

NEW YORK STATE ASSEMBLY

ASSEMBLY STANDING
COMMITTEE ON EDUCATION

PUBLIC HEARING

GOVERNANCE OF THE NEW YORK CITY
SCHOOL DISTRICT

New York City Technical College
Klitgord Auditorium
Brooklyn, New York

March 20, 2009
10:15 a.m.

EN-DE REPORTING SERVICES
212-962-2961

A P P E A R A N C E S:

CATHERINE T. NOLAN, Chairwoman, Member of Assembly

HELENE E. WEINSTEIN, Member of Assembly

JAMES F. BRENNAN, Member of Assembly

DANIEL J. O'DONNELL, Member of Assembly

JOAN L. MILLMAN, Member of Assembly

ALAN MAISEL, Member of Assembly

MICHAEL BENEDETTO, Member of Assembly

MARK WEPRIN, Member of Assembly

DARRYL TOWNS, Member of Assembly

WILLIAM COLTON, Member of Assembly

HAKEEM JEFFRIES, Member of Assembly

KARIM CAMARA, Member of Assembly

N. NICK PERRY, Member of Assembly

LIST OF SPEAKERS

WILLIAM C. THOMPSON, JR. NYC Comptroller.	11
CARLO SCISSURA, Chief of Staff Borough President Marty Markowitz.	24
HON. MAJOR OWENS, Former Member United States Congress	31
KATHRYN WYLDE, President & CEO Partnership for New York City.	37
REVEREND DAVID BRAWLEY East Brooklyn Congregations.	53
JOSEPH VITERITTI, Executive Director Public Advocate's Commission on School Governance.	59
DAVID JONES, Co-Chair Public Advocate's Commission on School Governance.	65
ROBERT TROELLER, President & Business Manager IUOE Local 891	82
GREGORY FLOYD, President Local 237/Teamsters.	87
DAVID BLOOMFIELD, Parent Member Citywide Council on High Schools	100
PATRICIA CONNELLY, Member Citywide Council on Special Education.	109
ANTHONY WEINER Congressman.	141
DEPUTY MAYOR DENNIS WALCOTT	148
MARCIA LYLES Deputy Chancellor for Teaching & Learning New York City Department of Education.	149
ERIC NADELSTERN, Chief Schools Officer New York City Department of Education.	164

LIST OF SPEAKERS

CHRIS CERF New York City Department of Education	176
DAVID ROSS New York City Department of Education.	178
MARTINE GUEREIER New York City Department of Education.	191
JENNIFER BELL-ELLWANGER New York City Department of Education.	207
JAMES LIEBMAN New York City Department of Education.	251
CHARLES BARRON NYC Councilmember.	298
JENNIFER STRINGFELLOW, President Community District Education Council 15.	300
MELISSA PLOWDEN-NORMAN, President Community District Education Council 13.	307
VICTORIA LUGO, Secretary Community District Education Council 32.	314
CARLTON RICHARDSON, Member Community District Education Council 18.	316
JIM DEVOR, 1 st Vice President Community District Education Council 15.	321
CHRISTOPHER SPINELLI, President Community District Education Council 22.	330
OLAIYA DEEN, Member Community District Education Council 13.	337
MORTY BALLEEN, Founder & Executive Director Explore Charter School	348
HOWARD SCHOOR	354

LIST OF SPEAKERS

RICHARD GREEN	359
GLYNDA CARR, Executive Director NY Education Voters.	377
NANCY VILLAREAL DE ADLER, Executive Director NYS Association for Bilingual Education.	383
SAM ANDERSON Black New Yorkers for Educational Excellence	390
SANDRA RIVERS Black New Yorkers for Educational Excellence	398
MICHAEL HOOPER Black New Yorkers for Educational Excellence	401
LESLIE ESTERS REDWINE	405
LETRICIA ALANS La Union	418
ALDA ARIAS La Union	419
GUATALUPE CIROS La Union	419
MARGARITA PAVON La Union	420
BENITA LOVETT-RIVERA, Member Parents Commission on School Governance.	422
CARLA PHILIP, Member Parents Commission on School Governance.	428
ELLEN BILOFSKY, Member Parents Commission on School Governance.	430
CHARMAINE PHILLIP, Member Parents Commission on School Governance.	433

LIST OF SPEAKERS

ROSA FLORES Parents Commission on School Governance.	434
DAYSIE CUEVAS	436
JOHN DIPALO Beginning With Children Foundation	437
KRYSTAL BONISABO	442
SERRANI SOTO	444
LORRAINE GITTENS-BRIDGES	447
LENORE BROWN	451
LISA NORTH, Teacher.	453
JAMES ETERNO, Teacher Jamaica High School.	457
LINDA GAVIN.	462
NICOLA DEMARCO, Teacher.	463
PHILIP NOBILE, Chapter Leader IS 259 United Federation of Teachers	465
VICTORIA BOUSQUET Campaign for Better Schools	467
MARIE PIERRE ACORN	470
SHALANDRA MATTHEW.	472
JOANN SIMON.	474
DAVID GREENWICH.	476
MR. LANSSEN	477
GAIL GATSDEN	479

LIST OF SPEAKERS

KIM URBY 480

SOL MCCANTS. 482

RODRICK DALY 485

PHILIP DELAHUSA. 487

TYLER WILKINSON. 487

CHAIRWOMAN NOLAN: Let me just say again good morning and ask everyone's patience because we know people will be filtering in to this very large auditorium over the course of what we expect to be a very lengthy day.

I want to again introduce myself. My name is Cathy Nolan, and I have the privilege and the honor of chairing the Assembly's Education Committee. We do try to expedite the hearing as much as we can. We always have a work in progress with the slips; that changes as the day goes on.

What I'd like to do, normally we have a welcome often from the borough president or whoever the senior person is. The borough president couldn't be here but sent a rep and we do want to hear from him in a minute. But what I'd like to do, given the busy stretch of his schedule and how pleased we are to have him with us, is call the Comptroller of the City of New York, the Honorable William Thompson.

Bill we'd like to hear from you first, and we appreciate your coming. Let me just, while you're coming up, acknowledge the presence

1 of a number of colleagues and say this is the
2 fifth and final hearing, in theory, one in each
3 of the boroughs of the counties of our great
4 City.
5

6 As I'm sure many of you in the audience
7 know, the Legislature changed the process that
8 that New York City School District was governed
9 under in 2002 and 2003, and actually had a number
10 of changes even earlier than that, but all the
11 legislation sunsets June 30th. What that means is
12 it has to be either renewed, discarded,
13 reinvented or in some way refreshed; the
14 Legislature does do that routinely on a number of
15 issues. So one of the things that we wanted to
16 do on this critical issue was hear from as many
17 different voices as possible and so we had
18 hearings in each borough.

19 One of the things that we have really
20 benefitted from - and our speaker, Sheldon
21 Silver, wanted very much to give everyone the
22 opportunity, is that in addition to the members
23 of the Education Committee, Assemblyman Danny
24 O'Donnell from Manhattan who has been with us at
25 every hearing or Assemblyman Mike Benedetto from

1 the Bronx who will be here and has also been at
2 every hearing. We have a number of committee
3 members from Brooklyn and a number of Brooklyn
4 colleagues. So at each of the hearings - Staten
5 Island, Queens, the Bronx, etcetera - members of
6 the delegation came, as well.
7

8 So we are joined today by Assembly member
9 Alan Maisel, who does serve on the Committee and
10 has a distinguished career as a teacher and
11 assistant principal; Assemblyman Jim Brennan, who
12 is a very long serving member of the Education
13 Committee who has issued a number of reports; a
14 great leader from Brooklyn, a great friend of
15 mine, a long-serving member of the delegation and
16 the Chair of the Assemblyman Judiciary Committee,
17 Helene Weinstein, who is here at my left. And at
18 my right, another member of the Education
19 Committee, Assemblywoman Joan Millman, who
20 represents this district, in addition to having
21 served a long career as a teacher, and I
22 mentioned Assemblyman Benedetto from the Bronx.
23 I am sure that we will be joined by other members
24 of the Brooklyn delegation and other interested
25 committee members as the day goes on.

1 But I would like to start with our
2
3 comptroller, and we'll get everybody's testimony
4 as we move forward. But I think in the interest
5 of time, I would like to do that. Unless my
6 colleagues would like to say something quickly,
7 I'd like to go right to the comptroller.

8 While you're doing that, I should also
9 say I want to thank New York City Technical
10 College, President Russell Holster and all the
11 staff of the College and our stenography staff,
12 Deb McDonough and the team that put this
13 together, thank you very much.

14 Thank you.

15 COMPTROLLER THOMPSON: Thank you. Thank
16 you, Chairperson Nolan and to the member of the
17 Education Committee and to the other members of
18 the Assembly, good morning. Let me thank you for
19 giving me this opportunity to testify once again
20 regarding governance of the New York City School
21 District.

22 This is a subject of great concern to me,
23 not only as a New Yorker and a product of the New
24 York City public schools, but as a former
25 President of the Board of Education. Throughout

1 my tenure at the board I aggressively pursued
2 accountability in our public education system,
3 beginning with a series of reforms in 1996.

4 At the time lines of authority were
5 blurred, there was little accountability for
6 educational failure, and local boards were mired
7 in corruption. We felt that if the Chancellor
8 was to be held accountable for educational
9 performance, then he or she must be given clearer
10 authority.

11 What did we do? We stripped individual
12 school boards of the responsibility for day-to-
13 day operations of schools and gave that power to
14 superintendents. The Chancellor in turn was
15 given a more direct role in the selection of
16 individual superintendents and gained authority
17 to intervene in schools that were failing as well
18 as to transfer or remove principals.

19 We mandated School Leadership Teams in
20 every school - made up equally of parents and
21 school staff - that injected more accountability
22 at the school level. In short, we laid the
23 groundwork for a more accountable management of
24 our public school system that helped clear a path
25

Panel for Education Policy to make it more inclusive and responsive to the needs of our many stakeholders.

Let's start with parents.

With an enormous stake in their children's education success, parents must have a true voice in the decisions that impact their children's schools. Every study indicates that parental involvement equates with student achievement.

A key problem is that district superintendents are not functioning as a critical link between parents and the DOE's central administration. They currently spend a substantial amount of their time outside their districts, which takes them away from reviewing school budgets, evaluating principals and responding to parent concerns.

As our superintendents have been pulled away from their role in assisting parents, the understaffed Office of Family Engagement and Advocacy has tried inadequately to fill the gap.

There are currently, at most, only two family advocates per district, and many districts have

1 one. And because they report to Tweed rather
2 than the district superintendent, their ability
3 to resolve parent concerns is limited. Family
4 currently have no place to go for effective help
5 other than the principal or Tweed. For that
6 reason, I believe that the district family
7 advocates should be reassigned to report to the
8 superintendent. At the same time, we must build
9 up and support existing structures designed to
10 give parents a meaningful voice at the level of
11 their local schools.
12

13 My office recently surveyed parent
14 leaders from across the city - from community
15 education counselor officers to school leadership
16 team members to parent association presidents -
17 to find out how these bodies interact with the
18 DOE.

19 We were shocked to learn that most
20 parents do not even know what school leadership
21 teams and Community Education Councils are. We
22 were also told that school leadership teams and
23 Community Education Councils, for the most part,
24 have little or no influence, making it difficult
25 to recruit parents to serve and weakening the

level of parent engagement.

Barely half of the schools surveyed by the Office of Family Engagement and Advocacy have a functioning school leadership team. Where they do, principals are too often failing to work collaboratively with them as the State Education Law requires in preparing school budgets and in developing the school's comprehensive education plan.

I recommend that as part of a superintendent's annual evaluations of the principals in their district, he or she should be required to consider a principal's record in developing an effective, collaborative school leadership team.

My survey also found that DOE routinely ignores existing statutes governing Community Education Councils. They are rarely consulted before a school is opened or closed. They play no role in developing the district report card.

Because the Department's narrow interpretation of the Councils' statutory role in school zoning has denied them a voice in what programs will be offered in their districts and

1 schools, I recommend that the Community Education
2 Councils' role in school zoning decisions be
3 clarified in the law to ensure that they have a
4 voice.
5

6 We should also seek to streamline the
7 parent engagement structure. Currently, nine of
8 the eleven voting members of the CEC must be a
9 parent of a child attending a school in the
10 district, who is selected by the president and
11 officers of the PA or PTA. For any parent
12 interested in this office, this process must be
13 incredibly cumbersome, daunting and expensive.

14 I propose that instead of forcing parents
15 to, in effect, run for office, all of the
16 presidents and parent association or PTA's of the
17 schools in the district, who all must be a parent
18 of a child attending that school, get together
19 and select, from among their members, nine
20 individuals to sit on the CEC. Under this
21 change, CECs would now consist of individuals who
22 have both extensive knowledge and experience in
23 the educational policies and programs of the
24 district, which would better enable the CECs to
25 carry out their statutory duties under the

Education Law.

The need for greater accountability in the governance of our schools is not limited to the engagement of parents in the system. Accountability with respect to both academic and achievement and the DOE's fiscal operations is also required.

While Tweed has trumpeted gains in test scores and city graduation rates, concerns over data manipulation has arisen. For the years between 2003 and 2007, National Assessment of Educational Progress Tests, long considered the best measure of student success, showed no significant gains overall for Black, White, Hispanic, Asian or lower-income students in our City. At the same time, SAT scores, which measure the preparedness of our most motivated, college-bound students, reached their lowest point in the past year since 2003 - 438 for New York City verbal scores, the 28th percentile of those who took the test. That is why I support the creation of an independent body to audit test scores and graduation rates. If the public is to trust the City's claims of gains, we must remove

1 both the incentive and the opportunity to
2 manipulate results. This goes to the heart of
3 the educational mission, to give our young people
4 the skills they need, and the city needs, to
5 compete in the new century.

6
7 The Department of Education's budget
8 nearly doubled - from \$12.5 billion to \$21
9 billion - since the Mayoral Control Law was
10 passed. A failure of improved achievement to
11 align with increased resources threatens not only
12 our students' future, but the very future of our
13 City.

14 Our City's future is likewise dependent
15 upon following a transparent accounting process.

16 In my capacity as comptroller, I have called
17 attention to multiple instances in which the
18 Department of Education has sought to avoid fair
19 and open competition in the awarding of city
20 contracts. As I have previously testified under
21 the tenure of this Department of Education, the
22 use of no-bid contracts has soared out of
23 proportion.

24 In May, 2004, I recommended state
25 legislation to make the Department subject to the

1 same procurement rules as every other city
2 agency. Rather than pass a new law, elected
3 officials in Albany encouraged the COE to work in
4 good faith with my office to resolve the problem
5 voluntarily. Despite the best efforts of my
6 office, the DOE has continued to process millions
7 of dollars in contracts outside of the
8 competitive bidding process. As you consider
9 extending my mayoral control, I urge you to
10 require that the New York City Department of
11 Education is held to the same procurement
12 standards as other city agencies.
13

14 There are many challenges facing the
15 school system. Many of the students it serves
16 are disadvantaged by poverty and other special
17 needs. The governance structure must be
18 transparent to everyone and must include
19 appropriate checks and balances.

20 To investigate options to ensure such
21 accountability with the rubric of mayor control,
22 my staff and I have reviewed systems of mayor
23 control in other cities across the country. We
24 were impressed most by the models of Boston and
25 Cleveland.

1 Based on their experience and success, I
2
3 am today proposing that we replace the current
4 Panel for Education Policy with a nine-member
5 school board drawn from a pool of nominees that
6 is derived with input from a broad cross-section
7 of New Yorkers committed to our students'
8 educational success. The board would serve
9 fixed, two-year terms. It would be responsible
10 for all matters of policy and serve as an appeal
11 board for certain actions of the Chancellor.

12 To choose the members of such a board, I
13 propose the creation of a 19-member nominating
14 committee, and I'm not going to go through it.
15 But people select by the mayor; one member
16 appointed by each of the five borough presidents;
17 four parent members chosen by the Chancellor's
18 Parent Advisory Council; one teacher member
19 selected by the UFT; one principal chosen by the
20 Council of School Supervisors and Administrators;
21 a college or university president selected by the
22 State Education Commissioner; a member from the
23 business community to be selected by the mayor;
24 and an educational school faculty member selected
25 by the college or university president member.

1 This committee would nominate three
2
3 candidates for each of the nine positions on the
4 board, all to be chosen by the mayor. At least
5 four of the nine must have a professional
6 background in education, finance, or business
7 management.

8 The mayor would continue to appoint the
9 chancellor. The mayor and the schools chancellor
10 would also continue to exercise broad authority
11 to direct policy with the difference that, unlike
12 in the current system, voices representing
13 students, parents and individuals with a wide
14 range of education expertise will have a means to
15 be heard.

16 In conclusion, what I and so many others
17 are suggesting is not an end to mayor control,
18 but a commitment to making it more transparent,
19 more accountable, and more parent-friendly.

20 We must commit ourselves to the goal that
21 every child entering the New York City School
22 System is given the best opportunity to walk out
23 of high school prepared for college, and ready to
24 take his or her place in the new economy of the
25 21st Century.

1 That is an assignment that we must not,
2
3 we cannot and, with your help, we will not fail.
4 Again, let me thank you for the opportunity to
5 testify today.

6 CHAIRWOMAN NOLAN: I want to thank the
7 Comptroller for a really good series of concrete
8 recommendations. Many of our witnesses have
9 discussed the issue, but not everyone has come up
10 with a series of actual recommendations. We
11 appreciate that, and we look forward to working
12 with your staff as we go forward to continue
13 discussing it.

14 Thank you very, very much.

15 COMPTROLLER THOMPSON: Thank you very
16 much, Madame Chairperson.

17 CHAIRWOMAN NOLAN: I'd like to call now
18 a representative from our Borough President here
19 in Brooklyn, Mary Markowitz's office, Mr. Carlo
20 Scissura.

21 We've also been joined by distinguished
22 member of Congress, Former Member of Congress
23 Major Owens. I'd like to ask him to come up to
24 our panel. We also have Kathryn Wylde, the CEO
25 of the Partnership for New York City and Sister

1 Paulette LoMonaco, a board member of Learn New
2 York. If they would perhaps come down. And feel
3 free to sit as you begin to talks. We'll try to
4 move the hearing as forward as fast as we can.
5 On the panel, we do try to have panels to move it
6 a little more quickly. So if Kathy Wylde and
7 Sister Paulette are here, we'd like to have them
8 come down. And feel free to join the panel.

9
10 MR. SCISSURA: Good morning.

11 CHAIRWOMAN NOLAN: Go ahead, Mr.
12 Scissora.

13 MR. SCISSURA: Thank you. Good
14 morning. Good morning Chairperson Nolan, members
15 of the State Assembly Education Committee, of
16 course all of our good Brooklyn friends. Thank
17 you for having us. And to the parent education
18 advocates, our friends at the UFT and other
19 unions that are here, we welcome you.

20 My name is Carlo Scissura. I am Chief of
21 Staff for Brooklyn Borough President Marty
22 Markowitz, who would not be here today. He is
23 actually in Brooklyn - but not the Brooklyn that
24 you may think. He is in Brooklyn in the
25 Netherlands celebrating and working on an

1 initiative for the 400th Anniversary of the Dutch
2 Settlement in Brooklyn, and to talk about
3 Holland's rich contributions also to the
4 education system.

5
6 And so, on behalf of the Borough
7 President, I want to welcome you to the Republic
8 of Brooklyn. And thank you for holding this
9 hearing in New York State's largest county.

10 Marty asked me to present his ideas to
11 improve the government's laws and to talk about
12 his vision for mayoral control.

13 By way of background, I would like to let
14 the panel know that I personally served as Vice
15 President of Community School Board District 20,
16 here in the southern Brooklyn area, for five
17 years, and was the first president to serve on
18 District 20's Community Education Council, after
19 the implementation of the new legislation in
20 2002. Based on these experiences, I believe I
21 have a unique perspective on what works and what
22 does not work on a local level.

23 On March 5, 2009, the Borough President,
24 along with the CEC appointees and our education
25 policy expert, Margaret Kelly, who was a

1 president of Community School Board 15 in
2 Brooklyn, held a public hearing, and Assemblyman
3 Brennan was there for that hearing, to gather
4 input from Brooklyn residents. We have
5 recommendations from parents, community leaders,
6 teachers, principals, religious leader and PTA
7 presidents. This provided the Borough President
8 a true borough-wide perspective and a better
9 understanding of how the system is currently
10 serving our communities, as well as what
11 improvements can be made.
12

13 Let me be very clear; the Borough
14 President supports mayoral control. However, we
15 believe that the law would be modified in several
16 ways.

17 First of all, the Borough President
18 believes that the mayor should maintain control
19 and authority over our schools, and the borough
20 president should be the sole person to fire the
21 chancellor. But we believe that we must return
22 to a system of 32 local district offices, each
23 with its own superintendent, support staff, and a
24 true district-wide fair representative. These
25 superintendents must have jurisdiction over the

1 schools in their geographic district and not
2 schools in any other districts.

3 We believe that the superintendent should
4 sit on the board of directors of any charter
5 schools located within their geographic district.

6 We believe that the CECs should annually
7 evaluate the superintendents and communicate
8 their recommendations to the chancellor, who
9 would then make the final selection. And let me
10 just be clear, we do believe that the chancellor
11 should have the full authority to hire the
12 superintendents.

13 In addition, the Borough President calls
14 for the creation of an Independent Education
15 Office that would provide non-partisan reporting
16 and analysis of the combined \$18 billion capital
17 and operations budget and also provide a complete
18 analysis of student outcomes. The Borough
19 President recommends that the composition of the
20 panel for education policy remain in its current
21 form. However, we believe that the members must
22 be appointed for fixed terms and not be able to
23 be removed for no particular reason. The panel
24 should have the authority to approve all budgets,
25

1 major policy issues and contracts, and the
2 chancellor should continue to be a member of this
3 panel.
4

5 We must say that one of the most
6 successful accomplishments to come out of mayor
7 control are the school-based parent coordinators.

8 We do recommend that the school leadership teams
9 within the schools be a part of the process of
10 hiring parent coordinators, by interviewing
11 perspective parent coordinators and making
12 recommendations to the school's principal. The
13 principal would then make the final selection,
14 drawing from a list compiled by the school
15 leadership teams.

16 As someone who has served as president of
17 the CEC, I have firsthand knowledge of the pros
18 and cons of each system. And I must say that the
19 CEC, particularly in District 20 worked very
20 well, and for that I would like to personally
21 thank the Department of Education for
22 understanding that CECs do have a role.

23 We do continue to believe that any
24 candidate for a CEC should be a parent or
25 guardian for a child attending a school in that

1 district, and that must include charter school
2 parents. We must bring the charter school
3 parents into the fold of the local community.
4

5 The Borough President recommends a better
6 selection process, an election process that will
7 have a forum of proportional representation for
8 each district. The way these seats are currently
9 elected, you can have members from only one part
10 of the district and not a member from the entire
11 district. That's why it's important that we come
12 up with a better system. And this will guaranty
13 that all parents will be able to fully
14 participate in the CECs.

15 Of course, we believe that the Borough
16 President should continue to have two
17 appointments to the CECs. We believe that the
18 CECs must look to improve insights to the
19 schools, the reconfiguration of the existing
20 schools, and the opening of closing of schools.

21 The Borough President asked me to convey
22 that he has enormous respect for Mayor Bloomberg
23 and Sanford Klein, and he applauds them for
24 making education a priority of this
25 administration. He believes that we must

1 reauthorize mayoral control but we must improve
2 it. We believe that our recommendations are
3 solid, specific recommendations that will help
4 you formulate a better position on this law.
5

6 Parents must have a say in their child's
7 education. Amending the governance law will not
8 only strengthen public participation, it will
9 ensure that we continue to improve student
10 outcomes. The bottom line is that public schools
11 belong to the public. A public school is a
12 public trust that must be validated by openness.

13 Information about any school that receives
14 public money, including charter schools, must be
15 shared with both the school community and the
16 public at large and must be subject to
17 commentary. We hope this becomes part of the new
18 law.

19 Finally, I would like to state on behalf
20 of the Borough President, that his commitment to
21 public education is a commitment to shared goals.

22 That is why we believe that public schools must
23 be governed by those closest to the people they
24 serve and that the mayor must be accountable for
25 these public schools.

1 I am confident that the Assembly will
2 recognize that mayor control has been very good
3 for New York City Schools, and that reauthorizing
4 the law with the proposed amendments will make
5 our public school system a model for the rest of
6 the nation. We would recommend to the Assembly
7 when amending this law, use very specific
8 language for the law so that the law will not be
9 subject to multiple interpretation, as it is now
10 on many levels.

11 I thank you for allowing me the
12 opportunity to speak. And I'm happy to answer
13 any questions if you have.

14 HON. OWENS: Madame Chairwoman, my name
15 is Major Owens. I'm a retired member of
16 Congress. I thank you very much for this
17 opportunity to testify as an elder statesman,
18 with no political axe to grind, I'm objective
19 about the whole thing. And also, I come today as
20 a representative of the Central Brooklyn Martin
21 Luther King Commission, which was formed 25 years
22 ago, on the occasion of the holiday for Martin
23 Luther King's Birthday. It was decided that
24 instead of going shopping and lounging around,
25

1 that we should dedicate ourselves to some
2 worthwhile purpose, and that purpose became the
3 approval of education in Central Brooklyn. So
4 we've been in business for those 25 years.

5 We have been discussing this particular
6 piece of legislation for about six months. We do
7 a number of things, we do a lot of work on
8 scholarships, we work with foundations to get
9 help - there are all kinds of things - but
10 occasionally we take position on public policy.
11 And nothing is more important than this
12 particular reauthorization of this legislation on
13 the governance of New York City Schools.

14 We have taken some positions, but we have
15 not offered any alternatives, detailed
16 alternatives, but we have taken positions. There
17 is one particular position that I want to discuss
18 in great detail.

19 First of all, I just want to talk about
20 mayoral control. We oppose direct mayor control
21 and support the reestablishment of a citizen
22 Board of Education. The mayor already has
23 enormous powers over the schools through the
24 budgeting process. With cranes falling in the
25

1 streets, infrastructure repairs lagging and job
2 training neglected, the mayor should not insist
3 on micromanaging the schools.
4

5 We ear over centralization of decision
6 making. There are some examples of over
7 centralization, which have really been quite
8 devastating, that we ought to look at in terms of
9 governance. The United Soviet Union is a
10 worldwide example of what over centralization of
11 decision making can do. Wall Street is one
12 closer to home. The fall of Wall Street is due
13 to the fact that we over centralized our banking
14 system, decision making took place, and
15 intellectual took place, puppetry, where people
16 who might have had commonsense who could have
17 spoken up didn't speak. That is a disease of
18 modern society. As society becomes more and more
19 complex and you centralize decision making, you
20 put out the diversity of opinion, you cut off the
21 checks and balances which is so important in
22 complex modern operations. Our nation will go
23 on, we will survive, and we'll get through this
24 crisis because we do have checks and balances.
25 So we'd like to have mayor control of the schools

benefit from it also. The mayor has already.

We're all in this together. I have been involved with education since my days as a Commissioner of New York City. I was on the Education Committee of the State Senate. I served 24 years on the Education Committee in Congress. So I know there's no silver bullet. It's a very complex problem, and we should all work together to understand it. There are pieces of it that we should all consider. Diversity of opinion and participation is one of those processes.

A parent's right - a parent's right I think clearly - I think a clear enunciation of those are parent responsibilities. We voted to have clear enunciation of that. We're against vouchers. We support charter schools as long as charter schools are held to the same standards as other publicly funded schools. And evaluations of charter schools should go forward rapidly and be able to find out which are working and which are not. We also think that public schools are the bridge to charter schools, and those students who are in a public school ought to be given

1 first preference to try for the new school. We
2 are in favor of collective bargaining for charter
3 schools.
4

5 The detailed proposal we have is for
6 parent participation. We are proposing that one
7 percent of all the funds for education be set
8 aside for an independent parents organizations
9 for New York City. The entire budget, take one
10 percent of it - that's a tiny amount - and devote
11 it to parent organizations and activities. If
12 this sounds outrageous, I'll have you know that
13 all Title 1 forms right now, presently - there's
14 a requirement that I had put into the legislation
15 14 years ago that one percent of Title 1 funds be
16 set aside for parent involvement participation.
17 I think in this day and age organization of
18 parents is important. We make decisions on a
19 citywide basis in New York City. Unless you have
20 a voice, unless the parents have a voice of the
21 citywide level, we have no voice at all. I don't
22 think that anything short of this would be
23 adequate.

24 We propose - and you'll see in our
25 language - how this would operate. The parents'

1 independent organization would also have a parent
2 training academy. The parent training academy
3 would take provisions down to the school. Each
4 school, according to our budget, if you have a
5 \$100 billion budget, each school would end up
6 getting between 80 and \$90 per pupil just through
7 their local funds, even after they benefitted
8 from the training provided by the parents'
9 academy. We go on and on in this proposal about
10 the authorization that would be necessary to
11 establish it. The funds would flow directly into
12 the parents and not pass through any other
13 authorizing agency.

14
15 We have taken positions on a number of
16 issues. One we neglected is an 800 pound
17 rattlesnake in the room - I don't use gorilla
18 anymore because *The New York Post* discredited
19 gorillas. There's an 800 pound rattlesnake in
20 the room related to discipline which impedes
21 process not just in schools. It's a big problem
22 in all schools. There's a great problem with
23 rampant drug use among the middle class. To
24 bring parents into a situation where they're in
25 greater contact with this effort to establish and

1 maintain discipline and be there for our
2 children. Right away we think that we don't get
3 involved of safety of children going to and from
4 school, later on we can negotiate with the Board
5 of Ed. It would be cheaper to have parents in
6 the school than to have the police. Not just
7 people - but our children are being brainwashed
8 by seeing a constant presence of police and law
9 enforcement people in the schools. They're being
10 set up to easily been to the prison mentality,
11 the jail mentality. For all these reasons we'd
12 like to see, in this legislation, a giant step
13 taken forward.

14
15 We think imagination is very important.
16 We understand the dimensions of what we're
17 dealing with. Parent involvement has been part
18 of what's being done now, but has not been
19 enough. Parents are very frustrated and we are
20 suffering as a result of them not being able to
21 participate. This is a chance to rectify that
22 and become a model for the big city schools in
23 the rest of the nation also.

24 Thank you very much.

25 MS. WYLDE: Thank you, Chairman Nolan

1 and honorable Committee members, Assembly
2 members. My name is Kathryn Wylde. I am
3 President of the Partnership for New York City,
4 an organization of the City's business leadership
5 and largest employers, who has had a long-term
6 commitment to the quality of the City's public
7 education system and has partnered with the
8 Legislature and the City on policy and governance
9 reform, on building corporate partnerships, on
10 improving and technical education and developing
11 leadership, and in supporting expanded
12 compensation for teachers and principals.

13
14 Mayoral control has brought a renewed
15 focus on education, new resources into the
16 education system, and has restored the confidence
17 of the business community in the quality of our
18 public schools. Prior to mayor control, it was a
19 while ago so it's easy to forget. But the
20 quality of public education in the City has
21 deteriorated to a point where high school
22 graduates could not get an entry level job.

23 Education debates focus on politics and
24 ways to get children out of the system - such as
25 vouchers and aid to private schools. There was

1 little attention to student performance, which
2 slipped miserably over the course of 40 years.
3 The widely known, distressed conditions of the
4 education system made it difficult for employers
5 to recruit and retain employees with children.
6 Any family that could afford it, headed to
7 private schools or the suburbs. The schools were
8 identified as the primary reason for middle class
9 flight from the city.
10

11 Today, conditions are very much better; I
12 think we all recognize. The business community
13 is actually excited about the progress and has
14 shown it by contributing more than ever through
15 philanthropy, school partnerships and support for
16 innovative initiatives in the schools.

17 I served personally on the task force
18 that helped the Legislature develop the mayoral
19 control statute and on the commission that worked
20 on the statute to reverse school
21 decentralization. For the most part, I believe
22 that Mayoral control has achieved the goals that
23 we set out in those panels: the Mayor is held
24 accountable, the focus is on the children and the
25 schools, and student performance is improving.

1 I agree, however, with Former Education
2 Committee Chairman Steve Sanders, who testified
3 before you last month, that some of the
4 expectations of those involved in framing the
5 current governance system have not been realized.

6 The Panel for Education Policy has not been as
7 effective a forum as we had hoped for open public
8 discussion of major policy changes. Community
9 school districts and their superintendents have
10 not built their expected role as liaison with
11 parents and the community and in oversight and
12 support of principals and other school
13 professionals. The Community Education Councils
14 are not uniformly engaging parents and the
15 community in support of the mission of their
16 schools.

17 Unlike Steve Sanders, however, I do not
18 believe that these shortcomings require
19 legislative intervention. I think that most are
20 management issues that can be corrected
21 administratively, and that the Chancellor and
22 Department of Education have gone a long way in
23 the past year to begin addressing them. And I
24 think they are prepared to do more. The past
25

1 seven years have required revolutionary
2 transformation of a school culture that was
3 failing students. It has meant shaking up a
4 system in which many educators and school leaders
5 were demoralized and performing at a very low
6 level for many years.

8 The Chancellor is the first to admit that
9 figuring out how to turn around the schools and
10 introduce new and more effective ways of leading,
11 teaching and learning has involved many trials
12 and some errors - all of which have been
13 particularly difficult on teachers and parents.
14 But the transformation is now well along and we
15 are seeing results. We see a greater degree of
16 enthusiasm, excitement and unity of purpose
17 emanating from schools across the city every day.

18 Like everyone else who is interested in
19 the education system, I have ideas how I would
20 tweak the current governance law. But I think it
21 is wise to resist that temptation because no one
22 can be sure what the impact might be and how it
23 might disrupt the good things that we know are
24 happening in the schools today. It is not worth
25 the risk of a setback, especially if we can fix

1 what isn't working without amending the
2 governance law. Why don't we try it even if it
3 involves extending the current law for only a
4 year? Everything else in our city and country is
5 in a state of uncertainty today as a result of
6 the world economic crisis and the fiscal
7 challenges confronting our state have thrown
8 things into disarray. I think we should agree to
9 maintain the stability in our school system
10 during this difficult time.

11 Thank you.

12 CHAIRWOMAN NOLAN: Thank you very much.

13 What I'd like to do is, just again, Sister
14 Paulette LoMonaco I don't think is here. I just
15 want to say I look forward to the opportunity to
16 meet with her. She was a great friend of a
17 colleague of ours, the late Eileen Duggan. I'm
18 very happy to think of Eileen on a day that we're
19 in Brooklyn. She represented her district very
20 well. And Joan was very close to her. And we're
21 very happy that Sister Paulette is active on this
22 issue, and sorry she's not here today.

23 I'd like to call the members of the next
24 panel, and while they start to come down and get
25

1 ready, there may be a question or two from my
2 colleagues. I also want to acknowledge the
3 presence of Assemblyman Bill Colton from
4 Brooklyn, who is coming in, and Assemblyman
5 Darryl Towns from Brooklyn, and Assemblyman Mark
6 Weprin who, like me, is from Queens. I had
7 someone once tell me I still need a passport to
8 come to Brooklyn. I don't know. Mark is from
9 Queens and a member of our Committee.
10

11 The next panel, just so they can start to
12 come down and get ready, is going to be the
13 Reverend David Brawley from East Brooklyn
14 Churches - I had a feeling that might make people
15 happy. And Joe Viteritti, the Executive Director
16 and David Jones the Co-Chair of Public Advocate
17 Betsey Gottbaum's Commission on School
18 Governance. So if they start to get themselves
19 ready, and then we'll take a question, quickly.
20 Alan and then Mark.

21 ASSEMBLYMAN MAISEL: Actually, this
22 question is for Ms. Wylde. I was surprised in
23 your testimony you indicated that there are a
24 number of lacks. For example, the Panel for
25 Education Policy has not been effective, the

1 community school districts and the
2 superintendents have not fulfilled their expected
3 role as liaison with parents in the community,
4 and in oversight and support of principles and
5 other school professionals, the Education
6 Councils have not uniformed engaged parents and
7 the community in support of the mission of their
8 schools. Could you explain who is responsible
9 for all this?
10

11 MS. WYLDE: I think it's a process of
12 transition. The point I was trying to make is
13 seven years is a very short time to revolutionize
14 a system that's been deteriorating for more than
15 four decades. When I went out and visited Mayor
16 Daily to ask him about Mayoral control in Chicago
17 and how he thought it would work in New York, I
18 said what do you think is our biggest challenge?
19 He said term limits. It's a long process to
20 change the school system.

21 I think we've got a great start. We've
22 got tremendous momentum. But, certainly, there
23 is much more to be done on all parties. I don't
24 think there's anyone to blame, I think it's a
25 work in progress.

1 in education. The key has been to switch the
2 focus away from the adults to the children. We
3 spent the last 40 years with the adults fighting
4 with each other.
5

6 I don't think, frankly, that some of the
7 things we're talking about were the first
8 priority. I think the first priority was the
9 kids. I think the Chancellor has led an effort
10 to put the kids and the local schools at the
11 center. As a result, some of the other things
12 that we want to see happen, that we need to see
13 happen have been further down the pike in terms
14 of priorities. I think to derail progress will
15 start us back at ground zero in this whole
16 process.

17 CHAIRWOMAN NOLAN: Thank you.

18 Assemblyman Benedetto, Assemblymen O'Donnell and
19 Weprin, and then we have to keep moving.

20 ASSEMBLYMAN O'DONNELL: I'm happy and not
21 surprised to hear that Mayor Daly's opposed to
22 term limits, as was his father and probably his
23 grandfather, if I had any sense. But I'm curious
24 to know about something that you said that seems
25 to be in direct contradiction of Comptroller

1 Thompson. And I know all statistics are subject
2 to manipulation; I represent Columbia University,
3 that's how I know that.
4

5 He testified that the SAT test scores for
6 our students has gone down to the lowest level
7 since 2002. And so I'm curious to know how
8 businesses that are seeking to hire the high
9 school students that you refer to would have
10 greater confidence or greater belief that they
11 are better educated in light of the fact that
12 their SAT scores have gone down.

13 MS. WYLDE: I think it's their direct
14 working experience with the schools, the
15 leadership, the teachers, the kids that are
16 coming out of the schools. And as you heard this
17 week, announcing the experience that CUNY's had
18 in working with the schools, we are seeing a
19 better, a better product coming out of our
20 schools. There's just no doubt about it.

21 ASSEMBLYMAN O'DONNELL: You believe
22 there's a better product with lower SAT scores?

23 MS. WYLDE: I think we don't have, right
24 now, an arbiter. I'm a founding member of a
25 group called the Research Alliance, which has

1 been set up at New York University, Steinhardt
2 School of Education which, for the first time, is
3 going to provide the original data from the
4 school system for independent scholars to
5 comprehensively look at and figure out how to
6 apply and support improved education.
7

8 I think that absent having that
9 independent third-party look at our data, I think
10 these discussions are, at best, based on
11 anecdotal or one-sided evidence.

12 ASSEMBLYMAN O'DONNELL: I agree entirely.

13 CHAIRWOMAN NOLAN: Assemblyman
14 Benedetto. I apologize to colleagues, but we
15 just have to try to share the time. And we have
16 many, many witnesses, obviously.

17 I just want to make sure before Mike
18 goes, Pastor Brawley. Where are David Jones and
19 Joe Viteritti? They're close by, okay.

20 Mike, wrap up. Thank you.

21 ASSEMBLYMAN BENDETTO: I'll make them
22 two quick questions. First to Congressman Owens,
23 and it's an honor to address you after your long
24 distinguished career.

25 You - this is the last of our hearings.

1 I must admit, listening to the people over the
2 first four hearings that we've had, we've had
3 very, very few people who have advocated a return
4 to community control. You have been advocating
5 that. Why should we think that returning power,
6 if you want to use that word, to the community is
7 not going to evolve into what we used to have
8 before Mayoral control took over, a patchwork of
9 different educational priorities?
10

11 CONGRESSMAN OWENS: I think if you take a
12 look at the pros and what you have in front of
13 you, there's nothing there about returning to
14 community control. It's about empowering parents
15 so they can become a part of the checks and
16 balances. They don't have a role in the
17 structure. They don't have a controlling role in
18 the structure. They would be able to express
19 their opinions. They'd be able, on a citywide
20 basis, to take positions and be able to have a
21 dialogue with the mayor, but they don't have any
22 control. It's giving them a role so that the
23 checks and balance principle can operate.

24 ASSEMBLYMAN BENEDETTO: Thank you. Thank
25 you for clarifying that.

1 Ms. Wylde, you mentioned about witnesses
2
3 - you mentioned that you understood Former
4 Assemblyman Saunders's criticisms of what we have
5 right, but then you say we shouldn't do that
6 legislatively. Given the history of what we've
7 seen over the last six years of a Department of
8 Education who really may listen but does not act
9 on that, why should we think that that's going to
10 change unless we do it legislatively?

11 MS. WYLDE: I think that there is a
12 process going on. I think the work that you're
13 doing to get out these hearings, to have these
14 conversations is reinforcing a process that had
15 been bubbling up. As I say, I think we've gone
16 through a phase where reform started by a focus
17 on the kids and the schools and the curriculum,
18 and we went through a whole series of efforts. I
19 think now we're starting to understand the
20 broader implications of engaging parents,
21 engaging the community. I have confidence that
22 we, as a community, can work this out; none of it
23 requires change in the Governance Law. What it
24 requires is change in various administrative
25 management and proceedings. You guys know,

1 you've got a law with 32 districts and 32
2
3 superintendents, you've made the case.

4 I just think that starting over with a
5 new law you'll be in the same position we were.
6 We thought what we were recommending and writing
7 was going to turn out a certain way. In some
8 ways it did, in other ways it didn't. But if you
9 look closely, and I've spent enough time looking
10 at it, at what needs to be fixed, it doesn't need
11 legislative change right now. I think we at
12 least should try, based on all the conversations
13 that everybody's been having, the public
14 conversations that you are leading, I think we
15 should try to fix what we have rather than take
16 the chance of setting ourselves back in the midst
17 of an economic crisis and state fiscal crisis
18 that's requiring the bulk of our attention and
19 energy.

20 ASSEMBLYMAN BENEDETTO: Thank you very
21 much.

22 MS. WYLDE: Thank you. Thank you, my
23 colleagues, and thank you this distinguished
24 panel.

25 CHAIRWOMAN NOLAN: Very quickly,

1 Assemblyman Weprin to sum up. Remember, we have
2 over a hundred people signed up to testify.
3
4 Mark.

5 ASSEMBLYMAN WEPRIN: No problem. It's
6 similar to what Mr. Benedetto was talking about.

7 Ms. Wylde, how are you?

8 We find it frustrating because we did put
9 in the law, and Steve Sanders talks about this as
10 the author of the law, and I as a member of the
11 Assembly at the time voted for a law that created
12 32 school districts and 32 superintendents, not
13 just in name only. Do you think it would be
14 harmful for us to be a little more specific when
15 we redraft the law saying this is what the
16 Legislature intended, so they can't get around it
17 by putting a superintendent in in name that
18 doesn't do their job?

19 MS. WYLDE: As I say, I think - and I
20 think you all agree because the laws has been
21 taken to court. This can be fixed without
22 opening up the legislation.

