

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON EDUCATION

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April 28, 2010
Start: 1:08 pm
Recess: 4:33 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
ROBERT JACKSON
Chairperson

COUNCIL MEMBERS:

- Council Member Charles Barron
- Council Member Fernando Cabrera
- Council Member Margaret S. Chin
- Council Member Daniel Dromm
- Council Member Lewis A. Fidler
- Council Member Helen D. Foster
- Council Member Daniel R. Garodnick
- Council Member David G. Greenfield
- Council Member Vincent M. Ignizio
- Council Member G. Oliver Koppell
- Council Member Karen Koslowitz
- Council Member Jessica S. Lappin
- Council Member Stephen T. Levin
- Council Member Deborah L. Rose
- Council Member Eric A. Ulrich
- Council Member James Vacca
- Council Member Albert Vann
- Council Member Mark S. Weprin

A P P E A R A N C E S [CONTINUED]

Robert Jackson
Opening Statement
Chairperson
Committee on Education

Nicole Gutierrez
Ellis Preparatory Academy
Intern
Committee on Education

Louis Ramon Diaz
Ellis Preparatory Academy
Intern
Committee on Education

Anthony Irozello
Principal
School in Daniel Dromm's District

Kathleen Grimm
Deputy Chancellor
Division of Infrastructure and Portfolio Planning
Department of Education

Jeff Shear
Chief of Staff
Division of Infrastructure and Portfolio Planning
Department of Education

Elizabeth Bergin
Senior Director
Capital Planning
School Construction Authority

Testimony presented for the record
Council of Supervisors and Administrators
In support of Intro 155

Testimony presented for the record
Advocates for Children
In support of Transformation Zone

A P P E A R A N C E S [CONTINUED]

Testimony presented for the record

Lenore Brown

In support of Resolutions 156 and 157 and Intro 155

Testimony presented for the record

Victoria Valencia

In support of Resolutions 156 and 157

Testimony presented for the record

Cynthia Williams

Parent Leader

New York City Coalition for Education Justice

Mother of six children who attend public school

In support of Resolutions 156 and 157

Testimony presented for the record

Julia Boyd

Parent from Boys and Girls High School, Brooklyn

In support of Transformation Zone

Testimony presented for the record

Shareen Carrington

PA President

Maxwell High School

In support of Transformation Zone

Testimony presented for the record

Kenneth Moore

PA President

Robison High School

In support of Transformation Zone

Testimony presented for the record

Latoya Anthony

PA Member

Sheep's Head Bay High school, Brooklyn

In support of Resolutions 156 and 157

A P P E A R A N C E S [CONTINUED]

Testimony presented for the record

Esperanza Vasquez

Parent

New Settlement Department

Coalition for Educational Justice

In support of Resolutions 156 and 157

George Sweeting

Deputy Director

New York City Independent Budget Office

Sarita Subramanian

Education Capital Analyst

New York City Independent Budget Office

Eric McGill

Education Policy Analyst

Representing

Scott Stronger

President

Borough of Manhattan

Leonie Haimson

Executive Director

Class Size Matters

Emily Horowitz

Professor of Sociology

St. Francis College

Chairperson

Task force on Overcrowding

Subcommittee to Reform the Blue Book

Manhattan Borough President's Office

David Bloomfield

Professor of Education

CUNY Graduate Center

Educational Leadership Program

Brooklyn College

Former President

Citywide Council on High Schools

A P P E A R A N C E S [CONTINUED]

Lenore Brown
Cypress Hill Resident
Member
Cypress Hill Advocate for Education
New York Coalition for Educational Justice

Doug Israel
Director
Research and Policy
Center for Arts Education

Rev. Joade Daur-Cardasis
Pastor of Episcopal Parish
Bronx, New York
Representing
Bishop Mark Sisk
Bishop Catherine Roskam
Diocese of New York, Episcopal

Helen Rosenthal
Former Chairperson
Community Board 7
Manhattan

Shino Tanikawa
Parent of two children in public school
Member
Community Education Council District 2

Elliot Skip Roseboro
Coalition for Educational Justice

Ann Kjellberg
Public School Parent Advocacy Committee

Aysha Schaumberg
Counsel
Committee on Education

Jan Atwell
Policy Analyst
Committee on Education

A P P E A R A N C E S [CONTINUED]

Joan Pavone
Committee on Education
Regina Peredo Ryan
Finance Policy Analyst
Committee on Education

Shirley Limongee
Communications
Committee on Education

Nathan Toth
Assistant Director
Capital Division
New York City Council

Joanna Garcia
Chairman Jackson's Staff

Beth Shuler
Chairman Jackson's Staff

Sara Margrave
Chairman Jackson's Staff

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[Gavel banging]

CHAIRPERSON JACKSON: Well good afternoon everyone and welcome to the Education Committee's hearing on Intro number 155 and Resolution number 156 and Resolution number 157. Let me introduce my colleagues that are present this afternoon. From my left to my right, colleague from Queens, Karen Koslowitz; my colleague from the Bronx, Fernando Cabrera; and our colleagues from Queens, Council Member Eric Ulrich from Queens; and my colleague to my right from Staten Island is Vincent Ignizio. Is there anyone in back? You know, there's 51 of us. You have to try to remember all 50--gee whiz, that's a tough task. And welcome to today's Education Committee hearing.

Intro number 155 is a bill I sponsored that would amend the City Charter of New York to require the Chancellor to submit to the City Council by November 1st of each year, an annual report on enrollment, capacity and school utilization data for the prior school year, to be utilized for the current and future 5-year Capital Plan. Currently the Department of Education

1
2 produces an enrollment capacity and utilization
3 report also known as the Blue Book. And if you
4 don't know what it looks like, it looks like this.
5 It's a pretty thick book and it's white but it has
6 blue writing on it. [Chuckling].

7 The Blue Book is a crucial tool for
8 capital planning as it is supposed to show the
9 physical capacity of school buildings and whether
10 schools are overcrowded or underutilized. However
11 the current Blue Book is seriously flawed and
12 doesn't accurately reflect real conditions in most
13 schools especially when it comes to overcrowding.
14 To find out if this was true, in 2008 I
15 commissioned a survey of school principals
16 conducted by Professor Emily Horowitz of St.
17 Francis College and Leonie Haimson of Class Size
18 Matters. More than one-third of all principals in
19 the City of New York responded to the survey. Of
20 those who responded, half of principals at the
21 schools that the Department of Education reported
22 as underutilized said their schools were actually
23 overcrowded.

24 School overcrowding is a serious
25 problem in New York City schools and a very

1
2 important issue to me. Over the past two years
3 Manhattan Borough President Scott Stringer issued
4 three reports on overcrowded schools in Manhattan.
5 And the Comptroller of the City of New York
6 released a report on school overcrowding citywide.

7 Spring is here and newspapers are
8 once again filled with stories of long
9 Kindergarten wait list and of students across the
10 City who can't find a seat in their neighborhood
11 school. This is totally unacceptable. Add to
12 this the increasing competition for scarce space
13 due to creation of new schools and collocation of
14 charter schools inside existing district school
15 buildings and the result is guess what, we're
16 facing a real school facilities crisis.

17 The current Blue Book makes the
18 situation worse because it doesn't show the true
19 level of overcrowding. For one thing, overcrowded
20 schools that have had to convert specialized
21 spaces such as science labs, libraries, music
22 rooms, art rooms, dance studios, etcetera, into
23 regular classrooms so that their official capacity
24 in the Blue Book increased as a result of that.
25 In addition New York City schools are required by

1
2 State law to reduce class size for all grades, K
3 to 12. The current Blue Book methodology only
4 reflects the reduced class size targets for grades
5 K to 3, not for grades 4 to 12.

6 Thus it distorts the notion of how
7 much space is actually available in the schools
8 that are under State mandate to reduce class size.
9 Something's wrong here. And that's why we need a
10 true book to replace the Blue Book. A book that
11 tells the truth about how much space is or is not
12 available in our schools. For that reason we're
13 proposing Intro number 155 to fix the problem with
14 the current Blue Book.

15 In addition to the Blue Book bill
16 we'll be hearing testimony today on Resolutions
17 number 156 and 157 both of which I sponsored.
18 Resolution number 156 would call on the New York
19 City Department of Education to implement models
20 of expanding learning time based on the New York
21 City Coalition for Educational Justice, commonly
22 known as CEJ, their campaign for redesign and
23 expansion of school day and year and a strategy to
24 assist low performing schools improve student
25 performance.

1
2 Many educators and policy makers
3 believe that students need more time than the
4 average 6 hours a day, 180 days school year to
5 master the 21st Century skills such as critical
6 thinking and teamwork as well as core academics in
7 order to compete in our global economy. Hundreds
8 of initiatives to extend learning time have been
9 launched across the nation. With some linked to
10 increased student achievement. And some models of
11 expanded learning time entail additional costs
12 that can vary widely from a few hundred dollars to
13 more than \$1,000 per student each year, while
14 other models do not require any expenditures
15 whatsoever.

16 The generation schools model
17 expands learning time by up to 30% for all
18 students without increasing teacher work time.
19 Instead teachers work on staggered schedules to
20 extend the day so that there is no added cost.
21 It's time for New York City to try to expand
22 learning time as one strategy to help improve
23 struggling schools.

24 Resolution number 157 would call on
25 the New York City Department of Education to

1
2 establish a School Transformation Zone and based
3 on the model proposed by the New York City
4 Coalition for Educational Justice to improve low
5 performing schools and prevent school closings.
6 Right now the Department of Education's only
7 strategy for dealing with low performing schools
8 seems to be shut them down. Close them up. And
9 replace them with charter schools.

10 Now I know the Department of
11 Education may disagree with me but I haven't heard
12 anything yet as to the detailed plans that they
13 have made, but since the Mayor gained control of
14 the City school system in 2002 the Department of
15 Education has closed 91 schools and many of them
16 large high schools and replaced them with new
17 small schools or charters. And as you know the
18 Mayor said in Washington DC that he plans on
19 closing 10% of the lowest performing schools over
20 the next 4 years and that adds to about 150
21 schools.

22 So I believe as do many others that
23 closing schools should not be the last resort.
24 And it should only be used after other efforts
25 have been made to help struggling schools. Last

1
2 month on March 2nd, this Committee held an
3 oversight hearing on the Department of Education's
4 proposed school closings. And at that hearing my
5 colleagues and I asked the Department of Education
6 what steps they took to help struggling schools
7 before closing them down.

8 I specifically asked the Department
9 of Education to show me any written action plans
10 they had developed to help turn around these
11 schools. In response the Department of Education
12 sent us copies of the school's own comprehensive
13 education plans for every school, every school
14 leadership team that is required to comply every
15 year to show how much their plan to use the funds
16 allocated to the schools.

17 So in essence we asked to tell us
18 what you've done in each school to turn this
19 school around before you decided to close it. And
20 what they did is they sent us all of the CEPs, the
21 Comprehensive Education Plans that was established
22 by the school leadership teams and said here.
23 Here is it. A CEP is not what you specifically
24 have done to turn around schools. That's not an
25 action plan. That is not an action plan.

1
2 A Comprehensive Education Plan is
3 what you plan on achieving. But as to an action
4 plan, tell me how much more additional money
5 you're putting in, tell me how much more
6 additional help you're giving it, tell me what
7 have you done in collaboration with parents to say
8 specifically what your benchmarks are going to be
9 to turn this school around. And whether or not
10 that's one year, two years, three years or
11 whatever. That was not done.

12 But I thought that I was very
13 clear: an action plan, not a CEP. If I wanted a
14 CEP, I would have asked for a Comprehensive
15 Educational Plan for each school.

16 Critics argue school closures
17 displace many of the students most at risk
18 including special education students and English
19 language learners who may drop out as a result.
20 There is evidence of collateral damage created by
21 closing large high schools. In a report issued by
22 the Center for New York City Affairs, which found
23 that as the lowest achieving large high schools
24 were closed, large schools were closed; thousands
25 of students particularly new immigrants and

1
2 children receiving special education services were
3 diverted to remaining large schools. The
4 graduation rate and attendance rates at these
5 schools then declined and some became failing
6 schools that were subsequently closed. You hear
7 what I'm coming from? There seems to be a spiral
8 effect here.

9 So there is a domino effect, some
10 people may call it, from school closings leading
11 to surrounding schools becoming overcrowded with
12 greater concentrations of high need students, then
13 being targeted for closure themselves. To halt
14 this vicious cycle it took a lawsuit by a
15 coalition including UFT, the NAACP, the Alliance
16 for Quality Education, Manhattan Borough President
17 Scott Stringer, State elected officials, parents
18 and City Council Members including myself to stop
19 the Department of Education from closing the
20 latest round of 19 schools.

21 A number of parents and advocates
22 such as the New York City Coalition for Education
23 Justice have called on the Department of Education
24 to fix these low performing schools rather than
25 close them down. CEJ has proposed a comprehensive

1
2 improvement strategy, development of a School
3 Transformation Zone that will give all struggling
4 schools the opportunity to join the zone and turn
5 themselves around before being subject to closure.
6 One of the required elements for the zoned schools
7 would be to add more instructional time to the
8 school day and year. A similar model formerly
9 called The Chancellor's District was created in
10 the New York City by former school Chancellor Rudy
11 Crew in 1996 to improve low performing schools.

12 Schools in the Chancellor's
13 District received additional resources and
14 assistance that included smaller class sizes,
15 extended learning time, after school programs with
16 tutoring, and enrichment activities, intensive
17 professional development, and extensive
18 instructional support. Although the Chancellor's
19 District was ended in 2003 by the Bloomberg
20 Administration a 2004 evaluation by the Institute
21 for Education and Social Policy at NYU, New York
22 University, found that the Chancellor's District
23 significantly improved the reading outcomes of
24 students in those schools in three years of
25 focused effort.

1
2 After leaving New York City Rudy
3 Crew because Superintendent of Miami schools and
4 established a similar School Improvement Zone in
5 Miami which succeeded in dramatically raising
6 student achievements in Miami's lowest performing
7 schools. In fact Miami's School Improvement Zone
8 was named one of the top 50 programs of the 2008
9 Innovations in America Government Award
10 Competition. Obviously it's time to reinstitute
11 this successful initiative here in New York City,
12 its birthplace by creating a School Transformation
13 Zone for struggling schools. [Applauding]

14 [Audience applauding]

15 CHAIRPERSON JACKSON: Sometimes
16 when no one applauds you have to applaud yourself.

17 [Audience laughing]

18 CHAIRPERSON JACKSON: My colleagues
19 and I are eager to hear from the Department of
20 Education, their views on Intro number 155 as well
21 as to get feedback on Intro 155, Resolution 156,
22 Resolution 157 from DOE if they wish and other
23 interested witnesses.

24 Everyone who wishes to testify
25 today must fill out a witness slip with is located

1
2 at the desk at the Sergeant of Arms to my left, to
3 your right, in the front of the chambers. Please
4 indicate on the witness slip whether you are here
5 to testify in favor or in opposition of Intro 155,
6 Resolution 156 or Resolution 157.

7 I want to point out however that we
8 will not be voting on any of these items today as
9 this is just the first hearing on all three. We
10 will allow as many as possible to testify.
11 Testimony will be limited to three minutes per
12 person and now I'd like to introduce additional
13 colleagues that have arrived.

14 In front to my left is Council
15 Member Lew Fidler of Brooklyn; Danny Dromm next to
16 him of Queens; over here in front of me Oliver
17 Koppell of the Bronx; along with our brand new
18 colleague from where? The great Borough of
19 Brooklyn, David Greenfield, the newest kid on the
20 block, David welcome to the Education Committee.
21 You're welcome. And of course Dan Garodnick our
22 colleague from Manhattan. David you missed
23 earlier when I was like hesitate on announcing
24 some of my colleagues because I said there's 51 of
25 us and I don't have the list in front of me and I

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have to remember 51 names.

[Off mic]

CHAIRPERSON JACKSON: [Chuckling]

That's good. I like to hear that.

[Off mic]

CHAIRPERSON JACKSON: Where are they at? Are my interns here? Oh. We have--let me just say that we've had--my office has had two interns working over the summer and they're working now as far as part of their high school program from Ellis Preparatory Academy which is up in the Bronx at the JFK Campus. Where's Nicole Gutierrez and Louis Ramon Diaz, two high school students.

[Applause]

CHAIRPERSON JACKSON: And they're doing a great job.

[Off mic]

CHAIRPERSON JACKSON: Okay. And we've also been joined by a principal, a principal at Danny Dromm's school, where's Anthony Irozello? Where's he at, Anthony? Welcome to our hearing.

[Applause]

CHAIRPERSON JACKSON: Okay with

1
2 that I want to thank all my colleagues for your
3 indulgence in reading my opening statement. I had
4 a lot to say. And now we're going to turn to the
5 Department of Education and I believe we have
6 several individuals, Kathleen Grimm, our Deputy
7 Chancellor for Infrastructure, Portfolio and
8 Planning at the Department of Education. We have
9 Jeff Shear, the Chief of Staff of Division of
10 Infrastructure and Portfolio Planning and
11 Elizabeth Bergin, a Senior Director of Capital
12 Planning, SCA. So welcome the three of you. And
13 along with your staff and whoever wants to go
14 first you may be--introduce yourself and you may
15 begin your testimony.

16 DEPUTY CHANCELLOR KATHLEEN GRIMM:

17 Thank you very much Chair Jackson and members of
18 the Education Committee. As stated, my name is
19 Kathleen Grimm. I am Deputy Chancellor of the
20 Department and with me is my Chief of Staff, Jeff
21 Shear and Elizabeth Bergin who is our Senior
22 Director at the SCA for Capital Planning.

23 We are pleased to be here today to
24 discuss the proposed Intro number 155. The New
25 York City public school system as you know

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2 educates more than 1 million students in over
3 1,600 schools. We are the largest single school
4 district in the United States and our public
5 schools collectively enroll more children than the
6 population of 8 states. Constructing and
7 maintaining school buildings to serve so many
8 students is an enormous undertaking particularly
9 in a city where the real estate market is
10 notoriously competitive.

11 Despite these challenges the Mayor
12 has made the expansion and improvement of our
13 school infrastructure a priority. And with this
14 Council's help this Administration has made
15 unprecedented progress in building the overall
16 capacity of our school system. As you all know
17 the 5-year Capital Plan from 2005 to 2009
18 included construction of 55,000 new public school
19 seats. We are now in the 1st year of the 2010-2014
20 plan which will add an additional 30,000 seats to
21 our system.

22 Over the course of these 2 plans,
23 the Administration will have added more than
24 85,000 new seats to our system and I think that's
25 something that we should all feel enormously proud

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about. And certainly your collaboration has been instrumental in that progress. You supported our efforts to get our Capital Plans fully funded. You directed hundreds of millions of dollars towards improving school buildings in your districts and you contributed ideas that have enhanced our capital planning. So we value your continued attention to building our system-wide school capacity.

But while we appreciate the intentions behind this bill, we do not believe that it will enhance our capital planning efforts and it imposes enormous new reporting burdens on our principals.

I'd like to spend a few minutes just talking about the so-called Blue Book and our capital planning efforts. Each fall the Department publishes its enrollment capacity and utilization report, known fondly by all of us as the Blue Book. In the interest of transparency and to support community engagement in our capital planning efforts this very detailed report is released both in print and on our website where it is readily accessible to parents, educators,

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community leaders and elected officials.

We also actually release three versions of this report. One provides information by building showing the capacity and utilization of each school housed in a given building. The second version is school-based and consolidates all relevant data for each school operating multiple sites into a single listing. And the third version organizes all of this information by City Council District so each of you have a succinct listing of all your schools.

The Blue Book identifies the maximum physical capacity of all public school buildings. And then it compares that capacity against audited enrollment levels which are not finalized until January, to calculate an annual utilization rate for every City school. Now of course conditions in our buildings are hardly static so we update our inventory of space and utilization rates every single year.

As part of this process school principals complete what is called an Annual Facilities Survey where principals share the latest information regarding the size, function

1
2 and use of each room in their school buildings.
3 And in the case of shared campuses how rooms are
4 allocated among the different schools.

5 The School Construction Authority
6 then devotes a considerable amount of time and
7 attention to analyzing and auditing these data
8 including conducting some random site visits to
9 selective schools to audit the data. As a result
10 the most current Blue Book always presents data
11 from the previous school year.

12 This information is vital because
13 the first step in identifying new capacity needs
14 in the City, whether we are talking about
15 construction of new buildings or creating annexes
16 and additions is assessing these utilization rates
17 in our existing facilities. In this way we can be
18 confident that we are using our existing building
19 efficiently before devoting capital funding to new
20 construction projects.

21 The Blue Book provides a very clear
22 and effective framework for the Department to
23 evaluate facility usage consistently across
24 schools. We have developed standard formulas to
25 calculate school capacity based on the grade

1
2 levels served within each building. And over the
3 past few years with considerable input from
4 Council Members, advocates and other community
5 leaders, we made several significant enhancements
6 to those formulas.

7 Firstly, in addition to what we call
8 the historical capacity and utilization rate, our
9 traditional method for calculating school
10 capacity; we introduce something called the target
11 rate which reflects aspirational goals for maximum
12 classroom capacity. We also lowered target
13 capacity levels in grade 4 to 12 to reflect our
14 goals of reducing average class size. This target
15 calculation can be adjusted as goals change while
16 the historical rate allows us to make consistent
17 comparisons year over year.

18 Another important change recently
19 introduced is that we now break out data to
20 indicate the capacity of dedicated pre-
21 Kindergarten classrooms and required cluster
22 classrooms in elementary schools. It is important
23 to understand that these formulas err on the side
24 of being conservative in terms of assumed facility
25 usage.

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2 For example in our middle and high
3 schools we assume that our standard classrooms are
4 used for 7 out of 8 periods a day and that our
5 specialty rooms are used only 5 out of 8 periods.
6 Now we know in many cases school leaders are able
7 to use those classrooms much more effectively.
8 And the Department provides extensive support to
9 principals to help them make strategic programming
10 and staffing choices that optimize use of their
11 available resources. But again for planning
12 purposes we are using this more conservative
13 formula.

14 The utilization rates of our
15 schools and buildings understandably garner much
16 attention but these realities make it clear that
17 the utilization statistic alone does not fully
18 capture the space situation in any given building
19 nor does it account for shifting demographics and
20 future enrollment trends which might impact
21 facility needs in a community going forward. For
22 those reasons the Blue Book is merely one element
23 of the Department's comprehensive capital planning
24 process.

25 In developing capacity

1
2 recommendations for our 5-year Capital Plan, our
3 analysis draws on existing capacity, coupled with
4 capacity that is under construction. Capital
5 planning also requires an assessment of emerging
6 needs. The School Construction Authority employs
7 to demographic firms to help develop 5 and 10-year
8 enrollment projections. These projections
9 incorporate data on birth rates, the census,
10 historical enrollment trends, and retention rates.

