

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEES ON EDUCATION AND YOUTH SERVICES

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January 14, 2009

Start: 10:12am

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HELD AT: Council Chambers  
City Hall

B E F O R E:  
ROBERT JACKSON  
LEWIS FIDLER  
Chairpersons

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## COUNCIL MEMBERS: (CONTINUED)

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

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Department of Education

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

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

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Thomas Moore Law Center

Cynthia Rudder  
Vice President, New York Chapter  
Americans United

Patrick Rooney  
Queens County Ancient Order of Hibernians

Martin Kelly  
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Frank Milewski  
President, Downstate New York Division  
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Bridget Kerney  
Chair, New York State Committee on Legislation  
Ladies Ancient Order of Hibernians

Maureen Leahy  
President, Queens County  
Ladies Ancient Order of Hibernians

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2 CHAIRPERSON JACKSON: Good morning,  
3 everyone, and welcome to the Joint Committee  
4 Hearing of the City Council's Education and Youth  
5 Committees. Before I begin my opening statement,  
6 let me introduce our colleagues that are present  
7 here this morning. My co-chair, the Chair of the  
8 Youth Committee, Lew Fidler, to my right, of  
9 Brooklyn, and continuing to my right is Vincent  
10 Ignizio from Staten Island, and James Vacca of the  
11 Bronx. And to my left is Council Member John Liu  
12 of Queens, Council Member Dan Garodnick of  
13 Manhattan. And in front, Council Member Simcha  
14 Felder of Brooklyn. If you wish to testify on any  
15 of the items today, one is an oversight hearing on  
16 GED, or concerning Resolution 930, which was  
17 introduced by our colleague Tony Avella. I ask  
18 you to please sign a witness slip that looks like  
19 this up front here, the Sergeant at Arms desk.  
20 And anyone wishing to testify, each individual  
21 needs to fill out a slip, and indicate if you're  
22 here to testify on Oversight on GED or on the  
23 Resolution. [Pause] In June of 2008 a report was  
24 released by the Department of Youth and Community  
25 Development, commonly known as DYCD, entitled,

1 "Our Chance for Change." A four-year reform  
2 initiative for GED testing in New York City that  
3 revealed serious problems facing New York City  
4 residents in pursuit of their General Education  
5 Development diploma, commonly known as GED. What  
6 the report revealed is shocking. It found that  
7 1.6 million people living in New York City,  
8 roughly equivalent to the entire population of the  
9 Borough of Manhattan, are 16-years of age or  
10 older, not attending school, and have no high-  
11 school diploma or GED. Unfortunately, only  
12 10,732, less than 1% of this population, received  
13 a GED diploma in 2006. The report further reveals  
14 that New York City has one of the lowest GED pass  
15 rates in the country with only 43% of the City  
16 test takers passing the GED in 2006, compared to  
17 the national pass rate of 68.7%, and the New York  
18 State pass rate of 56.1% that year. These numbers  
19 are completely outrageous and unacceptable. The  
20 fact that many city residents, youth and older  
21 adults alike do not possess either a high-school  
22 diploma or GED is a serious concern because few  
23 jobs are available for workers who are under  
24 educated. Over the next 20 years, as baby boomers  
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1  
2 retire, it's projected that there will not be  
3 enough people with a high-school diploma or  
4 college degree to meet workforce demands. There  
5 is also a high cost associated with failure to  
6 attain a high-school diploma, both for the  
7 individual, and society. The human cost in terms  
8 of loss potential and diminished opportunity is  
9 immeasurable. Dropouts have lower income, and are  
10 more likely to be unemployed, in prison, and in  
11 worse health than those who graduate from high  
12 school. Dropouts also pose a heavy financial  
13 burden for taxpayers which is of particular  
14 concern, given the current economic downturn. A  
15 2006 report by researchers at Teachers College  
16 estimated that the U.S. taxpayers could save \$45  
17 billion annually if the number of dropouts were  
18 cut by half. With savings coming from extra tax  
19 revenues, lower healthcare costs, reductions in  
20 crime and prison cost, and decreased welfare  
21 payments. Clearly, the GED is of critical  
22 importance for the 1.6 million city residents  
23 without a diploma who may not be able to earn a  
24 family-supporting wage without it. And for other  
25 city taxpayers who shoulder the added financial



1  
2 burden, unfortunately, there are no coordinated  
3 GED preparation and testing system for New York  
4 City to ensure that those who need a GED get one.  
5 Instead, a variety of state, city, and private  
6 agencies play a role in the GED process.  
7 Essentially, the state is responsible for  
8 administering the GED testing, and granting GED  
9 diplomas. The GED testing office in Albany  
10 certifies testing sites throughout New York State,  
11 and pays for the administration and scoring of the  
12 exams. On the other hand, there exists a  
13 patchwork of GED preparation programs funded with  
14 city, state, federal, and private resources. The  
15 Department of Education operates a number of GED  
16 prep programs, while others are run by community-  
17 based organizations and other institutions with  
18 funding by DYCD, which is the Department of Youth  
19 and Community Development, or private foundations.  
20 There is no single database of individuals waiting  
21 to take the GED exam, nor of available test seats  
22 city wide. Instead, candidates who want to take  
23 the GED must submit their application to a testing  
24 site to take the exam. Since it is often a  
25 waiting period of up to three to six months to get

1 a test appointment, candidates often submit  
2 applications to multiple test sites to increase  
3 their chances of getting an appointment. The same  
4 person may wind up getting appointments at several  
5 sites, resulting in a huge number of no-shows on  
6 test dates. It's estimated that approximately 50%  
7 of the seats are empty at GED testing sites when  
8 the exam is given. The Department of Youth and  
9 Community Development report proposes an  
10 initiative designed to address many of the  
11 problems in GED preparation and testing, and  
12 increase the number of GED graduates in New York  
13 City. The initiative would be phased in over a  
14 four-year period. Today, we want to hear from the  
15 Department of Education and the Department of  
16 Youth and Community Development about their  
17 existing GED programs, and any proposed changes or  
18 improvements. We especially would like to hear  
19 about the status of the initiative proposed in the  
20 DYCD report. We will also be considering  
21 Resolution number 930 today. This is a resolution  
22 calling upon the Department of Education to amend  
23 its holiday display policy for New York City  
24 public elementary and secondary schools to allow a  
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1 crèche or a Nativity scene to be displayed during  
2 the winter holiday season in the same manner it  
3 allows other religious symbols, including the  
4 Menorah, and the Star and Crescent to be  
5 displayed. I want to point out, however, that we  
6 will not be voting on the resolution today, as  
7 this is just the first hearing. And normally, if  
8 you don't know, we have a hearing, and then a  
9 second hearing, or the third hearing we will vote  
10 out resolutions and/or bills. Everyone who wishes  
11 to testify, as I said earlier, must fill out a  
12 witness slip which is located at the Sergeant at  
13 Arms desk in front of the Chambers. So please  
14 indicate on the witness slip whether you're here  
15 to testify about GED or Resolution 930. To allow  
16 as many people as possible to testify, testimony  
17 will be limited to three minutes per person. I  
18 would like to now turn to my colleague, the Co-  
19 Chair of this hearing, Lew Fidler, Chairperson of  
20 the Youth Services Committee for his opening  
21 statement. Council Member Fidler.

23 CHAIRPERSON FIDLER: Thank you,  
24 Chairman Jackson. Good morning, everybody. I'll  
25 be brief. As Chairman Jackson mentioned, today

1 we're going to examine GED prep and test-taking  
2 procedures. At the outset, I want to commend the  
3 Department of Youth and Community Development for  
4 their proactive role in commissioning the new and  
5 important report by Jacqueline Cooke [phonetic],  
6 which we will discuss in great detail during this  
7 hearing. DYCD continues to lead the way in their  
8 efforts to help New York's most vulnerable  
9 populations which include disconnected youth, at-  
10 risk youth, and our young people without family  
11 support. Certainly we don't need any report to  
12 tell us how important education is as a key to a  
13 success in our society, but we do appreciate the  
14 opportunity to hear from people who can tell us  
15 how to make it better. For many reasons, there  
16 are thousands upon thousands of New Yorkers for  
17 whom four years of regular high school is just not  
18 reality. It is for these New Yorkers that viable  
19 and reliable GED training and testing is so vital.  
20 I certainly am hoping to hear today from anyone  
21 who thinks that the system that is so  
22 discombobulated as to have a three to six-month  
23 waiting period, and result in 50% of the seats  
24 being unoccupied on test-taking day, has any  
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2 validity. There's clearly got to be a better way  
3 to run that system than this, and I'm anxious to  
4 hear from people who have both recommendations for  
5 it, or can tell me why we shouldn't change it  
6 because it certainly makes absolutely no sense to  
7 me. Before I turn it back over to Chairman  
8 Jackson to call our first witness, I want to  
9 acknowledge we've been joined by Councilman Al  
10 Vann, and I want to welcome to her very first  
11 Youth Services Committee meeting, our newest  
12 member, Council Member Elizabeth Crowley. I'm  
13 sorry, Miguel Martinez has also joined us.

14 [Pause], and Jessica Lappin walking in. [Pause]

15 CHAIRPERSON JACKSON: With that, we  
16 will call our first witness. Would you please  
17 introduce yourself, and identify your position  
18 with the Department of Education for the record?  
19 And you may begin your testimony.

20 CAMI ANDERSON: I guess turning on  
21 would be helpful. Good morning, everyone. My  
22 name is Cami Anderson. I'm the Senior  
23 Superintendent of District 79, Alternative High  
24 Schools and Programs, and we are responsible for  
25 one of the largest GED preparation and testing

1 organizations in the city, and certainly within  
2 the Department of Education. So I'm here to talk  
3 to you about our reform efforts as well, in  
4 District 79, and in the Department of Education.  
5 By way of introduction, I've spent more than 20  
6 years working with and on behalf of young people  
7 as a youth-theater coach, a classroom teacher of  
8 students with extreme behavior challenges, an  
9 educational equity advocate, and a policy analyst,  
10 and a leader in the nonprofit community outside of  
11 the Department. And while I spent many years  
12 working outside the system, I joined the  
13 Department in the Fall of 2006 with a focus on the  
14 students who are the most off track, and with a  
15 passionate commitment to ensure that those  
16 students receive every opportunity to get back on  
17 track and succeed. This is District 79's mandate,  
18 and that's why I'm here with you today, and concur  
19 with the sense of urgency and sense of outrage  
20 expressed by the Chairman. I know the focus of  
21 today's hearing is on testing, but I'd like to  
22 share some results from some aggressive reform  
23 efforts that we've put in place around GED  
24 preparation. And before I dive into some of the  
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1  
2 specifics about what we're doing at the Department  
3 of Ed around the testing piece, I'd like to talk a  
4 little bit about the preparation piece, because  
5 the way our system works, those things are  
6 actually separate. In the fall of 2006, the  
7 Department of Ed, and District 79 ran several  
8 city-wide GED programs. There were, as you aptly  
9 described them, they were a patchwork of GED  
10 preparation programs, often each of the sites had  
11 their own unique approach to entry, to transition,  
12 to planning, to data management, and indeed, they  
13 were quite fragmented and difficult for families  
14 to navigate. They also lacked measurable results.  
15 It was difficult to figure out if a student came  
16 to you, how far they'd progressed in the time they  
17 were in those sites. When we looked closely at  
18 the system, we found similar data to the data that  
19 was shared previously, which is that a very low  
20 number, between 12 and 15% of the students in our  
21 GED programs ultimately took and passed the GED  
22 exam. With such a dismal pass rate, and with the  
23 myriad of stories that we also heard of families  
24 finding it very difficult to connect to GED  
25 programs, we embarked on a very aggressive

1  
2 restructuring, and a reform project specifically  
3 around our GED programs. And in fact, I was here  
4 a little bit ago to share some of the plans for  
5 that, and I'm pleased to be back to share some of  
6 the results. The goals at that time, and remain  
7 number one: to improve access to GED programs for  
8 all students. I think we discussed last time that  
9 we found there were lots of young people who were  
10 coming to us with significant academic needs, and  
11 some of the GED programs were not prepared to  
12 serve young people who were that far behind. So  
13 that was one big goal, was to address that, and to  
14 really figure out how to make sure that those  
15 students who had the most significant literacy  
16 needs were served. So that was one goal. Another  
17 goal was to make sure that our GED programs were  
18 targeted for young people for whom a high-school  
19 diploma was not an option. We want to make sure  
20 together, as we kind of weave this patchwork  
21 together, we want to make sure that we create a  
22 safety net for our young people, but we also want  
23 to make sure that we're redirecting those younger  
24 youth who are on the brink of dropping out, back  
25 to high school credit-bearing programs. As much



1 as we believe passionately that GED is critical,  
2 we also believe that a high-school diploma leads  
3 to far greater life options. So we want to walk  
4 that fine line of creating an integrated safety  
5 net, and making sure we serve young people,  
6 because I concur, and so does the Department 100%,  
7 that for some young people, a high-school diploma  
8 is not necessarily going to happen. But we also  
9 want to do that in a way that targets our programs  
10 to young people who--older youth who may not be in  
11 high school credit-bearing programs. The third  
12 goal was to provide GED students with very high-  
13 quality preparation, and to invest in literacy  
14 programs so that if we received an 18-year old who  
15 was reading at a sixth-grade level, that we had  
16 the tools and perspective, and will to serve that  
17 young person, and not to focus our GED program  
18 simply on the young people who could sit and pass  
19 the exam, but actually to focus them on the young  
20 people that might need a year or sometimes two to  
21 get there. And the fourth was to ensure that once  
22 they were ready, the young person could sit for  
23 and take the exam efficiently. So those were kind  
24 of our overarching goals, and we're pleased to  
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1  
2 report that while we acknowledge we have more work  
3 to do, that we've actually made significant  
4 progress towards these goals since I last saw you.

5 First, we began by opening referral centers for  
6 high school alternatives. We now have one in  
7 every borough, and we have information to  
8 distribute that we've distributed previously.

9 Those referral centers are essentially one-stop  
10 shopping for youth looking to reconnect or connect  
11 with school. So in the past, it was a challenge  
12 sometimes for a young person to know how close  
13 they could find a WABC, or a transfer school, or  
14 where the new office of student enrollment is,  
15 and/or where our GED program is. So the first  
16 thing we did is we opened referral centers in  
17 every borough, and we've served over 4,000  
18 students this year. What those referral centers  
19 can do is they can provide that young person with  
20 counseling and discussion to find out what is the  
21 best educational option for that young person, and  
22 help connect them to the right program. So if  
23 it's a 16 or 17-year old, we're first going to  
24 look for a young adult borough center, or help  
25 counsel them back to their home high school, or

1 help them apply for a transfer to a new small  
2 school, or help them get into a transfer school.  
3 We're going to first work with those 16 and 17s  
4 that we see to try and get them to a credit-  
5 bearing program. And for the older young people,  
6 the 18 and older, for whom GED might be an  
7 appropriate option, we're able to then place them  
8 within what is now one network of GED programs  
9 throughout the city. So that's the first thing we  
10 did was open those referral centers, and we're  
11 always looking to promote them, and to serve your  
12 constituents. If you have specific individuals  
13 that need assistance getting back to school,  
14 that's what those centers are for, and we have  
15 gotten many calls from various folks, and have  
16 been able to meet that demand with the referral  
17 centers. We also integrated all of our systems  
18 into one. We basically opened a brand new--we  
19 closed the patchwork as it were, and we opened  
20 with a quilt. I think that's the right analogy.  
21 We now have one centralized GED program called GED  
22 Plus that runs the entire organization of GED  
23 systems, and we also have one system under adult  
24 education that runs programs for over-21s. Those  
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1  
2 are now integrated systems. The referral centers  
3 for the under-21s and the borough centers for the  
4 adult education programs can place students in GED  
5 programs anywhere in the DOE now with those two  
6 systems working side by side. So they are now  
7 under one roof, and that has really helped us to  
8 kind of close the gap, and not make a young person  
9 go to five different places before they can find a  
10 GED program. While we know there's more work to  
11 be done, we are pleased to report some results  
12 from last year. We also found that it was  
13 difficult to track outcomes, and that's something  
14 we placed a high priority on. So we know that  
15 because of our efforts, we served a much higher  
16 need group of young people last year. They were  
17 older. So about 80% of them were 18 and older,  
18 and between 50-60% of them came to us reading  
19 between a sixth and eighth-grade level. So I'm  
20 happy to report our results, but I want to make  
21 sure that you know that we are committed to  
22 getting results by, and also serving all young  
23 people. So we got impressive gains while serving  
24 more high-needs students. So I just want to make  
25 sure that that's front and center. About 2,400

1 students graduated from GED Plus, and accessed GED  
2 last year in our District 79 programs. Of the  
3 young people who started in District 79 programs,  
4 30% of them actually received their GED over the  
5 course of a year. Now let me just explain what  
6 that number means, and it's not an [phonetic]  
7 adequate here in writing. That means that of the  
8 100 young people who came to us, 30 actually got  
9 their GED over the course of a year. Some of  
10 those young people remained with us, and we  
11 retained a record number. It just means that some  
12 of them couldn't pass in a year, and some of those  
13 young people didn't stay with us. So we're proud  
14 of the fact that the number of young people and  
15 the percentage passing increased, but we also know  
16 that there's more work to be done. I just want to  
17 explain that. Some of those people, so young  
18 people who don't appear in that 30% are still with  
19 us, and still working towards their GED. We also  
20 took one of the recommendations to heart, and said  
21 that we do feel it's important for young people to  
22 be prepared before they sit for the exam. It's  
23 very demoralizing not to pass. A lot of people  
24 who don't pass don't come back. And we believe we  
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1  
2 can simulate preparation and be very mindful of  
3 who sits for the exams so we can maximize  
4 resources. So in our programs, 80% of the folks  
5 who sat for the exam actually passed, which is an  
6 explicit effort on our part. We also saw a 10%  
7 increase in attendance, and for those of you who  
8 are as committed as I know you are to disconnected  
9 youth, that's a big deal. Attendance is a very  
10 important leading indicator. And while we are  
11 pleased with our initial results in the GED Plus  
12 and access reforms, we feel we have a lot more to  
13 do. So with that discussion of preparation, I  
14 want to turn specifically to the notion of  
15 testing. Because again, in our system,  
16 preparation and testing are separate. So just to  
17 support a couple of things that the chairman  
18 shared, historically, GED tests were administered  
19 in nine sites in District 79. Some of them were  
20 in the under-21 GED world, and some were in the  
21 adult-education world. And each test center was  
22 basically an autonomous organization run by a  
23 chief examiner who was certified, managed, and  
24 paid by State Education Department. So I thought  
25 Commissioner Jackson explained it very well.