23 ASSEMBLYMAN WEPRIN: It can't be. It
24 hasn't been.

25 CHAIRWOMAN NOLAN: Thank you very much.

2 We're going to move on. Thank you very much. I
3 apologize to my colleagues.

4 While the next panel is coming, I know -
5 Daryl, Mark, if anybody wants to make a statement
6 that would be the time.

7 Reverend Brawley is here and then the
8 other two people.

9 I apologize again to my colleagues.

10 Thank you very much to the distinguished
11 panel who came. Does anybody else want to make a
12 statement? Now is the time. Thanks.

13 REVEREND BRAWLEY: First, Assemblywoman
14 Nolan, I know that you've been going around the
15 City with these hearings, and I just want to
16 congratulate you again. I think there are a lot
17 of important issues that we're dealing with in
18 the Legislature and Albany, and none as important
19 as this issue in making sure that we put the
20 framework together for our next generation,
21 making sure that they are successful. So I want
22 to again thank you for your patience and your
23 steadfastness. And welcome to Brooklyn.

24 CHAIRWOMAN NOLAN: Thank you. Thank you
25 everyone very much.

1 Mark, anyone have any other thoughts? I
2
3 didn't mean to cut anybody off, we just want to
4 keep rolling.

5 ASSEMBLYMAN WEPRIN: I just wanted to
6 let Ms. Wylde know that I think the reaction of
7 the audience was to the use of the word product.

8 CHAIRWOMAN NOLAN: I want to thank
9 Pastor Brawley for coming. I know we exchanged
10 some phone calls with Reverend Youngblood and
11 other members of the East Brooklyn Congregation,
12 and we really appreciate that you're here today.

13 Perhaps if you would start, and then our
14 representatives from the Commission. And we want
15 to also thank Public Advocate Gottbaum for her
16 great work.

17 We do try to do it as panels so that it
18 does move it along. But I do want to acknowledge
19 in addition to all of the colleagues who are here
20 with us at every hearing as a representative of
21 the Mayor has been Deputy Mayor Dennis Wolcott;
22 we want to thank him for that. And our Governor,
23 David Paterson has also sent representatives to
24 each of the hearings, as have our colleagues in
25 the State Senate. We also have a number of

1 colleagues in the City Council, who I understand
2 want to come in and out, and we would ask them
3 perhaps to sit with us for a bit, as their busy
4 schedule allows.
5

6 Pastor Brawley, thank you.

7 PASTOR BRAWLEY: Thank you so much.

8 Chairperson Nolan, members of the State
9 Legislative Committee, Education Committee, my
10 name is Reverend David Brawley of the St. Paul
11 Community Baptist Church and East Brooklyn
12 Congregation. I would ask that the leaders of
13 East Brooklyn Congregations and Metro-IAF who are
14 here today in support of Mayoral control, if you
15 would please stand. Thank you so much.

16 As you can tell, we gather this day in
17 strong support of Mayoral control. This journey
18 did not begin for us this day, this week or even
19 this year, but almost 20 years ago when an op-ed
20 was written by the Reverend Johnny Ray Youngblood
21 entitled *Draining the School Swap*. Since then,
22 East Brooklyn Congregations and Metro-IAF have
23 been fighting for educational equality for our
24 children. Our agenda has never been fueled with
25 political ambitions but with frustration and

1 outrage.

2
3 Our children, by virtue of location and
4 demographics were sequestered to the worst
5 failing schools in this City with no hope and no
6 options. The statistics were so staggering that
7 schools in our neighborhoods were dubbed dead
8 zone schools - dead, with low performance, low
9 expectations, clustered together from
10 Kindergarten to 12th grade in primarily Black and
11 Latino communities. Our children suffered the
12 most under the bureaucratic and broken system of
13 the past. Unfairly, our children were
14 characterized as un-educatible, our communities
15 were blamed for a system that was never designed
16 to serve our children. Two-hundred and seventy
17 small schools and 80 charter schools later and
18 higher test scores, our children are proving what
19 we always knew; given an option and given a
20 chance our children can and our children will
21 learn.

22 Committee, we must not return to the
23 failed practices of the past. Don't be fooled.
24 Opponents of Mayoral Control do not want to
25 improve it, but they want to regain lost

1 patronage, power and positions. Our schools were
2 the worst under the old system, and we have
3 experienced the most improvements under the
4 current system. But we know that any significant
5 amendment to Mayoral Control will mean our
6 schools will be the first to decline once again.

7
8 We're here to say to the State
9 Legislature put children first. Put children
10 first not unions, political interest or
11 employment-seeking adults. This is not about
12 Bloomberg control, but Mayoral Control. For when
13 everyone is in charge, no one is in charge. We
14 support our children no matter who the next mayor
15 will be.

16 We know that there are sincere parents,
17 interested parents who are not connected to a
18 power organization, and they have some legitimate
19 concerns and needs that have not been heard. We
20 certainly do propose a parental advocacy center
21 whereby parents can bring their concerns.

22 Committee, our proposals will not take away from
23 Mayoral Control but enhance a system that has
24 already brought positive change and results for
25 our children again. We call upon you to vote to

1 maintain Mayoral Control and keep our children
2 first.
3

4 May I also thank you once again for this
5 opportunity to testify. I respectfully want to
6 say to you that the leaders of EBC of Metro-IAF
7 must return back to their jobs, for parents have
8 taken off time from work to demonstrate their
9 concern over this matter. And we certainly
10 respect this hearing, and would ask you to allow
11 us to depart.

12 CHAIRWOMAN NOLAN: Pastor, we would be
13 happy to do whatever works for your group. Would
14 it be alright if the rest of the panel goes?

15 REVERENED BRAWLEY: Absolutely.

16 CHAIRWOMAN NOLAN: Because we did move
17 up so we could accommodate that request. I just
18 would like to let the public advocate - and there
19 may be questions for you from the panel. I do
20 want to thank you very much for being here as a
21 representative. And just to say to you, I have a
22 son in the fifth grade in the public schools in
23 this City, so I get what you're saying. I want
24 to assure you that our community and our panel,
25 the amount of members of the Legislature who have

1 participated has been a good-faith effort on our
2 part to listen to all points of view, and I hope
3 that we can assure you of that today.

4 REVERENED BRAWLEY: Thank you.

5 CHAIRWOMAN NOLAN: Thank you. Dr.
6 Viteritti, we appreciate your being here, and Mr.
7 Jones. Two great New Yorkers, as well, with long
8 careers in history and service. I want Dr.
9 Viteritti to know how much I've enjoyed his book
10 on the Mayoral Control issue, and perhaps you
11 would like the both of you to give your
12 testimony.
13

14 DR. VITERITTI: Thank you. I'm Joe
15 Viteritti. I'm a professor of Public Policy at
16 Hunter College, where I'm also chair of the
17 Department of Urban Affairs. I've spent a better
18 part of my professional career studying and
19 writing about municipal and school governance. I
20 was an advisor to the commission that wrote the
21 present City Charter that eliminated the Board of
22 Estimate and gave us the government we have
23 today. And as you mentioned, I was executed
24 director of the Commission on School Governance,
25 appointed by Betsey Gottbaum, at the request of

1 your Chair, Kathy Nolan. That group was convened
2 in the fall of 2007, and that work continued for
3 a year and a report was published in the fall of
4 2008.

5
6 In the course of that time, we met with
7 over 100 people, which included 50 stakeholders,
8 which included a wide array of people, and the
9 deputy mayor and the chancellor to union
10 presidents to members of the Board of Regents,
11 former schools chancellors, parents, community
12 advocates, a large cross-section of people. We
13 also had parent forums in each of the five
14 boroughs, and we had three days of public
15 hearings. I was principal author of the report,
16 but the report really reflects the unanimous
17 opinion of the Commission, which also was
18 composed of a variety of people from different
19 backgrounds, but all came to this in a single
20 voice and a voice that I think reflected what we
21 heard over a year.

22 In addition to listening to people, we
23 also commissioned papers from experts from around
24 the country who had studied Mayoral Control, and
25 those papers were edited for a book that you

1 mentioned that was published by the Brookings
2 Institution earlier this year. I've written two
3 new chapters on that book, which kind of put what
4 we did in a more historical perspective.
5

6 Our findings are thus. Number one. We
7 believe that Mayoral Control should be reinstated
8 by the State Legislature. As you watch Mayoral
9 Control has allowed and provided an incentive for
10 putting more resources in public schools. Local
11 spending has increased 48 percent, which is a
12 good thing. The school system has probably
13 undergone more change than in any single period
14 in history. Change is not synonymous with
15 progress, but it's a prerequisite progress, and
16 so that's an important observation. And probably
17 the most important observation I would personally
18 make about the impact of Mayoral Control is that
19 it creates a capacity for change that did not
20 exist before and that was much needed. That
21 being said, we think that when Mayoral Control is
22 reinstated it should be reinstated with
23 additional checks and balances.

24 As somebody who studied the City over a
25 number of years, the Mayor of New York is one of

1 the strongest chief executives in municipal
2 government; he always has been historically and
3 particularly was since the 1989 Charter removed
4 the Board of Estimate, which was kind of a
5 counterbalance to the Mayor. There was hopes at
6 the time on the Commission that I worked for that
7 the City Council would be an adequate balance
8 instead. It has provided some checks but not
9 adequate checks, and that's why, as we look at
10 Mayoral Control and we look at the increasing
11 power of the Mayor, it's important to think of
12 ways that we could check that power without
13 undermining the ability of the Mayor and the
14 Chancellor to exercise strong leadership in the
15 school system.

17 School governance, municipal governance
18 is not a science or an art, it's a very delicate
19 process that takes time to watch and study and
20 needs fine tuning. And I applaud you for having
21 these meetings and hearing from a variety of
22 people because I know we learned a lot from
23 listening to people the way you are. We also
24 felt that the law should be revised in order to
25 ensure more opportunity for meaningful input from

1 parents and communities in the process of
2 education and in the education of their children.

3
4 There are some specific recommendations I
5 will mention now. One. We think the Mayor
6 should continue to appoint the Chancellor and the
7 majority of the panel on education policy. But
8 we also believe that members of the panel for
9 education policy should serve for fixed terms and
10 not easily be removed except for cause. If you
11 compare this system, what we're proposing here,
12 with the system of Mayoral Control that exists in
13 any other school systems, it would still be
14 ranked among the strongest systems of Mayor
15 Control in the country where the mayor has
16 extraordinary authority, probably more authority
17 than any other mayor across the country, even
18 those systems with Mayoral Control, and we can
19 spend some time talking about those systems if
20 you'd like later.

21 We believe that the Panel for Education
22 Policy should select its own chair from its
23 membership and the Chancellor should serve as an
24 ex officio member of that. We also believe that
25 school districts should abide by the rules the

1 Procurement Policy Board, in contracting for
2 services as defined by the City Charter, and the
3 City Comptroller should have the same audit
4 powers with regard to the Department of
5 Education, as it does with other city agencies.

6 We also believe that the Independent
7 Budget Office, which over the years has really
8 developed a reputation for professional objective
9 analysis should be a source of analysis and
10 production of data on the school system, and that
11 that should be exclusive responsibility defined
12 within the law.

13 With regard to parental input, we felt
14 that the Budget and Reform Act of 2007, which the
15 Legislature passed with regard to the process and
16 procedures that should be used in implementing
17 spending plans with regard to the Campaign for
18 Fiscal Equity suit should be a general model
19 citywide for the enactment of education policy
20 that assures parental and community input at
21 every level of policy making - citywide,
22 community and school level.

23 We believe that in order to provide
24 parents with a place to go and get information
25

1 and to register complaints, school district
2 offices headed by a community superintendent
3 should be reestablished. Community District
4 Education Councils should be maintained, and they
5 should have a voice in the selection of the local
6 superintendent and in the evaluation of the
7 superintendent.
8

9 Finally, School Leadership Teams should
10 be reinvigorated so that parents and school
11 professionals at the school level should work
12 together in designing better ways to implement
13 spending and setting priorities at the school
14 level.

15 That's it.

16 CHAIRWOMAN NOLAN: Thank you. Dr.
17 Jones.

18 DR. JONES: Good morning. Since I come
19 after Joe, I'm David Jones. I'm President of the
20 Community Service Society. We're 160-year-old
21 not-for-profit dealing with issues of poverty in
22 the City of New York. We do both research and
23 advocacy and direct service on behalf of the
24 poor, and we've been doing it for a very long
25 time.

1 CHAIRWOMAN NOLAN: We have a very large
2
3 crowd here and they're anxious to hear. I know
4 there's a line to come in and we're trying to
5 rotate people in and out. We just again ask
6 everyone's patience.

7 I'm really happy there are some kids
8 here. I heard a few little voices. Feel free.
9 We're very happy about that. I just need David
10 and Joe, you've got to speak up, that's all.

11 DR. JONES: Sorry. I was co-chair of the
12 Commission on School Governance that was en-
13 paneled by Betsey Gottbaum at the request of the
14 Assembly. This was an independent body and we
15 came from a number of different perspectives.
16 For myself, I'm currently Vice-Chair of the
17 Independent Budget Office of the City of New
18 York, their advisory panel. I was co-chair of
19 the City Council's Commission on the Campaign for
20 Fiscal Equity funding, and I was Executive
21 Director of the New York City Youth Bureau in the
22 Koch Administration. I have served on too many
23 mayoral commissions of the current mayor to speak
24 of, but some of them include his transition
25 committee, the Mayor's Poverty Commission, the

1 Public Hearing on Governance - 3-20-09
2 Mayor's Panel on Career and Technical Education,
3 and the Mayor's Commission on Construction
4 Opportunity.

5 Our Commission was led by a group of
6 distinguished New Yorkers - Steve Aiello, a
7 former President of the Board of Education, my
8 commission co-chair, Lilliam Barrios-Paoli, as
9 recently named Commissioner of Aging by Mayor
10 Bloomberg. So we represented a host of different
11 vantage points. I think we came to this
12 Commission with no particular axe to grind, and I
13 want to lay that out because I think it's so
14 important in support of our findings.

15 From my own vantage point, this
16 Commission and the effort that the Legislature is
17 undertaking is vitally important. We, as an
18 organization, in my community service society
19 hat, is looking at one of the most severe
20 problems in poverty in a generation. We have
21 about a third of New Yorkers now living at 200
22 percent of poverty or below. We have nearly
23 200,000 young people, 16 to 24, who are neither
24 in school or in work. We have a recession that
25 is hitting, particularly African-Americans and

1 Latino communities harder than any other,
2 particularly those with limited skills. So the
3 fact is that an education system that is only
4 graduating less than ten percent of Black and
5 Latino males with a Regents degree is a
6 catastrophe for them, their families and their
7 communities. So the reform effort that I think
8 we're all engaged in is vitally important not
9 only for the schools but for the survival of the
10 City, and that's as we sit around this table.

12 As Joe has mentioned, our panel, after
13 examining and listening to nearly 100 people,
14 came to the conclusion that Mayoral Control must
15 be continued. It has to be continued but it has
16 to be strengthened with some balances and checks.

17 But I disagree with some of the prior speakers.

18 A mere tinkering with this operation, of
19 strengthening the transparency and the
20 independence of this institution is not in any
21 way a danger to Mayoral Control. It's going to
22 be the requirement for public trust in an
23 education system that now is nearly \$20 billion a
24 year, which is larger than the national budget of
25 many mid-sized countries and certainly many

1 states. The notion of having an institution of
2 that scale without adequate checks is ridiculous.

3 It's totally against the democratic process in
4 the United States. There have to be checks and
5 balances.
6

7 I, too, agree that as you looked at what
8 the Chancellor, who testified before the
9 Commission, and what Dennis Walcott were talking
10 about, there are enormous benefits that have
11 already come to this system in terms of efforts
12 of reform. The focus, particularly that the
13 Chancellor has led, in terms of equalizing access
14 for young children is unprecedented, certainly
15 during my 30 years of service in the public
16 sector. But I think we also have to recognize,
17 as we heard parents, and we've heard elected
18 officials testify to the complete inability to
19 get information that was rightfully theirs, that
20 we have to strengthen the law to deal with this
21 issue. These are, from a parents' perspective,
22 the most vital decisions that they were going to
23 make in terms of their children. They have a
24 right to answers and they have a right to
25 accountability.

1 So let me just take two of the ideas, and
2
3 one of them I was a main proponent for. And, as
4 I said, in full disclosure, I am the Vice Chair
5 of the Advisory Board of the Independent Budget
6 Office, so I come to you as someone who has
7 somewhat of an axe to grind.

8 Essentially, the Independent Budget
9 Office serves as a GAO to city government, a way
10 to check the natural problem of bureaucracies
11 that want to basically put the best face on
12 everything. We need mechanisms, particularly to
13 track the money in a \$20 billion system, which
14 doesn't rely exclusively on that system to self
15 report. It can't be done.

16 When I lead youth services for the City
17 of New York, generally it's very difficult to
18 hear bad news. And there is a tendency, at the
19 very best, to at least put the best face forward.

20 We need independent bodies that will go in, have
21 ultimate access to the same data sets that the
22 institution has and then to report to the public
23 independently with no fear, but can't be forced
24 to do all sorts of freedom of information
25 requests, they have to have the teeth to be able

1 to come in and get every spec of data that's
2 available and then report independently to the
3 budget and to the public. That's the only way to
4 get this done. It's a \$20 billion institution;
5 it's not a mom and pop store. So think that has
6 to be a key provision.
7

8 I think Assemblyman O'Donnell mentioned
9 that there are problems that were brought before
10 the Commission of what data sets we're using and
11 how accurate they were. As you realize, at least
12 in terms of national data sets, there is some
13 question of how far the City's system has moved
14 forward, while other data sets seem to indicate
15 there has been significant movement.

16 What we need is not a controlled research
17 operation, we need independents in terms of
18 looking at the reporting requirement in terms of
19 how well the system is performing so we're all
20 starting with the same sort of bench line. Are
21 we making improvements in SATs? Is the
22 graduation rate going up? Is the dropout rate
23 for Blacks and Latinos going down or up? What's
24 happening in career and technical education? We
25 have one of the largest career and technical

1 education systems in the country, and we rank
2 about 48th, and I think this is what the
3 Chancellor is working on as well. To their
4 credit, they recognize it. But I think these are
5 all going to be things in a system this large
6 that are going to require, by you as policymakers
7 and the public at large, to see are we making
8 progress and if we're not why isn't it going
9 faster?
10

11 The other is parent involvement. The
12 stories we heard could help me lose my hair.
13 This is really a difficult system. It was a
14 difficult system even if everything were working
15 fine. We heard from parents who were dealing
16 with special-ed problems. Their children had
17 been assigned to special-ed, they couldn't get an
18 answer why. They were told to call numbers that
19 didn't actually leader to an answer. They were
20 put through a sort of process that made them feel
21 that no one was listening. They asked their
22 public officials to help, the public officials
23 often were able to help in getting answers, as
24 well. This wasn't intent, in my view, by the
25 Department of Education. This was a bureaucracy

1 that's huge and where people, particularly
2 individuals without power, get lost immediately.
3 So we have to find mechanisms that are real, we
4 have to have public hearings that even though
5 people don't like it, have to be held and paid
6 attention to, and we have to give parent councils
7 a real role in terms of how things are going.
8

9 I think I'll cut it off there.

10 CHAIRWOMAN NOLAN: I want to thank this
11 distinguished panel. And I know my colleagues
12 may have a question. If they would just permit
13 me, we've been joined by Assemblyman Hakeem
14 Jeffries, one of our newer members and I think
15 really a terrific member from the Borough of
16 Brooklyn. I mentioned Assemblyman Colton when
17 he was coming down the steps, we're glad he's
18 here. We also have a number of our colleagues
19 and really our brothers and sisters, if you will,
20 in the City Council, the great leader of the City
21 Council's Education Committee, Robert Jackson.
22 Bob Jackson is here. Bob stand up and get a
23 shout out. You deserve it. Many people may not
24 know here in Brooklyn, but Councilman Jackson
25 walked to Albany a number of years ago as the

1 parent of two girls in the public school system,
2 his two daughters, to demand and initiative the
3 CFE lawsuit that has done so much to generate
4 funds for our City. Bob, we thank you. And with
5 him is a representative from the great Borough of
6 Brooklyn, the councilman with - I have to say I
7 don't know him well - the best sense of humor of
8 any elected official in the City, Councilman
9 Simka Felda (phonetic). Thank you. We're so
10 happy to see you here.

11
12 Colleagues, questions for this
13 distinguished panel? Assemblyman Colton and then
14 we'll go to Alan Maisel and from there.

15 ASSEMBLYMAN COLTON: I have a couple -
16 two questions really. One of them deals with a
17 concern that I've heard expressed by many parents
18 in my district. Basically, the feeling of
19 helplessness of hopelessness when a problem is
20 confronted involving them and their children in
21 the school. A couple of the changes that you
22 recommended, I wanted to see how you feel that
23 would input on the problem.

24 One of the things that was suggested was
25 the term limit of the term of the person who was

1 on the citywide Educational Policy Panel be a
2 fixed term instead of at-will. How do you think
3 that would impact upon the issue of parental
4 input and the ability of the panel to be
5 accountable to parents?
6

7 DR. JONES: There are similar other items
8 that we talk about and I'll let Joe talk about
9 it. Let me talk about the term limit issue, and
10 I have a real life example, it may not make
11 everyone happy.

12 I served on a fixed term on the Health
13 and Hospitals Corporation Board. We were in the
14 midst of a fight, purported by the Dinkins
15 Administration, on the issue of whether public
16 hospitals should be privatized. Many of us, as
17 fiduciaries on the HHC Board felt that that was
18 dangerous because the number of uninsured in the
19 City system is so huge. Absent my five year
20 term, particularly because Mayor Giuliani had
21 made that an article of faith, we couldn't have
22 raised our voices effectively and fulfilled our
23 fiduciary duty in trying to protect the public.
24 By fixed terms we were appointed. As long as you
25 don't violate the public trust, you are supposed

1 to be appointed to essentially be ruled by your
2 consciences. If that puts you in conflict with
3 another elected official, you should serve out
4 your term and then be removed. But I think
5 that's where we had a problem.

6
7 There was, just to give you an example, a
8 disagreement that took place with some of the
9 individuals on this panel, and who were removed
10 even though they had distinguished careers in
11 terms of trying to serve the people of New York.

12 We don't think that should be allowed to happen.

13 ASSEMBLYMAN COLTON: The other concern
14 that's been raised by parents, very often they're
15 confronted with school report cards and
16 statistics and it's very confusing. Do you feel
17 that the Independent Budget Office will be able
18 to give some kind of credibility and independent
19 analysis of the school performance data, as well
20 as the budget data that comes through the school
21 system?

22 DR. JONES: I think you're going to have
23 to look into this carefully. I think it would be
24 an expansion of the role of the Independent
25 Budget Office in a unique way. Yes, you can do

1 these kinds of examinations in language that is
2 going to be user-friendly so people can get a
3 school-by-school understanding of graduation
4 rates, of reading, of improvement that they know
5 is not merely a public relations issue, and I
6 mean that in the best sense, but obviously has
7 some independent standards. And I think you're
8 going to need that. I think policymakers need it
9 and I think parents ultimately need it because if
10 everything becomes seen as thin, even if it's
11 not, it starts to undermine the system. I think
12 it actually hurts the very Department of
13 Education we're all trying to improve.

14
15 We want to be sure that this school - and
16 not only because the school system says it
17 itself, but also it's been independently
18 validated that we are making progress, and that's
19 what I think we need as a public.

20 ASSEMBLYMAN COLTON: Thank you very much.

21 ASSEMBLYMAN JEFFRIES: Pastor Brawley,
22 thank you for your very eloquent testimony and of
23 course for your leadership, not just on this
24 issue but on many other issues that affect our
25 communities. Accepting the premise of the

1 continuation of Mayoral Control, as you know and
2 others know, any system, particularly a system
3 that's devised by man, is going to have its
4 imperfections.
5

6 In terms of moving forward, what changes,
7 if any, do you think could be made to Mayoral
8 Control to improve the quality of education
9 that's delivered, particularly in distressed and
10 disadvantaged communities?

11 PASTOR BRAWLEY: Well, what we've been
12 hearing all morning is arguments about parental
13 involvement and how to put in place mechanisms
14 whereby parents can have a say-so in the
15 education of their children. Our proposal has
16 simply been that we should have a parent advocacy
17 and resource center. There are parents who are
18 individual parents who have major issues and
19 sincere concerns but they're not connected to a
20 power organization and they feel isolated and
21 alone. Our recommendation would be a parent
22 advocacy resource center which would field the
23 calls and the concerns of parents. This would be
24 an independent, an independent institution that
25 would not be influenced by the DOE and, thereby,

1 would be able to give voice to the concerns of
2 parents. We think by doing that that can,
3 indeed, be an enhancement to the current system.

4 Thank you.

5 CHAIRWOMAN NOLAN: Thank you colleagues
6 and thank this very distinguished panel - I'm
7 sorry. Assemblyman Weprin. I'm sorry. I
8 apologize.

9 ASSEMBLYMAN WEPRIN: Thank you. Dr.
10 Viteritti, it's nice to see you again. You were
11 nice enough to meet with me before I was elected
12 15 years ago, believe it or not. Three children
13 and a marriage later, it's good to see you again.

14 I just want to ask. The idea - this is
15 just my question, because I respect your opinion.

16 I see a sign up front - accountability equals
17 success, and I can't agree more with that
18 statement. My problem is my idea of
19 accountability and the Chancellor's ideas of
20 accountability are very different. I think we've
21 been relying much too much on test scores. And I
22 just want to know your opinion on the idea that a
23 test somehow reflects whether a teacher is good
24 and therefore should be held accountable.

DR. VITERITTI: Well, so far as accountability is concerned, the model of Mayoral Control involves to premises, and that is that the school should be accountable to the mayor and that the mayor should be accountable to the public; they have to go together.

I think test scores are one way to evaluate performance of a school system. I think there are other ways. I don't think anybody suggests that test scores if the only way to assess the performance of a school system. Some people emphasize it more than others.

With regard to your question about - and this is kind of apart from the work we did on our Commission is very difficult to set - to develop standards for evaluating particular teachers. I think it is possible, but I think it has to be done very carefully.

ASSEMBLYMAN WEPRIN: How are you evaluated as a professor?

DR. VITERITTI: We have student evaluations. We have observations. I observe colleagues. That's basically the way we do it.

ASSEMBLYMAN WEPRIN: Wouldn't that be a

helpful way to evaluate a teacher?

DR. VITERITTI: I think that's one way of doing it. I don't think there is any single way you can do it.

ASSEMBLYMAN WEPRIN: I'm taking the hint. Thank you very much.

CHAIRWOMAN NOLAN: I'm sorry. Thank you so much. And thank you for our very distinguished panel. I know we're going to have some movement out of the auditorium now, Pastor, but I really look forward to a continuing dialogue with you, with our colleagues from this great research and our public advocate. And thank you all very, very much.

Our next group - I'm going to call six names, that's two panels. We have Greg Floyd or someone from Local 237. I see them in the house.

They are our school safety officers. Bob Troller or, again, I don't know if it's Bill Carroll from the Operating Engineers or custodians that keep our schools clean. And Wanda Williams from DC 37 which, as you know, is our school food aides and substance abuse prevention specialist. Will those three unions

1 Public Hearing on Governance - 3-20-09
2 come down or their representatives to give
3 testimony?

4 We also have a panel - David Bloomfield,
5 the parent member of the Citywide Council on High
6 Schools; Patricia Connelly, a member of the
7 Citywide Council on Special Education; and
8 Williams McDonald and Lorraine Bridges from the
9 Chancellor's Parent Advisory Council.

10 You can put our three union members here
11 and our three parent members there, and we'll
12 begin moving forward as the room clears. And
13 again, I want to thank my colleagues for their
14 patience with me as we try to move the hearings
15 along.

16 You can start if you'd like, sir.

17 MR. TROELLER: Good morning, Chairperson
18 Nolan and the other distinguished members of the
19 State Legislative Committee on Education. My
20 name is Robert Troeller. I am business manager
21 and president of Local 891 of the International
22 Union of Operating Engineers. I represent the
23 950 school custodian engineers who are
24 responsible for making sure school children in
25 New York City can learn in the safest and

1 cleanest environment.

2 Custodial budget cuts over the past
3 several years have resulted in manpower losses
4 equivalent to over 1,000 full-time custodial
5 worker positions. It has become increasingly
6 more difficult for my members to perform their
7 job in an adequate manner. I'm here today to
8 discuss mayoral control and the negative effects
9 it has had on the safety and cleanliness of our
10 schools.
11

12 Shortly after the passage of the
13 Education Reform Law which granted mayoral
14 control of the New York City school system,
15 Chancellor Klein developed and attempted to
16 implement a plan to outsource custodial services.

17 In response to his initiative, the New York City
18 Council held oversight hearings to examine his
19 scheme. In 2004, the result of the Council's
20 investigation and hearings was the passage of a
21 Resolution, Resolution 37a2004, which I have
22 attached to my testimony for your reference.
23 That council resolution called for a complete end
24 to the outsourcing of school custodial services.

25 The hearings exposed the many flaws in the

1 procurement and contracting process used by the
2 Department of Education. I am happy to report
3 that due to the pressure brought about by those
4 hearings, the objections of parents, the press
5 and elected officials, the Department of
6 Education abandoned that particular outsourcing
7 effort.

8
9 During the same time period, the
10 Chancellor issued a \$60 million emergency no-bid
11 contract for custodial services. At that time,
12 Local 891 brought the issue of this no-bid
13 contract to the attention of both the New York
14 City and New York State Comptroller. Due to
15 flaws in the recently enacted Mayoral Control
16 Legislation, both men claimed not to have
17 oversight over the DOE's contracting processes.
18 Frustrated by a system with no oversight, no
19 checks and balances, my local took the Chancellor
20 and the DOE to court. The State Supreme Court
21 declared that contract and the process by which
22 it was entered into to be illegal. Under the
23 judge's order the approximately 120 school
24 buildings covered under the agreement were
25 returned to the care of the Civil Service

1 Custodian Engineers. Those schools are still
2 cared for under the civil service system today.
3 Although there are fewer schools operated by
4 private contracts than in the past, any is too
5 many. Repeated studies of the New York City's
6 public school custodial operations have shown
7 that civil service custodial engineers deliver
8 superior service at a lower cost.
9

10 Hopefully, the DOE will soon be looking
11 to entering into new agreements with vendors to
12 supply the New York City School Custodian
13 Engineers with supplies and equipment. The
14 current extremely lucrative contract held by SDI
15 has led to millions of dollars in waste. SDI has
16 been granted a virtually monopoly. As an
17 unnecessary middle man, they add an additional
18 cost to every purchase custodian engineers make.

19 The allocation my members receive are meant to
20 provide labor only but custodian engineers
21 utilize some of the money to supplement the
22 supply allocations. The dollar amount they
23 receive from the Department of Education has
24 remained unchanged since 1996. Our contract
25 requires purchases be made through DOE approved

1 sources. The Department of Education should
2 accept competitive bids on custodial products and
3 allow custodian engineers to purchase supplies
4 from multiple vendors. Instead, they give a
5 monopoly to one company and waste millions of
6 taxpayers' dollars. Such waste is particularly
7 unacceptable and offensive in these economic
8 times.
9

10 I believe the Education Law must be
11 amended. I have cited three examples of failed
12 contracting and procurement processes which are
13 directly related to my members and custodial
14 operations. One doesn't need to speculate too
15 much to assume there are numerous examples of how
16 the Department of Education squanders public
17 funds. I urge the State Legislature to amend the
18 law so that an independent entity is given
19 oversight over the Department of Education's
20 procurement and contracting process. True
21 oversight will never come from a board that has a
22 majority of its members appointed and serving at
23 the will of the Mayor.

24 Thank you.

25 CHAIRWOMAN NOLAN: Thank you. If you

2 could just acknowledge the other gentleman with
3 you from the Local.

4 MR. WYLE: Yes. My name is Matthew Wyle,
5 Vice President of Local 891.

6 CHAIRWOMAN NOLAN: Okay. Great. Thank
7 you. I see and I'm so glad that Greg Floyd is
8 here from Local - from the Teamsters Local that
9 represents the School Safety Officers, 237, a
10 great friend. Greg, thank you. I apologize for
11 putting you on right away like that, but it's
12 just perfect timing.

13 MR. FLOYD: No problem. Thank you. Good
14 afternoon. My name is Gregory Floyd. I'm
15 President of Local 237. I come before you today
16 to talk about our 5,000 school safety agents who
17 work in the public schools in New York City, and
18 who are employed by the New York City Police
19 Department. I thank the Committee and Chairwoman
20 Nolan for this opportunity to testify before you
21 on a vital component of our public education, the
22 safety of students, staff, and visitors who
23 attend our schools.

24 There is no denying the importance of our
25 school safety agents and the work that they do.

1 School safety agents guard a population that is
2 greater in size than America's tenth largest
3 city, Detroit, Michigan. We are all aware of the
4 dangers and violence that can threaten our
5 classrooms in New York City. Armed with only
6 handcuffs, a flashlight and a badge, school
7 safety agents protect our children by
8 confiscating drugs, fire arms, knives and
9 arresting wrongdoers who would disrupt our
10 schools. Local 237 has taken the lead role in
11 assuring that school safety agents are properly
12 selected for their mission of protecting students
13 and staff.

15 Local 237 has fought for many years, with
16 final success in 2007, to make school safety a
17 competitive civil service title. Local 237 thus
18 insured that school safety agents will be
19 selected through a process of competitive written
20 examinations. Local 237 continues to fight to
21 upgrade school safety titles. We recommend to
22 the New York City Police Department that Civil
23 Service testing be used for promotion of the
24 school safety agents to so-called Level 2 and 3
25 positions within the title. We are now currently

1 filled entirely at a direction of NYPD. We
2 believe that with entry level positions,
3 competitive testing is the proper basis for
4 promotion within school safety. Finally, Local
5 237 seeks to integrate school safety more fully
6 into the police department, a process which will
7 enhance the professionalism of school safety
8 force.
9

10 We have asked Commissioner Kelly to
11 reinstate the right for school safety agents to
12 promote to patrolman, allowing school safety
13 agents to substitute two years credit in the
14 title for two years of college, which is
15 ordinarily requested of applicants. NYPD
16 currently permits veterans of military to use
17 their service, years of service as a substitute
18 for college credit when applying for patrolman
19 jobs. Local 237 contains that school safety jobs
20 more nearly resemble those duties of a New York
21 City police officer than military service today.

22 A right to promote to patrolman could surely
23 attract many more ambitious and capable of young
24 people to school safety, enhancing the
25 performance and morale.

1 Thus, Local 237 yields to no group and
2 individuals of our effort to ensure a well
3 trained school safety force. However, while
4 working toward the goal we urge caution in the
5 appraisal of recent public critiques as
6 performance of school safety agents. In
7 particular, Local 237 has been concerned by the
8 report by the New York City Liberties Union which
9 alleges a pattern of hostile treatment to
10 students by NYPD representatives, including
11 school safety agents. Local 237 is mindful of
12 the New York City Civil Liberties many honorable
13 efforts over the years. However, we feel its'
14 effort - report, which was prepared without any
15 consultation of agents or their union, links
16 itself to distortion.

18 One example is the report claimed
19 inappropriate sexual touching of a female student
20 during searching by school safety agents. Local
21 237 is confident that representing school safety
22 agents followed strict protocol which permits
23 searches of female students to only be conducted
24 by other female agents. Surely, the fact that
25 this protocol, unreported by the New York City

1 Liberties Union, changes the perception of any
2 touching incident. Of course Local 237 rejects
3 implications that school safety agents are
4 insensitive to the concerns of largely minority
5 public school population. A majority of our
6 school safety agents are women of color that
7 reside in the communities from which the students
8 are drawn. Many of them are mothers of public
9 school students themselves. They are not, in any
10 way, estranged from the population that they are
11 charged with protecting.
12

13 School safety agents are sometimes blamed
14 for the policies that others have devised, which
15 have caused controversy. Our members are
16 sometimes caught up in confusion, a division of
17 school safety, and also the principals. School
18 safety agents take the brunt of students'
19 frustrations over the issues of cell phone
20 confiscation, which may contribute to some of the
21 complaints featured in the New York Civil
22 Liberties report. Much more needs to be done to
23 guaranty a safe quality of environment of our
24 schools, training, and recruitment. Elected
25 officials and other issues are very much on the

1 table. Local 237 is eager to join all
2 participating parties - the Chancellor, teachers
3 and parent watchdog groups - to ensure meaningful
4 dialogue that will result in benefit to our
5 children.
6

7 Again I want to thank Chairwoman Nolan
8 and the committee members for the opportunity to
9 bring these issues before you for your
10 consideration.

11 I also want to say no matter who controls
12 the New York City Public School System, one issue
13 is that school safety agents cannot report to
14 both the Department of Education and also the New
15 York City Police Department at the same time. It
16 causes confusion. We need a clear definition on
17 what guidelines are going to be enforced and who
18 is charge, this way controversies don't occur.

19 CHAIRWOMAN NOLAN: Thank you. I want to
20 break this panel up a minute, if you two will
21 stay, and see if there are any questions for our
22 two colleagues from the labor movement.

23 Assemblyman Towns and then Assemblyman
24 Brennan.

25 ASSEMBLYMAN TOWNS: To President Floyd -

1 I thank all of you again. I thought you brought
2 up a good point, that last point. If you had the
3 opportunity to pin the new policy, how would you
4 see the relationship between DOE, the Police
5 Department and school safety? What would be a
6 recommendation of the right way to develop that
7 relationship?
8

9 MR. FLOYD: My recommendation would be
10 that the police commissioner and the chancellor
11 have to sit down. The two entities would have to
12 discuss each and every policy and guideline on
13 what's going to happen and what the protocol is
14 and then make both departments - the Department
15 of Education and the Police Department - aware of
16 these guidelines, and the two heads of those
17 departments have to make sure that this is
18 strictly enforced, that we don't have controversy
19 over principles or this not being followed or the
20 police department's orders not being followed and
21 the school safety agent being caught in the
22 middle.

23 ASSEMBLYMAN BRENNAN: I have a question
24 for Mr. Troeller and then Mr. Floyd.

25 Mr. Troeller, you identified this

1 company, SDI, that the DOE compels the custodians
2 to purchase your supplies through this company?

3
4 MR. TROELLER: That's correct. We have a
5 contract which allows the members to purchase
6 goods and materials through any board approved
7 vendor. The board has chosen to give exclusive
8 approval to this one company. So any items they
9 want to purchase, they go to that company, they
10 get delivered by a third-party, which normally
11 they would have dealt with directly, and there is
12 a markup.

13 ASSEMBLYMAN BRENNAN: Do you know the
14 process whereby this company got this contract?
15 Was it competitively bid or was it a no-bid
16 contract?

17 MR. TROELLER: That's part of the
18 problem, it was a RFP, request for proposal. It
19 was not a bidding process. This was done shortly
20 after the -

21 ASSEMBLYMAN BRENNAN: Do you know if the
22 panel took a vote to allow SDI to get this
23 contract?

24 MR. TROELLER: I imagine they did. Like
25 all votes that a panel makes, they're pretty much

1 controlled.

2
3 ASSEMBLYMAN BRENNAN: Right. The
4 Chancellor has virtual complete control over it,
5 right.

6 MR. TROELLER: That contract expires this
7 year, and that's why I'm hoping that they move
8 away from that and go back to competitive bids.
9 The real problem with the Chancellor not having
10 to follow the same procurement and purchasing
11 processes that all other city agencies have. You
12 gave the mayor control but it's not a mayoral
13 agency. Even the New York City Comptroller could
14 not help us stop the chancellor from issuing a
15 no-bid contract of \$60 million. We had to go to
16 court. It shouldn't be that way.

17 ASSEMBLYMAN BRENNAN: The old Board of Ed
18 had a vote on all contracts, competitively bid or
19 RFP or no-bid, whatever. Would you support a
20 public vote on all contracts?

21 MR. TROELLER: Certainly. That is the
22 process in which we were able to stop such bad
23 contracts in the past. It was very easy to go to
24 the board and say this makes no sense.
25 Economically it doesn't serve the children and

1 the taxpayers and it doesn't supply the materials
2 and goods we need. But now there's no such
3 option for us to do that.
4

5 ASSEMBLYMAN BRENNAN: Thank you. Just
6 one quick question for you Mr. Floyd. You
7 mentioned that the school safety officers, I
8 guess, have conflicts with the students because
9 you have to enforce the cell phone policy and
10 confiscate their cell phones if they brought them
11 into school -

12 MR. FLOYD: That's a DOE policy.

13 ASSEMBLYMAN BRENNAN: Would you have
14 tried to - how do you view that in relation to
15 whether or not a matter such as that should have
16 gone to the Panel on Educational Policy and taken
17 a vote as to whether or not cell phones should be
18 banned from the schools in the first place?

19 MR. FLOYD: Well, some of the cell phones
20 are given to children because the parents need to
21 get into contact with the child. So, on a case-
22 by-case basis there should be something in place
23 where the parents can make application to the
24 schools to have their child carry a cell phone,
25 this way you know that the parent is aware that

1 the child has a cell phone in school. So if you
2 put something in place for those who really need
3 cell phones and the parents are the ones that are
4 going and vouching for the student having a cell
5 phone, maybe we could eliminate who has a cell
6 phone, who doesn't have a cell phone and the
7 controversy. When you see the news reports of a
8 child getting into a scuffle with a school safety
9 agent over a cell phone and the mother on TV
10 saying I wanted my child to have the cell phone,
11 you don't want to see that.

12
13 ASSEMBLYMAN BRENNAN: What you're saying
14 is that some of these arrests that you may feel
15 compelled to make, you, your officers may feel
16 compelled to make relate to conflicts when
17 students are angry about the confiscation of
18 their cell phones.

19 MR. FLOYD: Yes.

20 ASSEMBLYMAN BRENNAN: Okay. Thank you.

21 CHAIRWOMAN NOLAN: We've also been
22 joined by, again, a newer colleague but certainly
23 a great advocate for the Borough of Brooklyn and
24 Assemblyman Karim Camara. Thank you so much for
25 being here, Assemblyman.

Assemblywoman Millman on the questions.

ASSEMBLYWOMAN MILLMAN: Thank you. Mr. Troeller, I'm glad my colleague, Mr. Brennan, asked you about SDI because I didn't know what it stood for. But it leads me to voice concern about this contracting out that the Department of Education has done, not only in the field of custodial services, for example, the Snapple contract that happened in all of our schools with no bids and that's the way they did it. It happens time and time again. Also, in an area that I know some of us have some knowledge about, and I'll ask this question again of some of the educational people who come before us, but that's these contracts that are given to educational consultants that we fly back and forth from one coast to another, put them up here in our City to give us maybe some educational policy that maybe is not really what we need to benefit the schools and our children.

But the question for you is presently now how many schools have non-union custodial staff?

MR. TROELLER: I believe the number is about 85.

1 ASSEMBLYWOMAN MILLMAN: And that is down
2
3 since you went to court?

4 MR. TROELLER: That is down since we went
5 to court and since the Council passed a
6 resolution condemning the practice of outsourcing
7 custodial services.