11 We then overlay information on
12 housing starts and rezoning efforts.

13 Incorporating this broad range of data allows us
14 to monitor shifts in enrollment on an ongoing
15 basis so we can make timely adjustments where
16 there is a sustained increase or decline in need.

17 We also engage in a very robust
18 public review process with Community Education
19 Councils, certainly the City Council and other
20 elected officials and community groups. We amend
21 our Capital Plan annually based on these
22 conversations and the latest data which allows us
23 to catch emerging needs quickly so we can make
24 needed changes in a timely way. This November,
25 for example, we added 5,000 seats to our current

1
2 5-year plan to reflect what we saw as a shifting
3 enrollment projection.

4 Our capital planning is an evolving
5 process. But we do believe it has effectively
6 guided our capital planning over the last past
7 several years. Your input has also enhanced our
8 efforts to meet the needs of students and their
9 families. For example, several Council Members
10 urged us to revise capital planning to reflect
11 needs at the neighborhood level rather than the
12 District level. We adopted that recommendation
13 for elementary and middle schools and it has
14 helped us better address pockets of overcrowding
15 within Districts where overall enrollment has been
16 declining.

17 The effectiveness of our capital
18 planning process is most clearly manifest in the
19 85,000 new seats that we will be bringing online
20 through these two consecutive Capital Plans. When
21 construction funded under the current plan is
22 completed, 8% of City students will be enrolled in
23 classrooms or buildings that did not exist in 2005
24 at the beginning of the first plan. That
25 unprecedented growth occurring even in these tough

1
2 times provides clear evidence that our capital
3 planning process is making a real difference for
4 students and families across the City.

5 I'd like to spend a few minutes
6 talking about some of the logistical challenges
7 that we see in the proposed legislation. Because
8 of the success we have seen in terms of these
9 additional seats, we must question the value of
10 imposing additional reporting requirements on the
11 Department and more importantly on our principals.

12 While we appreciate the intentions
13 behind the proposed legislation and share your
14 goals certainly of continuing to improve the
15 capital planning process, the logistical
16 challenges of implementing the proposal as written
17 are enormous. The proposed legislation would
18 require us to report historical changes in room
19 usage for the past 15 years. Yes, the last 15
20 years. Many of our principals have not served in
21 their current buildings for 15 years and even
22 those who have done so might not recall various
23 changes in room utilization over that entire
24 period.

25 Moreover such anecdotal

1
2 recollections even when available would not
3 provide a legitimate basis for reporting. As a
4 result we would have to dig into archival records
5 to obtain original building plans and any
6 subsequently construction plans where they exist.
7 These records may or may not have room usage
8 information. Additionally some classroom
9 conversions actually do not require physical
10 modifications so no construction records would
11 exist in those cases, making full compliance with
12 the proposed legislation a logistical
13 impossibility.

14 Moreover unlike today's Blue Book
15 we would not be able to produce a report that
16 allowed for fair and consistent comparisons
17 between schools because the quality and the
18 availability of building records would vary across
19 the entire City. Compiling and researching
20 building records also would be time consuming and
21 labor intensive. And I can't stress this enough,
22 particularly for our principals from whom we
23 gather this information. It is worth noting that
24 principals already devote considerable time to
25 meeting Federal, State and City reporting

1
2 requirements and our Annual Facilities Survey is a
3 particularly time consuming and complex survey as
4 it is.

5 And while these reports provide
6 vital information the time and labor involved
7 necessarily comes at the expense of visiting
8 classrooms, working with teachers or meeting with
9 students and their families. Consequently the
10 Department is working very hard to streamline
11 reporting requirements so that our educators can
12 focus on instructional priorities.

13 In a universe where budgets are
14 strained and educators are already stretched thing
15 we ask you to join us in this effort by exercising
16 caution in adding to the extensive reporting
17 demands our principals already face. In the case
18 of this bill the Department believes that the
19 value of the information when weighed against the
20 time and labor required to obtain it simply isn't
21 worth it.

22 We know that our existing data
23 collection and capital planning protocols have
24 produced unprecedented school construction. And
25 we also know that there are many reasons for

1
2 converting classrooms in buildings from one
3 purpose to another that have nothing to do with
4 crowding or capacity considerations. For example
5 many school buildings undergo major renovations.
6 A former high school might be used to house an
7 elementary school or we may convert a large school
8 into a campus housing multiple smaller schools.
9 Major renovations generate classroom conversions
10 but these take place as the facility is
11 substantially enhanced.

12 In other cases classrooms are
13 repurposed because of changing instructional
14 models or because student demand for once popular
15 courses such as home economics or typing has
16 waned. The net effect of these conversions
17 benefits students but under this legislation the
18 changes might appear as a loss of capacity.

19 Likewise the proposed legislation
20 fails to account for the creation of new cluster
21 or specialty rooms within a school building even
22 when those rooms are specifically created to
23 replace other spaces converted away from those
24 purposes. It doesn't account for specialized
25 classrooms in newly constructed buildings some of

1
2 which are purposefully designed to house schools
3 with distinctive themes or programs. And it is
4 unclear how the proposal would account for the
5 value of capacity in auditoriums, cafeterias and
6 other spaces that are not included in our existing
7 calculations. Simply put, much of the new
8 information principals would spend time gathering
9 would not be effective in terms of enhancing the
10 capital planning process itself.

11 So in conclusion I want to
12 reiterate to all of you that we share your goal of
13 building capacity in our system. And with your
14 continued support we have made unprecedented
15 progress in improving and expanding public school
16 facilities. This September, this September we
17 will open 25 brand new school buildings with over
18 17,000 new seats. Over the course of the 2 5-year
19 Capital Plans we are funding construction of
20 85,000 new seats across the five Boroughs.

21 We understand your desire to have
22 additional facilities information to build on
23 those achievements but as we continually strive to
24 improve our capital planning we must balance this
25 desire with a realistic sense of what information

1
2 is easily accessible and useful. We simply cannot
3 distract principals from their primary
4 responsibilities as instructional leaders to
5 compile information that we don't think we need.

6 Additionally as the Council is
7 aware, State law requires the preparation of the
8 Capital Plan by the Chancellor specifies its
9 elements and establishes the process for its
10 approval. We have concerns that this bill might
11 be preempted by State law to the extent that it
12 seeks to modify the elements of the plan or
13 related requirements. We will of course leave
14 that to the lawyers.

15 I hope you consider these concerns
16 carefully as you evaluate the merits of this bill.
17 We would be glad to meet with you to discuss these
18 issues further and to identify alternative
19 strategies to enhance information gathering and
20 sharing around facility issues that would minimize
21 the burden on our educators or avoid
22 jurisdictional questions.

23 I want to thank you again for
24 having us here today and we are happy to take your
25 questions and respond to any other information you

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might ask for. Thank you.

CHAIRPERSON JACKSON: Well thank you Deputy Chancellor Grimm. We've been at this for about nine years, you and I. And while I respect you a lot for who you are I don't always agree with you, you know that.

DEPUTY CHANCELLOR GRIMM: Yes I do know that but I think working together we have accomplished a great deal Mr. Chair.

CHAIRPERSON JACKSON: That's true. Let me introduce additional colleagues. Charles Barron who joined us from Brooklyn; Jimmy Vacca of the Bronx; and Al Vann of Brooklyn coming in; and also Jessica Lappin of Manhattan. And next to me -he said and me: Mark Weprin of Queens, thank you Mark.

COUNCIL MEMBER WEPRIN: You're welcome.

CHAIRPERSON JACKSON: I'm going to turn to my colleagues first for questions and then I'll come back to myself. Our colleague Fernando Cabrera of the Bronx.

COUNCIL MEMBER CABRERA: Thank you so much Mr. Chairman. I want to take really a

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2 moment to thank you for introducing this vital
3 bill because it's been my experience so far, even
4 as a new member, that often we don't get accurate
5 information. We get misguided information
6 regarding what's really taking place in the DOE
7 and school. A perfect example of that is what I
8 just heard in the testimony being related to the
9 fact--insinuating the principal that this will be
10 a burden to principals.

11 And in speaking to principals in my
12 District, they're very eager to report and we see
13 here written testimony from the CSA Union in full
14 support of this bill. So we see an obvious
15 contradiction or perception how the DOE sees and
16 perceives their principals and what they're really
17 going through. I mean we have 550 principals who
18 in a survey just done a couple of years ago stated
19 that the class sizes were too large while the
20 Board of Ed is reporting they're underutilized.

21 So there's an obvious--so it leads
22 me to my first question. Why does not the DOE use
23 State mandated class size targets for grades 4 to
24 12? If it is mandated by the State, I would like
25 to know why the DOE is not following the State

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mandated class size targets.

DEPUTY CHANCELLOR GRIMM: Well the class size targets are targets that we have put in place in conjunction with the State and we are working toward them. We do not use those targets in the capital planning process because the capital planning process measures the capacity of every individual classroom, the maximum capacity of each individual classroom.

The targets for the citywide class size are averages across the system. So we're not talking about exactly the same thing.

COUNCIL MEMBER CABRERA: Well I'm looking at the report that was provided to us by the Legislative Director and I basically took it word for word but let me just proceed here forward and I tend to trust our Legislative Director a lot more here.

In terms of how many--I'm just curious as to how many school trailers do we have at the present moment?

[Pause]

DEPUTY CHANCELLOR GRIMM: 363.

COUNCIL MEMBER CABRERA: And how

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many have passed their lifespan?

DEPUTY CHANCELLOR GRIMM: Who many?

COUNCIL MEMBER CABRERA: Have
passed their lifespan?

DEPUTY CHANCELLOR GRIMM: Well it's
not that there is a given lifespan--

COUNCIL MEMBER CABRERA:
[Interposing] Yes, of 10 years.

DEPUTY CHANCELLOR GRIMM: Pardon?

COUNCIL MEMBER CABRERA: 10 years.
The lifespan of a trailer is 10 years.

MS. ELIZABETH BERGIN: We do annual
inspections of the trailers themselves to ensure
that they are safe and still worthy to house
students. So we do look at the trailers. The
lifespan really is dependent on the ability to
maintain them and the maintenance operations that
occur so 10 years is perhaps an average. Some of
ours are older but they still are in good
condition and can house--

COUNCIL MEMBER CABRERA:
[Interposing] How many would you estimate are over
10 years old?

MS. BERGIN: I don't have that

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information.

COUNCIL MEMBER CABRERA: Can you get us that data--

DEPUTY CHANCELLOR GRIMM:
[Interposing] Yes.

COUNCIL MEMBER CABRERA: --it would be very useful. And my last question here is why space occupied by charter schools are not calculated as part of the capacity?

DEPUTY CHANCELLOR GRIMM: Do you want to answer that? Yes?

[Pause]

MS. BERGIN: The Blue Book has always assumed that the charter enrollment and capacity--the Blue Book identifies it but in determining capacity calculations for our need assessment we assume that both the enrollment capacity and the enrollment and the capacity is removed from those calculations. So we are looking at general education needs and that is the assumption we have made from the beginning of the Blue Book and the capacity needs assessment.

COUNCIL MEMBER CABRERA: If I heard from other hearings you consider charter schools,

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2 regular schools--

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DEPUTY CHANCELLOR GRIMM:

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[Interposing] They are public schools.

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COUNCIL MEMBER CABRERA: --and I'm-

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DEPUTY CHANCELLOR GRIMM:

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[Interposing] Yes.

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COUNCIL MEMBER CABRERA: --maybe

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I'm a little confused here. But their students--

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I'm going to keep in the simplest form, common

12

denominator, there are students, they are

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occupying space. They should be calculated. They

14

are occupying space and so what I see here is a

15

false reporting. We're not getting accurate data.

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DEPUTY CHANCELLOR GRIMM:

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Respectfully, it's not false reporting. Let's--

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first of all we have charter schools and what are

19

charter schools. Charters are public schools

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because they receive public funds. And they are

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our public school children. We have a formula in

22

the--in our capital planning process that as I

23

understand it removes both the enrollment--

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MS. BERGIN: [Interposing] And the

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capacity.

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2 DEPUTY CHANCELLOR GRIMM: --and the
3 capacity. It's just a formula. It is one way to
4 look at it. If you--if you find that difficult we
5 can look at that formula and see if we might want
6 to change it.

7 COUNCIL MEMBER CABRERA:

8 Definitely. Thank you Mr. Chairman, my time is
9 up. Maybe another Council Member could pick up my
10 line of questioning.

11 CHAIRPERSON JACKSON: Well let me--
12 let's pick up on that. So.

13 DEPUTY CHANCELLOR GRIMM: Um-hum.

14 CHAIRPERSON JACKSON: What I was
15 trying to understand in listening to the question
16 and the response, hum, charter schools that are
17 collocated in a public school is not configured
18 into the number of students using the utilization
19 and capacity and the number of students in the
20 building?

21 MS. BERGIN: No, that's not
22 correct--

23 CHAIRPERSON JACKSON: [Interposing]
24 What are we hearing. I mean I--

25 MS. BERGIN: [Interposing] In the

1

2 Blue Book itself, under each building--

3 CHAIRPERSON JACKSON: [Interposing]

4 Go ahead.

5 MS. BERGIN: --you will have all of
6 the organizations within that building identified
7 and the capacities and the utilization. What we
8 were saying--

9 CHAIRPERSON JACKSON: [Interposing]

10 The capacity and utilization for the building or
11 for each school?

12 MS. BERGIN: Both.

13 DEPUTY CHANCELLOR GRIMM: Both.

14 MS. BERGIN: So on the left hand
15 side of the page; you have the building-wide
16 capacity and utilization. On the right hand side
17 of the page, you have the utilization and capacity
18 for each of the individual organizations within
19 that building. If you use the traditional
20 building--book.

21 CHAIRPERSON JACKSON: Go ahead.

22 MS. BERGIN: But for the
23 calculations when we're determining capacity need
24 for the capital plan we remove both the enrollment
25 and capacity associated with charter schools.

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CHAIRPERSON JACKSON: And why do
you do that?

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MS. BERGIN: Well originally it was
because there was just a very small population--

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6

CHAIRPERSON JACKSON: [Interposing]
Yeah.

7

8

MS. BERGIN: --they drew from a
different subset of the area. So as we go into
assessing on a sub-District level, we have to look
at whether the charter school is actually serving
that subset of the Districts and whether it
effectively adds to the capacity of that area.

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CHAIRPERSON JACKSON: Okay. Well
let's just focus a little bit more. More
specifically in Harlem--

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MS. BERGIN: [Interposing]

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CHAIRPERSON JACKSON: --the subsets
are mainly all children from Harlem. So why
wouldn't they be utilized--to be factored in, in
that respect?

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MS. BERGIN: As I said it was
originally done because it was a very small
population. As the Deputy Chancellor said it is
something we will reevaluate as that population

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2 grows.

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CHAIRPERSON JACKSON: So will you reevaluate that in your yearly amendment?

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DEPUTY CHANCELLOR GRIMM: We are in the process of compiling that amendment. We will be talking to all of you and we will be looking at that. Sure.

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CHAIRPERSON JACKSON: Now. Our colleague asked about the State mandated class size reduction.

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DEPUTY CHANCELLOR GRIMM: Um-hum.

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CHAIRPERSON JACKSON: K to 3 which basically that's what you put forward as your goal and objective as far as the Chancellor's Regs, but also you did not include the 23 from 4 to 12 as mandated by the State and in fact you have put forward, I think it was 28 if I'm not mistaken?

19

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DEPUTY CHANCELLOR GRIMM: That is our capacity target in the capital planning process, yes--

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CHAIRPERSON JACKSON: [Interposing] But doesn't that go against what the State has required you to do as far as what you submitted to the State of New York? I mean they came back and

1
2 said that we want to see your plan align with what
3 the State of New York says the class size
4 reduction should be. And how could you say--let
5 me ask the question. Is it aligned with the
6 State's requirement?

7 DEPUTY CHANCELLOR GRIMM: The
8 State's requirement is aligned with our capital
9 plan--

10 CHAIRPERSON JACKSON: [Interposing]
11 How?

12 DEPUTY CHANCELLOR GRIMM: --
13 because.

14 CHAIRPERSON JACKSON: Okay. Just
15 break it down for me, because, let me just give
16 you a premise before you respond.

17 DEPUTY CHANCELLOR GRIMM: Okay.

18 CHAIRPERSON JACKSON: The State is
19 saying 23 in 4 to 12. And you have said--

20 DEPUTY CHANCELLOR GRIMM:
21 [Interposing] 24 I think.

22 CHAIRPERSON JACKSON: 23 or 24?

23 DEPUTY CHANCELLOR GRIMM: 24.

24 CHAIRPERSON JACKSON: And you have
25 said 28, that's your--so how is that--how does

1
2 that match up? 28 is not 24. So please help me
3 out here, maybe I don't understand. And let me
4 ask my question. Does any colleague understand if
5 24 equals 28? No and I'm not trying to be funny.
6 I'm very serious about that. Does anyone--does 24
7 equal 28? Give me \$28 and I'll give you \$24 right
8 now.

9 So I'm sorry. I guess I've got to
10 make a little fun of it because if not I'll just
11 get a little annoyed. So Deputy Chancellor, let
12 me hear from you. How does it align? Please help
13 me out.

14 DEPUTY CHANCELLOR GRIMM: Fun is
15 better than annoyance.

16 CHAIRPERSON JACKSON: Yes I agree
17 [chuckling].

18 DEPUTY CHANCELLOR GRIMM: Because
19 there--we're actually looking at two different
20 things. What we're looking at in the Capital Plan
21 is setting a target for the maximum capacity in a
22 classroom. And so in the Capital Plan for K to 3,
23 our maximum is 20 for K to 3 and for 4 to 12 it is
24 28 as you mentioned. That's how we build the
25 classrooms. On a separate path we really have our

1
2 C4E [phonetic] arrangement with the State where we
3 have targeted certain class size that we want to
4 get to.

5 And that is, again, in K to 30, 20
6 and in 4 to 12, 24. That's the average. That's
7 the target we aspire to across the entire City.
8 So what we have to make sure that in any given
9 school we're giving principals enough flexibility
10 to manage their programming because frankly
11 they're not going to have 24 students in every
12 single class. So I'm not going to be--especially
13 in a high school.

14 You're going to have larger classes
15 and smaller classes depending on what the subject
16 is. So we are working toward the average C4E
17 targets in our class sizes. But in the Capital
18 Plan we are building classrooms that will give
19 principals flexibility to reach those targets.

20 CHAIRPERSON JACKSON: Deputy
21 Chancellor I'm still trying to follow you and I
22 guess I'm in a haze because if in fact you're
23 saying you're going to build schools with the
24 capacity of 28 but you're giving the principals
25 flexibility why aren't you building schools

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2 knowing that your target is 23 or 24 students
3 depending on who you ask.

4

5 But quite frankly I don't see how
6 down the road that the number of students in 4
7 through 12 is going to be 24 when you are
8 building, supposedly schools that can--that is
9 going to have 28 per classroom. In essence you're
10 going to need more classrooms in order to go with
11 the target of 23 or 24. You're going to need more
12 classrooms than targeting 28 students per class.

12

13 DEPUTY CHANCELLOR GRIMM: Well I
14 don't know how much detail you want to go into
15 right here--

15

16 CHAIRPERSON JACKSON: [Interposing]
17 Well in general do you agree that you're going to
18 need more classrooms? If in fact your real goal
19 is to follow what the State is saying, 23 in 4 to
20 8, you're going to need more classrooms than
21 building for 28 students per classroom.

21

22 DEPUTY CHANCELLOR GRIMM: As you
23 know we also disagree on what class size reduction
24 means.

24

25 CHAIRPERSON JACKSON: Okay but
that's a different story though--

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2 DEPUTY CHANCELLOR GRIMM:

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3 [Interposing] No respectfully--

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4 CHAIRPERSON JACKSON: --no, no, no.

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5 DEPUTY CHANCELLOR GRIMM: --it's

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6 not.

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7 CHAIRPERSON JACKSON: I beg to

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8 differ Deputy Superintendent. My question is

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9 this. I'm not disagreeing Deputy Chancellor, I'm

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10 sorry; I'm not disagreeing with the difference of

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11 class size reduction. I'm saying if you are

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12 targeting 28 students in a classroom as far as

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13 your building, and the State mandate is 24, you're

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14 going to need--in order to reach the State mandate

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15 of 24, you're going to need additional classrooms

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16 than what you're targeting at 28. Do you agree or

16

17 disagree with that?

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18 DEPUTY CHANCELLOR GRIMM: I

18

19 disagree.

19

20 CHAIRPERSON JACKSON: Okay.

20

21 Explain how you disagree.

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22 DEPUTY CHANCELLOR GRIMM: I

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23 disagree because what we are doing in our capital

23

24 planning process is setting targets for the

24

25 maximum capacity in any particular classroom.

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Then working with principals across all schools we are working toward C4E targets of 20 and 24 which principals may achieve in different ways. A push-in teacher for example, which is something which I think we disagree on.

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CHAIRPERSON JACKSON: Well I'm

telling you, it's amazing to me because I quite frankly as someone that has been involved as a parent activist since 1980 and been on this Education Committee for 9 years, your answer is not clear to me. Let me just say that.

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DEPUTY CHANCELLOR GRIMM: I

understand that.

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CHAIRPERSON JACKSON: It's not

clear.

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DEPUTY CHANCELLOR GRIMM: I would

also point out that on average our utilization of buildings is under 100%.

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CHAIRPERSON JACKSON: And Deputy

Chancellor, you know, you, as I said, you and I, we've been together 9 years. And, you know, you put forward, you the Department of Education, the Chancellor and the Mayor, put forward a 5-year Capital Plan that said that there would be no

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2 additional seats in Districts 6, 5, 4 and District
3 1 because the need would not be there when all of
4 these Districts as per Scott Stringer's report are
5 mandating that they're overcrowded.

6 They're fighting for space in
7 District 3, in District 6 and other Districts all
8 around the City. And you put forward a 5-year
9 plan that says that no additional seats are
10 needed. That's absurd, Deputy Chancellor, I'm
11 sorry. You were wrong. And DOE was wrong. And
12 you cannot prove me wrong because go ask the
13 parents in District 3 where I attended a press
14 conference 2 weeks ago.

15 There were not only parents from 1
16 school; there were parents from many schools. I
17 told you in District 6, you had parents at 153,
18 the Hamilton High School. You've got 3 schools in
19 IS 218 and you're telling me, no additional seats
20 are necessary in District 6 over the next 5 years.
21 I can't believe it.

22 DEPUTY CHANCELLOR GRIMM: As you
23 know, we--capital construction is just one aspect
24 of how we address these utilization and capacity
25 issues. We do review--we do issue an annual

1
2 amendment. We go through this process every year
3 so that we make sure we are exam--I do remind you,
4 last November we added 5,000 seats to this plan.
5 But right now, based on that last amendment we
6 don't see needs in the Districts where we did not
7 add seats.