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2 Basically each testing site was its own unit, and  
3 it was literally managed and paid directly from  
4 that center to the state. So it very much was a  
5 patchwork. And that caused a lot of problems that  
6 I don't have to tell anyone here, the GED  
7 preparation and testing were not aligned, so some  
8 students were sitting for the exam that weren't  
9 ready. The system was fragmented and difficult  
10 for test takers to navigate, because each center  
11 was its own thing. And the quality oversight was  
12 lacking because, again, they had direct  
13 relationships with the state. In July of 2007,  
14 the State Education Department issued an RFP to  
15 change their approach entirely. And under the  
16 RFP, the State decided to select a finite number  
17 of vendors, and that those vendors would actually  
18 serve as the oversight mechanisms for testing.  
19 Now there were some challenges with the RFP.  
20 Financially, it kind of short changed us because  
21 it's now reimbursing us on a per-head basis, which  
22 meant we were going to be running a deficit, and  
23 it was put out late, and it wasn't well  
24 publicized. So there were some issues with the  
25 RFP. Having said that, we did feel that the RFP

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2 gave us the window or the opening that we needed  
3 to really take on testing, and actually start to  
4 reform the testing piece as well. So we applied,  
5 District 79 applied, and we were awarded an RFP to  
6 run a very large testing system for the Department  
7 of Ed. That is also open to the public. So that  
8 award happened this summer, and the transition  
9 basically just started occurring this fall, with  
10 District 79 playing an intermediary and vital kind  
11 of oversight role of now nine testing centers with  
12 the capacity to serve about 16,000 test takers.  
13 So we're excited about it, it's a new shift. The  
14 RFP process, as I know everyone here knows, is  
15 sort of long, and we're happy that we're kind of  
16 over that phase, and now we're onto the phase of  
17 implementation. We believe this approach will  
18 help us in a number of ways. First of all, we  
19 were able to increase our testing capacity, so  
20 again, as we reach more and more students in the  
21 Department of Ed, we will be able to test more  
22 students. Accessibility will be improved because  
23 now those nine sites operate as a collective, so  
24 that if there is not space in one, then we can  
25 find space in another, and we're now a system of



1 test centers, whereas prior we were a collection  
2 of individual centers. Efficiency, we also are  
3 well aware of the lack of efficiency when seats  
4 are not used or when young people who are weighed  
5 far from being able to pass a test sit. We get  
6 that that's inefficient, and we want to capitalize  
7 on this moment. And quality control--the testing  
8 examiners, again, were previously accountable to  
9 State Ed, and now we have to get the center  
10 certified, and the examiners certified by State  
11 Ed, but we now have a more explicit role, because  
12 we recruit, select, and hire those individuals.  
13 So we're able to have more quality oversight and  
14 consistency in their training and management. And  
15 also serving the public. Because of our increased  
16 capacity, we'll be able to test students who are  
17 in DOE programs, but we'll also have increased  
18 capacity to test folks who are ready to take the  
19 exam who may not be DOE students. So this is our  
20 passion and our mission to continue to  
21 aggressively reform both the preparation programs  
22 in GED as well as the testing. And we're  
23 confident that we're serving the GED population  
24 much better than we were several years ago. And  
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1  
2 moving forward, we want to strengthen and expand  
3 the options that the referral centers for high  
4 school alternatives can match students to. We  
5 want to continue to replace failing GED programs  
6 with new and innovative ones, and enhance our  
7 current GED programs. And we're also really  
8 committed to doing this while we accept and serve  
9 all kids. So that's why we're working on measures  
10 of gains and other things, because as we all  
11 discuss passing rates, we want to make sure that  
12 we don't fall into the trap of trying to improve  
13 passing rates by finding students who would have  
14 passed without assistance anyway. So we want to  
15 make sure we have ways of measuring progress and  
16 literacy gains for young people who may take two  
17 years to be able to pass the exam. And while  
18 we're pleased with our progress, our newly-  
19 revamped model is getting results, and gaining  
20 momentum, and we've just begun the work on the  
21 testing side as a result of the RFP. We share  
22 your passion for this work, and for the young  
23 people who are the most disconnected, we need the  
24 most integrated, most efficient system we can  
25 invent. So we're thrilled to have the opportunity

1  
2 to talk about this in a public setting. I'm happy  
3 to answer your questions at this time.

4 CHAIRPERSON FIDLER: We've been  
5 joined by Council Member Maria Arroyo and Darlene  
6 Mealy. I have a few questions, and first I have  
7 to tell you, maybe I'm a little confused, and I  
8 don't want to run down a path, and then find out  
9 that I'm a total moron. So I'm going to try and  
10 clear that up first. You won an RFP for District  
11 79.

12 CAMI ANDERSON: Mm hmm.

13 CHAIRPERSON FIDLER: Were there  
14 other providers in the City of New York that also  
15 were awarded that RFP.

16 CAMI ANDERSON: Yes. The RFP,  
17 previously there were about 28 testing centers in  
18 the city, and as we were describing, they were  
19 autonomous. The state's plan was to name some  
20 Über testers, and to have those Über testers  
21 oversee either the current sites, or new sites.  
22 And there are other individuals who received--

23 CHAIRPERSON FIDLER: How many Über  
24 testers are there in the City of New York.

25 CAMI ANDERSON: Don't quote me on

1  
2 that term by the way. I'm sure SED would not  
3 share that phrase. I think five. So CUNY, for  
4 example, is one of them, and a few of the other  
5 larger community-based organizations. So I  
6 believe it's around five.

7 CHAIRPERSON FIDLER: And is there  
8 any coordination between the five?

9 CAMI ANDERSON: Yeah. So right now  
10 it's, remember, we're in a very big transition  
11 phase right now, so a lot of the coordination is  
12 still at the site level, because sites are  
13 transitioning in and out. And yes, that group of  
14 site heads are meeting and discussing how we can  
15 make sure that as we all transition our own  
16 organizations, that we are also creating a more  
17 coordinated collective.

18 CHAIRPERSON FIDLER: Will this  
19 result in a single application entry point for GED  
20 testing?

21 CAMI ANDERSON: To be frank, I  
22 think it's not around the corner, but absolutely--

23 CHAIRPERSON FIDLER: Why not?

24 CAMI ANDERSON: Because up until  
25 two months ago, we had 28--by design by the state,

1  
2 we had 28 completely autonomous units. So first,  
3 we have to transition those sites, then we have to  
4 transition to the Über users, and then we have to  
5 make sure our interface is. But absolutely, it's  
6 absolutely within our reach.

7 CHAIRPERSON FIDLER: Is an  
8 impediment to that the fact that if I'm  
9 understanding the RFP correctly, that you get paid  
10 by the number of people you test?

11 CAMI ANDERSON: I don't think  
12 ultimately that will be the challenge, but the  
13 fact that the way the RFP is structured caused  
14 financial difficulties for the Über testers will  
15 be an impediment. Because things like building a  
16 user interface, like an online database costs  
17 money. And that's where the report's useful,  
18 meaning, the biggest impediment is not necessarily  
19 the per-head piece, it's just that overall it  
20 wasn't adequate.

21 CHAIRPERSON FIDLER: But because  
22 there's no coordination between any of the testers  
23 at this point, you couldn't tell me right now how  
24 many people are on waiting lists to take the GED  
25 in New York City.

1  
2 CAMI ANDERSON: Only within our  
3 testing unit.

4 CHAIRPERSON FIDLER: And since  
5 you're one of five--

6 CAMI ANDERSON: Right.

7 CHAIRPERSON FIDLER: --of the Über  
8 testers, and you don't know if that's a fifth of  
9 the population out there or whether or not you  
10 represent, whether there's duplication, and the  
11 list is actually smaller than that. You have no  
12 way of knowing that. It seems to me--

13 CAMI ANDERSON: We have a chance of  
14 knowing that, so the RFP was not ideal, and not  
15 the way that we would have structured it. But I  
16 think it's a moment in time and an opportunity.  
17 So I think that we all are managing transitions  
18 within our own organizations, and I believe that  
19 we're all committed to taking that step.

20 CHAIRPERSON FIDLER: When the RFP  
21 was first issued, I assume that you had an  
22 opportunity to comment on it, and indicated you  
23 didn't think it was the best way for it to have  
24 been structured. Can you tell me why--and I  
25 realize this is not your position--why the State

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2 of New York structured it this way?

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CAMI ANDERSON: No. I can't tell you that. I can tell you that we did, that the one thing that we had hoped for was that we would be reimbursed by testing episode because there are certain fixed costs affiliated with testing, and we felt the per-head piece could be not only cumbersome, but also potentially create disincentives.

11

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CHAIRPERSON FIDLER: What do you mean by testing episodes?

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CAMI ANDERSON: X number of tests for Y number of students as opposed to being reimbursed per head. So all I'm saying is we did give--

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CHAIRPERSON FIDLER: What's the difference?

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CAMI ANDERSON: Well, per student versus per testing episode, testing--

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CHAIRPERSON FIDLER: Oh. So in other words, if a student takes a test three times, they get reimbursed three times. Is that what you're talking about?

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CAMI ANDERSON: I guess my big-

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picture point is that when we--

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CHAIRPERSON FIDLER: I'm just trying to understand.

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CAMI ANDERSON: No.

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CHAIRPERSON FIDLER: Do you have any idea what the cost of that would be?

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CAMI ANDERSON: I don't. I don't.



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2 I've read--

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CHAIRPERSON FIDLER: Right.

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CHAIRPERSON FIDLER: It would strike me that there's a cost associated with empty seats at the GED test. Forget about the efficiency and just the incredible frustration of having to be on a six-month waiting period, then finding out that the test site that you had hoped to take your test at was half empty.

CAMI ANDERSON: Right.

CHAIRPERSON FIDLER: Which has got to be a very discouraging thing to somebody who is going through this process.

CAMI ANDERSON: My belief is this is one step in a two-step process. I believe that we can go from 28 autonomous units to five better coordinated units en route to one coordinated. So that's how I think we can use the RFP to our advantage. But ultimately that wasn't our call.

CHAIRPERSON FIDLER: You've been joined at the table by a representative from DYCD. Could you identify yourself for the record?

RICHARD FISH: Yes. My name is Richard Fish. I'm a Senior Advisor with the Department of Youth and Community Development. I

1  
2 worked closely with the consultant on preparing  
3 this report.

4 CHAIRPERSON FIDLER: You jumped up  
5 at a particular point to sit down, so I'm guessing  
6 it's because you felt you had something to say.

7 RICHARD FISH: No. It wasn't a  
8 particular point. I just wanted to share the  
9 information that having worked closely, as I said,  
10 on this report. But certainly for instance,  
11 questions that you have about the costs and  
12 creating a more unified testing infrastructure for  
13 New York City, and that certainly is something  
14 that's outlined in the report that we're looking  
15 to in the next phase, which would be  
16 implementation of many of the recommendations.  
17 And I think it's also important to note that the  
18 State Education Department has been in  
19 consultation over the past year as the report was  
20 prepared. And has also obviously participated in  
21 much of the information that's contained in the  
22 report. So I think that transitioning to the next  
23 phase of unified infrastructure with one database  
24 that has all of the test applicants so that we are  
25 using every seat is in the offing.

1  
2                   CHAIRPERSON FIDLER: I appreciate  
3 the fact that it's in the offing. I just don't  
4 understand why it has to be a two-step process.  
5 It seems to me that, and obviously none of us have  
6 the jurisdiction here over the State Department of  
7 Education, but it seems wholly ridiculous to take  
8 this half step at a time when it's got to be both  
9 procedural inefficiency, a frustrating  
10 inefficiency, and probably an economic  
11 inefficiency to do it. And I know the state being  
12 awash in money as it is, can afford to do that.  
13 But it just doesn't help the people who are on  
14 that six-month waiting list. And the fact that  
15 even now we can't say how many people are on that  
16 list because your list is not their list, and it's  
17 not their list, and we don't know who's on all  
18 three lists.

19                   CAMI ANDERSON: - -

20                   CHAIRPERSON FIDLER: I just wish  
21 there was someone here from the state who would  
22 explain to me why they don't understand that.

23                   CAMI ANDERSON: Let us know what  
24 you find out. But I do want to be clear though  
25 that in this phase, we are working together to cut

1  
2 down on those waiting lists, to share those lists,  
3 to meet at the site level and at the Über tester  
4 level. And I do think we've made strides, and we  
5 cannot and will not let the limitations of the RFP  
6 prevent progress. So I do think, I just, I want  
7 to make sure that I didn't misspeak in--

8 CHAIRPERSON FIDLER: You haven't.  
9 And it's clear to me that you want to be heading  
10 in this direction, and that you are constrained by  
11 the RFP that you have just won, which in its very  
12 structure, in my view, is an impediment. It may  
13 be better than what we had. We went from 28 to  
14 five.

15 CAMI ANDERSON: It's a lot better  
16 than what we had.

17 CHAIRPERSON FIDLER: Oh, that's  
18 great. But it's not where we are striving to be,  
19 and it just to me makes absolutely no sense in  
20 that respect. And you will never get to the point  
21 where you are running the program efficiently  
22 without that common database. And without that  
23 common application point for testing, you will  
24 never get there. And why we have to do that in  
25 this computer-savvy age, I'm sure that people

1  
2 could apply online to a single website. I just  
3 can't see why that's so hard. And there's no one  
4 here from the State that can tell us why they've  
5 structured it this way, and apparently you don't  
6 know why they have either because they haven't  
7 offered that, or you didn't have that dialog with  
8 them. So I'm frustrated because I think it's  
9 great that our motivations are the same, but I  
10 think the structure is still absurd. I guess it  
11 doesn't call for an answer. I just want to be  
12 clear, the RFP is for testing, not for prep?

13 CAMI ANDERSON: Correct.

14 CHAIRPERSON FIDLER: So there is no  
15 money in the RFP for prep?

16 CAMI ANDERSON: That's correct.  
17 That RFP.

18 CHAIRPERSON FIDLER: Okay.

19 CAMI ANDERSON: That particular  
20 RFP.

21 CHAIRPERSON FIDLER: Before I turn  
22 it back to Chairman Jackson, I just had one  
23 question about prep. You mentioned three  
24 different GED prep programs. I think one was GED  
25 Access, I'd find the others in here if I looked.

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CAMI ANDERSON: Restart, mm hmm.

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CHAIRPERSON FIDLER: Could you just briefly explain what they are, and the differences?

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CAMI ANDERSON: Sure.

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CHAIRPERSON FIDLER: And why there are three as opposed to one.

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CAMI ANDERSON: Sure. GED Plus is the umbrella. So just for the purposes of answering that question, the referral centers for high school alternatives are the place where any young person seeking a GED can find out which GED program is best for them. So Restart is preparing students for GED programs who are in involuntary settings: students who are in drug-treatment programs and some alternatives to detention. So where we actually embed teachers where they are. And Access GED is simply part of GED Plus, and offers internships, paid internships as part of the preparation. So they're different flavors of the same organization, and we simply have to run them differently because of the structures. But understand that part of the reform was that we want to make that transparent to the user. So if

1  
2 you are a young person that's looking for a GED  
3 program, and you walk into a referral center, and  
4 you say, "I want to prepare for the GED exam,"  
5 then that referral center can help connect you.  
6 It will depend on where you live, whether or not  
7 you want an internship, whether you need academic  
8 support or other support. It really is one  
9 organization.

10 CHAIRPERSON FIDLER: We've been  
11 joined by Council Member Oliver Koppell. Just one  
12 other that I kind of forgot. You require, prior  
13 to allowing someone to take the GED, that they  
14 pass a preliminary test, or that they perform  
15 well, it think were the words in your written  
16 testimony on a preliminary test. Is that correct?

17 CAMI ANDERSON: That is something  
18 we did last year within our organization, yeah.

19 CHAIRPERSON FIDLER: And so that in  
20 effect under the RFP, by limiting the number of  
21 people who are taking the test, you are, in fact,  
22 costing yourself money.

23 CAMI ANDERSON: Well, we're running  
24 a more efficient system.

25 CHAIRPERSON FIDLER: I'm not saying

1  
2 you're not doing the right thing, I'm just  
3 pointing out, again, what seems to me an inherent  
4 inconsistency in the state RFP.

5 CAMI ANDERSON: Right.

6 CHAIRPERSON FIDLER: You would be  
7 encouraged to have people take the test who are  
8 not ready for it.

9 CAMI ANDERSON: Right.

10 CHAIRPERSON FIDLER: And I assume  
11 all the prep classes, all the prep programs are  
12 paid for with city tax levy funds?

13 CAMI ANDERSON: Primarily, but not  
14 entirely. In our organization, I won't speak for  
15 DYCD, but for the Department of Ed.

16 CHAIRPERSON FIDLER: And the  
17 balance comes from?

18 CAMI ANDERSON: Some other federal  
19 funding sources that are earmarked for, like WEA  
20 [phonetic] or EPI [phonetic], or [pause]. So  
21 primarily, depending on the age of the student, if  
22 it's 21 or older, there are other funding sources  
23 that are federal state pass through that also pay  
24 for them that are not necessarily tax levy.

25 CHAIRPERSON FIDLER: Before I turn



1  
2 it back to Chairman Jackson, I would just say that  
3 to me, everything that you've told me about this  
4 program, everything that I've just learned is one  
5 inconsistency after another. It makes no sense to  
6 me for the state to have instituted this RFP. The  
7 preparation and the test taking should be  
8 coordinated, and the funding for it should all  
9 flow from the same place so that you are not, in  
10 fact, in that Catch-22 where you're prepping  
11 somebody, and you don't get reimbursed if they  
12 don't take the test because they're not ready.  
13 And you shouldn't be putting them in the test room  
14 until they are ready. There is just a logical  
15 inconsistency in all of that, and in the  
16 bifurcation of the system.

17 CAMI ANDERSON: So just one thing  
18 thought to note in sort of defense of the State  
19 Education Department, we do have to have some  
20 firewall between preparation and testing because  
21 the federal government, for reasons that I think  
22 we would all support, wants to ensure that the  
23 individuals who are giving the exam are not the  
24 same individuals who are helping to prepare the  
25 student for the exam, because the exam has to have

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2 integrity. So there is some--

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CHAIRPERSON FIDLER: I don't think  
4 creating that firewall is insurmountable. It  
5 doesn't seem to affect us--

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CAMI ANDERSON: I agree.

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CHAIRPERSON FIDLER: --when we give  
9 out regents diplomas.

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CAMI ANDERSON: Correct.

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CHAIRPERSON FIDLER: So I'm sure we  
11 could figure out a way to do it.

11

12

CAMI ANDERSON: Agreed.

13

CHAIRPERSON FIDLER: And it just  
14 strikes me that one entity ought to be responsible  
15 for the funding stream from soup to nuts, and not  
16 just jumping in at nuts, and doing so in a pretty  
17 nuts way. And I realize it's probably not the  
18 time right now to grab the pitchforks and run to  
19 Albany, and say, "You ought to be doing this," but  
20 I think it's something that we ought to be keeping  
21 in mind as we look at the second phase of this  
22 transition. And I think we need to get to Phase 2  
23 really quickly, just in terms of the coordination  
24 of the test taking. And it would be nice if we  
25 could coordinate beyond that, and include the GED

25

1  
2 prep aspect of it with the testing. Thank you,  
3 Mr. Chairman.

4 CHAIRPERSON JACKSON: Thank you.  
5 We've been joined by Melissa Mark-Viverito in  
6 front from Manhattan, and the Bronx. But did I  
7 hear you correctly when my colleague Chair Fidler  
8 asked whether or not DOE is encouraging people to  
9 take their exam even though they may not be the  
10 best prepared, and you said yes?

11 CAMI ANDERSON: Sorry. Could you  
12 rephrase your question? I want to make sure I  
13 don't add to the--

14 CHAIRPERSON JACKSON: I heard the  
15 question was is DOE encouraging students or young  
16 adults to take their exam even though they may not  
17 be best prepared to take the exam?

18 CAMI ANDERSON: No. No.

19 CHAIRPERSON JACKSON: And I thought  
20 your response was yes. Did I hear incorrectly?

21 CAMI ANDERSON: No. Yes. You  
22 heard incorrectly.

23 CHAIRPERSON JACKSON: Okay.

24 CAMI ANDERSON: That was not my  
25 response.

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CHAIRPERSON JACKSON: So tell me

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what--

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CAMI ANDERSON: I feel like we're

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speaking in double negatives. Let me be clear.

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CHAIRPERSON JACKSON: Let's be

7

clear.

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CAMI ANDERSON: Yes. Let's be

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clear. I did not not say that. What we do in

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terms of young people going to take the exam is

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that we instituted a policy that is recommended in

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the report that we support, which basically says

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that a young person should be prepared before

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sitting for the exam, and that there are lots of

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things we can do to ensure that's the case.

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There's the official practice test, there's online

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software, there's testing simulation, and that I

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think that the consultant who prepared the report

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found in her findings, found what we know

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anecdotally which is that if a young person sits

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for the exam and is not successful, it's very

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difficult to have him come back. And that is

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something, it's not just inefficient monetarily,

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it's also demoralizing for the young person.

25

Which isn't to say that we don't want to encourage

1  
2 them to try. It also matters how you score on the  
3 exam, because your score, we don't want a young  
4 person to go in and scrape by because the actual  
5 score is quite important when it comes to getting  
6 into things like CUNY. So no, we have a lot of  
7 systems to ensure that's the case. What your co-  
8 chair was pointing out, I think correctly, is that  
9 because the state in the new RFP, the state  
10 reimburses us on a per-head cost, what I was  
11 responding to is he said it's possible that would  
12 incent you and others to have young people who are  
13 not prepared, sit, so that you could receive the  
14 moneys necessary to run the testing centers. So I  
15 was agreeing with him that that could be a  
16 problem, but is not philosophically or financially  
17 smart to do that--

18 CHAIRPERSON JACKSON: Okay.

19 CAMI ANDERSON: --for the reasons  
20 that the report highlights, and that we agree.

21 CHAIRPERSON JACKSON: And what is  
22 the passing grade in order to pass the GED?

23 CAMI ANDERSON: The actual score  
24 number?

25 CHAIRPERSON JACKSON: Yeah.

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CAMI ANDERSON: I'll turn to my - -

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CHAIRPERSON JACKSON: Does anyone know?