8 There's a local law in New York City,
9 Local Law 35, which requires an agency to do a
10 cost analysis before they would outsource
11 services. It doesn't require that they save
12 money, but at least an analysis be done. Once
13 again, the Board of Education, which still
14 exists, and the Chancellor are not subject to
15 Local Law 35. The Mayor got control, but it's
16 not a mayoral agency. The Mayor got control, but
17 they're not subject to the same rules that all
18 other agencies in the City are.

19 ASSEMBLYWOMAN MILLMAN: So, in other
20 words, they act as totally independent of what
21 some of the rules and regulations are.

22 MR. TROELLER: I believe they did, yes.

23 ASSEMBLYWOMAN MILLMAN: Thank you very
24 much.

25 CHAIRWOMAN NOLAN: Thank you,

1 colleagues. If you guys want to just stay a
2 minute and we'll start with our sort of subset of
3 this panel. David Bloomfield, thank you.

4
5 MR. BLOOMFIELD: Thank you. I appreciate
6 the opportunity to address this body. The
7 following summarizes my comprehensive testimony
8 which I have provided to the Committee and posted
9 online.

10 CHAIRWOMAN NOLAN: Just be patient with
11 us. Sometimes it takes a few minutes for the
12 copies to get passed out, so you might want to
13 read some of it.

14 MR. BLOOMFIELD: I will read my summary.
15 It will take quite long enough. I should add
16 that while I'm a professor at Brooklyn College
17 and the CUNY Grad Center and a member of the
18 Citywide Council on High Schools, these remarks
19 are my own.

20 I continue to be a strong proponent of
21 mayoral control and its statutory formulation in
22 Article 52-A of the State Education Law. My main
23 reason is that as long as the Mayor maintains a
24 control over school funding - and the current
25 Charter gives him particularly strong powers in

1 this regard - the Mayor should bear operational
2 authority and accountability for the schools.

3
4 The law, having solved problems of
5 decisional paralysis, and I should add that I'm
6 the former counsel to the Board of Ed so I know
7 about decisional paralysis, and chronic
8 underfunding, what problems might amendment
9 address? There can be no statutory protection
10 against what some, including myself, view as bad
11 policy making. But, as previously suggested, the
12 current statute seems to encourage irresponsible
13 mayoral spending, a propensity to rig data and
14 autocracy.

15 To cure the problem of overspending,
16 particularly in the area of sole source
17 contracting, I recommend that all procurement,
18 auditing and financial review powers usually
19 vested in the City Comptroller be put into place
20 for oversight of the Department of Education. I
21 also favor a return to full disclosure of all DOE
22 contracts above minimal spending limits through
23 notice, comment, and approval processes once
24 followed by the old Board of Education, prior to
25 their business meetings, perhaps their only

function for which I feel nostalgia.

Transparency of full public disclosure prior to approval would be healthy for a contracting system too often shrouded in secrecy and potentially in patronage.

I spoke earlier of data manipulation. There must be a source of objective data assessment. For this role I suggest the New York City Independent Budget Office. Enlarging its portfolio for education would give the IBO appropriate scope to study the effectiveness of DOE programs. If provided with statutory power to obtain not only financial information but non-confidential student and other data, the IBO would enhance performance and public confidence in mayor school governance.

Then there is the thorny problem if this Mayor's autocratic management of the school system. There must be greater fidelity to the current statute's clear intent of board, substantive community consultation.

Regarding parent and community involvement, I start with the view that parent and community voices must be institutionally

1 robust while not diffusing decision-making which
2 results in institutional paralysis. Our
3 children's education depends both on active
4 parent-community partnerships and on decisive
5 leadership.

6 The current statute is full of well
7 intended, if poorly drafted provisions for parent
8 and community involvement. One of the Mayor's
9 worst tendencies is that he has seized power
10 where legal ambiguities exist and expended great
11 efforts to minimize and marginalize avenues for
12 dissent. For example, the Mayoral Control Law
13 contains a strong parent Bill of Educational
14 Rights, at Section 2590-h(15)(c), which the Mayor
15 watered-down in the Department of Education's own
16 Parent Bill of Rights, then added more
17 responsibilities than rights.

18 Similarly, where the statute clearly
19 delineates numerous powers for the Community
20 Educational Councils at Section 2590-e, the
21 Chancellor has either systematically ignored
22 those powers or pinned down the councils to empty
23 and distracting procedural duties that have no
24 real impact on their children's education. A
25

1 thorough review of this Section is necessary to
2 revise DECs as active partners in district
3 success with broad portfolios for interaction
4 with all levels of school district and central
5 management. Specifically and though
6 counterintuitive to increasing parent and
7 community power, CECs and other parent-community
8 bodies should have broad powers of oversight and
9 policy input but fewer enumerated
10 responsibilities since, as part-time lay
11 voluntary bodies with little staff assistance,
12 exacting compliance becomes burdensome. I used
13 my own Council, the Citywide Council on High
14 Schools, as a model. The Citywide Council has
15 few enumerated duties, and so can pursue almost
16 anything we want, sometimes with telling impact.

17
18 I would add one important power form
19 which much power flows. I would restore, under
20 Section 2590-e, CEC's power to recommend
21 community superintendents, a well-crafted
22 provision of the 1996 School Governance Law,
23 which balanced the interests of local communities
24 with the Chancellor's citywide governance role.
25 Through this mechanism, CEC's advisory roles

1 would be given teeth through real power over
2 superintendent reappointment.
3

4 To avoid the confusing clutter of
5 multiple, sometimes competing, parents bodies,
6 for District CEC members - I apologize - District
7 CEC members should be elected from the individual
8 parent associations, including high schools, so
9 that in effect the District President Councils
10 and the CECs would be blended into a single
11 entity, with the Chancellor's Parent Advisory
12 Council, CPAC, consisting of a delegate from each
13 CEC. Citywide councils, including elementary,
14 secondary and District 75, could then be
15 constituted as subcommittees of CPAC, providing
16 public information and advice to central in a
17 unified, coherent manner.

18 I also suggest that the next Chancellor
19 be appointed by the Mayor with advice and consent
20 of the City Council. While I generally disfavor
21 an active role in governance for the council,
22 though I strongly favor its active oversight of
23 schools, I believe that public vetting of the
24 Mayor's nominee will improve selection and
25 community support for the eventual chancellor.

1 Regarding the Panel on Educational
2 Policy, an independent New York City school
3 board, as recently proposed by the Public
4 Advocate's Commission, is wrong for New York.
5 The Commission calls for a mayoral majority on
6 the Panel on Educational Policy with members to
7 serve fixed terms without power of removal. But
8 calling for an independent board, an
9 unaccountable board, is just a cheap shot at the
10 Mayor, much as he deserves it. It will not
11 improve education, accountability or even
12 transparency. Other reforms are needed.

14 The old Board of Education demonstrated
15 that independence is not guarantee of careful
16 deliberations or wise policies. As with the
17 Commission's plan, board members served fixed
18 terms and could not be removed. Were our schools
19 excellent? No. Did members vote upon principle,
20 not politics? No.

21 Mayoral control strength lies in its
22 uniting of budgetary and operational
23 accountability. An independent school board
24 would dilute that without any likely increase in
25 system quality.

1 Why not then put us out of our misery and
2 then just disband the PEP? The reason is that
3 the PEP serves a crucial function in airing
4 Department of Education decisions and providing a
5 public square for discussing the system's
6 direction. While not a direct check or balance
7 to mayoral authority, the PEP provides an open
8 forum for vetting executive decisions. But
9 today, the PEP agenda is so tightly controlled
10 that it is little more than a series of
11 PowerPoint presentations by DOE staffers, largely
12 devoid of debate.

13 Unfortunately, current state law fails to
14 adequately support this role of transparency and
15 debate, so necessary in an otherwise opaque
16 bureaucracy. The drafters of the statute were so
17 worried that the PEP would descend into
18 micromanagement that the law prohibits the PEP's
19 active oversight of school operations, contracts
20 and crucial policy matters that indirectly affect
21 educational achievement and student performance.

22 In amending the law, the Legislature
23 should lift this statutorily created, mayorally
24 maximized veil on public scrutiny. Even if the
25

1 PEP is a rubber stamp, full public disclosure
2 would be healthy for a school system too often
3 shrouded in secrecy and in patronage.
4

5 The policy jurisdiction of the PEP should
6 be broadened and better defined. The ability of
7 the PEP to approve only matters directly related
8 to educational achievement and student
9 performance gives the Chancellor too much
10 interpretative power. That term should be
11 omitted from the amended statute. The statute
12 should allow any member to put a matter on the
13 agenda, only requiring a rationale for its policy
14 relevance. And any DOE proposal should be
15 automatically reviewed by the PEP if its relates
16 to testing, school creation, closings or planned
17 increases or reductions in size, student grades
18 and promotion, curriculum, general staffing, use
19 of school buildings, class size or, on the basis
20 of a program's impact on traditionally
21 marginalized or under performing student
22 populations. Public comment should precede votes
23 by the PEP.

24 Finally, there should be designated
25 parent membership on the PEP. While facing some

1 legal questions and providing that constituency
2 with special decision making privileges, parents
3 clearly have a special place along with students
4 in informing system policies. If voting
5 membership is precluded, there should be non-
6 voting *ex officio* parent membership.
7

8 Thank you again for the honor of
9 addressing the Committee, and your active
10 solicitation of public input is appreciated.

11 CHAIRWOMAN NOLAN: David, I want to
12 thank you. I left for some of it, but I have it
13 here and we've been in touch. Thank you.

14 MR. BLOOMFIELD: Thank you.

15 MS. CONNELLY: Good afternoon, Assembly
16 members and other distinguished guests. My name
17 is Patricia Connelly. I am a resident of Sunset
18 Park, Brooklyn, and the proud mother of two
19 beautiful children attending District 15 and
20 District 75 schools here in Brooklyn.

21 I am also an elected parent member of the
22 Citywide Council on Special Education. I ran for
23 the CCSE in May 2007 because I wanted to help
24 other public school parents and families of
25 children with disabilities obtain the programs

1 and services their children need and are legally
2 entitled to receive in order to benefit fully
3 from public education. I wanted to share and
4 develop further the knowledge and skills I had
5 acquired as a fierce advocate for my own son, who
6 has dyslexia and related learning disabilities,
7 and as the grateful daughter of my now passed
8 brilliant and largely self-taught father who was
9 forced to leave public school at the age of 16
10 due to his own dyslexia. For these very same
11 reasons, I joined the Parent Commission in June
12 2008. And for these very same reasons, just
13 yesterday, I decided not to run for reelection to
14 the CCSE.
15

16 I have come to the conclusion that
17 mayoral control and the manner in which it has
18 been implemented under Mayor Bloomberg and
19 Chancellor Klein is fundamentally and
20 undemocratic and unworthy of being called public
21 education. What we need in New York City, and
22 what I have decided to commit all myself, body
23 and soul, to help create, is a new vision with
24 revitalized democratic governance structures in
25 schools on up through the districts and at the

1 citywide level. A new vision who puts parents as
2 their children's first teachers and best
3 advocates squarely at the center of decision
4 making about the education of our children. Most
5 especially for those who have been most shut out
6 under mayoral control - low income families of
7 color, as well as immigrant families, who have
8 children with disabilities.
9

10 While the current administration, with
11 its repeated system-wide reorganizations over the
12 past seven years cannot be blamed for every
13 barrier within, and failure of the New York City
14 public schools, numerous reports issued by
15 independent agencies in just the past two years
16 have amply documented how thoroughly the DOE not
17 only continues to provide woefully inadequate
18 special education and related services, but has
19 made matters worse by approaching the task in a
20 dangerously haphazard manner.

21 Initial evaluations take longer today
22 than they did before mayoral control was granted,
23 and there are more students with Individualized
24 Education Programs, IEP, in limbo for longer
25 periods of time, that is they are neither placed

1 in a recommended program nor receive some or all
2 mandated services.

3
4 Starting in 2003, the DOE dismantled the
5 preexisting network of community district-level
6 special education administrators and eventually
7 stripped the district-level Committees on Special
8 Education of their oversight role in the
9 evaluation and placement of students enrolled in
10 their districts' community schools. In the space
11 of just one year, principals of community
12 district schools, most of whom had then and still
13 have little or no training or experience in
14 special education administration, were put in
15 charge of special education and related services
16 within their schools. Many principals have made
17 valiant efforts to do what is right by and
18 legally mandated for their students with special
19 needs. But with little or no expert help left on
20 the district level, and with the DOE demanding
21 that schools demonstrate success and
22 accountability via high-stakes standardized
23 testing, far too many principals have come to
24 view students with special needs and their
25 families, at best, as nuisances and, at worst, as

1 liabilities, rather than as valued members of
2 their school communities.
3

4 What has been lost under mayor control is
5 any system-wide effort, much less chain-of-
6 command accountability, with the necessary
7 expertise and resources at the district and
8 school level to manage special education and
9 related services as a seamless continuum, where
10 the primary goal is to place students with
11 special needs in the least restrictive
12 environment, as required by federal law, without
13 compromise to the quality and availability of
14 their mandated individualized programs and
15 services.

16 Rather, under mayoral control, New York
17 City now has a bifurcated, fragmented system for
18 special education and related services. In
19 addition to District 75, more than 18 distinct
20 entities within the DOE, reporting to at least
21 three deputy chancellors and one superintendent,
22 are responsible for providing some aspect of
23 special education, such as evaluation, placement,
24 transportation and delivery of related services
25 and so forth, to our city's more than 180,000

1 students with an IEP.

2
3 Compounding to this dysfunctional
4 situation and further marginalizing our special
5 needs students and families has been the DOE's
6 inexorable push to open charter schools and to
7 close so-called failing large schools to
8 establish campuses of small schools in their
9 place. By waiver or practice, these new entities
10 have not welcomed students with IEPs and have
11 poorly severed those at-risk and undiagnosed
12 students in their midst who are in need of
13 evaluations and services.

14 The Parent Commission of which I'm a
15 member, and the following recommendations come
16 out of our full report issued today. The Parent
17 Commission envisions a much different public
18 school system - one in which we strive to not
19 only measure but also nurture the ability of all
20 students. We must put all children first and
21 provide full inclusion with equity of access and
22 resources for special needs students. To realize
23 such a vision we ask you, our elected
24 representatives in Albany, to embrace and to
25 codify into state law the following

recommendations.

One. Expand the role of the Citywide Council on Special Education, the CCSE, to represent not only District 75 students and parents but all children who receive a continuum of services mandated by an IEP and accommodations mandated by Section 504 of the Rehabilitation Act.

Two. Provide representation for parents of special needs students on every Community Education Council, as well as the Citywide Council on High Schools.

Three. Set aside one seat on a newly reconstituted, truly independent Board of Education, as recommended by the Parent Commission, for a parent of a student receiving special education and related services to be elected by the CCSE and the special education representatives on each Community Education Council, as well as the Citywide High School Council.

Four. Establish a cabinet level position, that is a deputy chancellor, in the public school system's central administration

1 charged with and held accountable for fulfilling
2 and protecting the right to a free, appropriate
3 public education, as defined and guaranteed by
4 the Individuals with Disabilities Education Act,
5 for all students with special needs in the
6 system.
7

8 Finally, the Parent Commission rejects
9 the condescending autocracy that currently
10 masquerades as parent engagement and demands full
11 partnership with true power for parents in the
12 public school system that we entrust our
13 children.

14 Thank you very much for this opportunity.

15 CHAIRWOMAN NOLAN: Thank you very much.

16 I know my colleagues will have some questions as
17 we move along. I just have two quick ones for
18 the representatives, actually a little bit for
19 each. To Greg Floyd, I just want to ask a quick
20 question about the training.

21 At the hearing we had in Manhattan, I had
22 raised with Chancellor Klein sort of an incident
23 I felt I encapsulated some of these issues. My
24 son had to go for a testing program. I guess it
25 was over subscribed so there were literally

1 several thousand children at it and it created,
2 obviously, a chaotic scene at the school and
3 there was only one school safety officer. She
4 was - I should say there were two - one in the
5 auditorium and then one to handle everything
6 else. She was put in what I thought was an
7 untenable situation. But will also tell you she,
8 at some point during the day, she sort of lost it
9 and it became a very unpleasant experience for
10 me, for my child and all the children who were
11 there.
12

13 Could you just tell us a little bit about
14 the training process? Then, I would also say,
15 because it came up at our Manhattan hearing, I
16 have taxed Chancellor Klein quite aggressively
17 about the handcuffing of a five year old in my
18 district and recently received a letter from the
19 DOE that said we're moving to Velcro cuffs. That
20 wasn't really the answer I wanted to hear. That
21 wasn't really - please, I want to ask the
22 audience - we want to give the respect that we
23 all have been giving each other all day long. If
24 you could just talk a little bit about the
25 training of the agents. And if they have a

1 grievance process when they're put in a situation
2 like that. What recourse did that poor woman
3 have in that situation?
4

5 MR. FLOYD: Well, one, the training that
6 they receive is from the New York City Police
7 Department, and the training is done by the New
8 York City Police Academy. However, I seriously
9 doubt there was training given for anyone put in
10 that situation because apparently she was just
11 overwhelmed. Two, there should have been
12 something that a supervisor could have come out
13 and assessed the situation immediately and got
14 the person some extra help. That wasn't done, so
15 that needs to be in place also.

16 You mentioned the Chancellor and the
17 handcuffs. Here's another situation where school
18 safety was put in the position - they were at the
19 front door. They were called in the room to do
20 that to this child. They didn't summarily make
21 the decision to go in there and handcuff this
22 child. Apparently the child weighed 68 pounds
23 and overwhelmed the entire staff and they had no
24 counselors - they had nothing on staff and no one
25 on staff that could talk to this child, and that

1 was the last resort. Unfortunately, the school
2 safety agent was put in that position. That was
3 not her role. Her role was to be at the front
4 door, not to come in and handcuff a child.
5

6 Once again, I'd have to say we're placed
7 in these positions that we do not want to be in.

8 You asked one more question.

9 CHAIRWOMAN NOLAN: No. No. Just those
10 two areas really - training and grievance. What
11 happens if you are asked to do something that is
12 untenable?

13 MR. FLOYD: The grievance process is one
14 that you comply with the order and you grieve it
15 later. The grievance may not be heard until a
16 couple of months later, meanwhile the situation
17 has already occurred.

18 Velcro cuffs - how about a situation
19 where instead of Velcro cuffs you have social
20 workers in place that could talk to the child
21 that you don't need the school safety agents to
22 come in and do this.

23 CHAIRWOMAN NOLAN: Thank you, President
24 Floyd.

25 I also want to ask two our custodial

1 engineers who are here - one of the things in my
2 long service in the Legislature is that I would
3 say to you honestly there's a very wide variance
4 in the cleanliness in the schools that I
5 represent. It seems better than it was. But at
6 one time you could go to Junior High School 93
7 and eat off the floors and you could go to Junior
8 High School 125 and you'd be like wow. It's not
9 working. I actually was at a school in my
10 district, 199, once where I actually - we were
11 standing there and two rats actually ran right
12 passed us, right there, right then. I've often
13 wondered how that comes to be. In these
14 instances these were similar size schools,
15 similar populations of children, similar age
16 groups. Then, of course, when I complained I was
17 told that the budgets varied widely and, indeed,
18 maybe they did. What determines who gets what
19 there and how do your members respond if they
20 feel they're not getting the resources? And what
21 oversight is there if perhaps someone isn't doing
22 a good job?

24 MR. TROELLER: First off, sometimes those
25 problems are also associated with the

1 administration of the school and the discipline
2 level that is demanded of the students, which
3 sometimes exacerbate the physical condition. But
4 the budget that each school receives is based on
5 a manpower schedule, and that manpower schedule
6 is included in our collective bargaining
7 agreement. Unfortunately, in the last seven
8 years, five times this Chancellor has cut that
9 funding, cut that funding, cut that funding. As
10 I stated in my testimony, we've lost over 1,000
11 custodial workers in the last five years.

12
13 CHAIRWOMAN NOLAN: How many members are
14 in your union right now?

15 MR. TROELLER: There are 950 members in
16 my union -

17 CHAIRWOMAN NOLAN: That's all?

18 MR. TROELLER: Yeah. We employ
19 approximately 6400 custodial workers. That
20 number used to be over 7500. There's a lot less
21 workers trying to do the same work, and then
22 there's additional mandates, as well.

23 CHAIRWOMAN NOLAN: If a custodial
24 engineer says I need more people to help me keep
25 this school clean for whatever reason, what's the

1 path they follow now?

2 MR. TROELLER: There's really not a path
3 for such a thing.
4

5 And another problem is our supplies. Our
6 supply allocation has remained the same since
7 1996. So a lot of custodial engineers have to
8 supplement in order to provide paper goods,
9 garbage bags, things like that, they have to
10 supplement and it draws from their manpower
11 allocation, and spend that money on materials and
12 supplies, so they have less and less labor
13 available.

14 The schools, it's incredible that they
15 are kept at the level that they are with the
16 funding that we receive.

17 CHAIRWOMAN NOLAN: Just to go back to
18 Mr. Floyd. How many school safety agents are
19 there?

20 MR. FLOYD: Approximately 5,000.

21 CHAIRWOMAN NOLAN: Thank you. Just for
22 our two parents who spoke, I want you both to
23 know how much we appreciate the recommendations
24 that you've made. I know my other colleagues may
25 have questions. I just want to ask one more

question about the high schools.

Do you feel that the high schools - for many years they were centrally controlled - many people did not know that - and then they were put into the school districts and in one of the reorganizations they were part of the regions and now they're back. I'm not really sure where they're back to. Could you comment a little bit about that?

MR. BLOOMFIELD: I don't know where they're back to either. We've had quite a difficult time on the High School Council trying to keep this arrangement straight. Part of the problem, of course, going to my day job where I train principals for the New York City Public Schools, there is a great deal of confusion even within the ranks. Superintendents don't generally go into the schools unless invited. I've made a call to one of the school support teams last week; I'm still waiting for a call back. I would add that that school support team is one of the sponsoring entities for the school, so it's not clear to me as a parent advocate that I'm going to get anything but the run around by a

1 support team that's going to protect its school
2 as opposed to dealing with a parent complaint.

3
4 CHAIRWOMAN NOLAN: To Ms. Connelly. The
5 hearing on Staten Island focused on special-ed.
6 We've tried to have an overlay or theme for each
7 one. Actually, the City, as I recall it, and I
8 don't have it all in front of me, said that the
9 time for an IEP had been lowered substantially
10 since the onset of mayoral control, you know the
11 process. I noticed in your testimony you feel
12 that more parents and students are in limbo. How
13 do you reconcile that difference?

14 MS. CONNELLY: I am basing my statements
15 on the New York State Comptroller's report issued
16 in June 2008 called *Waiting for Special*
17 *Education*, where he uses vetted and publicly
18 accessible data. I don't know where the
19 Department of Education gets their data, quite
20 frankly.

21 CHAIRWOMAN NOLAN: I'm done. I don't
22 want to ask questions myself. I try to let my
23 colleagues.

24 I should add, by the way, we've been
25 joined by the one and only, our colleague from

1 Brooklyn, Nick Perry. Nick, I want to thank you
2 for being here. Assemblyman Perry has joined us.

3 And I want to - we'll start on this side.

4 Assemblyman Benedetto and then Assemblywoman
5 Millman and then we'll go to Assemblyman
6 O'Donnell, Assemblyman Brennan.

7
8 I also want to add that Congressman
9 Weiner has joined us and is going to give us
10 testimony. Anthony, I thank you for your
11 patience. Some of our counsel colleagues have
12 drifted in and out and some of them may join you
13 on that panel. Then we will get to the City GOE.

14 I want to thank you for your patience. And
15 Deputy Mayor Walcott, as you know we had you go
16 first at some of the hearings and we appreciate
17 the team sticking around and listening to all
18 these wonderful points of view.

19 Assemblyman Benedetto and then
20 Assemblywoman Millman and we'll go from there.
21 Thank you.

22 ASSEMBLYMAN BENEDETTO: Ms. Connelly,
23 thank you for your testimony. I must admit I was
24 a bit taken back several years ago with the first
25 reorganization because at that time I was still a

1 teacher in the system in special education. When
2 I looked at it, where's the special ed
3 supervision here? No more daisies. No more on-
4 site special ed supervisor. What happens? In my
5 school, fortunately, one of the assistant
6 principals was a former special education teacher
7 so things progressed pretty well.

9 What is your recommendation? Are you
10 recommending a return to the daisy and on-site
11 supervisor?

12 MS. CONNELLY: I don't - there's nothing
13 that I support that goes back to a system that
14 worked imperfectly to begin with. As I say in my
15 testimony, the DOE, while it did not create our
16 out-of-compliance, willful out-of-compliance with
17 federal law and delivering services and programs
18 for special education, they haven't made it
19 better. Their basic premise with getting mayoral
20 control was to make things better. And for the
21 majority of special needs children and families
22 in the system, it's gotten worse and more
23 confusing. And with respect to the special
24 education administrators by district, yes, we do
25 need district level and school level expertise.

1 Right now you have a system that relies
2 on evaluations being initiated by school-based
3 support teams in the community schools. I know
4 that there are many schools with inadequately
5 staffed school-based support teams. They may
6 share a school psychologist if they're in a
7 campus situation with the two or three schools in
8 there. Therefore, there's not enough expertise
9 on site to do the testing, evaluating and working
10 with the teachers and the staff on making
11 appropriate recommendations. But there is
12 dysfunction at every level.

14 Parents contact me as a member of the CCE
15 and as a fellow parent in their schools all the
16 time to advocate and help them navigate the
17 system. Sometimes for people with advanced
18 degrees who think they could untangle a system,
19 it even flummoxes them. I would say because we
20 have no one accountable - the Chancellor was
21 asked at a PEP meeting in Brooklyn in December
22 who is accountable for special education and
23 especially for questions and unresolved concerns
24 and problems with individual students and their
25 families. He said the school principal. That is

1 a totally inadequate system of accountability
2 when we have a major federal legislation, first
3 of all, mandating the way in which students would
4 be certified and receive their services, but also
5 how they should progress through the system. An
6 individual principal, whose job description maybe
7 ten years ago had nothing whatsoever to do with
8 special education administration in his or her
9 school has now got to be the only contact for
10 parents in the community schools.

11 I hope that answers that.

12 I think that if you had a deputy level
13 chancellor in charge of FAP - and for those of
14 you who know the federal law, that's sort of at
15 the heart of it. I would hope that that person
16 would be an educator, special educator with
17 special education and administration experience,
18 and would help the system construct a system of
19 administration of these services that is
20 particularly reinforced on the district and
21 school level.

22 ASSEMBLYMAN BENEDETTO: Just one last
23 question. You seem to be implying in your
24 testimony that the evaluation and placement
25

1 process, the delivery of services to special
2 education children are not really in compliance
3 with federal mandates. Last week at the Bronx
4 hearing I believe I was told when I asked about
5 compliance issues that 90 percent compliance
6 rate; you are disputing that.

8 MS. CONNELLY: I've seen the DOE's
9 numbers. They presented this update at a PEP
10 meeting that was supposed to take place in
11 November, and many of us advocates went to see it
12 and then the Chancellor unilaterally deferred it
13 for the next month. In the meanwhile, I was able
14 to look at the data. I couldn't really tease out
15 the sources of it. Really, you can ask the
16 question a different way. You can say - I think
17 in one area they were 90 percent in compliance
18 with federal mandates in speech and language.
19 That still means that ten percent of our children
20 mandated for speech and language are not
21 receiving their mandated services. That's the
22 best they can offer.

23 They have, in OT and PT, especially, they
24 only reach 60, 70 percent compliance after seven
25 years with complete control over the system.

1 That means more than 30 percent of our students
2 with mandates services, with an IEP are not
3 getting their mandated services. That, to me, is
4 nothing to spin about. I think that's shameful
5 and we can do better.

7 ASSEMBLYMAN BENEDETTO: Thank you.

8 ASSEMBLYWOMAN MILLMAN: First of all Ms.
9 Connelly, I'm really saddened to see that you've
10 decided not to run because you offer so much
11 expertise, you have so much to offer the system,
12 the children. Please reconsider.

13 MS. CONNELLY: I passed the deadline,
14 that was yesterday. I don't believe that the
15 current election process with the straw vote is a
16 democratic one and it violates my democratic
17 principles.

18 ASSEMBLYWOMAN MILLMAN: I hear you. I
19 hear you.

20 One of my concerns in this field has been
21 children who transfer - children with special
22 needs who transfer into our system from either
23 the states, where there isn't a current - they
24 don't have the current paperwork. I know from
25 listening to lots of individuals who try to do

1 proper placement that although they sit in a
2 central location and try to find out which school
3 has a seat available that they don't have current
4 information. They sent parents and children to
5 School X who are supposed to be getting these
6 services. They get to this school and find out,
7 indeed, that there is not a seat in that class
8 available for that child. I'm wondering if you
9 can comment on that.
10

11 MS. CONNELLY: Yes, certainly. I think
12 that at the heart of this we have a critical
13 shortage of special educators, certified. We
14 have a critical shortage of OT and other PTs and
15 other related services providers that
16 exasperating a system that doesn't know it
17 itself.

18 On the CCSE, as a member, I reach out a
19 lot to other CECs who are trying to help their
20 own district parents navigate special education.
21 They turn to us because we have this, as you
22 say, a special area of interest and expertise.
23 On numerous occasions I've referred them to the
24 special education - I think they're called now
25 the Executive Director for Special Education at

1 the Integrated Service Centers, which are sort of
2 amalgam of regional and old rock and previous
3 alphabet soup things. I try to refer them there
4 because outside of academic programs they're
5 supposed to know where the services are located.

6
7 If you have a multiply handicapped child who
8 otherwise is cognitively not impaired and can
9 fully participate in a general education
10 curriculum, then that child should be referred to
11 the best school that's wheelchair accessible.
12 But when you have multiple disabilities that
13 include both cognitive and physical things then
14 you need a different setting. There is no one
15 single database of these programs in the City.

16 Advocates, such as myself, working with
17 advocates for children in other groups try to
18 maintain our own, sort of, list of the good, the
19 bad and the indifferent. Quite frankly, it's
20 just a scramble for many of us unpaid advocates
21 to steer families to the right programs and the
22 right schools.

23 Principals don't leave their buildings
24 enough to know what is going on in the school
25 down the street. Without district level

1 supervision and special education that has a
2 cohort of schools to work with, how do people at
3 a central location like the CSEs have any idea
4 what's going on in their district? They don't
5 visit schools. They don't help develop the
6 programs. It's an absurd way to provide not just
7 a safety net but an excellent education to our
8 most vulnerable students.

10 ASSEMBLYWOMAN MILLMAN: Thank you. And
11 one quick question for Dr. Bloomberg.

12 I appreciate your comments, which you
13 obviously know what you're talking about.

14 In your background, David, you talk about
15 your roll as training principals. Just a quick
16 question for you. Principals have often said too
17 many of us about the overwhelming
18 responsibilities they have under this new system.

19 Could you speak just a little bit about
20 retention rates? You train them, you send them
21 out. Do they stay in our system?

22 DR. BLOOMBERG: Well, the difficulty
23 actually is recruiting, in the first place. So
24 many people don't want to take on what our
25 onerous responsibility is. But without the

1 discretion that the DOE often trumpets, there are
2 so many mandates that come down from central
3 budget and otherwise that many veteran principals
4 who do leave the system complain that they had
5 more discretion under the old system that good
6 principals always found a way to work within that
7 system and now their hands are tied even more
8 than before. With data systems they are tied to
9 their offices, tied to their computers, they are
10 not able to get out into the classrooms the way
11 we, as professionals, recommend, yet they should
12 as instructional leaders of their buildings. I
13 don't have the data. Of course the DOE keeps the
14 data very much to itself unless it holds a press
15 conference.
16

17 But it's clear to me, in terms of
18 recruiting for my program that that's very
19 difficult.

20 ASSEMBLYWOMAN MILLMAN: Thank you.

21 CHAIRWOMAN NOLAN: Assemblyman
22 O'Donnell, Assemblyman Brennan, and then we're
23 going to move on.

24 ASSEMBLYMAN O'DONNELL: I'm sure you were
25 here when somebody was testifying that they were

1 in favor of putting children first. I'm just
2 curious whether or not you think you put children
3 first.
4

5 MS. CONNELLY: Yes, I most certainly do.

6 ASSEMBLYMAN O'DONNELL: Okay. Thank you.

7 I'm not as familiar with the statistics
8 in Brooklyn as I am with the statistics in
9 Manhattan. In the district where most of my
10 constituents live there are a number of schools
11 that have recently been slated to be closed. I
12 had my staff prepare some breakdowns and they had
13 some fascinating stats about that. For example,
14 these are the statistics of the schools that are
15 in peril, the percentage of kids that are special
16 ed or ELL - 35 percent, 35 percent, 45 percent
17 and 40 percent. Then, when you look at the
18 poverty rates in those very same schools, they
19 are 60 percent, 62 percent, 75 percent and 70
20 percent.

21 One might conclude that these schools are
22 failing because the City is not devoting
23 sufficient resources given the populations that
24 are in them or, call me crazy, the populations
25 they put into them. These statistics are

1 actually from a district where some of the
2 schools have as low as .05 percent children in
3 ELLs or special ed. But even in the ones that
4 are most successful, the numbers go down as far
5 as 16, 15, and 14 percent. And in the school
6 that most would view as these most successful the
7 poverty rate is less than 10 percent.

8
9 And so I'm curious to know whether or not
10 you have any sense of those statistics being
11 mirrored in your experience as a parent trying to
12 navigate your local educational system with a kid
13 who has special needs.

14 MS. CONNELLY: Yes, thank you very much
15 for getting granular with that data. I think
16 we're at a crisis point now with the conversation
17 of several initiatives by the DOE in a rush to,
18 on one hand, achieve 100 charter schools in the
19 two terms and close as many failing schools, they
20 deem failing, to create these small communities.

21 Why is there, when citywide, special need
22 student make up approximately 15 percent of the
23 student population, rate of disability or
24 prevalent rates of disability are pretty much in
25 line with state and national trends.

1 But when you look like you do, district
2 by district, you see these enormous disparities.

3 One is new schools are allowed to open,
4 especially charters, without having adequate
5 special education teachers and resources in
6 place. They cannot refuse children that come to
7 them with IEPs, but when many of the charter
8 schools that open - elementary schools that open
9 begin in pre-k, kindergarten and first, many kids
10 from high poverty areas who have not been picked
11 up in the early intervention program because they
12 did not attend a Head Start Preschool or some
13 other program will fall through the cracks and
14 not get the evaluations necessary or they'll be
15 encouraged to go to a zone school after two or
16 three unsuccessful years. Then you get zone
17 schools in areas being bombarded with the opening
18 of charter schools that have these weird rates.
19 Like you mentioned, 30, 25 percent special needs
20 ELL and a zone school down the street from a
21 charter school that has .5 percent or less. How
22 are these two schools where the charter
23 organizations say they serve the same population,
24 how can you compare that?
25

1 In my own district, in 15, my son goes to
2 the only fully inclusion elementary school in the
3 City of New York that was established in 1992.
4 It's called the Children's School. It is a full
5 public elementary school, not a charter. It was
6 a joint endeavor and continues to be a joint
7 endeavor between District 75 and District 15. We
8 are a national model for educating, in the same
9 classroom, side-by-side, general education
10 students - many of them gifted and accelerated,
11 alongside their peers with special needs, some
12 quite severe. So we have the models in the City
13 but there's one school in the whole City that you
14 can access that kind of services.

16 CHAIRWOMAN NOLAN: I just ask the
17 panelists to condense those answers when
18 possible. We try to give everybody as much time,
19 but really try. Thank you.

20 ASSEMBLYMAN BRENNAN: Thank you Cathy.
21 Thank all of you for your great testimony. Dr.
22 Bloomfield, I have great respect for you. You've
23 given us some excellent guidance with respect to
24 what the Panel on Educational Policy should have
25 authority over in relation to educational policy.

1 But I think that's an acknowledge of the extent
2 to which the panel has been marginalized so far
3 in the system, and you also acknowledged the
4 extent to which parents have been marginalized
5 and supported the IBO taking over data reporting
6 because of the self-serving nature of the DOE's
7 data reporting and the lack of credibility that
8 many people feel it has as a result. But you
9 continue to support the current group having as
10 much power as they continue to have. I just
11 don't - I can't square that in my mind.

12 DR. BLOOMFIELD: I don't support the
13 current group continuing to have power. I don't
14 believe -

15 ASSEMBLYMAN BRENNAN: Maintaining a
16 mayoral majority, that's what I meant by the
17 current group continuing.

18 DR. BLOOMFIELD: As I say, my first
19 premises is really the joining of operational and
20 budgetary power. It seems to me with every step
21 that we would take toward limiting the mayor's
22 majority and control of the PEP, we take one step
23 toward the mayor disowning the school system and
24 saying it's not my fault and defunding it. And
25

1 for decades we had a situation where the schools
2 were defunded in favor of mayoral agencies. The
3 mayor blamed the school system and the school
4 board for the sins while he didn't provide
5 adequate resources. Except for the current
6 economic downturn, I think that we've seen, and
7 Professor Viteritti testified to, the huge
8 increase in funding that the schools have seen.
9 That's not only because of CFE, but that's in
10 terms of the mayor's decision to put money where
11 his mouth is. If his mouth isn't there, then
12 he's not going to fund it.

13
14 ASSEMBLYMAN BRENNAN: Okay. Thank you.

15 CHAIRWOMAN NOLAN: Thank you. Thank you
16 very much and thank you for this great -

17 DR. BLOOMFIELD: I would add that I'm
18 another CEC dropout. Maybe Ms. Geriyah
19 (phonetic) is going to get a bonus from the
20 mayor.

21 CHAIRWOMAN NOLAN: Okay. Let's move on
22 without that.

23 Our next panel is going to be our City.
24 But we'd like to ask Congressman Anthony Weiner -
25 we've tried to accommodate our colleagues a

1 little earlier. Just briefly Congressman and
2 quickly because we normally do panels. When we
3 called earlier, I know your schedule - you were
4 just coming in from D.C. when we had Major Owens.
5 You should know, Anthony, that Major was here, a
6 retired member of Congress, and we had called it
7 at that time.
8

9 I just want the City people to know that
10 they are up next, and then all of our community
11 district education presidents and secretaries and
12 vice presidents, we're going to bring all of you
13 on and again ask everyone's continued patience.

14 Congressman Anthony Weiner. Thank you so
15 much.

16 CONGRESSMAN WEINER: Thank you very much
17 Madame Chair and members of the Committee. I
18 will try to be brief because I know that there
19 are many citizens who want to testify and you
20 want to hear from the City, as well.

21 Let me just say with all of the
22 disagreement and heat around this issue, I think
23 a consensus has clearly emerged around one thing,
24 in that you, Madame Chair, and your colleagues in
25 the State Assembly and your colleagues who cross

1 the building in the State Senate have taken this
2 issue of listening to what parents have to say,
3 listening to what stakeholders have to say in the
4 context of the reauthorization much more
5 seriously than the administration over the course
6 of the last several years has listened to
7 parents, listened to stakeholders, and you should
8 be honored for that.
9

10 Let me make my position as clear as I
11 can. As I have testified before, I firmly
12 believe in the idea that we need to continue
13 mayoral control but not continue with this Mayor.

14 I think that we do need to have a paradigm of
15 accountability that continues. But unfortunately
16 we have basically entered into a zero sum game
17 discussion where we seem to believe that having
18 mayoral control means less input and less
19 empowerment of teachers, less empowerment of
20 citizens, less empowerment of taxpayers, and
21 that's an unfortunate combination. Only if we
22 figure out a way to make everyone have a sense
23 that this is their reform will it be successful.

24 We can't have parents of public school students,
25 traditional public school students say, yes,

1 mayoral control is only a victory, it's only
2 reform for parents of charter schools. We can't
3 have teachers saying it's not really our reform,
4 it's really only reform that's benefitting people
5 getting no-bid contracts and people that are
6 consultants outside the institution. We can't
7 have parents like the ones you've heard testify
8 before say that as a child of a special ed
9 student, this is not my reform, it's someone
10 else's reform, and I think that's been an abject
11 failure of this administration.
12

13 All of that being said, it is absolutely
14 vital that in the context of the reauthorization
15 we not throw out the proverbial baby with the
16 bath water. It is very important that we have
17 direct lines of authority. It is very important
18 to those of us who have positions of government
19 that we have the ability to say it is our
20 responsibility; it is the responsibility of this
21 element of government to solve these problems.
22 And I think we need to do a couple of things at
23 once.

24 One. We have treat teachers as if they
25 are important shareholders and stockholders in

1 this reform. Right now teachers, they don't feel
2 they are truly stakeholders in this large entity.

3 They don't. They feel that they're dictated to,
4 talked about, lectured to, but they don't feel
5 that they truly are invested in what's going on.

6 You cannot have a successful organization of any
7 sort when you have perhaps the most important
8 cogs in the machine feeling that they are not
9 invested.
10

11 Secondly, parents can't also feel that if
12 they're in a select special camp, they're in but
13 everyone else is held at the outside. Parents,
14 as you hear in these hearings, over and over
15 again, have the same types of stories, that they
16 feel that they're outside this giant impervious
17 organization banging to get in because they want
18 to participate but they can't. And I have to say
19 this to you as well, my colleagues.

20 Voters don't feel that they really have
21 the information necessary to draw the conclusions
22 that they need to because there's an abject lack
23 of transparency. Too often we're hearing
24 conversations about the expenditures at the Board
25 of Ed, about results of what's going on in the

1 Department of Education, entirely in the form of
2 press releases being produced by people, dumped
3 out but no one really has any real clear way of
4 assessing how the system is doing. If you look
5 at some of the empirical information when you
6 compare us not on the city test or the state
7 test, when you look at the only true thing that
8 you know can't be fudged, how we're doing on the
9 national test, the results are decidedly mixed
10 and that's to put it favorably.

12 When you compare us, when you take all 50
13 states in the District of Columbia and try to put
14 New York City on the grid, on the fourth grade
15 reading test we rank 24th, and that's a 1.5
16 percent increase since we have had mayoral
17 control. Fourth grade math, which is the only
18 truly impressive accomplishment on the list, we
19 now rank second. Eighth grade reading, scores
20 actually dropped despite a 40 percent increase in
21 the amount of money that you and your colleagues
22 in the City Council are allocating for education.
23 Eighth grade math we rank 24th. Frankly, if we
24 are going to have an increase of 40 percent on
25 spending, I think citizens in this City deserve a

1 little bit more than results like that.

2
3 So let me leave you with this thought. I
4 do believe that you are governing here not just
5 for this Mayor, who will only be in office
6 through the end of the year; you are creating a
7 paradigm that is going to have to endure for
8 future mayors. And I think it is important that
9 we keep the accountability, but we have to stop
10 this from being a zero sum game. We can't make
11 your vote be seen, can't be seen as a victory for
12 some and a failure for others. Only if we have
13 true, complete empowerment of citizens will we be
14 in the place we need to be. We need to make
15 mayoral control with empowerment of teachers,
16 empowerment of parents, empowerment of citizens,
17 empowerment of children and only if we do that
18 will we have the success we need.

19 So as I said at the beginning, I think
20 that the best combination is to continue mayoral
21 control and discontinue the rule of this Mayor.

22 Thank you very much, Madame Chair.

23 CHAIRWOMAN NOLAN: Thank you very much
24 Representative Weiner. We appreciate it. Thank
25 you very much. We know how busy your schedule

1 is.