8 CHAIRPERSON JACKSON: Because I
9 think that the Department of Education says okay
10 there's a seat here, there's an empty seat here,
11 there's an empty seat here, there's an empty seat
12 here. And so as a result of that you don't need
13 any additional seats.

14 That's kind of--I'm telling you
15 Deputy Chancellor, you know, you know I appreciate
16 you but I don't know who's feeding you what Kool-
17 Aid that you truly believe that we don't need
18 seats in District 3 and District 6. It's
19 absolutely dumfounded if you ask me. And I tell
20 you quite frankly if I was the Mayor, many of you
21 would not have your jobs. But let me just move
22 on.

23 [Applause]

24 SERGEANT AT ARMS: Settle down.

25 CHAIRPERSON JACKSON: Let me move

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2 on before I get annoyed and I don't want to get
3 too annoyed. Vincent Ignizio from Staten Island.
4 He's not here? Let's go to the next member, Danny
5 Dromm from Queens.

6 COUNCIL MEMBER DROMM: Thank you
7 very much Chair Jackson. I too am very concerned
8 about your facts and figures and your numbers.
9 And I know from personal experience having taught
10 in District 24 for 25 years that space
11 utilization, class size was very, very difficult
12 to deal with and control and really never got any
13 better and in fact always got worse. And I
14 represent that District now in the City Council
15 including District 30 as well.

16 And I am very concerned about the
17 utilization of space. When you talk in your facts
18 and figures and your numbers about the size,
19 function and use of all rooms, does this include
20 what the room was originally intended for? If you
21 pull books from a library shelf, take all the
22 shelves out and put kids in there how does the
23 fact that the school no longer has a library come
24 up in terms of space utilization?

25 MS. BERGIN: Well first there is no

1
2 capacity assigned to any room that is designated
3 as a library.

4 COUNCIL MEMBER DROMM: By capacity
5 you mean?

6 MS. BERGIN: Counted towards the
7 number of seats in the building. We do request
8 when the principals complete their Annual
9 Facilities Survey that if a room such as an
10 auditorium or a library or a gymnasium has been
11 converted to classroom space that they report it
12 as its original intended use. So therefore there
13 would be no general education capacity associated
14 with that. So--

15 COUNCIL MEMBER DROMM: But if the
16 school loses a gym or loses a library, there's no
17 way, just by looking at the information that
18 you've provided us with to say that in fact now
19 this school does not have those facilities
20 available for those students.

21 MS. BERGIN: If they have converted
22 say a gymnasium to a classroom, we ask that they
23 identify it as a gym so that when we're
24 calculating the capacity we won't calculate it as
25 a classroom capacity, same for a library.

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2 COUNCIL MEMBER DROMM: But--

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MS. BERGIN: [Interposing] So the

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point--

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COUNCIL MEMBER DROMM:

6

[Interposing] But where does it show up in terms

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of statistics and numbers that they no longer have

8

that gym or that library?

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MS. BERGIN: It won't show up on

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the Annual Facilities Survey.

11

COUNCIL MEMBER DROMM: And that's

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what I think is the heart of what it is that we're

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trying to get at. Because we--

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MS. BERGIN: [Interposing] But the

15

fact that--the fact that they're reporting it as a

16

library would mean that we are not counting that

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toward capacity. So the point--

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COUNCIL MEMBER DROMM:

19

[Interposing] No.

20

MS. BERGIN: --of the survey is so

21

that when we calculate capacity we don't assume a

22

capacity for a room that was a library--

23

COUNCIL MEMBER DROMM:

24

[Interposing] Are you saying that they're still

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reporting it as a library and not a classroom?

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2 MS. BERGIN: We request that they
3 do so that we don't calculate the capacity--room
4 use calculate--capacity for that.

5 DEPUTY CHANCELLOR GRIMM: What
6 we're saying is that if a school has converted a
7 library and has children in it that they let us
8 know that because then when we create the school
9 utilization, we want to exclude that use and we
10 want to say what is the utili--what does this
11 school need in terms of capacity because we don't
12 want to count that library as a classroom. And we
13 do not count it as a classroom.

14 So we would, in a school that was
15 overcrowded, see an increase in the utilization
16 rate.

17 COUNCIL MEMBER DROMM: And if--

18 DEPUTY CHANCELLOR GRIMM:
19 [Interposing] Now if the school was very
20 overcrowded it would go over 100--

21 COUNCIL MEMBER DROMM:

22 [Interposing] Capacity.

23 DEPUTY CHANCELLOR GRIMM: --and
24 then it would be on our radar screen as an
25 overcrowded school.

1
2 COUNCIL MEMBER DROMM: Well and
3 here's where I think the problem exists as well.
4 Many schools have been over capacity. I think
5 more than half of the schools in my District are
6 at 100%, some of them 200% capacity and yet,
7 although I'm grateful for the seats that we're
8 getting, believe me.

9 DEPUTY CHANCELLOR GRIMM: Oh we're
10 working--

11 COUNCIL MEMBER DROMM:
12 [Interposing] It still is not going to meet the
13 need of the majority of the schools in the
14 District that I represent. And that's where I
15 think it becomes a huge problem--

16 DEPUTY CHANCELLOR GRIMM:
17 [Interposing] - - out there.

18 COUNCIL MEMBER DROMM: --and I also
19 want to ask about if in fact the school is using a
20 closet for a speech therapy session, how does that
21 show up in the report?

22 DEPUTY CHANCELLOR GRIMM: What
23 would the principal report?

24 CHAIRPERSON JACKSON: Would it show
25 up as a specialty room or some other room or would

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it show up as a closet?

COUNCIL MEMBER DROMM: Or a
bathroom.

MS. BERGIN: They're asked the
report the room usage. So if it were a closet
they would report it as a closet. If it were a
specialty--

COUNCIL MEMBER DROMM:
[Interposing] And the number of students that use
it?

MS. BERGIN: Well any classroom or
any room that is less than 240 square feet we do
not count capacity.

COUNCIL MEMBER DROMM: And that's
also part of the problem because much of the space
is actually probably somewhat smaller than that,
including--

MS. BERGIN: [Interposing] So--

COUNCIL MEMBER DROMM: --locker
rooms and dressing rooms--

DEPUTY CHANCELLOR GRIMM:
[Interposing] But the children who are getting
those special services have a seat in a classroom.
So we wouldn't count that again.

1
2 COUNCIL MEMBER DROMM: What about
3 cluster rooms like--

4 DEPUTY CHANCELLOR GRIMM:
5 [Interposing] If you can--by the way if you have
6 any schools where children are getting services in
7 bathrooms, I wish you would let me know after this
8 meeting.

9 COUNCIL MEMBER DROMM: I can tell
10 you a few of them. Closets and bathrooms where
11 they're giving instruction and hallways where
12 guidance counselors are providing sessions because
13 guidance counselors are stuck in a room, if you
14 have two of them, if you're in a school where
15 you're lucky to have two of them, and there's not
16 enough room to do guidance sessions--

17 DEPUTY CHANCELLOR GRIMM:
18 [Interposing] Um-hum.

19 COUNCIL MEMBER DROMM: --because
20 much of that is confidential. They go out into
21 the hallway. And I'm sure you're aware of some of
22 this--

23 DEPUTY CHANCELLOR GRIMM:
24 [Interposing] Yes some of it I--

25 COUNCIL MEMBER DROMM: --that goes

1
2 on. And testing that goes on in hallways as well
3 because there's not enough room to bring a child
4 to a room with some privacy. And so whereas some
5 of the nuts, the figures show--yes okay the child
6 has a seat, other factors are not taken into it.
7 And I think that's at the heart of what it is that
8 we're trying to get to. And in some ways help the
9 Department of Education--

10 DEPUTY CHANCELLOR GRIMM:

11 [Interposing] Um-hum.

12 COUNCIL MEMBER DROMM: --deal with
13 these issues that we can get a feel for what's
14 required in the future. Anyway, the other thing
15 is like is space utilization included in quality
16 reviews? And I'm asking that as a teacher because
17 and I think you would agree, unless you tell me
18 otherwise, that space utilization--

19 MS. BERGIN: [Interposing] - - .

20 COUNCIL MEMBER DROMM: --
21 overcrowding affects instruction. So is that
22 taken into account when you do quality reviews?

23 DEPUTY CHANCELLOR GRIMM: Well a
24 quality reviewer, if he or she felt that there was
25 something in the space utilization having an

1
2 impact on the plan, the instructional plan and the
3 instructional efforts they should certainly
4 include it.

5 COUNCIL MEMBER DROMM: Well Deputy
6 Chancellor, when I've gone through quality reviews
7 they've told me that they are not allowed to put
8 that information into report. And I really wish
9 that you would look into that--

10 DEPUTY CHANCELLOR GRIMM:
11 [Interposing] I will. I will look at that.

12 COUNCIL MEMBER DROMM: --because I
13 think that's another way that we can get a handle
14 on this.

15 DEPUTY CHANCELLOR GRIMM: Um-hum.

16 COUNCIL MEMBER DROMM: And they
17 said well space utilization, class size, really
18 has no impact on these reports. Is my time up Mr.
19 Chairman?

20 CHAIRPERSON JACKSON: You can ask
21 another question if you want to.

22 COUNCIL MEMBER DROMM: Trailers.
23 And I heard Council Member Cabrera talk about
24 that. Is there any type of a life expectancy on
25 those? Is, you know, 'cause to be honest with you

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the trailers that I've been in, in some of the schools in my District, they're warped. The ceilings are warped, the walls are warped, the sheetrock in them is warped. The toilet paper rolls can't even be attached to the wall of them because they're so warped that the screws fall out. So what is the life expectancy of a trailer and what type of decision needs to be made to replace them?

DEPUTY CHANCELLOR GRIMM: We don't like trailers. TCUs, we don't like them either. We would love to be rid of all of them. As a practical matter, while that is an aspirational goal we have, we still do have them, close to 400 of them. We have fortunately decreased rather significantly the number of children in them.

We don't have any stated life expectancy or life term but as Liz said earlier we are inspecting them, again, if you are finding some place with a leak or any kind of situation like that you let us know, we'll go right out and inspect them. Because we do want to make sure that what those that are in use are in proper condition for the children.

1
2 COUNCIL MEMBER DROMM: And one
3 final? How many classes right now are over the
4 20, 28 class size limits that you're talking about
5 throughout the school system? In other words if
6 we're aiming at a 20 for early childhood 1 to 3
7 grade and a 28 for the upper grades, how many,
8 right now, are over those limits?

9 DEPUTY CHANCELLOR GRIMM: Well we
10 have our class size averages which are published
11 as you know in the Mayor's Management Report. And
12 they range, I am looking at the list from
13 Kindergarten through 8th grade, they range from
14 Kindergarten at 20.8 to--or 21.9, I'm sorry, up to
15 8th grade where we have I think the largest number
16 and that's 27.7.

17 COUNCIL MEMBER DROMM: And just a
18 final statement. I would love to see those
19 figures by District so that we can identify the
20 Districts that have the most need. Because I
21 think what happens in this is that some areas of
22 the City pull those numbers down and it's not an
23 accurate reflection--

24 DEPUTY CHANCELLOR GRIMM:
25 [Interposing] Yes, fair enough.

1
2 COUNCIL MEMBER DROMM: --of what's
3 going on at the school.

4 DEPUTY CHANCELLOR GRIMM: We can
5 get those numbers for you.

6 COUNCIL MEMBER DROMM: Thank you.

7 CHAIRPERSON JACKSON: Thank you.
8 We've been joined by our colleague from Brooklyn,
9 Steve Levin. And next--and we've also been joined
10 by our colleague from Manhattan, Margaret Chin.
11 Let's turn to our colleague from the Bronx, Oliver
12 Koppell.

13 COUNCIL MEMBER KOPPELL: Thank you
14 Mr. Chairman. First of all with respect and I
15 know you're a passionate man and I respect your
16 passion but I hope you'd reconsider one of your
17 remarks about people wouldn't be there if you were
18 the Mayor because I want to say just I thought--I
19 want to disagree with that most firmly. I don't
20 think you really meant it. I think Deputy
21 Chancellor Grimm has been an enormous benefit to
22 the system. And if I were the Mayor I would
23 certainly keep her.

24 DEPUTY CHANCELLOR GRIMM:
25 [Chuckling] Thank you.

1
2 COUNCIL MEMBER KOPPELL: In her
3 current position if not another one.

4 CHAIRPERSON JACKSON: See Council
5 Member before you ask a question, I didn't specify
6 whom.

7 COUNCIL MEMBER KOPPELL: Okay.

8 [Laughter]

9 COUNCIL MEMBER KOPPELL: Okay. I
10 just wanted to--I just thought maybe it was a--you
11 got a little excited and perhaps that's why you
12 said what you did. And I would just like to
13 observe that I think that the resistance to this
14 bill is excessive. If you--I've read it three
15 times through as we're sitting here and nothing
16 here is so difficult. When I was the president of
17 School District 10--

18 DEPUTY CHANCELLOR GRIMM:

19 [Interposing] Um-hum.

20 COUNCIL MEMBER KOPPELL: --we
21 initiated a program of a great deal of statistical
22 information, getting statistical information from
23 principals. And at first they were very resistant
24 but then after we imposed the system and used it I
25 think that everybody felt it was very useful to

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see where we had gaps or where we needed to do things. I think if you look at this, some of your objections deal with the difficulty of compiling the first report.

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But once the thing is done, each year it's not going to change that much. It's for most places going to be the same with respect to the number of classrooms, the number of libraries that are there or where there and aren't here anymore. The number of cluster rooms that are there and weren't there anymore. All of that information is going to be the same. So the first year it will be a little tough to do this.

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So I would urge Mr. Chairman that the staff, get together with the staff of the Deputy Chancellor. Because I think that the Blue Book is a useful tool but it could be more useful and I think the suggestion of the bill is to make it more useful. And I really think that can be done.

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And the other thing is that I think that there does have to be some refinement of the Blue Book because it comes up with strange numbers in some of our schools. Our middle school/high

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2 school 141 is said to be underutilized. And I
3 just--you know, I've gone there. I've looked at
4 it. I've discussed it with the principal and it's
5 not over capacity but it's at capacity. It's not
6 underutilized. And that's just--doesn't make
7 sense. So I think there has to be some study of
8 that.

9 But I think the more information we
10 can have, and look just because we have targets
11 doesn't mean we can always meet them. I mean we
12 have converted too many rooms that were science
13 labs or art rooms or music rooms to other uses.
14 And it's good to know where we should look to
15 reverse that trend. And I think that's the point
16 of the bill.

17 I really don't have a question,
18 it's just a suggestion that I make. I think that
19 the bill is reasonable. It certainly can be
20 worked on if there's something in the bill that's
21 difficult to accomplish. But I really think we
22 should move ahead Mr. Chairman. And if, I mean I
23 think the Department could well work with us to
24 put something together that would be useful for us
25 and indeed useful for them.

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2 CHAIRPERSON JACKSON: Well thank
3 you Council Member Koppell our colleague. I
4 totally agree with you. And so I hope that the
5 Department of Education will not listen to me but
6 listen to you.

7 COUNCIL MEMBER KOPPELL:

8 [Chuckling]

9 CHAIRPERSON JACKSON: [Chuckling].
10 All right. Let's turn to our other colleague, go
11 back to Vincent Ignizio from Staten Island.

12 COUNCIL MEMBER IGNIZIO: Thank you
13 Mr. Chairman. And I apologize for having to step
14 out. I have a brief question. At what point does
15 the DOE, the SCA or any rendition of the two say
16 okay we're going to try a temporary fix. We're
17 going to being in transportables. Is there like a
18 number? When and why do you bring in
19 transportables and do you bring in transportables
20 in advance of a larger addition perhaps, you know,
21 how does--walk me through that system of how you
22 grant transportables for any given school?

23 DEPUTY CHANCELLOR GRIMM: We try
24 not to bring them in at all.

25 COUNCIL MEMBER IGNIZIO: Okay.

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2 DEPUTY CHANCELLOR GRIMM: But Liz
3 do you want to talk about some situations which I
4 think we articulated in the last plan where we
5 would not necessarily need to bring them in but to
6 continue to utilize TCUs during a lot of
7 construction.

8 MS. BERGIN: Under the last plan we
9 did install TCUs in several [skip in audio] in the
10 current plan we are anticipating not installing
11 TCUs. So we are really--

12 COUNCIL MEMBER IGNIZIO:
13 [Interposing] Do we own the ones that we currently
14 have? Like if you're--

15 MS. BERGIN: [Interposing] Yes we
16 do.

17 COUNCIL MEMBER IGNIZIO: Okay.

18 MS. BERGIN: Yes we do. So we are
19 really--we're trying not to expand that universe
20 of TCUs.

21 COUNCIL MEMBER IGNIZIO: Okay.

22 MS. BERGIN: And actually just
23 shrink them. We have several projects [skip in
24 audio] remove TCUs and create--

25 COUNCIL MEMBER IGNIZIO: Addition.

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2 MS. BERGIN: --space.

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DEPUTY CHANCELLOR GRIMM: To remove
4 the use of the TCUs--

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MS. BERGIN: [Interposing] Yes,
6 thank you.

6

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COUNCIL MEMBER IGNIZIO:

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[Interposing] To remove the TCUs and replace them
9 with, if you will, with straight up additions or,
10 you know, annexes or--

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DEPUTY CHANCELLOR GRIMM:

12

[Interposing] Right, additional classes, yes.

13

COUNCIL MEMBER IGNIZIO: --or

14

whatever. Okay. And finally, new question is on
15 a District-wide basis, here on, you know, Staten
16 Island might have a good number overall but with
17 regards to high schools and placement of others
18 who aren't in that zoned area, Tottenville High
19 School is one that's always very desirable.

19

20

People always want to attend it--

21

DEPUTY CHANCELLOR GRIMM:

22

[Interposing] Um-hum.

23

COUNCIL MEMBER IGNIZIO: --from

24

throughout. Is there a threshold of we seek to

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have zoned children enrolled first and then that

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2 will open up the level of who we can bring in from
3 other Districts or other areas outside the zone?
4 How does that work?

5 DEPUTY CHANCELLOR GRIMM: Are you
6 talking about high schools?

7 COUNCIL MEMBER IGNIZIO: High
8 schools, yeah. Sorry.

9 DEPUTY CHANCELLOR GRIMM: Because
10 many of our high schools are no longer zoned.

11 COUNCIL MEMBER IGNIZIO: Okay.

12 DEPUTY CHANCELLOR GRIMM: And so
13 all children, all young people I should say, in 8th
14 grade, go through the annual process of listing
15 the 12 high schools that they would most like to
16 go to. And we go through an intricate matching
17 program. And what happens is any child in a zoned
18 high school area has a right to go to that school.

19 COUNCIL MEMBER IGNIZIO: Okay. So
20 and finally what criterion or what criteria do you
21 utilize with regards to bussing because as you
22 know I'm a huge advocate of the school in the
23 Charleston area of my District. I have PS 1, PS
24 3, PS 56 and PS 6 all over 100% capacity, all in
25 various stages. One is at 164%.

1
2 We thought ahead many years ago and
3 we set aside 10 acres for a school in the
4 Charleston site. We have--we had seats for it but
5 I was told by Capital Planning and Portfolio that
6 well it would require a lot of bussing. And
7 that's why we won't put a school there despite the
8 needs of capacity throughout that area. So is
9 that a new criteria? How do we--now are we saying
10 because it will require bussing we don't build
11 schools in an area that's overcrowded?

12 DEPUTY CHANCELLOR GRIMM: No. No.
13 Our capital planning decisions are made solely on
14 need, influenced often by available of space--

15 COUNCIL MEMBER IGNIZIO:
16 [Interposing] Right.

17 DEPUTY CHANCELLOR GRIMM: --but
18 never by bussing.

19 COUNCIL MEMBER IGNIZIO: Well I'm
20 just telling you the situation which I encountered
21 is that I have a piece of land that was set aside,
22 over 10 acres for a school, in an area where every
23 school in the area around it is overcrowded. And
24 I was told well we can't build a school there
25 because it would require too much bussing.

1
2 DEPUTY CHANCELLOR GRIMM: I will
3 review that and I will get back to you on that
4 because that's not the criteria that we use.
5 Criterion.

6 COUNCIL MEMBER IGNIZIO: Okay. Mr.
7 Chairman if I will, can I--if I can solicit your
8 support and help on this matter, I've been
9 fighting this battle for many years and just to
10 reiterate to the Committee and to those at large
11 we have a piece of property that was purposefully
12 set aside for a school, land bank for a school,
13 when they did the development project.

14 Every school around it is
15 overcrowded right now. We received 400 seats in
16 this Capital Plan for that area. I asked for it
17 to be placed here and was told it can't happen,
18 you know, it's not enough walk-ups; it would be,
19 you know, excessive in terms of the
20 transportation. I didn't know that to be a
21 criterion of siting. I was told that it wasn't.
22 So now I go back and ask where is the issue with
23 regards to this--

24 DEPUTY CHANCELLOR GRIMM:
25 [Interposing] Okay.

1
2 COUNCIL MEMBER IGNIZIO: --and I
3 respect you all but I don't believe I've been told
4 the truth for the last several years.

5 DEPUTY CHANCELLOR GRIMM: We'll
6 review it and we'll get back to you and we'll make
7 sure we've got the right answer.

8 COUNCIL MEMBER IGNIZIO: Thank you
9 kindly.

10 CHAIRPERSON JACKSON: Council
11 Member, clearly, you know, you and myself and
12 others will follow up on this matter.

13 COUNCIL MEMBER IGNIZIO: Okay.

14 CHAIRPERSON JACKSON: Council
15 Member Margaret Chin of Manhattan.

16 COUNCIL MEMBER CHIN: Thank you
17 Chairperson Jackson. I don't know if the question
18 has been asked but I would love to ask again in
19 terms of meeting the targets of class size, I
20 think that is one of the goals that we want to
21 reduce class size--

22 DEPUTY CHANCELLOR GRIMM:
23 [Interposing] Um-hum.

24 COUNCIL MEMBER CHIN: --ultimately
25 we wouldn't need more classrooms. And some of the

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2 schools that I visited in my District, even the
3 whole idea of lunch period because you have all
4 these schools collocating together, the kids are
5 having lunch at 10:30. And the principals are
6 telling me that they've got to tell the students
7 to take a snack because they have--they'll get
8 hungry before the school is over. And so we see
9 more and more of those situations that our schools
10 are overcrowded and there's not enough space.

11 And then also when we look at
12 having science lab. I mean that is a must for all
13 the schools. And then also having classrooms
14 available for arts programs and other
15 recreational, music program. And that, a lot of
16 those are being used as regular classrooms.

