoned so capping only applies

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2 to zoned students attending their zoned school. Uhm
3 if you have a zoned high school and there are 30
4 students in every class uhm there still is the ability
5 to enroll additional students in those class sections.
6 Uhm if you have a zoned high school and you are at 32
7 students in every class, then we do not have the
8 ability to add additional students and a zoned student
9 might have to be accommodated at a different location.

10 CHAIR MARK TREYGER: Can the DOE
11 provide a full list of schools with cap enrollments,
12 what their enrollment cap is and where students are
13 shifted to keep enrollment under the cap.

14 ELIZABETH ROSE: So capping actually
15 occurs throughout the year, because students do come
16 in an enroll throughout the year, so capping may be
17 very different at the very beginning of the year uhm
18 than in the middle of the year and and so forth. So
19 that's a more complicated, there's not a single, one
20 point in time.

21 CHAIR MARK TREYGER: I think any
22 information here would be helpful to understand how
23 decisions are made, why decisions are made and we hear
24 from educators, from school leaders that their schools
25 are significantly, significantly overcrowded and again

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2 I would like to see, you know see, I understand that
3 you are using the classroom size but there are
4 educators teaching classes that are over the
5 contractual limit, I know that for a fact. As a
6 former UOP delegate I I've advocating for those
7 educators to deal with this issue, so, there are
8 schools that are still significantly overcrowded that
9 are still receiving additional students and the
10 leaders and the educators there say look we welcome
11 all kids but give us the space, give us the resources,
12 don't take away our CT rooms, don't take away our
13 teacher departments. Don't take away spaces where
14 educators can collaborate. Uhm how does the DOE
15 determine where to create special programs such as
16 gifted and talented, community schools, dualing which
17 programs progressive education models and career and
18 technical education programs.

19 ELIZABETH ROSE: So for most of these we
20 work very closely to the superintendents of the local
21 districts. We have uhm a planning process that we
22 work with them annually to identify what they feel the
23 needs of their District would be and then work with
24 them to identify where appropriate locations are. So
25 gifted and talented is something that many people are

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2 interested in. The assessment may be include how many
3 students are taking the uhm qualification test for
4 gifted and talented programs, how many are reaching
5 the levels. We are opening new gifted and talented
6 programs in many districts starting at the third grade
7 and using multiple measures in order to identify
8 students for those seats, dual language is largely
9 based on the populations, local populations of student
10 speaking, another language for native speakers because
11 you need both local native speaks and students who are
12 English speakers who wish to learn the other language.
13 So it's all done very much in conjunction with the
14 local superintendents.

15 CHAIR MARK TREYGER: Is the utilization
16 of a school taken into account in determining where to
17 locate the special programs?

18 ELIZABETH ROSE: Absolutely. Uhm
19 particularly if we are talking about programs that
20 might be going into a zoned school. Obviously a zoned
21 school that is already overcrowded would not be a
22 location that we would look at to open, to open a
23 program that is specifically designed to bring in
24 students from outside the zone. It might be, however,
25 a perfect location for a program that specifically

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2 serves the zoned students, so if the local school zone
3 has a significant population of students speaking
4 another language, a dual language program might be
5 perfectly appropriate there.

6 CHAIR MARK TREYGER: Is reducing
7 overcrowding every an explicit goal of creating and
8 specialized program?

9 ELIZABETH ROSE: Uhm it is however it
10 not necessarily easy to determine where students will
11 come from so we have uhm explicitly placed dual
12 language programs, gifted and talented programs, in
13 underutilized buildings with the hopes that families
14 from local overutilized buildings might be interested
15 in those programs but we can't predict exactly who
16 will take advantage of those programs.

17 CHAIR MARK TREYGER: The reason why I'm
18 asking this is if you mentioned before the roles of
19 the superintendents in the schools. Based on feedback
20 that I have received and based on just my overall
21 experience as well, uhm if a school leader or if a
22 school community informs a superintendent that
23 enrollment is an issue for example, these are schools
24 that let's say are having difficulty with enrollment
25 they would like to increase their enrollment which

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2 actually has an impact on overcrowding in other
3 schools because when parents receive letters that
4 their child has been assigned to a certain school and
5 there is a perception issue, a perception problem in
6 that school which might not be warranted. Then they
7 want to go to a different school, they appeal and they
8 want to go to a school that probably is overcrowded
9 already and because they've heard good things about
10 it. So my question is, when a superintendent hears
11 this, what is, what is the mechanism, what is the
12 process to, to, to go back to DOE to superiors there
13 and to say, how can we help support this school with
14 instituting programs that will better attract the
15 school community to help support this perception
16 problem? Because many times the education, the
17 educators and the leaders are left to their own
18 devices to deal with this issue. And that to me is
19 not just fair Deputy Chancellor. There are many
20 schools that have taken uhm a whole lot of negative
21 media coverage over the course of the last decade,
22 particularly under the last administration there was
23 agenda to hurt the public school system and that still
24 has a rolling impact to today where that perception
25 still exists and I believe we need to do better to

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2 support these schools because as we support these
3 schools you are actually helping solve the issue of
4 overcrowding in schools that are experiencing
5 significant overcrowding. So what can we do to help
6 better support these schools with more specialized
7 programs with capital support to build additional
8 space to attract local school community.