2
3 CONGRESSMAN WEINER: Thank you.

4 CHAIRWOMAN NOLAN: We would like to call
5 now the representatives from the City of New
6 York's Department of Education, led by a very
7 able spokesman, Deputy Mayor Dennis Walcott. And
8 joining him today will be the very distinguished
9 Deputy Chancellor for Teaching and Learning, Dr.
10 Marcia Lyles, who has a long career in this
11 system. Please. Please. Please, we came to
12 Brooklyn to get a little Brooklyn love. We want
13 everyone to have the respect that we are treating
14 everyone. Thank you very much. With Dr. Lyles
15 is Eric Nadelstern, the Chief Schools Officer
16 from the City Department of Education.
17 Accompanying them is Deputy Chancellor
18 Christopher Cerf, Jim Liebman. And I know
19 Martine Guereier from the Office of Family
20 Engagement; Assemblyman Camara, in particular,
21 wanted to have a question with you so if you'd
22 join us on the panel that would be great. And
23 any of the other important people who are here,
24 Deputy Mayor Walcott will introduce them.

25 And I would add that as I have said

1 before, each hearing has tried to have a theme.
2
3 In Queens we talked a lot about parent engagement
4 and Ms. Guereier was our lead witness. In Staten
5 Island we talked a lot about special education.
6 We heard from Bonnie Brown the Superintendent of
7 District 75. In the Bronx, on English language
8 learners, we heard from Ria Santos. In Manhattan
9 we had the School Construction Authority with us
10 because we talked a lot about class size issues.

11 And here, in Brooklyn, we want to focus a little
12 bit on those graduation rates. I know my
13 colleagues have had a great interest in that
14 area.

15 Dennis I know that you're not really
16 going to address us, if you'd like to introduce
17 the panel. Then I think Dr. Lyles or maybe Mr.
18 Liebman. I don't know who is going first.

19 DR. WALCOTT: First, let me thank you
20 again, Assemblywoman Nolan and to the members of
21 the Committee. We really thank you for your
22 leadership and to the members of the Committee,
23 we really thank you for your leadership and for a
24 great opportunity to interact over the last five
25 hearings.

1 What we'll do is just have two formal
2 presentations and then, with your permission,
3 entertain any questions that the members would
4 like -

5 CHAIRWOMAN NOLAN: That would work
6 better since we have a lengthy panel.

7 DR. WALCOTT: Giving our presentations
8 formally will be Dr. Marcia Lyles and Eric
9 Nadelstern. We will be starting with Dr. Marcia
10 Lyles.

11 DR. LYLES: Good afternoon, Chairwoman
12 Nolan and members of the Committee. Thank you
13 for inviting me to testify today, along with my
14 colleague Eric Nadelstern. Between us, we have
15 79 years of experience as educators in New York
16 City.

17 I started my career more than 30 years
18 ago as a teacher at Curtis High School in Staten
19 Island. I have served as an assistant principal
20 at Erasmus Hall High School in Brooklyn, the
21 principal of Paul Robeson High School also in
22 Brooklyn, Deputy Superintendent of Brooklyn and
23 Staten Island High Schools, Superintendent of
24 Community School District 16 in Brooklyn,
25

1
2 Regional Superintendent of Region 8, encompassing
3 Districts 13, 14, 15 and 16, and I am currently
4 Deputy Chancellor for Teaching and Learning.

5 I am happy to join you today to offer a
6 career educator's perspective on the issue of how
7 mayoral control has affected student achievement
8 in New York City.

9 The governance system alone doesn't
10 determine whether a school system succeeds or
11 fails. But three decades of experience have
12 taught me that the wrong governance system can
13 rob schools and teachers of the support they need
14 to improve, and to help their students succeed.
15 We all learned this lesson the hard way in the
16 decades before you granted the mayor control of
17 the City's public schools.

18 The old Board of Education was composed
19 of seven members who were appointed by six
20 different politicians. The Board hired the
21 chancellors - usually a new one every two or
22 three years. Meanwhile, 32 elected school boards
23 across the City hired 32 community
24 superintendents who had 32 different standards,
25 policies, and ways of operating. In short, there

1 were many people in charge, and those people
2 changed frequently. But because there was no
3 ultimate authority or clear responsibility,
4 nobody was really in charge.
5

6 Our schools and our children paid the
7 price for this chaos. Nobody was in a position
8 to offer a systemic vision for how our schools
9 could improve, much less make that vision a
10 reality. That finally changed when you took the
11 bold step of putting one person, the mayor, in
12 charge. You created the conditions necessary for
13 the kind of transformation that the students and
14 families of New York City need and deserve.

15 Today, I will provide details of our
16 students' progress over the course of the
17 Bloomberg Administration and you can see more of
18 the details in the PowerPoint presentation we've
19 distributed to you. Before I begin, though, I
20 want to provide a few quick words of context.

21 When you look at student achievement over
22 time, there are always many data points,
23 including a few outliers. That is true in New
24 York City and across the country. But when you
25 look at all the numbers over the last half decade

1 or so, there is no way to mistake the positive
2 trend. The arrow is pointed up. More students
3 are meeting and exceeding standards in math and
4 reading, more students are graduating from high
5 school, and the achievement gap is narrowing.
6

7 We are still a long, long way from where
8 we need to be, and we all should be concerned
9 about certain areas, such as our middle school
10 reading, where our students are not making enough
11 progress. But for critics to ignore our
12 students' recent progress is unfair to the
13 teachers, principals, students, and others who
14 have worked so hard and accomplished so much.

15 Now I'll now dive into the details.

16 Today, I will describe what we've
17 achieved since 2002. Why do we use 2002 as the
18 starting point instead of 2003, as some people
19 have suggested? It's because the Mayor and the
20 Chancellor ran the school system for the entire
21 2002-03 school year. There's a perception out
22 there that they didn't make any changes to the
23 school system until the following school year,
24 but that couldn't be further from the truth.

25 From the first day, the Chancellor was

1 engaged in conversations with superintendents,
2 principals and teachers, parents and students,
3 sharing his vision, laying out his expectations,
4 and listening to the concerns of all
5 stakeholders. I remember one of the several
6 meetings I had with the deputy chancellor in that
7 first year, at which my district's data were
8 presented. The question that she put to me was
9 what was I going to do to improve student
10 achievement? I remember being surprised, and
11 probably a little angry, when I was told that the
12 gains we had made, which we thought were
13 significant, were promising, but not fast enough.
14 Of course, she was right.

15
16 In that first year, there was a major pay
17 raise for teachers, which had a dramatic affect
18 on morale in the system. The administration also
19 instituted a pay-for-performance system for all
20 40 of the community and high school
21 superintendents. They appointed two
22 superintendents in predominantly African-American
23 communities who generated significantly improved
24 results. And, from day one, they expressed a
25 tough and unapologetic vision about

1 Public Hearing on Governance - 3-20-09
2 accountability for student learning, a major
3 culture shift for the entire system.

4 What happened in the past has obviously
5 affected our results, just as our work will
6 affect the result of the next administration.
7 But that first year was indisputably on the
8 Mayor's and the Chancellor's watch. Keeping that
9 in mind, let's start with one of the most
10 familiar measure of our achievement, the State's
11 reading and math tests.

12 As you know, the State changed its
13 testing system in 2006, when it began testing all
14 students in grades 3 through 8, instead of just
15 testing in grades 4 and 8. So, when we make
16 comparisons to years before 2006, we can only
17 look at results from grades 4 and 8. We've seen
18 steady, substantial increases in our scores since
19 2002 in both of these grades in both reading and
20 math.

21 Between 2002 and 2008, the percentage of
22 fourth graders who earned a score of proficient
23 or better on the State math test rose by almost
24 28 points. For eighth graders, the increase was
25 nearly 30 points. In the fourth grade reading,

1 scores rose by almost 15 points since 2002 and in
2 eighth grade reading, they were up 13.5 points.

3
4 Those increases in reading scores came
5 despite changes to the State's testing policy in
6 2007, which required thousands more English
7 Language Learners to take the test after only a
8 short time in the country. Indeed, if you
9 control for this change by just looking at the
10 scores of English-proficient students, fourth
11 grade scores are up almost 18 points and eighth
12 grade scores are up more than 15 points since
13 2002.

14 Whenever State test scores improve,
15 people wonder whether the test just got easier.
16 Commissioner Mills has repeatedly made clear that
17 this is not the case. Also, if you compare New
18 York City students' progress to that of the
19 students in the rest of the State who took the
20 same tests, you see that gap between New York
21 City students and their peers in the rest of New
22 York State has been closing faster than before
23 mayoral control.

24 In fourth grade math, the gap between the
25 City and State was more than 24 points in 2002.

1 Now, it's narrowed by 18 points to just 6.4
2 points. Between 1999, when the State started
3 testing, and 2002, the gap narrowed by only 2.8
4 points.
5

6 What does this mean? It means that
7 today, New York City's fourth graders are
8 performing almost as well as students in much
9 wealthier suburban districts. This is an
10 accomplishment that few would have thought
11 possible five or ten years ago and an
12 accomplishment that should make all of us very
13 proud.

14 The narrowing gap between City students
15 and their peers in the rest of the State is
16 mirrored in eighth grade math as well as in
17 reading in both elementary and middle grades.

18 Another result that I think is one of our
19 most important is our early success in beginning
20 to close the shameful racial achievement gap.
21 The gap between Black fourth graders and their
22 White peers has narrowed by more than 16 points
23 in math and six points in reading since 2002.
24 The gap between Hispanic and White fourth graders
25 has narrowed by more than 15 points in math and

1 six points in reading since 2002. We're also
2 closing the achievement gap in eighth grade.

3 We've come a long way. Today, we can say
4 with confidence that as our overall scores are
5 continuing to rise, our students are catching up
6 to wealthier suburban districts in the rest of
7 the State, and we're closing the achievement gap.

8 But it's clear to me and to the Chancellor that
9 we need to focus closely on reading, especially
10 in eighth grade, where we're not improving as
11 quickly as we need to.

12 Another important measure of student
13 achievement is the National Assessment of
14 Educational Progress, or NAEP. This is a test
15 that the federal government administers to a
16 relatively small sample of students across the
17 country every two years. It's important because
18 it allows us to compare our results to the
19 results of other large urban districts.

20 The most recent NAEP results from 2007
21 show that our fourth grade student improved 12
22 points in math since 2002 and are just two points
23 shy of the national average. Our Black and
24 Hispanic fourth graders made even larger gains
25

1 and outperformed their peers in other large
2 central cities, further evidence that we're
3 beginning to close the racial achievement gap.
4

5 In fact, our Black fourth graders had the second
6 highest math scores of any large district that
7 participated in the test. Our eighth graders
8 made similar gains in math since 2002, three
9 points, and have made no progress in reading on
10 the test.

11 The NAEP results confirm what the State
12 test results show, that we're making big gains in
13 fourth grade, smaller gains in eighth grade math,
14 and we have work to do in the eighth grade
15 reading. They also provide a compelling
16 contribution to the debate about national
17 standards.

18 Test scores tell us whether our students
19 are on track to graduate from high school. But
20 the actual graduation rate is the more crucial
21 indicator of whether we're fulfilling our core
22 mission, giving our children the skills they need
23 to become successful adults.

24 The City and State used different methods
25 to calculate the graduation rate until last year,

1 so you have to be careful when you make long-term
2 comparisons here.
3

4 Let's start with the City's traditional
5 calculation. The methodology hasn't changed in
6 20 years, so we can make comparisons all the way
7 back to the 1980's. By that measure, New York
8 City's graduation rate was 62 percent in 2007 -
9 the most recent year for which we have data - and
10 has risen by 11 percentage points, or 22 percent,
11 since 2002. That's an average gain of about two
12 percentage points a year. Keep in mind that the
13 graduation rate rose just one-tenth of a
14 percentage point in the entire decade before
15 2002.

16 Based on the State's calculation, our
17 graduation rate, excluding August graduates in
18 2007, was 52.2 percent, up 5.7 percentage points
19 from 2005. This is actually a larger increase
20 than the one you get if you use the City's
21 method, which shows a four percentage point
22 increase between 2005 and 2007. Over the same
23 time period, the big four districts' graduation
24 rates climbed by 2.3 percentage points and the
25 rest of the State's graduation rate climbed by

1.1 points. In other words, our rate of progress far outpaced progress outside of New York City. The bottom line is that both calculations show the same upward trend.

If you dig a little deeper into the numbers, the story is even more positive. The graduating rate among Black and Hispanic students is increasing faster than it is among White and Asian students, more evidence of a narrowing racial achievement gap. The percentage of students earning Regents and Advanced Regents diplomas is rising, while the percentage of students earning the less rigorous local diploma is falling. And here again, the increase is greatest among Black and Hispanic students.

These important measures of student achievement all show that we're making steady, sustained progress. They also show that this upward trend is even steeper among Black and Hispanic students. And just about every other indicator you can find points to the same conclusion.

The number of schools under registration review by the State or in need of improvement

1 under NCLB is the lowest it has ever been. The
2 number of students taking AP exams is up 39
3 percent overall since 2002. It's up 58 percent
4 among Black students and 59 percent among
5 Hispanic students. The number of students taking
6 the SAT is up 28 percent overall, 60 percent
7 among Black students and 106 percent among
8 Hispanic students.
9

10 I'd like to take a moment to address a
11 question raised previously about the average
12 score in New York City.

13 Please note that the increase that I
14 referred to just now among Black and Hispanic
15 students is twice the number nationally for Black
16 students and three times for Hispanic students in
17 terms of gain. And, obviously, the more access
18 you have, the more access you give to students,
19 the lower the average score would seem to be. I
20 have to compare it to, as a principal, when I
21 determined that all of our students would take
22 Regents exams. We had more students who passed,
23 but our percentages lowered, as well as the fact
24 that our average was lower because we gave all
25 students access. Our mean score did, indeed,

1 decline between two and three points. However, I
2 need to note that it was the same nationally, but
3 it was either flat or a gain of one point. And I
4 need to point, though, that those students who
5 scored 600 increased four times in math, two
6 times in critical reading, and five times in
7 writing higher than the national rate.

8
9 The number of students taking the PSAT
10 which is, in fact, part of the reason for the
11 increased number of students taking the SAT,
12 which we now offer for free during the school day
13 to all tenth and eleventh graders, is up 277
14 percent overall, 301 percent among Black students
15 and 412 percent among Hispanic students.

16 Our former English Language Learners
17 outperforming citywide averages is elementary
18 school math and reading and make up the majority
19 at Stuyvesant, Bronx Science, Brooklyn Tech, and
20 LaGuardia High Schools.

21 Don't forget to think about how these
22 numbers translate into human terms. Rising
23 reading and math test scores mean that thousands
24 more students have mastered basic skills before
25 they enter high school. Rising SAT and advanced

1 placement participation rates mean that more
2 students are thinking seriously about college.
3 The rising graduation rate represents thousands
4 of students who are graduating high school today
5 who wouldn't have just a few years ago. And,
6 significantly, as was recently announced, even
7 larger numbers of our students are attending
8 CUNY. About 70 percent of CUNY students are now
9 graduates of New York City public schools.
10

11 In 2007, an independent review board
12 considered New York City's record of achievement
13 and awarded us the prestigious Broad Prize for
14 Urban Education, based partly on our reduction of
15 achievement gaps between ethnic groups. The
16 Broad Foundation called us a model of successful
17 urban district school reform.

18 Of course, as a school system we're not
19 nearly where we need to be. There are areas,
20 like eighth grade reading, where we clearly need
21 to improve at a faster pace. Our Campaign for
22 Middle School Success is an acknowledgment that
23 we must aggressively improve outcomes in our
24 middle schools. Our multiple pathways work is
25 geared to giving our students different models,

1 strategies and opportunities for a second chance
2 at success. Our college readiness partnership
3 with CUNY is designed to prepare our students for
4 success beyond high school.
5

6 But I'm confident that we'll be able to
7 keep the progress going if you continue to give
8 the mayor, whoever he or she may be, the
9 authority to lay out a clear vision for the
10 school system and be held accountable for the
11 results.

12 And now, I'll turn the floor over to Eric
13 Nadelstern.

14 MR. NADELSTERN: Having been a principal
15 in your Assembly District for 17 years Chairwoman
16 Nolan, it's good to see you this afternoon. And
17 thank you and the members of the Committee for
18 inviting me to testify.

19 Last month, I began my thirty-eighth year
20 with the New York City Public Schools. I have
21 served as a teacher, an assistant principal, the
22 principal of a high school I founded - the
23 International High School at LaGuardia Community
24 College - Deputy Superintendent, Senior
25 Instructional Superintendent, Chief Executive

1 Officer of Empowerment Schools, and now serve as
2 Chief Schools Officer.

3
4 When I began teaching speech and ESL at
5 DeWitt Clinton High school, Richard Nixon was
6 President of the United States, Shirley Chisholm,
7 the first African-American woman in Congress, and
8 at the time she was running against Nixon for
9 President of the United States, and we were
10 graduating about 50 percent of the students who
11 attended high school in New York City. When the
12 Assembly authorized mayoral control almost 30
13 years later, we were still graduating 50 percent
14 of our high school students at a cost of \$100,000
15 per graduate.

16 At one large, low performing high school,
17 Evander Childs, there were 900 freshman
18 holdovers. That is holdovers in the ninth grade,
19 at the point where the Assembly authorized
20 mayoral control. At another, South Bronx, only
21 20 percent of the students made it to junior
22 year. At a third, Stevenson, there were 1,800
23 students with 20 or more absences before
24 Christmas, and no one in the school, not even the
25 principal, saw it as his or her responsibility to

1 address the situation. At a fourth such school,
2 Morris, there were 1,600 students enrolled in
3 2001, 50 percent of whom were freshmen. Like the
4 infamous Roach Motel, you could get in, but you
5 couldn't get out. You couldn't even get out of
6 tenth grade.
7

8 As Deputy Chancellor Lyles just
9 explained, we've made great strides since 2002 in
10 turning the school system around, and I want to
11 tell you a little more about how we've achieved
12 those results.

13 First and most importantly, we are
14 holding every school accountable for helping its
15 students make academic progress, all of its
16 students, whether they're many grade levels
17 behind or at the top of their class.

18 In the past, partly because nobody was
19 ultimately in charge of the school system,
20 schools like the ones I just mentioned could fail
21 generations of students and never face any
22 consequences. Year after year after year, decade
23 after decade we kept sending them new freshman
24 classes and the results didn't change. Today, if
25 a school doesn't help its students learn, we take

1 action. Depending on the circumstances, we might
2 work with the school to create an improvement
3 plan or bring in a new principal. If the school
4 still doesn't improve, we close it and give the
5 community a fresh start with a new school.
6

7 Since 2002, we've closed dozens of low
8 performing schools and we have opened 354 new
9 schools, including 63 charter schools. That's
10 larger than most urban school districts in this
11 country. We've opened at least 42 additional
12 traditional schools for the coming fall. Many of
13 the schools we've closed were large, failing high
14 schools. We've replaced these schools with
15 campuses of smaller schools that serve the same
16 student population but offer more personalized
17 instruction, places where every kid is known to
18 at least some of the adults in that school.

19 These new schools are getting dramatically
20 different results. Evander Childs High School,
21 whose failures went back to a time when I was a
22 high school student in the Bronx, in the 1960's,
23 at that time we knew Evander as a failed school.

24 And the kids in the neighborhood I grew up in
25 didn't go to Evander unless they had to go to

1 that school. At Evander Childs High School, it
2 had a graduation rate at less than 30 percent at
3 the time you authorized mayoral control. Today,
4 the new small schools that replaced it have a
5 graduation rate of more than 80 percent. There
6 is nothing comparable anywhere in the country, in
7 terms of being able to increase graduation rates
8 in failed large urban high schools than the
9 increases we've experienced through the new small
10 schools initiative in New York City.

12 But accountability is about much more
13 than closing failing schools. It's about taking
14 responsibility for helping all students by
15 customizing an instructional strategy to meet
16 students' individual strengths and weaknesses.
17 We've created a set of tools that help principals
18 and teachers do just that.

19 Every school receives an annual progress
20 report, along with a letter grade from A to F.
21 I've heard people testify here earlier today that
22 it's hard to figure out how a school is doing,
23 that it's confusing. What could be simpler than
24 an annual grade of A, B, C, D, E or F? The
25 report compares a school's results to the results

1 of 40 other schools that serve a similar student
2 population. So when you talk about closing
3 schools with large English as a second language
4 and special ed populations, those schools were
5 compared to other schools with similarly large
6 populations before receiving an F because the
7 kids in that school made so little progress over
8 the course of the previous 12 months.

10 The progress report pinpoints the areas
11 where the school is helping its students make
12 progress, and the areas where it's not. For
13 example, you could look at the Progress Report
14 and see that although a school is getting good
15 results in math overall, but its lowest-achieving
16 students aren't catching up to its higher-
17 achieving students. That's invaluable
18 information to a principal and teachers. Our
19 schools now have that for the first time in the
20 nearly four decades that I've worked in the New
21 York City public schools.

22 Schools can dig even deeper into their
23 students' performance using our powerful new data
24 system, called ARIS. ARIS lets principals and
25 teachers access all the important information

1 about their students - test scores, grades,
2 attendance data, class schedules, parent contact
3 information - in one place, from any computer.

4 ARIS also includes the results of the regular
5 diagnostic assessments that our students take, so
6 that our teachers aren't teaching the last thing
7 that came to mind before they went to sleep at
8 night; they're constructing their lessons around
9 the real perceived needs of the students in front
10 of them.

11
12 Teachers can use ARIS to quickly find out
13 exactly which skills their students have mastered
14 and which ones they might need to re-teach. They
15 can track the progress of entire classes over
16 time, or easily keep an eye on the progress of a
17 certain group of students - English Language
18 Learners, for example.

19 Before ARIS, teachers and principals and
20 parents, I might add, simply couldn't access a
21 lot of this important information. The
22 information that could be accessed was buried in
23 file cabinets or it was buried in DOS based
24 computer systems long after the rest of the world
25 went to Windows. Nobody knew where to find it.

1 We had to hire experts to mind our own data
2 systems. Now, teachers can track their students'
3 progress with a few clicks of a mouse and use
4 that information to make their lessons more
5 effective.
6

7 Regular quality reviews give schools
8 feedback from experienced educators. Our annual
9 learning environment survey helps principals
10 learn from the ideas of parents, teachers and
11 students. We poll all the parents and teachers
12 and students in the system so that we can benefit
13 from their best ideas.

14 Today these tools make up the most
15 comprehensive school accountability system in the
16 country, perhaps in the world. School districts
17 across the United States and around the world are
18 modeling their accountability system on ours. In
19 fact, the United Kingdom just launched something
20 very similar to our progress reports.

21 Accountability is important, but it's not
22 fair to hold schools accountable for results
23 unless principals and teachers, in consultation
24 with parents and the school community have the
25 freedom to decide how to help their students

1 succeed.

2 The superintendent, removed from the
3 school, the Chancellor, removed from the school,
4 the Commissioner, removed from the school, don't
5 know the needs of the students as well as parents
6 and teachers and students in the school
7 community.

8 Early on in our reforms, we heard from
9 many principals who were trying to turn around
10 their failing schools who said we had placed them
11 within the same administrative structures that
12 had always existed, that were responsible for our
13 previous failures, and that each time they tried
14 something different, their superintendents they
15 reported to gave them every reason in the book
16 why they had to do things in the same old way
17 that the failed schools had done things for
18 decades. I don't have to remind this group, I'm
19 sure, that classical definition of insanity is
20 continue to do the same things and hope for
21 different outcomes.

22 CHAIRWOMAN NOLAN: Eric this is our
23 fifth hearing, so don't go there.

24 MR. NADELSTERN: Okay. I get it. That's
25

1 fair. It's only my first.

2
3 That's why Chancellor Klein asked me to
4 launch the autonomy zone in 2004, in the hopes
5 that we could develop a new set of management
6 strategies that would unleash the talent in our
7 schools, give principals and teachers ownership
8 of their professional efforts to motivate them to
9 do everything necessary to ensure that their
10 students would not fail to succeed, and provide
11 school leaders with the effective tools and
12 skills to support the instructional efforts of
13 their teachers and improve student achievement.

14 That pilot proved so successful that
15 there are now 525 schools that have elected to
16 join the autonomy zone, since renamed Empowerment
17 Schools. And starting in 2007, we gave all
18 principals the freedom to choose one of 11
19 support organizations that's the best fit for
20 their school. For the last two years, these
21 school support organizations have consistently
22 received approval ratings of 95 percent or above
23 in each of our principal satisfaction surveys.

24 As Marcia said, we obviously have a lot
25 of work to do.

1 It's the shame of the city and country
2
3 that you can still walk into a kindergarten class
4
5 in the City on the first day of school in
6
7 September and on the basis of race and how well
8 or how poorly kids are dressed, predict with
9 unairing accuracy what percent and which of those
10 kids are likely to graduate 12 years hence.

11 However, the impressive gains we've made
12 since 2002 would not have been possible were it
13 not for mayoral control and the focus on
14 accountability promises, with your assistance and
15 support, to redress the willful failures of this
16 system in the past.

17 I want to thank you.

18 CHAIRWOMAN NOLAN: Thank you very much.

19 Deputy Mayor Walcott, would you like to
20 introduce the other people? I know they're going
21 to answer questions, and we do have a lot of
22 questions. But just quickly and then we can.

23 DEPUTY MAYOR WALCOTT: As you know, to my
24 left is Martine Guereier, Jennifer Bell-
25 Ellwanger, David Ross, and Jim Liebman. They
26 will answer a variety of questions -

27 CHAIRWOMAN NOLAN: I know what Martine

1 does, Ms. Guereier does. What do the other two
2 people do? What are your titles, for the record?

3 MS. BELL: Senior Advisor.

4 MR. ROSS: Chief Accountability Officer.

5 MR. LIEBMAN: I'm Executive Director of
6 Contracts.

7 CHAIRWOMAN NOLAN: Good. We also have
8 Deputy Chancellor Cerf here.

9 We're going to let our Brooklyn
10 colleagues go. This is a quick thing for my
11 colleagues. Assemblywoman Helene Weinstein,
12 Assemblyman Camara, Assemblywoman Millman, that's
13 the first three. I just want to point out it's
14 1:30. We've been here three hours. We've gotten
15 a lot of people in already. I want to ask the
16 audiences' patience. This is really, for our
17 committee, an opportunity for us which was one of
18 the first opportunities we've had in the six
19 years of mayoral control to question people from
20 the Department. So I ask for your patience.
21 We're going to be here as long as we need to be
22 to have everyone have their say.

23 Assemblywoman Weinstein, thank you.

24 ASSEMBLYMAN WEINSTEIN: Thank you. My

question is to Deputy Chancellor Cerf.

We've heard a number of witnesses testify about the number of private contracts and no-bid contracts. I wonder if you could comment on the dramatic increase that we've seen in privatization and private contracts from prior to mayoral control, going from almost tripling to next year and also the dramatic growth in no-bid contracts rising, from our figures provided to me, in just a few years of mayoral control, rising to \$120 million, including that private bid contract with the School Bass fiasco that left children mid-winter sitting, standing alone at bus stops.

DEPUTY CHANCELLOR CERF: Thank you for the question. I'm going to answer in general terms. I'm going to defer to my colleague, David Ross, who runs the contracting functions for us.

CHAIRWOMAN NOLAN: We'd welcome his response, as well.

DEPUTY CHANCELLOR CERF: Several points to begin with. First of all - and we are happy to get you all the facts we have. If you compare the no-bid contract as a percentage of total

1 contracting to 2001 to where we are today it's
2 roughly comparable. Secondly, it is
3 approximately three percent of the total number
4 of contracts that are bid for them. Thirdly, I
5 would mention that it's interesting how words
6 take on a meaning that makes them sort of answer
7 the question itself.
8

9 In exception to bid contract can be a
10 very bad thing because we certainly all believe
11 in competition to get the best price and best
12 quality for the government. On the other hand,
13 they are permitted by statute in a certain
14 limited number of circumstances. So the statute,
15 on long tradition, allows for it to happen. I
16 would mention certain circumstances where the
17 great percentage of that very small percentage of
18 three percent have happened. One, there is a
19 certain number of appropriations that come
20 typically from the City Council that require that
21 we use a particular vendor. Second, the single
22 largest example of this was the renewal of an
23 existing contract. Thirdly, some appropriations
24 come down from Albany so late in the year,
25 particularly in terms of hiring pre-k providers,

1 if we're going to have early childhood education
2 the following September, we need to do that. So
3 there are examples where there are
4 appropriatenesses and I have no doubt there are
5 examples when scrutiny is appropriate. But I do
6 think that we should work towards focusing on the
7 situations where they are really not an
8 appropriate use. And I really don't think we
9 come to you with many examples of that.

11 ASSEMBLYWOMAN WEINSTEIN: I would first
12 note that our figures show a growth of no-bid
13 contracts. So we would very much appreciate
14 seeing those data. If my recollection is
15 correct, prior to - I believe Comptroller
16 Thompson may have mentioned this, also I think
17 Mr. Bloomfield alluded to it - those no-bid
18 contracts, prior to mayoral control, were voted
19 on in an open forum. There was opportunity for
20 public comment, which does not happen at this
21 time.

22 DEPUTY CHANCELLOR CERF: On that - and
23 we're happy to get you the facts. In terms of
24 the process, I'm going to refer to my colleague,
25 Mr. Ross.

MR. ROSS: Thank you, Chris. I'd like to maybe amplify and add a few things to Chris' comments.

First off, I think very importantly I want to reemphasize that out of nearly \$5 billion in spending on goods and services, the expenditures on exceptions, which means contracts that were not competitively bid, over \$100,000 last year we spent \$28 million, which is a little bit more than a half of one percent of that total budget. We're talking about a very, very relatively small portion of our budget.

Notwithstanding, we take it very seriously. I don't want to minimize a \$28 million number; it's still big to us even though it's less than one percent of our spending on goods and services. We still put a lot of process around that.

When we're going to do a procurement as an exception, first off, we do advertise in the City Record so we're very public about it.

They're advertised on our website. The results of the Committee on Contracts' determinations, and that Committee is the one that hears those exceptions -

1 CHAIRWOMAN NOLAN: I never like to
2
3 interrupt anyone. I'm on that website every day,
4 and maybe because I'm just a computer illiterate
5 - I would almost say that that's an
6 overstatement. Maybe we need to get a little
7 more - and that's been one of my main criticisms
8 for six years and I say this to the Deputy Mayor
9 all the time. If one more person tells me it's
10 on the website, I'm going to explode. It isn't
11 enough. It isn't enough to say that because - I
12 didn't mean to interrupt. So we're going to need
13 some actual hard copies for the Committee to
14 review.

15 DEPUTY CHANCELLOR CERF: I would gladly
16 provide that. We also, I think I should say, we
17 put all of the actions that are going before the
18 Committee on Contracts, before they're even heard
19 by the Committee they go into the City Record, as
20 other city agencies do. We try to be very public
21 about what the Committee's considering. We take
22 very seriously what the Committee's going to hear
23 and that's what keeps the numbers a relatively
24 small portion of our budget. They do go through
25 the Committee on Contracts.

1 Most of our other procurement procedures,
2
3 although in some ways different from the City's
4 procurement policy board rules, they're all built
5 around running competitive procurements, wherever
6 possible. We use competitive requests for
7 proposals, competitive requests for bids, and we
8 do our very best to get the best competitive
9 pricing and the best value that we can for the
10 schools. We do run a public procurement process.

11 And as to some of the earlier numbers I
12 know that have been cited, I frankly don't know
13 the basis for some of the figures that are cited
14 earlier about the number of exceptions that we've
15 done.

16 I know when we've looked in the past, I
17 have doubts that, for example, people were
18 counting modifications and extensions to
19 contracts which we count. In some ways we're
20 more transparent in making more information
21 public and maybe making ourselves look worse in
22 the process by counting these things in our
23 numbers that I'm not sure I believe were counted
24 in the past.

25 CHAIRWOMAN NOLAN: We would request -

1 one of the hard questions here, heart-of-the-
2 matter questions is should we require the
3 Independent Budget Office to review this? Should
4 we require the comptroller to audit? If we don't
5 get the actual data, we can't make the right
6 determination.
7

8 Yes, Deputy Mayor.

9 DEPUTY MAYOR WALCOTT: Two things. One,
10 I think in previous testimony the Snapple
11 contract was basically indicated to all of you as
12 a no-bid contract. In reality, the Snapple
13 contract was part of an RFP. It was not a no-bid
14 contract.

15 CHAIRWOMAN NOLAN: But that's out of the
16 schools now, right? Because we're doing healthy
17 schools not soft drinks. Are they still in the
18 schools?

19 DEPUTY MAYOR WALCOTT: We are very much
20 into healthy food and healthy drinks. But
21 separate and apart from that, just focusing on
22 the no-bid contract portion of the discussion,
23 Snapple was part of an RFP and also, as indicated
24 I think by Mr. Troeller, that the SDI products
25 that were supposedly no-bid. Again, that was

1 part of an RFP process. Even in his testimony -
2 I was going to say, even in his testimony he said
3 it was an RFP, but then he also liked it in to
4 no-bid as well, so we had both. So I just wanted
5 to be clear the two items that were mentioned as
6 no-bid were not no-bid contracts.
7

8 CHAIRWOMAN NOLAN: We do want more on
9 that, so that's a start.

10 DEPUTY MAYOR WALCOTT: We'll be glad to
11 give you all the information you request.

12 CHAIRWOMAN NOLAN: Assemblyman Camara
13 and then Assemblywoman Millman. All our Brooklyn
14 members are anxious.

15 ASSEMBLYMAN CAMARA: Thank you. Two
16 quick questions. One, the first is not an actual
17 question. I've been trying for some time to get
18 the data in terms of the student performance
19 because, of course, thus far we focused a lot on
20 parental involvement, which I'm sure we all agree
21 that in any system, we have to have that and do a
22 better job of that. But the fundamental question
23 is after six years has student performance
24 improved on a statewide level, standardized test
25 scores, etcetera. What you're saying from your

1 testimony is that it has improved. At least we
2 have a starting point. I think that Chairwoman
3 Nolan was saying this too, that we need accurate
4 data to make decisions.
5

6 In terms of questions, one, regarding
7 discipline, discipline, their procedural in
8 school safety, then I also want to direct a
9 question to Martine Guereier, who is here and I
10 believe testified at the Queens hearing regarding
11 parental involvement.

12 In terms of the disciplinary procedure in
13 schools, I'll first make a brief statement and
14 maybe you could answer who is ultimately
15 responsible for that and how that's going to
16 impact it if we do renew mayoral control.

17 Dennis it's good to see you. I know that
18 we've had informal and formal conversations over
19 the past few years, and you have been available
20 when I've had questions.

21 In terms of disciplinary procedure, I
22 have horror stories, files of horror stories from
23 parents in the schools. As you probably know,
24 the ACLU has done a report on the criminalization
25 of students in public schools. We've had one

1 child that we were helping the parents, there was
2 a fight in the school. The child was arrested.
3 A 16 year old young lady was arrested and went
4 through central booking. She was arrested at
5 about three o'clock in the afternoon and was not
6 able to get out of central booking until three
7 o'clock in the morning. Not to brag about it, I
8 was probably my mother's worse child; I got
9 suspended from just about every school I
10 attended. According to the policy, if it was the
11 way it is now when I was in school, I would have
12 a criminal record. We have many students who are
13 developing criminal records for behaviors that
14 ordinarily can be dealt with internally within a
15 school. What is the policy? Who is responsibly
16 ultimately for those decisions?

17
18 The principal that I dealt with in this
19 matter said that they were, according to the
20 policy they were required to call the police no
21 matter how minor the incident. Of course, we
22 cannot minimize any altercation. We know in the
23 Columbine age we can't be too careful but, at the
24 same time, it seems like there is an amount of
25 energy, whether it's from school safety, police

1 department, to criminalize behaviors that
2 shouldn't be.

3
4 So the basic question is what is the
5 policy? Is that true - are principals required
6 to call the police? Are police directed to
7 arrest a student even if it is something that can
8 be controlled within that immediate school
9 environment?

10 MS. GUEREIER: Well, to part - to some of
11 your questions, first of all, there is a student
12 discipline code. It is directed by the
13 Chancellor's regulations, which we share
14 regularly with parents and other community
15 members.

16 No, there is not a requirement, no matter
17 how small the offense. There are, within the
18 discipline codes, levels of severity of the
19 infractions and appropriate responses so that
20 only if it is a criminal act must the police be
21 notified. They don't have to be notified - there
22 are things in which students are disorderly or
23 they're yelling at the teacher or they have
24 arguments. Principals are not expected to or
25 directed to call the police. However, if there

1 is a criminal act they must, indeed, call the
2 police and report the incident.

3
4 DEPUTY MAYOR WALCOTT: And if I may add,
5 that policy has not changed since 1998. That's
6 been a policy that's been in place. What
7 happens, though, is that if a student is involved
8 in some type of act that's not a criminal act,
9 then the principal has, at his or her disposal,
10 various levels of suspension. And we've been
11 very clear to the variety of the school
12 constituencies what those levels of are
13 suspension are. And then by mandating - I have
14 to defer, I think, to Marcia and the others -
15 that we tried to make sure every year we take a
16 review of that and make sure we inform the
17 constituencies what those policies are.

18 It goes also back to something that was
19 raised before, as far as the cell phone policy,
20 in that it was made reference to that we arrest
21 students for having cell phones; that is not the
22 case at all.

23 CHAIRWOMAN NOLAN: No. No. That wasn't
24 what came up.

25 DEPUTY MAYOR WALCOTT: I thought I heard

1 him say that clearly.

2
3 CHAIRWOMAN NOLAN: No. No. What came up
4 was - and forgive me, Assemblyman Camara, was in
5 that interaction sometimes a student gets angry -
6 when you're young you sometimes lose temper very
7 easily - and then that results in a proceeding.

8 One of the questions - I don't want to
9 interrupt. I want to go back to Assemblyman
10 Camara. But we would like those numbers, as
11 well, how many children arrested and this type of
12 thing.

13 DEPUTY MAYOR WALCOTT: How many? What?

14 CHAIRWOMAN NOLAN: Arrested.

15 DEPUTY MAYOR WALCOTT: Sure.

16 CHAIRWOMAN NOLAN: I'm sorry. Go right
17 ahead.

18 ASSEMBLYMAN CAMARA: I guess it goes to
19 how criminal act is defined and how, even if
20 there are laws that existed since 1998, how
21 they're enforced. There is - I'm sure if you
22 looked at the stats - I'm going to observational
23 research. But I'm sure you'll see there are more
24 students that are arrested in schools, outside
25 the schools now, probably in the history of our

1 system of education, and the question is why is
2 that? Are the students engaging criminal
3 behavior? Are there things that can be dealt
4 with at the school level by the principal and to
5 not have them? As I said, ACLU has a whole
6 report on this. They defined it as the
7 criminalization of our youth. So, particularly -
8 perhaps you can't answer the question entirely
9 now. But in terms of extending mayoral control,
10 to me, as a legislator making the decision,
11 that's a critical piece. How do we deal with the
12 students in the classroom and deal with behavior
13 students who, throughout history, have gotten
14 into fights in school and gotten in to what we
15 described as deviant behavior in school that most
16 of the time, many of the times should not be
17 defined as criminal behavior. And in the case of
18 the young lady I mentioned, from how the case was
19 described by the principal and by the parent, she
20 should never have been arrested, she should not
21 have been in central booking, a 16 year old young
22 lady, for 12 hours. So there's a problem there
23 in the overall policy of discipline, that's my
24 assertion.
25

1 DEPUTY MAYOR WALCOTT: Sure. We'll be
2
3 glad to provide you the exact facts of the number
4 of students who were arrested. But also, I think
5 it's important to mention that the number of
6 incidents taking place in schools, the level of
7 violence that takes place in schools are down at
8 record levels. We've had a roughly 30-some-odd
9 percent reduction in criminal acts in our
10 schools. And what we've done, as you know, we've
11 instituted policies where we do random checks, as
12 well. We have our magnetometers going to
13 different schools on a random basis and all types
14 of schools. And what we found is that it
15 basically has acted as a deterrent, as well. So
16 we'll be glad to give you the information with
17 the facts, Madame Chair, and also provide the
18 information around the number of incidents that
19 take place in schools, as well.

20 CHAIRWOMAN NOLAN: I know everybody
21 wants to ask a question. Karim, do you have a
22 follow-up for Ms. Guereier?

23 ASSEMBLYMAN CAMARA: Yes. Just a
24 question quick. Martine Guereier, if I'm
25 correct, correct me if I'm wrong, you are on the

1 Policy Panel appointed by Marty Markowitz, the
2 Borough President, and then shifted from that,
3 resigned from that duty and became a parent
4 engagement officer.
5

6 Much of what we're hearing now from
7 parents is that there are barriers in place in
8 terms of communicating with the school,
9 communicating with the district office,
10 communicating with the Chancellors' office. Much
11 of what I hear doesn't require someone with a
12 degree in public policy to rectify. Why are
13 there so many problems with parents getting basic
14 answers to questions, getting a response in terms
15 of whether school is opened or closed, whether
16 there's an upcoming test, basic questions? Why
17 are there so many barriers in place?

18 Particularly from many of the parents I
19 represent, what I hear from them, in terms of
20 their opposition to extending mayoral control,
21 perhaps some of their rationale is academic. But
22 when they come to me it's not even an academic
23 discussion in terms of standardized test scores,
24 as I mentioned, performance, but the fact that
25 they feel that they're shut out of the system and

1 don't know where to turn for answers to basic
2 fundamental questions as parents in public
3 schools?
4

5 MS. GUEREIER: I thank you for the
6 question itself. The thing that I'd like to do
7 in response to that is just really outline the
8 structure itself. I think one of the challenges
9 that we face is in the last two years you've made
10 a significant change in the structure for parent
11 involvement and parent engagement, and that
12 includes support for parents coordinators, first,
13 at the district level and parents, through the
14 district office.

15 Every office has at least one district
16 family advocate whose role it is to answer parent
17 questions, as well as support parent leadership.

18 The district family advocates, in addition to
19 managing walk-ins, doing case management and
20 answering phone calls, they also have
21 responsibility for responding to 3-1-1 calls.
22 For instance, just within the last year we have
23 managed to handle about 6400 parent complaints
24 that came to 3-1-1 alone. When we look at our
25 citywide totals, we average more than 10,000

1 contacts with parents who have questions or
2 issues of concern that we're managing. And so
3 it's an issue of volume. We will always find
4 that there are parents that will feel as if they
5 didn't get an answer fast enough or the answer
6 that they wanted or a direct answer, just by
7 sheer nature of the volume of contacts with
8 parents.
9

10 That aside, we also offer a number of
11 trainings. Citywide, we have done more than
12 10,000 parent trainings, that's including the 63
13 done through our Parent Academy, that includes
14 the on-demand requests for support from school
15 leadership teams and PA's, a number of parent
16 elections and just informationals for people who
17 are new to leadership, and all of that equates to
18 the issue of volume. There are a lot of -
19 definitely a lot more parents than there are of
20 us, and certainly a lot more issues and concerns
21 out there than any one individual can respond to
22 in a 24-hour period. What we've done is to
23 create a structure itself that leads from the
24 school up to central and comes down from central
25 to schools to ensure that there is communication

1 and contact.