17 So when you do the walk, to go and
18 survey a school, to see if it's really has room or
19 not to accommodate another school, a lot of time
20 the real picture is not being shown. So how do
21 you go about in terms of really meeting the needs
22 of all of our schools and really looking at the
23 long term view of really helping to reduce class
24 in our public schools?

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DEPUTY CHANCELLOR GRIMM: Okay.

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2 Well I think you've asked me several questions.
3 Let me do my best to try to respond to you. First
4 of all even by placing several schools in one
5 school building, several school organizations, we
6 are using the original capacity of the school.
7 Now not all of our buildings have the best
8 cafeterias in the world.

9 I mean there was a day when schools
10 were built really without kitchens and without
11 significant cafeterias. And we are still using
12 those buildings. So the question about the hours,
13 and I do know it exists across the City in many
14 places, we need to work with the building
15 councils, with the principals in the schools to
16 see what we can do about programming. And frankly
17 the picture probably will never be perfect but
18 that doesn't mean we should stop trying.

19 With science labs, I think, stop me
20 if I say something wrong here, but I think between
21 the last Capital Plan and this plan all high
22 schools now have a science lab and we are on our
23 way to assure that all middle schools will have a
24 science lab. Remember we became very concerned
25 about that when we crafted the last plan because

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2 we had all the new Regent's requirements coming
3 in. And we said how can we ask kids to take
4 science exam if they don't have science labs. So
5 we've made a lot of effort in those areas. Was
6 there something else?

7

COUNCIL MEMBER CHIN: Well in the
8 science labs, I've seen the difference between a
9 real science lab and just a room with maybe a sink
10 and not a full science lab.

11

DEPUTY CHANCELLOR GRIMM: Um-hum.

12

COUNCIL MEMBER CHIN: So how are
13 you working towards making sure that they have a
14 real full equipped science lab for the high
15 school?

16

MR. JEFF SHEAR: Well I think for...
17 any specifics; we'll need to work together with
18 you on any specific schools. But in general the
19 middle school labs are considered to be
20 demonstration labs and those are the rooms that
21 have the sink and the table at the front of the
22 room. And that is aligned with the instructional
23 curriculum for middle school grades. And the high
24 school science labs are the ones that have the
25 separate tables for the students to do work at and

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2 experiments and so forth.

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So that is the distinction that we make. And what we have done and are doing is we're spending close to half a billion dollars, over \$400 million in ensuring that every middle school and high school building has the appropriate labs and the schools have access to it.

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Again if you're aware of a situation where there is a lab and there isn't access for whatever reason, we're happy to work with you on that.

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COUNCIL MEMBER CHIN: But is that funding coming out of DOE?

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MR. SHEAR: Yes.

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COUNCIL MEMBER CHIN: And so you're not asking Council Members because that's what the schools are asking us. To help. But it should be coming out of a DOE budget to..

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DEPUTY CHANCELLOR GRIMM: Yes it should although we always happily accept any funds you want to send our way. You know, if a school is asking you for money, we probably should sit down and talk about it because either we have

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2 money in the plan to do it and so that's good and
3 we just need to make sure that the principal knows
4 it or perhaps the principal wants something a
5 little richer than what we can afford and then
6 it's up to you to kind of see if you want to fund
7 that.

8 COUNCIL MEMBER CHIN: No but I
9 would love to sit down with you--

10 DEPUTY CHANCELLOR GRIMM:
11 [Interposing] Okay.

12 COUNCIL MEMBER CHIN: --and make
13 sure that the budget is coming up from DOE--

14 DEPUTY CHANCELLOR GRIMM:
15 [Interposing] Of course.

16 COUNCIL MEMBER CHIN: --and your
17 commitment to science lab in every middle school
18 and high school then we need to get--

19 DEPUTY CHANCELLOR GRIMM:
20 [Interposing] Absolutely.

21 COUNCIL MEMBER CHIN: **--get that in**
22 **the schools.**

23 DEPUTY CHANCELLOR GRIMM: **We should**
24 **talk about that.**

25 COUNCIL MEMBER CHIN: Thank you.

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2 But my other question was the class size. That
3 there are, you know, targets that we want--

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DEPUTY CHANCELLOR GRIMM:

5 [Interposing] Um-hum.

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7 COUNCIL MEMBER CHIN: --meet and
8 right now, we're not meeting those targets for
9 reducing our class size.

9

10 DEPUTY CHANCELLOR GRIMM: We're
11 working very, very hard at that. The numbers--we
12 did go over the numbers, the current, actual
13 averages throughout the City. They are going up.
14 We are not happy about that. But we are living in
15 very difficult times. And of course we are very
16 concerned about the State 'cause we are very
17 dependent on the State money. And we're waiting
18 to see what's going to happen.

18

COUNCIL MEMBER CHIN: All right.

19

Thank you.

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CHAIRPERSON JACKSON: Deputy

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22 Chancellor, I think in response to Council Member
23 Chin's question as far as you responded about
24 science labs--

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DEPUTY CHANCELLOR GRIMM:

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[Interposing] Um-hum.

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2 CHAIRPERSON JACKSON: --and that
3 every high school, I believe, and maybe most
4 middle schools have science labs.

5 DEPUTY CHANCELLOR GRIMM: Yes.

6 CHAIRPERSON JACKSON: My
7 understand, and correct me if I'm wrong, is that
8 they are taking away the science lab from the
9 American Sign Language School to give that space
10 over to the Clinton Middle School.

11 DEPUTY CHANCELLOR GRIMM: We are
12 working on that to make sure that all the schools
13 in that building have access to a science
14 facility.

15 CHAIRPERSON JACKSON: Okay. Well
16 but will that science lab be at that particular
17 location--

18 DEPUTY CHANCELLOR GRIMM:
19 [Interposing] Yes.

20 CHAIRPERSON JACKSON: --or would
21 they have to travel to another building, do you
22 know what I mean?

23 DEPUTY CHANCELLOR GRIMM: No. We
24 are working to see--

25 CHAIRPERSON JACKSON: [Interposing]

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2 You're going to resolve that.

3 DEPUTY CHANCELLOR GRIMM: Yes.

4 CHAIRPERSON JACKSON: Okay. That's
5 good. I want to turn to questions that we--about
6 class size goals, if you don't mind.

7 DEPUTY CHANCELLOR GRIMM: Um-hum.

8 CHAIRPERSON JACKSON: Were you able
9 to meet the following average class size goals set
10 forth in the 5-year class size reduction plan? If
11 not, why not? So for example, for Fiscal Year
12 '08, 1, grades K to 8 was 20.5 I'm sorry, K to 3
13 was 20.5. Grades K to 4--4 to 8 was 24.3, and
14 grades 9 to 12 was 23.9.

15 DEPUTY CHANCELLOR GRIMM: Um-hum.

16 CHAIRPERSON JACKSON: So my
17 question is whether or not for Fiscal '08 were you
18 able to meet those class size reduction plan,
19 reduction goals according to your plan. And of
20 course then my question is for the next fiscal
21 year which is Fiscal Year '09, grades K to 3 went
22 down from '08 from 20.5, the plan was 20.1. And
23 grades 4 to 8 in '08 it was supposed to go down
24 from 24.3 to 23.3, in essence 1 full student.

25 And for grades 9 to 12, the '08

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2 plan was 23.9; it was supposed to go down to 23.2.
3 So I ask you if you can give some details as to
4 did you meet your 5-year class size reduction plan
5 for '08 in grades K to 3, 4 to 8, and 9 to 12.

6 And did you reach it for Fiscal
7 Year '09 in grades K to 3, 4 to 8, and 9 to 12 as
8 per the numbers from your 5-year plan?

9 DEPUTY CHANCELLOR GRIMM: Okay.
10 We're in litigation on this. I'm going to be a
11 little careful. But I have numbers here for
12 School Year '10. And those numbers are published
13 by grade.

14 CHAIRPERSON JACKSON: School year
15 '10, you mean beginning September '09?

16 DEPUTY CHANCELLOR GRIMM: Yes.

17 CHAIRPERSON JACKSON: To June--

18 DEPUTY CHANCELLOR GRIMM:

19 [Interposing] No this year.

20 CHAIRPERSON JACKSON: I'm sorry,
21 when--one second. I've got to back up here. You
22 said for School Year '10.

23 DEPUTY CHANCELLOR GRIMM: Yes.

24 CHAIRPERSON JACKSON: School Year
25 '10 began when, September

1
2 DEPUTY CHANCELLOR GRIMM: September
3 '09.

4 CHAIRPERSON JACKSON: Okay so the
5 school year is not over yet.

6 DEPUTY CHANCELLOR GRIMM: Correct.
7 Correct.

8 CHAIRPERSON JACKSON: So you have
9 what, the October 31st registers you mean--

10 DEPUTY CHANCELLOR GRIMM:
11 [Interposing] Correct. Correct.

12 CHAIRPERSON JACKSON: Okay. And
13 what about since '09 is over and '08 is over, I
14 would assume you have those numbers?

15 DEPUTY CHANCELLOR GRIMM: I do not
16 have those numbers with me. But what I can say to
17 you--

18 CHAIRPERSON JACKSON: [Interposing]
19 Okay.

20 DEPUTY CHANCELLOR GRIMM: --is that
21 we--the class--average class size is going up in I
22 think almost every grade. Is that correct.

23 MR. SHEAR: This year.

24 DEPUTY CHANCELLOR GRIMM: This
25 year. And that is regrettable. So we are not

1

meeting the targets that we had set.

2

3

CHAIRPERSON JACKSON: Okay.

4

DEPUTY CHANCELLOR GRIMM: The

5

problems that have occurred are basically the

6

economy because after all we've been adding

7

thousands and thousands of seats and we add

8

another 17,000 next September. What the story

9

will be next year we can't predict yet. Certainly

10

the Chancellor was here before you and had some

11

dire numbers. A very important part of class size

12

is the number of teachers you have. And it's

13

become--

14

CHAIRPERSON JACKSON: [Interposing]

15

Number of teachers and space.

16

DEPUTY CHANCELLOR GRIMM: Yes.

17

CHAIRPERSON JACKSON: I think those

18

are the two big formulas, huh?

19

DEPUTY CHANCELLOR GRIMM: Yes. And

20

then the children.

21

CHAIRPERSON JACKSON: [Chuckling]

22

Of course, you're right. Without the children we

23

wouldn't be here, right?

24

DEPUTY CHANCELLOR GRIMM: None of

25

us would be.

1
2 CHAIRPERSON JACKSON: But so Deputy
3 Chancellor if you can give--you said you have the
4 figures as far as for '10, meaning as of October
5 31st, is that--

6 DEPUTY CHANCELLOR GRIMM:
7 [Interposing] Yeah I can go over--we can give you
8 the historical data if you want that--

9 CHAIRPERSON JACKSON: [Interposing]
10 All right.

11 DEPUTY CHANCELLOR GRIMM: --that's
12 no problem.

13 CHAIRPERSON JACKSON: If you could
14 just--can you cite the numbers for as of October
15 31st, 2009--

16 DEPUTY CHANCELLOR GRIMM:
17 [Interposing] Um-hum.

18 CHAIRPERSON JACKSON: --which is
19 what you referred to as '10, is that correct?

20 DEPUTY CHANCELLOR GRIMM: Correct.

21 CHAIRPERSON JACKSON: Okay. Go
22 ahead. For K to 3.

23 DEPUTY CHANCELLOR GRIMM: Well I
24 have them actually broken down by grade.

25 CHAIRPERSON JACKSON: Oh by grade?

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Okay.

DEPUTY CHANCELLOR GRIMM: So
Kindergarten is 21.9.

CHAIRPERSON JACKSON: Okay.

DEPUTY CHANCELLOR GRIMM: Grade 1
is 22.2.

CHAIRPERSON JACKSON: Okay.

DEPUTY CHANCELLOR GRIMM: Grade 2
is 22.2.

CHAIRPERSON JACKSON: Same as Grade
1. Right?

DEPUTY CHANCELLOR GRIMM: Yes.

CHAIRPERSON JACKSON: Okay go
ahead.

DEPUTY CHANCELLOR GRIMM: Grade 3
is 22.5.

CHAIRPERSON JACKSON: Okay.

DEPUTY CHANCELLOR GRIMM: Grade 4
is 24.4.

CHAIRPERSON JACKSON: 24.4

DEPUTY CHANCELLOR GRIMM: Grade 5
is 24.9.

CHAIRPERSON JACKSON: 24.9.

DEPUTY CHANCELLOR GRIMM: Grade 6

1

2 is 26.

3

CHAIRPERSON JACKSON: 26.

4

DEPUTY CHANCELLOR GRIMM: And Grade

5

7 is 26.9.

6

CHAIRPERSON JACKSON: 26.9.

7

DEPUTY CHANCELLOR GRIMM: And Grade

8

8 is 27.7. These are the averages in the City.

9

CHAIRPERSON JACKSON: And do you

10

have other stats as far as the high schools?

11

DEPUTY CHANCELLOR GRIMM: I do not

12

have the high schools with me. I'll have to get

13

that for you.

14

CHAIRPERSON JACKSON: Can you

15

provide, if you don't mind Deputy Chancellor, the

16

remaining grade, 9 through 12--

17

DEPUTY CHANCELLOR GRIMM:

18

[Interposing] Certainly.

19

CHAIRPERSON JACKSON: And also in

20

my question I had asked you for Fiscal Year '08,

21

you know, those grades and Fiscal '09. Now your

22

numbers are based on what? The registers of

23

October 31st--

24

DEPUTY CHANCELLOR GRIMM:

25

[Interposing] Yes.

1
2 CHAIRPERSON JACKSON: --I'm talking
3 about the old ones, not the current ones you just
4 gave me. I'm talking about '08 and '09.

5 DEPUTY CHANCELLOR GRIMM: You have
6 the '08 and '09 before you. I do not have them
7 before me.

8 CHAIRPERSON JACKSON: No, no. I
9 don't have them in front of me. I'm sorry--

10 DEPUTY CHANCELLOR GRIMM:
11 [Interposing] Oh.

12 CHAIRPERSON JACKSON: --I had asked
13 you whether you, the Department of Education, had
14 met the goals that you said that you were going to
15 meet. So you have those numbers in your shop
16 somewhere I guess.

17 DEPUTY CHANCELLOR GRIMM:
18 Certainly.

19 CHAIRPERSON JACKSON: Okay. My
20 question is, is that based on the October 31st,
21 registers, the '08 and '09, or is it based on
22 what?

23 DEPUTY CHANCELLOR GRIMM: The '08-
24 '09 numbers would have been based on the October
25 '08 register.

1
2 CHAIRPERSON JACKSON: Okay. So
3 basically the numbers that you're going to be
4 giving to me as far as the--it would be based on
5 the October 31st registers, is that correct?

6 DEPUTY CHANCELLOR GRIMM: Yes.

7 CHAIRPERSON JACKSON: Okay. Well
8 if you can provide us with the details of--for
9 Fiscal Year '08 and Fiscal Year '09, for K to 8--

10 DEPUTY CHANCELLOR GRIMM:

11 [Interposing] And '10, absolutely.

12 CHAIRPERSON JACKSON: --that would
13 be fine.

14 DEPUTY CHANCELLOR GRIMM:

15 Absolutely.

16 CHAIRPERSON JACKSON: K through 12
17 if you don't mind. Okay.

18 DEPUTY CHANCELLOR GRIMM: Yes.

19 CHAIRPERSON JACKSON: Okay. Now
20 you know Emily Horowitz and Leonie Haimson
21 released a report in October 2008 that showed that
22 in a survey, as I mentioned as part of my opening
23 statement, that 550 principals, nearly half--

24 DEPUTY CHANCELLOR GRIMM:

25 [Interposing] Um-hum.

1
2 CHAIRPERSON JACKSON: --49%, said
3 that their class sizes were too large to provide a
4 quality education and that the utilization rate as
5 reported in the Blue Book was inaccurate. How
6 did, if at all, the Department of Education
7 respond to this and what, if any, corrective
8 action was taken?

9 DEPUTY CHANCELLOR GRIMM: I think
10 we did issue some kind of formal response. Do you
11 remember? This was a while back. Anyway, as I
12 recall, we, of course, had some concerns about the
13 scientific nature of this survey. Certainly I
14 think almost all of our principals would like more
15 space and would that we could give it to them.

16 But I don't think we can really
17 accept the findings of that study because I don't
18 think we felt it was really grounded.

19 CHAIRPERSON JACKSON: Okay. Well
20 then I guess my question is, you know, in your
21 conclusion that you can't accept the findings of
22 this study because it was not maybe grounded, did
23 the Department of Education request to meet with
24 Emily Horowitz and Leonie Haimson to discuss this
25 in detail in order to say, hey, well how did you

1

2

come up with these numbers and what was your methodology and this is what we disagree with from a, I mean from a real point of view.

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Not to just say that we disagree with their methodology. We have our own way of calculating. Especially when principals, that's one thing and I agree with you, everybody wants more space. But one thing is wanting more space and another thing is principals clearly stating that the Blue Book was inaccurate. That's a different story. So--

13

DEPUTY CHANCELLOR GRIMM:

14

[Interposing] Um-hum.

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CHAIRPERSON JACKSON: --if you can respond to the first part of my question was whether or not any one in your Department requested to sit down with them to discuss this in order to determine their methodology and whether or not the conclusion that you just gave that you don't accept it as being accurate has any, in fact, basis for truth.

23

24

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DEPUTY CHANCELLOR GRIMM: To the best of my knowledge no one did. I'd certainly be happy to sit with them if they would like. Nor

1
2 did they reach out to us before they undertook
3 their study to try to determine what the best
4 method might be. Having said that though, the
5 Blue Book is based totally on data collected--

6 CHAIRPERSON JACKSON: [Interposing]
7 From the principals.

8 DEPUTY CHANCELLOR GRIMM: --from
9 the principals.

10 CHAIRPERSON JACKSON: I know. And
11 that's why I'm asking you--

12 DEPUTY CHANCELLOR GRIMM:
13 [Interposing] So.

14 CHAIRPERSON JACKSON: --when the
15 principals--and I heard you and I've heard you say
16 that many times over. But when 55% of them say
17 that the information is inaccurate, if I'm in
18 charge, something's wrong here because if I'm
19 saying to the Oversight Committee on Education,
20 I'm saying to everyone else, that the principals,
21 the Blue Book is based on information I get from
22 the principals and then in an independent survey
23 or analysis with documentation, 55--50% of the
24 principals are saying that the information
25 contained in that book is inaccurate, something's

1

2 wrong here. And I would think that you would want
3 to find out, to get to the bottom of it.

4

5

6

7

DEPUTY CHANCELLOR GRIMM: Well one
thing we do is we take the data submitted to us
from the principals and we do audits. We do
random audits. We go out--

8

9

CHAIRPERSON JACKSON: [Interposing]
I remember you said that before.

10

11

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DEPUTY CHANCELLOR GRIMM: --and we
check. Obviously the reason we ask the principals
to do it is we don't have the wherewithal to go
out and actually survey every single school. And
it's the principal who really is the most
knowledgeable about how her school is being used.
But we do audit on a random basis so we have some
confidence that the numbers are correct.

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19

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CHAIRPERSON JACKSON: Well are the
principals the most knowledgeable individual that--
-or, you know, because the principals they go
around by themselves or they go around with a
parent leader. Do they go around with the
custodian? Do they go around with the UFT
representative?

25

DEPUTY CHANCELLOR GRIMM: That's up

1

2 to the principal.

3

4

CHAIRPERSON JACKSON: Up to the principal.

5

6

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8

DEPUTY CHANCELLOR GRIMM: We offer supports in terms of custodial staff and what have you but it's up to the principal how she wants to do that.

9

10

11

12

CHAIRPERSON JACKSON: But--so what if the parent leaders of a school disagree with a principal? I'm just throwing out a what-if situation.

13

14

DEPUTY CHANCELLOR GRIMM: Well I mean they disagree in what way? I mean how--

15

16

CHAIRPERSON JACKSON: [Interposing]
With the--

17

18

DEPUTY CHANCELLOR GRIMM: --a room is being used?

19

CHAIRPERSON JACKSON: Sure. Yes.

20

21

DEPUTY CHANCELLOR GRIMM: Okay.
How could that be?

22

23

24

25

CHAIRPERSON JACKSON: It could be easy because, you know, what if the information reported that--I remember going into PS 153, I think this was about 2 years ago. And they said

1
2 that the Blue Book and reported that some of these
3 little rooms that was being used, they were so
4 small, they were being used, when I walked by one
5 of the rooms, a student was in there rehearsing
6 with a tutor as far as a musical instrument. And
7 that had been used in the utilization and capacity
8 of the school building which was should not have
9 happened. So.

10 DEPUTY CHANCELLOR GRIMM: I will
11 let Liz answer this. It sounds like it's a
12 building that we wouldn't have even counted.

13 MS. BERGIN: No. Any rooms that
14 are less than 240 square feet we wouldn't count in
15 the capacity calculation. So for us it doesn't
16 exist. And if the school--

17 CHAIRPERSON JACKSON: [Interposing]
18 Well

19 MS. BERGIN: --uses it they can use
20 to use it but it wouldn't add to the capacity of
21 the building. And in many cases they do use
22 smaller, smaller rooms for pull out sessions or
23 things but they are not counted in our capacity.

24 CHAIRPERSON JACKSON: Well I heard
25 you say that earlier... I forgot your name again.

1

MS. BERGIN: It's Liz.

2

3

CHAIRPERSON JACKSON: Liz, I heard you say that earlier And I wrote it down. That any room larger than 240 square feet--smaller than 240 square feet isn't counted as a room and not counted--

4

5

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8

MS. BERGIN: [Interposing] For capacity at all.

9

10

CHAIRPERSON JACKSON: --for

11

capacity.

12

MS. BERGIN: No.

13

CHAIRPERSON JACKSON: So well

14

something's wrong here. And for, in my opinion,

15

for you to allow a report to come out that I

16

sanctioned and helped fund by Class Size Matters

17

and Emily Horowitz and not formally determine

18

where did you get this from, this information is

19

wrong, and to issue a formal statement with some

20

facts and information 'cause maybe now I'm going

21

to ask them is I'm going to try to get--I'm going

22

to ask them, I want--give me some lists of some

23

specific schools where the information is wrong.

24

And I'm going to send it to you.

25

DEPUTY CHANCELLOR GRIMM: Fine.

1
2 CHAIRPERSON JACKSON: Because quite
3 frankly...