9 ELIZABETH ROSE: So we have been in and
10 are continuing to do that uhm certainly with the
11 rollout of Universal PreK uhm that has been I think a
12 very strong support for many schools that were had
13 difficulty attracting enrollment. Those were
14 buildings where we might have had additional
15 classrooms for more UPK classrooms than the zone
16 itself particularly needed and so that's one thing
17 that brought families into the schools where they had
18 a positive experience and then they have also received
19 priority should they wish for their children to
20 continue in kindergarten in the same school where they
21 are in UPK. Uhm we do, we work with schools honestly
22 to encourage opening them up to the communities
23 because what it really takes to change reputation is
24 to bring families in and see the programs that the
25 schools were offering and see their celebration events

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2 or their school chorus or the school musical and so
3 we, we work with superintendents and principals to
4 help them think through how do they bring the
5 community in to see the things that they are doing.

6 CHAIR MARK TREYGER: Alright and
7 superintendents will also tell you that they have a
8 lot of schools in their portfolio and it is very hard
9 to provide individualized attention to individual
10 schools so, so the chain of issues goes up, is the DOE
11 open to the Councils recommendation to create specific
12 plans to alleviate overcrowding in high need
13 districts.

14 ELIZABETH ROSE: So again we work
15 annually with our superintendents on identifying what
16 can we do to help address these issues. Uhm do we
17 have a plan for every single individual school, no we
18 do not but we do look at neighborhoods and help
19 develop plans for neighborhoods. Uhm you know a
20 recent example in Brooklyn we had a series of
21 overcrowded elementary schools along a border of
22 District 22. Uhm we identified that we had middle
23 school space nearby. We relocate middle school out of
24 an elementary school building. It actually was a
25 building that we had opened gifted and talented in a

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2 couple of years prior to help bring families into that
3 school and in doing so we were able then to rezone
4 four adjacent elementary schools to address
5 overcrowding across a string of elementary schools
6 that were all overcrowded. So we, we, we tried to do
7 things like that every year, obviously it doesn't
8 happen in every single District every year but we, we
9 do look at those neighborhood overcrowding to see what
10 kind of shifts we can make that will help.

11 CHAIR MARK TREYGER: Does DOE consider
12 equity or integration issues in deciding where to
13 locate special programs.

14 ELIZABETH ROSE: Uhm so we certainly
15 try to. Uhm and in fact I would say uhm many of the
16 programs themselves can be helpful in integration.
17 There are you know within the school we also are
18 concerned to ensure that we don't create you know
19 pockets of students who may look different from each
20 other because that's not the environment that we would
21 like to see.

22 CHAIR MARK TREYGER: Right, you know I
23 have stated before and I believe that in order for us
24 to better integrate our public school system because
25 in many, in many different ways segregation does exist

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2 not just along racial lines but in terms of, there
3 could be one school with a significant number of kids
4 with IEPs, the next school there is very few or
5 English language learners and so forth but I do
6 believe that we are going to need a multi-agency,
7 multi-layered prong approach to better integrate our
8 our school communities and to offer better equity.

9 ELIZABETH ROSE: And when we rezone
10 schools we do explicitly look at uhm questions of
11 diversity in the rezoning plans.

12 CHAIR MARK TREYER: And then I have one
13 more and then my colleagues have round two questions,
14 have been very patient. I, I, I, think it is very
15 important that we also touch on the issue of
16 accessibility. The Council's Planning to Learn Report
17 recommends that the DOE address the shortage of
18 barrier free programs so that all students have
19 equitable access to schools. In 2015, the U.S.
20 Department of Justice found that 83% of the city's
21 elementary schools were not fully accessible to people
22 with disabilities and currently there remain Districts
23 in which there are no fully accessible schools.
24 However, the current Capital Plan Amendment includes
25 just \$100 million for accessibility projects and \$27.6

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2 million to ensure more schools can serve as accessible
3 shelter sites. Uhm, why hasn't the city proposed
4 additional funding to make more schools accessible?

5 ELIZABETH ROSE: So that is something
6 that we are looking at in the next Capital Plan, uhm
7 we are very pleased with the work that our
8 accessibility team has been doing on a number of
9 fronts. One is looking at each District and the
10 level, the percentage of schools that are accessible
11 at the elementary school level, at the middle school
12 level and at the high school level and particularly
13 starting with the elementary school level identifying
14 our accessibility projects to create equity across
15 Districts so that we look at the Districts with the
16 lowest percentage of accessible schools and taking
17 into account new schools that might be under
18 construction by the SCA we would then locate identify,
19 identify and locate accessibility projects to bring up
20 the lowest District to the level of the other
21 Districts and we are doing that step by step so that
22 we are addressing accessibility in a very equitable
23 way across Districts.

24 CHAIR MARK TREYGER: So, so you
25 mentioned that this is being looked at and the

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2 Council's Response to the Prelim Budget, I recommend
3 investing an additional \$125 million to make more
4 school's accessible, do you agree with this
5 recommendation?

6 ELIZABETH ROSE: Uhm I certainly think
7 that we have enough projects out there that we could
8 use that funding and we will over the coming months as
9 we develop the next Capital Plan be looking at all of
10 the different needs that we have to determine a final
11 budget.

12 CHAIR MARK TREYGER: You know we have
13 the resources, Deputy Chancellor and now we just have,
14 the, we need to have the, the uhm, the will and just
15 to get this, to get this done. This is basic fairness
16 equity and this is just justice for our kids. I want
17 to be very mindful of my colleagues and their time.
18 Round two questions will begin with Council Member
19 Kallos.