2
3 ASSEMBLYMAN CAMARA: I don't mean to
4 interrupt you, but I know my colleagues have
5 several questions. What I'm just trying to get
6 to is right now there's some fundamental
7 breakdown. Have you - you went from being a
8 critic of the administration to being part of it.

9 And in light of that and seeing it from both
10 sides, have there been efforts to make changes in
11 these breakdowns? Has there been any
12 improvement? Because, as I said, the basic
13 simple things, simple gaps in communication that
14 still continue to exist.

15 CHAIRWOMAN NOLAN: I'm sorry. I thought
16 it was a closing statement. Did you want her to
17 respond quickly?

18 ASSEMBLYMAN CAMARA: Right. Just if you
19 can tell us a 30 second short answer. From your
20 perspective, this administration, what is being
21 done to include parents in the system as it
22 exists now?

23 MS. GUEREIER: Okay. So the short
24 answer -

25 ASSEMBLYMAN CAMARA: Thirty seconds or

1 less.

2
3 MS. GUEREIER: First was the actual
4 restructuring. Initially we had a lot of parent
5 support in different offices, and so the first
6 thing we did was to reorganize that under one
7 office to ensure that there was a clear sense of
8 who is responsible for responding to parents and
9 creating these strategic goals and policies
10 around engaging parent leadership that we have
11 between CPAC and CECs regular meetings with the
12 Chancellor. The executive board members meet
13 with the Chancellor. There is a CEC President's
14 Alliance regular meeting. It occurs - it almost
15 switches between bimonthly and quarterly, as well
16 as a school leadership team and district
17 leadership teams, that we engage them directly
18 when we're talking about identifying new schools,
19 when we're looking at charter school applicants
20 who are coming to the city, that we've asked CECs
21 themselves to organize and to hold hearings
22 during their meetings so that way we could ensure
23 that they were involved in the process. The new
24 schools application process itself offers two
25 opportunities for CECs and parents to be

1 involved. One is to review citywide - the
2 applications for groups that are looking to build
3 new schools, as well as at the DLTs to ensure
4 that there is communication about what programs,
5 policies, initiatives and things parents want to
6 see in their new schools that we can do a better
7 match between community interest and what's
8 actually available.
9

10 CHAIRWOMAN NOLAN: The longest 30 second
11 answer in the history of the Legislature.

12 MS. GUEREIER: I tried. I tried.

13 CHAIRWOMAN NOLAN: Assemblywoman Joan
14 Millman -

15 ASSEMBLYMAN CAMARA: Thank you.

16 CHAIRWOMAN NOLAN: Thank you, Karim,
17 very much.

18 ASSEMBLYMAN CAMARA: Thank you.

19 CHAIRWOMAN NOLAN: I want to say to
20 Assemblyman Camara, we're going to pursue these
21 issues of what's happening to our children as we
22 go forward, and I want to thank you for bringing
23 up the question.

24 I'd like to, if it's alright, move to
25 Joan Millman and then Allan Maisel. And Nick

Perry I know has an appointment. So
Assemblywoman Millman, Assemblyman Maisel,
Assemblyman Perry are the next three.

ASSEMBLYWOMAN MILLMAN: Martine, before
you move the mic away, I haven't heard this
before. In your answer you said at every
district there's a district parent -

MS. GUEREIER: District family advocate.

ASSEMBLYWOMAN MILLMAN: family advocate.
So I represent schools in districts 15 and 13.
I would like to know who those people are.

MS. GUEREIER: Sure.

ASSEMBLYWOMAN MILLMAN: And I would like
to have that information so that I don't have to
call 3-1-1; I can call them directly. Thank you.

MS. GUEREIER: Absolutely. Sure.

ASSEMBLYWOMAN MILLMAN: My question is
for Mr. Nadelstern. Thirty-eight years, I want
to just congratulate you. I only made 30.
Marcia and I are doing about the same.

MR. NADELSTERN: I started fresh out of
high school.

ASSEMBLYWOMAN MILLMAN: You worked in,
you said, empowerment schools. It's my

1 understanding that now we're beginning to look at
2 something another grouping of schools called
3 Children's First Network. I only just heard the
4 name. I don't know what its aim or goal is, what
5 the communication is. Could you expound on that,
6 please?
7

8 MR. NALELSTERN: Yeah, sure. Empowerment
9 schools was an effort to provide in-school
10 support for principals who self selected into
11 networks of 20 to 25 schools and were served by a
12 network leader and an instructional support team
13 comprised of instructional and assessment
14 experts, experts around ESL populations and
15 special ed populations.

16 The Children First Network is an effort
17 to give those teams the additional expertise in
18 operational support so that when they go into
19 schools they're not simply working with
20 principals and teachers on instructional issues,
21 but they can help out with budget issues and with
22 purchasing issues and with the kinds of problems
23 that principals and school communities might have
24 around staffing issues and student enrollment,
25 and the other parts of school functioning that

1 don't connect to instruction.

2
3 We experimented with one Children First
4 Network two years ago, and it turned out that
5 that network became the highest performing
6 network in the City based on student achievement.

7 Those scores showed the most progress of any
8 network of our schools. The 1500 schools are in
9 72 networks now. This year we've expanded that
10 to four networks that will have this additional
11 operational capacity. What we're hopeful of is
12 that they will be equally successful, and our
13 plans are to expand modestly going into the next
14 school years, as well.

15 ASSEMBLYWOMAN MILLMAN: It's been my
16 understanding that the other networks, if you
17 will, that there's a superintendent in charge.
18 Is that true?

19 MR. NADELSTERN: No, there isn't a
20 superintendent in charge of the network. Each of
21 the networks is part of something called a School
22 Support Organization. And then several of the
23 School Support Organizations are headed by former
24 regional superintendents. So Kathy Cashin
25 (phonetic) heads one school support organization.

1 Judy Chins up another school support
2
3 organization. Laura Rodriguez heads up a third.
4 All three of those people were former regional
5 superintendents.

6 ASSEMBLYWOMAN MILLMAN: And is there an
7 additional cost to the system to start this new
8 Children First Network?

9 MR. NADELSTERN: No. We're doing it -
10 the pilot project for the last two years has been
11 funded through grant funding that we secured
12 specifically for this purpose. Going into the
13 next year we're going to do it in a cost-neutral
14 way so that the costs that would have gone into
15 centralized supports around budget and operations
16 and staffing will now be placed on the network
17 team closer to where the schools operate. So
18 next year we expect it to be cost neutral. In
19 future years we're hoping to actually save money
20 because part of the work of the teams is to build
21 capacity in schools so that over time we can have
22 fewer people on these network teams and,
23 therefore, increase school budgets commensurately
24 by their salaries. Just to give you one example
25 of how that's worked in this administration.

1 When I was a deputy superintendent in
2 Bronx high schools, we supervised 20 high schools
3 in the Bronx. We had a staff in the
4 superintendent's office of 120 people. And the
5 way we funded that staff was that before we sent
6 budgets out to the schools we withheld \$650,000
7 per school to fund district operations. In
8 contrast, one of my networks of schools, roughly
9 20 to 25 schools, is now served by a five member
10 network team - a network leader and four team
11 members, not 120 people - at a cost that averages
12 about \$30,000 per school. And the savings are
13 now in school budgets.

14 ASSEMBLYWOMAN MILLMAN: Thank you.

15 CHAIRWOMAN NOLAN: We could have a whole
16 hearing asking what they do. It seems like such
17 a wide variance in the number of people. How
18 could you possibly do anything but save money?
19 How could you possibly have good results? But I
20 think we're going to leave that for another
21 hearing.

22 MR. NADELSTERN: Although let me just say
23 quickly, the different is now in school budgets,
24 which means there are more teachers in schools
25

1 and more support staff providing kids with better
2 services.

3
4 CHAIRWOMAN NOLAN: Quickly, Assemblyman
5 - thank you, Joan. And we may go back to that.
6 I apologize for jumping in. Assemblyman Maisel
7 and then Assemblyman Perry. After Assemblyman
8 Perry, Assemblyman Brennan, Assemblyman Jeffries
9 and Assemblyman Colton have questions.

10 ASSEMBLYMAN MAISEL: Thank you very
11 much. Mr. Nadelstern, the system seems to be
12 congratulating itself on the educational
13 leadership, particularly the leadership
14 academies, and yet I, and I'm sure many of my
15 colleagues really don't know very much about the
16 leadership academies, particularly, for example,
17 how many people have gone through these
18 leadership academies? What kind of level of
19 experience have they had before? How many of
20 them become principals and what is the status of
21 their principalships after they have become
22 principals?

23 CHAIRWOMAN NOLAN: Let me just - that
24 may be better directed at Deputy Chancellor Cerf.
25 I don't know who the right person is who has the

1 facts.

2
3 ASSEMBLYMAN MAISEL: It was in his
4 testimony.

5 CHAIRWOMAN NOLAN: Or perhaps Deputy
6 Chancellor Lyles. I don't know.

7 MR. NADELSTERN: Let me start.

8 CHAIRWOMAN NOLAN: Okay.

9 MR. NADELSTERN: So, the Leadership
10 Academy is a not-for-profit organization that's
11 closely affiliated with the school system. We
12 help develop the curriculum.

13 ASSEMBLYMAN MAISEL: It's now being paid
14 for by the system, no longer by private money, as
15 I understand it.

16 MR. NADELSTERN: No. It's now a not-for-
17 profit organization. The Leadership Academy
18 trains, in the years that it's been up and
19 running, hundreds of people to be principals, by
20 identifying some of our best assistant principals
21 and teachers and providing them a year long
22 training program, which includes internships in
23 schools with successful principals. And at this
24 point it produces about 70 new principals a year
25 to take over where other principals retire or

where we start new schools.

ASSEMBLYMAN MAISEL: Do you know what the status of those people are, in terms of how well they've done in the system? Are they all running A schools?

DEPUTY CHANCELLOR CERF: Running A schools, no, they are not. By the way, I want to make sure the record is clear on something. The Leadership Academy, as it was initially created, was entirely funded philanthropically, it continues to be this fiscal year. We then ran a competitive bidding process, by the way, and the Leadership Academy bid for it. So in the next fiscal year it will be essentially a contractor -

ASSEMBLYMAN MAISEL: Paid for by the Department of Ed.

DEPUTY CHANCELLOR CERF: Correct.
Correct.

CHAIRWOMAN NOLAN: At what cost?

DEPUTY CHANCELLOR CERF: It's approximately \$10 million. But I need to be more precise than that. Maybe 11 million, actually.

We are very interested in the question of, as in all things, as to whether it's working

1 as measured by how well children are learning.
2
3 The early indications are extremely encouraging,
4 that the principals have been trained at the
5 Leadership Academy are showing better results
6 than their peers. I will tell you there's a very
7 complicated research question embedded in that
8 because disproportionately, Leadership Academy
9 principals are leading what we call new schools,
10 you've heard reference to that, and the new
11 schools themselves, as a class, are doing better
12 than the other schools. So we have to do a
13 regression analysis to sort out how much of it is
14 the new school phenomenon and how much of it is
15 the Leadership Academy phenomenon. We have
16 started to do that, and I will tell you that I
17 wouldn't call it a peer review study - we
18 actually commissioned one of those. But the
19 early indications are that the Leadership Academy
20 is, indeed, yielding better results for children.

21 ASSEMBLYMAN MAISEL: The question - it
22 has to do with the new high schools. In the
23 report that was presented today Evander Childs
24 was mentioned as having an 80 percent graduation
25 rate, as compared to its previous incarnation.

Of course you're not comparing the same children.

It's a completely new group of children that have been brought into the school.

When some of the high schools that I'm familiar with were closed, one of my objections to closing of those schools was that a completely new group of children would be brought in. For example, Canarsie High School and South Shore High School, new groups of children brought in. The children who are in - would have been in ninth grade become the tenth, eleventh, and twelfth. Those children, since they're not part of the new organization, they're part of the old organization, those kids were basically left to swim by themselves. As they were funneled out of the system, they just left. The children who would have gone into, let's say, a Canarsie High School or a South Shore or Tilden, the children who would have normally gone into those schools, they were sent elsewhere. Since they didn't have time - their parents really didn't know that the schools were closing, they couldn't apply to the new schools so they basically also were distributed to the wind and a whole new group of

1 kids were brought in. I'm assuming that since
2 they were self selected these were children with
3 higher academic standards which, of course, made
4 it possible for those new schools to do better
5 than the schools previously, because the schools
6 had no control of those populations. It just
7 strikes me as being - when you're comparing the
8 results of the new schools to the old schools,
9 it's really not fair.
10

11 MR. NADELSTERN: Without getting into the
12 intricacies of school phase-out - I'm happy to
13 discuss that with you at a future point. When we
14 analyze the population of students in the new
15 schools and look at Title 1 eligibility,
16 eligibility for free lunch, we look at percent of
17 English language learners, and we look at percent
18 of special ed students, they compare favorably to
19 the schools that we phased out.

20 ASSEMBLYMAN MAISEL: That's not what I
21 have been led to believe. However, just one
22 other question.

23 MS. BELL-ELLWANGER: May I just comment
24 on that last piece?

25 ASSEMBLYMAN MAISEL: Yes.

MS. BELL-ELLWANGER: We also find that as schools begin their phase-out process they do show increased rates of performance either within graduation rates or in performance of Regents Exams at the high school level or at the elementary, middle school grades we actually see that they do show progress on the state tests. And, again, that becomes that they are focusing on instruction in those small schools, they are not forgotten places. As the group of students gets smaller the staff is much more intimate with that group of students, and we do show increased gains.

ASSEMBLYMAN MAISEL: So what you're saying is that the children - class size matters. The mayor has pointed out to me personally and to many of the people here that class size has absolutely nothing to do with education.

DEPUTY CHANCELLOR WALCOTT: What we're saying and we've been backing this up, school size matters. And school size is very important. We've never said - in all fairness, we've never said class size matters.

ASSEMBLYMAN MAISEL: The Mayor said that.

DEPUTY CHANCELLOR WALCOTT: Class size is not the sole indicator.

ASSEMBLYMAN MAISEL: No, but the Mayor did say that.

The last question I have has to do with - we are now finished with the process of selecting candidates to be part of the new education councils. I know the Chancellor sent out a letter asking people to participate. And in the letter that the Chancellor wrote he talked about how important it is for the parents to be involved, to participate and really be part of the system. My thrust has been - in the last hearing I attended and elsewhere - is that the Education Councils have absolutely no purpose whatsoever other than to exist to show that - we have to have them so they exist. Now the Chancellor has made changes. He's created something called straw votes, which I think are totally ridiculous because it absolutely has no bearing on whatever on what happens with these Education Council elections. And the Education Councils themselves, we never consulted about it. How could that be? You're asking people to join

1 because you want them to participate but you
2 don't ask the people who are already
3 participating what they think about it.
4

5 MS. GUEREIER: Would you like an actual
6 response to that?

7 CHAIRWOMAN NOLAN: Quickly.

8 ASSEMBLYMAN MAISEL: That would be nice.

9 MS. GUEREIER: Specifically to the straw
10 vote itself. In 2007, there was a lot of
11 anxiety, anger and dissatisfaction about the
12 process. There was very poor communication.
13 There were a number of issues around candidate's
14 forums, in the sense that the limited pool of
15 selectors did not adequately reflect the interest
16 or the will of the parent community as a whole
17 citywide. And so that just having it in the law
18 itself limits us to roughly 4400 selectors to
19 vote for CECs, so that all parents aren't given
20 an opportunity to vote. However, CECs and parent
21 leadership complained that no one knows who they
22 are, no one knows what they do and -

23 ASSEMBLYMAN MAISEL: Whose fault is that?

24 MS. GUEREIER: Excuse me?

25 ASSEMBLYMAN MAISEL: Whose fault is that?

MS. GUEREIER: I think, first of all, it starts with the limited number of people who are actually involved with their selection. If you have a very limited pool, the actual constituency that's paying attention to you is limited by that number. In addition to that, just in general, when the school board switched from school board to CECs, there was a sense that the next body didn't have as much authority or didn't have as much power because the Legislature had actually removed a lot of their power and given it to central. So, in an attempt to restructure itself, that CEC did suffer for a number of years from the lack of work to be engaged in, because a lot of the work was being done and there was a need to connect them.

When you have a very small pool of people who are actually charged with voting for you and paying attention to you, you limit the number of eyes that are paying attention, the number of ears that are listening to you. So this year, taking the 2007 feedback, as well as comments that ran from all of last year, 2008, in general, as we were rolling up to this school year to

1 figure out how to do the selection process, we
2 heard a lot of concern about not having a
3 constituency base for CECs, that we weren't doing
4 enough to provide outreach, we weren't doing
5 enough to shine a light on them. We organized a
6 poster campaign last year, taking pictures of CEC
7 members in districts that were willing, taking
8 their quotes and actually posting their
9 photographs and posting their quotes so people
10 would know and understand who and what they were.

11 CHAIRWOMAN NOLAN: Thank you.

12 ASSEMBLYMAN MAISEL: So why didn't you
13 consult with the existing Education Councils?
14 You didn't do that.

15 MS. GUEREIER: We consulted with CPAC.
16 CEC members, themselves, would be the beneficiary
17 of a vote. So we consulted with individuals who
18 were responsible for voting for them -

19 CHAIRWOMAN NOLAN: Okay. That's an
20 answer.

21 MS. GUEREIER: and we asked them for
22 their feedback.

23 CHAIRWOMAN NOLAN: Thank you. You
24 consulted with CPAC; you did not consult with the
25

CECs.

MS. GUEREIER: That's correct.

CHAIRWOMAN NOLAN: Okay. Assemblyman Perry. Thank you very much.

ASSEMBLYMAN PERRY: Thank you. Good afternoon. I appreciate the opportunity to speak with you about and to hear from you and the others who have testified before, allow them some input into helping us make a decision on the continuation or discontinuation of mayoral control, when we review the current governance laws. I have a few questions in various categories. But before I get into the other questions that I think might be of more substance, I'd just like to direct a few questions to Martine Guereier.

I have been trying to ascertain correctly, but what is your title?

MS. GUEREIER: Chief Family Engagement Officer.

ASSEMBLYMAN PERRY: And what does that mean?

MS. GUEREIER: It means that I'm chiefly responsible for organizing the parent engagement

1 structure, as well as parent involvement, and
2 providing additional support and resources to
3 address individual parent issues and concerns.

4 ASSEMBLYMAN PERRY: If there are
5 incidents in the school that - like, for example,
6 a parent of a dyslexic child having problems with
7 the child encountering bullying in school and not
8 getting effective response from the
9 administration and a concerned parent reaching
10 out, would that be something that you might have
11 an interest in?
12

13 MS. GUEREIER: More than an interest,
14 it's actually what we do on a daily basis.

15 ASSEMBLYMAN PERRY: That would be part of
16 your responsibility to respond to?

17 MS. GUEREIER: Yes.

18 ASSEMBLYMAN PERRY: If you received a
19 call from a legislator pertaining to an incident
20 like that, do you think you would have a
21 responsibility to return the phone call?

22 MS. GUEREIER: We would respond directly
23 to the parent -

24 ASSEMBLYMAN PERRY: The question is do
25 you think that would be part of your

responsibility to return the phone call to the legislator?

MS. GUEREIER: It's actually something I would ask of my colleagues in the Office of Intergovernmental. That's my answer. We would ask the Office of Intergovernment to follow-up with you so that we could focus on talking to the parent.

ASSEMBLYMAN PERRY: If a legislator reached out directly to you in your capacity and asked to speak with you on the matter, do you think part of your responsibility might be to return the phone call?

MS. GUEREIER: I see where you're headed with the question, and certainly can feel -

CHAIRWOMAN NOLAN: Please.

MS. GUEREIER: and I understand the point that you're trying to make. Know that what I've done is to respond directly to parents and to make sure that we actually resolve their issue and then we turn to you to give you the answer after we're done resolving their concern.

ASSEMBLYMAN PERRY: I just want you to know that in that particular case my office

1 reached out to you, no response. I personally
2 reached out, no response. We eventually
3 persuaded the principal in the school to respond
4 because at first the principal was not very
5 responsive, and we were able to resolve the
6 matter. Now, I even complained to the Chancellor
7 and I got no response from you. I just wanted to
8 take that up with you and to just let you know
9 that so far I'm quite disappointed in how you
10 have been conducting your position, representing
11 family engagement or being the advocate for
12 families in this administration. And I believe
13 that that's part of the problem in the
14 administration, mayoral control.

15
16 CHAIRWOMAN NOLAN: Mr. Perry thank you.

17 Thank you.

18 DEPUTY MAYOR WALCOTT: Madam Chair, if I
19 may for one second.

20 CHAIRWOMAN NOLAN: Please, we have six
21 other questions.

22 DEPUTY MAYOR WALCOTT: I understand. At
23 the same time, when a person is identified as not
24 being responsible, I think it's important
25 because, one, I think Martine has done an

1 outstanding job as Chief Family Engagement
2 Officer.
3

4 Normally, what we try to do is to make
5 sure our intergovernmental people are interfacing
6 with the legislators so we have a clear line of
7 communication and then intersect from there. And
8 I think it's extremely important to point that
9 out to the body at large.

10 CHAIRWOMAN NOLAN: Yes, thank you. Mr.
11 Perry thank you. I know you he had another -

12 ASSEMBLYMAN PERRY: Cathy, I'd just like
13 to continue with a few questions that I have for
14 Ms. Wyles.

15 CHAIRWOMAN NOLAN: Let me just take the
16 prerogative of the Chair - members are allowed to
17 have opinions, the City's allowed to have
18 opinions. I apologize. I don't want my
19 frustration to show. Some of this, as you well
20 know, Ms. Guereier, was covered in great depth
21 when you testified before. I understand we're in
22 a different borough. And I really have to ask
23 you, please, to keep the responses short.

24 After Mr. Perry, Mr. Brennan, Mr.
25 Jeffries, Mr. Colton. Nick, if you could just

1 help us wrap up. I understand you made your
2 point; the deputy mayor made his. If we could
3 just wrap up. Assemblyman Perry any further
4 question?
5

6 ASSEMBLYMAN PERRY: Thank you
7 Assemblywoman. I have some questions for Ms.
8 Wyles.

9 CHAIRWOMAN NOLAN: While you're getting
10 them ready -

11 ASSEMBLYMAN PERRY: I'm ready to go.

12 CHAIRWOMAN NOLAN: Okay.

13 ASSEMBLYMAN PERRY: Ms. Wyles, you -

14 MS. LYLES: It's Lyles.

15 ASSEMBLYMAN PERRY: Sorry about that. In
16 your testimony you were quite critical of the
17 previous structure that we modified to allow for
18 mayoral control. I agree with you in some of
19 your criticism that there were lots of instances
20 where it was really dysfunctional and that we
21 needed to try something new. I just note that
22 some of your comments were quite profound.

23 You noted that the system, there were
24 many people in charge and that those people
25 changed frequently and there was no - because

1 there was no ultimate authority and certainly
2 championed the change that we made - just noted
3 in your statement that you noted about many
4 people in charge who changed frequently and no
5 ultimate authority or clear responsibility. What
6 we have now, we know who's in charge but in many
7 cases we don't know who is responsible.

8
9 In my position as a legislator
10 representing a district that covers several -
11 that includes quite a number of schools, we have
12 a problem of knowing who to go to on specific
13 items of concern about academic issues,
14 disciplinary issues and other matters relating to
15 administration of the school.

16 You stated that the system had improved.

17 I'd just like to read to you something I got
18 here from a Professor Diana Ravage (phonetic),
19 who testified before the legislative committee
20 and mentioned that the NAEP testing that you
21 mentioned, you reference in your testimony, that
22 there are 11 cities that participate in that
23 testing. That's a federal testing program which
24 is seen as the gold standard of educational
25 testing. Would you agree with that?

MS. LYLES: It is the national standard in testing.

ASSEMBLYMAN PERRY: You don't think it's gold standard?

MS. LYLES: That's an adjective that I'm not sure I would ascribe to it, but it is certainly the national standard for testing, yes.

ASSEMBLYMAN PERRY: On the NAEP test the city scores were flat from 2003 to 2007 in the fourth grade reading, in eighth grade reading and in eighth grade math. Only in the fourth grade math did student performance improve. Most of those things were washed out by the time they reached the eighth grade. Eighth graders were the product of the children's first reforms. Yet, these students showed no achievement gains in either reading or math. The federal test showed no significant gains for Hispanic students, African American students, White students, Asian students or lower income students. The federal data showed no narrowing of the achievement gap among children of different ethnic or racial groups. This is the of the New York City test scores. Would you care

1 to comment on that?

2
3 MS. BELL-ELWANGER: Actually, I'm going
4 to take that for Dr. Lyles. To begin, that is
5 not entirely accurate when we think about the
6 NAEP results. First, the NAEP is a national
7 test, it's based on national framework. Our
8 students in New York State are very focused on
9 the New York State standards, which is what are
10 out assessments are aligned with. So the
11 national test is now always what our students are
12 being taught at those certain grade levels.

13 Also, we want to note - Ms. Ravich
14 (phonetic) her comments are really particularly
15 focused on whether or not a change had
16 statistical significance. What we see over the
17 past several years of our participation in NAEP
18 is that we have increased our results all with
19 the exception of our eighth grade ELA. Ms.
20 Ravich is talking about statistical significance.
21 What we see is directionality and our direction
22 is moving upward. If our direction was moving
23 opposite and NAEP said that's not statistically
24 significant, could we discount that claim that
25 we're just doing okay? No, we wouldn't be able

1 to, as a system, ignore that information. So
2 when we look at and we see increasing rates,
3 particularly among our Black students, our low
4 income students, our students in New York City
5 are really doing much better than the other
6 cities participating.
7

8 ASSEMBLYMAN PERRY: On the graduation
9 rate the City has encouraged a dubious practice
10 called credit recovery which inflates the
11 graduation rate. Under this practice, credit
12 recovery, students who fail the course or never
13 even showed up can still get credit for it
14 turning in an independent project or attending a
15 few extra sessions. A principal told the *New*
16 *York Times* that credit recovery is the dirty
17 little secret of high schools, that there's very
18 little oversight and very few standards.

19 CHAIRWOMAN NOLAN: I'm going to take the
20 prerogative of the Chair, Nick. We actually have
21 a number of colleagues that want to ask questions
22 on that very issue. So if you would, before the
23 City responds, I know you say that was your final
24 question anyway. If you could just - we could go
25 back to that issue if that's okay. We want to

1 have a discussion on credit recovery. I want to
2 let Assemblyman Brennan and then my other
3 colleagues - Assemblyman Jeffries and Colton -
4 and we'll go through that a little bit more.
5 Thank you.

6
7 ASSEMBLYMAN BRENNAN: Deputy Mayor
8 Walcott, I wanted to just review some of the
9 history of the Mayor's reforms of the school
10 system with you. I may also ask some questions
11 of Dr. Lyles in relation to that and also wanted
12 some questions with Mr. Nadelstern in relation to
13 some other matters.

14 As a person who has suggested that the
15 proper benchmark for measuring the school
16 system's progress in comparison with the past is
17 2003 and not 2002 is me. I thought I'd just ask
18 you a couple of questions about it.

19 My understanding is you were President of
20 the Urban League before becoming the Deputy Mayor
21 for?

22 DEPUTY MAYOR WALCOTT: Twelve years.

23 ASSEMBLYMAN BRENNAN: And when did you
24 become Deputy Mayor?

25 DEPUTY MAYOR WALCOTT: At the start of

the administration, so January 31, 2002.

ASSEMBLYMAN BRENNAN: My understanding of the stage of the overhaul of the school system was that Mayor Bloomberg made a speech at the Urban League during the Martin Luther King -

DEPUTY MAYOR WALCOTT: January 15th or 16th, 2003.

ASSEMBLYMAN BRENNAN: Yes, in 2003.

DEPUTY MAYOR WALCOTT: 2003, correct.

ASSEMBLYMAN BRENNAN: And he announced that the Department of Education was going to close the community school districts and regionalize them into ten regions to begin in September 2003 and that there would be a uniform curriculum of reading and math that would be introduced as part of the September 2003 school year and that these were the reforms of the school system that were to take place. Is that your recollection of that?

DEPUTY MAYOR WALCOTT: A little modified.

If I may, for one second, I'm not sure if he said close the school districts, but definitely creating the regional setup and he gave probably a half an hour to 40 minutes speech that

articulated -

ASSEMBLYMAN BRENNAN: And that took place in January 2003.

DEPUTY MAYOR WALCOTT: That is correct.

ASSEMBLYMAN BRENNAN: With the reforms to take place in September 2003.

DEPUTY MAYOR WALCOTT: No. In fairness, we started putting in place -

ASSEMBLYMAN BRENNAN: The regions would operationalize -

DEPUTY MAYOR WALCOTT: It focused on the regional. But we had started, as Dr. Lyles indicated, changes when we came into office and also with the selection of the Chancellor, as well. Because Chancellor Klein -

ASSEMBLYMAN BRENNAN: As I recollect, following the Mayor's speech and the process of closing the community school district offices that took place, there was actually a lawsuit. The Council of Supervisors and Administrators and former Assemblyman Sanders actually sued the Department of Education claiming that certain aspects of the closure of the community school district offices was illegal.

DEPUTY MAYOR WALCOTT: Again, I think a little modification to that Assemblyman. Yes, there was a lawsuit. The lawsuit, I don't think, was specific to the offices; it was to the superintendents but not to the offices.

ASSEMBLYMAN BRENNAN: It related to the superintendents - Yes.

DEPUTY MAYOR WALCOTT: I just want to be clear about that part of it.

ASSEMBLYMAN BRENNAN: But there was a lawsuit that stated that the reform was illegal in that the community school district superintendents proper supervisory role was being voided and it was, therefore, unlawful. And then finally there was a settlement of that lawsuit, former Assemblyman Sanders, Cathy's predecessor, was part of that. And then following that settlement, in fact, the community school district offices were closed and the regions were operationlized that summer in 2003.

DEPUTY MAYOR WALCOTT: I think we may have some different interpretation of when the offices were closed itself.

ASSEMBLYMAN BRENNAN: I believe they were

closed effective June 30, 2003.

DEPUTY MAYOR WALCOTT: Right. But I'm not sure if it's a direct correlation to the lawsuit. Again, the lawsuit was specific to -

ASSEMBLYMAN BRENNAN: I'm not saying -

DEPUTY MAYOR WALCOTT: the role of the superintendent. I want to distinguish between the role of the superintendent in offices because we were very clear about the closing of offices and redirecting the resources directly to the schools, itself. And then out of the closing of the offices we were able to create roughly 12,000 new classroom seats -

ASSEMBLYMAN BRENNAN: I think it was 2,000 at the time not 12,000.

DEPUTY MAYOR WALCOTT: No. Eventually, over a period of time, it took us a while to ramp up to the number of seats that were actually in place. Solely around the closing of the offices and the realization -

ASSEMBLYMAN BRENNAN: My questions relate to the reform itself and the timing of the reform.

DEPUTY MAYOR WALCOTT: I understand where

1 you're going, sir.

2 ASSEMBLYMAN BRENNAN: My understanding
3
4 of the regions was that you had a regional
5 superintendent, you had these local instructional
6 superintendents who were to supervise various
7 principals that were not necessarily - they
8 didn't necessarily have complete overlap of the
9 districts.

10 DEPUTY MAYOR WALCOTT: That's correct,
11 sir.

12 ASSEMBLYMAN BRENNAN: In fact, Dr. Lyles
13 was superintendent of the Region 8, not
14 immediately; I think Carmen Farina was. And then
15 there were these math coaches and ELA coaches and
16 that was the new structure for supervising,
17 teaching and learning. That was the overhaul of
18 the school system's structural setup.

19 DEPUTY MAYOR WALCOTT: But if I may. I
20 want to be respectful of all of you in that I
21 think that Dr. Lyles also indicated that when the
22 Mayor took office and chancellor we had new
23 people in place, we had a new emphasis as far as
24 how we were doing business, as well. And as Dr.
25 Lyles indicated, in her role as superintendent,

1 she had new measures and benchmarks to reach to.

2 You're looking at an instructional set up and
3 also a -

4
5 ASSEMBLYMAN BRENNAN: Let me ask you a
6 question about that.

7 DEPUTY MAYOR WALCOTT: an emphasis
8 around the function set up.

9 ASSEMBLYMAN BRENNAN: Let me ask you a
10 question about that. If - how do you rate or how
11 do you evaluate the difference between Chancellor
12 Klein telling Dr. Lyles that he wants School
13 District 16 to do better in test results, which I
14 believe she testified something to that effect,
15 and a comprehensive structural overhaul of the
16 whole system in which Community School District
17 16 is actually shut down. It doesn't seem like -
18 it seems like the overhaul of the school system
19 begins in September 2003, an anecdotal or
20 testimonial that the Chancellor wants someone to
21 improve during that prior year is hardly the same
22 thing as a comprehensive structural overhaul.

23 DR. LYLES: Well, I just want to
24 respond. I did make that statement but I don't
25 want you to think it was a one moment

1 conversation that I had with the Chancellor; it
2 was an over the period of the year and, in
3 particular, it was working with the Deputy
4 Chancellor. There was an accountability that was
5 set in. We were told about what metrics we had
6 to talk about, what we were doing. We had to
7 review our processes. So it wasn't as though
8 there was no direction, no accountability or
9 anything of that nature; we were not operating on
10 our own. We would meet frequently either
11 individually or in groups of superintendents with
12 the Deputy Chancellor to talk about the
13 instructional programs and to talk about our
14 strategies. So I said it in one sentence, but it
15 was certainly much more comprehensive than that.

17 ASSEMBLYMAN BRENNAN: I would certainly
18 acknowledge that the chancellor was trying to do
19 his job -

20 DEPUTY MAYOR WALCOTT: I think it's
21 important to distinguish the structure that
22 you're talking about with a regional, compared to
23 the setup of an alignment as a result of having
24 control. And that's an important point because
25 from both City Hall as well as the Department of

1 Education there was a direct line of
2 accountability to the superintendent and both
3 with Marcia and all the other superintendents who
4 are out there, we knew exactly what was going on
5 and she no longer had to have a dysfunctional
6 system in place with the local way she had to
7 report; it was now a direct line, common
8 measurement of how one was being viewed. And I
9 think in fairness, I didn't know you were the one
10 - I'm not drawing a comparison 2002/2003, but I
11 think no matter how you look at it we have had a
12 significant improvement in every metrics that we
13 talk about. Even with the NAP scores, we can go
14 back to that later on, we admit we have more work
15 to do. This is in no way to say that we are
16 perfect. At the same time, graduation rates,
17 ELA, math, AP, GNT, you name it, more school
18 offerings and options, the selection process
19 itself, increasing the number of school seats, as
20 well, every metric that we look at, there's been
21 a direct improvement over the last seven years.

22
23 CHAIRWOMAN NOLAN: I want to thank
24 Assemblyman Brennan. I apologize, our
25 stenographer's going to need a break.

1 Mr. Jeffries, Mr. Colton and we have one
2
3 more group, we have other people that want to
4 speak. Thank you.

5 ASSEMBLYMAN JEFFRIES: Thanks again,
6 Chairwoman Nolan, for your patience and your
7 eloquence and grace in how you handle not just
8 this hearing but all of the hearings on this
9 subject and for your leadership on this subject.

10 I just had a few questions, I think, directed at
11 Deputy Chancellor Lyles, but whoever is
12 appropriate.

13 In the documents and in your testimony
14 that were submitted to us there was talk of the
15 improvements that had been made in the closure of
16 the racial achievement gap, and a few metrics
17 were used to point to that professed achievement.

18 And I want to just focus on this question of
19 graduation rates.

20 In the 24 page document with a lot of
21 facts and figures that are listed here, as well
22 as in your six page testimony and in the four
23 page testimony of your colleague, I don't see
24 anything about this practice of credit recovery.

25 Is that an oversight that I'm missing or is

1 there anything in these documents that talk about
2 credit recovery?
3

4 DR. LYLES: I did not refer to that.

5 ASSEMBLYMAN JEFFRIES: Could you
6 elaborate for me, it's something that I'm vaguely
7 familiar with, my colleague Nick Perry brought
8 up, and as Chairperson Nolan mentioned, many of
9 my colleagues are very interested in this
10 practice. Could you just give us a brief
11 description of what is taking place, in your
12 view, as it relates to credit recovery?

13 DR. LYLES: My colleague, Eric
14 Nadelstern, also wants to respond to this. Let
15 me just say that this concept of credit recovery
16 - and there have been many statements to the
17 effect that our graduation rate has increased as
18 a result of credit recovery, and I am not sure
19 what that is based on. We do, indeed, have a
20 process in which we give students additional
21 opportunities to succeed. This is not a new
22 phenomenon.

23 When I was a principal in 1999 we had a
24 system in which we provided students with
25 opportunities to succeed. That system took place

1 in many forms where we would give them an
2 incomplete and we would tell them that they had
3 to make up the work; we gave them an opportunity
4 for that. They had sat for the required period
5 of time, but they had not demonstrated
6 proficiency.

7
8 We have always - when I say we have
9 always, as long as I can remember from being a
10 teacher, a principal, assistant principal, a
11 deputy superintendent of high schools - we have
12 had a system in place in which we gave students
13 an opportunity. Now, that does not mean that
14 students that didn't come to a class or didn't do
15 any work were given that same opportunity. But I
16 don't have any evidence - and I'm not sure what
17 people are basing it on - is that this has been
18 on the increase.

19 ASSEMBLYMAN JEFFRIES: What does that
20 mean, an additional opportunity to succeed?

21 DR. LYLES: That means, for instance,
22 there are various ways in which that happens. If
23 students have not completed all of the
24 coursework, for example, if there were reports to
25 do projects, to do projects to complete, it

1 should be in the way the system is designed and
2 the conversations that we have had and the
3 directions we give to principals, it should be
4 that it is very specifically designated in terms
5 of what the student must do, what the student did
6 not demonstrate mastery over, what the student
7 did not complete; that student is given an
8 opportunity to do that work.
9

10 ASSEMBLYMAN JEFFRIES: During the tenure
11 of Chancellor Klein, how many students who would
12 not have otherwise graduated at that particular
13 point in time in which they graduated were able
14 to do so as a result of a credit recovery
15 activity?

16 MR. NADELSTERN: You know, I would
17 imagine that's going to be impossible to
18 calculate because what you're calling credit
19 recovery, a practice *The New York Times* seems to
20 think it discovered this year, is, in fact, what
21 schools have done going back to the start of my
22 career in the 1970's, and that is differentiate
23 between those kids who were so far behind at the
24 point where the course ended that they deserved
25 to fail the course and those kids who just needed

1 to turn in another paper or another project or
2 were so close to passing the course that they had
3 some time extension.
4

5 When I started my school in 1985, we
6 formally build that into the way we graded and it
7 was called incompletes, other high schools called
8 it other things. But schools going back decades
9 have differentiated between kids who did no work
10 at all, perhaps didn't even come to the class,
11 and those who put out considerable effort but
12 perhaps not enough effort to receive a passing
13 grade and deserved a different opportunity in
14 order to not forsake any of the credit that they
15 might have gotten for the work that they had
16 done.

17 ASSEMBLYMAN JEFFRIES: The short answer
18 is you don't have any numbers.

19 MR. NADELSTERN: Not on what you're
20 asking.

21 DEPUTY MAYOR WALCOTT: But the different
22 is, if I may Assemblyman. The difference is you
23 know where to go to ask that question, whereas in
24 the past you wouldn't know where to go to ask
25 that question. And the reality is, the reality

1 is, as I hear Dr. Lyles and Eric Nadelstern say,
2 that the practice that people are defining now is
3 no different than the practice that existed
4 before.

5
6 ASSEMBLYMAN JEFFRIES: Okay. Shifting
7 gears a little bit briefly, with respect to this
8 comparison that was made, I think on pages four,
9 five and six, as it relates to the graduation
10 rates, where Deputy Chancellor, you testified
11 that improvements have been made in the New York
12 City graduation rate relative to the Big Four
13 cities - Buffalo, Rochester, Syracuse, and
14 Yonkers. Why do you think that a comparison
15 between New York City and the so-called Big Four
16 is an adequate statistically based valid
17 comparison?

18 MS. BELL-ELLWANGER: As many of you know,
19 New York City makes up 40 percent of the entire
20 state. So just as we participate in the national
21 assessments, NAP, so that we can understand our
22 progress against other large cities, we look at -
23 the only comparable large cities are Rochester,
24 Buffalo, Yonkers and Syracuse. So that is how we
25 can also measure our progress. And they are

1 comparable in their totality. If we just looked
2 at New York City versus Buffalo or New York City
3 versus Rochester, they have such small
4 populations of students that it would be - our
5 cohort of students here is about 70,000 students.

6 Buffalo or Rochester may only be 2,000, if not
7 even smaller in the cases of Yonkers and
8 etcetera. Putting them together, at least we
9 have a fairer basis of comparison. At other
10 times, we just take New York City right out of
11 the whole state and use that as a comparison so
12 that we don't double count ourselves in both
13 things.
14

15 ASSEMBLYMAN JEFFRIES: I would suggest
16 that it's not a valid and adequate comparison
17 because if you were to aggregate the populations
18 of those four cities it wouldn't even come close
19 in numbers to a single borough, with the
20 exception of Staten Island. So it's an
21 inadequate comparison in my view. And those are
22 distressed, struggling cities in many ways. And
23 so I think the picture that is portrayed here is
24 somewhat, respectfully, in my view, is a little
25 bit misleading. And I would much prefer a

1 comparison made to Nassau County or Suffolk
2 County or Westchester County. And the standards
3 of education for our children should be compared
4 to what is expected and what is provided to the
5 people who live in those neighboring counties not
6 for upstate counties.
7

8 DR. LYLES: Well, first of all, I
9 couldn't agree more. And, in fact, when we talk
10 about closing the achievement gap, if you
11 remember we talked about the Big Four but we also
12 talked about the progress we were making against
13 the rest of the state.

14 Now - and I have to say this. This has
15 been my life's work for the last 30 years. Very,
16 very definitely our children, all children should
17 have the same kind of achievement, that is what
18 we work for. However, children come to school
19 with different levels of need and different
20 levels of readiness. We have the largest - the
21 numbers, in terms of around our English language
22 learners, that requires additional support which
23 we have been providing, that requires additional
24 expertise which we have been providing, and that
25 means that they have to - and they will

1 necessarily take longer to graduate. If they
2 come in in the ninth grade and they haven't had
3 any English and many of them had their education
4 interrupted, they're not going to necessarily be
5 able to acquire the language skills, as well as
6 the content, within the same four years. That is
7 not the same case throughout the rest of the
8 state. That is not the same phenomena in Suffolk
9 County. That is not what happens in all of White
10 Plains.

12 What we are trying to do, though, is to
13 say that very definitely schools that are taking
14 - or districts that are taking the same tests
15 that we are taking, with similar kinds of
16 challenges but certainly not to the scale of
17 challenges of New York City and that is why we
18 are being very aggressive on how we approach
19 this, that is what we're comparing. But we did
20 give you - I did give you the gap issues around
21 the rest of the state, as well, because I agree,
22 I expect us to be competitive and I expect all of
23 our children to meet those standards as well.