4 DEPUTY CHANCELLOR GRIMM: Well look
5 at it.

6 CHAIRPERSON JACKSON: Let me just
7 say this to you.

8 DEPUTY CHANCELLOR GRIMM: Sure.

9 CHAIRPERSON JACKSON: Who do I
10 believe? I believe them. And, you know, you may
11 not like that but based on everything that I know,
12 I believe them--

13 DEPUTY CHANCELLOR GRIMM:

14 [Interposing] I--

15 CHAIRPERSON JACKSON: --because I
16 say that based on certain information from a
17 historical perspective. When the 2004-2009 5-year
18 Capital Plan, I was told by the Department of
19 Education, maybe even by you specifically or your
20 representatives, that District 6 would not be
21 overcrowded. That District 6 all of the cluster
22 rooms would be put back as they were.

23 DEPUTY CHANCELLOR GRIMM: Um-hum.

24 CHAIRPERSON JACKSON: All of the
25 transportable would be gone. And that the class

1
2 size reduction of K to 3 at that time you were
3 only talking about K to 3 at that time, would be
4 in place. Well all the transportables are not
5 gone. And the Kindergarten classes are not 20 or
6 below. And people are fighting for space up
7 there, even though from 2002 to now they say that
8 the number of students in District 6 has
9 decreased--

10 DEPUTY CHANCELLOR GRIMM:

11 [Interposing] Yes.

12 CHAIRPERSON JACKSON: --from
13 27,000, 28,000 to 21,500. You know. It's not
14 what DOE said would happen. So--

15 DEPUTY CHANCELLOR GRIMM:

16 [Interposing] I--

17 CHAIRPERSON JACKSON: --in essence
18 I did not believe it then and I don't believe it
19 now.

20 DEPUTY CHANCELLOR GRIMM: I take no
21 umbrage at your not believing me. I'm only
22 interested in the facts. So let's sit down. You
23 pick a few of those schools--

24 CHAIRPERSON JACKSON: [Interposing]
25 Okay.

1
2 DEPUTY CHANCELLOR GRIMM: --and
3 we'll sit down and we'll go through it. And one
4 of us will be right.

5 CHAIRPERSON JACKSON: Well that's
6 good. I know you agree with the fact that all of
7 the transportable are not gone in District 6.
8 Right?

9 DEPUTY CHANCELLOR GRIMM: Yes I do.

10 CHAIRPERSON JACKSON: And I know
11 you agree with the fact that all of the K to 3
12 grades in District 6 are not 20 or below.

13 DEPUTY CHANCELLOR GRIMM: Yes I do.

14 CHAIRPERSON JACKSON: Okay
15 [chuckling]. Okay.

16 DEPUTY CHANCELLOR GRIMM: How much
17 we agree on--

18 CHAIRPERSON JACKSON: [Interposing]
19 [Laughing]. Let me go to the next question then.
20 But I am going to follow up with that
21 specifically--

22 DEPUTY CHANCELLOR GRIMM:
23 [Interposing] Good, I look forward to that.

24 CHAIRPERSON JACKSON: --I'm going
25 to get it to you Deputy Chancellor.

1

2 DEPUTY CHANCELLOR GRIMM: Yes.

2

3

CHAIRPERSON JACKSON: Why doesn't
4 the Blue Book report on the number of cluster
5 rooms in buildings that house middle schools? Or
6 do they?

4

5

6

7

DEPUTY CHANCELLOR GRIMM: [Off mic]
8 They don't have them do they, it's just middle
9 schools?

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MS. BERGIN: The cluster room
11 functionality was really developed for elementary
12 schools because generally they--the students in
13 elementary schools don't travel between classes.
14 For high schools we developed a different--for
15 middle schools and high schools we developed a
16 different model which was the determination of a
17 classroom being a general classroom or a specialty
18 classroom. And then assigning a program
19 utilization for that whether it's 7 periods out of
20 the day for general classrooms or whether we were
21 working with 5 out of 8 periods a day for
22 specials. So the cluster nomenclature really is
23 unique to the elementary school level.

24

25

CHAIRPERSON JACKSON: Is that K to
6? Or whatever--

1

2 MS. BERGIN: [Interposing] K to 5.

2

3

CHAIRPERSON JACKSON: --K to 5?

4

MS. BERGIN: Yeah.

5

CHAIRPERSON JACKSON: So if--

6

MS. BERGIN: [Interposing] And it

7

also, for those schools that are K to 8 for

8

target, we apply the same formula as the

9

elementary school because they tend to operate the

10

same way as [skip in audio] school.

11

CHAIRPERSON JACKSON: So. So then

12

is it true that the middle schools and high

13

schools do not have any allocated cluster rooms or

14

specialized space according to the formula in the

15

Blue Book, is that true?

16

MS. BERGIN: The formula provides a

17

different assessment of the usage of that space.

18

It does not; it does not segregate a separate

19

number for them.

20

CHAIRPERSON JACKSON: Okay so in

21

essence you're saying based on the percentage of

22

usage of a particular room. Is that correct--

23

MS. BERGIN: [Interposing] Exactly.

24

CHAIRPERSON JACKSON: --so for an

25

academic classroom, for example, I think is 7/8--

1

MS. BERGIN: [Interposing] Roughly.

2

3

CHAIRPERSON JACKSON: --7 out of

4

eight periods.

5

MS. BERGIN: Yes.

6

CHAIRPERSON JACKSON: From what you

7

say, is that correct?

8

MS. BERGIN: Yes. And then the

9

specialty room will be--we assume it will be used

10

less than that.

11

CHAIRPERSON JACKSON: Um-hum. How

12

many schools, elementary, middle and high schools,

13

if you have, lack gymnasiums or that have

14

gymnasiums or that lack or have libraries. And

15

how many lack science labs. And I ask these

16

questions mainly because when we're dealing with

17

Intro 155--

18

DEPUTY CHANCELLOR GRIMM:

19

[Interposing] Um-hum.

20

CHAIRPERSON JACKSON: --Intro 155,

21

it wants to make sure that we have enough space

22

for every child according to the law. And number

23

two that all of the other factors such as

24

libraries and science labs and gym are there in

25

the appropriate school for our students. Do you

1
2 have any numbers as to how many schools,
3 elementary, middle and high schools lack gyms,
4 libraries or science labs?

5 DEPUTY CHANCELLOR GRIMM: We
6 certainly do not have it with us--

7 CHAIRPERSON JACKSON: [Interposing]
8 Okay.

9 DEPUTY CHANCELLOR GRIMM: --I
10 certainly think most of those data we can provide
11 you. I would like to say a few things. First of
12 all every schools is, you know, built with a
13 library. And so it is rare that a library is
14 converted. And if a principal wants to do it we
15 really work very closely with him to try to
16 discourage that. I've already said that with
17 regard to science labs we've undertaken a lot of
18 work and made a major commitment to make sure
19 schools have science labs.

20 Not all schools have gyms. I mean,
21 you know, even in the last plan in our efforts to
22 build seats, we leased buildings and we went into
23 unusual spaces and we weren't able to build that
24 tremendous footprint that everybody thinks of as a
25 school with a big cafeteria and a big auditorium.

1

2 But we have tried to be as resourceful as we can
3 in terms of wellness rooms or fitness rooms so
4 that all children have an opportunity.

5 But let us get the data. It's not-
6 -we do not have everything in every school. We
7 know that. But we're happy to share that with
8 you. Because Deputy Chancellor, you know, while I
9 appreciate that you get us this information I
10 think that yesterday, this question was shared
11 with your staff and I don't know if it was 3:00
12 o'clock in the afternoon, 4:00 or 5:00 o'clock but
13 quite frankly we did share the question.

14 So I mean we didn't think that
15 considering that this would be a difficult
16 question to answer knowing that the DOE and SCA
17 you keep--you should know this information. You
18 should have it in some sort of database in order
19 to determine, you know, how many schools are--

20 DEPUTY CHANCELLOR GRIMM:

21 [Interposing] Um-hum.

22 CHAIRPERSON JACKSON: --lacking
23 gymnasiums and what have you.

24 [Pause]

25 DEPUTY CHANCELLOR GRIMM: Yes. I

1
2 apologize and we will provide it to you as soon as
3 we can.

4 CHAIRPERSON JACKSON: Deputy
5 Chancellor would the Department of Education...
6 [off mic] I'm sorry. Let me turn to my colleague
7 Danny Dromm from Queens. Council Member Dromm.

8 COUNCIL MEMBER DROMM: Thank you
9 Chair Jackson again. I just want to follow up a
10 little bit on what you were saying also in terms
11 of the numbers of the rooms that are not being
12 used for their original purpose like gyms, cluster
13 rooms, libraries, etcetera.

14 In your count or your assessment of
15 that can you also include utilization of those
16 gyms? Because here's a problem that I've seen
17 occur.

18 DEPUTY CHANCELLOR GRIMM: Um-hum.

19 COUNCIL MEMBER DROMM: Schools have
20 a gym but only half of the classes in the school
21 can use that gym because there's just so many
22 other classes that they can't all possibly use
23 that. There's only so many periods in a week. Is
24 there a way that you could measure that so that
25 whereas there's a gym, not every student in the

1

2 school gets to take advantage of the gym period?

3 DEPUTY CHANCELLOR GRIMM: I don't
4 know. We'll see. We'll try. A lot of that has
5 to do with how the principal has programmed the
6 day. As you, I'm sure you know, gym classes can
7 be much larger than any other classes by law.

8 And--

9 COUNCIL MEMBER DROMM:

10 [Interposing] Even in elementary?

11 DEPUTY CHANCELLOR GRIMM: I believe
12 so.

13 COUNCIL MEMBER DROMM: I don't
14 believe so because those area cluster teachers--

15 DEPUTY CHANCELLOR GRIMM:
16 [Interposing] We'll check.

17 COUNCIL MEMBER DROMM: --and
18 they're supposed to have the same class size
19 ration, teacher to student--

20 DEPUTY CHANCELLOR GRIMM:
21 [Interposing] Well check that--

22 COUNCIL MEMBER DROMM:
23 [Interposing] Okay.

24 DEPUTY CHANCELLOR GRIMM: --I know
25 that for example in high school they can be up to

1

2 50. So--

3 COUNCIL MEMBER DROMM: [Interposing]

4 And Chancellor--

5 DEPUTY CHANCELLOR GRIMM: --I don't

6 know, I don't know--

7 COUNCIL MEMBER DROMM: --it's in
8 the elementary schools where I see that happening.9 DEPUTY CHANCELLOR GRIMM: In the
10 elementary schools.

11 COUNCIL MEMBER DROMM: Um-hum.

12 DEPUTY CHANCELLOR GRIMM: Let us
13 see what we can garner. This is an area that we
14 are very interested in in terms of all of our
15 efforts in terms of wellness and child obesity
16 that we know is a great problem. So we are happy
17 to work with you on this.18 COUNCIL MEMBER DROMM: Okay thank
19 you. And I don't know how to exactly word this.
20 In terms of the surveys that are done in the
21 schools, I'd also like to make a suggestion and
22 get you reaction to having the school leadership
23 team conduct those surveys regarding space
24 utilization. I think that would be very helpful
25 in terms of getting an accurate count of the

1

2 number of rooms and students in each classroom,
3 involved in that. I would think that would be a
4 function that would be well served by the school
5 leadership team.

6

7

DEPUTY CHANCELLOR GRIMM: We'll
look at it.

8

COUNCIL MEMBER DROMM: Okay.

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10

DEPUTY CHANCELLOR GRIMM: I'm a
little, you know...

11

12

COUNCIL MEMBER DROMM: Well when I
was--I was told--

13

DEPUTY CHANCELLOR GRIMM:

14

[Interposing] The principals--

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16

COUNCIL MEMBER DROMM: --when I was
the UFT Chapter leader, come with a solution as
well.

17

18

DEPUTY CHANCELLOR GRIMM:

19

[Chuckling]

20

21

COUNCIL MEMBER DROMM: And so when
we have our consultation committee meetings, so
I'm offering a little bit of a solution on that
one.

22

23

DEPUTY CHANCELLOR GRIMM: Okay.

24

COUNCIL MEMBER DROMM: On another

25

1
2 issue in terms of enrollment, is it true that
3 enrollment rose by about 14,000 this year--

4 DEPUTY CHANCELLOR GRIMM:

5 [Interposing] Yes.

6 COUNCIL MEMBER DROMM: --and we
7 have been told in the past that it wouldn't exceed
8 that number until 2016. So the numbers seem to be
9 off there. Do you have a reason or explanation
10 for that?

11 DEPUTY CHANCELLOR GRIMM: Well a
12 couple of things happened last year and this is
13 the reason why we do this amendment every year
14 because projections are projections. And we want
15 to make sure we're monitoring it. It's one of the
16 reasons we added 5,000 seats, you know, because we
17 saw some changes. But you may have more exact
18 number than I but a large piece of that 14,000 was
19 because of a change in policy in terms of 5-year
20 olds coming into the public school system instead
21 of staying with ACS.

22 COUNCIL MEMBER DROMM: Was it even
23 3,000 though?

24 DEPUTY CHANCELLOR GRIMM: Do you
25 remember what that was? 3,000 or 4,000, yes.

1
2 COUNCIL MEMBER DROMM: 3,000 or
3 4,000. So it's 1/5, 20% of that--

4 DEPUTY CHANCELLOR GRIMM:

5 [Interposing] We--right. I'm adding. I'm adding.

6 COUNCIL MEMBER DROMM: Okay.

7 DEPUTY CHANCELLOR GRIMM: And we
8 can get you the breakdown--

9 COUNCIL MEMBER DROMM:

10 [Interposing] Okay.

11 DEPUTY CHANCELLOR GRIMM: --as best
12 we have it. We also saw an increase in high
13 schools which of course was new to us. And that
14 we are seeing more children being successful in
15 high school and staying in high school so that's a
16 good thing. You know, we've got to adjust our
17 planning for it but that's a good thing. We saw
18 an increase in 4th grade did we know why that?

19 [Pause]

20 DEPUTY CHANCELLOR GRIMM: No. We
21 saw a bump in--and of course this year we're
22 involved in doing our projections now. And we're
23 going to see what this year looks like.

24 COUNCIL MEMBER DROMM: I just find
25 those numbers to be so critical, crucial to the

1

2 process of--

3

DEPUTY CHANCELLOR GRIMM:

4

[Interposing] Absolutely.

5

COUNCIL MEMBER DROMM: --eventually

6

getting to the bottom of this.

7

DEPUTY CHANCELLOR GRIMM:

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Absolutely.

9

COUNCIL MEMBER DROMM: That we

10

can't continue to underestimate those numbers.

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DEPUTY CHANCELLOR GRIMM:

12

Absolutely. I would urge you to think about it in

13

this way though. First of fall we do look at it

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every year because that's important. But we also

15

look at it out 5 years and 10 years. Because

16

we're going to--we're not going to build for a

17

problem that we might have this year or next year.

18

We're going to build for what we think it's going

19

to be in 5 or 10 years. So it's complicated and

20

it's difficult but--

21

COUNCIL MEMBER DROMM:

22

[Interposing] And specific to that, we had a

23

development in Willets Point--

24

DEPUTY CHANCELLOR GRIMM:

25

[Interposing] Uh-huh.

1
2 COUNCIL MEMBER DROMM: In Queens as
3 well where they were going to put in a school for
4 458 seats, yet the housing complex was going to
5 house 5,500 new families. And let's just say
6 hypothetically that even if the elementary school
7 could absorb the number of children--I don't think
8 that's even possible with just 458 seats,
9 approximately, there was no provision made in
10 terms of where those children would go for junior
11 high or high school.

12 DEPUTY CHANCELLOR GRIMM: Um-hum.

13 COUNCIL MEMBER DROMM: So
14 eventually they would all be pushed into either
15 Flushing High School or surrounding junior high.

16 DEPUTY CHANCELLOR GRIMM: Um-hum.

17 COUNCIL MEMBER DROMM: In those
18 schools and I think we also need to take into
19 account these developments that are going up--

20 DEPUTY CHANCELLOR GRIMM:

21 [Interposing] We do. Absolutely.

22 COUNCIL MEMBER DROMM: --and how do
23 you account for that?

24 DEPUTY CHANCELLOR GRIMM: We do.

25 We take our demographic studies and then we

1
2 overlay--I mean we work with several City agencies
3 in terms of housing starts and projections that
4 City Planning is making. We're constantly
5 factoring that in. And frankly we have
6 conversations with people such as the Council
7 Members who are sometimes really close to what's
8 happening in terms of communities and we factor
9 that in too.

10 COUNCIL MEMBER DROMM: And now in
11 terms of Kindergarten enrollment for next year.

12 DEPUTY CHANCELLOR GRIMM: Um-hum.

13 COUNCIL MEMBER DROMM: I hear that
14 it's about up 15% than--or, excuse me, that 15%
15 are on a waiting list at this point. Is that
16 true?

17 DEPUTY CHANCELLOR GRIMM: We have a
18 waiting list. We have a waiting list every year
19 actually that at least since we've been monitoring
20 it centrally. And we are working on that list.
21 We have identified the areas where the lists
22 exist; District 3 for example is certainly one of
23 them. We're opening a new school in that
24 District. And we anticipate that every child will
25 have a seat come September. What we're trying

1
2 really hard to do is to get all that figured out
3 by June so parents aren't sort of flapping in the
4 wind between now--

5 COUNCIL MEMBER DROMM:

6 [Interposing] Over the summer.

7 DEPUTY CHANCELLOR GRIMM: --and

8 September. You know, we want to try to give as
9 much certainty as we can.

10 COUNCIL MEMBER DROMM: And is that

11 15% that you're seeing in the Districts--

12 DEPUTY CHANCELLOR GRIMM:

13 [Interposing] I'm not sure it's 15%.

14 COUNCIL MEMBER DROMM: Okay.

15 DEPUTY CHANCELLOR GRIMM: I don't

16 know where that number's coming from.

17 COUNCIL MEMBER DROMM: Well the

18 numbers that you're seeing in terms of being put
19 on a waiting list whether it's 15% or lower,
20 whatever it may be, is that, do you know if that
21 is in areas that are traditionally overcrowded
22 already or is it in other areas or how is that
23 determined?

24 DEPUTY CHANCELLOR GRIMM: Have you

25 got those data?

1
2 MR. SHEAR: Well I've got... I only
3 have some of the data. I guess first I would say,
4 acknowledge as the Deputy Chancellor has that yes
5 there are wait lists citywide. This is as of
6 April 15th; the zone number of children on wait
7 lists for their zoned elementary school is
8 slightly less than 1,500. So that we have 60,000,
9 65,000 Kindergartners so it's a much smaller
10 percentage than 15%.

11 COUNCIL MEMBER DROMM: However in
12 that number that you're talking about it's for
13 their zone school.

14 MR. SHEAR: Um-hum.

15 COUNCIL MEMBER DROMM: You're not
16 taking into account children who are bussed to
17 schools in another area of the District?

18 MR. SHEAR: If they are bussed away
19 from their zoned school, we are taking that into
20 account.

21 COUNCIL MEMBER DROMM: That's part
22 of the number that you have there?

23 MR. SHEAR: Yes. In response to--

24 COUNCIL MEMBER DROMM:
25 [Interposing] Okay so they're on a waiting list?

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2

MR. SHEAR: It--

3

COUNCIL MEMBER DROMM:

4

[Interposing] They're not counted as accommodated

5

in other words. Children who get bussed to

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another?

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MR. SHEAR: We are going through a

8

process and the first step of the process is to

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have parents register or pre-register their

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children at their locally zoned school. And we

11

have just done the first iteration to see how many

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of those can be accommodated at this school. And

13

we've created wait lists totaling slightly less

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than 1,500 children.

15

So at this point we are not making

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alternate offers. We are in the process of seeing

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whether those schools can accept more children or

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in the case, for example, in District 3 as the

19

Deputy Chancellor mentioned, we're opening a new

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school there, PS 452, and that new school has not

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yet made offers. And we also will be making

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offers for gifted and talented slots that are

23

available. So we are--

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COUNCIL MEMBER DROMM:

25

[Interposing] And those gifted and talented go to

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2 a Beacon school or an enrichment program? So
3 they're pulled out of the pool of regular
4 students.

5 MR. SHEAR: If the parents accept
6 that offer.

7 COUNCIL MEMBER DROMM: Um-hum.

8 MR. SHEAR: Then they would go to
9 another school or program and that would free up a
10 seat. So we're still in the middle of the process
11 though as of now it's slightly less than 1,500
12 where we're not bussing students to another zone.
13 And some of the crowding is in traditionally
14 crowded schools. And some of it represents new
15 schools. It's a mix of both. I think it's
16 heavily in the places that were crowded last year.

17 COUNCIL MEMBER DROMM: Is there any
18 way we could get those schools where that
19 overcrowding has occurred and the numbers are
20 going up and they have to be put on the waiting
21 list? We're just very curious to know why it
22 continues to occur in certain Districts in certain
23 schools.

24 I mean Chairman Jackson spoke about
25 schools in his District. It's continuing to occur

1
2 in schools in my District despite having built
3 this new school, 280. And I think we're trying to
4 get to the bottom of why this continues to happen.
5 I mean I know people continue to move in but we
6 need to get more on top of that.

7 And I guess finally talking about
8 building new schools if I may; I understand that
9 some charter schools are being built in Harlem and
10 in Red Hook. I think District 15. And those are
11 areas that traditionally are under enrolled. Why
12 are you building charter schools in Districts that
13 are under enrolled when we need regular schools in
14 Districts that are overcrowded?

15 DEPUTY CHANCELLOR GRIMM: Well I
16 believe in both of those situations the--we are
17 partnering with the charter school. And the
18 charter school has selected the area.

19 COUNCIL MEMBER DROMM: And what do
20 you mean by partnering?

21 DEPUTY CHANCELLOR GRIMM: There are
22 funds in the Capital Plan that we dedicate to
23 these partnerships.

24 COUNCIL MEMBER DROMM: So it's City
25 capital dollars being used to build the physical

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structure--

DEPUTY CHANCELLOR GRIMM:

[Interposing] In part--

COUNCIL MEMBER DROMM: --and then they come in as the organization?

DEPUTY CHANCELLOR GRIMM: They are dollars used in partnership, which means that the charter organization contributes a portion of the money--

COUNCIL MEMBER DROMM:

[Interposing] Okay.

DEPUTY CHANCELLOR GRIMM: --so we are actually building a building that we actually own and we are in effect using our capital dollars very wisely because we're able to get partnership contributions. And charters are free to choose wherever they want to locate themselves. And we think that even in these areas where we have low utilization of our buildings we are giving parents more choice.

COUNCIL MEMBER DROMM: Well if--

DEPUTY CHANCELLOR GRIMM:

[Interposing] And create some competition for our public schools.

1
2 COUNCIL MEMBER DROMM: And this
3 goes back to a question that I asked the last time
4 when you were here I believe. If you are so
5 interested in this model of private dollars being
6 used in conjunction with City dollars, why isn't
7 that model followed for the regular public school
8 system?