20 BEN KALLOS: Thank you there are 17
21 public schools in my District with 7,173 students as
22 of 2015. A little more than half of our children in
23 the, a little more than half of our children from the
24 neighborhood, 1/3 are citywide, the rest are screened
25 District wide. For SCA, when identifying seat need,

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2 do you count all the seats physically in a
3 neighborhood as meeting the neighborhood's need. For
4 DOE how do you determine whether a seat should go to
5 provide a 3K, PreK or grade school in a child
6 neighborhood or a city wide or a District wide seat
7 and for both do you think that DOE and SCA should
8 actually work together on how to use existing seats
9 and if DOE uses seats for citywide needs that SCA
10 built to satisfy a local need to SCA should have to
11 replace those seats.

12 LORRAINE GRILLO: Interesting, okay,
13 that's an, that's an interesting approach Council
14 Member. Uhm look our job you know again, we are not
15 going to determine who goes to a particular school,
16 how they are city wide or zoned or whatever, we base
17 our projections on plans for future and current,
18 current utilization. Uhm but I cannot and that is for
19 District wide and sub District uhm I'm not, I'm a
20 builder, that's what we do, we are planners and
21 builders, what, how that school is used really goes to
22 the Department of Education and I believe that a
23 tremendous amount of the programs that you talk about
24 tested in schools and that sort of thing have been
25 long standing in your particular District. This is

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2 not something that this specific DOE has created over
3 time.

4 ELIZABETH ROSE: Uhm so particularly at
5 the elementary school level, most of our programs are
6 zoned, not 100% and we do think that it is important
7 in all Districts and in all neighborhoods to have
8 choices, so yes even in an area where there might be
9 enough zoned students to fill all of the seats, we
10 think that it is important to have some programs that
11 children can opt in to whether from local neighborhood
12 seats or from further away. Uhm at the high school
13 level, we plan high schools on a borough basis and
14 again we believe very strongly that there should be
15 opportunities for students to attend schools in a wide
16 variety of geographies and not be limited to their own
17 home neighborhood, so uhm the use of schools in
18 locations. It is important to have some programs that
19 serve a broader geography. It is what helps create
20 opportunities for diversity for our students. It is
21 what helped create opportunities for choice for our
22 students uhm but in your particular District the vast
23 majority of those seats are for zoned students.

24 BEN KALLOS: But with regard to the
25 rest, but if, if I can just drive a point home, so we

1
2 know that we have seats that aren't for the
3 neighborhood and that's great, I wish those seats
4 would be more integrated instead of just segregated
5 seats in a, in a community where they are not being
6 integrated, but you know that the seats aren't there.
7 You are counting it as seats for the community so I am
8 just asking with both of you here at the same table
9 why can't you just agree that yes those seats aren't
10 serving the community and that there is additional
11 need and that when DOE is programmatically not using
12 it for the community that we actually need to build
13 the more seats and let's integrate them please?

14 ELIZABETH ROSE: So I want to take
15 exception to saying that those seats are not for the
16 community those seats are absolutely open and
17 available to the community as well as seats that are
18 not in the community are also open to those families
19 from this local community.

20 CHAIR MARK TREYGER: Okay so next we
21 will hear from uhm Council Member Gibson.

22 VANESSA GIBSON: Thank
23 you so much again. I just had two very quick
24 questions, uhm and I think Deputy Chancellor you
25 talked a little bit about particular schools like

1
2 gifted and talented, dual language, uhm with some of
3 the closures of the renewal schools that we have faced
4 this year. There has been a new proposal and a new
5 effort to focus on modeling schools off of Ls and so
6 my District has a high concentration of students with
7 IEPs and students who are identified as Ls and we need
8 to make sure that we are building schools around that
9 growing need. Uhm I think we recognize the need that
10 exists today but I also think that we need to
11 recognize that the need will only continue to grow and
12 also a lot of the families that I represent are large
13 families where multiple children, siblings happen to
14 go to the same school which is a same thing but it
15 also means that it's contributing to the overcrowding
16 issue that we have so I wanted to find out in terms of
17 future conversations and how we are modeling off of
18 very designated schools to focus on neighborhood needs
19 like L, like gifted and talented, what does that
20 conversation look like and then my second question is
21 as ambitious as we need to be in building brand new
22 schools I also want to make sure that there is a
23 priority in investing in the capital work in existing
24 schools. We are asked to fund the upgrades to
25 cafeterias, playgrounds, libraries, science labs,

1
2 greatest needs for upgrades within existing schools,
3 uhm for bathrooms, we actually have a facilities
4 rating process that helps us identify where our
5 facilities are substandard. We also work with our
6 Deputy Directors of Facilities and local council
7 members for your recommendations for schools where you
8 feel there is the greatest need and we look at, at
9 those but we try to prioritize based on uhm the
10 assessment, physical assessment of those bathroom
11 condition. Uhm as an uhm you know Chair Treyger was
12 advocating for funding for accessibility which we
13 completely agree with uhm we also have tremendous
14 opportunities for upgrades to our existing schools and
15 the how do we budget and decide the allocations for
16 those different needs is going to be part of our
17 ongoing conversation for the next Capital Plan.