24 ASSEMBLYMAN JEFFRIES: One last question,
25 Madam Chair, if I might. With respect to

1 improving the - or closing the racial achievement
2 gap - the DOE should be commended for setting
3 this as a standard. I'm just trying to drill
4 down and figure out how much progress we have
5 actually made in this area.
6

7 When I looked through this, I guess, 24-
8 page document, as well as the testimony, I may
9 have overlooked, but I couldn't seem to locate
10 the actual graduation rate for black students.
11 Is that listed anywhere within this document?

12 DEPUTY CHANCELLOR CERF: We absolutely
13 have it. We'd be glad to get it to you. I don't
14 know if it happens to be in this particular
15 document.

16 ASSEMBLYMAN JEFFRIES: And when I was
17 looking -

18 DEPUTY CHANCELLOR CERF: Sir, just to be
19 clear, I think what is in this document is the
20 progress that is occurring within those
21 populations.

22 ASSEMBLYMAN JEFFRIES: And I would just
23 suggest that for us to better understand progress
24 there needs to be a statistical basis and it
25 would have been useful for us to actually know

1 what that number is in terms of African American
2 students. I would add that I also don't believe
3 that this document contains a number for Latino
4 students, and I don't believe that this document
5 contains a number for black males, of which is a
6 particular concern for myself, Assemblyman Camara
7 and for many of us.

9 DR. LYLES: Because we very definitely do
10 have that data, it is in our documents. I
11 thought, quite frankly, I'm sorry, I thought it
12 was in yours. We can certainly give that to you.

13 I can give that information now. I could read
14 it so you could have it.

15 CHAIRWOMAN NOLAN: I just want to
16 interject. I have to say this. You all knew
17 that that's - or you know that that's part of
18 what this hearing was supposed to be about. I'm
19 a little shook myself.

20 Let's just - we did say that graduation
21 rates were one of the key points of this issue.
22 We have to go on because the stenographer needs a
23 break.

24 Mr. Colton, Mr. O'Donnell, Mr. Weprin,
25 Mr. Benedetto.

I also want to acknowledge the great patience of Councilman Baron. Thank you, Councilman Baron. We're going to get to you too.

We're going to get to everybody.

When we finish, Mr. Colton, Mr. Weprin, Mr. O'Donnell, Mr. Benedetto, we must take a short break. We'll bring you - the poor man has been working nonstop. He has the right to - Dennis, please.

DEPUTY MAYOR WALCOTT: You asked a question; we wanted to give you the answer, that's all. We have the data.

CHAIRWOMAN NOLAN: Okay.

DEPUTY MAYOR WALCOTT: We talk about -

CHAIRWOMAN NOLAN: It's just that the answers are really long, and that was a pretty direct question. If you don't have it, you don't have it.

DR. LYLES: The Class of 2005, the graduation rate for black students was 40.2 percent, for white students it was 64.1 percent, for Hispanic students 37.4 percent, and for the Asian students 66.4 percent. Just to take the two groups you asked about specifically, in terms

1 of that is a gap, for black students versus white
2 students, of 24 points in the Class of 2005 and
3 for Hispanic students that was a gap from 37 to
4 64, which is 27 percent. If we look at the Class
5 of 2007, the performance for black students, the
6 graduation rate was 47.2 percent, for our
7 Hispanic students it was 43 percent and for our
8 white students it was 68.8 percent. It is a
9 small, small gain but it is the direction in
10 which we are going.
11

12 And for African American males, he asked
13 about that.

14 DR. LYLES: We do not have that
15 disaggregated here.

16 CHAIRWOMAN NOLAN: The Committee must
17 see that data. We must see that data. That is a
18 key heart of the matter question.

19 ASSEMBLYMAN JEFFRIES: It's my
20 understanding that, and you can confirm this with
21 your numbers, that for 2007 the graduation rate
22 for African American males was 32 percent. That
23 does not show racial progress. That is an
24 embarrassing number and something that needs to
25 be worked on.

1 DEPUTY MAYOR WALCOTT: We totally know it
2
3 is an embarrassing number. No argument with you
4 at all.

5 CHAIRWOMAN NOLAN: Mr. Colton and then
6 Mr. O'Donnell, Mr. Weprin, and Mr. Benedetto, and
7 then a break for the stenographer and for me.

8 ASSEMBLYMAN COLTON: Thank you. I happen
9 to see a newspaper article, March 15, 2009, which
10 was basically relating about a 14 year old
11 student who had been terrorized over a period of
12 time and she had a request for a safety transfer
13 denied and then finally it was given. And I
14 really don't want to go into the details of it
15 because specific details are unimportant. But
16 what it brought back to my mind was a similar
17 series of incidents that had happened in a high
18 school that I was involved in in my district
19 where the response of DOE seemed to present a
20 systemic concern, in terms of transparency, in
21 terms of dealing with an issue rather than almost
22 engaging in a public relations campaign. What
23 struck me most was that the very spokesperson for
24 the Department of Education in this particular
25 article was the same spokesperson who, back in

2 2004, had the curious quote in the exact same
3 newspaper that the school had gotten a bad rap
4 and that it was "quiet as a mouse". Later on
5 when a student and a dean fell through an
6 elevator shaft, obviously it became clear that
7 things had to be done.

8 The concern I have is, and this is what
9 we're struggling to do in terms of this whole
10 issue of school governance. There are many areas
11 where school governance has worked well. There
12 are positive results. But there are certain
13 clear signals that we are getting from parents,
14 from staff, and the community, concerns where
15 there's a systemic problem, and that is the
16 response of DOE to dealing with certain things.
17 It's the same response whether it's dealing with
18 school safety issues or special ed policies,
19 class size reduction policies or selection of new
20 schools, procurement policies. There's a certain
21 feeling that there's a lack of transparency and a
22 lack of any real ability to be heard by parents,
23 by community, by staff.

24 Do you have any suggestions? I don't
25 know whether you perceive this problem or not but

1 I sure perceive it. I'm being constantly given
2 this same message over and over again by all of
3 the school components. If it walks like a duck,
4 if it talks like a duck.

5
6 Do you have any suggestions as to how
7 this specific concern that's been perceived might
8 be addressed?

9 CHAIRWOMAN NOLAN: And while you're
10 answering that as succinctly as possible - and
11 then Assemblyman O'Donnell is ready - a group of
12 young people from Hill Crest High School, who
13 have been at several of the hearings, they've
14 monitored them, they have not had the opportunity
15 to testify. My deepest apologies to them for
16 that. I'm going to take a minute to meet with
17 them while you succinctly answer Mr. Colton's
18 question. And then Mr. O'Donnell, go.

19 DEPUTY CHANCELLOR CERF: Assemblyman I'm
20 going to take a first shot at that. Let me start
21 by fundamentally agreeing with you on I think
22 your major premises, which is that there is a
23 need to improve our engagement both with parents,
24 with the community, as well as with legislators;
25 we acknowledge that. I don't believe you were at

1 the prior hearing. We have never come before
2 this body and said anything other than that this
3 statute is not a sacred writ and we need to work
4 collaboratively with you and with others to
5 improve on it. Now, we probably have some basic
6 disagreements on some facts, but I think we share
7 the same objective. We certainly agree that
8 finding enhanced and better ways to help folks
9 navigate what is, in the end, a \$20 billion
10 system serving 1.1 million students and 78,000
11 teachers, we have to find ways to help them
12 navigate it better, to make the system more
13 transparent, and, in addition, to help you all
14 answer the legitimate concerns that come your way
15 as legislators.
16

17 Now, I will tell you that to a degree
18 there is a perception gap, and I don't want to
19 complete my answer without saying that. If you
20 look at the tens of thousands of parent issues
21 that are satisfactorily and quickly addressed
22 through various systems, if you look at the
23 thousands of meetings, of trainings, of
24 engagements, if you look at almost every metric
25 of satisfaction in an aggregate sense, you

1 probably get a very different picture than you
2 might from the particular issues, which come in
3 large numbers, I certainly grant you that.
4

5 In terms of specific things that we could
6 do better, I will tell you that one of the
7 wonderful things about hearings like this is
8 interesting ideas have been developed. I would
9 love to find a way, for example - I want to put
10 to bed the issue of data. I think these data -
11 it's easy to say these are great data but I don't
12 believe them. But I will tell you I want to put
13 that to bed. I will tell you I do believe in
14 this data and I would be thrilled to have an
15 independent body looking at these student
16 achievement numbers and validating them or
17 offering their own opinion. I would be thrilled
18 to get this out of the realm of rhetoric and
19 newspaper coverage.

20 In the realm of parent engagement, I
21 would be thrilled, if together we could develop
22 ways to get information to folks, to give them an
23 opportunity to be involved in important
24 decisions, to have their input heard, and I think
25 there are ways we could do that differently

1 through the CEC and through other ways. And I'll
2 be glad to talk at length about those ideas on
3 any occasion you would like.
4

5 Thank you.

6 ASSEMBLYMAN O'DONNELL: Mr. Nadelstern,
7 you brought up the issue of letter grades for
8 schools, and I just want to let you know that
9 your letter grades are for cocta. There is not a
10 single person in my constituency that would rely
11 on those letter grades to make a decision as to
12 where their kid would go to school. And so I
13 don't have children in the schools, but I have to
14 tell you that I have a family member who is going
15 to the schools in September and so I am regularly
16 in conversation with my sister-in-law and
17 brother-in-law and their very myriad of friends
18 and not a single one of them would use those
19 letter grades. So I don't want to get into a
20 fight about how you made them or whether or not
21 they're good or they're not good. But as a tool
22 for parents they're not succeeding. And the
23 reason partially that is is that all those
24 lawyers, straight-A people running around, this
25 is probably the way they want things to be, but

1 that's not really helping those families make
2 these decisions.

3
4 Yes, I know you spent a lot of energy and
5 money to make those letter grades, but those
6 letter grades are not being utilized and not
7 being relied upon because people don't believe
8 that they are accurate. And let me just say I
9 know the schools in my district. I go to them.
10 I know the principals. I go to their
11 fundraisers. I'm going to one tomorrow night for
12 a school. The letter grades in my district do
13 not match the school's competence and ability.
14 And if I were a parent I would not send my kid,
15 if I had a choice, to a school that you gave an
16 A, I would probably send it to the school that
17 maybe didn't even get a B and that's because I'm
18 in them. I wanted to let you know that.

19 MR. NADELSTERN: Okay. So just
20 understand this about the letter grade -

21 CHAIRWOMAN NOLAN: Do you maybe let Dr.
22 Liebman respond? He hasn't had the opportunity
23 to. It's helpful to us. That's another key
24 question on this whole system.

25 DR. LIEBMAN: Assemblyman O'Donnell, I

1 am in your district. I've met you many times at
2 110th and Broadway.

3
4 ASSEMBLYMAN O'DONNELL: We can't hear
5 you, sir.

6 DR. LIEBMAN: I said, Assemblyman
7 O'Donnell, I am one of your constituents. I met
8 you frequently at the subway stop at 110th and
9 Broadway. It's good to see you again.

10 There are many, many parents around the
11 City; we know this because we talk to them every
12 day. We've gone through the middle school
13 selection process, the high school selection
14 process. We have a tool in which they can look
15 up any school in the City and identify the grades
16 for those schools, and we've sat with them many,
17 many times. They do use them, to very good
18 effect. The principals tell us that they use
19 them.

20 This spring we are going to provide a
21 tool that every single parent will have at their
22 fingertips either in their home, at a home
23 computer or in all of the libraries around the
24 City that will enable them to use those even
25 more. We'll explain exactly what it's all about.

1 It will enable any parent to look at whatever
2 criteria they're interested in, whether it's the
3 satisfaction rates of other parents, whether it's
4 the scores of parents at those schools, whether
5 it's the progress that students make, and we're
6 providing many more tools for parents to use,
7 including the quality reviews and the qualitative
8 judgment that's been made by educators.
9

10 Just to answer your specific question, I
11 have brought two children up through the entire
12 school system; one of them's in high school about
13 to graduate, another's in middle school in your
14 district. All of the people that I talk to every
15 day are using many of the tools that we provide,
16 and asking for more data, which we are very hard
17 at work to be able to them to make these
18 decisions.

19 ASSEMBLYMAN O'DONNELL: Mr. Liebman, I'm
20 not suggesting to you that parents are using your
21 data; I'm suggesting to you that the letter grade
22 system doesn't work the way in which it was
23 presented by Mr. Nadelstern and perhaps some day
24 when you and I are at stairway together, we can
25 see what it is that people say to us about the

educational system.

Dr. Lyles, if I may. You had all these statistics up to 2007, and I'm curious to know why in April of 2009 the 2008 graduation rates wouldn't be available by now. It would seem to me that since they graduate in June, maybe September, maybe October that you would know. By now why is that not incorporated into your testimony?

DR. LYLES: We would, like you, love to see the rates out as soon as possible. We actually follow the state guidance. We submit all of our students' results to the State Education Department, who is processing our graduation rates now. We expect to see the Class of 2008, or the state will call it the 2004 cohort, in the next few weeks. The State, New York State Education Department.

ASSEMBLYMAN O'DONNELL: Dr. Lyles, you made a reference to have fewer schools under reviews or sir schools and that's because you closed them, right? That's the best way - I agree that if a school is failing and it's not working that you should do it. It's hardly

1 something to be proud of to say that a school
2 that you were running is failing and so you
3 closed it and now you have fewer of them. It
4 seems somewhat circular to me.

6 DR. LYLES: We certainly have closed many
7 failing schools. We have not kept them open.
8 However, by the same token, the number of schools
9 identified - those that are open are greatly
10 reduced. It's not - the numbers do not match in
11 terms of the numbers that we closed versus the
12 number of schools that would have been eligible
13 for CERF.

14 ASSEMBLYMAN O'DONNELL: Ms. Guereier can
15 I ask you a question? I'll start with a
16 statement.

17 This is a hearing. This is a hearing
18 because the outcome is unknown. That's what a
19 definition of a hearing is. And my experience
20 with your "hearings" is you come into my
21 community to tell my community what you have
22 already decided to do. Maybe it's just a little
23 word what you call it, but that's not a hearing
24 to me; that's a decision making that happens
25 outside of community. You come in and say this

1 is what we're going to do.

2
3 The question for us and the entire
4 Assembly at the end of this hearing process,
5 which is thankfully coming to an end, is whether
6 or not we should or should not re-up mayoral
7 control of schools. And I can assure you that my
8 opinion has changed a lot in these hearings, and
9 I know my colleagues' opinions have changed a lot
10 in the hearings. Do you understand what that
11 definition is and are you testifying here today
12 that you actually conduct hearings where you
13 notify the community, come into the community and
14 say what do you think we should do about this
15 closing school?

16 CHAIRWOMAN NOLAN: Please. Please. I
17 know it's been a little arduous, I apologize for
18 that. Please, a quick answer, and then, please,
19 Assemblyman O'Donnell, a final question.

20 ASSEMBLYMAN O'DONNELL: I have one more.

21 DEPUTY MAYOR WALCOTT: Quick answer to
22 the question is that we do hearings all the time
23 around a variety of different policies, such as
24 gifted and talented, so we are always in the
25 community and meeting with the community around

2 both fair student funding and so on, a variety of
3 policies that we do hearings and change what we
4 are doing, as well. In all honestly,
5 Assemblyman, we do go out on a regular basis,
6 whether through our Teaching and Learning
7 Division or a variety of the different divisions
8 in the Department of Education.

9 ASSEMBLYMAN O'DONNELL: As you know, Mr.
10 Walcott, that's not my experience.

11 My last question -

12 DEPUTY MAYOR WALCOTT: And we'd love to
13 improve on that. And I've said this in the past
14 to you before, we are always looking to improve
15 what we do. And as a result of this process -

16 CHAIRWOMAN NOLAN: Hopefully the
17 legislation is going to - hopefully as we move
18 forward it will help.

19 DEPUTY MAYOR WALCOTT: We look forward to
20 that.

21 CHAIRWOMAN NOLAN: Assemblyman
22 O'Donnell's final question and then Assemblyman
23 Weprin and Assemblyman Benedetto.

24

25 ASSEMBLYMAN O'DONNELL: State law in 2005

1 required the DOE to set up a functioning audit
2 committee. As previously stated by Mr. Cerf,
3 it's a \$20 billion industry. And so my question
4 for you is whether or not you have done that and
5 if you have done that how's it working, who's on
6 it, where could we get what they have to say?
7 And if you haven't done that, it would be really
8 difficult for me to say that I should reauthorize
9 mayoral control if, when we gave you mayoral
10 control and gave you limitations and gave you
11 laws you seem to choose to ignore the ones that
12 you don't like.

14 DEPUTY CHANCELLOR CERF: First of all, I
15 categorically disagree with the assertion that we
16 have ignored any laws. And I would tell you more
17 broadly to that that the level of oversight and
18 regulation is very consistent with the value of
19 checks and balances which we endorse. And let me
20 mention a couple of things because perhaps they
21 haven't been said to date.

22 You were talking a little bit about the
23 graduation rates and why the graduation rates are
24 not out. They are not out because they're not
25 official until the state has approved them. When

1 people say things are being made up, well, in
2 fact these things are heavily, heavily, heavily
3 reviewed. The City Council has the power of the
4 purse and approves our budget and calls us in on
5 a regular basis for hearings. The federal
6 authorities have a tremendous amount of oversight
7 - how we spend our Title 1 dollars, in
8 particular. The State's SED has a tremendous
9 amount of oversight and, indeed, the people have
10 a tremendous amount of oversight, through all
11 manner of interventions, oversight and
12 activities. It's easy to simply assert that sort
13 of thing. I actually disagree with the facts in
14 the premise.

15
16 And since we are here to talk about
17 student achievement, Madam Chairwoman, I would
18 appreciate an opportunity to at least respond to
19 some of the points that were made before, either
20 now or at your pleasure.

21 ASSEMBLYMAN O'DONNELL: I'm terribly
22 sorry. Can you just answer my question?

23 DEPUTY CHANCELLOR WALCOTT: I did.

24 ASSEMBLYMAN O'DONNELL: No you didn't.
25 State law required you to set up an audit

1 committee. Have you or have you not set up an
2 audit committee? It's a yes or no answer, Mr.
3 Cerf. Have you or have you not?
4

5 DEPUTY CHANCELLOR CERF: I will have to
6 review the state law.

7 CHAIRWOMAN NOLAN: Woe. Woe. Woe.
8 Please. Please. Please. Just relax everybody.

9 Just relax. I'm going to stay as long as it
10 takes. Someone else is picking up my son, a
11 friend of mine. It's all going very well. Let's
12 just relax. Thank you, Assemblyman O'Donnell.
13 Assemblyman Weprin - I would be very happy, what
14 might work the best, the answer to the question
15 about the audit committee is you don't have that
16 information.

17 DEPUTY CHANCELLOR CERF: I do not have
18 that information.

19 CHAIRWOMAN NOLAN: Now I'd like to let
20 Assemblyman Weprin and Assemblyman Benedetto get
21 their questions out there. Perhaps you, as the
22 Deputy Chancellor, would like to then do a final
23 summation. We cannot - we must wrap up, okay.

24 Assemblyman Weprin, Assemblyman
25 Benedetto. As a cleanup, Mike, I thank you. And

1 then Deputy Chancellor to summarize from there.

2 ASSEMBLYMAN WEPRIN: Thank you,
3 Chairwoman Nolan. I will try to be brief. Just
4 give me a few seconds here. Let me just - first
5 a statement.
6

7 I know sometimes we're easy to demonize
8 in the Legislature. Editorial boards always
9 blast us. But honestly, I'm a legislator from
10 Queens. I'm a parent of two public school
11 students, and I swear to you I want nothing
12 better than to have the schools succeed. I like
13 the mayor very much, actually. The deputy mayor,
14 my neighbor, I like an extreme amount. I have no
15 agenda. I honestly don't have an agenda here.
16 I'm just trying to represent the people who elect
17 me. I speak to my principals, my teachers, my
18 parents all the time, and they don't feel
19 connected to the system as it is now. They feel
20 an incredible disconnect between their students
21 and a central department of education. They just
22 do.

23 Talking to my legislative colleagues over
24 the last few months - and this is the last of
25 these hearings, the next three months is going to

1 Public Hearing on Governance - 3-20-09
2 be a bit of a dance as we meet with the mayor's
3 office, the Senate, the governor and the Assembly
4 and listen to our constituents over the next few
5 months.

6 The question in my mind is no longer if
7 we're going to make any changes to the law, it's
8 going to be what changes are we going to make? I
9 maybe sitting out of turn because I'm only one of
10 211 legislators and I see Cathy looking at me.
11 But I can't obviously make that statement for
12 sure, but if I had to bet, we're making changes
13 to this law. And the three areas that seem to be
14 the most common from my legislators - again, I'm
15 just trying to sum up where we are at this point
16 - community empowerment, parental input, and an
17 independent check and balances on both budget,
18 and those famous words, input and data, those two
19 things that help to create the products we talked
20 about before, which are known as children. I
21 don't want to be smug; that's why I love going
22 after Danny, because it always makes me look less
23 smug.

24 The issue -

25 CHAIRWOMAN NOLAN: Please get to the

question.

ASSEMBLYMAN WEPRIN: I will. The question I have is the issue that I have talked about a lot, and I hate to bring it up but I have Mr. Nadelstern and Mr. Liebman here. Danny mentioned the progress reports. What is the Department of Education's rules on how much test prep there's supposed to be in the classrooms? Is there like a set guideline or is the school allowed to do as much or as little as they want?

MR. NADELSTERN: We don't encourage schools to do test prep. We encourage schools to teach elementary school, to teach students how to read and compute.

ASSEMBLYMAN WEPRIN: Do you discourage test prep?

MR. NADELSTERN: We encourage them to assess students as frequently as possible, as to make that instruction around literacy, around the content subjects as effective as possible.

ASSEMBLYMAN WEPRIN: Do you discourage test prep? I'm not trying to be cute here. There's an incredible amount of test prep going on, you know that, right?

MR. LIEBMAN: Can I answer the question?

We take a survey every year of parents in the City, and every single parent in the City gets a survey. We get 800,000 responses back. One out of every ten people in the City over the age of 12 that you see on the streets has submitted one of those surveys. It's the largest survey in the country other than the United States Census itself.

The public of the City of New York, as measured by what the parents say, tell us about 11 to 1 that we do too little preparation of their children for tests. Wait. Let me just give you the facts. The public of the City of New York who have been asked that question, about one percent of the respondents tell us that they think there is too much test prep and about 11 percent say there is too little preparation for tests.

ASSEMBLYMAN WEPRIN: That's unbelievably ridiculous. And I'd love to meet you at that fairway and sit there and ask people. Not only has it been overwhelming, I haven't found the one parent who thinks we're not doing too much test

1 prep. But let me just stop. You guys are either
2 in denial or you're trying to pretend to be in
3 denial. I'm not even saying it as I'm trying to
4 get to the bottom of this. I thought it was just
5 a given you knew how much test prep was going on.

6 But I'm not talking about days, weeks, we're
7 talking about months of test prep. And it's done
8 with Stanley Kaplan packets. The kids are
9 getting Stanley Kaplan packets home over
10 Christmas break, you know this I assume. They're
11 not learning how to read or learning how to do
12 math, they're learning how to get the right
13 answer. You're telling me you don't know that?

14 DEPUTY CHANCELLOR CERF: I'd like a
15 chance to address the question.

16 ASSEMBLYMAN WEPRIN: Please, Mr. Cerf.

17 DEPUTY CHANCELLOR CERF: I think it's
18 very important to be sure that you and I are
19 speaking about the same - using the word in the
20 same way. There is no question that you will
21 never find a serious educator who will say that
22 merely teaching children how to take a test is a
23 sufficient form of education or, indeed, a
24 defensible form of education. The problem with
25

1 lumping everything that you may be hearing under
2 the heading test prep is, frankly, unfair to the
3 question, and let me tell you what I mean by
4 that.
5

6 In my era, as they talked about at the
7 last hearing, we were always evaluated as to
8 whether we had learned what we were supposed to
9 learn. And when we were taught what we were
10 supposed to learn and then assessed on that,
11 nobody called that test prep, people called that
12 school.

13 Secondly, so to the extent people are
14 being taught the content and then assessed on
15 whether they've mastered that content, by the
16 milestone ages, that is not test prep.

17 Secondly, if I may, secondarily, we do
18 a great deal of assessment that is not high
19 stakes, that is merely intended to evaluate where
20 a student is at any given point in time, called
21 formative assessments, for example. You may lump
22 those into the heavy test prep. Our teachers
23 tell us that they are hugely valuable to
24 understand where children are in real time so
25 they can adjust their instruction to improve

1 them.

2
3 And lastly, in the early 1990's there was
4 a movement, which you are very well aware of,
5 called the Standards Movement. Standards means
6 that as a matter of policy folks like you and
7 people you appoint determine what information,
8 skills, body of certain knowledge children should
9 have at particular ages. You cannot have - and,
10 by the way, that was thought - universally
11 accepted as improvement over, essentially, the
12 educational anarchy that existed before that
13 disproportionately get children of color and poor
14 children, where different expectations were
15 literally imposed knowingly across the system.

16 You cannot have standards based education
17 without assessment. You can't have it.

18 ASSEMBLYMAN WEPRIN: I have no problem
19 with assessments. And I'm sorry to cut you off,
20 but you're on my time a little bit here because I
21 know Cathy wants to move on.

22 I took standardized tests too, and they
23 wanted to assess where I was. The problem is
24 we're not assessing where those children are any
25 more, we're assessing where the teachers are and

1 the buildings are and that is the problem.
2 That's the problem. Teachers are teaching - you
3 know what? The teachers have been taught at
4 Columbia Teacher's College that if a kid runs out
5 of time he should check C for all the boxes
6 because that's the answer that's most likely to
7 be correct. Why do I care if a nine year old
8 gets a correct answer or not if he doesn't know
9 the information? I don't care but the teachers
10 care and the principals care and you care because
11 that's what makes you look good, and that's
12 what's frustrating about this.

14 The problem with this system is that the
15 higher the test scores are the better it is.
16 What are you doing about monitoring teachers who
17 are proctoring these exams? Is there any rule or
18 any effort to try to stop teachers who proctor
19 these exams from maybe helping the kids get the
20 right answer?

21 DR. LYLES: I just need to make a
22 response about the test prep. I'm sorry, but I,
23 quite frankly, attended high school decades and
24 decades ago. And when I was in high school and
25 as we prepared for Regents exams we used the

1 Amsco book and our teachers regularly had us
2 filling out those papers. I'm not saying that's
3 a best practice, but I want to say the idea of
4 preparing students to do well on exams is not a
5 new phenomenon.
6

7 ASSEMBLYMAN WEPRIN: But I'm talking
8 about eight year olds, nine, ten year olds, and
9 now maybe five and six year olds. We're not
10 talking about helping the students, we're talking
11 - because it has to help the school. And that's
12 the distinction here. And the fact that they're
13 trying to build up test scores falsely - and I
14 think the scores are not meaningful and I'm just
15 the opposite of Mr. O'Donnell, who, I think
16 people are using those report cards when 85
17 percent of those grades are based on whether a
18 score went up from one year to the next. And
19 those grade surveys you talked about, Mr.
20 Liebman, are less than - it's only 15 percent of
21 the survey, everything I care about in a schools
22 - safety, art, science, teachers, curriculum and
23 how people feel about the school, that's stuff
24 not being cared about. You may be doing surveys,
25 but you're wasting your money because that's not

1 being used.

2 DEPUTY CHANCELLOR WALCOTT: I think we've
3
4 already established the fact -

5 CHAIRWOMAN NOLAN: I apologize.

6 DEPUTY CHANCELLOR WALCOTT: I have an
7
8 answer to the last question as well.

9 CHAIRWOMAN NOLAN: Mr. Benedetto.

10 DEPUTY CHANCELLOR WALCOTT: We are in
11
12 compliance with the law around having an audit to
13 general in place. I just wanted to get back to
14 the Assemblyman. And we can give you all the
15 facts and information around that.

16 CHAIRWOMAN NOLAN: And what we want,
17
18 Dennis, we've had this issue before Deputy Mayor.
19 You're getting back to the Committee, and the
20 Committee will share the information with
21 everybody.

22 DEPUTY CHANCELLOR WALCOTT: I am so sorry
23
24 to say it that way. My apologies.

25 CHAIRWOMAN NOLAN: That's one of the
26
27 many sort of procedural things that we've
28 struggled with for six years. We are going to
29 share all the information with all the members.

30 Mr. Benedetto, batting, you know, home

1 run in the ninth here. Mr. Benedetto will finish
2 up. And I want to apologize to our stenographer.

3
4 Mr. Benedetto. And the hearing is not
5 over, by any means. We have dozens and dozens of
6 people. But we will be taking a short break
7 after Mr. Benedetto finishes and then we'd like
8 to have a quick summation from the DOE. Mr.
9 Benedetto, thank you.

10 ASSEMBLYMAN BENEDETTO: My question's on
11 the process, and I'll direct it to anybody who
12 could answer it. On putting a school, a charter
13 school or just a new school, within an existing
14 school, okay, and the process of reaching out for
15 community input, reaching out to the school to
16 see if there will be disturbance or non-
17 disturbance in the school setup. Can somebody
18 just comment on that process?

19 MR. NADELSTERN: Yes I can. When we
20 started the process of identifying and closing
21 large failed schools -

22 ASSEMBLYMAN BENEDETTO: I'm not talking
23 about closing, I'm talking about placing a school
24 within the schools.

25 MR. NADELSTERN: I understand. I'm just

1 providing you with a little context.

2 ASSEMBLYMAN BENEDETTO: I'm sorry.

3 MR. NADELSTERN: It became necessary to
4 understand, from our perspective, that the
5 creation of new schools doesn't necessarily
6 involve building a new school building because
7 the costs would be prohibitive. And so we've
8 surveyed all of our school buildings in New York
9 to figure out where the space is. And as we have
10 closed schools and replaced them with new
11 schools, we've had to identify where that space
12 is within schools and have found buildings that
13 were underutilized where we thought we could
14 legitimately place another school to better serve
15 the needs of the kids in that community and, of
16 course, this City.

17 ASSEMBLYMAN BENEDETTO: And what happens
18 after that? So I've got School A over here,
19 which is a brand new charter school, and School B
20 has space, we just put it there? Do we reach out
21 to the community? What is that process?

22 MR. NADELSTERN: Through our portfolio
23 office there is outreach to the school
24 leadership, there is outreach to the Parents
25

1 Association, there is outreach to the community.

2 We don't just put a school in a building. We
3 work with the existing school administration and
4 school community to make the assimilation of the
5 new school as soon as possible.
6

7 We also then work with both principals
8 and, in the case of multiple principals, around
9 creating a building council so that they learn to
10 work together, share resources and share the
11 space most effectively.

12 ASSEMBLYMAN BENEDETTO: Under the best of
13 all possible worlds, what would be the timeframe
14 from beginning to end of this process?

15 MR. NADELSTERN: It varies. The new
16 school process is generally on the twelfth month
17 basis. However, we don't approve new schools
18 until the middle of the year so we generally have
19 the spring semester and the summer to create the
20 opportunity for the new school to move into that
21 building effectively.

22 ASSEMBLYMAN BENEDETTO: And then, let me
23 just conclude on this because no I talk
24 personally. My old school, my old school which
25 is a great school, it's a model of everything

1 that you want mayoral control to produce, a
2 school that is considered one of the best grammar
3 schools now in the Bronx, outstanding
4 administration, a principal that has gone through
5 your academy, your principals academy, bright,
6 intelligent, hard working. We found out by
7 accident, by the way, that a charter school is
8 slated for there come September. Let me tell you
9 the accident. The lady in charge of the charter
10 school emails me. She did the nice thing, she
11 was courteous and let me know. That's how we
12 first found out about it and began to make
13 inquiries into this whole system. Nothing had
14 come out. The community didn't know. The
15 community found out when it kind of got loose in
16 the newspapers about this. Supposedly next
17 month, April, tomorrow, they're going to have a
18 lottery for the school.

19
20 We talk about engagement, but is this the
21 engagement you want, sir?

22 CHAIRWOMAN NOLAN: Eric, just one
23 second. That's a question for the Deputy Mayor.
24 Do you understand - I know we've gone way long.
25 Assemblyman Benedetto has said we found out

1 about this through an email that was a courtesy.

2 You have represented that there was a process.

3 That, again, when we talk about heart of the

4 matter questions for mayoral control, Mr.

5 O'Donnell's question, to about the hearing, what

6 is a hearing, Mr. Jeffries' question about the

7 data, all these questions, that is a key.

8 Assemblyman Millman talked about credit - all

9 these issues that we just spent three hours

10 talking about, that's a heart of the matter

11 question.

12
13 Dennis, you're the deputy mayor. How

14 could that happen?

15 DEPUTY MAYOR WALCOTT: The only reason

16 stayed silent is because we addressed this at the

17 last hearing last Friday where I think I talked

18 to the Assemblyman and we talked about the -

19 CHAIRWOMAN NOLAN: There are probably

20 five more examples. The system is -

21 DEPUTY MAYOR WALCOTT: It's not to

22 minimize that we still need to do a better job.

23 We are really working actively around engagement.

24 The Assemblyman will say that he and I spoke

25 about this issue I guess around a month ago or

1 so.

2
3 ASSEMBLYMAN BENEDETTO: I think it was
4 more like two weeks ago.

5 DEPUTY MAYOR WALCOTT: I think it was a
6 month. We are actively engaged in making sure we
7 are addressing this issue. The decision has not
8 been finalized at all. And we will continue to
9 work with the Assemblyman around this particular
10 school.

11 And the one thing I always try to say to
12 you and all the Assembly members here is that
13 when we do have a breakdown in communication and
14 you reach out to me and we try to address those
15 issues - by the way, it is a big system and a lot
16 of times, Assemblywoman, unfortunately those
17 issues where we do not do a good job, whatever
18 the issue may be, is the one played out. And all
19 the issues where we're doing really outstanding
20 jobs of engagement around whether it's new
21 schools or other issues are not the ones that are
22 brought to attention. And so we will always be
23 responsive to your needs to make sure we improve
24 our engagement.

25 MR. NADELSTERN: I want to also just

1 clarify as briefly as I can that the process I
2 described was the new school's process that the
3 state charters schools throughout the year, and
4 so they're not on the same timetable and so it's
5 conceivable that there was a time lag. But as
6 the Deputy Mayor just pointed out, as soon as the
7 department became aware of it we looked into the
8 matter and no final decision's been made in that
9 case.
10

11 ASSEMBLYMAN BENEDETTO: My call, Dennis,
12 I believe it was about two weeks ago, which is
13 the beginning of March and again, was mentioned
14 by your own DOE people that the lottery is going
15 to be held in April. Beginning to end, six
16 weeks, wow, what a blow.

17 DEPUTY MAYOR WALCOTT: And I need to be
18 careful with my answer because the lottery,
19 itself, doesn't necessarily mean the location of
20 where that school will be located, and we need to
21 be conscious of that. So when you talk about the
22 lottery being held, we have a requirement with
23 charter schools to hold the lottery, but we can
24 still work on the location of certain schools,
25 and this school in particular. I think what I

1 committed to you when we spoke is that we'll be
2 very active with your office as far as the issues
3 connected with 160X.
4

5 ASSEMBLYMAN BENEDETTO: Dennis, let me
6 say for the record, you have been wonderfully
7 responsive since I have brought this to your
8 attention and your staff has been wonderfully
9 responsive. But, of course understand my point,
10 six weeks for community from beginning to end,
11 wow.

12 DEPUTY MAYOR WALCOTT: And we respect
13 that.

14 CHAIRWOMAN NOLAN: I want to thank Mr.
15 Benedetto. I think his point is even larger than
16 this specific instance. There should be a
17 protocol, there should be a policy.

18 I want to take the liberty as Chair of
19 the Committee, I could have questions for each of
20 you, and it's unfortunate, as I have said several
21 times over the course of these hearings, that as
22 Chair of the Committee for three years I have had
23 not had that opportunity to question all of you.

24 I would like to perhaps at another time arrange
25 an opportunity to do so. As Chair I have tried

1 to let my colleagues have that opportunity.

2 We've been joined, for example, by a
3 great new member of the Assembly with a long
4 career in education, Assemblywoman Inez Barron.
5 I'm going to bring my husband to the next hearing
6 too. I think that's a good idea. Do you have a
7 quick question? I know she's going to have a
8 question. She, obviously, missed most of it.
9 I'm going to give her that, and then I want to
10 say one final word and then this poor man, we
11 have to have a break.

12 ASSEMBLYWOMAN BARRON: Thank you. I
13 apologize for being late. I was at a Higher
14 Education Committee meeting hearing.

15 CHAIRWOMAN NOLAN: There's a lot of
16 back-and-forth and we know that.

17 ASSEMBLYWOMAN BARON: I'm sure there's
18 been a lot of discussion and I don't want to
19 duplicate what may have been said. I just have
20 on quick question. In my school - and I want to
21 recognize Dr. Marcia Lyles for full disclosure.
22 She was my superintendent when I was in
23 elementary school and she did an excellent job,
24 excellent job.

1 I just wanted to say I question how it is
2 that a school that was at one point years ago on
3 a list and has been climbing steadily and then
4 through the report card process received a C and
5 then dropped to a D is considered to be a school
6 now that needs to be closed. Why wouldn't there
7 be an attention to recognize a work that had been
8 done and to put the necessary resources into that
9 school? I wonder if, in fact, it isn't an
10 attempt to now take this possibly failing school
11 for the future and put it off the table, not have
12 it considered in terms of the data of what it is
13 that will determine how progress will be made,
14 and then for three years not have to report on
15 any of that student population because those same
16 students stayed there. So I would just like to
17 know how that kind of determination is made, and
18 why that's a school in good standing with the
19 state which, as we know, is the "higher
20 authority' but the mayor chooses to close the
21 school.

22 DR. LYLES: I'll start, Assemblywoman
23 Barron. And in full disclosure, you were an
24 excellent principal. I appointed you, I loved
25

1 you, and I was sorry when you retired.

2
3 First of all, I think there are a couple
4 of things and you know just as in District 16,
5 part of the question is how long do we accept
6 failure and how long - and even when a school is
7 identified and begins to creep forward. It goes
8 to the statement I made about needing to
9 accelerate that learning for students, and that's
10 the primary driver around that. Even when a
11 school makes the necessary gains or it starts to
12 creep, it still may be that the students are
13 achieving at such a poor rate that it is
14 determined that this is no longer, for various
15 reasons, whether or not parents are just
16 scrambling to get out of the school, whether or
17 not the populations have shifted such that the
18 declining population or it's a concentration of
19 students where the school does not seem to be
20 able to meet their needs, there are a number of
21 factors. Even though it may look as though from
22 the state's perspective that it is, indeed, maybe
23 not in good standing but it is making
24 improvement, we have to make that decision based
25 upon how other schools of similar populations are

1 performing and whether or not we can give those
2 students who are in those schools a better
3 opportunity to excel.
4

5 ASSEMBLYWOMAN BARRON: Thank you. I
6 just want to say that those same students are now
7 still in the system and still making progress or
8 lack thereof, yet their data is not being
9 included and I have problems with that.

10 MR. LIEBMAN: We actually track the
11 performance of the students in all schools,
12 including schools that are closing. That data's
13 public and it is tracked and it is part of our
14 performance report that is given to that school.

15 I think that Jennifer earlier pointed out -

16 ASSEMBLYWOMAN BARRON: How is it tracked
17 if that school no longer exists?

18 MR. LIEBMAN: Well, we have the ability
19 to track where -

20 ASSEMBLYWOMAN BARRON: You have the
21 ability, but I don't -

22 MR. LIEBMAN: We do. We actually do
23 track the performance of those kids in their new
24 schools and we are able to track them wherever
25 they've gone in the system. We continue - no

students are left out of the evaluation system.

All students are -

ASSEMBLYWOMAN BARRON: I don't know that that's accurate and will check into that. My understanding is that those students are no longer included in the assessment. And if, in fact, that one school is now three schools, I don't know how you have the ability to talk about growth or lack thereof.

MR. LIEBMAN: We actually track students longitudinally wherever they go.

ASSEMBLYWOMAN BARRON: Right. But in terms of identifying a school and its' progress and reporting process -

MR. LIEBMAN: We do that actually, for example, all of our fifth graders go on to middle schools. We actually trace their progress in their sixth grade at a different school -

ASSEMBLYWOMAN BARRON: I understand.

MR. LIEBMAN: and that outcome is actually reflected back on the progress report of their elementary school because that's partly - the result there is partly the result of activities that took place in the fifth grade at

1 the earlier school. If a child moves from one
2 school to the other, we actually do the same
3 thing and their performance in the first year is
4 actually reflected back to the school that they
5 moved from. So it's longitudinal and all kid are
6 tracked, and we don't leave any students out.

8 ASSEMBLYWOMAN BARRON: I still say that
9 that school should have been given assistance and
10 should have been given notice and they should
11 have been invited to participate in identifying
12 how it could improve.

13 CHAIRWOMAN NOLAN: Thank you. Now, I'm
14 going to take the prerogative of being the chair
15 and say that we'd like to say some follow-up at
16 another time. I'm also going to make two very
17 quick statements.

18 One is that at these hearings we have had
19 a consistent pattern where if we ask a parent who
20 has a child in a charter school what's the class
21 size they say 26, 24, 25, 23, 22, and if we ask a
22 parent of a child in a regular public school they
23 say 34, 33, 36 - two kids had to share a desk for
24 five weeks until they sorted it out. We have a
25 report coming out of the Queens Community

1 newspapers that the number of discharges in the
2 high schools are up and that they're routinely
3 programmed for 38, 39 and by October they're down
4 a little because kids get discharged out so,
5 therefore, not in the graduation rate. These are
6 issues of great concern to me as it reflects on
7 class size. We can't have the development of a
8 two-tiered system where if you are lucky enough
9 to literally win the lottery you get into the
10 school with the resources and classes. It smacks
11 of triage. It's not something that we want to
12 see. That's one question or statement, not a
13 question.

14
15 The other statement I want to make as
16 chair of the committee is that I've had the
17 opportunity to fill out those surveys, and I
18 would say to you, a little anecdote and I
19 apologize.

20 When I was a young woman I was a lecture
21 at my church and I was the lecture for the 7:30
22 mass. It was the latest math in the Diocese of
23 Brooklyn. It was very inconvenient for the
24 pastor. I liked it, I was a teenage leader of
25 song, happy. The new pastor came. Frankly, he

1 wanted to get rid of the 7:30 mass. So he sent
2 out a survey to the parish and the survey said
3 would you rather have the mass be 5:30, 7:00 or
4 7:30. And it was my first introduction to the
5 cleverness of a survey because if you add it up
6 the seven and the 7:30's, it was 60, 70 percent.

7
8 But if you added up the 5:30, technically 5:30
9 won. It was clearly designed by adding in seven,
10 if it had been a head-to-head between 7:30 and
11 5:30, the old time would have won out. Those
12 surveys, in my opinion, create an opportunity for
13 you, as a parent, to say that you want more
14 testing. They don't, however, talk about the
15 arts and other areas. I've taken them. I've
16 seen them. I see how the question is laid out.

17 I have added a handwritten note on my two
18 surveys expressing my dismay at how they're
19 structured. I don't know if anyone reads it
20 because it's a company in Pennsylvania I think
21 that has the contract to process them. But I
22 want to pursue that with you at an additional
23 time. I'm not looking for a response. I'm just
24 telling you honestly how I feel about the
25 surveys.