CAMI ANDERSON: Twenty-two fifty.

CHAIRPERSON JACKSON: Twenty-two fifty. And so when someone has taken the official practice test, and what is the score, minimum score or a score range that you say, "Well, we believe you should or you should not take the real exam?" Does anyone know that?

CAMI ANDERSON: Yes. Go ahead.

CHAIRPERSON JACKSON: Help her out. Just tell her.

ROBERT ZWAG: Okay. We recommend--

CHAIRPERSON JACKSON: Why don't you tell, I'm sorry. Why don't you come up and identify yourself, or you can give her the answer.

CAMI ANDERSON: The twenty-four fifty is recommended. This is Robert Zwag who is the Principal of GED Plus, and someone who's been involved in GED reform for many, many years.

CHAIRPERSON JACKSON: Okay. So the recommendation--

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CAMI ANDERSON: Is 2,450--

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CHAIRPERSON JACKSON: Twenty-four  
fifty on the official practice test?

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CAMI ANDERSON: On the official  
practice test. And the reason, but it's done--

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CHAIRPERSON JACKSON: Before you  
continue. Even though in order to pass the exam,  
you need what? Twenty-two fifty.

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CAMI ANDERSON: Twenty-two fifty.

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CHAIRPERSON JACKSON: So in  
essence, on the official practice test you want me  
to get much more than I have to get in order to  
pass the exam?

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CAMI ANDERSON: Actually, so--

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CHAIRPERSON JACKSON: Is that  
correct?

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CAMI ANDERSON: --two things I want  
to say about that. One is it's done on a case-by-  
case basis. So we also have additional  
assessments we do of the students in class.

19

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21

There's nothing magical about the official

22

23

practice test, it's not 100% aligned to the GED  
exam. It's a helpful indicator--

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25

CHAIRPERSON JACKSON: Okay.

1  
2 CAMI ANDERSON: --but it is not  
3 100% one to one. And they did that deliberately.  
4 They're not going to basically say, "Here's the  
5 test in the official practice test." So the  
6 reason why I didn't know the actual number, but I  
7 do know the test very well because I've taken them  
8 both myself.

9 CHAIRPERSON JACKSON: And did you  
10 pass?

11 CAMI ANDERSON: I did pass. I did  
12 pass. And it's a rigorous test, which is  
13 something else that folks should know. It's  
14 rigorous. They don't call it a General  
15 Equivalency Diploma for nothing. You have to be  
16 able to read, write, think, and speak and do math  
17 at a relatively high level to pass it. They are  
18 not 100% correlated. They never will be, by  
19 design. So it's an indicator of success, but it  
20 is not the only indicator. And I think that we've  
21 found through our work that the official practice  
22 test is actually a little bit easier, which is why  
23 we over shoot the moon there. Having said that,  
24 if there's a young person who has shown through  
25 their class work and other assessments that



1  
2 they're ready, it's not a bright light. It's a  
3 guideline. And really our goal is to make sure  
4 that the young person who sits is going to get the  
5 highest possible score, and that they're ready.  
6 It's a challenge because young people will come to  
7 us and say, "I just want to take the GED pill, and  
8 I know the clouds will part, the birds will sing,  
9 and my life will be fine." And we actually want  
10 them, we have to walk a fine line because we  
11 sometimes want to keep them longer. Because we  
12 think if we have them for another month, we can  
13 actually help them get to a higher score which  
14 might lead to more options. So there's tension  
15 not just because of the money and the RFP, but  
16 also because we want to make sure that when that  
17 young person passed the GED, it is not simply a  
18 piece of paper, but it actually means something  
19 that can help them take the next step in their  
20 career in their educational pathway.

21 CHAIRPERSON JACKSON: And you said  
22 the other options are scoring high enough to apply  
23 and get into college.

24 CAMI ANDERSON: Yes. And some  
25 other places such as the military. And some

1  
2 career ladder programs require a GED. City Year  
3 [phonetic] is a service program. Other places  
4 that lead to a pathway, and they require a GED,  
5 and some of them actually require--the Fire  
6 Department, we have a partnership with them. So  
7 it matters. The actual score, not just passing,  
8 but how matters in their life choices.

9 CHAIRPERSON JACKSON: Let me turn  
10 to our colleagues, Council Member John Liu of  
11 Queens.

12 COUNCIL MEMBER LIU: Thank you, Mr.  
13 Chairman. I just had a few questions about the  
14 GED program. I guess more on an overall basis,  
15 and not as detailed as our co-chairs were asking  
16 about. And I apologize if I ask you about things  
17 that you already addressed. We had been called  
18 next door for a quick vote, so I was gone for a  
19 few minutes. Do we have a rough statistic on how  
20 many students are not graduating from high school,  
21 and therefore eligible to take, or we should be  
22 encouraging them to take the GEDs?

23 CAMI ANDERSON: In the Department  
24 of Ed, we have said that the GED is an appropriate  
25 option for students who are 18 and older, and for

2 whom a high-school diploma may not be within reach  
3 because either they don't think it is, and/or they  
4 may not have enough time to get there in the time  
5 allotted. And we tend to see about 10,000 young  
6 people a year who basically seek GED services  
7 within the Department of Ed. Now those young  
8 people also might seek services elsewhere in some  
9 of the community-based organizations funded by  
10 DCDYC [phonetic], etc., but that's basically a  
11 pretty consistent demand.

12 COUNCIL MEMBER LIU: So you mean is  
13 there another way to take the GED apart from the  
14 Department of Education?

15 CAMI ANDERSON: There are other  
16 preparation programs that the Department of  
17 Education does not run.

18 COUNCIL MEMBER LIU: I see. So the  
19 GED is administered by the state?

20 CAMI ANDERSON: The GED exam is  
21 administered now--

22 COUNCIL MEMBER LIU: It's a state--

23 CAMI ANDERSON: It's federally  
24 monitored, state ordered, and administered by Über  
25 testers of which we are one.

1  
2 COUNCIL MEMBER LIU: I see. So  
3 they could come to the DOE or they can go through  
4 a community-based organization, and prepare for  
5 that exam?

6 CAMI ANDERSON: That's correct.

7 COUNCIL MEMBER LIU: All right.  
8 And you're saying about 10,000 students a year  
9 come to the Department of Education for that?

10 CAMI ANDERSON: That's right.

11 COUNCIL MEMBER LIU: Now what about  
12 the overall, I mean, how many students would it  
13 make sense... For how many student would it make  
14 sense to pursue the GED? Not the actual number,  
15 but how many students really should be looking at  
16 it?

17 CAMI ANDERSON: Uh oh.

18 COUNCIL MEMBER LIU: Because it's a  
19 lot more than 10,000 who are not graduating from  
20 high school.

21 RICHARD FISH: I believe in the  
22 report, if I could just jump in, I believe in the  
23 report identifies something like 1.6 million New  
24 Yorkers who are, I believe, over 16 and without a  
25 high-school diploma. So there's a lot of people.

1  
2 And I think if you're asking is there a pool of  
3 people out there in need of GED test preparation  
4 and to lead to the GED exam, there's quite a pool  
5 of people in New York.

6 COUNCIL MEMBER LIU: Right. Okay.  
7 I understand what you're saying. Maybe I'm just  
8 going to be blunt about it. If someone's been out  
9 of school for 20 years, I think it's just less  
10 likely that they're ever going to pursue the GED.  
11 But I would think that the Department of Education  
12 should track, on a yearly basis, how many people  
13 are newly found to be--I don't think eligible is  
14 the right word. But how many students a year are  
15 we identifying that really should be pursuing the  
16 GED? For the same reasons that you talked about,  
17 that they maybe running out of time to actually  
18 complete the high-school graduation requirements,  
19 and that it probably makes sense for them to  
20 pursue a GED.

21 CAMI ANDERSON: Right. We do track  
22 that, and I don't have it on my fingertips right  
23 now. I just want to say one thing though, we have  
24 to be very careful about defining GED eligibility  
25 because there are a lot of young people who are in

1  
2 that grey zone who are between 17-years old and  
3 21-years old who are over age, under credited. We  
4 put out a whole report about this. I did--not my  
5 office--put out a whole report about this. We  
6 have tracking mechanisms about this. And what we  
7 believe about that group is that one size does not  
8 fit all. That GED is actually one part of a much  
9 broader portfolio of options for those young  
10 people, so that's why it's not a one to one.  
11 That's a group of young people that do have  
12 options of WABCs [phonetic], transfer schools, any  
13 of the 200 small high schools we've created. And  
14 there is a certain portion of them for whom GED  
15 might be their only option. We just have to be  
16 careful of--there's an office at Department of  
17 Education called the Office of Multiple Pathways  
18 to Graduation, and this is all they do. So we are  
19 just one part of a much bigger portfolio of  
20 services for that group of young people.

21 COUNCIL MEMBER LIU: I agree with  
22 some of the comments you made earlier, that it  
23 would be better for them to get a high-school  
24 diploma, than to get the GED. But still, every  
25 year I have to imagine based on your comments also

1  
2 that there's a certain number of students that  
3 it's just unrealistic for them to get the high-  
4 school diploma, at which point, we really should  
5 be making a concerted effort to steer them towards  
6 the GED.

7 CAMI ANDERSON: We agree. And we  
8 are doing that. As one example, young people who  
9 are aging out, who are 21, we also have adult  
10 education. We're able to identify those young  
11 people, those who are going to age out, and do  
12 proactive outreach to make sure they're aware that  
13 we have a very large adult-education organization.  
14 So we do--

15 COUNCIL MEMBER LIU: How large is  
16 this audience?

17 CAMI ANDERSON: That particular  
18 audience of young people still connected to school  
19 who were aging out was about 3,000 last year. But  
20 there are a lot of out-of-school youth that you've  
21 aptly pointed out that choose to reconnect in  
22 different ways. Sometimes in a community-based  
23 organization. So there's proactive work we can do  
24 with the young people who are in our current  
25 programs, and then there's broader work which is

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2 why there's a larger network of programs.

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[Crosstalk]

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RICHARD FISH: Okay. And I think maybe the number you're looking for, I think there is a number that we use in New York City, 225,000 disconnected youth--youth between 16 and 24 who are unemployed and not in school. And I think maybe that's the number that you're looking for.

COUNCIL MEMBER LIU: Well, I'm not looking for any, I'm trying to understand how thorough is the job we're doing if it's about 10,000 a year that are signing up for the Department of Education GED programs. Is that adequate? To me, it just sounds like a very low number, but then again, there might be things that I'm not aware of, for example, the way you're categorizing students, and not necessarily giving up hope that they could actually graduate from high school in the manner of getting a diploma. To me it sounds--

CAMI ANDERSON: - - We have broken it down. I understand the spirit of your question, and we have broken it down. For the purposes, 225,000. We have identified it more as



1  
2 160,000 because we've just looked at a slightly  
3 different subset. We have broken that down, and I  
4 can direct you to that report about what does that  
5 population look like, and what are the services  
6 that would be needed to serve that population, and  
7 how are we going about reforming all that. And I  
8 just want to emphasize that GED is just one piece  
9 of that puzzle. That's why there is a very  
10 explicit breakdown about that group that you're  
11 zeroing in on.

12 RICHARD FISH: And those services,  
13 excuse me, I just want to jump in. Those services  
14 go beyond the Department of Education. There are  
15 services for those youth at community-based  
16 organizations throughout the city, and at the City  
17 University of New York, and indeed at the public  
18 library system. So I think we're - -

19 COUNCIL MEMBER LIU: But are the  
20 10,000 students served by the Department of  
21 Education, is that the vast majority of it, or do  
22 the community--

23 RICHARD FISH: The largest provider  
24 is certainly the Department of Education.

25 COUNCIL MEMBER LIU: By far?

2 RICHARD FISH: Yes.

3 COUNCIL MEMBER LIU: In fact, would  
4 it be the majority of the students that are taking  
5 GEDs coming through... Would the majority of  
6 students taking the GED actually becoming through  
7 the Department of Education programs? Is the  
8 10,000 a small fraction?

9 RICHARD FISH: No. It's definitely  
10 the larger number.

11 COUNCIL MEMBER LIU: Yeah. It's by  
12 far, it's like the vast majority, I would think.

13 RICHARD FISH: Probably the  
14 majority. I'm just saying it's not the complete  
15 world of services for disconnected youth. That's  
16 all.

17 COUNCIL MEMBER LIU: Okay. I  
18 understand that, but it's still the vast majority.  
19 I just want to make sure--

20 RICHARD FISH: It's the larger  
21 provider.

22 COUNCIL MEMBER LIU: Okay. I'm not  
23 going to belabor this point, but I think that just  
24 hearing the testimony, it's lower than I would  
25 have imagined, just knowing our graduation rates,

1  
2 and you talk about the 1.6 million New Yorkers who  
3 don't have any kind of high-school diploma or GED,  
4 and the 225,000 relatively young people who really  
5 should be pursuing this. I just think that it  
6 would make sense to me that we would be hitting  
7 more than 10,000 students a year. And perhaps  
8 that's not your assessment, but if it is your  
9 assessment, is there an issue of resources? Are  
10 there not enough resources? Or is it just that  
11 the people don't want to sign up for the GED  
12 programs? I don't know what it is, but to me the  
13 number seems low. Well anyway, that's my  
14 commentary. Mr. Chairman, I just have one more  
15 question. The GED, it's a combination of  
16 requirements, right? It's an exam that's not set  
17 up by the Department of Education.

18 CAMI ANDERSON: Correct. It's  
19 federally issued and regulated, and in fact, there  
20 will be a new version that's referred to in the  
21 report targeted for 2012. But it's basically sort  
22 of set, the content.

23 COUNCIL MEMBER LIU: So it's  
24 several different content areas or subject  
25 matters?

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CAMI ANDERSON: That's correct.

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COUNCIL MEMBER LIU: And I guess  
it's only administered in English?

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CAMI ANDERSON: No.

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COUNCIL MEMBER LIU: Oh. It's in  
multiple languages.

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8

CAMI ANDERSON: Spanish and French.

9

COUNCIL MEMBER LIU: Okay.

10

CAMI ANDERSON: The challenge is  
that passing the GED in those languages, the thing  
about the GED that we need to remember is it is an  
option, but it's limited in terms of what it leads  
to. And so we need to be careful about how many  
young people we recommend it for, though it can be  
a helpful safety net. And there aren't as many  
options in terms of college entrance with the ones  
that are in Spanish and French. But there are  
some, and we do offer it.

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COUNCIL MEMBER LIU: And is  
offering the GED in Spanish and French... Obviously  
that's not going to help them fulfill the English  
Language-Arts requirement, right?

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23

24

CAMI ANDERSON: Some colleges will  
accept that.

25

1  
2 RICHARD FISH: And there is an  
3 English requirement within the--

4 CAMI ANDERSON: Within the GED  
5 that--

6 RICHARD FISH: --the French or  
7 Spanish GED.

8 COUNCIL MEMBER LIU: For example,  
9 the colleges would have a TOEFEL requirement. So  
10 that doesn't necessarily have to be covered by a  
11 GED. But my question is, is it optional for the  
12 city to provide or to help people pass the GED in  
13 Spanish or French?

14 CAMI ANDERSON: Yeah. We have  
15 preparation.

16 COUNCIL MEMBER LIU: Is it an  
17 option or--

18 CAMI ANDERSON: Yes.

19 COUNCIL MEMBER LIU: --is it  
20 federally required?

21 CAMI ANDERSON: Within our GED  
22 preparation programs, we do have some that help  
23 students to prepare to take and pass the exam in  
24 Spanish and French within our under-21 population  
25 or over-21 population. We do want to just be

1  
2 transparent that that only will be helpful for a  
3 certain number of individuals who have a  
4 particular work end game in mind, for whom that's  
5 helpful.

6 COUNCIL MEMBER LIU: Does the city  
7 have any option to help people pass the GED in  
8 other languages also?

9 CAMI ANDERSON: Those are the only  
10 two they're offered in, period, by the federal  
11 government.

12 COUNCIL MEMBER LIU: Okay.

13 CAMI ANDERSON: So that's well  
14 beyond us.

15 COUNCIL MEMBER LIU: Thank you.

16 CAMI ANDERSON: Mm hmm.

17 COUNCIL MEMBER LIU: Thank you, Mr.  
18 Chair.

19 CHAIRPERSON JACKSON: Thank you,  
20 Council Member. Also we've been joined since the  
21 last announcement by Peter Vallone, Jr., directly  
22 behind us. He's from Queens. Melinda Katz,  
23 directly in front of us, from Queens, and Dominic  
24 Recchia, the handsome young man that was just  
25 standing, now sitting down, from Brooklyn. Look

1  
2 at him, he's smiling when I said that. Anyone  
3 else? Let me just ask a couple of questions. I  
4 have not heard, and maybe I wasn't listening, or  
5 maybe I was out of the room to go vote. Can  
6 anyone, either you or Richard describe the  
7 coordination between the State of New York and the  
8 City of New York with regard to GED preparation  
9 and testing? Where is the coordination? Or is  
10 there no coordination whatsoever? So if you can  
11 briefly tell me where there is or is not  
12 coordination, and I'd like to hear from both of  
13 you on that if you have any comments.

14 CAMI ANDERSON: There is  
15 coordination. The State Education Department does  
16 two things that we need to coordinate with them.  
17 One is that they approve and certify preparation  
18 programs, so every year we have to submit an  
19 application to the state to say, "This is what  
20 we're doing in our preparation programs," and they  
21 certify us.

22 CHAIRPERSON JACKSON: Every year?

23 CAMI ANDERSON: Every year.

24 CHAIRPERSON JACKSON: And not only  
25 you, but other programs that have prep, I guess

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that's a state requirement?

CAMI ANDERSON: That's correct.

CHAIRPERSON JACKSON: Okay.

CAMI ANDERSON: And so that's one thing we have to do.

CHAIRPERSON JACKSON: So that's more a requirement, isn't that correct?

CAMI ANDERSON: Correct. And we also submit data to them, and there has been increasing attempts to coordinate with them, so that we could actually have access to that data more readily. And I'm sure that the consultant that worked on this project can comment on how successful - - was.

CHAIRPERSON JACKSON: Or how unsuccessful.

CAMI ANDERSON: Yes. But there have been many attempts to coordinate so that we could actually see the bigger picture. And then on the testing side, it's a similar kind of relationship. They have to approve and certify the testing centers, and now with the RFP, we also have to coordinate with them because literally, ostensibly that's where the money will come from.



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CHAIRPERSON JACKSON: Okay.

RICHARD FISH: I think that we're missing there is a whole system out there between, with community-based organizations, the City University of New York, the Department of Education, the public library systems that coordinates between New York City and the State Education Department in both GED literacy, English as a Second Language preparation and then GED testing that we're not--there's networks, there's what's called the Regional Adult Education Network sponsored by the State Education Department So there are many venues at which coordination among the city and the state does go on.

[Pause]

CHAIRPERSON JACKSON: Well, I'm glad to hear that, and the question that was begged earlier, why isn't there a centralized system? I mean, if there is so much coordination going on, and everything is great with New York City, New York having one of the lowest pass rates in the country, and everybody knows that on the testing dates many of the seats go empty because people are vying to try to get in wherever they

1  
2 can. The question, I guess that's begged, why  
3 isn't there a centralized system in order to  
4 improve it? And I know you've already answered  
5 that, the fact is you don't control that. I know  
6 you don't control that, but couldn't the City of  
7 New York say, "Okay. The state is not going to do  
8 it, we are going to do it." Since 1.6 million  
9 people in New York City, 16 and older, the entire  
10 population of Manhattan, couldn't we do that? How  
11 much would it cost? Anybody have any idea?

12 FEMALE VOICE: - -

13 CHAIRPERSON JACKSON: Who are you?  
14 Are you with DOE?

15 FEMALE VOICE: No.

16 CHAIRPERSON JACKSON: Are you with  
17 DYCD?

18 FEMALE VOICE: No.

19 CHAIRPERSON JACKSON: Okay. Then  
20 we'll hear from you a little later.

21 FEMALE VOICE: Okay.

22 CHAIRPERSON JACKSON: Okay. We  
23 will hear from you a little later, because you  
24 hold that answer.

25 FEMALE VOICE: Yes, sir.

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CHAIRPERSON JACKSON: Okay.