18 CHAIR MARK TREYGER: Thank you
19 very much to my colleagues and just again some very
20 quick kind of take aways from this hearing. I think
21 that clearly there is a need for a formalized process
22 to communicate and coordinate across the board from a
23 variety of city agencies. Uhm we've heard today a lot
24 about informal conversations during certain, you know,
25 times of year when there might be a ULURP or rezoning

1
2 under works and but I think that we could all benefit,
3 that kids could benefit from a more formalized
4 structure and I appreciate your openness from everyone
5 here to have that. Uhm another take away I think from
6 today for us as well is the capacity of the existing
7 brokers and you know making sure that we expand
8 capacity in that front. I could tell you one agency
9 that does a pretty good job of finding space and
10 acting on that space pretty quickly. That is EDC.
11 When they want to build something, when they want to
12 expand the Mayor's Housing Plans, they, they find it
13 and we hear about it in our communities. So maybe
14 there, there's an opportunity to have a conversation
15 with EDC and their, and their folks to see, to share
16 best practices using some, some teaching terms and uhm
17 and also, also I would ask the DOE to continue to find
18 ways to support underutilized schools as well. Uhm I
19 believe that obviously we discussed some bigger issues
20 today but this is also I think an issue that too many
21 of our school communities face. They need support in
22 a in a variety of ways. We still need to fight back
23 this perception problem, that I think exacerbates
24 overcrowding in certain schools and certain school
25 Districts as well and there is a lot more work today.

1
2 And I think you all for your, for your time today and
3 for your partnership. Thank you all so much. Okay our
4 next panel uhm Leonie Jameson, Michelle Norris, Randy
5 Levine, Jaclyn Okin Barney, Lori Poducil (SP?) alright
6 I think the clock has been set and I guess Leonie we
7 can, we can begin with you.

8 LEONIE JAMESON: Okay I'd like
9 to thank Chairs Treyger, Salamanca and Dromm for
10 holding these hearings today and for all the hard work
11 that you and your staff did in putting together this
12 report. It really meant a lot to us who have been
13 fighting on this issue for many years to have someone
14 actually delve into the details of all the
15 dysfunctional issues around school siting and planning
16 and construction uhm that we have been working on for
17 so many years and we really appreciate that support.
18 In my testimony which I will not read it is rather
19 lengthy, I go into all the supports that we have
20 offered over the years including a principal survey
21 that we did in 2008, several reports that we did with
22 the UFT in 2008, a report in 2014 and a report this
23 year on seat loss that found that basically the school
24 planning, siting and construction process was
25 dysfunctional on many levels and the result has been

1
2 increased overcrowding across the city and a lack of
3 recognition by the DOE that their promises year after
4 year including the promises of the Mayor as well in
5 speeches and in the Capital Plan to alleviate
6 overcrowding, get rid of the need for TCUs, to get rid
7 of split sessions, to provide enough space to reduce
8 class sizes in K-3, all of these promises were made
9 repeatedly and none of them have come true. So uhm I
10 am also thankful for a lot of the Bills that were
11 introduced today. I have specific language in my
12 testimony about how I think each of them should be
13 strengthened in particular ways and particular it is
14 not just important for city agencies to share data on
15 what school sites and buildings are available and
16 needs to be shared publicly because as I am sure you
17 understand nothing happens when it is just behind
18 closed doors with the DOE and City Planning. They
19 have had plenty of opportunity to improve their record
20 here and it hasn't happened. We need that information
21 presented to the city council, posted publicly, given
22 to community boards and CECs, etc. also with Ben
23 Kallos' bill we need more transparency updated
24 annually not just every five years because uhm the DOE
25 says they do it every 5 years, the, all the

1
2 projections change over that time and we need that
3 done annually and also desegregated by grade level.
4 Right now the DOE claims that there is plenty of room
5 and uhm uhm and you know because they push together
6 elementary schools and middle schools and they don't
7 desegregate that and because of the formula, middle
8 schools, many of them are considered underutilized and
9 so then they don't build enough elementary schools
10 because they are using middle school space to
11 substitute for that and there are other things that I
12 talk about in my testimony and then there are a few
13 other Bills that I think flow naturally out of this
14 report that were not introduced and I would like to
15 just briefly go over why each one and why I think it
16 is important, uhm one thing that was touched on during
17 the testimony was the secret formula. It is based on
18 data that's uhm 20 years old. It has never been
19 updated to include UPK. That needs to be updated and
20 I think the City Council has the power to force that
21 issue even if the DOE does not agree. The entire
22 ULURP Process and rezoning, there needs to be
23 improvements there. The thresholds are much too high
24 and right now in school, in areas where the schools
25 are already overcrowded they don't even have to

1
2 consider building a new school. Uhm when projects go
3 through ULURP they should also go to the CECs for
4 comment along with community boards because often the
5 CECs are much more in tune with the actual conditions
6 in terms of school overcrowding than community boards
7 are. And uhm one of, one of the things that we have
8 discovered by doing research is the DOE only reports
9 on how many seats are created on each year but now how
10 many seats are lost and in our reports seats lost,
11 that we did find that the city had created 100,000
12 seats, only 45,000 net seats were created and 43,000
13 were filled by charter school students so that is
14 something that is absolutely necessarily in order to
15 see whether we are making process. Uhm the housing
16 projections need to be updated regularly and there
17 need to be more realistic 10 year projections. In my,
18 in my testimony I show that the 10 year projections
19 project 0 new units to be built in the entire borough
20 of Brooklyn between 2020 and 2024, 0 in Staton Island
21 and only 184 in the Bronx. I am sure that we have
22 already gone far beyond that so that needs to be
23 improved.