9 Why can't you get a corporation to
10 help build the public school? Let's take the
11 Willets Point development, in other words, and
12 when we're talking about development, we can talk
13 about making sure that the developer is using
14 private dollars to build more than just one
15 elementary school.

16 DEPUTY CHANCELLOR GRIMM: Of
17 course. I'm being informed that they are building
18 that school for us.

19 COUNCIL MEMBER DROMM: I'm sorry?

20 DEPUTY CHANCELLOR GRIMM: They are
21 building that school for us.

22 COUNCIL MEMBER DROMM: Which one?
23 In Willets Point?

24 DEPUTY CHANCELLOR GRIMM: Yes.

25 COUNCIL MEMBER DROMM: Yes, one.

1
2 An elementary, no I think it's K to 8 was the
3 final resolve on that. But nevertheless it's just
4 not enough seats in that particular school to
5 service 5,500 families. And this is where we keep
6 falling short. Part--

7 DEPUTY CHANCELLOR GRIMM:

8 [Interposing] I think that--

9 COUNCIL MEMBER DROMM: --of that
10 was worked out but still it's not enough to meet
11 what I think is going to be the demand.

12 DEPUTY CHANCELLOR GRIMM: Okay.

13 Well as I said we will be reviewing this with you
14 ever single year in terms of the demand. I think
15 it's a great step forward to get somebody to build
16 a school for us. And if you find any other
17 corporations who want to, send them my way because
18 we'll make a deal with them. [Chuckling].

19 COUNCIL MEMBER DROMM: Thank you.

20 DEPUTY CHANCELLOR GRIMM: Thank
21 you.

22 CHAIRPERSON JACKSON: Thank you.

23 Lastly let me ask you, we have heard that in many
24 schools there is insufficient space for special
25 education services, considering the number of

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actual children in the school requiring such

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services. If you can explain how is this captured

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and in what current formula.

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DEPUTY CHANCELLOR GRIMM: Mini

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buildings?

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CHAIRPERSON JACKSON: No, not mini.

8

We've heard in many schools--

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DEPUTY CHANCELLOR GRIMM:

10

[Interposing] Oh many. Sorry.

11

MS. BERGIN: The Blue Book captures

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the information on the room use surveys for the

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specific either District special education rooms

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or the D 75, the citywide program. For the D 75

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program, depending on how--what program is in

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those rooms, we calculate the capacity according

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to that, to the program we have. So if it's a 12

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to 1 to 1, we would calculate the capacity

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accordingly. If it's a District special ed

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program, I believe the capacity is 12 although

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that is specified in the [skip in audio] though we

22

do calculate specific capacities for the rooms

23

that are [skip in audio] either for the citywide

24

special education or the District special

25

education.

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2 CHAIRPERSON JACKSON: What if I,
3 what if I or somebody else told you that students
4 with special needs are receiving services in
5 hallways and in closets in some schools even
6 though the school may be listed as being
7 underutilized in the Blue Book. Would that be
8 acceptable to you, the Department of Education?

9 MS. BERGIN: We would certainly
10 like to hear [skip in audio] and look into it.

11 CHAIRPERSON JACKSON: Okay. We'll
12 we're going to get you the citations.

13 DEPUTY CHANCELLOR GRIMM: Good.

14 CHAIRPERSON JACKSON: Because we've
15 been told that some students are receiving
16 services in hallways and in closets where the
17 school may be listed as being underutilized. So--

18 DEPUTY CHANCELLOR GRIMM:
19 [Interposing] Please share it with us because I
20 mean that is--and as Liz says, we certainly want
21 to look at it. We would want to talk to the
22 principals and see what the programming situation
23 is there.

24 CHAIRPERSON JACKSON: So let me--
25 where should--I mean just, let me branch off of

1
2 that: special, children with special needs, where
3 should they be receiving their services? Should
4 it be in a classroom? Whether or not it's the 12
5 to 1 or what have you. It should not be in a
6 closet. We would agree with that? It should not
7 be in a hallway?

8 DEPUTY CHANCELLOR GRIMM: I
9 certainly agree with it in the way you're
10 presenting it--

11 CHAIRPERSON JACKSON: [Interposing]
12 Right.

13 DEPUTY CHANCELLOR GRIMM: --I mean
14 what is a closet. If we're talking about a very
15 small space that is adequate for one therapist and
16 one child, it might be okay, I don't know. If
17 somebody is in a stairwell, no, that's not okay.
18 So we would like to hear where people think this
19 is happening and we'll look at it.

20 CHAIRPERSON JACKSON: So if it was
21 in like a nice sized closet that was--and that at
22 a certain point in time was converted to sort of
23 like a specialty or tutor room where one on one or
24 maybe two on two could happen, that would be
25 appropriate then.

1
2 DEPUTY CHANCELLOR GRIMM: If it
3 were adequate for the services--

4 CHAIRPERSON JACKSON: [Interposing]
5 Okay.

6 DEPUTY CHANCELLOR GRIMM: --and the
7 child.

8 CHAIRPERSON JACKSON: Okay. Last
9 follow-up for Danny Dromm. Thank you.

10 COUNCIL MEMBER DROMM: Just a
11 follow-up on that. It's totally unacceptable
12 Chancellor. We cannot deliver a message like that
13 to our children. I sat in my staff room and I saw
14 people come in, they took out the pitchfork, they
15 took out the shovel. They took out the rake.
16 They took out the brooms. They threw up a coat of
17 paint and they turned it into a speech room.

18 That's totally unacceptable. Do
19 you know the message that that's delivering to our
20 students? There's no air in there. There's no
21 window in there. You can barely fit a table in
22 there. That is just unacceptable and I'm sorry.
23 I'm beginning to get angry too.

24 DEPUTY CHANCELLOR GRIMM: Well as I
25 said to the Chair, when someone says is it okay to

1

2 have a child getting services in a closet, I have
3 to respond no. But I want to see the situations.
4 If it's a room that's been adequately--a small
5 room that's been adequately converted, I'm okay.
6 But I want to see the room.

7

8

COUNCIL MEMBER DROMM: But I'm

telling you they're closets.

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DEPUTY CHANCELLOR GRIMM: I want--

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COUNCIL MEMBER DROMM:

11

[Interposing] With no window. It's where they

12

stored tools. Okay. I'm telling you that this is

13

happening in many of the schools in my District.

14

DEPUTY CHANCELLOR GRIMM: Okay. I

15

urge you to share with the Chair these places and

16

we will commit to you that we will take a look at

17

them.

18

COUNCIL MEMBER IGNIZIO: Mr.

19

Chairman.

20

CHAIRPERSON JACKSON: Yes, Council

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Member Ignizio from Staten Island.

22

COUNCIL MEMBER IGNIZIO: Yeah if I

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may somewhat defend the DOE; I'll be critical when

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it's warranted and I'll, you know, be not when

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it's not. What occurs in some areas in my

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District that I've been made aware of is large book rooms, the size of almost a quarter if you will of this area, which is no longer used for storage, which the racks have been taken out and they've, you know, painted or made it an area where you can give instruction where it is a one on one, more quiet setting.

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Perhaps in cases like that is what--if I'm not putting words in your mouth, it is maybe appropriate to have a more private one on one environment whereby you can do the instruction. I just think that to give, you know, an example of the other side of the coin which has occurred where sometimes that is appropriate and sometimes that is a space which has been retrofitted.

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23

It was previously known as a book room or a closet and is no longer being utilized as such, perhaps services can be provided in an area like that. I think that's what's being said. I agree with you if you say kids should be learning--no. Of course not.

24

25

If it's a closet like you and I have at home although my wife has a very large

1
2 closet but that I have at home, no, certainly it's
3 not appropriate. But in an area that I'm
4 discussing which is a couple of hundred square
5 feet for a book room, perhaps to not utilize that
6 space and to utilize it to better serve the needs
7 of a child, I'd be happy to at least listen to
8 that.

9 CHAIRPERSON JACKSON: Thank you.
10 Deputy Chancellor let me thank you and your staff
11 for coming in and answering our questions. We
12 look forward to the follow-up. We hope that the
13 Department of Education will change their mind
14 about Intro 155.

15 I think the more information that
16 we have, the more transparent we are, the more we
17 are in agreement as to the utilization and
18 capacity, the clearer it is for a person to
19 understand what you're saying to be the truth, the
20 better off we will be overall.

21 I think clearly, not relating to
22 DOE, but when the City of New York can spend
23 almost \$750 million on a time and attendance
24 computerized system, I would think that the
25 Department of Education which is more than one-

1
2 third of the entire City's budget would want to
3 know exactly how ever space in the system is being
4 utilized in order to ensure that our children
5 receive the best education under the conditions of
6 small class size, of qualified teacher in the
7 classroom, and all of the materials that they need
8 in order to receive that enriched education.

9 I know you would agree with that.

10 DEPUTY CHANCELLOR GRIMM: We look
11 forward to those conversations.

12 CHAIRPERSON JACKSON: Thank you
13 very much.

14 DEPUTY CHANCELLOR GRIMM: Thank
15 you.

16 CHAIRPERSON JACKSON: Okay. For
17 the record, we received testimony for the Council
18 of Supervisors and Administrators. For the
19 record, we received testimony.. [off mic] this is
20 the CSA is in support of Intro number 155.
21 Advocates for Children [off mic] in support of the
22 Transformation Zone for Low Performing Schools.

23 For the record, from Lenore Brown
24 in support of Resolution of 156 and Resolution 157
25 on the School Transformation Zone and Expanded

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Learning Time and also to change the Blue Book.

For the record, testimony of Victoria Valencia in support of Resolution 156 and 157.

For the record, a [off mic] Cynthia Williams, a Parent Leader in the New York City Coalition for Educational Justice and a mom of six who all attend public schools, in support of Resolutions 156 and 157.

For the record, from Julia Boyd, a parent from Boys and Girls High School in Brooklyn, [off mic] in support of the Transformation Zone.

For the record, from Shareen Carrington, a PA President at Maxwell High School, in support of the creation of the School Transformation Zone for Low Performing Schools.

For the record, from Kenneth Moore, PA President from Robison High School, in support of creating a School Transformation Zone.

For the record from Latoya Anthony, PA Member from Sheep's Head Bay High School in Brooklyn, in support of the expansion of the school days for students and School Transformation

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2 Zone.

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For the record, [off mic] testimony from Esperanza Vasquez, a parent of a New Settlement Department in the Coalition for Education Justice, in support of Resolutions 156 and 157.

With that we'd like to hear from George Sweeting the Assistant Director for the New York City Independent Budget Office and from Erin McGill, representative of Manhattan Borough President Scott Stringer.

[Pause]

CHAIRPERSON JACKSON: Mr. Sweeting, would you please state your name and title and you may begin your testimony.

MR. GEORGE SWEETING: Good afternoon. I'm George Sweeting, Deputy Director of the New York City Independent Budget Office. And I'm joined here this afternoon by Sarita Subramanian who is our Education Capital Analyst.

Good afternoon Chairman Jackson, members of the Committee. Thank you for the opportunity to testify about Intro 155 which would overhaul the Department of Education's enrollment

1
2 capacity utilization report which is often
3 referred to as the ECU Report and for those of us
4 with long histories in this field, sometimes as
5 the Blue Book in honor of the cover on the old
6 hardcopy version.

7 In my testimony I'll discuss some
8 benefits that would result from the enactment of
9 the Intro but also mention some concerns and some
10 suggestions for additional items to consider for
11 the enhanced report. These include more
12 information on the type of school, the physical
13 capacity of school buildings and the specific
14 grades served in a school.

15 Requiring the DOE to provide timely
16 and scheduled releases of the annual Blue Book
17 makes sense. Although in recent years the DOE has
18 done a better job in releasing the report early in
19 the subsequent school year. For example the
20 report for 2008-2009 school year was released in
21 September 2009. There have been times when the
22 report was delayed, particularly in years when a
23 new 5-year Education Capital Plan was under
24 development. Legislating an annual publication
25 date should avoid such problems in the future.

1
2 In addition to ensuring that
3 capacity and enrollment data are available when
4 reviewing the 5-year Capital Plan and the
5 subsequent annual amendments, having this
6 information routinely available for guides and
7 school choice websites helps to inform families'
8 school application decisions for the following
9 fall.

10 Intro 155's goal of improving the
11 quantity and quality of the information included
12 in the annual ECU report is also important.
13 Council Members and their staff along with IBO and
14 other policy researchers routinely encounter
15 limitations and inconsistencies in the data when
16 using trying to use the Blue Book. Having a more
17 comprehensive report would make it easier to
18 analyze where school overcrowding is a problem and
19 to help identify possible solutions.

20 However our review of Intro 155
21 found some potential problems and shortcomings in
22 the proposal which the Council might want to
23 consider as the Intro moves through the
24 legislative process. The core of Intro 155 is a
25 requirement that DOE report on space that had not

1
2 originally been used to house regular classrooms
3 such as cluster rooms, specialty rooms,
4 gymnasiums, auditoriums, libraries and lunchrooms
5 that have been converted to classroom use.

6 The Intro would also require the
7 DOE to provide detailed data on many other
8 converted school spaces that might not be as
9 pertinent to understanding capacity, including
10 teacher lounges, locker rooms, rooms to provide
11 special education related services and
12 occupational or physical therapy rooms. Although
13 it is generally better to have more detail to
14 understand how programming at the school affects
15 the use of school space, if the Blue Book becomes
16 bogged down with too much detail it may be less
17 useful.

18 Having noted the potential for data
19 overload we nevertheless have suggestions for
20 additional data items to consider adding to the
21 report that IBO believes would enhance
22 understanding of school and building capacity.
23 The existing report's capacity measures are
24 heavily dependent on how a school is programmed.
25 Currently when looking at year to year changes in

1
2 capacity at school organizations, some of the
3 observed changes are actually the result of
4 changes in programming from one year to the next
5 rather than changes in physical capacity.

6 For example, the Blue Book measure
7 of capacity in an elementary school would increase
8 from one year to the next if the principal had
9 more fourth grade classes and fewer Kindergarten
10 classes than the year before. Because the assumed
11 class size for Kindergarten classrooms is 20
12 students whereas the assumed class size for fourth
13 grade classrooms is 28 students, the Blue Book
14 capacity measure would show an increase in
15 capacity from the previous year although the
16 number of classrooms did not change. To deal with
17 this problem IBO suggests requiring an additional
18 measure of capacity that is only dependent on the
19 physical space available, such as the total number
20 of classrooms.

21 When high schools utilize
22 programming that is not typical such as longer
23 school days or multiple sessions, it can also
24 provide a misleading measure of capacity. The
25 capacity measure does not take this programming

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2 into account because it assumes the same level of
3 efficient programming whereby regular classrooms
4 are used 7 out of 8 periods a day or 87.5% of the
5 time. Therefore the utilization rate may well be
6 over 100% even though not all students are
7 attending school at the same time.

8 Contrasting these schools with
9 other schools that have similar utilization rates
10 but no programmatic changes to remedy the
11 overcrowding can result in an apples to oranges
12 comparison. To avoid such confusion it would be
13 helpful if the Blue book identified schools that
14 use an alternative schedule for programming
15 classes.

16 In addition the Blue Book currently
17 identifies the building level but it would be
18 useful to also know the organization or school
19 level. Organization level is important in cases
20 where organizations are placed in buildings whose
21 level differs from its own level, such as when an
22 elementary school is placed in a middle school
23 building.

24 Furthermore with the recent trend
25 away from the more traditional DOE nomenclature

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2 for schools, it is much more difficult to separate
3 schools by school type and grades provided. Since
4 the Blue Book calculates capacity differently for
5 schools depending on which grades they serve, it
6 would be useful to know the actual roster of grades
7 and number of classrooms assigned to each grade
8 for each school. At a minimum a more detailed
9 school level identifier could be used such as the
10 following: primary school; middle school; primary
11 middle school combinations; high school; and
12 middle school high school combinations.

13 Finally it would be helpful to have
14 charter schools collocated in DOE buildings
15 clearly identified in the report. The charters
16 should have an appropriate indicator of their
17 status when reporting the capacity measures, the
18 count of classrooms as suggested by IBO and when
19 identifying which school organizations have access
20 to gymnasium, lunchrooms and other facilities when
21 they share a building.

22 Thank you for the opportunity to
23 testify. And I'd be happy to answer any questions
24 you may have.

25 CHAIRPERSON JACKSON: Thank you.

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2 Let's hear from the Borough President's
3 representative.

4 MS. ERIN MCGILL: Good afternoon.
5 My name is Erin McGill. I'm the Education Policy
6 Analyst at the Manhattan Borough President's
7 Office and will be delivering testimony on Borough
8 President Stringer's behalf today.

9 Good afternoon Chair Jackson and
10 members of the Education Committee. Thank you for
11 holding this important hearing on the Blue Book.
12 Two weeks ago I held a press conference to address
13 the space crisis that some 43% of Manhattan's
14 elementary and middle schools face as a result of
15 chaotic DOE space planning policy and practices.
16 Over the course of the past 2 years my office has
17 released 3 reports on the flawed methodology used
18 to project school enrollment which has led to
19 severe overcrowding in the public schools.

20 During this time I've also convened
21 war rooms bringing together parents, the DOE,
22 elected officials and others to collaborate and
23 resolve challenges associated with overcrowding
24 and space planning issues. My office, other
25 elected officials, advocates, and school

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2 communities have called for reform of the Blue
3 Book for many years now.

4 We have heard today a number of
5 times reference to the 2008 Class Size Matters
6 studies in which half of all principals responded
7 that the data that the DOE used to analyze
8 utilization and capacity in their schools was
9 inaccurate and underestimated overcrowding in
10 their schools. Every week my office hears from
11 parents whose children can no longer take a music
12 class because the music room in their school has
13 been converted into a classroom or have lost
14 access to the science lab despite the fact that
15 they must demonstrate proficiency in science to
16 pass the State's Regent's test.

17 A fundamental problem with the
18 Department's estimation of space based on the Blue
19 Book is the inaccuracy that always seems to go in
20 one direction only. There exists a systemic bias
21 in favor of too little school space. Earlier this
22 month I sent a letter to Chancellor Klein
23 outlining a series of recommendations to improve
24 current DOE policies and practices that would curb
25 problems associated with overcrowding and

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collocations.

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My office found that 86 of the Borough's 199 elementary and middle schools face unnecessary challenges in providing students with a quality education because of the DOE's poor planning around overcrowding and collocation. A catalog of narratives we compiled detailing the broad range of challenges many school communities now face, evidence of a problem that we know is even more severe and widespread than we initially were able to capture. New school communities have reached out to my office subsequent to our releasing our findings to share their stories with us.

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Poor planning based on flawed formulas and assumptions in the Blue Book and an utter failure to meaningfully engage and incorporate feedback from school communities around overcrowding and collocations have resulted in a heightened and unnecessary state of anxiety, confusion and chaos. At present the educational climate in New York City is largely and unnecessarily defined by uncertainty. Amending the Blue Book is a necessary and long overdue step

1
2 to fixing the DOE's planning process and ensuring
3 that there are enough seats for students in our
4 public schools.

5 I commend Chairman Jackson and the
6 City Council for introducing legislation that will
7 bring us much closer to an accurate Blue Book.

8 Some of the most important components of this
9 legislation include but are certainly not limited
10 to the following: a recognition of the critical
11 need to reduce class size; an account of all
12 students learning in trailers and annexes which
13 should be included in the DOE's calculation of a
14 school's total enrollment; and an account of and
15 remediation plans for a loss of spaces dedicated
16 to art, music, science, special education, and
17 physical and occupational therapy. Long term
18 capacity issues should not be resolved by turning
19 cluster rooms into classrooms.

20 A final thought is about the
21 importance of community input which is resounding
22 strongly now in the face of the Supreme Court's
23 recent decision to overturn the DOE's closure of
24 19 schools. Judge Lobis sent a clear message that
25 the DOE must do a better job of listening to and

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2 incorporating community feedback.

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To this point, now is an appropriate time to consider Resolutions introduced by Education Chair Robert Jackson and which stemmed from important work by parents at the Coalition for Educational Justice to help low performing schools by expanding the school day and year and creating a school transformation for those schools that require increased supports to effectively serve their students.

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As it true in the larger picture of educational reform in New York City and beyond, successful changes will not occur in a vacuum and most likely to occur when community voices play a meaningful role in decision-making processes. Working towards a more accurate and functional Blue Book requires that the DOE collaborate in a more meaningful way with the people who work and learn in buildings where space, where significant space concerns are a daily reality.

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The Department's larger goal of closing the achievement gap is undeniably tied to its ability to create and foster stable learning environments and provide all students with a well

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2 rounded education.

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CHAIRPERSON JACKSON: Well Ms.

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McGill and Mr. Sweeting, let me thank both of you

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for coming in. First Ms. McGill would you please

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communicate to Borough President Scott Stringer

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that we appreciate his leadership in doing these

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reports, in assigning you to this hearing to

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listen and to give his testimony.

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And clearly in my opinion, even

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though he is my Borough President, it appears to

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me that he is the leader out of all of the five

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Borough Presidents in coming up with reports and

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trying to move forward in dealing with the

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overcrowdedness in our schools. And more

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specifically since the proposed 5-year Capital

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Plan does not include 1 seat in District 1, does

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not include 1 seat in District 3, does not include

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1 seat in District 4, does not include 1 seat in

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District 4, does not include 1 seat in District 6.

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So out of--it only includes seats in District 2.

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And as I said, District 2 needs seats.

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So I agree with that determination.

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But I totally disagree with the fact that the

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Department of Education's 5-year Capital Plan does

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2 not call for 1 additional seat, not even talking
3 about a school, in the rest of Manhattan. That is
4 insane. That is crazy. And in fact as I said if
5 I was in charge whoever came up with those
6 statistics should be fired. But I'm not in
7 charge. Not under Mayoral control. So let me
8 thank you for coming in representing our Borough
9 President.

10 And Mr. Sweeting on behalf of the
11 City Council let me thank you for giving your
12 opinion on behalf of the Independent Budget
13 Office. And we would like to sit down with you to
14 discuss some of the suggestions and thoughts that
15 you and your staff had concerning Intro 155.

16 MR. SWEETING: I'd be happy to.

17 CHAIRPERSON JACKSON: Thank you
18 very much. Thank you. And now we're going to
19 hear from Leonie Haimson from Class Size Matters,
20 Emily Horowitz from the Task Force on Overcrowding
21 and Class Size Matters, David Bloomfield, from
22 Brooklyn College, CUNY Graduate Center, the former
23 president of the high school--are you still the
24 president of the high school parent's association?

25 MR. DAVID BLOOMFIELD: No, thank

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CHAIRPERSON JACKSON: Okay, thank

god. And Doug Israel, the Center for Arts

Education. Doug, you're here? Come on Doug.

[Pause]

CHAIRPERSON JACKSON: Okay.