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Because I definitely want to hear it. Do you have

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any idea?

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RICHARD FISH: I'm not ready to

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jump in on the cost. I'm not comfortable with

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doing that, but I think that we certainly, in the

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report, do have a plan identified that coordinates

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for the GED applicants so that they can go make

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one application, one central application.

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CHAIRPERSON JACKSON: That's a game

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plan. Assuming that that's accepted by whom? The

13

state?

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RICHARD FISH: We would need to

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coordinate with the state on that, yes.

16

CHAIRPERSON JACKSON: Not

17

coordinate, they need to agree to it, right?

18

RICHARD FISH: Fine. Agree.

19

CHAIRPERSON JACKSON: Isn't that

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what you're talking about? Coordination means

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that there's agreement. Yes?

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[Crosstalk]

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RICHARD FISH: We would need to

24

work with the State Education Department.

25

CHAIRPERSON JACKSON: I would

1  
2 assume that they already know there should be some  
3 centralized system because of the fact that the  
4 number of seats that are going empty on test  
5 dates, and a lot of other stuff. Okay. So what  
6 about as far as from financial support for GED  
7 preparation programs? The money comes from where?  
8 City, state, federal, and private sources? Is  
9 that correct?

10 RICHARD FISH: All of the above.

11 Yes.

12 CHAIRPERSON JACKSON: And in your  
13 opinion as a senior person at DYCD, and a senior  
14 superintendent for District 79, is there  
15 coordination from a financial point of view on  
16 this, or is the money coming from different places  
17 going directly to CBOs and to the City of New  
18 York, or is it going to the state, and the state  
19 is funneling it down to everyone else? I don't  
20 know. I'm asking the question. I'm just trying  
21 to understand the system.

22 RICHARD FISH: I think it's fair to  
23 say New York City probably has one of the most  
24 well-coordinated systems for education outside of  
25 the local education authority, probably in the

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country. So yes, there is coordination.

CHAIRPERSON JACKSON: Can anyone elaborate on that, because you just gave me a general answer, but I don't know anything more than the fact that you said there is good coordination. That's not enough for me.

RICHARD FISH: There are meetings among all of the providers whether it's the City University, community-based organizations under the Department of Youth and Community Development, Department of Education, the public library systems. There's what's called the Regional Adult Education Network, at which representatives from all these providers are meeting on a regular basis, so is there coordination? Yes. Could it be improved? Absolutely.

CHAIRPERSON JACKSON: So I'm a local CBO, and I want money to run a prep program. Who do I apply to? Do I apply to DOE? Do I apply to DYCD? Do I apply to the State of New York, Department of Education? Who do I apply for funds for to run or if I have a program, I'm expanding the program because the need is great, who do I apply to?

2 RICHARD FISH: Well, if [phonetic]  
3 it's State Education Department and the Department  
4 of Youth and Community Development issue RFPs for  
5 adult and continuing education.

6 CHAIRPERSON JACKSON: And do you  
7 coordinate who you fund, or is there no  
8 coordination as to, for example, what if I put  
9 applications based on what you said, Richard, to  
10 both DYCD and to State Education Department to  
11 expand my GED preparation program by 100%.

12 RICHARD FISH: When we're making  
13 awards, do we take into consideration existing  
14 programs in each part of a borough funds are  
15 already being funneled in? Yes. That's taken  
16 into consideration.

17 CHAIRPERSON JACKSON: So you look  
18 at your database as to where you're funding  
19 programs?

20 RICHARD FISH: Absolutely.

21 CHAIRPERSON JACKSON: And does the  
22 Department of Education fund programs separately  
23 from DYCD?

24 CAMI ANDERSON: We run one  
25 integrated system that's described in depth in my

1

2 testimony.

3

CHAIRPERSON JACKSON: Okay.

4

5 one city-wide system of GED programs called GED  
6 Plus--

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CHAIRPERSON JACKSON: Right.

8

9 enter through the referral centers.

10

11 with respect to city agencies, Richard and Cami,  
12 right?

13

CAMI ANDERSON: Mm hmm.

14

15 other agencies that are granting moneys for GED  
16 preparation programs besides DYCD, to your  
17 knowledge?

18

19 for - -

20

21 just asking Richard, as a senior - -

22

23 preparation? Well the City University of New York  
24 has GED preparation programs.

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CHAIRPERSON JACKSON: As far as

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2 funding.

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RICHARD FISH: Funding? Then issuing RFPs and funding would be the State Education Department, and the Department of Youth and Community Development.

CHAIRPERSON JACKSON: Okay. And what about private foundations can fund separately as they deem appropriate. Is that correct?

RICHARD FISH: Absolutely.

CHAIRPERSON JACKSON: I would assume so.

CAMI ANDERSON: Mm hmm.

CHAIRPERSON JACKSON: Okay. And where is there coordination between the DOE and DYCD? Can you explain the coordination there? How often do you meet to discuss this, if at all? Realistically. Have you met three times this year?

CAMI ANDERSON: Are you talking about--

CHAIRPERSON JACKSON: I mean, 2008.

CAMI ANDERSON: --us personally?

CHAIRPERSON JACKSON: No. The two programs.



1  
2 CAMI ANDERSON: There's a lot of  
3 local coordination. Primarily it has to do with  
4 site-based and borough-based pieces in the  
5 networks that were just described. So there's a  
6 network beyond the two of us that exists around  
7 providing services to out-of-school youth. Those  
8 networks are actually pretty well established, and  
9 that's where our inter agencies communicate with  
10 all of the myriad of providers that are trying to  
11 recapture young people. We serve the ones that  
12 are currently still touching school, and then  
13 there's a host of folks that are not. And that  
14 there are established networks to address that  
15 kind of coordination and collaboration across not  
16 just our two agencies, but beyond that.

17 CHAIRPERSON JACKSON: Okay. And  
18 how many networks are there in the city?

19 CAMI ANDERSON: Depends on how you  
20 define network.

21 CHAIRPERSON JACKSON: Give or take.

22 CAMI ANDERSON: That depends on how  
23 you define network. There are--

24 CHAIRPERSON JACKSON: Well, you  
25 define it. You tell me. I'm talking about GED

1  
2 specifically. How many networks are there that  
3 deal with what you talked about? Now, I assume  
4 that you're talking about the inter-agency  
5 network. Who sits on that? Your people are  
6 constantly going to that, and I assume DYCD also.  
7 Is that correct?

8 RICHARD FISH: Representatives from  
9 community-based organizations that are running GED  
10 test preparation programs--

11 CHAIRPERSON JACKSON: Okay. But--

12 RICHARD FISH: --and GED testing.

13 CHAIRPERSON JACKSON: What's the  
14 name of that network? What is it called?

15 CAMI ANDERSON: I don't know what  
16 network.

17 FEMALE VOICE: Testing network.

18 CAMI ANDERSON: Yeah. I don't  
19 know, I'm not sure which one you're referring to.

20 CHAIRPERSON JACKSON: I'm only  
21 referring to the one which you referred to with  
22 respect to the coordination.

23 CAMI ANDERSON: It's the Über  
24 testers that meet, as well as the site-based  
25 testing folks. I don't know there's a special

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2 name. GED Testing Network.

2

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FEMALE VOICE: Yeah. It's the--

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CAMI ANDERSON: GED Testing

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Network. So there's a testing network, there's a

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network that talks about adult education, there's

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a network that talks about English language

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learners, there's a network that talks about under

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21, there's a network that talks about student in

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temporary housing.

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CHAIRPERSON JACKSON: Okay.

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Continue. I'm listening. Keep going.

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CAMI ANDERSON: And various members

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of our organizations who run those kinds of

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organizations connect at a local level to make

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sure that young people are being served. And if

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one is not a fit for ours, and they are for--that

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kind of coordination happens.

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CHAIRPERSON JACKSON: And there's a

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DYCD and DOE representative in those networks.

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CAMI ANDERSON: Correct.

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CHAIRPERSON JACKSON: So you ran

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off approximately about a half a dozen of them.

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CAMI ANDERSON: Yes.

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CHAIRPERSON JACKSON: Is that

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2 correct?

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CAMI ANDERSON: Depending on the specifics of those.

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CHAIRPERSON JACKSON: Okay.

6

[Pause] Can anyone of you describe for us as lay

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persons, the GED application process? I'm a

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student. I'm 16-years old. Dropped out of high

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school. Help me out. Walk me through it quickly.

10

CAMI ANDERSON: Sure.

11

CHAIRPERSON JACKSON: Can I take

12

the exam right now?

13

CAMI ANDERSON: No.

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CHAIRPERSON JACKSON: Why?

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CAMI ANDERSON: Because you have to

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be enrolled in a state-approved program.

17

CHAIRPERSON JACKSON: Okay.

18

CAMI ANDERSON: And--

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CHAIRPERSON JACKSON: Enroll me.

20

CAMI ANDERSON: --and you're also

21

not old enough yet.

22

CHAIRPERSON JACKSON: Ah.

23

CAMI ANDERSON: So--

24

CHAIRPERSON JACKSON: What's the

25

age?

1 CAMI ANDERSON: But I wouldn't lead  
2 with that.

3 CHAIRPERSON JACKSON: Okay. But  
4 tell me what the minimum age is before you  
5 continue.

6 CAMI ANDERSON: The end of the  
7 school year in which you turn 17, and being  
8 enrolled in an approved GED program by State Ed.

9 CHAIRPERSON JACKSON: The end of  
10 the school year in which you turn 17, and you have  
11 to be enrolled in an approved--

12 CAMI ANDERSON: A state-approved  
13 program.

14 CHAIRPERSON JACKSON: --a state-  
15 approved GED program.

16 CAMI ANDERSON: In order to sit for  
17 the exam.

18 CHAIRPERSON JACKSON: In order to  
19 sit for the exam.

20 CAMI ANDERSON: Correct.

21 RICHARD FISH: You can take the  
22 exam without having been in a preparation program.

23 CAMI ANDERSON: Right. If you're  
24 older.

1

RICHARD FISH: Right.

2

3

CAMI ANDERSON: So I'm saying there's two requirements. So--

4

5

CHAIRPERSON JACKSON: Go ahead.

6

7

CAMI ANDERSON: --there's an age requirement, and there's also being part of a state-approved. And so what I'm saying is if you said you were 16--

8

9

10

CHAIRPERSON JACKSON: Right.

11

12

CAMI ANDERSON: --so I was going along with your role play.

13

14

CHAIRPERSON JACKSON: Oh yes. I agree. Absolutely.

15

16

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24

CAMI ANDERSON: But I'm saying I wouldn't lead with that. The reason why I wouldn't lead with that is because it's very important for that young person to not hear, "I can't." If you come in and say, "I'm ready to take the test, just enroll me," I wouldn't lead with, "You can't take it," because what I'm looking to do is to try to reengage you, and help direct you to the correct option for you. You told me you were 16, that's why I started.

25

CHAIRPERSON JACKSON: And based on

1  
2 what you said earlier, if I'm 16, you're going to  
3 try to incorporate me back into the system.

4 CAMI ANDERSON: You got it.

5 CHAIRPERSON JACKSON: Is that  
6 correct?

7 CAMI ANDERSON: That's right. But  
8 I'm not going to start by saying, "You cannot take  
9 the GED," because that's not very motivating for  
10 you.

11 [Pause]

12 CHAIRPERSON JACKSON: Any last  
13 comments from anyone? Anything else you want to  
14 say? Simcha Felder, our colleague, is always  
15 last. Simcha Felder of Brooklyn.

16 COUNCIL MEMBER FELDER: Thank you  
17 very much. I just unrelated to the details of  
18 your testimony, I want to reiterate, perhaps like  
19 a broken record, that the fact that there are so  
20 many young people that are not graduating that  
21 need GED services, and this is not directed  
22 towards you, but I've mentioned this, and many of  
23 my colleagues have mentioned it, the lack of  
24 guidance counseling in the schools, both  
25 elementary and in high school is clearly, without

1  
2 being a professional, leading in part to the fact  
3 that so many kids aren't graduating. I consider  
4 myself a high-school dropout, and if not for the  
5 fact that I wasn't an eshiva [phonetic], but if  
6 not for the fact that I had some people there who-  
7 -guidance counselors in the schools, I would never  
8 have graduated high school. I hope I would have  
9 passed the GED. But the fact that when we talk to  
10 the Department of Education that we need so much  
11 more in terms of guidance counseling, I just don't  
12 want to leave without mentioning that. Thank you.

13 CHAIRPERSON JACKSON: Final answer.

14 Oh no. I'm sorry.

15 CAMI ANDERSON: I thought you said  
16 that was the last one.

17 CHAIRPERSON JACKSON: When you talk  
18 about GED testing and GED preparation, and the  
19 administration of all of that, how much is the  
20 City of New York spending on GED administration,  
21 preparation, and testing? The total. How much  
22 money?

23 CAMI ANDERSON: I can only speak  
24 for our organization, which is--

25 CHAIRPERSON JACKSON: Okay. Maybe



2 I should ask Mark Page, the Budget Director. No.  
3 How much DOE and DYCD, how much do you spend?

4 CAMI ANDERSON: In the Department  
5 of Education, our GED programs and the alternative  
6 referral high school centers are about \$20  
7 million.

8 CHAIRPERSON JACKSON: Twenty mil.  
9 And that includes the administration of it, with  
10 all of you guys and everything?

11 CAMI ANDERSON: Well, it's between  
12 20 and--the new testing infrastructure is still  
13 not folded into that cost. So let's say \$23  
14 million, that's for all the programs that District  
15 79 runs, GED Plus, Access GED, and the referral  
16 centers for high school alternatives.

17 CHAIRPERSON JACKSON: So  
18 approximately 21-23 million?

19 CAMI ANDERSON: That's right.

20 CHAIRPERSON JACKSON: Okay. And  
21 DYCD? For the grants and everything, and to run  
22 the programs and everything.

23 RICHARD FISH: For literacy, ESL,  
24 family literacy, special projects for disconnected  
25 youth, etc., DYCD spends about \$13 million.

1  
2                   CHAIRPERSON JACKSON: And that's  
3 all towards getting all those individuals into GED  
4 programs and passing the GED?

5                   RICHARD FISH: GED, or there are  
6 students in English for speakers of other language  
7 programs who may have degrees. Not likely, but  
8 degrees from other countries. And there is a  
9 great deal of English for speakers of other  
10 languages in there. I don't want to--

11                   CHAIRPERSON JACKSON: But those  
12 individuals, I'm talking about for the GED  
13 program, specifically. Not everything that you  
14 do. I'm talking about GED. I'm just trying to  
15 get a handle on how much DYCD is spending on GED.

16                   RICHARD FISH: There's no just  
17 specifically GED preparation program. There's  
18 literacy which leads to GED, but we don't  
19 distinguish our programs as just isolated GED  
20 programs. So it's just not the way education  
21 works.

22                   CHAIRPERSON JACKSON: Okay. But  
23 all those programs that you mentioned, and I  
24 assume that's an umbrella. If you had to  
25 determine how much it cost, you would have to

1  
2 determine how much it costs, right? You have to  
3 analyze how much each program is costing you  
4 within that umbrella, right?

5 RICHARD FISH: Right.

6 CHAIRPERSON JACKSON: Okay. You  
7 said how much is the total, about \$13 million?

8 RICHARD FISH: Yes.

9 CHAIRPERSON JACKSON: Okay. And as  
10 far as the proposed budget cuts that took effect  
11 last year, and proposed this year, how much is  
12 proposed to be cut for GED?

13 CAMI ANDERSON: At this time, we  
14 actually are investing more in GED.

15 CHAIRPERSON JACKSON: But you  
16 haven't been cut for GED then?

17 CAMI ANDERSON: For GED programs,  
18 we are actually investing more because remember I  
19 said the testing infrastructure wasn't included in  
20 that number?

21 CHAIRPERSON JACKSON: Right.

22 CAMI ANDERSON: And we were able to  
23 successfully make sure that we were able to  
24 respond to that demand. So at this time, as much  
25 as anyone can respond to that question because

1  
2 there are lots of unknowns beyond this room, we  
3 not only didn't cut GED, we actually invested to  
4 make sure the testing infrastructure was up and  
5 running before we even got the money from the  
6 state, because we believed this was such a  
7 critical moment in time.

8 CHAIRPERSON JACKSON: DYCD?

9 RICHARD FISH: Today DYCD has been  
10 able to hold these programs harmless.

11 CHAIRPERSON JACKSON: Okay. I want  
12 to thank you both for coming in and giving  
13 testimony on this very important issue.

14 CAMI ANDERSON: Thank you.

15 CHAIRPERSON JACKSON: Thank you.  
16 We've been joined by Helen Diane Foster of the  
17 Bronx to our left. Marc Korashan, Special  
18 Representative for United Federation of Teachers  
19 is our next witness.

20 [Pause]

21 MARC KORASHAN: Thank you.

22 CHAIRPERSON JACKSON: Thank you,  
23 Marc. I'm just going to ask if you have written  
24 testimony, to submit it, and considering the  
25 amount of people, we're going to ask you to

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summarize your testimony. Okay? Thank you.

MARC KORASHAN: Thank you Chairman Fidler, Chairman Jackson, members of the Youth Services and Education Committees. My name is Marc Korshan. I'm a special representative for the United Federation of Teachers, and on behalf of UFT President Randy Weingarten [phonetic], I want to thank you for allowing me to offer the Union's perspective on how to best address the New York City GED testing system. There are roughly 1.5 million New Yorkers without a high-school diploma in need of adult education services. For these adults, the GED is seen as an opportunity to earn a living wage, and actively take the next step toward college. The report by Jacqueline Cook is a thoughtful examination of the problems with the current system, and the potential for significant improvements. However, we are testifying today to voice our concerns regarding her recommendation to require all students to take and pass the official practice test before taking the examination. The experience of our teachers suggests that many students, even some with OPT scores predicting success need more than one try

1  
2 to pass the test. Limiting the number of students  
3 taking the test, and inflating pass rates by  
4 excluding people from the test will produce  
5 negative outcomes. Ultimately, the passing rate  
6 on the test is less important than the number of  
7 diplomas that are actually awarded. The Cook  
8 Report itself notes that 7,606 people in New York  
9 City passed the 2007 GED without a prep code,  
10 meaning that they did not come through a GED  
11 preparation program. Those 7,606 people, 58% of  
12 all the graduates who passed that year might not  
13 have their GED today if they were required to take  
14 and pass an OPT. Steve Meyerson, a veteran Adult  
15 Education Teacher, reports that 135 of his  
16 students passed the GED between July 1st, 2007,  
17 and June 30th, 2008. Only 93 of them had a high  
18 enough OPT score to be referred to the test with  
19 the program code. The 42 of those who graduated  
20 in this cohort would not have passed the GED if an  
21 OPT requirement were in place because they would  
22 have been prevented from taking the test. It is  
23 just as important to note that 49 of the 135 who  
24 passed had to take the test two or more times,  
25 creating a pass rate of 50% or less. We should

1  
2 celebrate the success of these persistent  
3 students, not attempt to find fault because they  
4 lowered the overall pass rate. His experience is  
5 repeated in other classes, and is representative  
6 of many of our Adult Education Teachers. The  
7 requirement to pass an OPT before sitting for the  
8 test will prevent many students from benefitting  
9 from cumulative scoring, which allows students to  
10 pass the GED by combining the best scores from two  
11 or more actual tests. The 49 students mentioned  
12 earlier all used cumulative scoring, and now have  
13 their GEDs. One student in particular, Esther  
14 Yebara, got her GED at age 86. She took the GED  
15 five times which created a pass rate of 20%. Her  
16 OPT scores were never close to 2,250, the score  
17 that predicts passing the GED. She passed because  
18 she was determined. She started as an English as  
19 a Second Language student, moved to the GED class,  
20 is now fluent in English and attending Manhattan  
21 Community College. There are many examples of  
22 dedicated students like Esther throughout the  
23 state who lower the pass rate while raising  
24 themselves. Ms. Cook herself quotes one of them  
25 in her report who said, "after passing the exam on

1  
2 the third try, 'I couldn't have made it without my  
3 teacher's help. He made me study.'" She goes on  
4 to add that "Most students spoke positively about  
5 the support and encouragement offered by their  
6 teachers." We need to recognize that the OPT is  
7 not reliable enough to predict the actual result.  
8 There are currently seven forms of the OPT. Each  
9 OPT is different in content. This means that a  
10 student who happens to be more familiar with the  
11 content of one OPT will obtain a higher predictive  
12 score than if he took a form with a different  
13 content. Instead of using the OPT to create a  
14 barrier between students and the test, we should  
15 work to create a system that directs students who  
16 fail the test into GED preparation programs.  
17 These students would then have an actual GED  
18 result which is the single best diagnostic tool a  
19 student and teacher can have. The actual result  
20 determines what area or areas the student needs to  
21 prepare in before retesting on the actual GED.  
22 The half-length OPT falls short of offering  
23 students the genuine testing experience. Some  
24 students outperform or underperform the OPT on the  
25 actual test. Some students pass and fail



1  
2 different parts on the OPT compared to the actual  
3 test. An actual GED test score provides a  
4 detailed diagnosis of where the student fails.  
5 Students holding down jobs, those waiting to start  
6 college or a vocational training program should  
7 not be kept waiting because of an OPT score. The  
8 same can be said for the many people who pass the  
9 GED test without going to school, and without  
10 taking an OPT. We favor proper use of the OPT for  
11 learning, diagnosis, remediation, and guidance.  
12 However, we are opposed to turning the OPT into a  
13 high-stakes barrier which denies opportunities to  
14 thousands of students. We want to increase the  
15 number of GEDs for hard working students, and not  
16 artificially inflate the passing rate. Thank you.