24 CHAIR MARK TREYGER: And we will
25 get to that. Then we will circle back.

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LEONIE JAMESON: Alright thanks

a lot.

CHAIR MARK TREYGER: Thank you

very much as well. Next, please.

MICHELLE NORRIS: Good afternoon

and thank you for the opportunity to provide testimony

today about the upcoming Budget, uhm I think you have

seen this as well before and so has Council Member

Dromm because I was here last year saying exactly the

same thing. Uhm the current Budget for accessibility

is woefully inadequate. At this rate, we will not

exce.. exce... achieve accessibility until the year

2280, that is ludicrous. I am proposing that you

Budget instead of \$100 million plus \$27 billion

dollars over each 5 year capital plan. That will

bring you to full accessibility in 26 years instead of

262 years. Uhm we are twisting what IDA was designed

for. It was designed to keep children with

disabilities in an education environment with their

peers and what we have now is the fact of

desegregation because they can't get in the front door

of the school and often can't get even in the door for

the garbage so we need that money so that we are an

integrated society so that we are an inclusive society

1
2 and it isn't just for students. It's for teachers,
3 it's for parents, it's for someone in this room who
4 thinks I'm not disabled who suddenly finds themselves
5 with the temporary or a permanent disability and still
6 wants to be a full participant, still wants to be a
7 parent who is there for their child, still wants to go
8 to school as a teacher and make a living, uhm I think
9 it is important the Department of Education if you
10 gave them all the money and told them to go build
11 accessible schools they would. Uhm I know that we
12 didn't get a very straight forward answer when you
13 asked, do you want more money? But I really believe
14 if you say here is another \$150,000, a million, he is
15 another \$900 million go make them accessible they will
16 go do it but if you don't give them the money they sit
17 there and say we can't, we don't have the money for
18 this, so you get to decide, you are Legislatures, it's
19 in your hands, please use that power so that my
20 children can go to school across the street instead of
21 20 miles away and so that my grandchildren can do the
22 same. Thank you.

23 CHAIR MARK TREYGER: Thank you
24 as well.

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RANDY LEVINE: Thank you for the opportunity to talk today.

CHAIR MARK TREYGER: Is the mic, yeah it's okay.

RANDY LEVINE: Hi thank you, thank you for letting me speak today. As you may know my name is Jaclyn Okin Barney I'm with Hensfield, we want to ensure the opportunity for kids with disabilities. I know have heard me speak before and I continue to advocate more and more accessible options for kids with disabilities. I am thrilled to see that in the City Council Report the STA was our ignition on the new school and the equality doesn't end with students with physical issues. That is a huge ignition I am apart of. I am also so happy to see that in the City Council Proposed Budget includes additional money for accessibility, accessibility issues. We need to ensure that that money gets into the final Budget. I know last year it was in the City Council Proposed Budget but didn't make it to the final Budget. It must make it to the final Budget. We would love to work with you and the City Council to help, to help ensure that money becomes reality. As you know I know I am preaching to the choir, students

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2 with disabilities who have physical needs do not have
3 the same opportunities as their peers. In school
4 systems I did from giving kids choices and giving
5 opportunities to choose, to hone their skills in the
6 arts, in the sciences, in the math, in whatever they
7 want to do there is a school out there for them, but
8 not for these kids. They don't have that choice. The
9 only choice they have will, only decision they can
10 make is can they get through the door. There are so
11 few fully accessible schools in New York City. Yes
12 there are persons at all school and yes the DOE is
13 doing, is doing their job to get the information out
14 there as to how a school may or may not be accessible
15 which is great but we need more fully accessible
16 schools. I think someone like 15% of high schools are
17 fully accessible and around there are 8 schools and of
18 those 8 schools 4 are are harder to get into than
19 Harvard and one is a transfer school meaning you
20 already had to be in high school to get into that
21 school. So I know I am out of time and I'm going to
22 be quite and once again. But again I need to urge you
23 for us all to do whatever that we can do to make sure
24 that your proposed Budget allocation becomes reality

25

1
2 and the DOE has the money they need to do what they
3 need to do. Thank you.

4 CHAIR MARK TREYGER: And we
5 thank you, your advocacy and advocacy of many
6 stakeholders here across the city, definitely shaped,
7 helped shape our Budget response. Of course we know
8 there is a lot of more work to do and that's why we
9 are pushing Administration to do a lot more as well
10 but accessibility was a part of this and your response
11 and we are pushing Administration to do a whole lot
12 more.

13 JACLYN OKIN BARNEY: Thank you
14 so much for that.

15 CHAIR MARK TREYGER: Again thank
16 you.

17 JACLYN OKIN BARNEY: Again I
18 sincerely think whatever we can do to continue pushing
19 the issue to make sure it is in the final Budget I
20 urge to ask it will help.