MS. LEONIE HAIMSON: Hello. My

name is Leonie Haimson. I'm the Executive

Director of Class Size Matters. Before I get to

my testimony, as always, I'd like to respond to

some of the things that have been said for the

last few hours.

It's not exactly true they're not

building any new seats in District 5. They are

building new charter school seats with DOE money

in District 5 for 2 charter school organizations.

And despite what the Administration said, that

they're getting a 25% subsidy for those seats from

the charter school organizations, if they were

building District seats, they would only be paying

50% because the State reimburses for District

public schools and not charter schools which shows

not only that they're willing to spend 50% more to

build charter schools than District schools but

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2 they are also willing to build them in areas which
3 according to their own statistics the schools are
4 currently underutilized.

5 And as to the issue of the science
6 labs which we've heard a lot about, I know many
7 schools that are losing their science labs faster
8 than they're being built because of the
9 overcrowding crisis and the collocations. In fact
10 the American Sign Language school which has been
11 promised to regain its science lab that it lost to
12 the Quest to Learn School this year, has now been
13 told that they will lose their science lab to the
14 Clinton School which is moving in there. And that
15 is not an unusual story. Every single day these
16 collocations are causing schools to lose science
17 labs.

18 So. I'm not going to go over all
19 of this because some of it relates to our survey
20 and Emily will go into more detail about our
21 principals' survey. I just want to focus on the--
22 thank you for the great attention you've given to
23 this issue and the legislation on the books. We
24 think it should have a couple of areas where it
25 could be strengthened and I want to focus on those

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areas.

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First of all there is, right now, a school can have hundreds of students in an annex and in trailers and still be listed as underutilized. And that's because each of those annexes and trailers are considered to have their own separate capacity. What we would like the bill to do is not only report on how many students are in trailers but then assign those to the main building so that you can more readily see that those schools are over utilized. And all those kids also have tremendous impacts on the usage of the cafeteria, the gym and all that. So we really need to have those students assigned to the main building for the purposes of computing the utilization rate.

We also firmly believe that the turnaround document or the space assessment surveyor whatever you want to call it should not just be done by the principal in isolation but should be completed by the school leadership team in a walkthrough. And that the UFT chapter chair and the PA president and school leadership team should have to sign off on it as well.

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2 This is done every year for the
3 building condition assessment survey with the
4 principal and the custodians and the SCA. And
5 it's led to a much more detailed and effective way
6 of dealing with school repairs. Space is just as
7 important in our schools as school repairs. It
8 needs to be done as a team and there needs to be a
9 more thorough assessment done by the entire school
10 community.

11 There needs to be a public appeals
12 process. As you know over half of principals said
13 that their utilization figures were incorrect and
14 yet there was nothing they could do about it. We
15 believe that there should be a public appeals
16 process if the school community disagrees with the
17 rating. It should go to the District leadership
18 team and/or the CEC and that there should be some
19 mediation of that and some discussion of why those
20 figures are incorrect.

21 Right now the figure appears in the
22 book. Nobody even knows whether the computation
23 is done correctly because the formula is so
24 arcane, no less whether the principal or other
25 school administrator has entered into the survey

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correctly as to what classroom space actually exists.

And finally we've been working for several years now and Emily will tell you more about that in our Manhattan Borough Task Force on School Overcrowding on trying to come up with a better school survey and formula. And though we've made some progress we still haven't really reached the end of this. And it's a very complicated issue, of course.

One of the problems with the formula which was not really touched on today is that the DOE assumes an average level of special ed kids in terms of the need for intervention rooms, not the actual number of special ed kids who need those services at each school level. So there has to be an adjustment for that.

There also has to be some way to require that sufficient cluster room and specialty rooms are built into the formula. Not just for elementary schools but also for middle school and high school. I wasn't really convinced by the answer of Liz Bergin. I don't think there's any allowance or requirement that middle schools and

1
2 high schools have any specialty or spaces at all
3 in the formula. So you can be listed as
4 underutilized and not have a science lab, not have
5 an art room, not have a music room, not have a
6 library. And that should not be allowed.

7 So finally we thank you very much
8 for your attention. I'd like to make a couple of
9 sentences just about the resolution on the
10 Transformation Zone. I think it's a great
11 concept. It certainly worked with Rudy Crew's
12 Chancellor's Zone. However I think that the issue
13 of class size should be more centrally emphasized
14 in that Transformation Zone. Many if not all of
15 our low performing schools have class sizes that
16 are still way above the State average, way above
17 what those students need.

18 And I've been told by teachers and
19 others that simply extending the school day for
20 kids who don't even show up for the classes that
21 they're currently assigned to because they're so
22 alienated and disengaged from the learning
23 experience will not help those kids. You really
24 need to transform the conditions of learning and
25 that can only happen, they can only become

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2 reengaged in that excitement of learning if you
3 provide them with smaller classes.

4 So thank you very much.

5 CHAIRPERSON JACKSON: Well thank
6 you. Next please, identify yourself and you may
7 begin your testimony.

8 MS. EMILY HOROWITZ: Yes. My name
9 is Emily Horowitz. And I'm a Professor of
10 Sociology at St. Francis College and I'm also the
11 Chair of the Manhattan Borough Task Force on
12 Overcrowding Subcommittee to Reform the Blue Book.
13 And I also want to deviate a little bit from my
14 testimony. I'll hand it in to you. But I was
15 really outraged by many of the comments made by
16 Deputy Chancellor Grimm.

17 First of all she said, you know,
18 she would love to meet with us. We never reached
19 out to her. And that's why she didn't comment on
20 our work. But actually publicly, many, many times
21 I asked her to meet with me. I asked her to
22 respond to my research and work. And in District
23 6 I was on the CEC and for 4 years we had hearings
24 with her present where we presented evidence that
25 District 6 was in fact overcrowded in spite of the

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2 data in the Blue Book.

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And we said can you respond to this. We gave her handouts. We gave her data. She said of course, I'll respond. I said can we have a deadline. She said within 4 weeks. Never received anything. So I think it's ironic and in very bad faith to say oh they never reached out to me. So I hope that she was--she's had a change of heart and she will meet with us to discuss these results.

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She also said that our research is not grounded. I don't really know exactly what that means but it was grounded. It was grounded in her argument that well these are the tales from a few outraged principals and nutty parents and crazy activists. This isn't comprehensive. So we did a comprehensive survey of every single principal in the City. Half responded. We got very, very good data. This is totally grounded. This is not bad data. We didn't do fancy statistics. We simply reported quotes directly from principals. And we will give you a list of the principals that are willing to talk about their experiences.

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2 And also finally about the closets,
3 one of the members of the Committee said well, you
4 know, a closet can be really nice. It can be a
5 quarter of this room. At least in our research
6 when we talk about therapy in closets,
7 occupational therapy, speech therapy and guidance
8 services in closets, we're reporting this only
9 when we ask principals what are problems in your
10 schools. And when they respond to that specific
11 question they say students are being taught in
12 closets that are substandard. When there are
13 closets that are not substandard they don't answer
14 the question that it's a problem. So it's not
15 beautiful big closets.

16 I also wanted to just quote a
17 couple of principals that we've interviewed.
18 Specifically, one principal that we interviewed
19 and we have tons and tons of evidence, obviously
20 we don't have a lot of time, but just to give you
21 one example, one principal that has a utilization
22 rate this year of 67% that we interviewed in the
23 past 4 weeks said that in this school that
24 supposedly is 1/3 empty basically or with 1/3
25 extra room, kids are eating lunch in the

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2 auditorium.

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There's a storage room that's used for dance movement classes and also meetings. The computer lab is in the process of being converted into a classroom. Occupational and physical therapy and speech therapy is actually conducted in the hallways. They don't even have closets in this school that the DOE says is at 67% capacity.

Another principal at a school at a 95% utilization rate, so that school is, you know, there's a little extra room. It's not overcrowded. They had a very bad situation where they received a technology grant worth millions of dollars. And they're running into big problems with their funder because they don't have a computer lab and they don't have technology. And the DOE says the school's fine. They don't need additional space. And this has to be factored into this new formula and it has to be factored into the legislation.

One point about the legislation that I want to make, there's many problems with this legislation but it's a very good step in the right direction. I hope that a committee is

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2 formed with stakeholders to improve this
3 legislation that builds on the research done by
4 your office and your staff, people like Sarah
5 Margrave and Jan Atwell that have worked for years
6 trying to understand these issues and incorporates
7 these ideas.

8 But specifically I think the most
9 important thing is that the survey results from
10 the walkthroughs are posted on the internet. So
11 if a parent or anyone at the school says hey this
12 school--the DOE says it's at 67% capacity, let's
13 go and look at the results. you don't need a
14 10,000 page report. You can still have a number
15 for each school. You can still say this school is
16 at 67% capacity.

17 However if you put all the results
18 up you can see what each room is used for and
19 people can see if there's errors. And if there's
20 problems with the way things turn out. If there's
21 a dance room in a closet it will show up in the
22 survey results. So I think that's the most
23 important thing that has to be added to the
24 legislation. Thank you and I'll turn in much more
25 that I had to say. Thank you.

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CHAIRPERSON JACKSON: Next please.

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MR. BLOOMFIELD: Thank you. I kind of like the idea of the Blue Wiki instead of the Blue Book. My name is David Bloomfield. I'm a Professor of Education at the CUNY Graduate Center and at Brooklyn College where I head the Educational Leadership Program. And I am also a former president of the Citywide Council on High Schools.

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As an educator and parent leader I want to express my support for Intro 155 and concentrate my remarks on Reso 157 to establish a School Transformation Zone to improve low performing schools and prevent school closings. My support for the Transformation Zone is simple. It works. And wholesale closure of schools as recently practiced and evaluated in Chicago, doesn't.

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In its 2004 report, Virtual District, Real Improvement, the Institute for Education and Social Policy then at New York University concluded that the New York City Chancellor's District upon which the current proposal is based, showed significantly higher

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2 fourth grade reading scores than a control group
3 of failing schools even after accounting for
4 greater increases in resources, with reasoned
5 speculation that the upward trend might have
6 continued if not for elimination of the
7 Chancellor's District by this Administration.

8 In Miami Dade where Rudy Crew went
9 after leaving New York City, his school
10 improvement zones, similar to the Chancellor's
11 District, raised student achievement in 39 of
12 Manhattan's--I'm sorry, of Miami's most troubled
13 schools. Even the Gates Foundation in its
14 Turnaround Challenge report found that of all the
15 strategies studied, including the New York
16 Children's First Initiative had the greatest
17 improvement in the Miami Improvement Zone.

18 In contrast the 2009 study, When
19 Schools Close, by the University of Chicago's
20 Consortium on Chicago School Research, shows that
21 a school closing strategy similar to Chancellor
22 Klein's showed little affect on academic
23 performance of displaced students.

24 The poor results of school closures
25 have been confirmed by multiple studies in New

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2 York including the New School report, The New
3 Marketplace, which detailed what it called
4 collateral damage of school closures on displaced
5 students especially those with disabilities and/or
6 limited English proficiency. And as researchers
7 Erin Palace and Jennifer Jennings have shown, the
8 new schools that replaced closed schools opened
9 with populations significantly more ready to
10 learn.

11 The recent court decision in
12 Mulgrew v. Board of Education largely turned on
13 the City Department of Education's failure to
14 document either by negligence or intention, the
15 impact of closure on other schools, impacts that
16 would be avoided by a successful Transformation
17 Zone initiative.

18 In conclusion I urge you to pass
19 Reso 157. We need to reject the DOE's reliance on
20 empty if headline grabbing structural solutions
21 like wholesale school closings. A Transformation
22 Zone would not grab headlines, good teaching
23 rarely does. Thank you.

24 CHAIRPERSON JACKSON: Thank you.

25 Next please.

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MS. LENORE BROWN: Okay. Good afternoon Chair Jackson and Council Members. My name is Lenore Brown. I live in Cypress Hill Brooklyn and I am a member of Cypress Hill Advocate for Education and the New York Coalition for Educational Justice. I am here today to support Resolution 156 and 157. On the School Transformation Zone and expanding learning time. And also to change the Blue Book. Thank you again.

These changes to the Blue Book law are very important to ensure a high quality education for all students. CEJ has fought for students at low performing schools to have full science labs as well as space for arts, music, gym and other enrichment classes. When the DOE inaccurately assess space they push too many students and too many schools into a building and students lose important services like these, like I just said.

This is happening in 302 which is my neighborhood school. And we really must put a stop to it. Schools--I get a little emotional about it because my son went there and my grandson

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2 and they just came in overnight, not informing
3 parents that, you know, we're going to put another
4 school in this school. And this is going to
5 happen in September so it's really like a done
6 deal. And it really does affect the neighborhood.

7 Low performing schools have been
8 left on their own for too long to struggle and
9 fail. And we need a comprehensive initiative to
10 work with them to build their capacity and raise
11 achievement. Those are the schools that have
12 negative impact on students and communities.
13 Research has shows that as high need students are
14 pushed from one overcrowded low performing school
15 to another without the support to serve them it
16 causes more and more schools to fail. And it's
17 just ridiculous.

18 For example in 2004, 19 schools
19 that the DOE is trying to close this year had a
20 special education population of 7%. Today their
21 special education population is 18%. And it's
22 growing. And this is dangerous. It's horrible
23 really. So it is many students needing extra
24 support. It is no surprise that these schools are
25 struggling. Instead of pushing these schools, we

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should help them to improve.

There is a better way, however.

There are examples across the country and internationally of schools that have made huge increases in student achievement throughout. Expanding school day and year for students, increased planning and professional development for teachers, rigorous enriched college and career preparation curriculum for all students, comprehensive integrated support services for students, parents and community included in decision-making. And that's a very important thing as well.

CEJ thinks we can resolve these problems by creating a School Transformation Zone led by an expert educator with experience with turning around schools. There is money to do this. 34 New York City schools will soon be receiving up to \$2 million from the State to either close down, convert into charters or make major reforms to turn themselves around. These schools could be part of the zone. And use this money to implement these reforms. The DOE also applied for Federal innovation funds, private

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2 grants, and using the existing money to support
3 our schools in the zone.

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5 The DOE is still finding--they're
6 finding money to support new initiatives. They
7 just announced that 81 schools will pilot
8 innovation strategies through the NYC-One Zone.
9 But of these 81 schools, only 13 low performing
10 schools, only 13. And only 1 is part of the 34
11 lowest achieving schools, only just 1. IS 302, my
12 neighborhood school has been very low performing
13 for many years. And 2 years ago it joined the
14 Middle School Initiative and the school has made
15 real, real progress. This shows that when schools
16 are well supported they can be turned about.

16

17 Please pass Resolution 156 and 157
18 and the law to change the Blue Book and thank you
19 very much for your support.

19

CHAIRPERSON JACKSON: Thank you.

20

Next please.

21

MR. DOUG ISRAEL: [Off mic]

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23

Chairman Jackson and members of the Committee on
24 Education... [On mic] On now? Thank you Chairman
25 Jackson and members of the Committee on Education
for the opportunity to testify. I'm Doug Israel,

1
2 Director of Research and Policy for the Center for
3 Arts Education.

4 I'm going to hit on the highlights
5 of my testimony. We're here in support of
6 Introduction 155. Intro 155 is arts-friendly
7 legislation. According to the Department of
8 Education's Annual Arts in Schools Report the lack
9 of available in-school art space was one of the
10 top three challenges to implementing arts
11 education in public schools. And regrettably
12 there's evidence that this lack of dedicated arts
13 space is growing.

14 According to the survey that was
15 mentioned today conducted by Class Size Matters
16 with Emily Horowitz and funded in part by the City
17 Council, 25% of the principal reported losing art,
18 music, dance, drama or foreign language space to
19 general education classrooms during their tenure.
20 And there are reports of the loss of cherished art
21 spaces from schools across the City such as at PS
22 149 in Harlem where the school has had to
23 sacrifice its music room to make space for two
24 collocated schools. The school has an array of
25 instruments including violins and keyboard and a

1
2 talented music teacher but it can no longer use
3 the instruments because there is no space to house
4 them or provide the instruction. The writing is
5 on the wall.

6 As in many ways this is the fate of
7 arts education in public schools across the City.
8 Less space plus less money equals less access and
9 less programming. Art spaces are vital to the
10 mission of schools to provide students with
11 quality instruction and they are often the
12 lifeblood of schools across the City. These
13 spaces need to be more thoroughly accounted for.
14 They need to be protected, preserved and in many
15 cases reclaimed and resurrected.

16 The True Book legislation being
17 developed by the City Council represents a
18 positive step to protect art spaces in public
19 schools. Specifically the bill would require that
20 schools actually provide detailed information on
21 how cluster rooms are being used.

22 This would provide much needed
23 transparency and give parents and decision-makers
24 a better sense of the space needs of schools as
25 well as the actual function of existing

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2 classrooms. The lack of specificity that is
3 inherent in the term cluster room does a
4 disservice to the school and its students and
5 makes those rooms more expendable as schools deal
6 with overcrowding and collocation.

7 Reporting out the actual use,
8 whether it's an art room, a science room, or a
9 computer room is an important part of
10 transparency. And the second piece of it that
11 we're very encouraged by, it would require schools
12 to report on the number of rooms that have been
13 converted or repurposed and are no longer used for
14 their original function. This first-ever
15 reporting requirement will help capture critical
16 information about how schools use space and what
17 losses have occurred in the recent past due to
18 overcrowding or other factors.

19 Providing this detailed account of
20 the loss of art spaces in public schools can help
21 galvanize support for their protection and
22 hopefully lead to the restoration of these spaces
23 for their original intent where appropriate. We
24 believe that these and other reporting
25 requirements described in the bill will provide

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2 greater transparency and can play a role in
3 halting the loss of critical art spaces and have a
4 positive impact on student learning in schools in
5 all five Boroughs.

6

7 We're encouraged that attention is
8 being paid to the importance of art space in
9 public schools and we look forward to review of
10 the final bill language. Thank you for your time
11 and consideration of this testimony.

12

13 CHAIRPERSON JACKSON: Well let me
14 thank this panel for coming in and obviously we
15 depend on all of you. When I say we, myself as
16 the Chair of the Education Committee, the staff,
17 all of the members of the City Council, because
18 you are the ones that are, I guess, doing the
19 tough work by staying on point of analyzing,
20 responding, advocating on behalf of the children
21 of New York City in the various fields in which
22 you're doing.

23

24 So I thank all of you for coming in
25 and especially you, Doug, for your support in
26 trying to move the agenda. And obviously from
27 historical perspective, you know, we've talked
28 many times about art education and the need for

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2 holistic education. And everyone up there knows
3 how important that is so let me thank you for your
4 leadership.

5 But also, and also Emily, you know,
6 I think that I want to follow up to make sure that
7 we communicate and Leonie, more specifically about
8 schools where children are being taught in the
9 hallways. I want to give them some actual
10 citations. I want them to respond to it. I want
11 them to sit down with you because they said that
12 it was ungrounded and basically that the
13 information that you have is not correct.

14 And the principals are saying,
15 they're the ones who are responding. And as I
16 said, you know, if you didn't believe it how come
17 you didn't call them and say hey where did you get
18 this information from. Because overall from a
19 historical perspective I believe you guys rather
20 than believe them.

21 So it's important to know that.
22 But, you know one thing? This struggle continues.
23 So. Let me thank all of you, David, and all of
24 you for coming in. We have two more panels that I
25 want to call up. But please continue to work with

1
2 us, communicate with us on trying to move Intro
3 155 and Resos 156 and 157 forward. Thank you very
4 much.

5 And next we're going to hear from
6 the Reverend Joade Daur-Cardasis [phonetic] and
7 Elliot Roseboro and Shino Tanikawa and Helen
8 Rosenthal. Please come forward.

9 After this panel we have one
10 additional panel. Okay. Okay so Reverend, why
11 don't you begin please? Identify yourself, your
12 title and you may begin your testimony.

13 REVEREND JOADE DAUR-CARDASIS: Good
14 evening.

15 CHAIRPERSON JACKSON: Good
16 afternoon.

17 REVEREND DAUR-CARDASIS: Good
18 afternoon, going on evening. Thank you Chairman
19 Jackson and members of the Committee for holding
20 these hearings. I was--I'm not prepared with the
21 text of--because I wasn't sure if I was going to
22 stay for the hearing until somebody from the
23 Department of Ed, after I spoke outside said that
24 I might not want to stay for the hearing, it was
25 going to go on so long which just encouraged me to

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2 stay.

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I'm an Episcopal priest in the Diocese of New York. I have a Parish in the Bronx. And I am here today representing the Right Reverend Mark Sisk who's the Diocesan Bishop as well as the Right Reverend Catherine Roskam who is Bishop Suffragan of the Episcopal Diocese of New York.

I'm here because the Bishops and the Diocese have identified the need and taken the initiative to begin addressing the gaps in our children's educations through a program called All Our Children whereby parishes throughout the City are encouraged to partner with a local public school to provide after school arts, music and homework help to all students free of charge thanks to generous startup grants from Trinity Church, Wall Street. And our church has just begun working with them.

But I am also here as someone who has taught for many years exclusively in public schools. I taught everywhere from Scarsdale to Mt. Vernon High School and I taught here for five years in the City at IS 151 in the South Bronx as

1
2 well as PS/IS 73 in Brooklyn. I'm a fifth
3 generation New Yorkers and I love our City and our
4 children. And so I felt it was very important to
5 speak up.

6 Having taught in the City's school
7 system, I've experienced first hand what it is
8 like to teach in a failing school. Day after day
9 talented and dedicated teachers work hard to
10 stimulate and engage the minds of children in this
11 City in conditions that are demoralizing and
12 numbing.

13 These teachers spend thousands of
14 dollars of their own money buying items often as
15 rudimentary as chalk and erasers, notebooks and
16 pencils for their students as millions of dollars
17 of texts and workbooks, some of which have only
18 been used one years, some of which are not used at
19 all languish in closets. In addition millions of
20 dollars being spent in City money on test prep
21 materials.

22 Teachers are forced to adhere to
23 curriculum and practices that are literally wastes
24 of time and draconian and they are not
25 educationally sound as evidenced by the poor test

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2 results. They are mandated to spend hours every
3 week teaching test prep, how to take a test, how
4 to fool the test, how to get around it, not how to
5 think deeply and to be creative.

6

7 In the school in which I taught in
8 Brooklyn several years ago, the faculty were
9 forced to teach math and only math from 8:45 in
10 the morning until the end of the day for 2 plus
11 months preceding the standardized math tests. We
12 taught nothing else. And we wonder why children
13 are absenting themselves from school.

14

15 CHAIRPERSON JACKSON: Did they all
16 get 100?

17

18 REVEREND DAUR-CARDASIS: No.

19

20 CHAIRPERSON JACKSON: Terrible.

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22 Terrible both ways.