17 CHAIRPERSON JACKSON: Well, let me  
18 thank you for coming in and giving testimony. My  
19 Co-Chair Lew Fidler.

20 CHAIRPERSON FIDLER: We just heard  
21 from DOE that there are many people who are not  
22 ready to take the GED, take the GED, fail, and are  
23 discouraged and just abandon all hope. Do you  
24 know how many people take the GED and fail, and  
25 don't take the test a second time?

1  
2                   MARC KORASHAN: I don't have those  
3 numbers, no.

4                   CHAIRPERSON FIDLER: Do you have a  
5 response to that argument?

6                   MARC KORASHAN: Yes. What we were  
7 arguing for is we can't prevent people from  
8 walking in and taking the test under the current  
9 system. And putting in place the OPT as an  
10 absolute barrier is going to prevent some people  
11 who are ready to take that test from walking in  
12 and taking it. I have a nephew who dropped out of  
13 high school, and took the GED without a  
14 preparation program, on the first available  
15 opportunity, so he had no OPT, and he passed. He  
16 dropped out of high school because he couldn't  
17 connect to school for a variety of reasons. There  
18 are lots of adults out there like that. The  
19 problem of people who think that the test, as Ms.  
20 Anderson testified, is a cake walk, and walk in  
21 and take it, can be solved if after they get their  
22 score there's a counseling system in place that  
23 says, "Hey, this is where you did well, this is  
24 where you did poorly. And here's a preparation  
25 program that can help you do better." That's what

1  
2 we're arguing for because once these students are  
3 in a preparation program, we can guide them to the  
4 point where they can get their GED.

5 CHAIRPERSON FIDLER: Now it just  
6 strikes me that there's a balance to be had here.  
7 And I see merit, I see your point, I see their  
8 point as well, so I'm not sure. We're being asked  
9 to weigh the person that just wouldn't put up with  
10 the GED prep course, wants to walk in, take the  
11 exam, and can pass it, and that's great with the  
12 person that might walk away from the GED prep  
13 course because they failed their first time  
14 through because they weren't held back because  
15 they weren't ready yet. That's the balance.

16 MARC KORASHAN: Ms. Anderson talked  
17 about the fact that once we have them in a  
18 preparation program, we have a lot more  
19 information to use to evaluate their readiness to  
20 take the test. What the report is recommending is  
21 that the OPT be a "bright line," in her words--an  
22 absolute barrier. You either pass it at some pre-  
23 determined level or you can't take the test. We  
24 would argue that teacher judgment and the judgment  
25 of the counselors working with the student, and

1  
2 that dialog should be what allows us to direct or  
3 not direct the student into the actual test,  
4 rather than a single bright-line test whose  
5 predictive ability is questionable.

6 [Pause]

7 CHAIRPERSON FIDLER: Fair enough.  
8 Anyone else have any questions? Thank you very  
9 much.

10 MARC KORASHAN: Thank you.

11 CHAIRPERSON JACKSON: Our next  
12 witnesses are Bruce Carmel from Turning Point.  
13 Alana Broitman from UJA Federation, and Osvaldo  
14 Alvarez from Turning Point. Please come forward.

15 CHAIRPERSON FIDLER: And I'm going  
16 to lay down a two-minute hammer here.

17 [Pause]

18 CHAIRPERSON FIDLER: Chairman  
19 Jackson is too nice. Please sit down. We have,  
20 because we have two topics for today's hearing,  
21 and have to be out of this room at 1:00 o'clock,  
22 we are setting a two-minute timer. Please do not  
23 read testimony. If you have it, submit it, hit  
24 the high points. I promise you, everyone that I  
25 see, every Council Member here knows how to read,

1  
2 and we will read your testimony that is submitted.  
3 But please hit your high points, and I apologize  
4 for having to set the two-minute timer on you.

5 CHAIRPERSON JACKSON: Can we also  
6 have Elyse Barbell from Literacy Assistance Center  
7 come forward, please?

8 ELYSE BARBELL: Hi. My name is  
9 Elyse Barbell, I'm from the Literacy Assistance  
10 Center, and thank you for giving me my two minutes  
11 here. I'm not going to read my testimony at all,  
12 I just want to be able to answer your questions.  
13 First of all, the number is 17%. That's the  
14 number of people who take the test once fail, and  
15 come back and take it again. So that's the answer  
16 to that question. The other question you asked  
17 was what is being done to follow up on Jacqueline  
18 Cook's report. And I just wanted to give a quick  
19 update on that. That we do have, the Literacy  
20 Assistance Center is the home of both the Regional  
21 Adult Education Network which you heard mentioned  
22 here as the coordinating body. And we're also the  
23 home of the system that collects all the data for  
24 statewide adult education programs. So many of  
25 the numbers that were cited in your opening

1  
2 statement come from the Literacy Assistance  
3 Center's data system that manages data for the  
4 whole state.

5 CHAIRPERSON JACKSON: So you manage  
6 that for the State Education Department?

7 ELYSE BARBELL: Yes sir, I do.

8 CHAIRPERSON JACKSON: Okay.

9 ELYSE BARBELL: And we're about to  
10 have a similar contract with the City of New York.  
11 So we are very up on what all of the numbers are.

12 CHAIRPERSON JACKSON: Excellent

13 ELYSE BARBELL: I just wanted to  
14 say that we are working very closely, actually  
15 we're submitting a proposal to New York Community  
16 Trust to create a web-based interface for students  
17 to get information about when they are eligible.  
18 It's going to have some sample questions on it,  
19 it's going to have a little self-review for  
20 students to go through, it's going to have  
21 referral to prep programs. And we would love to  
22 have a centralized database program. How much is  
23 it going to cost? At first blush just to get it  
24 started, it's going to cost \$500,000. We have all  
25 the partners in this room who are sitting

1  
2 together, working together to try to raise that  
3 money. We'd love to be able to leverage  
4 partnership between the New York State Education  
5 Department, the City Council, the Trust, and  
6 anybody else who's willing to put in their few  
7 pennies to help make this happen.

8 CHAIRPERSON JACKSON: And what  
9 would that do?

10 ELYSE BARBELL: Well, what we'd  
11 like to have it do is first of all, in order to  
12 improve the pass rate, there's two things we have  
13 to do. We have to very much improve the quality  
14 of instruction and preparation so that people go  
15 into test prepared and ready to go. And we have  
16 to fix the denominator. The reason our  
17 denominator is lower than any other state is  
18 because anybody who wants to sit for the test can  
19 take it. There's other states where you have to  
20 pay \$400, and only come in with an OPT, and they  
21 have a 90% pass rate because their denominator is  
22 clean. It's not an open system. And so what we  
23 want to make sure is that people get a chance.  
24 Everyone who wants adult education calls and says,  
25 "I want a GED." Of that, maybe 5% of those are

1  
2 really anywhere ready within a year to pass that  
3 exam. Cami Anderson is exactly right. It's  
4 extraordinarily rigorous. Everybody wants a GED,  
5 but there's a whole adult education system in  
6 place that was described that has 61,000 people in  
7 it that are right now in this city working towards  
8 getting a GED that still have a ways to go. And I  
9 have to tell you that this is a youth issue, and I  
10 realize that I am sitting at a youth meeting, but  
11 an 18-year old who is over age and under credited  
12 becomes a chronically unemployed adult like that.  
13 And so that this is a system that has to look  
14 beyond youth, and have to have a transition when  
15 people go out of youth into adult, and into the  
16 workforce. A GED is a critical workforce tool,  
17 and we are not going to be able to put these kids  
18 to work when they become adults if they don't have  
19 it.

20 CHAIRPERSON JACKSON: So you said  
21 \$500,000?

22 ELYSE BARBELL: Yes, sir.

23 CHAIRPERSON JACKSON: That's it?

24 ELYSE BARBELL: That's it. Come  
25 on. You can do it. Just to get it started. We



1  
2 really need \$10 million. To fix all this mess, we  
3 need \$10 million.

4 CHAIRPERSON FIDLER: - - we go.

5 ELYSE BARBELL: Start us off with  
6 \$500,000 from you, and I can leverage that with  
7 money from the State Education Department. We are  
8 working very closely with them on this, and with  
9 private funders. New York Community Trust is  
10 going to get a proposal from me, and they've been  
11 very, very interested in this.

12 CHAIRPERSON JACKSON: Send us a  
13 proposal also.

14 ELYSE BARBELL: I certainly will do  
15 that.

16 CHAIRPERSON JACKSON: Thank you.

17 ELYSE BARBELL: You're welcome.  
18 I'm done.

19 CHAIRPERSON JACKSON: Next. Just  
20 identify yourself, and your position. You may  
21 begin.

22 ALANA BROITMAN: Alana Broitman,  
23 UJA-Federation. And thank you to both chairmen  
24 for having this hearing, it's a very important  
25 one. And I just want to add a few items to what

1  
2 my colleagues have already described. There are a  
3 number of different types of students, as you  
4 know, who go through GED preparation, and go on to  
5 GED. There are also a number of different funding  
6 sources. And beyond what has been mentioned  
7 already, the DOE and the DYCD managed sources, HRA  
8 has a large program of people who are sent to GED  
9 preparatory classes. So for example, one of our  
10 agencies, FECS has about 1,200-1,300 GED students  
11 in its various sites. About half of those are  
12 funded by HRA welfare-to-work, essentially,  
13 recipients. It's great to have--the more funding  
14 the better because there's certainly not enough  
15 funding out there, but it would be great to have  
16 more coordination among the different sources  
17 because it is difficult to look at it all as a  
18 system. The other piece of it is connecting the  
19 preparatory courses to the test sites. Again, our  
20 agency actually became a test site. It took it  
21 two years to become a test site, and it operates  
22 it at a loss that it has to subsidize. Why?  
23 Because it couldn't get its students into the exam  
24 seats. And these are the best prepared students.  
25 It's a shame, everybody should have an opportunity

1  
2 to take the GED who wants one, but it's certainly  
3 a shame to keep--because of just the problems in  
4 the structure of it--to keep the best prepared  
5 students from being able to take it, and then go  
6 on, possibly, to college and college preparatory  
7 courses, and vocational courses, and actual jobs.  
8 Because as you said yourself, without a GED these  
9 days, it's unlikely that someone's going to be  
10 able to sustain themselves economically. So this  
11 is a particularly important topic, I think, as we  
12 are in the midst of this economic crisis. Without  
13 a GED, really people will continue to fall further  
14 and further back. Thank you very much.

15 CHAIRPERSON JACKSON: And next we  
16 hear from Bruce. Bruce, before you begin if you  
17 don't mind, for the record, we received testimony  
18 prepared by Jacqueline Cook for the New York City  
19 Council, and Youth Services Committee. We've  
20 received for the record testimony from the  
21 Federation of Protestant Welfare Agencies, and  
22 also we received testimony for the record from  
23 Professor Martin N. Dannenburg [phonetic] El  
24 Cahote del GED [phonetic]. You may begin, sir.

25 BRUCE CARMEL: Thanks. Good

1  
2 morning. I'm Bruce Carmel, I'm Deputy Executive  
3 Director of Turning Point. We're a community-  
4 based organization that does GED preparation.  
5 We're also a GED test center. So I just want to  
6 thank you for having this hearing. You don't  
7 really need to look at most of my testimony,  
8 because what you said at the beginning was really  
9 on point, and much more comprehensive even than  
10 what I had to say. So thank you for your interest  
11 and accuracy about sort of framing what this  
12 problem is. This is obviously a huge problem, a  
13 huge unmet need. Jackie Cook's report is really  
14 terrific in outlining what some of the problems  
15 are, and what some of the solutions might be.  
16 Just speaking as a GED test center, it's just so  
17 woefully under funded for us. We're basically  
18 given funding to administer the test. We're not  
19 given any funding for processing the applications  
20 and any of the work that has to happen before  
21 that. So as some people have said, we eat a lot  
22 of the costs. Luckily, we've had a little help  
23 from, like, Council Member Gonzalez gave us a  
24 little bit of money to help out with the  
25 screening. Just another couple issues or

1  
2 problems. I'm not sure what Cami Anderson meant  
3 about the five Über centers. In my understanding,  
4 we're a GED testing center, we're not an Über  
5 center. We have a contract with the Department of  
6 Education, and we provide testing. Another issue  
7 that is in my testimony is the issue of discharge.  
8 I think there's a lot of confusion. One of the  
9 Council members asked about who can take the GED.  
10 There's a lot of confusion about students who are  
11 discharged, and when they can take the GED. We  
12 work with a lot of students. It's great the  
13 multiple pathways to educations, but a lot of  
14 students who aren't going back to high school.  
15 They need more comprehensive services. You'll  
16 hear from one of our students, Mr. Alvarez, who I  
17 hope will get to testify some time soon first hand  
18 about that. So community-based organizations are  
19 more appropriate for some people than Department  
20 of Education programs. There's a lot to cover,  
21 sorry I was a little all over the place. But it's  
22 just connected to so many things. And thanks.

23 [Pause]

24 CHAIRPERSON JACKSON: Is Mr.  
25 Alvarez here?

1

2

BRUCE CARMEL: Yeah. He's here.

3

Sorry. Osvaldo, come up. I'm sorry. I was

4

wrong.

5

CHAIRPERSON JACKSON: Come on down.

6

I had called your name. Turning Point. I thought

7

he was up there. I didn't know he was a youth.

8

BRUCE CARMEL: He was up here.

9

CHAIRPERSON JACKSON: He was up

10

there? Okay.

11

OSVALDO ALVAREZ: Hi. My name is

12

Osvaldo Alvarez, and I attend Turning Point

13

School. Basically I'm just going to explain what

14

I've been through and what I've learned during my

15

process of Turning Point, and how it's changed me

16

a lot better.

17

CHAIRPERSON JACKSON: Mr. Alvarez,

18

before you begin, what high school, if any, did

19

you attend, and if you left school, at what age

20

did you leave school? And if you don't mind me

21

asking, how old are you now?

22

OSVALDO ALVAREZ: I'm 20-years old

23

now, I was attending Fort Hamilton High School--

24

CHAIRPERSON JACKSON: In Brooklyn.

25

OSVALDO ALVAREZ: Yes.

1  
2 CHAIRPERSON JACKSON: And when did  
3 you leave Fort Hamilton High School? What age?

4 OSVALDO ALVAREZ: I left school  
5 when I was about 18.

6 CHAIRPERSON JACKSON: Okay.  
7 Approximately two years ago, give or take.

8 OSVALDO ALVAREZ: Yeah.

9 CHAIRPERSON JACKSON: Okay. Very  
10 good. I'm sorry. Go ahead.

11 OSVALDO ALVAREZ: Okay. Well, as  
12 you already know, my name is Osvaldo Alvarez, I  
13 attend Turning Point. If I wasn't in Turning  
14 Point, I would be doing things in the street that  
15 wouldn't basically make me--I would be either dead  
16 or in jail. Without education, basically  
17 everybody says you can't go nowhere. And I  
18 actually do believe that. Turning Point has given  
19 me a confidence and high hopes. I am the type of  
20 person that doesn't learn materials very quickly.  
21 Turning Point works with me at a pace that I can  
22 follow. While I was in school, the teachers would  
23 rush through the work, and basically didn't care  
24 if I understood what was being taught. Since  
25 attending Turning Point to study for my GED, my

1  
2 math skills went up, and so has my reading as  
3 well. Growing up, math wasn't my strongest point.  
4 I used to go through rage when math was being  
5 taught to me. I'd get up and leave class in the  
6 middle of the session. Turning Point has changed  
7 that. I participate in class more often. At  
8 Turning Point, it helped me so much in my people  
9 skills such as meeting new people, getting along  
10 with others, and as I'm doing now, public  
11 speaking. I've enrolled in leadership programs  
12 and their positive projects for the school such as  
13 painting murals and coming up with positive ideas  
14 to make our community safer. Basically making our  
15 community safer as in going up to kids, speaking  
16 to them, letting them know why education is so  
17 important. Instead of running around the streets  
18 doing drugs, partying, and getting in trouble.  
19 There's not a problem with partying, occasionally  
20 it's good.

21 CHAIRPERSON FIDLER: Occasionally,  
22 being the operative word there.

23 OSVALDO ALVAREZ: Turning Point has  
24 been a good place for me, and the GED is an  
25 important option for people because not everybody



1  
2 is ready to be in school at the same time. What I  
3 mean by that is that a lot of people can't attend  
4 school because one, young kids like me want to  
5 help their mother, help the family with financial  
6 problems. And they want to get a job and help the  
7 house. Nobody wants to be poor in the streets and  
8 stuff like that, and watch their little brothers  
9 doing bad things. So basically I grew up watching  
10 my mom work, providing for us food and shelter.  
11 And basically I wanted to help her. I just didn't  
12 really want her to do it all by herself. So I  
13 felt if I'm going to be the man of the house, I've  
14 got to take responsibilities as well. So I  
15 thought, "You know, my mom is really struggling,  
16 and I need to help her. She can't do it all by  
17 herself." So I was like, alright, school right  
18 now is a struggle for me, I can't learn, I can't  
19 concentrate, I can't really function properly. So  
20 I dropped out. Got a couple of jobs, helped my  
21 mom out. And found out that basically I need my  
22 GED because without it, you can't go anywhere.  
23 Without a diploma you can't really do anything.  
24 You can't really be successful in life.

25 CHAIRPERSON JACKSON: And when did

1  
2 you turn to Turning Point? And how did you find  
3 out about Turning Point?

4 OSVALDO ALVAREZ: I was walking  
5 around the neighborhood, and I saw a group of  
6 people with clipboards, and they were talking  
7 about GED. So they were telling me more about  
8 GED. They were telling me about how it's a good  
9 place, and that it's very comfortable. It's a  
10 good environment to be in. So I was, like, "Okay.  
11 I'll enroll in it. Let me take a chance," because  
12 I wasn't really going anywhere with myself. And I  
13 signed up, like, maybe a month or two. I took my  
14 test to see what I needed help in, and to see if I  
15 qualified. And I did. Like I said before, I  
16 really do horrible at math. I struggle, I get  
17 real frustrated when I can't learn something, and  
18 Turning Point, truthfully, changed that. My math  
19 skills went up, that's the biggest accomplishment.  
20 I was surprised myself. And reading, I've gotten  
21 comfortable talking in front of people. Writing  
22 has blown off the charts. And now I'm just trying  
23 to get my GED, and hopefully to work for Turning  
24 Point to help others.

25 CHAIRPERSON JACKSON: And how long

1  
2 have you been involved in Turning Point? Three  
3 months, six months? And when do you, if you know,  
4 plan on taking your GED?