21 CHAIR MARK TREYGER: Thank you
22 and I thank you and it helps when you have an educator
23 as the Finance Chair, an educator as the Education
24 Chair because you have an education team in that

25

1
2 are partially and fully accessible to students with
3 mobility impairments, yet we are in full agreement
4 with the Council's response to the Mayor's preliminary
5 Budget that it requires the DOE to reallocate \$125
6 million within the 5 year Capital Plan to do so. Our
7 students with the most involved disabilities in
8 District 75 are the most segregated in New York City.
9 These 24,000 students are in dire need of more school
10 choices so they can make meaningful connections within
11 our schools and be fully included in our communities.
12 Through our work we know firsthand that too many
13 students are being bussed to District 75 programs
14 outside of their neighborhoods and school Districts
15 due to a lack of access buildings and appropriate
16 programs with available seats in the DOE District near
17 where they live. This is particularly notable in DOE
18 Districts with a higher percentage of low performing
19 schools and an increased number of charter schools
20 such as District 17 in Brooklyn and the South Bronx.
21 As a result, we recommend the Department of Education
22 does the following: Increase the number of schools
23 that are partially and fully accessible to students
24 with mobility issues, increase the number of District
25 75 programs in the high need areas, change the current

1
2 student placement process for students recommended for
3 District 75 programs from borough wide availability to
4 DOE school District availability so that students have
5 appropriate school options in the community where they
6 live. I just want to pause for a second and explain
7 this. And so if a student is recommended by an IEP
8 team to for, a District 75 program that gets kicked to
9 a borough enrollment officer through the Office of
10 District 75 who then looks for an open seat that
11 matches the needs, the programmatic needs. It is kind
12 of antecedence to what the Federal Special Education
13 Law which Michelle had mentioned earlier which is that
14 a student has a right to be educated as close to home
15 as possible with nondisabled peers. Therefore not
16 only is this illegal technically, it also prevents
17 students from being integrated into the communities
18 where they live which is very important to kids like
19 mine in which they need to have those connections and
20 natural supports and know the people where they live
21 and because there is a lack of programs and because of
22 this placement process because they are being bussed
23 out further and further away from where they live.
24 One more recommendation is that the Department of Ed
25 annually published data on the number of students with

1
2 disabilities in District 75 programs who attend
3 programs outside of the community school district
4 where they live desegregated by disability
5 classification and student age. Thank you.

6 CHAIR MARK TREYGER: Thank you
7 did you submit a written testimony or did you just?

8 LORI POVISKER (SP?): Yes.

9 CHAIR MARK TREYGER: Wait, wait,
10 okay great. Thank you, thank you you all very much
11 and just a very quick question for the panel, we've
12 heard a lot today from the Administration about
13 informal discussions they have had interagency about
14 siting, planning construction. Have, and I and I
15 commend the advocates for finding fantastic data when
16 it's available and of course we have to get more data
17 from them. Uhm was there any evidence that we could
18 that we could point to that has been available to the
19 public? That they have had these informal discussions
20 about school siting, planning, when it comes to
21 building new schools.

22 ELIZABETH ROSE: So I think in
23 the preK program when it, the city made it a real
24 priority to find pipe sites very quickly for thousands
25 of PreK students, I think there was collaboration and

1
2 then there was a lot of hard work involved but we've
3 seen no priority, no, no you know collaboration and no
4 push in the same way for schools, K-12 schools and as
5 you note as Council Members and as parents we've
6 noticed that almost every single school that is built,
7 there has to be a huge fight in the neighborhood to
8 get it built and then the neighborhood community
9 members themselves have to find a site. And uhm
10 basically the SCA told students in Sunset uhm parents
11 in Sunset Park where they had schools funded for 20
12 years without being built that the only way that you
13 get a school built and sited is if you push
14 politically hard enough and that's what the parents of
15 Sunset Park did over the last year and a half. They
16 had town hall meetings. They had you know incredible
17 political organization and they in one year I think
18 they got four schools sited so it always depends on
19 political will whether from on top or whether below.
20 There is never an objective pro... need process that
21 then determines the outcome of a new school built in a
22 neighborhood.

23 CHAIR MARK TREYGER: Alright
24 well thank you, thank you very much. We thank the
25 entire panel, I know we have one more panel so.

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LEONIE JAMESON: I answer that

3

question for this perspective, from the accessibility.

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CHAIR MARK TREYGER: 30 seconds.

5

LEONIE JAMESON: Really, really

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fast, just that I served on the CEC for four years and

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every year we prioritized accessibility project and

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every year they were not done so that's a very, over

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and over again in specific schools that needed them,

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where they were asked for so I don't even think on a

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more formalized basis that they are reaching out to

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the communities and asking for that information.

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CHAIR MARK TREYGER: Thank you,

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thank you very much. Thank the entire panel. Thank

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you so much. Our final panel, Michael Friedman,

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Christina Furlong, and Christine Appa (SP?). You may

17

begin.

18

MICHAEL FRIEDMAN: Good

19

afternoon I want to thank Mark Treyger and Danny Dromm

20

for your leadership. My name is Michael Friedman and

21

I am the UFT Chapter Leader of Pathways to Graduation

22

also known at P2G a High School Equivalency Program in

23

the Department of Education District's 79 which runs

24

the alternative schools and programs for the DOE. P2G

25

has almost 80 sites of the day and evening programs.

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2 Each borough has at least one referral center and hub.
3 In Brooklyn our Hub and referral center are located in
4 the old boy's high school at 832 Mossy Avenue in
5 Bedford Starveson, also known as the Mossy Avenue
6 Campus. Besides P2G there are two transfer schools on
7 the campus, a life program for toddlers, a small
8 District 75 special education program and a charter
9 high school. The DOE is proposing merging the two
10 transfer schools and they would lose one of their two
11 floors in contracting the P2G program where the
12 program would lose 4 out of 10 classrooms. Would lose
13 an administrative and storage space. This would be
14 done in order to add a middle school charter school in
15 the building. This space has in the, in the two
16 transfer schools and P2G giving students who have
17 dropped out of school, have many social problems or
18 are new to the country a second chance in life. They
19 have, small classrooms with teachers who care about
20 the students. The safe environment would be lost
21 because of this proposal. It is wrong. The P2G
22 referral center has served students all over Brooklyn
23 by testing them and counseling them as they enro, as
24 they reenroll in school or in the case of some new
25 immigrants, enroll in school for the first time.