1 I understand the Department has spent a
2 great deal of money and put a great deal of
3 resources in them. But I, personally, as a
4 parent do not feel that they were helpful to me.

5 My own personal view.

6 I want to say, more importantly than
7 that, this issues of a two-tier system, the
8 development of a two-tier system, by having the
9 resources and the after-school and the programs
10 in one small group - remember, in the end the
11 charters are only educating a handful of children
12 compared to the rest. Again, the publication of
13 these lotteries, I've said over and over again
14 that they have to be more widely publicized. But
15 all these issues are going to be issues for
16 another conversation.

17 I apologize. I'm going to end it there.

18 That's one of the parameters of being the chair.

19 Not as a criticism to any of you, but as a point
20 of further discussion and two concerns that I
21 have. On behalf of all the members who couldn't
22 be here today, we chatted with people, the
23 surveys and particularly the class size, the
24 growing disparity of a certain group that's lucky
25

2 enough to win the lottery and everybody else, I
3 think is a comment for discussion.

4 I want to thank you. We're going to take
5 a little break. I want to thank Eddie. I want
6 to thank all of you. I apologize to the
7 Councilman; be patient with us. And the dozens
8 and dozens of other witnesses, we will be here as
9 long as we need to be, and we'll have to have
10 people follow up some more.

11 (Whereupon, a break was taken.)

12 CHAIRWOMAN NOLAN: We want to thank New
13 York City Tech. We have two panels, and I would
14 like those panels to be ready and able. As the
15 panel is getting together and giving us all
16 another minute, the next panel will include Donna
17 Lieberman. I want to thank my colleagues who
18 have stayed with us, and some of them will be
19 back later in the afternoon or into the evening.
20 I want to acknowledge again that Assemblyman
21 Benedetto and Assemblyman O'Donnell have done all
22 five hearings with me. I really thank them for
23 their great work in that way. Assemblyman Weprin
24 has been with us I think for four out of the
25 five. We appreciate that. And we appreciate our

Brooklyn colleagues staying.

Councilman.

COUNCILMAN BARRON: Thank you very much, Madam Chair, for allowing me this moment. I just wanted to express that I do hope that the State Assembly, the ones who gave us mayoral control in the first place, I hope we rectify that and end it in 2009.

I think it's been a disaster. People have statistical wars that have taken place, and some will be throwing up signs saying keep mayoral control, and some will say end it, and some will say tweak it and reform it. It really has been a disaster in the sense that there's been several restructuring of the Department of Education and restructuring leads to instability.

Children need a stable environment, so do teachers, so do administrators. We see a war now going on between charter schools and public schools in our neighborhoods. This has been horrific.

I think the mayor is incrementally inching toward privatization of the public education system. And what he's doing is getting

1 our friends who have some charter schools that
2 some work, some don't work, and they put them in
3 schools, even the schools that are working still
4 have charter schools coming in.

5
6 In my neighborhood there's a school, PS
7 72 where they gave a principal one year to be in
8 the principalship. They didn't give her an
9 adequate library. They didn't give her a science
10 lab. She didn't get computers, after-school
11 program, none of those things that make education
12 work. They gave her a D and then said she
13 failed. Now they're phasing out our school and
14 what are they bringing in? Charter schools.

15 This is happening all over the City where charter
16 schools are being pitted against public education
17 and most of our children are in public education.

18 If the state and the city wants to do charter
19 schools, then give the funding and the capital to
20 go find some buildings to go put those schools in
21 and leave the public schools to public school
22 teachers, students and administrators.

23 I also want to say - and this is my own
24 personal bias - the mayor's clueless and so is
25 Chancellor Klein, so much so that they had to

1 waive - I think ya'll did it, someone in the
2 Department of Education in the State waived his
3 lack of credentials. I don't know if too many of
4 us can have our credentials waived and still get
5 the job, but he was able to do that because he
6 was a lawyer more than he was an educator. We
7 have a real problem. I want to do this real
8 quick, just to read my statement into the record.
9

10 But do end this misery for us. This
11 mayor control has to stop. The mayor is out of
12 control. He's out of control of our schools,
13 he's out of control of this City, and we hope it
14 ends. Just let me read this real quick and then
15 I'm finished.

16 In 2009, Mayor Bloomberg and Chancellor
17 Klein's control over the \$22 billion school
18 system, this money is what it's really about.
19 There's been so many non-bidding contracts that
20 the mayor has dolled out to companies and there
21 are private consultant groups that are getting
22 contracts. If there's anything that needs to be
23 investigated, the City Council and the state
24 needs to look more into these non-bidding
25 contracts over this \$22 billion system.

1 In 2009, Mayor Bloomberg and Chancellor
2 Klein's control over the \$22 billion education
3 system will end. It couldn't end soon enough.
4 No person should be given that kind of autocratic
5 and dictatorial power over the education of 1.1
6 children, of which over 80 percent are black and
7 Latino. The Mayor and the Chancellor are
8 clueless and inexperienced of what it takes to
9 educate our children.
10

11 The State Assembly must vote to end
12 mayoral control of the New York City School
13 System and empower parents, teachers,
14 administrators and "real educators" and local
15 leaders, not to go back to the old way of doing
16 things, but to come up with a new structure and a
17 new way of educating our children.

18 Don't believe Bloomberg's hype. Our
19 education system is not doing well. Don't be
20 fooled by test scores. The mayor and the
21 chancellor have turned education into a stressful
22 test-taking mill that has resulted in students
23 not receiving a well rounded education that
24 focuses on science, computers, technology,
25 cultural awareness, music, arts, sports, finance,

1 the green economy, economics, and leadership
2 development. These skills, along with reading
3 and math, are what will make our children
4 competitive in the 21st Century.

5
6 Since the mayor loves to play with
7 statistics, let's examine some of those.

8 According to their statistics, the
9 percentage of Black, Latino and White students
10 from grade 3 through 8 who are reading at or
11 above grade level, that's Level 3 and 4, is, as
12 follows: as of 2008, Black students, 52.9
13 percent; Latinos, 52.6 percent; and White
14 students 79 percent. As of 2007, as it pertains
15 to graduation rates, the states are, as follows:
16 Black students, 47.2 percent; Latino students 43
17 percent; and White students 68.9 percent. The
18 overall graduation rate of New York City students
19 is 52.2 percent as compared to 79.2 percent
20 graduation rate of statewide students.

21 The pressure the mayor and chancellor put
22 on principals to increase test scores has led to
23 teaching to the test and, in some cases,
24 downright cheating. It is obvious that there is
25 a disparity between Black and Latino students

1 versus White students. While the mayor and the
2 chancellor will brag that these results represent
3 increases in student test-taking performance, I
4 can assure you that our students are not
5 receiving a well-rounded education that's needed
6 to meet the challenges of the real world. The
7 mayor's pressure to increase test scores is
8 politically motivated to keep him in control of
9 our schools.
10

11 Since Mayor Bloomberg has been in control
12 of our schools, there have been countless school
13 closings, primarily in Black and Latino
14 neighborhoods, without the involvement and
15 consent of parents and local leadership. This is
16 being done so that charter schools and magnet
17 schools can occupy public school buildings.

18 Instead of closing schools, the mayor
19 should have provided these struggling schools
20 with the resources they needed to succeed. Many
21 schools were set up for failure. These schools
22 need fundamental tools like textbooks, adequate
23 libraries, computers, science labs, tutorial
24 service, after-school programs, just to name a
25 few.

1 In addition, under Mayor Bloomberg's
2 control, the Department of Education experienced
3 a decline in the hiring of African-American
4 teachers and an increase in the number of African
5 American and Latino teachers complaining about
6 being assigned to the racist rubber room, where
7 they sit all day pushing paperclips because in
8 many cases trumped up complaints were lodged
9 against them.
10

11 Under Bloomberg, we've had several
12 restructurings that have rendered chaos and
13 instability to an educational system. It was
14 Mayor Bloomberg who fought against our efforts to
15 reduce class size. Mayor Bloomberg and
16 Chancellor Klein's idea of one-size curriculum
17 fits all is pedagogically unfounded. We need a
18 unique, culturally diverse curriculum that meets
19 the needs of our diverse student population.
20 It's time for the state to rescue us from Mayor
21 Bloomberg and Chancellor Klein's control over the
22 education system.

23 Mayor Bloomberg wants to continue mayoral
24 control over the \$22 billion budget so that no-
25 bid contracts can be given to his business

1 cronies. Remember Snapple? He also gives
2 contracts to many not-for-profit - for-profit
3 companies to manage our schools.
4

5 Finally, there are great educators in New
6 York State who have a demonstrated history of
7 successfully educating our children, who are
8 basically being ignored by the mayor and the
9 chancellor. Black educators like Dr. Adelaide
10 Sanford, State Board of Regents Emeritus Dr.
11 Donald Smith, Educator; Dr. Sheila Evans-Tranum
12 (phonetic), Associate Commissioner of the New
13 York State Department of Education; Dr. Sam
14 Anderson and the Black New Yorkers for
15 Educational Excellence; Stan Killard (phonetic)
16 and Tilanna Killard (phonetic) of the Carter G.
17 Witson Cultural Literacy Project; and, of course,
18 Assemblywoman Inez Barron, an educator for over
19 36 years who served as a master teacher,
20 principal and assistant to the local
21 superintendent. These are a few that should be
22 consulted with in order to achieve education
23 excellence for our children.

24 Can we do better at educating our
25 children? Yes we can. Let's not reform it.

1 Let's not tweak it. Let's end mayoral control of
2 our schools before it's too late for our children
3 and our future. Thank you very much.

4 CHAIRWOMAN NOLAN: We want to move to
5 the people. But just very briefly to the
6 Councilman, I want to have the record known, I'm
7 so glad you mentioned it. We had tried to
8 arrange for Region Emeritus Sanford to be here
9 today. It was a mix up completely, frankly, on
10 the Committee's part. We certainly honor her
11 service. Actually I had reached out to her. I
12 wanted her here. It just got a little mixed up
13 in the scheduling. We arranged to have her come
14 talk to committee at another time.

15 We did ask Sheila Evans-Tranum to
16 testify, and the State Education Department was
17 reluctant to have her do that. Again, we've
18 arranged for an alternative opportunity to speak
19 with her. We recognize that we want to hear some
20 voices that have expertise.

21 We also, in the last few weeks, Region
22 Betty Roser attended the hearing in the Bronx.
23 I'm hopeful that Regent Lester Young will also
24 participate in something as we move forward.
25

1 Public Hearing on Governance - 3-20-09
2 These are key reasons for us key people that we
3 intend to speak to.

4 I also want to just remark, so it's not
5 at all at the Assembly's door, the governor and
6 the State Senate were part of the original
7 arrangement. I don't know who your state senator
8 is, but I hope that you'll be sharing those
9 concerns with them, as well

10 COUNCILMAN BARRON: You better believe
11 it.

12 CHAIRWOMAN NOLAN: We were hopeful that
13 they were going to participate with us, and they
14 wanted to do some things on their own which, of
15 course, they're welcomed to do. But we may call
16 you into service on that issue as we go forward.

17 COUNCILMAN BARRON: And I thank you very
18 much for - at least you had the wisdom to reach
19 out to those individuals, the mayor had not. And
20 I want to suggest that we go to a different kind
21 of structure. Dr. Esmeralda Simmons, a long time
22 ago, talked about us having - each borough having
23 its own Department of Education. This is a
24 massive system, \$22 billion, 1.1 children. It
25 would make more sense for each borough to have a

1 separate Department of Education. It's more
2
3 manageable and we know what's good for our
4 borough and good for the curriculum and schools.

5 I want to put that in.

6 CHAIRWOMAN NOLAN: That's a great point.

7 I remember that proposal. I know her work well.

8 I know her for many, many years. We will be
9 reaching out to her, as well.

10 I should just say to you as someone who's
11 a parent, not a profession educator like all the
12 great people you mentioned, they haven't reached
13 out to me either and this is the beginning of my
14 fourth session, really the third, we'll say,
15 chairing the committee. We have been unable,
16 until the deadline approached, to have all these
17 people testify or even to have a functioning
18 hearing with them. We're mindful of that.

19 COUNCILMAN BARRON: You really should
20 vote against them. They didn't reach out to you?

21 Oh, you should get them for that.

22 CHAIRWOMAN NOLAN: We're never
23 vindictive but we remember.

24 Thank you very much. Thank you very
25 much. We appreciate it.

1 COUNCILMAN BARRON: Thank you.

2 CHAIRWOMAN NOLAN: Why don't we start
3 over here with this lady. Thank you for waiting.

4 MS. STRINGFELLOW: Good afternoon. I
5 want to thank you so much for this opportunity.
6 I am a parent in District 15. I am the CEC
7 President in District 15. And we have not been
8 heard for a very long time, so we thank you for
9 this opportunity.
10

11 I also hope it is an appropriate to show
12 my true appreciation to Assemblywoman Millman for
13 writing a letter to the Chancellor asking him to
14 respond to our letter from January. I am really
15 happy to report that they have responded, and I'm
16 sure all out of the outcry for help has been
17 helpful in getting an answer.

18 Let me just say I am the current
19 President of CEC 15, and have served two terms in
20 this position. My most important position,
21 though, is of parent.

22 I was already active in my child's school
23 but thought by joining the CEC I could work for
24 the children and parents in our community on a
25 larger scale. I was very excited and open minded

2 and really looked forward to working with the
3 Department of Education to make a difference. I
4 leave my position and the CEC in June as a
5 disillusioned, frustrated and disappointed parent
6 leader. I will not run for another term. And as
7 the nominations closed yesterday, I am not apt to
8 change my mind.

9 CEC 15 is an extremely committed group of
10 individuals from various backgrounds who came to
11 the table with a number of career - having had a
12 number of career expertise in many areas and were
13 able to speak to various issues within our
14 community. Most importantly, we are all vested
15 in this excessive New York City Schools because
16 our children's education, which we greatly value,
17 is at stake.

18 As community volunteers, our time and
19 service should and could have been utilized to
20 create a partnership with the DOE and to meet the
21 educational goals of all the children of our
22 City. Instead, we parent leaders have been
23 forced to waste valuable time in begging,
24 cajoling, clamoring and demanding that the DOE
25 consult with CEC's.

1 I feel that the DOE has taken an
2
3 adversarial position against the CEC's. It's
4 become clear to me that the creation of the CEC
5 was not welcomed by this administration. They
6 are drunk with the power they have been given to
7 have the final word in all matters and seem to
8 consider parents as a diversion for moving
9 forward their agenda. The administration has
10 taken a position of arrogance that is palatable.

11 Defeating the intent of the law to have parent
12 input is a valuable resource in moving our
13 education system forward. The current system of
14 mayoral control negates parental involvement and
15 needs a serious overhaul, if not dissolution.

16 I don't want to just speak in general
17 terms. If I can, I just want to give you a
18 couple of examples because we have had so many
19 issues in terms of school closings, overcrowding,
20 charter schools, new schools, school progress
21 reports, testing, technology, having no public
22 relations for the CEC's and allowing parents to
23 really find out who we are.

24 One example is Chancellor's Regulation A-
25 860 governs school names. We had a school who

1 came to us with a parent body who was very
2 interested in having the school's name changed.
3 We understood that the Chancellor has the final
4 say and so we didn't go into the discussion
5 expecting that we had to have the last word.
6 However, we did follow the protocol, the process.

7 After we had submitted - gone through the
8 process, submitted our resolution, the
9 superintendent submitted it to the chancellor,
10 the chancellor denied the school name change.
11 That is not upsetting; it's a part of
12 negotiation. The part that really was upsetting
13 is in the chancellor's response he wrote, "In the
14 absence of the most compelling reasons, which are
15 not present here, I believe it sets a bad
16 precedence to have a school change its name." So
17 I asked the chancellor in a subsequent meeting to
18 please explain to us what a compelling reason is,
19 since this issue might come before us again. He
20 didn't have an answer, and so I told him it would
21 be a complete waste of time for us to just go
22 through this protocol without actually giving us
23 some direction. At that time we were told that,
24 well, maybe he will change the policy. We
25

1 haven't heard from him since then, and I take it
2 to mean that when the chancellor says it's over,
3 it's just over.
4

5 On another occasion, the Gifted and
6 Talented Program in our district was altered
7 without parental input. After the decision was
8 made, CEC was asked to make recommendations on
9 how to carry out the changes. Not in the
10 beginning on how to deal with the issue, but how
11 to carry out the changes. We refused to comment
12 because we were not asked to give input from the
13 outset. In a subsequent meeting - they mentioned
14 that we have meetings every two months with the
15 chancellor, I go and I ask him questions. And I
16 directly asked the chancellor why parents weren't
17 invited to the table before the decisions were
18 made, and he specifically said to me that he has
19 experts. So I take it to mean that we, as
20 parents, are not experts on the education of our
21 children.

22 CEC 15 has passed and reasserted a
23 resolution since I believe 2006 imploring the
24 administration to have meaningful consultations
25 with the CEC and the school community before

1 decisions are made to place new schools, charter
2 or otherwise, or to close existing schools.

3 Although we may not agree with the outcomes, as
4 mature parent leaders who believe this point,
5 it's vital to the community that we need to have
6 the input before the decisions are made. Being
7 invited to give input after primary decisions
8 have been made is not input, it's just helping to
9 carry out the agenda.

10
11 I want to give credit to the School
12 Construction Authority with the DOE where they've
13 developed a process in coming to the CEC and
14 giving us the opportunity to reach out to our
15 schools, to find out what their needs are, to
16 come back and to have some input about the
17 proposed budgets, and that is a process in place
18 that I feel has been constructive. Certainly -

19 ASSEMBLYMAN BENEDETTO: Jennifer you know
20 the law requires that part.

21 MS. STRINGFELLOW: I thought it required
22 us having input too.

23 ASSEMBLYMAN BRENNAN: The law requires a
24 hearing on capital programs.

25 MS. STRINGFELLOW: Yes, it does. And it

1 requires, as we understood it, that we would have
2 input prior to the decisions being made.
3

4 So, in an effort to address the issues of
5 mayoral control of school systems, I believe the
6 recommendation of the Parent Commission on School
7 Government and Mayoral Control should be looked
8 at for suggestions. I also suggest to the
9 Legislature that to give parents relief from this
10 very dismissive administration, you further
11 define what consultation with the CEC means so
12 that the administration does not continue to have
13 the opportunity to disregard the process wherever
14 it sees fit. I recommend that the
15 responsibilities of the district superintendent
16 should be restored so that there is a clear chain
17 of command and responsibility allowing the
18 superintendent to have substantive input in the
19 district.

20 I also recommend that if the Office of
21 Family Engagement and Advocacy is to continue,
22 they should be made aware of the responsibilities
23 of the CEC and there should be specific
24 recommendations from the CEC as to how they are
25 to interact with us. The one district family

1 advocate that I think it's fair to say that we
2 thought was a partner with District 15 CEC was
3 terminated in September without any consultation
4 with us and replaced with people who don't even
5 show up at our meetings.
6

7 The administration's website to recruit
8 new CEC members, because I guess, you know, they
9 never asked if we were going to run again. Their
10 website is powertotheparents.org. I assert that
11 if parents feel empowered, if parents input is
12 valued and parents know that their voices have a
13 significant impact, there will be more parental
14 involvement. However, it would be nice to start
15 giving the parents who are currently involved
16 some respect. At that point, the
17 administration's new website,
18 www.powertotheparents.org, may actually mean
19 something.

20 Thank you.

21 CHAIRWOMAN NOLAN: Please say your name
22 again so the record reflects it.

23 MS. PLOWDEN-NORMAN: Good afternoon to
24 the Education Panel. My name is Melissa Plowden-
25 Norman, and I'm the former president of CEC 13.

I thank you for the opportunity to address you.

I come before you as a parent and a product of the public school system, a mother of two boys, my youngest six and my oldest just turned 13 this month. From the birth of my first son, I decided to give up my job, confirmed with my husband, we were in agreement. Sacrificing for and investing in my children started prior to them entering school. I started my oldest son in a Christian home-school based program due to my education investment in him. My son could read, write, and do math when he entered school. He continued to excel and was on honor roll from the beginning of school. Once it was getting close to time for him to enter middle school, I began to search - this brings me to the hot topic of the mayoral control.

As I did my research, I was encouraged by a parent to come to the public school system because there were new things that were going on.

We were both out of the same private sector. Being a product of the school system, I missed out on a lot that wasn't available to minority community schools. My mother definitely didn't

1 have the avenues or opportunities that we, as
2 parents, have today. I could definitely say I
3 would not have looked at the public school system
4 twice of the DOE had not started the smaller
5 schools.
6

7 Now I have had a struggle with in the
8 beginning when I brought my son to the public
9 school system. However, being an advocating
10 parent, it was resolved. My situation was a
11 unique one. When my son entered the public
12 school system he was two years ahead. The DOE
13 did not handle it well, which initiated me to go
14 to other authorities. I reached out to the
15 politicians and to the media. In less than a
16 weeks' time, my son was back in the all boys
17 middle school I originally registered him in.
18 He continued to excel and remained on honor roll.

19 I could have decided to go back to the private
20 sector and not have been bothered. However, I
21 felt my son was worth advocating for, as well as
22 all the other children that this type of
23 disservice could have happened to. In addition,
24 I do know that Mayor Bloomberg reached out on my
25 behalf as well to inquire due to the

1 Public Hearing on Governance - 3-20-09 310
2 conversations that were followed by my son and
3 I's story which was aired on Channel 2 News.

4 I came into the public school system with
5 my child and began working and getting involved
6 right away. I had the pleasure of serving as a
7 Parent Association President, Presidents Council
8 Vice President and Community Education Council
9 President.

10 By interacting with parents, I began to
11 find out what was important to them. Choices was
12 high on the list. We may have difference in
13 opinion; however, every parent deserves a choice.

14 My youngest son attends an all boys
15 charter school, which I am extremely happy with.

16 Sitting and praying at the lottery session, my
17 son's name was pulled out as 11 on the waiting
18 list. My son didn't attend a school prior to
19 this lottery, so they had no previous information
20 on him. Within two months after school started,
21 my son was called.

22 I love the progress report and school
23 grades that are now being given out where the
24 parents can check and see what's going on in
25 schools. They have been very beneficial to me

1 personally and helped me assist parents.

2
3 The parents I interact with are looking
4 for good, safe schools to put their children in.

5 With the school grades and progress reports, it
6 took a lot of the guess work out of high school
7 process for me. It goes a step beyond school
8 fairs, open houses, and even quality review. For
9 me, it was important to know what parents,
10 students, and especially teachers, thought of the
11 school. If the teachers are not happy, then I
12 would not want my children in that school. As
13 far as grades, the higher the better.

14 Establishing that the school is not a school in
15 need of improvement is also key, and the safety
16 of a school environment is equally important.

17 After doing my research and visiting the
18 schools chosen, my son and I were confident and
19 very happy with all 12 choices we made.

20 I have been able to help many parents
21 find good and appropriate schools for their
22 children. There is more accountability,
23 children are now being looked at as an individual
24 instead of being assessed as a group.

25 My oldest son was accepted to his second

1 choice, has entered into high school at the age
2 of 12, has maintained over a 95 average and is
3 presently on principal honor roll and attending
4 college courses right here at New York City
5 College of Technology. I have definitely seen
6 some positive things come out of mayoral control.

7 Is there room for improvement? Of course.

8 However, out of all fairness, I could not say
9 that nothing has been accomplished through this
10 administration.

11 AFIA has been instrumental with
12 trainings, workshops and many, many meetings, so
13 many that I know I need more than one of me to
14 attend them all. I have initiated meetings with
15 ACS and community-based programs. ACS will be
16 giving DOE training on the difference between
17 truancy and educational neglect, which will start
18 next month, which is one of the biggest problems
19 we are facing now, as well, in our schools with
20 absenteeism.

21 While we need to improve in more arts,
22 sports, etcetera needs to be put in our school,
23 I'm baffled by some things, one being the budgets
24 that I have seen in schools. With schools
25

1 receiving over 16,000-plus per student, not
2 including special education and stuff, I do not
3 understand why there are no books in the
4 classroom.
5

6 Closing schools - the closing of schools,
7 who and how are the schools advocated for when
8 they started to fail? We are now talking about
9 schools that are being closed down, but they did
10 not just get in this situation. Who has been
11 advocating when they first seemed to decline?
12 Parent involvement or the lack thereof has been a
13 big problem within our district, and I can speak
14 for some other districts that I have talked with
15 parent representatives.

16 I would love to see more parents to the
17 table. I would love to see more parents
18 involved. I'm also baffled by the fact that
19 people are always talking about parent
20 engagement. I would like to know what parents
21 have they gone to to find out who has been
22 engaged, who hasn't been engaged. I haven't
23 received a phone call, an email, a survey or
24 anything. All parents do not feel that they
25 haven't been engaged. Some parents are concerned

1 about more important issues. I just think there
2 is a lack of respect and not validation going on,
3 and I think we need to try to work together
4 better as a team to get things done for our
5 children.
6

7 Everything that I do and everything I
8 pursue, I always go back to is this good for our
9 children? Is this benefitting our children?
10 With parents, we have a lot of things that are
11 going on. There's a whole lot of tearing down.
12 There's a whole lot of going at each other, going
13 at the schools and stuff. I have gotten to a
14 point where I would not even bring my children to
15 meetings because of the way that they are
16 conducted and the way that we, as adults, are
17 acting in these meetings. And this is the
18 examples that we're setting for our children.

19 Thank you.

20 ASSEMBLYMAN BRENNAN: Be sure to identify
21 yourself and where you are from.

22 MS. LUGO: Yes. Good evening. My name
23 is Victoria Lugo. I'm from District 32. I'm the
24 CEC secretary and the parent of five. My
25 youngest son is a fifth grader at PS 151. I have

1 a tenth grader at the Academy of Environmental
2 Leadership, which is at the Bushwick Campus. My
3 three oldest attended Bushwick High Schools in
4 the 90's, and my 21 year old in 2001. Thank you,
5 Ms. Nolan, Chairperson of the Assembly, for
6 holding this important hearing. I am here today
7 to urge you to support renewal of the mayoral
8 control laws and keep our schools moving forward.

9
10 As I mentioned, I have five children. It
11 has been my experience as a parent in New York
12 City, both under the old system and the current
13 one that has brought me here today to urge you to
14 support renewing of mayoral control. I have seen
15 the changes that have occurred in our schools
16 firsthand, and I have friends who I hear talking
17 about the difference every day.

18 Since the mayor was handed control of the
19 schools in 2002, I have seen vast improvement.
20 PS151 is remarkably better. I know a majority of
21 parents of other children at PS151 also feels the
22 same way. Parents are happy with the results,
23 and in the time if they make more improvement it
24 can be better.

25 I know that with the mayor in control of

1 the education of our City children, more
2 attention is being paid to the kids. Money is
3 being distributed fairly. The paralysis of the
4 old board of education is gone.
5

6 Bushwick High School, which was finally
7 closed in 2006, where my three oldest went to
8 school in the 90's, once again, should have been
9 closed long ago. But because there was no
10 leadership, no one was held accountable.
11 Thousands of thousands of our kids in Bushwick
12 were allowed to drop out of school and yet no one
13 did anything about it until the mayor was given
14 control of the schools.

15 I cannot remember a time before mayoral
16 control where I felt like the system was actually
17 improving. When things are not working now, we
18 know who to go to. We know who is responsible.
19 And in the end, I know that things are looking up
20 for our kids in Bushwick and across the City.
21 Thank you very much.

22 CHAIRWOMAN NOLAN: We may have
23 questions. It's kind of easier to do a group at
24 once.

25 MR. RICHARDSON: Good afternoon. Thank

1 you for having me here. My name is Carlton
2
3 Richardson. I'm a part of the CEC, District 18.
4 My story's going to be quite brief.

5 I'm a parent. I joined the CEC because I
6 wanted to do better for the children. I have no
7 problems with my children within the Board of Ed.

8 My children are doing great. They're all on the
9 honor roll, so forth and so forth. But I see a
10 lot of things is not working out, so I decided to
11 join and be a part of the solution, not be a part
12 of the problem.

13 I've been on the CEC for about two years
14 now, and I did put in for the next term but I'm
15 really skeptical about what's going on. I have
16 some serious problems with the communication
17 between the parents and the Board of Ed. I could
18 give you a couple of stories, briefly.

19 One night, I'd say about four months ago,
20 I was on the phone with a good friend of mine and
21 his wife told me about some allegations that was
22 going on in a certain junior high
23 school/elementary school. So I immediately, the
24 next day, went down to the school and tried to
25 speak to the principal about it to find out.

1 There were some serious allegations here. I
2 wanted to check it out and see what's going on.
3 I was basically told I'm the authority and you
4 are not the - respecting my school. So I looked
5 at him and said, what's going on here?

6 Basically, he said, you can't go inside the
7 lunchroom, I'm the authority. I said, okay, no
8 problem. So I walked out to the hallway and he
9 tried to continue the conversation. I said I'm
10 not going to conversate with you inside the
11 hallway here, it's going to stir up an argument.

12 Not only I got disrespected, he also tried to
13 put me out to dry with the other parents in the
14 school. So I immediately walked to the district
15 superintendent's office. I went and told the
16 secretary what happened. To my delight, the
17 district superintendent did look into it. She
18 told me about a month later that he was startled
19 and surprised and that's the reason why he didn't
20 let me go see the lunchroom. It didn't make no
21 sense, but that's the answer I got. So I went to
22 the meeting with the chancellor and I told the
23 chancellor what happened, and they told me they
24 would get back to me. I haven't heard nothing
25

1 since. I'm still waiting.

2 Two more stories.

3
4 Currently, District 18 covers East New
5 York's, part of the section of Brooklyn and the
6 Canarsie section. Now, we have a serious problem
7 with school space in the East Flatbush part of
8 District 18. What did they do? They build a
9 school in the Canarsie part. They decided - we
10 said, okay, fine, no problem. They decided to
11 make it a junior high school. Even though we
12 have an elementary school problem, they decided
13 to make it a junior high school. Now, the junior
14 high school had more room than was expected. So
15 what did they do? They turned around and put a
16 transfer school inside there. They didn't tell
17 us nothing. Now they're going to put 21 year old
18 adults, 20 year old adults with 11 year old
19 gifted students. There's something wrong with
20 this picture. So I said in District 18 we have
21 another school that has a high school and a
22 junior high school. Why don't you just switch
23 them? No, no good.

24 We have two high schools - South Shore
25 and we also have Canarsie High School. Are you

1 trying to tell me you couldn't put one of those
2 high schools and Canarsie and move them to the
3 junior high school where these children will
4 graduate at least 18 and at least put the
5 transfer school that do have issues and problems
6 in Canarsie High School or at least South Shore
7 to at least help out the problem? They don't
8 want to hear that.
9

10 This is causing - we, as parents - total
11 confusion. I can't even go back to my
12 constituents and tell them stuff like this. It
13 just bothers me because the lack of communication
14 - now the parent involvement in District 18 is
15 low. You're lucky you get 10 parents, 20 parents
16 to a PTA meeting. The CEC that I'm involved
17 with, we get our regulars and lucky to get maybe
18 five or ten parents because the bottom line is
19 that we have no authority. It's a waste of time
20 for us to go to a school if we don't have
21 authority. We need some type of authority to do
22 our job. If I cannot go into a school to at
23 least inspect a problem, an allegation that could
24 jeopardize the safety of a child, something's
25 wrong.

1 Whether you want to get rid of mayoral
2 control or not, that's a discussion. But we need
3 significant changes. So if I get elected, I go
4 to a school, I'm, first of all, respected and
5 they know if I'm going to do something and they
6 have to be held accountable for it.

7 Thank you very much for your time.

8 MR. DEVOR: I'm Jim Devor. I'm First
9 Vice President of Community Education Council for
10 District 15, although I have a child and have had
11 a child in public schools in District 15, I'm
12 also a borough president appointee.

13 I want to start on a personal note. I
14 doubt the chair would remember me, but several
15 years ago I came to you regarding the grotesque
16 financial disclosure rules governing volunteer
17 Community Education Council members. Despite
18 promises to fix this by Deputy Mayor Walcott,
19 nothing happened for over a year and a half. As
20 a lone CEC member up here with attitude, I
21 approached your office and made my case. In a
22 few months, the law was changed, and it was
23 changed for the better. And I stand before you
24 as a witness that this is not just some kind of a
25

1 delicate minute; that you listen and that you
2 take effective action. And I want to publicly
3 express my gratitude and respect.
4

5 Now, let me get to my testimony.

6 The discussion of the future of mayoral
7 control is, of course, vital. But most of the
8 time, the issue I think is erroneously framed as
9 whether or not mayoral control should be
10 continued. The real question facing lawmakers
11 will be how to create the means by which our
12 education system will become meaningfully
13 accountable, not to the Chancellor, not the
14 mayor, not even to you, but first and foremost to
15 the parents, the ones with real skin in the game.

16 In approaching that problem we must
17 initially agree on first principles. As NYU
18 Professor Diane Ravitch has written, "We don't
19 sustain a massive investment in K-12 schools to
20 produce workers for our economy, but to create
21 thinking citizens for our democracy. Towards
22 that end, the new law should include legislative
23 finding or, if you will, a mission statement. I
24 propose the following: Providing to each and
25 every child of New York the educational

1 excellence essential to enabling its students to
2 become productive citizens in a free and
3 democratic society.
4

5 In striving to achieve that end, I
6 believe certain underlying precepts must be
7 paramount. In the interest of alliteration, I
8 have cast them as participation, preparation and
9 pragmatism.

10 Participation - strengthening the role of
11 parents in school leadership teams and community
12 education councils.

13 This means that parents are not merely
14 customers of the education system but, rather,
15 have a genuine say how and even what their
16 children are taught. This would mostly be done
17 through strengthened and truly collaborative
18 school leadership teams and parent associations,
19 accessible to both the public and the press, to
20 which principals must be accountable.

21 Likewise, local school districts are
22 undeniably a potent mechanism for communication
23 and problem solving between administrators and
24 parents and, thus, should be continued. Their
25 governance must not be deliberately subverted,

1 though, as is now the open practice of the
2
3 Department of Education. For example, if the
4 functions of the district superintendents are to
5 have any real value, maybe they ought to be
6 assigned the majority of their professional work
7 inside of their actual districts. Furthermore,
8 the selection of the parents tasked with their
9 oversight should not be the empty civics
10 exercises now being advanced by the Department
11 where mock elections, or straw votes, purport to
12 give parents a voice when, by current law, they
13 have none to select representatives who have no
14 power to serve on bodies that under the present
15 statute will not even exist. All of this is the
16 name, literally, of power to the parents?

17 Instead, Community Education Councils,
18 with borders co-terminus with one of more
19 community boards, must play a major role in the
20 selection and evaluation of district
21 superintendents who, in turn, should have real
22 supervisory authority over the schools within
23 their jurisdiction. Indeed, the statutory
24 framework for this already exists in law which
25 will go into effect if the Legislature does

1 nothing. For instance, the old subdivision one
2 of the 1996 version of Section 2590-e of the
3 Education Law governing the selection of district
4 superintendents should be restored verbatim.
5

6 Further, those councils must be largely
7 publicly elected with all candidates being public
8 school parents. I would also urge that there be
9 some kind of proportional representation system
10 in election CEC members which guarantees that
11 minorities - be they racial or political - will
12 be able to fully participate. Personally, I
13 think that systems of cumulative voting currently
14 used by the Amarillo Texas School Board or else
15 the Peoria Illinois City Council would probably
16 be best. A succinct explanation of Cumulative
17 Voting by the Center for Voting and Democracy is
18 attached.

19 I also strongly believe that here must be
20 collaboration and coordination between community
21 boards and CEC's, including mandatory overlap, of
22 some members in each and every school district.
23 Doing so would insure that the knowledge and
24 resources available to both institutions would be
25 fruitfully shared. Towards that end, I would

1 favor an increase in the number of borough
2 president appointees to the Community Education
3 Councils.
4

5 Preparation. It's all well and good to
6 say empower parents, but just like citizens in
7 society in general, parents and their leaders
8 must be adequately trained to validly exercise
9 that power. For example, there must be an
10 independently and separately funded parent
11 academy to oversee training to ensure that
12 parents - and, yes, students - participate along
13 with teachers and administrators as informed and
14 knowledgeable partners in all non-personnel
15 decision-making processes.

16 Pragmatism. Finally, the system needs to
17 have a strongly pragmatic vision, i.e.,
18 sensitivity to the real world consequences of
19 various policy choices. For instance, had that
20 guiding principle been in place, there never
21 would have been the blanket cell phone ban or the
22 more recent gifted and talented program debacle
23 which, quite predictably, yielded grossly racist
24 outcomes - especially in Central Brooklyn.

25 One of the most perverse consequences of

1 mayoral control has been the utter corruption of
2 the concept of accountability. Thus, everything
3 that happens in New York City Education is looked
4 at by Tweed not in terms of what helps or doesn't
5 help but, rather, through the lens of whether or
6 not it makes the chancellor and mayor look good.

7 Let me give you a few examples.

8 It is undeniable that there have been
9 significant improvements over the past decade in
10 the educational achievements of our school
11 children, especially at the elementary school
12 level. And if you ask the mayor and his minions,
13 it's all because of their Herculean efforts.

14 It's a nice narrative but that fiction
15 ignores the very real contributions of forces
16 predominantly outside of the mayor's control.
17 First and foremost, there has been a huge
18 increase in the resources committed to public
19 education. Over the past ten years, the
20 education budget has nearly doubled and per pupil
21 spending, controlling for inflation, has
22 increased by 49 percent during that same period.

23 Neither the mayor nor the chancellor has been at
24 the forefront of that endeavor. Indeed, until
25

1 very recently, the mayor's fiscal priorities
2 seemed more focused on maintaining property tax
3 rebates. Rather, it was the impetus of the
4 Campaign for Fiscal Equity and the yeomen work
5 done by our state legislators that made the
6 biggest difference in that regard.

7
8 A related factor usually ignored by the
9 chancellor and the mayor was the sustained
10 commitment to university pre-K. In particular,
11 the pre-K enrollment tripled from 14,000 kids in
12 1999 to 42,000 in 2002, before mayoral control
13 began. During that same period, early grade
14 class size was reduced from 25 to 21. Not
15 surprisingly, the achievement spurts, first in
16 fourth grade test scores and more recently in
17 eighth grade scores closely correlate to those
18 cohorts who most benefitted from those changes.
19 As such, the evidence, rather than press
20 releases, points to the rather obvious conclusion
21 that improvement in student achievement more
22 closely correlated to earlier reforms rather than
23 administrative changes under mayoral control.

24 Taking undeserved credit is one thing,
25 claiming improvements where there are not is

1 another. Let's take educational equity issues.
2 We now know, for instance, that when comparing
3 mean scaled scores there has been no narrowing of
4 the achievement gap between Blacks and Whites in
5 New York City schools. Similarly, when parents
6 started to scrutinize the actual impact of fair
7 student funding on individual schools, we
8 discovered there was no consistent change in the
9 overall allocation of financial resources.
10

11 As this demonstrates, there must be an
12 independently and separately taxpayers funded
13 educational research organization, loosely
14 patterned after the Independent Budget Office,
15 which will objectively analyze existing data,
16 participate in additional research and submit
17 recommendations on any and all educational
18 policies.

19 These proposals aren't comprehensive and
20 people are certainly welcome to disagree. But in
21 any statutory scheme, the first question must
22 always be does this proposal advance the agenda
23 of providing to each and every child of New York
24 the educational excellence essential for its
25 students to become productive citizens in a free

1 and democratic society? If it doesn't, pass it
2 by; if it does, go with it.
3

4 Thank you.

5 CHAIRWOMAN NOLAN: Thank you.

6 MR. SPINELLI: Thank you very much. My
7 name is Christopher Spinelli. I represent the
8 Community Education Council of District 22. I'm
9 the president and also the proud father of two
10 public school students. I wanted to - my written
11 testimony should be up there and it goes into
12 more detail, but I just want to kind of hit the
13 highlights and maybe give it more editorial.

14 Contrary to the hype, education in many
15 districts was conducted very successfully before
16 the mayor and the chancellor arrived on the
17 scene. From all the press and press conferences,
18 you would think that the education system was
19 back in the dark ages before mayoral control, and
20 now everything is sparkling. There were many
21 special and innovative programs that were
22 occurring across the City before the emergence of
23 Mike Bloomberg and Joel Klein. What about the
24 boogeyman of the old community school boards that
25 we always hear about? If we drink the Kool Aid,

1 we're to believe that every school board was
2 corrupt and taking kickbacks and working to the
3 detriment of our children at every turn. The
4 reality is that there were many boards that were
5 staffed by hardworking folks who forged
6 innovative programs and raised the bar on
7 education. I hold up my own district, District
8 22, as a shining example of what can be achieved
9 with a strong community school board and a strong
10 district superintendent.
11

12 The programs that were developed there
13 have consistently put District 22 amongst the
14 highest ranks in the City and it continues to
15 this day. So let's first do away with the
16 rhetoric of what happened in the past.

17 Parents have been treated with contempt
18 under mayoral control. They're seen as a
19 nuisance. Why build a coalition or seek
20 community support when you are so superior and
21 you have all the answers or you have experts, as
22 Jennifer has told us, and, by the way, you hold
23 all the cards? Why listen to parents that are
24 only interested in their own children, according
25 to Tweed, and are usually just an impediment of

1 progress. This is unfortunately the view held at
2 Tweed. They have all the answers and there
3 really is no need to listen to medalism, self-
4 interested parents. Parents have been stripped
5 of real communication beyond their individual
6 school.

7
8 The Office of Family Engagement and
9 Advocacy is misnomered, OFEA, is certainly
10 misnomered and it's ironic. Other than some of
11 the great work of the DFA's, the local DFA's,
12 some of whom have been reassigned when they're
13 too effective, the super structure of OFEA is
14 useless and of little benefit to parents. I
15 cannot find one parent in my district that does
16 not feel totally disengaged from decisions made
17 about their child's education. And if we, the
18 CEC's, are seen a dutifully elected parent
19 representatives, then I can honestly say that
20 parents have been totally ignored under this
21 administration.

22 CEC's pass resolutions that are not
23 answered and we hold public hearings on charter
24 schools, raised valid objections to those
25 schools, and the schools are approved and sent

forward to the state.

Public hearings are held and CEC members show up to voice their opposition to a proposed change in policy only to find out that the policy was voted on by the PEP the very next day. This top-down style of management may work in some business models but not in education. You cannot ignore all of your stakeholders and hold up as your sole justification, improved test scores, which those outcomes are questionable, at best. Yes, test scores are up for some grades, but this is largely due to the never-ending test prep and the total numbing of our children to real education - and apparently the Department of Education is unaware of all the test prep that goes on in the schools every day.

It is true that New York City has seen test scores rise in some areas, but haven't many other major cities across New York State and they don't have mayoral control? How can one agency hold all of the cards and control all of the data? Nowhere in this democracy have we created such a totalitarian system that can trample the individual rights and have cart blanche over a

1 \$20 billion budget.

2 We often overuse the terms transparency
3 and accountability. This administration has used
4 those terms unendingly. Ask a special education
5 parent that has had to fight every day to secure
6 the services for their children, services that
7 are mandated in their IEP's. Where is the
8 accountability? Ask parents of color in my
9 district that were told that we could not hold
10 the gifted and talented class in their school and
11 if their children did happen to meet the standard
12 they would be shipped across the district. Where
13 is accountability? Ask the parent of a student
14 who is sitting in an overcrowded classroom
15 because the administration does not see class
16 size as a priority.