5 OSVALDO ALVAREZ: Hopefully--

6 CHAIRPERSON JACKSON: First the  
7 first question. How long have you been enrolled?

8 OSVALDO ALVAREZ: I've been in  
9 Turning Point for maybe about nine months now.

10 CHAIRPERSON JACKSON: Okay. And  
11 when, in your opinion, will you be ready or your  
12 program people feel you will be ready to take the  
13 exam?

14 OSVALDO ALVAREZ: The more I learn,  
15 the faster I get to do my GED.

16 CHAIRPERSON JACKSON: Do you have a  
17 time frame?

18 OSVALDO ALVAREZ: Yeah. About nine  
19 months to a year.

20 CHAIRPERSON JACKSON: From now?

21 OSVALDO ALVAREZ: Yeah.

22 CHAIRPERSON JACKSON: Okay. Well,  
23 I want to thank you for coming in and giving  
24 testimony. It's important to hear from people  
25 like yourself, young people who have dropped out

1  
2 of the system and now have turned to programs.  
3 Because you said in your testimony that without a  
4 GED, you were not going anywhere. An old soul  
5 brother, James Brown said, "Without an education,  
6 you might as well be dead." That's just saying,  
7 but you need that education, and you're going for  
8 it, so congratulations, young person.

9 OSVALDO ALVAREZ: Thank you.

10 CHAIRPERSON JACKSON: Thank you  
11 very much, everyone. Thank you Panel.

12 OSVALDO ALVAREZ: Thank you for  
13 listening to my testimony.

14 CHAIRPERSON JACKSON: You're  
15 welcome. Thank you. Our next panel is Lazar  
16 Treschan, Community Service Society; Leslee  
17 Oppenheim, City University of New York; and Linda  
18 Avitabile, Highbridge Community Life Center.  
19 Please come forward. We're going to ask you  
20 please do not read your testimony. Please  
21 summarize, and please if you can, stay within the  
22 two minutes. We would really appreciate it. Have  
23 a seat, please, and whoever is ready to go first,  
24 you may begin. Is that Lazar? Are you ready?  
25 Okay. Pull up that mic, turn it on, and you're

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ready. Bring it a little closer to you, Lazar.

LAZAR TRESCHAN: Good morning, well, good afternoon now. My name is Lazar Treschan. I'm the Director of Youth Policy at the Community Service Society. And thanks for the opportunity to testify today. The Community Service Society strongly believes in the importance of the GED for New York City's workforce and economic development, and the livelihood of our city. Right now we're actually currently working on a report that is connected to the report by Jackie Cook that you've heard a lot about. Our report is really looking at the bigger issue. Jackie Cook's report is really focusing on the testing system, and we really want to talk about, and look at, the GED as an economic development, and workforce development tool to really make our city stronger and more competitive. So I'm going to make brief comments today based on my testimony which I've handed out which you can read on your own, really about the value of the GED as a workforce tool, some challenges and opportunities within our system, and some recommendations for how we can improve.

1 The GED is incredibly valuable. We've heard that  
2 there are 1.5 million individuals without high-  
3 school diplomas. We drop out, there was a  
4 question earlier, almost 25,000 young people a  
5 year, perhaps a little bit more. And despite  
6 perceptions to the contrary, GED attainment  
7 provides real strong tangible economic benefits,  
8 both a GED alone or what you can do with the next  
9 step which is college and work. We are not  
10 getting enough people into GED programs. Despite  
11 1.5 million eligible individuals, only 26,000 New  
12 Yorkers even took the test in 2006. That's less  
13 than 2% of the population. And we're not seeing  
14 it as the next step. In my ideal world, we  
15 wouldn't have GED programs. We'd have college-  
16 prep programs, we'd have job-training programs,  
17 we'd have art programs in which getting a GED is a  
18 part of it. But we can't just give the GED as a  
19 destination for young people. It needs to be a  
20 milestone for young people and adults to make the  
21 next step. And until we do that, we're not going  
22 to have a GED system that matters at all. Like I  
23 said, we're going to be coming out with a report  
24 that provides a lot of recommendations that are  
25

1 here, that go beyond just testing, and really  
2 focusing on how we can make the GED a real tool  
3 for the economic and workforce revitalization of  
4 the city. So I look forward to sharing that with  
5 you in the spring.  
6

7 CHAIRPERSON JACKSON: Thank you.

8 LINDA AVITABILE: Hi. I'm Linda  
9 Avitabile from Highbridge Community Life Center in  
10 the Bronx, and we just became a GED test site in  
11 August. And I can describe why in two words: it  
12 was self defense. We couldn't get our students in  
13 anywhere regularly without running all over the  
14 city delivering cups of coffee. And this seemed  
15 the best way. Now from our experience, I would  
16 say that there are three components that Jackie  
17 Cook talked about that are important, which is  
18 that people going to take the test really have to  
19 have a basic understanding of what the test is,  
20 they have to be assessed with the official  
21 practice test, and then you need to council people  
22 who can't pass it. We find, we test our own  
23 students, all of which take a practice test, but  
24 we also assess people who call up looking for a  
25 center. And we find in general people coming in

1 do not know how the test is scored. In fact,  
2 people here don't know how the test is scored.  
3 You not only need to get a 2,250 total, you also  
4 need to score a minimum of 410 in every subject.  
5 You could score a 3,000, and if you've got a 390  
6 in math, you're getting a failure notice back.  
7 People don't know this. They don't understand how  
8 it's scored. They don't know how long it takes.  
9 It's seven hours of testing. But when you add on  
10 the time for going through identification checks,  
11 processing the exam, breaks, people on a big test  
12 site are going to be there 10-15 hours, some time  
13 in a two-day period. It's important that people  
14 know this going in, it's important they pass the  
15 practice test. I have been a GED teacher or run a  
16 GED program for 20 years now. I have never had a  
17 single person fail the official practice test, and  
18 actually pass the GED exam. Some people might  
19 walk in and not take the official test and pass,  
20 that I can't speak to that happens. But I've  
21 never had anyone fail it and then go on to pass.  
22 It's a reliable test. We should be using it. Our  
23 current pass rate on our last two tests was over  
24 90%, and I think it's because people had a  
25



1  
2 practice test, knew what to expect. I think we  
3 have to listen to what test takers want. The test  
4 is given currently back to back over two days.

5 CHAIRPERSON FIDLER: I have to ask  
6 you to sum up. I'm sorry.

7 LINDA AVITABILE: Okay. It could  
8 be, if it was over three days, which is what  
9 students consistently say in surveys they want,  
10 pass rates go up. Thank you.

11 LESLEE OPPENHEIM: Thank you. I'm  
12 Leslee Oppenheim from the City University of New  
13 York. Here's the quick version. We do GED  
14 preparation, GED testing, and college transition  
15 preparation for GED graduates. Moving up in the  
16 workforce certainly requires a high-school  
17 credential at a minimum, and increasingly it  
18 requires a college degree. We cannot assume that  
19 a majority of GED graduates enter the university  
20 with skill levels that are high enough to get them  
21 to move easily beyond remedial studies, and  
22 eventually graduate from college. Having left  
23 high school before graduation, GED graduates often  
24 have gaps in their academic skills and background  
25 knowledge essential for college success. Research

1 at the City University of New York confirms this.  
2 In general, GED graduates are not as strongly  
3 prepared for college as their New York City public  
4 high school counterparts. This is especially true  
5 in math and writing skills. As a result, and this  
6 is important, GED graduates often begin their  
7 college careers needing several semesters of non-  
8 credit basic skills remediation. It has been  
9 found conclusively that the longer a student  
10 spends in college remedial courses, the less  
11 likely it is that student will graduate. Also the  
12 need for many, many semesters of non-credit  
13 remedial courses means that students are using  
14 their financial aid to pay for these courses, and  
15 when it comes time to have money to cover tuition  
16 for credit-bearing courses leading to graduation,  
17 their bank is empty. I have several  
18 recommendations with respect to GED preparation.  
19 We need to share the word that while the GED is an  
20 essential first step on the academic ladder, it's  
21 important to remind adults that the ladder needs  
22 to be climbed higher. We need to encourage adults  
23 to attend GED preparation classes, in fact, the  
24 pass rate for those who attend classes is higher  
25

1  
2 than for those that do not. We need to help GED  
3 teachers devise instructional programs that go  
4 beyond test preparation, and that help students  
5 gain the skills and background knowledge that they  
6 need to both pass the GED and that under gird  
7 [phonetic] future college study. With respect to  
8 transitioning GED graduates to CUNY, and  
9 strengthening their transition, we need to support  
10 initiatives such as the CUNY College Transition  
11 Program, which provides intensive instruction to  
12 GED graduates in academic reading and writing and  
13 math skills needed for college. Beyond academics,  
14 as we all know, students need to know what is  
15 called "college knowledge"--important information  
16 such as what's an Associate's Degree? How does  
17 financial aid work? What programs can help me be  
18 a nurse? How long is it going to take me to do  
19 this? In the College Transition Program, students  
20 fill out their applications for CUNY well advised  
21 about which college, which major, which program  
22 corresponds most closely to their career  
23 aspirations. And very importantly, the CUNY  
24 College Transition Program is designed to help  
25 reduce students' need for extensive remediation.

1  
2 And once again, the more remediation, the lower  
3 the chances of graduation, and on top of it all,  
4 the program is free so that students can reserve  
5 their financial aid for credit coursework toward  
6 graduation. Program's free gold, which is why I'm  
7 passing out this paper that's golden cover. For  
8 students who can take advantage of this  
9 coursework, it's a terrific opportunity. I would  
10 also recommend, and I will do this very, very  
11 quickly in 30 seconds, that GED--

12 CHAIRPERSON FIDLER: Fifteen.

13 LESLEE OPPENHEIM: --GED students  
14 need resources when they enter CUNY. They need  
15 extra tutoring and counselors and expert  
16 advisement. And helping GED students, and all  
17 under-prepared students do well in college is all  
18 of our work. And to those of you GED graduates  
19 and students who are here with us today, we thank  
20 you very much for your energy, your expertise, and  
21 your potential. We need you.

22 CHAIRPERSON FIDLER: Thank you all.  
23 Our next panel is Shamsul Haque, Smith Yanez, and  
24 Francisco Gonzalez. Again, I apologize to  
25 everybody. It's tough being the sheriff up here,

1  
2 but we have to be out of the room at 1:00. We  
3 have a second hearing topic that has another 15  
4 witnesses, so I'm going to have to be very strict  
5 about the two minutes. And I realize that you've  
6 sat here waiting for two hours, and may have  
7 prepared for more than that. It is really no  
8 disrespect. It is just an unfortunate scheduling  
9 consequence. So whoever wants to jump in first,  
10 go ahead.

11 [Pause]

12 SHAMSUL HAQUE: Good morning,  
13 distinguished members of the New York City  
14 Council. My name is Shamsul Haque, and I come  
15 before you to support the GED preparation program.  
16 I would like to share a little bit about myself.  
17 Currently I study part time at the School of  
18 International and Public Affairs at Columbia  
19 University for the Masters of Public  
20 Administration degree. Five years ago while I was  
21 attending Baruch College for my undergraduate  
22 degree, I had the privilege of serving in a number  
23 of different capacities in the area of higher  
24 education. Some of them are: Trustee Ex-officio  
25 at the CUNY Board of Trustees and Trustee Ex-

1 officio at the Higher Education Service  
2 Corporation, and Chairperson of University Student  
3 Senate of City University of New York. Due to the  
4 current economic crisis, thousands of people are  
5 losing jobs. Fortunately, I have a full-time  
6 employment, and by the end of this year, I'll get  
7 promoted to a higher rank. So far I'm very  
8 pleased with my achievements, however life has not  
9 always been as good as today. I dropped out of  
10 junior high school from the seventh grade in  
11 Bangladesh, and moved to New York in 1991. I  
12 worked as a bus-boy, delivery-boy deli-man for a  
13 number of years. Although I worked more than 65  
14 hours a week, I was making between \$12,000-\$15,000  
15 a year. Seeing a bleak future, I decided to go to  
16 the Adult and Continuing Education Program at  
17 LaGuardia Community College. After taking the  
18 entrance exam, they placed me at the pre-GED  
19 course in fall of 1996. A few months later, I was  
20 accepted to the GED program. I received my GED  
21 certificate in the spring of 1997, one of the  
22 happiest moments in my life. It was possible to  
23 pass the GED exam in a short period of time  
24 because of a strong and committed group of faculty  
25

1  
2 at LaGuardia College. Prior to receiving my  
3 college education, I never earned more than  
4 \$15,000 a year. I'm pleased to inform you that  
5 this past year alone, I have paid more than  
6 \$30,000 in taxes, and if I continue to work for  
7 the next 20 years, which I expect to do, I will  
8 pay between \$600,000-\$700,000 in taxes. Ladies  
9 and gentlemen, people like myself need a second  
10 chance in life, and GED provides that opportunity.  
11 In days ahead when you are faced with budget  
12 deficit, please have the courage to do the right  
13 thing, and support the GED preparation program for  
14 both moral and economic reasons. Thank you very  
15 much for the opportunity.

16 CHAIRPERSON FIDLER: Thank you. We  
17 don't applaud here, even if we liked. So if you  
18 want to save time for these folks, we do the, this  
19 is the - - . We don't talk about booing either.  
20 So go ahead.

21 SMITH YANEZ: Thank you  
22 Chairpersons Fidler and Jackson, and Committee  
23 Council Members for conducting this hearing on GED  
24 testing and preparation. My name is Smith Yanez.  
25 I am from Mexico City. I have been living in New

1  
2 York for 15 years. I am a father of two children,  
3 one in middle school, and the other one in  
4 elementary school. I never finished studying in  
5 my country, the money was always a strong issue,  
6 and opportunities are not the same as they are  
7 here. I was very fortunate to find out about  
8 programs like the Adult Learning Center at  
9 LaGuardia Community College. I got my GED diploma  
10 last year from La Guardia, but it has not been  
11 easy for people like me who work two jobs just to  
12 earn enough money to house and feed my family.  
13 I'm a waiter at night, and a real-estate  
14 salesperson during the day. And how easy is it  
15 right now with this recession? There is never  
16 enough time left after work to study. Language  
17 was another kind of barrier for me. I had to  
18 learn English before I could get a good job.  
19 However, when you want something, and you have  
20 that burning desire to learn, everything is  
21 possible. This program has given me the  
22 opportunity to go to college and pursue a  
23 professional career which has a double benefit for  
24 me. First, I and I can almost see it, a diploma  
25 with my name on it. A diploma will make me feel



1  
2 accomplished; an educated person aspiring for a  
3 better life. Second, it could also make me feel  
4 like a strong role model for my children. I want  
5 to encourage them to stay in school. With all  
6 these statistics of kids quitting school at an  
7 early age, I don't want my kids just to be another  
8 couple of dropouts. I want them to finish, and to  
9 set higher-educational goals for themselves. I'm  
10 very thankful for all the help I received from my  
11 teachers. I'm very thankful for all the people  
12 who made it possible for me and my classmates to  
13 have these programs, and to let us believe in  
14 ourselves. We need more support for programs like  
15 these for young people and for entire families  
16 like mine. Thank you.

17 [Pause]

18 FRANCISCO GONZALEZ: Good morning.  
19 My name is Francisco Gonzalez, Jr. Thank you for  
20 allowing me to be here to testify today. I live  
21 in the Bronx, I'm 30-years old. I want to explain  
22 a little bit about myself. In May, 2006, I came  
23 home after doing seven months on Ruckers  
24 [phonetic] Island. I stayed home for a few  
25 months, but in August of that year, I was back on

1  
2 the streets doing the same things that got me  
3 locked up in the first place. I was on the  
4 streets for about four months, but after it  
5 started affecting me, I saw the destruction I was  
6 doing to the community and to my family. I did  
7 not want to go back to jail, and I didn't want to  
8 have to explain to my daughters where I was at  
9 again for another four or five years maybe next  
10 time. But I felt helpless. That's all I knew,  
11 that's all I could do. I wanted to change, but I  
12 didn't have anyone to help me. In December of  
13 '06, I went to apply for public assistance. There  
14 was someone there from the Fortune [phonetic]  
15 Society making a presentation. And I remember he  
16 said, "It doesn't matter if you did one day in  
17 jail or one year, Fortune can help you." The next  
18 week I went downtown to Fortune Society. Fortune  
19 helped people involved in the criminal justice  
20 system reenter society. They have an educational  
21 program, career development, substance-abuse  
22 treatment program, alternative [phonetic]  
23 conservation, and housing, and more. I'm involved  
24 in Fortune treatment program, and in January of  
25 2007, I stopped using drugs. I was clean, but I

1 was still running the streets. In July of 2007, I  
2 lost my housing, and I moved into the Castle, the  
3 Fortune residential on 140 Riverside Drive. That  
4 was when I really made the decision to change and  
5 to surrender my life. I enrolled in the Fortune  
6 Career Development program. When I finished that,  
7 I started taking GED classes and computer classes.  
8 When I signed up to take GED classes the first  
9 time, the GED test, it took more than three months  
10 to get a test date. Then when I got to the test  
11 site, there was over 100 people in line, and most  
12 of all was walkings [phonetic]. But I had to get  
13 in line with the same group of people. It was  
14 very disorganized there. There wasn't really  
15 accurate time. It was very noisy and  
16 unsupervised. On that test, I passed everything  
17 but the writing, which I failed by 20 points. So  
18 I went back to class and kept studying. The next  
19 application I sent out never came back. Finally  
20 when my teacher got me a date at LaGuardia  
21 Community College. That time I passed the  
22 writing, and obtained my GED. Since then, I got a  
23 job, I'm working as a chauffeur. Six months ago I  
24 moved out of the Castle into my own apartment, and  
25

1  
2 I have registered for college. I'm going to start  
3 BMCC on January 26th. The GED made a big  
4 difference in my life. We need to get more GED  
5 classes, and more testing. Before I obtained my  
6 GED, that's all I wanted was to obtain my GED.  
7 Once I did that, I said, "Why stop there? The  
8 sky's the limit."

9 CHAIRPERSON FIDLER: I want to  
10 thank the three of you, and you really are all  
11 very inspiring, and state the case for why this  
12 hearing and this topic and these programs are so  
13 very important. So I just want to thank you all  
14 for coming in.

15 MALE VOICE: Thank you.

16 MALE VOICE: Thank you very much.

17 CHAIRPERSON FIDLER: Our final  
18 panel on this topic, Jacqueline Espinosa, Dorell  
19 Thomas, Curt Mills, Ernest Suarez, and Enjoli  
20 Joubert Soto [phonetic].

21 JACQUELINE ESPINOSA: Good  
22 afternoon, Mr. Chairman, and members of the  
23 Committee. My name is Jacqueline Espinosa. I got  
24 my GED in 2008, and it was a struggle for me. I  
25 am a wife and a mother of two young children. I

1 had my son when I was 16-years old, and was unable  
2 to complete my high-school education. With the  
3 support of my husband, and the help of a great  
4 literacy program at LaGuardia, I was able to get  
5 my GED. But I never would have had the chance to  
6 change my life and life for my family if my GED  
7 program had not been free and supported by public  
8 funds. Now with the help of many people,  
9 including CUNY's College Transition Program, I am  
10 currently enrolled as a college student at  
11 LaGuardia Community College. I feel like nothing  
12 can stop me now. Thank you for holding this  
13 important hearing, and for allowing me to testify  
14 today. I am here on behalf of the Adult Education  
15 Alumni Alliance which is a newly-formed group of  
16 GED graduates. We have come together to empower,  
17 and connect the city's community of adult  
18 learners. Our aim is to help adult learners  
19 achieve their education, career, and life goals.  
20 On behalf of the Adult Education Alumni Alliance,  
21 I would like to highlight four things the City  
22 Council can do. First, amend eligibility for the  
23 Vallone Scholarship Program to include GED  
24 graduates who score above a designated threshold,  
25

1 equivalent to a B average in high-school level  
2 coursework. Currently, only high-school graduates  
3 with a B average who complete 12 regent level  
4 academic credits in high school are eligible for  
5 an award. We believe that GED graduates should  
6 also be included as eligible candidates for this  
7 important scholarship. While there may be a need  
8 for more money overall, to fund the Vallone  
9 scholarships at a higher dollar amount, correcting  
10 this exclusionary policy to pave the way for  
11 outstanding GED graduates to qualify would not  
12 cost any money this year. It only requires that  
13 the City Council clarify the policy, and your  
14 intent to make college more affordable for all  
15 academic high achievers. Second, fund an  
16 urgently-needed expansion of GED preparation  
17 classes and college transition programs. The GED  
18 diploma is a gateway to college and career. The  
19 Council can improve the quality of life for people  
20 like me and every district of the city by  
21 expanding the number of seats available. Third,  
22 work with the state legislature to explore the  
23 issues raised in this hearing in more depth. We  
24 know that aspects of the system are under state,  
25

1  
2 not city jurisdiction. Therefore we call on the  
3 City Council to work closely with the state  
4 legislature to increase oversight of adult  
5 education system. Finally, we urge all City  
6 Council members to consider hiring one of the many  
7 talented GED graduates in New York City as interns  
8 of staff in your offices. Like college students  
9 who attend four years of high school, GED alumni  
10 seek opportunities to develop our skills and gain  
11 work experience. Give us a chance, and we can  
12 prove ourselves. The Mayor's Office of Adult  
13 Education has taken the lead in this area by  
14 creating an internship for nine GED graduates. We  
15 call on City Council members to match this effort.  
16 Once again, thank you for the opportunity to  
17 testify on behalf of the Adult Education Alumni  
18 Alliance.