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24 REVEREND DAUR-CARDASIS: When
25 teachers speak up to protest this type of so-
26 called teaching, they are cited by their
27 principals for insubordination and then letter
28 after letter is placed in their file. If their
29 pencils aren't straight on their desk they'll
30 write you up for something.

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32 Assaults go unreported in schools.

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We were told--actually I was in the room when I was teaching in the Bronx, by the dean, a whole group of us were told don't report if you're assaulted unless you're bleeding, have black and blue, are black and blued unless the EMTs come to pick you up because we're not going to be reporting it. The signs in the subways that crime is down like 38% in the schools is fabricated because principals are encouraged not to report suspensions.

The misleading and I'll refer again to the--I could go on and keep you here all evening but I won't. These are just a few examples that I have shared with you as causes why our schools are failing, contrary to the misleading ads we see in the subways which have been fabricated to convince everyone that things are going well.

I'd like to ask a question that we should consider and which I mentioned outside at the press conference. Why is that many altruistic, hardworking, young people coming from colleges, well educated, and who join the New York City Teaching Fellows program are dropping out

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2 after six months and a huge percentage after one
3 year? They're not receiving the supports that
4 they need. One young woman who taught next door
5 to me who was amazing was assaulted by a student.
6 She was not supported by the administrator. And
7 at the end of the year she was so disgusted she
8 said she'd never go back into any education no
9 matter where it was.

10 I support--we support the
11 establishment of the School Transformation Zone as
12 a first step in addressing the massive dysfunction
13 of this school system. And as this zone develops
14 and unfolds under the direction of an expert
15 educator, and I emphasize the word educator, not
16 politician, not anything else, an educator who's
17 been recognized for their effectiveness, perhaps
18 this Transformation Zone will serve as a role
19 model to begin changing things in this educational
20 program.

21 The program calls for involvement
22 of parents and communities in the education of our
23 children. We agree it is nothing less than a
24 moral imperative that these children, our most
25 precious gifts and greatest blessings, be provided

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2 with nothing less than creative and enriched
3 opportunities to grow and thrive in nurturing
4 environments so that each one can achieve his or
5 her fullest potential.

6 I sat here finally and listened to
7 the silken dulcet tones of sophistry from the DOE
8 and the administrators. I say to you Chairman,
9 don't believe it. Do yourself a favor. Do the
10 children a favor. Go to the schools but go
11 unannounced. Go unannounced so that there is no
12 time for principals to cook the books, to cover up
13 what's really going on, to put on a show, and to
14 move disruptive students out when they find that
15 supervisory staff is coming.

16 They send the disruptive students
17 out on last minute waste of time field trips just
18 to get them out of the building until the end of
19 the day. I've seen this happen when supervisory
20 personnel from the DOE come and I've seen it when
21 SIR [phonetic] supervisory personnel come, that
22 students are pushed out of the school and sent on
23 meaningless field trips just to get them out of
24 the way so the schools look good.

25 I thank you for your time. I thank

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2 you for what you're trying to do. And I--we all
3 support you in the Diocese in any way we can.

4

CHAIRPERSON JACKSON: Thank you.

5

Just identify yourself for the record.

6

REVEREND DAUR-CARDASIS: Reverend

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Joade Daur-Cardasis and I represent Bishop Mark

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Sisk and Bishop Catherine Roskam for the Diocese

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of New York, Episcopal.

10

CHAIRPERSON JACKSON: Thank you.

11

REVEREND DAUR-CARDASIS: Thank you.

12

CHAIRPERSON JACKSON: Next please.

13

MS. HELEN ROSENTHAL: Thank you

14

Councilman Jackson for introducing this very

15

important legislation and for your tireless

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efforts chairing the Education Committee, nine

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years, it's very impressive.

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CHAIRPERSON JACKSON: This is only

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my fifth year. Eva Moskowitz chaired it four

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years.

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MS. ROSENTHAL: Five tireless

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years. Thank you for your help doing that. My

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name is Helen Rosenthal. As you know I'm the

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former Chairperson of Community Board 7 in

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Manhattan. It was very clear when I was Chair of

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the Board that the most important issue in our neighborhood is overcrowding in the schools and shared space and utilization for District 3.

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I'm in support of this bill for its effort to improve transparenence on the critical issues of capacity utilization and enrollment and for the notion of working together with the SLT which I thought was a fine idea although the DOE doesn't seem to like it, CEC members, the DOE administration, school administration to identify the use of each room.

But I would suggest that you tweak the legislation just a little bit because the devil is always in the details as we all know. And you really have to know the details in order to advance the ball with the Department of Education. We did this and I wrote about it in an article in the local West Side Spirit and that's what I included for my testimony. We went into the details working with the local CEC and that's in fact how we got the Department of Education to agree to a new school in our District. It's a 3-section school with 75 seats. It would not have happened had we just used the Blue Book.

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2 Here's a couple of--let me give you
3 an example. The Blue Book tells us and I looked
4 at it really quickly, that's old data, so I'm not
5 quite sure it's right, but for K through 5 at PS
6 191, which is located right behind Lincoln Center
7 and across from Amsterdam Houses, you might see an
8 unused capacity of 60 to 80 seats.

9 And the DOE would include that in
10 its count and say oh, you know, you're not going
11 to have overcrowding you have 80 seats available
12 to you at PS 191. Well hang on a minute. A seat
13 is not a seat. Those seats are spread out K
14 through 5, of course; it's 5 to 7 kids from each
15 classroom. So if when we do our projections and
16 we see that there's going to be a need, a demand
17 above and beyond what's there of in our situation
18 we had projected a demand of 125 seats between 2
19 or three schools. And the DOE would say to us,
20 using the Blue Book and they did this in
21 September, you have plenty of room. Look you have
22 60 seats at PS 191.

23 Well PS 191 can't take 60 new
24 Kindergartners. If they were going to take 60 new
25 Kindergartners, they could place 10 of them maybe

1
2 in the 2 classes they have now. But they'd have
3 to identify 2 brand new classrooms to identify--to
4 accommodate those kids. And that's not just like
5 a bubble class that goes up. Our projections show
6 that this is going to happen annually for at least
7 the next 3 years if you don't want to project out
8 5 years which means that it's not 2 classrooms
9 that that school needs additionally, it's 6.

10 Because it's going to be those 2
11 grades are then going to--instead of 2 first
12 grades the following year it's going to be 4 first
13 grades because they're not just putting in--these
14 target numbers, I don't know why they even use
15 them when they say it's the target number of 20
16 kids in each Kindergarten classroom, they're
17 assuming 25 when they do their numbers. Well 25
18 kids, if you have 25 kids in a class, you can't
19 collapse them down the way that happens under a
20 normal situation.

21 A sustainable school is going to
22 have to have more classrooms if you're going to
23 put in more kids in each Kindergarten class. So
24 it's no longer going to be something like--and I'm
25 making this up, a 5-section Kindergarten that by

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2 the time you're in 5th grade it collapses down to 3
3 5th grade classes. That's not going to happen once
4 you start putting 25 kids in each of those
5 Kindergarten classes. And when new families are
6 moving in, it's no longer 20 or 25 kids in those
7 3rd grade or 4th grade classes, it's now up to the
8 full 28, 30, 34.

9 So collapsing isn't happening any
10 more and it means that the schools themselves are
11 not sustainable. So when the DOE says oh, you
12 know, it's okay. One or two of the schools are at
13 120% capacity, you know, it's not because it's
14 going to be at 120% the next year and the next
15 year and the next year. And that's why you're
16 having specialty classes or, you know, OT or
17 Speech Therapy held in the hallway.

18 And one example by the way when the
19 DOE asks for examples is PS 87 where parents are
20 out of their minds knowing about their children's
21 special ed classes happening or PT and OT
22 happening in the hallways.

23 I'm going to wrap this up. I just
24 want to give you a few facts. The first fact is
25 in fact in District 3 we have the school with the

1
2 highest wait list, PS 87 with 111 kids. 111 zoned
3 children who will not be able to go to their zoned
4 school next year. Between PS 87 and 199 the
5 number is 160 which if you think about it is a 7-
6 section school, going by the DOE's realistic
7 numbers of 25 kids per classroom. That means in 2
8 zones which are next door to each other, 87 and
9 199, we need a brand new 7-section school.

10 So the DOE did listen to us and in
11 that article you'll see that they agreed to put in
12 a new 3-section school which is not enough and
13 it's crammed into a middle school building. So
14 we're not particularly happy about that because
15 where are these kids going to go after elementary
16 school. My guess is middle school.

17 Lastly what we're going to end up
18 having to do with that 160 kids is 75 will go into
19 that new school. We will accommodate the
20 remaining kids on the wait list in one of two
21 ways. One is that at some of the zoned--some of
22 the zones nearby there is a tiny bit of room.

23 So they're going to go up to the
24 full complement of 25 kids per class in those
25 schools and I'm talking about maybe 4 schools.

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2 But once that happens we're still going to have
3 about 40 kids left over and those kids are going
4 to have to go to--those kids zoned for PS 87 or
5 199 are going to go to a school that is either
6 from 1 to 3 zones away from where they live.

7 That's the end of my testimony.

8 Thank you for all the work that you're doing.

9 CHAIRPERSON JACKSON: Thank you.

10 Next please.

11 MS. SHINO TANIKAWA: Hi. My name
12 is Shino Tanikawa [phonetic]. I'm a parent with 2
13 children in the public school system. For the
14 purpose of full disclosure I will say that I am a
15 member of the Community Education Council District
16 2 but today I'm here to speak as a parent who has
17 seen children in very old buildings.

18 I am in support of Intro 155. I
19 think it's time that we really reform the Blue
20 Book because it ain't working. It's very clear.
21 However one thing that I'd like to see happen is
22 the more subtle nuances of building use.

23 Having a school in a 100-year old
24 building is a very different experience from a
25 school in a building that was built in the 1980s

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2 or 1970s even. Our stairwells are very narrow.
3 Our cafeteria at PS 3, this is in Manhattan, the
4 cafeteria is in the basement. It's a really
5 dreadful space. Occupancy is rated at 175 people
6 but even if you put Kindergartners in there,
7 they're energetic, they're very full of life, you
8 can not have 175 students down there, it's too
9 many.

10 So those things really limit the
11 number of students that can have lunch in the
12 cafeteria, number of students who can be going up
13 and down the stairs, and the number of bathrooms
14 and locations of bathrooms. Those subtle things,
15 that common infrastructure shared by the entire
16 school, they make a huge impact on the life of
17 students every day. But those things are not
18 considered in calculating the capacity of the
19 school.

20 As a concrete example this school
21 year, because of overcrowding in the Village, PS 3
22 was asked to take in 2 extra Kindergarten
23 sections. And we were reluctantly happy to
24 accommodate the families in the zone who needed
25 Kindergarten seats. So we opened up 2 new

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Kindergarten classes.

However the lunchroom wasn't big enough for all the Kindergartners, so we had to do a little bit of creative scheduling. And right now, 2 classes out of 11 are having lunch in the classroom. They have what the teachers call precess which is recess before the real recess. So there is a scheduling complexity that's associated with this size of a particular infrastructure.

Stairwells being what it is, the yard being on the second floor, cafeteria being in the basement, we have to carefully schedule which classes go down which stairway in which direction and what time.

And those are all things that take a great deal of energy away from instruction from the administrators as well as teachers. So if there's any way moving forward, that we can consider the nuances of each building, how old is the building, how wide is the hallway? Where is the cafeteria? How big is the cafeteria? Where is the gym? What kind of gym is it? All those things really ought to be considered in determining how many students you can put in a

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2 building.

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It become even more important when you're trying to locate or collocate multiple schools. Because then you are talking about 2 school administrators trying to share very limited, very small spaces and having 4 stairwells, 2 schools, things get really messy.

So I'm not quite sure if you can develop a formula for something like this but to the extent possible I would like to see us moving forward considering every little detail of each building in its own right.

And one more thing that I have to say, it's not really related to the Blue Book but District 2 just recently went through rezoning in Lower Manhattan which still resulted in overcrowding because we knew rezoning wouldn't create new seats.

But the DOE seems to be making all enrollment planning decisions based on 25 students per class in Kindergarten. They keep telling us we have capacity. Well when you put 25 Kindergartners in each class, we might have capacity. But that is not the class size we're

1
2 trying to have. Putting 25 kids in each
3 Kindergarten class is already 20% over what it
4 ought to be. And this has to got stop.

5 So with that, thank you so much for
6 all the work you do for us. We really appreciate
7 it.

8 CHAIRPERSON JACKSON: Well thank
9 you for coming in and sharing the details of your
10 situation and of the District. And as you know
11 the plan was for no more than 20 children in K to
12 3 and if they're planning for 25, then it goes
13 against the goals that they've laid out and it
14 goes against the State, you know, law, what have
15 you. And we have to fight them on this. Next
16 please.

17 MR. ELLIOT SKIP ROSEBORO: Good
18 evening. I'm Elliot Skip Roseboro [phonetic].
19 I'm with CEJ. First I'd like to thank the Chair
20 and the Council for the ongoing discussions on
21 this extremely important issue of school closings.

22 The closing down of 30 or more
23 schools forces thousands of kids to go out of
24 their neighborhoods and often out of their own
25 Boroughs to receive education. I'm sorry let me

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2 just start here.

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4 The closing down of 30 or more
5 schools forces thousands of kids to go out of
6 their neighborhoods and often out of their
7 Boroughs to receive an education and is an
8 educator's nightmare. To then take away these
9 children's Metro Cards on top of that is
10 despicable. It is an unequivocal recipe for
11 failure but by its very nature this ill thought
12 out combination will create more lateness, truancy
13 and less well rested children. It won't go--I
14 won't go into the fact that this may be
15 intentional, that it causes other schools to fail,
16 that it opens up room for more charter schools and
17 it gentrifies neighborhoods.

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I do hope that I will be asked
about the gentrification. Now as he's done over
the last 9 years businessman Mayor Mike will allow
you to go through your now normal complain and
hearing cycles. He'll buy some people off and
then he'll close down schools regardless of what
the Council, kids, parents, and public thinks.

The future of our children and the
City itself dictates that this is of emergency

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importance. And not to be lost on what has become a normal routine of loss to the Mayor's will. The Mayor and others tout the sizable amount of educational money to cities that create more charter schools. Though President Obama's plan was well intentioned, it didn't allow for the self-interest, greed, devaluation of our children that often happens when huge sums of monies are up for the taking.

When control and access to such large sums of money and its inherent power meets up with the shortsighted and sometimes criminal minded public officials and vendors, our children's future can often be cast aside. Of course this is in exception to our fine City Council Members. However some of our officials and vendors are no different than other special interest groups, using this for self-gain and little actual regard for our children and their future.

The educational funds possibly lost would pale hugely to the 2 or more generations of District school kids lost in the shuffle and closings which while trying to create a mere 4% to

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2 6% of charter schools. Wouldn't it make much more
3 sense to negotiate and show the Obama
4 Administration that these same monies allocated to
5 proven programs such as proposed by CEJ, the
6 Coalition for Educational Justice, would have a
7 much broader and deeper effect on the entire
8 school system than what is planned to affect less
9 than 7% or 8%.

10 After spending the past 8 years and
11 hundreds of millions of dollars to create 3% of
12 charter schools, shouldn't the resounding question
13 be what the hell happened to the other 97% of our
14 children? In those 97% of schools, why are
15 teachers still buying pencils, paper, pens,
16 blackboard tools out of their meager salaries?
17 Why are we continuing to lose art, music, labs and
18 other enrichment programs rather than expanding
19 them?

20 The bottom line is why is a much
21 larger population of schools being punished with
22 closings and losses of services while others are
23 prospering. These closings alone hurt our
24 children, their future and our neighborhoods. We
25 are here to make all schools good schools and that

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2 starts by keeping them open and allowing our
3 children the choice, convenience and resources of
4 being educated in their own neighborhoods.

5 CHAIRPERSON JACKSON: Well let me
6 thank all three of you for coming in. I don't
7 know if you sat through the entire hearing to hear
8 the Department of Education's response to our
9 inquiries and questions. And my dumbfoundedness
10 for not understanding their so-called clear
11 explanations as to the class size goals and
12 objective and other questions we put forward to
13 them. And as I said if I was in charge some heads
14 would roll.

15 But let me just thank you. And I
16 want all of you to continue to stay engaged in
17 order to help us collectively, in order to, hum, I
18 guess communicate to our Mayoral control leaders
19 that what they're doing as far as the 5-year
20 Capital Plan, what they're doing as far as the
21 utilization and capacity for their Blue Book is
22 not really where it should be at. Okay? So
23 please stay engaged. Okay, thank you.

24 MR. ROSEBORO: If I can, just two
25 sentences here. I want to say that the system as

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2 it's set up now will gentrify our neighborhoods.
3 It is on track. And whether it's intentional or
4 not, this is what's going to happen under this
5 process as it is and we need to look at that as
6 well.

7 CHAIRPERSON JACKSON: Thank you.
8 Our last panel, Ann, where are you, come on down.
9 Public school parent advocate and Mary Spiegel,
10 are you here Mary? Is Mary here? She left. And
11 what about Tricia Joyce, are you here? Is there
12 anyone else here to testify? Ann you're the last
13 but not least. So just identify yourself and you
14 may begin your testimony.

15 MS. ANN KJELLBERG: I'm Ann
16 Kjellberg of the Public School Parent Advocacy
17 Committee, a loose consortium of public school
18 parents from around the City working for common
19 goals. I want to thank the Chairman for once
20 again staying with us and listening to the public
21 and expressing my ardent wish that someday,
22 someone from the DOE would elect to do the same.

23 I testified before this body in
24 hearings in 2008 on the 2010-2014 Capital Plan
25 about the inadequacy of provision of seats for

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2 middle school.

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CHAIRPERSON JACKSON: Um-hum.

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MS. KJELLBERG: I attach that

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testimony here today. In that testimony I pointed out that Blue Book formulae are clearly inadequate to measure overcrowding in our middle schools.

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Many of our middle schools are identified as under enrolled while they have class sizes in excess of Contract for Excellence commitments.

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I cited the example of Barouche

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Middle School which was identified by Deputy

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Chancellor Grimm in City Council testimony as

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under enrolled, the same year they converted their

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library, their auditorium and a teacher room to

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classroom space in order to drive the class size

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from 33 to 36 down to 28 to 30, a vivid example of

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the deformities introduced by the DOE's method of

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calculating enrollment.

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The Blue Book measure of

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"programming efficiency" for calculating middle

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school enrollments encourages the cannibalization

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of facilities for arts and sciences or school

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overcrowding to preserve them. It obscures the

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different needs of different schools. The Clinton

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School for Artists and Writers, for example, has no art room, and the differing existing conditions in different schools.

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The DOE argues that the popularity of successful programs results in overcrowding of those schools but they are responsible for controlling enrollment in schools of choice and they should be trying to duplicate successful programs rather than force more students into them. Faulty mechanisms for measuring enrollment obscure their failure to provide a sufficient number of adequate middle school programs to meet the City's academic needs.

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I studied statistics on the 11 D-2 middle schools attended by most of the graduating students from my child's elementary school. All but 1 had average class sizes this year in excess of 30 even though only 2 were listed in the Blue Book with utilization at above 100%. 8 of them had seen their utilizations increase over the Blue Book of 2006-2007 in spite of massive infusions of class size reduction funds into the system as a whole and DOE arguments that middle school enrollment is declining.

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2 Clearly the current measures are
3 not identifying the real needs. Another chronic
4 problem with Blue Book in particular impact on
5 middle school is its failure to recognize the
6 inherent differences among buildings, a problem
7 that also plagues elementary schools which are
8 often not built for the sort of learning mandated
9 by today's curriculum.

10 You can fit a lot more students in
11 a room when you put each one at a desk facing
12 forward like an airline passenger and don't move
13 them all day as was done in earlier generations of
14 pedagogy. Middle school rooms now crammed into
15 the attics of elementary schools aggravate this
16 problem by squeezing large children into spaces
17 built for small children.

18 A City Council Task Force and
19 several highly persuasive reports from the
20 Annenberg Institute confirm what we already know:
21 that our middle school students are exceptionally
22 academically, socially and psychologically
23 vulnerable. The chronic underperformance of our
24 high school students is a further measure.

25 Numbers in the Blue Book that cloak

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2 the deterioration of middle school facilities and
3 students' access to supportive adults are not mere
4 statistics, they are calls to action. The upshot
5 is that the DOE has institutionally no motivation
6 to accurately assess its facility needs.

7 Independent analysis is required to develop
8 adequate measures. I applaud the Council's
9 intention to require the Blue Book to conform to
10 the Contract for Excellence class size minimum.

11 But I call on the Council further
12 to develop a rigorous process with real input from
13 the people who know for appraising the real
14 situations in our schools. Building adequate
15 facilities for teaching and learning is a
16 fundamental responsibility for the system and it
17 can't be done when we only look through rose
18 colored glasses and the fox dictates the needs of
19 the chicken coop [laughing]. Thank you very much
20 Mr. Chairman.

21 CHAIRPERSON JACKSON: And let me
22 thank you for staying the course and as I said to
23 the other panelists, we need you, because
24 sometimes we feel frustrated in that our oversight
25 hearings and our advocacy is not making a

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difference. But I think that we are making a difference. And together we shall prevail to ensure that our children receive the type of quality education they rightfully deserve. And that we as a City spend our money appropriately instead of spending money, \$1 billion on building out a prison in the Bronx and the Brooklyn House of Detention in Downtown Brooklyn over a year ago I had asked them to spend the money on building schools. And obviously that's not a decision within the Department of Education but clearly that's a decision of the Mayor as the chief executive of the Executive Department.

So Ann, thank you--

MS. KJELLBERG: [Interposing] Thank you.

CHAIRPERSON JACKSON: --for staying the course and coming in and giving testimony on this very important issue. Also let me just finally thank the staff of the Education Committee and the City Council for everything they have done to help me and the other members of the City Council to prepare for this hearing today on Intro number 155 and Resolutions 156 and 157.

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2 Our Counsel to our Committee is
3 Aysha Schaumberg, our Policy Analyst Jan Atwell,
4 and Joan Pavone and Regina Peredo Ryan our Finance
5 Policy Analyst and Shirley Lamongee, our
6 Communications person and Nathan Toth our
7 Assistant Director for our Capital Division.

8 Without them I don't know what I would do.

9 And of course my staff that works
10 here at City Hall, Joanna Garcia and Beth Shuler
11 and my Chief of Staff, Sara Margrave. And with
12 that ladies and gentlemen, let me thank you all
13 for coming. We look forward to working with you
14 down the road. It is now 4:33 and this hearing on
15 Intro 155 and Resolutions 156 and 157 is hereby
16 adjourned.

17 [Gavel banging]

18 [END 1002.MP3]

C E R T I F I C A T E

I, Laura L. Springate 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.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature _____Laura L. Springate_____

Date _____May 9, 2010_____