1
2 After they are enrolled, they are placed either in P2G
3 at the hub or at one of our sites if they are ready to
4 pass the high school equivalency test or elsewhere in
5 the DOE if that is in the student's best interest.
6 The Hub serves as a literacy center and ESL center and
7 for all of the P2G students of Brooklyn as a
8 pretesting center for the high school equivalency test
9 and for Brooklyn wide events. Which means it services
10 almost 1000 students almost 1000 students throughout
11 Brooklyn currently enrolled in P2G and has helped
12 enumerable students in the referral center. For the
13 students who remain at the Hub the students are given
14 individualistic and creative instruction. One example
15 is the bicycle repair program which has taught
16 students skills, given them jobs and has been featured
17 in the media including news 12 Brooklyn. There will
18 be a pep vote on April 25 on this very bad proposal.
19 If it goes through, may students will be heard. I am
20 asking that you use your influence to get this
21 proposal defeated. There was a hearing by the DOE at
22 Mossy on this proposal. I wish you could have seen
23 the passion of the students who are afraid that they
24 will be losing a lifeline that will serve them in the
25 future. They pleaded with the DOE to now let this

1
2 proposal go through. This must be defeated. Thank
3 you very much.

4 CHAIR MARK TREYGER: Thank you
5 very much as well. Next.

6 CHRISTINA FURLONG: Thank you my
7 name is Christina Furlong. Uhm I represent an
8 overcrowded school in District 24. We will
9 desperately miss Danny as our Chair of Education but
10 like what I am hearing here. As I'm on the school
11 leadership team there, I would like to thank you for
12 hosting this hearing. I also attended this hearing
13 last year on school overcrowding it is about my fourth
14 year. I would like to add the question you asked
15 somebody else about the responsiveness of school
16 construction authority especially with school siting
17 and my experience in District 24 they have not been
18 responsive and I personally have gone out and found
19 sites for them and not so much as gotten an
20 acknowledgment that it was done. I don't think the
21 burden of finding new school locations should be on
22 parents and Council Member as we heard from Salamanca
23 and Johnson earlier. Uhm I feel that one aspect that
24 is very important of us is the effect of the UPK on
25 enrollment numbers, class size, space and siting and I

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2 would bed the City Council to find a way to
3 differentiate those numbers and Districts because it's
4 from my very lay person perspective throwing all
5 things out of whack and when we are looking at seats.
6 Uhm as for programs I took very serious offense of
7 what uhm Deputy Commissioner Chancellor Rose said like
8 some of our highest achieving schools are some of the
9 schools that are the most overcrowded. I cannot
10 believe that I would hear that in this setting here.
11 We have a school that had 2,036 kids last year in K-5
12 and uhm what they say is find us a space we will go do
13 a new school. But I liked what you are saying about
14 what are we doing for overcrowded schools with the
15 students and the student body that is in there now and
16 I have a bunch of ideas about that that need to be
17 taken seriously. Uhm first of all, what are we not
18 doing, the family, the office of family and community
19 engagement uhm seems to be completely ineffective and
20 anyway I've ever tried to reach out to them as a
21 support group and feels that there needs to be an
22 audit or a really good look at what they are doing.
23 Uhm I'm told that our school has a wait list of 108
24 kids for kindergarten uhm then we, then they said well
25 that's actually 10 zoned kids and 100 kids out of zone

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2 but our zone is only 8 blocks across in any direction
3 and our zone is divided by a different District,
4 District 30 versus District 24. Uhm so for example
5 our second grade, uhm we have a class size of 35,
6 every single class in every single grade that's about
7 70 classrooms they are all over 30 students. One
8 block away from me is a school that has class size of
9 18 students, PS222. I just looked at it so that
10 aspect of rezoning, rezoning schools needs to be taken
11 seriously and in the interim schools should be
12 unzoned, more schools should be unzoned specifically
13 to Danny the new school PS398.

14 CHAIR MARK TREYGER: If this
15 could be your final, because we have.

16 CHRISTINA FURLONG: Okay.

17 CHAIR MARK TREYGER: Because we
18 have a next hearing that is also very patient already
19 so.

20 CHRISTINA FURLONG: I also am
21 attempting to create a new transfer status, uhm in
22 Chancellor's Regulations if a school is over 140%
23 overcrowded, a parent if they choose should be able to
24 go through the same process to transfer their child to
25 another school and that's schools that are over a

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2 certain amount overcrowded should have a second parent
3 coordinator and other supports, extra after school
4 programs because they know they understand there is a
5 grant, a state grant for reducing class size in
6 overcrowded schools but only is for schools that have
7 space but as you mentioned yourself many schools don't
8 have space.

9 CHAIR MARK TREYGER: Is there a
10 way for you to email or to uhm to submit this
11 testimony for us to review and we will follow up and
12 we appreciate that.