19 DORELL THOMAS: Good afternoon. My  
20 name is Dorell Thomas, and I run a very small GED  
21 program at Greenhope Services for Women, which is  
22 a substance-abuse program which means all my  
23 clients are mandated to actually be at Greenhope.  
24 I'd just like to talk about how difficult it is to  
25 get my students registered for the GED, even

1  
2 though they are prepared to take the test. My  
3 name is Dorell Thomas, and I run a small, fairly  
4 successful GED program at Greenhope Services for  
5 Women. I want to acknowledge Mr. Ronald Pettaway  
6 [phonetic], Chief Examiner at Manhattan EOC for  
7 securing seats for Greenhope's clients at his  
8 agency. I should add that Mr. Pettaway secures  
9 these seats in expedited fashion. Greenhope's  
10 relationship with Manhattan EOC allows clients who  
11 will pass the GED predictor test to sit for the  
12 GED exam. Getting students registered for the GED  
13 is not easy even for small programs such as  
14 Greenhope School that have a fairly successful  
15 passing rate. As the teacher at Greenhope, I  
16 rigorously prepare students in all the subject  
17 areas. However, without Manhattan EOC's support,  
18 it would be difficult to register my students for  
19 the exam. Thank you.

20 [Pause]

21 ERNST SUAREZ: Good afternoon,  
22 everybody. My name is Ernst Suarez, and I got to  
23 Highbridge Community Learning Center for my GED.  
24 I'm 26-years old, I'm a single father of two.  
25 Unfortunately during my high school years when I



1 was younger, I didn't care about school at that  
2 time. So I thought I'll get by, grab a GED later  
3 on. But I tried about three years ago to get my  
4 GED. It wasn't easy, and at that time, I started  
5 having kids. I just wish that you are really  
6 taking consideration to keep funding our schools  
7 for GEDs and whatnot. Unfortunately, I didn't  
8 write anything down, so everything I'm saying is  
9 coming from my head right now. And I know I'm  
10 probably not the only person that has bills to pay  
11 and things to do. If I was to put a price on  
12 young youth or even younger people getting their  
13 GEDs, it will be a lot harder because I have to  
14 work, I have to make sure my kids are in day care,  
15 and then have time for school as well. Now if I  
16 was paying for it at the same time, it would be a  
17 lot harder. When you hear "free," it encourages  
18 people to do things. But it's not about free,  
19 it's about who wants to do it. I heard everyone  
20 else speaking earlier today, and they said  
21 everything that was on my mind as well. So I want  
22 to give time to other people to speak as well.  
23 Thank you very much, and really hope you take into  
24 consideration what I said.  
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[Pause]

ENJOLI JOUBERT: Hi. Hello. My name is Enjoli Joubert, and I attend Highbridge GED Community Program. I wanted to say preparation is required to take the test, but if it were not for GED, I guess we as students would not be productive individuals in the workforce. Now that the country's going through a recession, you have to expect dropout rates in high school to go up, even more individuals not willing to work because they feel discouraged about their lack of education. I agree with Mr. Felder earlier about the guidance counseling, mainly because if I had counseling in high school, I would probably have my high-school diploma by now. I feel that those students who take the GED exam and fail should have counseling so that they can retake the exam, GED test again. And it would encourage the workforce to go up, like, as far as rates of people working going up, instead of being unemployed, which would hurt the recession even more. So if you can take into consideration providing funds to the GED programs, I could see a turnaround as far as the country is concerned.

[Pause]

CURT MILLS: Hi. Good afternoon.

My name is Curt Mills. I'm a GED instructor at Highbridge Community Life Center and very briefly, I'd just like to first thank everyone who does help us maintain a program at no cost to our students. As Ernest and some of the other students have mentioned, it would be prohibitive for many individuals to come to classes, and to partake of the services being offered if it were not for those who were generous enough to help us provide these services. And I'd like to thank Foster as one of the organizations who helps us fund some of our youth through a counseling program that we provide for some of our younger students. I just very briefly would like to ask the City Council to please consider the fact that, yes, other states have a far higher passing rate than we do in New York State, but that is because of the cost that they are providing. Each student must pay for that test. If we are going to provide this test to our students and all individuals, make it accessible to them, we need therefore, to have the funds available to help

1  
2 them. And the process of giving an official  
3 practice test to each student before they sit for  
4 the exam is the best way for us to assess and to  
5 assure that those students are going to have a  
6 higher passing rate. Again, thank you for  
7 considering funding our programs, and it is  
8 extremely important, as you have heard this  
9 morning. Thank you.

10 CHAIRPERSON FIDLER: I want to  
11 thank you all for testifying as well. This is our  
12 last panel on this portion of the hearing, and I  
13 want to say to those of you who are here on this  
14 issue that we held this hearing because we are the  
15 choir to whom you are preaching. We understand  
16 that we have to, in tough times, be especially  
17 mindful of programs that if were cut, we'd be  
18 penny wise and pound foolish. That the examples  
19 we've heard here of the value of a GED program, a  
20 value of the GED diploma to so many of you, and  
21 then the fact that down the road the pay for  
22 themselves over and over and over and over again,  
23 not just in social value, but in dollars and cents  
24 is something that should not be lost on us. And  
25 the other thing, and this goes back to the

1  
2 beginning of this hearing, is that in tough times,  
3 you have to learn how to do things that have to be  
4 done more efficiently and effectively. And while  
5 we are clearly on the road to doing that for GEDs,  
6 we are not there yet. And we need to press that  
7 envelope. I wish the State Department of  
8 Education were here, and subject to our  
9 jurisdiction because I think they are the ones  
10 that need to answer to the questions of why their  
11 RFP did not include for a school district the size  
12 of New York an overall single processing center so  
13 that there would be a real coordination so that we  
14 could do this program more efficiently,  
15 economically, more efficiently for the people it's  
16 designed to serve. And certainly those are things  
17 that we need to work on, and continue. That's the  
18 reason for this hearing today; to highlight those  
19 two points. So I think I can speak for those of  
20 my colleagues who were here earlier, that we will  
21 continue to support GED programs to the absolute  
22 extent we can, and we will continue to press for  
23 the reforms of the program that will make it run  
24 more efficiently so that we can afford to do as  
25 much as we possibly can. So I thank you all for

1  
2 your testimony, and we need to move onto the  
3 second part of this hearing on the resolution. I  
4 hope our witnesses have returned. Okay. [Pause]  
5 What's the Reso number.

6 FEMALE VOICE: 930.

7 [Pause]

8 CHAIRPERSON FIDLER: Councilman  
9 [phonetic], if you would join us. [Pause] Okay.  
10 On Reso number 930, the primary sponsor of the  
11 Resolution is Councilman Avella. I'm going to  
12 give him the opportunity to say a few words before  
13 we call our first panel of witnesses.

14 COUNCIL MEMBER AVELLA: Thank you,  
15 Mr. Chair, and I appreciate the fact you've been  
16 here for a very long hearing today, and I also  
17 want to thank those people who are here to testify  
18 on this issue for staying so long. I know some of  
19 them already had to leave because of the length of  
20 the first hearing. Could I ask for some quiet  
21 from the people.

22 MALE VOICE: Quiet please.

23 CHAIRPERSON FIDLER: Please take  
24 your conversations outside.

25 COUNCIL MEMBER AVELLA: Thank you,

1  
2 Mr. Chair. This resolution is about inclusion.  
3 It's about fairness. Right now the policy of the  
4 Department of Education during the winter holiday  
5 season is to allow symbols of the Jewish and  
6 Islamic faiths to be displayed, yet when it comes  
7 to the Christian faith, they display the Christmas  
8 tree. What this resolution asks is the Department  
9 of Education to simply include the nativity scene  
10 in those displays. We're not asking for anything  
11 more. We're not asking for anything less. Just  
12 to be treated fairly. And one of the arguments  
13 that I've heard since I introduced this resolution  
14 in 2007 is that the Menorah and the Star and  
15 Crescent which are displayed in the public schools  
16 are secular symbols, yet the crèche is a religious  
17 symbol. Well, that argument may have been  
18 appropriate prior to the court decision, but once  
19 the court decision came down and recognized the  
20 fact that the Menorah, and the Star and Crescent  
21 are religious symbols, that should have been the  
22 end of the discussion. At that point, the  
23 Department of Education and the Mayor should have  
24 said, in all fairness, then we should include the  
25 crèche. Again, this is a very--in my opinion--a

1 very simple issue. Even though the city  
2 technically won the lawsuit, because the Second  
3 Circuit Court basically said that the city was  
4 okay in its policy, it did leave the door open for  
5 the city simply to include the crèche. And it  
6 also did recognize once and for all that the other  
7 two symbols are religious in nature. And again,  
8 that the city could just simply include them. The  
9 Department of Education policy actually allows for  
10 this to happen, and it is beyond me why the city  
11 doesn't do this. So I know you're going to hear  
12 from a number of speakers that are still here that  
13 may give a little more insight into the legal  
14 interpretation of the court decision. But this is  
15 all about inclusion. This is all about fairness.  
16 If my colleague Simcha Felder were here, I know  
17 his position is that, well, we shouldn't have any  
18 in the schools. And something, I agree with that.  
19 But that's not the reality of the situation. The  
20 reality is we have two faiths represented. We  
21 should have the third. It should be about  
22 fairness. It should be about inclusion. Thank  
23 you, Mr. Chair.

24  
25 CHAIRPERSON FIDLER: Thank you,



1 Council Member Avella. I'm going to call up  
2 [Pause]. Not to put you on the spot, but just  
3 came back into the room. We're going to call up  
4 Dr. William Donohue from the Catholic League, and  
5 Brian Rooney from the Thomas Moore Law Center.  
6 For the first panel, I'm not going to run the  
7 clock. Thereafter, I'm going to, unfortunately,  
8 be forced to do that because we have to vacate the  
9 room shortly. For those of you who were away  
10 during the first half of this hearing, we ran the  
11 clock as well. I don't do it out of any  
12 disrespect, and I know that you've waited a long  
13 time, and then to be given two minutes can be a  
14 little frustrating. But unfortunately we had a  
15 heavy agenda today, and there is another meeting  
16 in this room sooner than I want to tell you. So  
17 the first panel though, I will not run the clock  
18 on. Thank you.

19 [Pause]

20 WILLIAM DONAHUE:: Thank you very  
21 much for the opportunity to speak to you today.  
22 This is an issue which I've been involved  
23 personally since 2001. At that time, I found out  
24 that Dr. Harold Levy, the Schools Chancellor said  
25

1  
2 that they had a memo in the Department of  
3 Education allowing a Menorah and a Star and  
4 Crescent, but not a nativity scene. I questioned  
5 him about that in a letter. He wrote back, "The  
6 Supreme Court has previously refused to permit  
7 erection of a nativity scene on public property."  
8 That is simply, flatly wrong. Indeed, I  
9 encouraged his attorney, at the time Chad Vignola,  
10 that if that were true, then he should sue me, and  
11 he should also sue the New York City Parks  
12 Department because I get a permit from the Parks  
13 Department every year since the mid-90s, as I did  
14 again just recently, to put a nativity scene on  
15 public property in Central Park. Jews have the  
16 Menorah, occasionally Muslims have a Star and  
17 Crescent. Nobody has complained. I don't have it  
18 adorned with secular symbols, because you don't  
19 need to in a public forum. The New York Civil  
20 Liberties Union and others have not complained.  
21 My question is why is it that I can have a  
22 religious symbol in Central Park, but not across  
23 the street in a public school, but Jews and  
24 Muslims can have their religious symbols in both  
25 areas? This went back and forth--I will spare you

1 all the detail about that--for quite awhile.  
2 Eventually, with the assistance of the Thomas  
3 Moore Law Center--Brian is here today to represent  
4 them, he'll speak about it in a minute--I secured  
5 standing by getting a woman from Queens, a member  
6 of the Catholic League who are about 350,000  
7 members nation wide, with tens of thousands in the  
8 New York area. She agreed to be the plaintiff so  
9 we could have standing. Now in the decision in  
10 2004, Judge Sifton said that the cross was clearly  
11 religious, but the Menorah and the Star and  
12 Crescent were not clearly religious. We didn't  
13 accept that. We won an appeal, and in the Second  
14 Circuit, they ruled that Sifton was wrong on that.  
15 That of course the Menorah is religious--it  
16 symbolizes miracles. Of course the Star and  
17 Crescent is religious. Then they said this, they  
18 said, "Because Christians are afforded a secular  
19 symbol, namely the Christmas tree, they can't  
20 claim absolute discrimination. But this is the  
21 reason why I'm here today. This is what they  
22 said. "We do not here decide whether the city  
23 could, consistent with the Constitution, include a  
24 crèche in its holiday school displays." So all  
25

1  
2 I'm asking for is equity. I'm not looking for  
3 special privileges. I'm simply saying this, that  
4 the courts have decided that the Menorah is  
5 religious, any observant Jew will tell you that;  
6 the Star and Crescent is religious, that's an  
7 Islamic religious symbol. Why are we given a  
8 Christmas tree, and told to be satisfied with  
9 that? I just don't understand the inequity, and  
10 the courts are leaving the door open. If you were  
11 to allow the nativity scene, for the exact same  
12 number of days, whatever the regulations are, that  
13 are afforded the Menorah and the Star and  
14 Crescent, that would satisfy everybody. I don't  
15 know too many people who are going to complain.  
16 After all, who are these people who are now  
17 saying, "You have to have the Christian symbol  
18 out, but the Jewish and the Islamic symbol in?"  
19 Don't you have a sign up there, a government of  
20 the people, by the people, for the people?  
21 Wouldn't that include Christians who are the  
22 majority of the people in this country? Again,  
23 I'm not looking for special rights, I'm looking  
24 for equitable treatment. And I hasten to add, if  
25 I found out that Jews were afforded the dreidel

1 [phonetic], and said to be satisfied with that, or  
2 the Muslims were told to be satisfied with some  
3 secular symbol, I would be on the side of my  
4 Jewish brothers and sisters as well as the  
5 Muslims, and saying if Catholics can have a  
6 nativity scene, then you should have the Menorah  
7 and the Star and Crescent. And I want to thank  
8 Tony Avella, Councilman Avella, and others for  
9 staying with us on this. Catholics won't forget  
10 it. I want a vote. I'd like to see if people say  
11 that Muslims and Jews should have preferential  
12 treatment in the schools, over Catholics and  
13 Protestants, I'd like to find out who they are and  
14 what their reasoning is. Thank you very much.

16 BRIAN ROONEY: Thank you. I  
17 represent the Thomas Moore Law Center, a national  
18 public-interest law firm. We represented Andrea  
19 Skoros and her two children in a lawsuit against  
20 the City of New York, and Joel Klein, the  
21 Chancellor of the New York City Department of  
22 Education, before ultimately the Second Circuit  
23 Court of Appeals. We challenged the  
24 constitutionality of the Department of Educations'  
25 holiday display policy, the policy that is the

1 subject of the resolution today, Council Member  
2 Avella's. Although it is true that the Second  
3 Circuit did not find the Department of Education's  
4 policy unconstitutional, the Court went on to make  
5 the important point as Bill Donohue said, and  
6 explicit point that an inclusion of a crèche in a  
7 DOE policy would not necessarily make the DOE  
8 policy unconstitutional, contrary to the DOE's  
9 reasoning on keeping the crèche out. Further, the  
10 second circuit explicitly ruled, and this point  
11 can't be made more often, is that contrary, again,  
12 to what the memo the DOD policy stated the Menorah  
13 and the Star and Crescent are religious symbols.  
14 The Court specifically stated that even though the  
15 DOE policy was wrong in regard to the true nature  
16 of the Menorah and the Star and Crescent, that  
17 very fact that they are religious symbols does not  
18 make the DOE policy unconstitutional. Part of the  
19 reason the DOE policy stated that they were  
20 secular was because they were afraid that that  
21 policy would become unconstitutional. And the  
22 court ruled the opposite of that. That these are  
23 religious symbols, and it's still constitutional  
24 to have this policy the way they have it. This  
25

1  
2 line of reasoning, by the Second Circuit Court  
3 constitutionally allows for a display of a crèche  
4 as well. The Department of Education's policy  
5 reads to be inclusive, and to promote  
6 understanding and respect for the rights of all  
7 individuals, regarding their beliefs, values, and  
8 customs. That's the policy. However, a Christmas  
9 or holiday tree does not meet the stated goal of  
10 the DOE policy. In fact, the Christmas tree  
11 actually obscures the true purpose of the State of  
12 New York, and federal holiday of Christmas.

13 Whereas a Menorah and Star and Crescent are very  
14 appropriate to further the stated goals of the DOE  
15 policy, a Christmas tree is simply inadequate to  
16 the task. However, a crèche is a learning tool  
17 that represents an historical event surrounding a  
18 religious figure, much the same way a Menorah  
19 represents an historic event that has religious  
20 significance. Those that are hostile to the  
21 Christmas traditions tend to hide behind a mantle  
22 of tolerance, only to promote intolerance.

23 Indeed, we learn to understand and respect  
24 traditions, customs, and beliefs, not by being  
25 offended or threatened by the traditions of

1  
2 others, but by understanding the meaning of such  
3 traditions, and why they had the capacity to  
4 inspire. In fact, that's the stated goal of the  
5 DOE policy. Throughout the enforcement of the  
6 current Holiday Display Policy, school officials  
7 permit and encourage the public display of the  
8 Menorah, a Jewish religious symbol, and the Star  
9 and Crescent, a religious symbol of Islamic faith  
10 during various holiday and seasonal observances.  
11 However, the Department of Education's policy  
12 prohibits the public display of a Christian  
13 Nativity scene of a crèche at any time including  
14 those times when it would be accompanied by the  
15 Menorah and Star and Crescent. The Department of  
16 Education's justification for this discriminatory  
17 policy against the crèche is fundamentally flawed,  
18 much like their characterization and justification  
19 for the Menorah and the Star and Crescent were  
20 flawed, as ruled by the Second Circuit Court. The  
21 Star and Crescent and Menorah are religious  
22 symbols that serve the DOE's secular learning  
23 purpose. A crèche is no different.  
24 Discrimination is discrimination, and the DOE's  
25 policy has the effect of being discriminatory. As



1  
2 politically correct as it may seem in the so-  
3 called multi-cultural society, the Department of  
4 Education's policy of excluding the crèche is  
5 internally inconsistent, objectively hostile and  
6 bigoted, and must be changed. And I've included  
7 on the final page of my presentation, the explicit  
8 quotes from the Second Circuit Court's opinion.  
9 Thank you.

10 CHAIRPERSON FIDLER: Thank you, Mr.  
11 Rooney, and any attorney who sues Chancellor Klein  
12 is always welcome in these Chambers. I want to  
13 thank you for your testimony today on the  
14 resolution, and I want to call up the next panel.  
15 I'm sorry. Councilman Avella? We're really tight  
16 for time though.

17 COUNCIL MEMBER AVELLA: I only have  
18 one question, and I thank you both for your  
19 testimony. I think it was fairly succinct.  
20 Correct me if I'm wrong, but what we're asking for  
21 is for the crèche to be displayed at the same time  
22 and in the same manner as the Menorah and Star and  
23 Crescent, because all three holidays of the three  
24 major faiths occur basically at the same time.

25 BRIAN ROONEY: Exactly. And the

1  
2 Second Circuit said that just because they're  
3 religious symbols does not mean that it's a  
4 violation of the constitution. If it meets the  
5 pedagogical interest of the DOE's policy of a  
6 stated secular goal. And that's a learning goal.  
7 And the crèche is very appropriate for that.

8 WILLIAM DONAHUE:: I would just say  
9 that the Parks Department allows us roughly 10  
10 days. Jews have 10 days with the Menorah, Muslims  
11 occasionally when they want to put up the Star and  
12 Crescent have 10 days. We have always observed  
13 that, as do Jews and Muslims. There's never any  
14 question. Of course they have to have defined  
15 periods of time. We respect that. We just simply  
16 want equity.

17 COUNCIL MEMBER AVELL: Thank you.  
18 Thank you, Mr. Chairman.

19 CHAIRPERSON FIDLER: Thank you  
20 both. I am not going to call up our next witness,  
21 Cynthia Rudder from Americans United. And again,  
22 I apologize, I'm going to be running a two-minute  
23 clock. I know you've waited a long time, it's no  
24 disrespect. Just that we have to be out of the  
25 room very shortly.

1  
2 CYNTHIA RUDDER: My name is Cynthia  
3 Rudder, I'm Vice President of the New York City  
4 Chapter of Americans United for Separation of  
5 Church and State. With me is Jason Steward, our  
6 President. Americans United is a nonpartisan  
7 organization dedicated to preserving the  
8 constitutional principle of church-state  
9 separation which is the only way to ensure  
10 religious freedom for all Americans. The  
11 Department of Education policy has been found to  
12 be constitutional. We understand that. But we're  
13 concerned that displaying any religious symbols,  
14 the Department of Education may be seen as  
15 encouraging the practice of particular religions.  
16 Our pluralism of religious belief is one of our  
17 greatest strengths. With more than 2,000  
18 religious traditions in this country would the  
19 policy that's being suggested here advance or  
20 hinder the stated goal by focusing only on a few?  
21 If this resolution passes, you might begin to have  
22 Wiccans, Hindi, and is that where we want to go is  
23 to have 2,000 different religious symbols on our  
24 school property? More importantly, it may confuse  
25 or emotionally harm our school children. Children

1  
2 spend a great part of the day in the classroom and  
3 on school property. We must strive to ensure they  
4 feel comfortable and accepted in the environment.  
5 Displaying religious symbols, even during the  
6 holidays, may cause some students to feel  
7 uncomfortable and unwelcome because their  
8 particularly religious or non-religious views are  
9 not represented. If the sponsors of this  
10 resolution are looking for parity, it is not, as  
11 this resolution seeks, to add more and more  
12 religious symbols of all the diverse religions in  
13 our population. Americans United believes that  
14 religious symbols are private, and belong in the  
15 home, or in houses of worship, not on public  
16 property, and especially, especially not in our  
17 public schools. We understand that the goal of  
18 this resolution is to seek fairness with the  
19 Department of Education's Holiday Display Policy,  
20 but we must be careful. We urge you to vote down  
21 this resolution. And perhaps we have a member,  
22 and I'm sorry that the member that Councilman  
23 talked about who was against all religious symbols  
24 is not here. Maybe he would be interested in  
25 suggesting a resolution that tells the Department

1  
2 of Education that they should only be displaying  
3 really secular items if they wanted to talk about  
4 diversity of culture. We agree with Justice  
5 Stevens in his dissent in 1989. "In my opinion,  
6 the Establishment Clause should be construed to  
7 create a strong presumption against the display of  
8 religious symbols on public property. There is  
9 always a risk that such symbols will offend non  
10 members of the faith being advertised as well as  
11 adherents"--people who are Catholic, who believe  
12 in this--"who consider the particular  
13 advertisement disrespectful" in the way it's  
14 placed. Thank you very much for the opportunity.  
15 We'll be glad to answer any questions. I know  
16 you're late, but we heard a lot of people talking  
17 in favor of the resolution. And we'd like to,  
18 well, I'd like to have some, if anyone has any  
19 questions, particularly--

20 CHAIRPERSON FIDLER: Councilman?

21 CYNTHIA RUDDER: No.

22 CHAIRPERSON FIDLER: Apparently  
23 there are none. Thank you.

24 MALE VOICE: Thank you.

25 CHAIRPERSON FIDLER: Our next panel

1  
2 is Patrick Rooney from the Queens County Ancient  
3 Order of Hibernians, and Frank Milewski from the  
4 Polish-American Congress.

5 [Pause]

6 CHAIRPERSON JACKSON: Thank you,  
7 Mr. Chair. While the next panel is being seated  
8 one of the people who was going to be here  
9 testifying has submitted testimony for the record,  
10 and that's Rosemary Ginty. She's the Executive  
11 Director of the Catholic Community Relations  
12 Council. And she is also submitting two letters  
13 into the record from the Most Reverend Nicholas  
14 DeMazio [phonetic] who is head of the Queens-  
15 Brooklyn diocese, and from Edgewood [phonetic]  
16 Cardinal Eagan [phonetic], the Archbishop of New  
17 York, in support of the resolution.

18 CHAIRPERSON FIDLER: Thank you,  
19 Council member. One of you jump in there, and  
20 start.

21 PATRICK ROONEY: My name is Patrick  
22 Rooney. I'm here representing the Ancient Order  
23 of Hibernians. The Department of Education  
24 Display Policy currently prohibits the display of  
25 the Christian Nativity scene, or crèche in a

1  
2 manner similar to that of the Jewish Menorah, and  
3 the Islamic Star and Crescent are permitted. Now  
4 we're all very familiar with the Constitution, and  
5 we know that the Constitution addresses religion  
6 in its first amendment, and it says that "Congress  
7 shall make no law respecting an establishment of  
8 religion, or prohibiting the free exercise  
9 thereof." Now in this Resolution 930, there are  
10 three court cases stated, and the judge found in  
11 the first one that the display of the Nativity  
12 scene, or crèche, was not a violation of the  
13 Establishment Clause of the United States  
14 Constitution. In the second case, the judge found  
15 that the display of the crèche and the Nativity  
16 scene to be constitutional. And in the third  
17 case, the court found that a display did not  
18 constitute an endorsement of religion, and was  
19 permissible. Now one of these court cases also  
20 stated that it would be perceived by a reasonable  
21 observer as a "celebration of diversity of the  
22 holiday season, including the traditional  
23 religious and secular symbols of that season."  
24 Now a reasonable person, I would say, would come  
25 to the conclusion that the Board of Education got

1  
2 the holiday policy terribly wrong. Therefore I  
3 urge the Council of the City of New York to call  
4 upon the Department of Education to allow these  
5 displays. It's interesting to note that the word  
6 holiday comes from the word holy day, and over  
7 history, the only time people got off, regardless  
8 of the religion throughout the world was on holy  
9 days. So it's kind of ironic that we're having  
10 this conversation with the Board of Ed referring  
11 to a holiday season where they won't permit a  
12 religious symbol. Thank you very much.

13 MARTIN KELLY: My name is Martin  
14 Kelly, and I represent the National Board of the  
15 Ancient Order of Hibernians. And I'm sorry I  
16 don't have a written statement, because it was  
17 only last night that I got word that this meeting  
18 was going to go on. But I promised to the  
19 Councilman that I would submit a written statement  
20 within the week to his office. But I'm here to  
21 represent thousands of families from across the  
22 country from the Ancient Order of Hibernians. A  
23 previous speaker spoke about Catholic, as a symbol  
24 of the Catholic faith. The crèche is not a symbol  
25 of the Catholic faith, it's a symbol of Christian



1  
2 faith. And this country was formed in the Judeo-  
3 Christian faiths. Our Constitution is written on  
4 that. And we have a Christmas holiday, an  
5 admitted national holiday for the feast of  
6 Christmas, the day of Christmas. Now if it's a  
7 national holiday, why shouldn't our kids know what  
8 they're celebrating? Isn't it an education in  
9 itself to explain what the crèche and the Star and  
10 Crescent and the Menorah stand for? That's  
11 education in itself. So why are they so opposed  
12 to the crèche displayed at the schools? My wife  
13 works in the Board of Education, my son is a  
14 school teacher with the Board of Ed. And I don't  
15 see why they can't teach what the displays are all  
16 about. That's education in itself. Across this  
17 country, the crèche is displayed in public spaces.  
18 Why is New York City separate? Why is New York  
19 City abandoning the crèche, and allowing the Star  
20 and Crescent, and the Menorah to be displayed? I  
21 would be here fighting for the Menorah to be  
22 displayed if it wasn't. If the crèche was there,  
23 and the Menorah wasn't. I'd be here fighting for  
24 their rights. Even in the papers, the news media,  
25 there was a big thing to do about atheists having

1  
2 their display. So if they're allowed to put it,  
3 and they're atheists, why not have what the season  
4 is all about, which is Christmas. We can't have  
5 the symbol of Christmas displayed in our public  
6 schools. I thank you for your time, and your  
7 allowing us to speak at this meeting today. Thank  
8 you Councilman.

9 CHAIRPERSON FIDLER: Mr. Kelly, I  
10 have to apologize for the expression, but you  
11 slipped me a Mickey there. You were not one of  
12 the witnesses I called.

13 MARTIN KELLY: No. But I  
14 represented the--

15 CHAIRPERSON FIDLER: I understand.  
16 And we shouldn't do that.

17 MARTIN KELLY: But I'm with the  
18 Ancient Order of Hibernians, and I represent - -

19 CHAIRPERSON FIDLER: I understand.  
20 I understand. Just let me finish. You need to go  
21 and fill out a slip--

22 MARTIN KELLY: I did.

23 CHAIRPERSON FIDLER: --now that  
24 you've testified.

25 MARTIN KELLY: I did.

CHAIRPERSON FIDLER: You did?

Okay. I'm sorry. We just didn't have it up here. All right. Thank you very much, both of you. I appreciate your testimony. And here it is. You are in the next panel. Okay. Never mind. Was Mr. Milewski here? Mr. Milewski please, and I'm going to ask you to be joined by our final panel as well, Bridget Kenny, I guess from the Ladies Auxiliary or side of the Ancient Order of Hibernians, and Maureen Leahy, Ladies Ancient Order of Hibernians. Maureen has better handwriting than Bridget.

FRANK MILEWSKI: My name is Frank Milewski, and I'm the President of the Polish-American Congress Downstate New York Division which is the umbrella organization of the Polish community in Southern New York State, encompassing New York City. And I'd like to present a view from a little different perspective. In our organization, among our members are many individuals who once lived under Communism. Their determination to resist the repression of that system, and fight for their basic human rights contributed greatly to the downfall of Communism

1  
2 in 1989 when the Berlin Wall came down. Many of  
3 them immigrated to the United States, and are here  
4 now as American citizens. Why? Because the  
5 always looked at American as a shining light, and  
6 an inspiration to everyone who wanted freedom.  
7 They admired our ideals of liberty, democracy, and  
8 justice. These new Americans from Poland are  
9 predominantly Christian, mostly Catholics. Many  
10 of them are now sending their children to the  
11 public schools of New York City. If they were  
12 financially able, many of them would have  
13 preferred to send them to parochial schools. What  
14 surprises them when Christmas comes around is the  
15 reluctance to display a Nativity scene in the  
16 schools their children attend, especially when  
17 symbols of non-Christian religions are also used.  
18 When these Polish immigrants lived under  
19 Communism, they experienced a continual hostility  
20 to their Christian beliefs. They can't help  
21 wondering why a great American city like New York  
22 seems so hesitant to display a universally  
23 traditional Christmas symbol like a crèche. The  
24 Nativity scene has been a traditional American  
25 Christmas symbol from the very first days America

1  
2 became a nation. Why would the City of New York  
3 now step away from an American Christmas tradition  
4 that has always been an integral part of the way  
5 the American people observe this holiday season  
6 all these years? I may add one other thing.  
7 Those of us from my generation who attended New  
8 York City public schools when they were children  
9 had--

10 CHAIRPERSON FIDLER: [Interposing]  
11 Mr. Milewski, I have to ask you to sum up. You're  
12 way over two minutes.

13 FRANK MILEWSKI: I'm summing up  
14 with my last comment. An observation: we had  
15 readings from the Bible in public school, not in  
16 Georgia, not in Alabama, not in Mississippi, but  
17 right here in New York. And I might say to the  
18 representative of the Americans for Separation,  
19 that even though we had Christians in the  
20 schoolroom, Jews, other people--other religions,  
21 no child suffered mental anguish or psychological  
22 trauma. There was no ill effects. Thank you.

23 BRIDGET KERNEY: My name is Bridget  
24 Kerney [phonetic], and--

25 CHAIRPERSON FIDLER: Ms. Kerney,

1  
2 just wait one second. As you can see, a large  
3 number of people have arrived. The Transportation  
4 Committee meeting will start immediately after our  
5 hearing. This is our last panel, so we should be  
6 getting there very soon. Housing and Buildings,  
7 if you here for Housing and Buildings, next door.

8 BRIDGET KERNEY: My name is Bridget  
9 Kerney, and I chair the New York State Committee  
10 on Legislation for the Ladies Ancient Order of  
11 Hibernians. I urge the elected officials of the  
12 City of New York to pass as soon as possible  
13 Resolution 390 which calls on the New York City  
14 Department of Education to allow the display of  
15 the Nativity scene during the Christmas holiday  
16 season, in the same manner it allows other  
17 religious symbols, including the Menorah, and the  
18 Star and Crescent to be displayed. It is  
19 imperative at this time in order to maintain its  
20 credibility that the New York City Council pass  
21 this resolution, and help bring to an end the  
22 exclusion of the symbol of Christmas in our  
23 children's public elementary and secondary  
24 schools. The Council needs to show to the rest of  
25 the country and the rest of the world that the

1  
2 elected officials of New York City do not agree  
3 with the exclusionary policy of the Department of  
4 Education in banning the display of the Nativity  
5 scene in the schools. It is inconceivable to me  
6 and to all the people I speak with about this  
7 issue that this outrageously exclusionary policy  
8 has been allowed to continue in the city's public  
9 schools for so long. It is insulting to the vast  
10 majority of the citizens of New York City. The  
11 Christmas season brings several million visitors  
12 to our city each year. It is an enormous source  
13 of income to our businesses, and revenue to our  
14 city. Christmas is a worldwide multicultural and  
15 religious event. It should be part of our  
16 children's education to learn the facts and the  
17 history of this great holiday. It is a federal  
18 holiday in the United States. According to the  
19 Department of Education, the stated purpose of its  
20 Holiday Display Policy is the goal of fostering  
21 understanding and respect for all individuals  
22 regarding their beliefs, values, and customs.  
23 Displaying the nativity scene, along with other  
24 religious symbols upholds this policy whereas  
25 excluding it does the exact opposite. It is

1  
2 incomprehensible that the Department of Education  
3 would allow its practice of exclusion in this  
4 matter to continue in light of the ruling by the  
5 U.S. Court of Appeals in which they said that  
6 displaying the Nativity scene along with the other  
7 religious symbols would not violate the  
8 constitution. The Court also rejected the claim  
9 of the New York City Department of Education that  
10 the Menorah is not a religious symbol, calling the  
11 claim absurd. I am confident that the Council of  
12 the City of New York will realize the necessity of  
13 passing this resolution right away. This issue  
14 will not go away, and has already gained a lot of  
15 publicity throughout the tri-state area.  
16 Newspapers have supported the passage of this  
17 resolution--

18 CHAIRPERSON FIDLER: [Interposing]

19 I have to ask you to sum up. I'm sorry.

20 BRIDGET KERNEY: --in their  
21 editorials. I enclose one from the Times Ledger  
22 Newspapers. Thank you for your time.

23 MAUREEN LEAHY: Good afternoon. My  
24 name is Maureen Leahy. I am the Ladies Ancient  
25 Order of Hibernians Queens County President. In



1  
2 reference to Resolution 930, we are requesting  
3 passage of this resolution which would allow the  
4 display of the Nativity scene during the Christmas  
5 holiday season. As a concerned citizen, and a  
6 member of the Ladies Ancient Order of Hibernians,  
7 we feel this is an important issue that affects  
8 many students and their families in New York City  
9 primary and secondary schools. It is an insult to  
10 our culture and belief that this is not allowed to  
11 be displayed. As a Christian and a proud  
12 American, I feel that this country was founded on  
13 religious freedom and tolerance, and that it is  
14 wrong for the Department of Education to decide  
15 what our Christmas holiday symbol should be. Not  
16 written here, but a Christmas tree is actually  
17 from pagan practice, and it has nothing to do with  
18 Christmas. The Nativity scene is fundamental to  
19 our belief. It is simply an historical family  
20 scene. It's accepted by many other faiths as an  
21 event that definitely occurred. And it should not  
22 be offensive to anyone. We feel that it is  
23 equally important that our children not feel that  
24 their Christmas holiday is anything to be ashamed  
25 of, or to be hidden. Children should be

1  
2 encouraged to feel pride in their very different  
3 cultures and heritage. It is a federal holiday,  
4 but it also is an international, multicultural,  
5 and multi-racial holiday. It is important that  
6 the Board pass this resolution since it affects so  
7 many people. We think cultural acceptance and  
8 understanding is important for our children, and  
9 we applaud, and encourage the display of all  
10 holiday symbols. We are just asking that the  
11 Nativity scene be included. Christmas is not a  
12 snowflake or a tree. New York City is known to be  
13 a leader for change and equality, please pass this  
14 resolution.

15 CHAIRPERSON FIDLER: Thank you very  
16 much, and I appreciate the fact that you were just  
17 on time. For concluding remarks, the resolution  
18 sponsor, Councilman Avella.

19 COUNCIL MEMBER AVELLA: Thank you,  
20 Mr. Chair. First of all, I appreciate your  
21 allowing some of the speakers to go over their  
22 three-minute time. I know it's been a very long  
23 hearing today. This is a issue that's not going  
24 away, and it is about fairness. It is about  
25 inclusion. And I think when people really start

1  
2 to see the legal issues, and really read the court  
3 decision, I think they'll come away with the fact  
4 that Department of Education simply has to amend  
5 their policy. And it would, as the court has  
6 said, it would not be unconstitutional if they did  
7 so. I appreciate having the hearing today. I  
8 will be following up with Council Staff and the  
9 leadership to have a follow-up hearing, and a  
10 vote. I think this Council needs to take a stand  
11 on this issue, and I think it needs to be put to  
12 the test. And for me, it really is a no-brainer.  
13 It's about inclusion, it's about fairness. Thank  
14 you, Mr. Chair.

15 CHAIRPERSON FIDLER: And if I may  
16 make my concluding comments. I just want to say  
17 that the tough part of this issue is whether they  
18 should all be included or none of them should be  
19 included. I think the equity argument was made  
20 very well, and while I'm not sure I read the court  
21 case in the same way as Mr. Rooney did, I think  
22 that's for me the tough question. Certainly, and  
23 I personally would lean towards including them  
24 all. In the interest of diversity, and we  
25 celebrate diversity, and in fact, celebrate means

1  
2 you don't hide it. But I have to say this, and I  
3 may be politically incorrect, maybe not for me to  
4 say this. But I heard a lot of talk about  
5 fairness, inclusion, discrimination, equity,  
6 tolerance. All those words would ring just a  
7 little more strongly in my ears if at the St.  
8 Patty's Day parade, people like my speaker could  
9 participate, be included, and celebrate that event  
10 as both a proud Irish Catholic, and proud of our  
11 sexual orientation. And maybe there's a deal we  
12 could make here so we can all celebrate who we are  
13 in the City of New York. And I realize that you  
14 didn't come here to speak to that issue, and none  
15 of you did. But it's just something that I think  
16 should occur to all of us as we look at  
17 celebrating who we are in the City of New York,  
18 and being proud of who we are in the City of New  
19 York, and understanding that we can all be  
20 included, and be proud of who we are without it  
21 denigrating who somebody else is. So having said  
22 that, I hereby conclude this hearing.

C E R T I F I C A T E

I, Elizabeth Poulson, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Elizabeth Poulson*

Date February 6, 2009