13 CHRISTINA FURLONG: Yes, yes,
14 yes.

15 CHAIR MARK TREYGER: And thank
16 you for you staying the, the entire duration, that is,
17 that is commitment. Thank you so much, I appreciate
18 it thank you. Next please.

19 CHRISTINE APPA (SP?) Hi,
20 greeting, Chairman Treyger, Dromm, Salamanca and
21 members of the education, finance and land use
22 committees. My name is Christine Appa and I am a
23 senior staff attorney at New York Lawyers for the
24 Public Interest. I work in the environmental justice
25 program there and my work focuses on children

1
2 environmental health. For more than a decade NOPI has
3 engaged in legal campaigns to protect children from
4 toxic exposures where they live, learn and play. Our
5 recent efforts include a successful lawsuit that
6 required the city to remove all PCV contaminated light
7 fixtures from public schools. We have also prevailed
8 in a suit against the school construction authority on
9 behalf of the Bronx Committee for Toxic Free Schools
10 to ensure that remediation of the toxic site in Mox
11 Haven followed the state environmental quality review
12 act. I appreciate this opportunity to provide
13 testimony on, in support of these Introductions and
14 the resolution. These Legislative proposals
15 collective address the acute problems of school
16 overcrowding, siting of new schools and the need for
17 greater public information around these related
18 issues. We encourage the city council to incorporate
19 consideration of environmental contamination
20 remediation issues and to these legislative proposals.
21 From an environmental justice prospective, communities
22 with lower incomes and communities of color are often
23 both in greatest need of additional school spaces as
24 well as more likely to have contaminated sites.
25 Poorly sited schools can even have a detrimental

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2 effect on children's ability to learn their academic
3 performance. While NOPI had some specific suggestions
4 on some of the Legislation, particularly Intro 757, we
5 suggest including the New York City Department of
6 Environmental Remediation on the Task Force and we
7 believe that incorporating the New York State
8 Department of Environmental Conservation Register of
9 Contaminated Sites per Intro 461 would help to
10 streamline the transfer of information and bring a
11 more environmentally perspective to the discussions.
12 We believe that this will help to streamline the
13 process and we also encourage the City to adopt the
14 EPA School Siting Guidelines. In conclusion, NOPI
15 supports these proposals and encouraged the City
16 Council to include precautionary measures that take
17 environment factors into account in the planning
18 process. We encourage continued Capital Investment
19 and Maintenance and Remediation and also the Greening
20 of our Schools. We appreciate this opportunity to
21 provide testimony and we look forward to working with
22 you to make this a reality. Thank you.

23 CHAIR MARK TREYGER: Thank you
24 for your great work, thank you so much.

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2 could apply but she probably won't be able to attend
3 unless you suddenly build an elevator my two top
4 choices for her. One of them is a specialized high
5 school, Brooklyn Latin one is another amazing school,
6 the I School. Uhm there is a lot of other schools
7 that she won't be able to attend. Her choice will be
8 radically different than her peers, than her peers who
9 maybe could work construction if they wanted to, be a
10 dancer, I don't know you name it, fly a plane, plenty
11 of things that she will not able to do. Her brain is
12 incredibly important to her because she can't rely on
13 her body nor can a lot of the other children who need
14 excellent educations and our high school choice system
15 pretty much ensures that the way every other child
16 gets to find a school that will best feed their brain
17 she will not have that same opportunity and it is
18 segregation and it's an injustice and it is 28 years
19 just about past ADA. So it's a violation of her Civil
20 Rights. Uhm I want to also just remind you that she
21 was told that she could not go to her local elementary
22 school because it was not accessible and I can't
23 stress for you the importance of children who have a
24 very physical obvious difference of them knowing their
25 community and their community knowing them and being

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2 able to support them and that system in our City rends
3 families away from their communities at the exact
4 moment that they need them because communities are
5 very much built around schools in local neighborhoods.
6 She also did not get to go to the middle school that
7 would have been best for her. I just wanted to give
8 you personal detail today, remind you that this year I
9 really hope that the money that you are asking for
10 which is a pittance compared to what is needed for the
11 years of injustice and complete, ignoring or
12 accessibility by the, by the city that this year that
13 money gets, gets put thru to the final Budget.

14 CHAIR MARK TREYGER: WE thank
15 you and we noted earlier that in our Council's Budget
16 Response to increase accessibility. We actually have
17 \$125 million in additional funds on the issue of
18 accessibility in our schools. Uhm we asked the Deputy
19 Chancellor today on the record uhm she didn't give us
20 a clear answer but this is why it is important to have
21 an Educator as the Chair of our Finance Budget Team,
22 educator here in the Education Committee because we
23 know that this is about justice, this is about basic
24 fairness and equity in our school system and we, we
25 have your back and we are going to have to do all that

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2 we can to make sure that these funds are in this
3 Budget, knowing that there is still so much more work
4 to do. We need more funds from the state and the
5 federal government as well but if we have the capacity
6 at the local level we have, we have to make sure that
7 we, that we do whatever is within our power and reach
8 so I thank you so much for your advocacy.

9 REBECCA COSTACHINKO: Thank you.

10 CHAIR MARK TREYGER: Absolutely
11 and uhm with that I want to thank the outstanding, the
12 outstanding staff of the City Council that produced
13 this report, all the committees, we have some great
14 folks here, I'm very proud to work with them, this
15 hearing is adjourned.

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C E R T I F I C A T E

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



Date May 20, 2018