17 Parents know the answers to these
18 questions. There has been no accountability.
19 There have been plenty of statistics - there have
20 been plenty of press releases but very little
21 accountability. There have been school report
22 cards - and I do take offense at Mr. Nadelstern's
23 imposition that we don't know the difference
24 between an A or an F. I think we know the
25

1 difference, what an A or an F would be. But
2 actually what goes into those report cards is a
3 different story.
4

5 Now is the time to inject real
6 accountability into the system, accountability to
7 parents, administrators, elected officials, which
8 I see there's very little accountability to you
9 as well, but, most importantly, accountability to
10 our children. Now is the time to affect real
11 time for our children and to end the no-bid
12 contracts that we've heard so much about today.
13 Now is the time to end the totalitarian system
14 that has been created and to give parents a
15 voice.

16 I just want to briefly hit a couple of
17 the recommendations which are more fully fleshed
18 out in the written testimony.

19 We have to reverse the evisceration of
20 district superintendents. We really need to
21 restore geographic districts that can readily
22 respond to local community issues. The
23 administration has sought to remove district
24 superintendents totally, but due the state law
25 they were required to keep them in name only, but

1 they have them running around on all kinds of
2 other things outside of the districts and
3 unfortunately they spend very little time in the
4 districts that they supervise.
5

6 Certainly, the powers of the City seem to
7 be augmented to include the DOE would have to get
8 a vote of the CEC before proceeding with any
9 school openings, closings, sitings, and charter
10 schools. CEC power should also include direct
11 impact on the selection of district
12 superintendent through a process where the CEC
13 would refer three candidates to the Chancellor
14 for selection. And the CEC should also have a
15 seat at the table in the selection of principals.

16 The Panel for Educational Policy
17 apparently needs to be abolished and the Board of
18 Education re-established as a still current and
19 state law. These members must serve for set
20 terms and cannot unilaterally be removed by the
21 Chancellor. I would recommend, as a model for
22 this, the great work that's been done by the
23 Parent Commission on School Governance, and I
24 would urge you all to take a good look at that
25 proposal because they've done a lot of work

1 regarding how that panel should be composed.

2
3 Also, the DOE cannot be immune to City
4 Council laws, and I refer to the cell phone ban
5 which we heard about. We can't have a system by
6 which they can just flout the City Council's laws
7 or laws of any legislators. And also, and
8 probably most important, we certainly need an
9 independent oversight board similar to a GOA that
10 would audit all DOE statistics before they are
11 rolled out to the media and to parents and
12 certainly give a sanity check to those numbers.

13 And I do want to thank you again for
14 allowing me to testify.

15 MS. DEAN: My name is Olaiya Deen. I'm
16 from District 3. I'm on the CEC. I have a child
17 in PS75. I want you to listen. A colleague of
18 mine gave me this. I want you to listen to a
19 phone, when you call the District's Education
20 Office, what happens here. It's not going. Any
21 how, listen. When you call it - and I can't do
22 it, I'm too nervous. But when you call District
23 3's Education Office, it refers parents calling
24 there, if you're a parent with concerns, to
25 Region 10. Region 10 hasn't been in existence

1 for two years. And they say they are there for
2 us. They are not there for us.
3

4 Also, this is not my statement but just
5 in terms of the Office of Family Engagement.
6 Martine came to our CEC meeting. She's going to
7 do it. Martine came to our CEC meeting when she
8 wanted to ask us what changes we thought would be
9 there. She was negative, she was abrupt, she was
10 condescending, and she would not call on any one
11 who she thought was going to ask a provocative
12 question. Is that engaging me? That's repelling
13 me. That's the end of that story.

14 Now I'm going to read my statement,
15 please.

16 Good afternoon. My name is Olaiya Deen.
17 I am a parent in District 3 and an active member
18 of on the CEC. The thoughts I share this
19 afternoon are regarding mayoral control of the
20 schools, specifically the misconduct exhibited by
21 the DOE targeting, which they cite, as being
22 underserved schools. Their approach is negative
23 of community input and, more importantly, the
24 parents of children directly affected by their
25 totalitarian conduct. This, by the way, is

1 nothing less than illegal. For sure, this isn't
2 an isolated occurrence.
3

4 As an example, let me bring your
5 attention to one such case, PS241 located in
6 Central Harlem. This school, the Family Academy,
7 was once a thriving school underwritten by an
8 independent foundation with many of the features
9 that charters schools have, which the mayor and
10 Mr. Klein so enthusiastically endorse to the
11 point of promoting them above the public schools,
12 which they are charged with. The DOE mandated
13 the blanket approach to teaching with no
14 compromise and the foundation pulled out. Did
15 the DOE seek to sure up this gap? No. As a
16 result, the city administrator, along with some
17 vital teachers fled. Their reasons are mixed.
18 Did the DOE attempt to sure this glaring gap?
19 No. And we witnessed the school's plummet into a
20 downward spiral. This happened on this
21 administration's watch. The school became a
22 dumping ground for a distressed population. Yet,
23 still the DOE stood by and, in fact, participated
24 in its current underperforming state, much like
25 licking their chops waiting for the demise in

1 order to pounce. Never giving the support, only
2 the criticism. With a school report card that,
3 at best, is questionable, indeed, a strong case
4 could be made for it being bogus.
5

6 They set about phasing this school out
7 which, in effect, means closing. So arrogant has
8 the DOE's behavior been that they completely
9 bypassed protocol and rezoned the area without
10 first presenting it to the assigned community
11 body whose charge it is to sign off on this
12 matter, the CEC.

13 Of course, my being a little slow, one
14 day suddenly I had an epiphany. I realized I
15 hadn't connected the obvious dots. Look at the
16 broader picture. Our economy has experienced a
17 depression as we sit here on the discussion.
18 Why? Because of businessmen's greed and lack of
19 sensitivity to the main condition. They live
20 without a moral compass. Who do we have
21 governing our schools? Businessmen, bereft of a
22 moral compass. A man at the helm without an iota
23 of education experience. Shame. How did we, the
24 people, allow this? Yes, us.

25 For myself I say rescind mayoral control.

1 Not having done enough research, I can't offer
2 another option. Therefore, I say mayoral control
3 of the schools has been a failure and if it
4 exists must be strongly adjusted. No less
5 evidence supporting this is their desperate
6 turning over their responsibility to charter
7 school signals that they don't know what they are
8 doing.
9

10 Think twice before you continue to allow
11 this little creature inhabiting the body of a
12 wealthy little man to further subrogate an
13 underclass segment of the population to
14 ignorantly participate in their future's demise.

15 That's our children, that's who they are.

16 Think twice before you allow this wicked
17 little creature living inside of this little man
18 to continue to have this authority.

19 Institutional racism is alive and thriving under
20 mayoral control of the schools of New York City.

21 By the way, if charter schools are so
22 great why aren't they in areas where population
23 has less pigmentation? Just a quandary.

24 Remember people, all that glitters is not gold.

25 Thank you.

1 CHAIRWOMAN NOLAN: I want to thank this
2 very, very diverse and distinguished panel. Can
3 we just go quickly down the line? Tell me again
4 what neighborhood you either live in or
5 represent.

6 MS. PLOWDEN-NORMAN: I live in Park
7 Slope.

8 CHAIRWOMAN NOLAN: Park Slope.

9 MS. LUGO: I live in Bedford Stuyvesant.

10 CHAIRWOMAN NOLAN: Okay.

11 MS. STRINGFELLOW: Bushwick.

12 CHAIRWOMAN NOLAN: I have to say where
13 in Bushwick because I live in Ridgewood. We're
14 not far, right? Good.

15 MR. RICHARDSON: I represent Canarsie and
16 East Flatbush.

17 CHAIRWOMAN NOLAN: And I have to say
18 years ago Canarsie beat Cleveland. That's a long
19 story but we won't hold it against you.

20 MR. DOVER: I live in Carol Gardens.

21 CHAIRWOMAN NOLAN: Okay.

22 MR. SPINELLI: Marine Park.

23 MS. DEEN: Upper west side. I represent
24 the southern tip of Harlem.
25

1 CHAIRWOMAN NOLAN: I know Mr. O'Donnell
2 is going to have a question to start us off,
3 particularly for our friend from District 3, and
4 then we'll go down the line real quick.

6 ASSEMBLYMAN O'DONNELL: I just want to
7 express how proud I am to be part of District 3,
8 because you are representing us very well today.

9 One of the things that I would just like to ask,
10 because I've, if you were here earlier, have
11 given them quite a hard time about 241.

12 When was the CEC notified that they were
13 planning to close 241 and when did they notify
14 that they were intending to fill it with Harlem
15 Success Academy? And did they ever notify you
16 what level of compensation the head of Harlem
17 Success Academy was getting, which is \$371,000 a
18 year? Did they ever notify the CEC about that?

19 MS. DEEN: No. As far as I know the CEC
20 was never notified of any kind of remuneration
21 for Harlem Success Academy. Also, they did not
22 apprise us of it; the principal of 240 came to
23 the CEC meeting to state her case. The DOE did
24 go to the district leadership team and speak to
25 them about it. At no point did they say that

1 Harlem Success Academy was going to go into that
2 school. The school was going to be re-evaluated,
3 that kind of thing. Harlem Success came. There
4 was a meeting which was really like a rally. We
5 were going there. They were supposed to be under
6 discussion, one of the panel's discussion. They
7 bussed in people from Harlem Success Academy that
8 filled up the auditorium. It was a meeting that
9 no one knew that the Harlem Success was going to
10 be there. It was the eleventh hour so no one was
11 prepared. There is where it stands.

12 I hope I answered the question.

13 ASSEMBLYMAN O'DONNELL: Yes you did.
14 Thank you very much. Just for the record, they
15 notified my office at two o'clock in the
16 afternoon that there was a public hearing at five
17 o'clock about Harlem Success moving into 241. I
18 just want to point out that 241 currently has a
19 19 percent ELL's, 21 percent special ed kids,
20 which means they have 40 percent children who
21 have additional needs for education, and 70
22 percent of its student population is below the
23 poverty line. Harlem Success Academy has zero
24 percent ELL's and zero percent special ed
25

1 children. Then they turned the school over,
2 either with the knowledge and expectation that
3 those children who are not going to be in it or
4 they're turning over the educational needs of
5 these children to an institution that is two
6 years old and has no track record on educating
7 the very children that currently exist in the
8 school.
9

10 And I just want to thank you for being
11 here today. Thank you, Madam Chair.

12 CHAIRWOMAN NOLAN: Any quick question or
13 should we move on? Go ahead.

14 ASSEMBLYMAN BRENNAN: I just wanted to
15 express my appreciation to all of you for
16 testifying. And Jennifer, thank you for your
17 service on CEC 15. And Jim, Chris thank you for
18 your service to the public.

19 ASSEMBLYMAN MILLMAN: Not a question but
20 just a brief comment. We've heard from several
21 of you how you have served on CEC's and we heard
22 it earlier today that you no longer wish to
23 because you haven't been given the tools that you
24 need to do your job, you haven't been given the
25 respect that you need from the Department of

Education to feel that your time is valuable.

And I know it's too late for some of you to reconsider. But if we can make the kind of changes that hopefully we will make in the legislation, it will be something that you will consider subsequently. Because somebody, I think Mr. Spinelli said you're self interested parents.

And I have to if you're not self interested then we're doing something really wrong because you need to be because those are your kids.

ASSEMBLYWOMAN BARRON: Thank you for your testimony. And if you are reconsidering, I understand they have extended the deadline.

CHAIRWOMAN NOLAN: The first time the survey came out the deadline was extended four or five times. I was surprised that they said so many people had filled it out because they had a lot of problems with it.

MS. PLOWDEN-NORMAN: If I could just say that two or my members got calls yesterday close to five o'clock saying that they applications they had submitted two weeks ago were not complete. So I guess they might not be considered. Maybe they just need new people

because we don't speak loud enough.

CHAIRWOMAN NOLAN: I want to thank all of you. I have to say, we've had CEC representatives at each of the five hearings, but this particular group was really excellent and we may be reaching out to you again. So I want to thank you very, very much. Thank you.

MR. RICHARDSON: Real briefly. Is it a possibility you may be able to extend the current CECs for maybe six months to a year?

CHAIRWOMAN NOLAN: I have no idea what they're planning. The law doesn't expire until June 30th. We actually - I had actually asked them to consider not adopting this new process. It seemed counterproductive when the deadline was so close but they refused.

We have to wrap up. I apologize. Thank you very, very much.

Mr. Jacob Mooklin, Executive Director, Coney Island Prep. Morty Ballen, Explore Charter School. Adele Fabrikan, Brooklyn Bridge Academy. Jeff Kaufman, EBC/ENY High School. Ira Miller. Celinda Martinez. Richard Green. Donna Lieberman. We did try, if someone's here from

1 them they can submit. And Howard Schoor. Why
2 don't we get those people up front now?
3

4 I apologize, by the way, to the lady with
5 the phone, but we just couldn't do that.

6 FEMALE VOICE: This shows why people go
7 to charter schools, because they can't even get
8 into their public schools.

9 CHAIRWOMAN NOLAN: Thank you. This
10 other group come and sit. Thank you.

11 Let me just read that list again. Mr.
12 Mooklin, Mr. Ballen, Ms. Fabrikan, Mr. Kaufman,
13 Mr. Miller, Ms. Martinez, Mr. Green - some of
14 these people, we're moving things around just a
15 little bit because they represented Learn New
16 York and we wanted to try to accommodate them.

17 Who wants to - you were anxious. Go
18 right ahead.

19 Let me just ask everybody's patience and
20 good humor. We felt a lot of love from Brooklyn
21 today, and we appreciate that. So go ahead.

22 MR. BALLEEN: Good afternoon. My name is
23 Morty Ballen. I am the founder and executive
24 director of Explore Charter School and Explore
25 Empower Charter School. I founded Explore

1 independently. As a teacher in Louisiana New
2 York City and South Africa, I kept experiencing
3 the same issue. My students were intelligent,
4 their parents wanted the very best for them.
5 However, based on their socioeconomic background,
6 they were in schools characterized by a lack of
7 leadership and adults who weren't all working
8 together to provide a quality education. I
9 started Explore because I wanted to work in a
10 place where every adult, without exception, was
11 working with the shared belief that all students
12 can achieve.
13

14 I am testifying today in favor of mayoral
15 control of the public schools. There are, I
16 guess, two stories I have when I think of why I
17 support mayoral control. The first story is that
18 of Explore and the New York City charter schools.

19 Explore is in its seventh year of
20 operation and we serve 425 engaged and
21 intelligent kindergarten through eighth graders.

22 We are located in Flatbush, Brooklyn. Seventy-
23 two percent of our students are eligible for free
24 and reduced meals. 1,700 families are on our
25 waiting list because they want to be part of a

1 school community that is safe, that engenders a
2 love of learning within each student and, most
3 importantly, they want to be part of a school
4 community that holds the highest of academic
5 expectations for each student.
6

7 The 425 families enrolled and the 1700
8 families on our waiting list want to be part of a
9 school community that holds itself accountable.
10 Our staff knows and embraces the responsibility
11 they have to ensure that each of our students
12 achieves. Our entire community - parents, board
13 members, teachers, leaders, myself - know that we
14 will cease to exist an organization if our
15 students do not achieve. We believe this is a
16 good thing because we've all seen schools stay
17 open year after year where kids are not learning
18 how to read or write.

19 We are successful. Ninety-two percent of
20 ours students met the standard in math and 75
21 percent met the standard in ELA. We are
22 successful because our students love coming to
23 school. We are successful because our students
24 are safe.

25 I criticism I hear often is that charter

1 schools are successful because they cream
2 students. Contrary to others' testimonies, at
3 Explore 17.5 percent of our student body is
4 classified as special education, higher than the
5 City average. In fact, I spent the last week
6 congratulating some of those students - Karam,
7 Shamique, Ronald - because they jumped two or
8 three reading levels since we last assessed them
9 in November.
10

11 It is not magic that is causing our
12 students to achieve; it is because we have the
13 ability to move every resource - time, money,
14 people - in order to meet our students' needs.
15 We have the ability to put the needs of our
16 students before the ones of the adults because of
17 the mayor's understanding that charter schools
18 are a crucial part of our City's education reform
19 strategy. Mayoral control has resulted in our
20 City's nearly almost celebrating 100 charter
21 schools, 100 places of learning by virtue of
22 charter legislation where people put their
23 students' needs ahead of everyone else's wants.

24 The second reason why I am in favor of
25 mayoral control is the positive impact it has had

1 on the larger public school system. I earned my
2 principal certificate in 1997. My goal was to be
3 a school principal because of the profound impact
4 schools have to positively transform children's
5 lives. When I looked what I would have to do -
6 be responsible for student achievement but have
7 no flexibility around staffing or budget and,
8 thus, no means to effect the changes that needed
9 to happen to support kids, I was dismayed. No
10 grownup anywhere in 1997 said hold me accountable
11 if our City's kids don't get smarter. No grownup
12 said I believe all kids will achieve and will
13 stake my career on it. I left the traditional
14 public system to start Explore.

16 Since then, I've marveled as the larger
17 system has made dramatic changes. Principals
18 have more autonomy and are held accountable.
19 Student assessment is prioritized so schools can
20 have the data they need to support each student's
21 needs. I wonder if I would have left the public
22 system had mayoral control been in place in 1997.

23 I worry that if mayoral control is dismantled
24 how many talented teachers and school leaders
25 would leave the public system. How much talent

2 would drain from the system if they saw a return
3 to the lack of accountability and a return to
4 putting the needs and wants of grownups before
5 kids?

6 If mayoral control continues, how can we
7 make it stronger? Like other testimonies, I
8 believe that the perspectives of parents and
9 teachers must also be at the table. Let me
10 describe how we do this at the micro-level at
11 Explore because I think there are lessons that
12 can be learned.

13 CHAIRWOMAN NOLAN: Just tell us where
14 Explore is, too.

15 MR. BALLEEN: It's in Flatbush. Corner of
16 Schneider and Flatbush.

17 At Explore we are governed by a Board of
18 Trustees. This nine person board is composed of
19 affiliated individuals, people who are directly
20 impacted by the school - two parents, a teacher,
21 myself. It is also composed of unaffiliated
22 individuals, folks with specific skill sets who
23 are not directly impacted by the school. They
24 are neither parents nor employees. As a body,
25 this group governs by letting the best idea win

1 in pursuit of our mission, that all students will
2 have the critical thinking abilities and academic
3 skills they need to succeed.
4

5 Instead of words like checks and balances
6 or appointees, we use phrases like different
7 perspectives to get our approach to governments.

8 Teachers aren't on the board to protect
9 teachers' interest and parents are there to speak
10 for all parents. Instead, the paradigm is
11 shifted. Our board functions because we
12 understand that the broader prospective we have,
13 the more robust and rich will the decision-making
14 process be.

15 Thank you.

16 MR. SCHOOR: Hi. My name is Howard
17 Schoor. I am the UFT Borough Representative from
18 Brooklyn, and I come before you with more than 35
19 years of experience in addressing issues in the
20 New York City Public School System. There are 14
21 district representatives who work out of the UFT
22 office in Brooklyn and deal with problems in the
23 public schools on a daily basis. And I am here
24 to give you our impression of education under
25 mayoral control.

1 Trust, but verify, was one of Ronald
2 Reagan's signature phrases when discussing
3 relations with the Soviet Union. In thinking
4 about the current version of mayoral control,
5 under the auspices of Chancellor Klein and Mayor
6 Bloomberg, the phrase that comes to mind is trust
7 because we won't allow you to verify. Let me
8 give you a few examples of how the governance
9 structure now in place has failed.

11 The former Board of Education had a
12 public agenda for its monthly meetings. There
13 was visible discussion, debate and decision-
14 making about how money was to be spent. The
15 DOE's current philosophy gives principals sole
16 discretion over the money allocated to their
17 schools. According to a recent DOE report, New
18 York City class sizes and most grades and
19 subjects actually increased this year despite
20 millions of dollars in CFE money dolled out by
21 the state and your Legislature. These increases
22 reverse a downward trend in average class sizes
23 that had been in place since 2002. The DOE
24 offered no reason for its failure to comply with
25 the state mandate except to blame principals.

1 The truth of the matter is that the DOE never
2 required principals to use the money as you had
3 intended it to be used, it only suggested that
4 they do so in certain targeted schools. When
5 this issue has previously been brought to the
6 forefront in our discussions with the DOE
7 officials, the mantra has consistently been we
8 can't tell the principal what to do.
9

10 It can be argued that DOE's reluctance to
11 tell principals what to do has led to a major
12 breakdown of the problem-solving processes
13 previously used by parents and the union to
14 address issues of concern in the schools. It is
15 true that the union's district representatives
16 still meet with DOE's district superintendents on
17 a regular basis. It is also common knowledge
18 that under the current governance structure these
19 same superintendents, who retain the ability to
20 rate the principals in their district, are
21 forbidden to visit schools without an invitation
22 from the principal.

23 It is imperative that changes to the
24 governance structure be implemented that will
25 enable superintendents to be re-empowered with

1 the authority granted to them under state law and
2 be allowed to take on responsibility for
3 decisions about safety, placement, curriculum and
4 personnel in the schools that they oversee. We
5 find that this is, in our estimation, the element
6 that must be addressed by the Legislature, the
7 re-empowerment of district superintendents.
8

9 The UFT School Governance Task Force has
10 endorsed several key ingredients of an effective
11 governance system and structure. These include
12 accountability and transparency with checks and
13 balances at all levels; public involvement in
14 decision making; clear lines of communication and
15 responsibility to solve problems; full compliance
16 with state laws; teamwork and collaboration
17 focused on achievement; stability and oversight
18 of resources on which schools depend. Based on
19 these principles, the union's specific
20 recommendations include the following: allowing
21 district educational councils, formerly known as
22 CEC's, to hold public hearings and make
23 recommendations on proposed school openings and
24 closings. Assemblywoman Barron, I believe they
25 closed two schools in your district this year,

PS72 in District 19, PS150 in District 23.

Just the other day we had a demonstration at PS150. This school should take you a closer look - you should take a closer look at this school because what they're doing here, not just closing the school but allowing a charter school to take over the whole building. So the children who are zoned into this school have no place to go. They are zoned to this school and now some of the parents who were at the demonstration - Kareem, your husband was there, Ms. Barron - said where I am going to send my child? That's something we're urging you to look at. This has happened I believe in two other schools in the City.

A second recommendation. Creating a nine member high school district council to represent each of the six current high school districts, allowing for input to the newly reconfigured panel for educational policy, called the Citywide Educational Policy Council in our plan. In the event that the mayor's choice for chancellor requires a waiver, a 360 degree evaluation for principals and the chancellor that provide a

1 comprehensive view of their performance from a
2 broad cross-section of people, including parents
3 and teachers.
4

5 We had to do our own survey, our own
6 grading of the chancellor. He didn't do too well
7 on our grade. He failed, actually. He got an F.

8 Maybe Liebman could have answered that for your.

9 A legal accountability measure that would
10 enable complaints to be filed with the state
11 commissioner and subsequent court proceedings if
12 the DOE does not comply with the law. Another
13 six year sunset on the law that you will pass.

14 I thank the Committee for taking the time
15 and effort to hold these hearings, and urge you
16 to adopt these recommendations to ensure that a
17 place exists that respects teachers and students
18 and is accountable to the parents and the public.

19 Thank you.

20 CHAIRWOMAN NOLAN: Thank you. Go right
21 ahead.

22 MR. GREEN: Good afternoon, Madam Chair
23 and the members of this gathering of the
24 Assembly. I'd like to just say that I'm
25 advocating not only for -

CHAIRWOMAN NOLAN: Just say your name again.

MR. GREEN: Oh, I'm Richard Green and I'm from the Crown Heights community.

CHAIRWOMAN NOLAN: Just for the record, we like to have that. Thank you.

MR. GREEN: I'm a product of the New York City Public School Systems. I graduated; I think Lincoln was President at that time. I've been in and around this structure for many, many years.

Think back 20 years ago Chancellor Green, my namesake, became Chancellor. And one of the things that happened - I'll never forget - I received a letter from Chancellor Green two days - actually he had passed when I received the letter. And in the letter he said I look forward to working with you to curb the dropout rate in New York City. I took that almost as a mandate in him giving me that opportunity to work with it. And I've worked as an AIDP contractor for many years in some of the schools in Brooklyn Central.

And in the coming administration, when

1 this mayor came into office and prior to that I
2 had worked with the prior two chancellors,
3 Cortinez and Crew. One of the things that I was
4 part of that was really startling to me as far as
5 my work goes was the fact that Chancellor
6 Cortinez took over one major district in Brooklyn
7 which I was a part of, which was District 17, and
8 then had made me a part of the trustees of five
9 people that ran that district, finishing his
10 career as chancellor and then coming in for
11 another year with Chancellor Crew.
12

13 One of the things that we found that made
14 me even more conscientious about working at the
15 system and getting it tweaked to serve the
16 children, which my own children all attended in
17 those schools, was the fact that when I started
18 as a trustee to see just the way things were done
19 - I hadn't had an opportunity to work that
20 closely, but as a trustee I was able to see
21 things that really bothered me to a great extent,
22 in terms of waste, in terms of how staffing was
23 done. I was the head of the personnel committee.

24 I remember a young man walking in one day saying
25 he wanted to be an assistant principal. Normally

1 he would never have had that opportunity. But
2 because now we were trustees, we had greater
3 latitude. This young man was a man by the name
4 of Dave Banks, you might have heard of Eagle
5 Academy. Out of that he grew from vice principal
6 to principal and now to head one of the great
7 institutions in this City, perhaps in the nation.

8
9 Saying that all to say that, coming in to
10 the new administration we saw the so-called
11 schools, they gave them a name that I didn't
12 really particularly care for. The Chancellor
13 asked me to be part of the task force to travel
14 through this City and look at those schools that
15 were described as a something dozen.

16 I went through, in many days, into the
17 Bronx and into parts of Manhattan and saw these
18 schools and saw the need for change. We went to
19 charter schools. We went to non-charter schools.

20 We went to schools to sort of get a comparison.

21 And I left out of that, as well as new visions.

22 I left that thinking, okay, there were so many
23 things that had to be changed but now we have an
24 opportunity to make those changes happen.

25 I worked with - now he's one of the folks

1 up in Albany, Lester Young. He was part of that
2 group that we went up and went through the
3 schools. And I walked away visiting these
4 schools in the center cities of the Bronx and
5 Manhattan knowing that we had to get busy and
6 vigilant to make this change happen.
7

8 To say that the administration has done
9 tremendously good work would be an
10 understatement. I would say that there is a
11 great opportunity now, more than ever, for us to
12 continue to move forward and make these changes
13 happen.

14 One of the major issues I think the
15 administration has looked to tackle - and I am
16 very close to me - is, of course, Black and Brown
17 males achieving high school diplomas. Whether
18 the young people in the center cities or the
19 outer parts of the borough, that this is some
20 phenomena that has to be handled, and I think
21 that we have the great chance right now with the
22 way it's been moving.

23 I think one of the things that could
24 happen in this next phase is that we have taken
25 all that has taken, up until now, and correct it

1 but not go back now to square one. We don't have
2 that luxury to go back to square one, to the days
3 when I know how things ran in one district. I'm
4 not sure about the other 20-something districts,
5 but I know in our district how things ran and how
6 we held onto it. We want to go back to that day
7 and then start again? I think we can take what
8 has been done so far and tweak it.

10 One of the two things, three things I
11 want to add to these minutes and to ask the
12 legislators to look at as they go through this
13 deliberation. One is to carry out a plan that
14 would bridge existent informational divide
15 amongst the parents. Obviously the parents here
16 has lots of concerns, and these needs has to be
17 articulated, as well as their concerns. And we
18 need to offer them a position that's conclusive
19 with a good relationship with the schools, the
20 administration and a relationship with the
21 legislators.

22 *The New York Times* article dated June
23 2002 gave us a working blueprint. It was
24 offered, utilized of the Chicago Schools as a
25 model. The school councils which complimented

1 operation under the newly named Secretary of
2 Education, Arnie Dunkin, developed a strong
3 working relationship with schools, parents and
4 mayor. We need to re-examine our school
5 leadership mechanisms and offer renewed
6 confidence to parents and create a new general
7 tone in unanimous favor of continued success.
8

9 The UFD plan is deemed desirable, but the
10 new vision for school's leadership has yet to be
11 unveiled. The rubber meets the road at the
12 community level. There are three parts of that
13 place where the rubber meets the road and those
14 three parts are teachers, teachers, teachers. If
15 teachers are able to teach in the classrooms and
16 are able to perfect their skills, which I have
17 done for many years as an educator, when we're
18 able to get in that class and perfect our skills
19 and get to manage our classrooms, the other
20 administrators will automatically see success.
21 It's like guys on the floor of a basketball
22 court, the coach gets a lot of credit, the
23 managers, but those guys who are out there
24 running for 48 minutes are the ones that are
25 doing the job, and that's your teachers.

1 One hundred percent of positive
2
3 determination is our new goal. Acknowledging
4 that there are adults who will lead school pride
5 at graduation. Our parent community wants to
6 know that there is even a greater effort being
7 expended to furnish and circulate GED and other
8 alternatives to positive completion.

9 One school I worked with very closely
10 here in Manhattan is City As. And that's a
11 school that works with a young person who has
12 usually been either kicked out, pushed out, or
13 dropped out of the system, and those young people
14 are taken back in. And instead of just looking
15 at the typical being on-top diploma, they're
16 taught also to be on tap. They can go out into
17 the world of work and make themselves a part of
18 it.

19 Lastly, the parent coordinator's role
20 have to be upgraded to become a true
21 ombudsperson, a manager of parent and community
22 needs. They should be with credentials and the
23 voice of the changes that the mayor and the
24 chancellor are championing. Recent story did -
25 where they asked the administration asked and he

1 said he wants to see parent coordinators better
2 able to navigate the system and extract results.

3
4 The authentic representation of parental
5 concerns and those respective schools and better
6 working relationships with principals and
7 administration. Again, a more elaborate
8 reporting technique where parents, community,
9 teachers and others cannot only work in
10 collaboration with you, the Legislature, the city
11 mothers and fathers, but also to make sure the
12 1.1 million children in this great city of ours
13 are going to get a high school diploma or better
14 off and get into higher education.

15 Thank you very much.

16 CHAIRWOMAN NOLAN: We thank all three of
17 you very much. Just a quick question.
18 Assemblyman O'Donnell and then Assemblywoman
19 Barron.

20 I just want to also, for our record, we
21 had ten witnesses before the City spoke. We did
22 call Wanda Williams from DC37. I was remiss
23 because Local 372 testified in Manhattan, so I
24 want the record to reflect that. Also, we did
25 allow Reverend David Brawley of East Brooklyn

1 Churches to go a little earlier. So this panel
2 ended up being a little smaller. I want to just
3 try again for Richard Bury, who is going to
4 replace Sister Paulette LaMonica from Learn New
5 York.

6
7 Questions? Just trying to do a little
8 housekeeping here. And I just want to thank all
9 three of you. I should also just say that this
10 is very important that you mentioned Chancellor
11 Green. I was new to the Legislature around the
12 time that he came and had great respect. I was
13 at the funeral. I always felt the City - he
14 really gave it his all. You are a namesake and I
15 think that's a sign that you got that letter. I
16 really credit you for continuing the work you do.

17 I didn't know that story - of course I know of
18 the work you do - and it really touched me. So
19 I'm so glad you mentioned him today.

20 ASSEMBLYMAN O'DONNELL: Thank you very
21 much. I'm sorry. Mr. Flatbush, I don't remember
22 your name.

23 MR. BALLEEN: Morty.

24 ASSEMBLYMAN O'DONNELL: If you know these
25 statistics, what percentage of the kids in your

1 school are ELL's?

2 MR. BALLEEN: None.

3 ASSEMBLYMAN O'DONNELL: And what
4 percentage are special ed?

5 MR. BALLEEN: Seventeen and a half.

6 ASSEMBLYMAN O'DONNELL: Okay. One of the
7 problems that many of us have in these
8 discussions is that there are two parts to
9 charter schools; there is a pre-selection process
10 because, at the very least, a kid has to have a
11 parent engaged enough to know to go into the
12 lottery and then they have to win the lottery,
13 right? And so the kids who don't have a parent
14 like that and, to be quite frank, I was that kid.

15 My mother had died. There were five kids at
16 home. We were latch-key kids. If my father had
17 to put us in the lottery to get us into school I
18 wouldn't be sitting here today. Those kids who
19 don't either get into your school or don't have
20 the chance because they never applied, that's
21 what these hearings are about.

22 I have a sense that you do a very good
23 job. However, whatever statistics or
24 justification for how successful you are is
25

1 somehow not really relevant when you don't have
2 any ELL's. Something like 13 percent - this is
3 from a hearing a year ago - of elementary school
4 kids are English language learners and they
5 require more resources and they're more difficult
6 to get to pass those tests. And if you're not
7 having any of them then your level of success, to
8 be compared with the public school across the
9 street that has 20 percent of them, means
10 nothing. Do you understand?

12 All I want to say to you is I don't think
13 anyone here, and certainly I, are not looking to
14 prevent you from doing what you're doing. We're
15 here to make sure that those kids who aren't in
16 your school, who may have more difficult
17 educational needs than your kids do, and, more
18 importantly, may not have the adult in their life
19 to navigate this system and navigate them into a
20 school like yours that may work, that those kids
21 have a fighting chance too.

22 Thank you.

23 MR. BALLEEN: Am I allowed to respond?

24 ASSEMBLYMAN O'DONNELL: You're allowed to
25 respond Morty, yes.

1 MR. BALLEEN: In terms of your first sort
2 of concern, who gets to come to Explore. In
3 2002, Ms. Davis who is sitting behind me has been
4 with us since 2002, a parent. Ms. David, if
5 you're there could you raise your hand?
6

7 ASSEMBLYMAN O'DONNELL: She's in the
8 back. She's over there.

9 MR. BALLEEN: In 2002 I literally walked
10 up and down the subway about what Explore Charter
11 School was because our mission is to serve those
12 kids and families who need the most in
13 outstanding public education. I hear your
14 concern and I think that's a common concern. But
15 I also think the recruitment efforts that we, at
16 Explore, do is to make sure that we're passing as
17 wide a net as possible.

18 In terms of the ELL concern, what we do
19 at Explore is, far and wide, we're sending our
20 materials in Creole, Spanish and English, and
21 then we also give our kids a home language
22 survey. But I hear you and I think that's fair.

23 ASSEMBLYMAN O'DONNELL: I appreciate
24 that. But I guess the point I would make to you
25 is that I believe that you're trying as best you

1 can. But if you tell me you have zero percent
2 that suggests to me that there's something else
3 going on, that you can't manage - when you do all
4 that you don't get them.
5

6 Let me just talk briefly about
7 compensation. Could you tell us what you make in
8 your job? What is your salary?

9 MR. BALLEEN: Sure. I make \$137,000.

10 ASSEMBLYMAN O'DONNELL: So you don't make
11 \$371,000.

12 MR. BALLEEN: No.

13 ASSEMBLYMAN O'DONNELL: Okay. Can you
14 understand why those of us who fight every day to
15 give more resources into the education pie might
16 get offended when we find out that somebody who
17 is eating at that pie is getting paid more money
18 than, say, an AIG bonus person?

19 MR. BALLEEN: Yes I can.

20 ASSEMBLYMAN O'DONNELL: Okay.

21 MR. BALLEEN: Again, Ms. Davis, who is
22 behind us, is on our Board of Trustees. She,
23 herself, approves my salary to do exactly that
24 analysis, to make sure that my compensation is
25 fair and sort of in line with what I'm doing in

1 my job.

2
3 ASSEMBLYMAN O'DONNELL: She's kind of far
4 away from me, but from here she looks like she
5 can take care of that.

6 Thank you very much.

7 ASSEMBLYWOMAN MILLMAN: I really wanted
8 to ask this before and didn't have an
9 opportunity. It's come to my attention - I think
10 it's part of No Child Left Behind. I'm going to
11 ask Howie if he could comment on this. The DOB
12 hired private - Mr. Schoor - hired private
13 consultants to do this tutoring that has to go on
14 for kids who are underachievers. And one of the
15 contracts, they paid a private company more than
16 \$21 million. I'm looking at an article that
17 appeared in the *Daily News* on March 4th of this
18 year. And they paid the tutored, many of them
19 unskilled themselves, to go into homes of
20 children who were underachievers and paid them
21 less than they were supposed to be paid - these
22 were young, basically, teenagers - and this
23 company walked away with in excess of \$21
24 million. I don't know if it was a non-bid
25 contract. Could you shed any light on this? Are

1 you aware of it?

2
3 MR. SCHOOR: I'm aware of it because I
4 read the same article that you read. I can't
5 shed any light because they don't really share
6 information with us, the same way they do not
7 share information with you. We would love to
8 have that information, and if you could get that
9 from them that would be great for us too.

10 ASSEMBLYWOMAN MILLMAN: If we do we will
11 certainly share it with you.

12 Thank you.

13 ASSEMBLYMAN BRENNAN: Thank you very
14 much.

15 ASSEMBLYMAN CAMARA: Not a question. I
16 just wanted to thank - he was very understated,
17 Mr. Richard Green, of course we all thank all of
18 them, but he happens to be a constituent. Not
19 only that, he is the founder of the Crown Heights
20 Youth Collective that has been holding
21 communities together for some time. So we thank
22 all of you. Thank you, Mr. Green. I look
23 forward to continuing to work with you. And I
24 thank all of you for your comments today.

25 CHAIRWOMAN NOLAN: And thank you Jim.

1 It's 5:30. I apologize for this. I
2
3 thought we could go even later, but we have to
4 finish by 8 p.m. That means we have 2½ hours. I
5 know some groups are here with large delegations.

6 Perhaps they can summarize one or two key
7 people. We will try to go as many people as we
8 can.

9 I want to just quickly - Jacob Mooklin,
10 Adele Fabrikant, Jeff Kaufman, Ira Miller and
11 Celinda Martinez, not here, right? I just try to
12 give people that second chance.

13 Now we have a number of students from
14 Hillcrest High School but they had to leave. So
15 I want to make sure that nobody did stay.
16 Stephen Duch, Amar Ramroop, Sean James, Shahina
17 Ghanie, Gurleen Kaur, Fateha Uddin, they all
18 left, right? But I want to acknowledge Hillcrest
19 High School's participation in these hearings.
20 The young people have been wonderful; they've
21 attended several of them. So we'll check them
22 off.

23 Leticia Alanis and Margarita Pavon from
24 La Union. If they are still here I'd like them
25 to come down. Wendy Cheung, parent and Coalition

1 for Asian American Children & Families, Pacida
2 Rodriguez, Sylvia Rodriguez and Robert Moore from
3 Make the Road New York, Glynda Carr the executive
4 director of New York Education Voters. I didn't
5 see Glynda but if she's here we'd like her to
6 come down. Oh, there she is working in the back.

7
8 Sandra Rivers, Black New Yorkers for Educational
9 Excellence. Josh Solomon, Young Women's
10 Leadership Network. Diana Silverman, Center for
11 Arts Education. Nancy Villareal de Adler, New
12 York Association for Bilingual Education. If any
13 or all of those people are here, I would like to
14 invite them to come down.

15 I also want to call Krystal Bonisabo and
16 Melissa Kisson, Future of Tomorrow; Tim Kremer I
17 think had to leave, from the New York State
18 School Boards. I don't know if he sent a
19 representative.

20 Let me just go through that very quickly
21 again. Before I do that, any of the names I
22 called - just waive if we called your name and
23 you're coming down. Then I'm going to try again
24 for Richard Buery.

25 Ellen Bilofsky, Rosa Flores, Benita

Lovett-Rivera, Carla Phillip, Charmaine Phillips,
any of those people on that list? Come to the
on-deck circle.

Let's get started. Glynda would you like
to lead us off?

MS. CARR: Sure. Good evening now.

CHAIRWOMAN NOLAN: I would just say we
don't want to cut anybody off, but if people
could summarize that might be helpful too.

MS. CARR: Good evening all. My name is
Glynda Carr. I'm the Executive Director of
Education Voters of New York. I would like to
thank Assembly Member Cathy Nolan and all the
members that are gathered here today,
particularly for those who have been here all
day. I commend you. It's been a long day, but I
believe that the information that has been
gathered has been extremely informative on both
sides of the issue. It's important that our
citizens are informed of what our government
leaders are contemplating up in Albany. That
being said, I am going to be as brief as I
possibly can be.

We are all here today because we are

1 passionately about ensuring that every New York
2 child has the opportunity to learn and thrive in
3 our public schools. Few of us fail to recognize
4 that some progress has been made in improving the
5 public schools of New York over the last four
6 years, since mayoral control was initiated. But
7 the time is now and the outcome is clear; we need
8 to put the public back into our public schools.
9

10 Some may argue that increasing public
11 participation, checks and balances and
12 transparency, is taking control away from the
13 mayor. However, I am suggesting that we had the
14 opportunity to improve the city's school
15 governance structure. The State Legislature can
16 create progressive language in the
17 reauthorization law that clearly defines the
18 mayor's responsibility and the role in the
19 management of public schools. The reform must
20 include: greater public participation from
21 parents, youth and communities in decisions
22 affecting schools; a system of checks and
23 balances because no one person should have
24 autonomy over all crucial education policy
25 decisions; and, finally, greater transparency

2 over school performance and finances, so that we
3 can know what's really going on in our schools.

4 Recent events in the corporate world have
5 showed us that we should not run our most
6 valuable public asset - the public schools - like
7 a Fortune 500 company. Even top executives on
8 Wall Street have a board of directors or
9 stakeholders to whom they report. Why then
10 should we leave it in the hands of two people to
11 make every critical decision on policies that
12 directly impact student achievement? We must
13 pause and ask the question - who will bail out
14 our children if we jeopardize their future with
15 failed public policies?

16 Education is the most important social
17 and economic determinant in the life of an
18 individual. Regardless of where or to whom a
19 child is born, all American public schools should
20 serve as the corridors of opportunity. They must
21 engage and connect that child with the
22 educational resources needed to access and
23 contribute to our country's vast social,
24 economic, and civic opportunities. To achieve
25 this, every child should have access to early

1 childhood education, highly effective teachers,
2 college preparatory curriculum, affordable higher
3 education, a system of accountability for holding
4 all parties responsible for results, including
5 our government officials, student leaders and
6 parents.
7

8 Please allow me to address each of the
9 three critical reforms that Education Voters of
10 New York is proposing.

11 We seek greater public participation.
12 Evidence clearly indicates that when a student
13 has an involved adult in their school life they
14 are more likely to perform well. Yet, time and
15 time again we hear that parents, students and
16 community stakeholders feel that their voices are
17 not being heard. Over the past four years New
18 Yorkers, parents in particular, have felt
19 powerless and voiceless. We need reform that
20 gives support to and encourages parental and
21 community involvement.

22 Education Voters' mission is to do just
23 that, to build public demand for excellent
24 schools. At our core, we believe in public
25 participation in government. We believe that a

collaborative decision-making process at all levels will lead to better educational policies and improved academic outcomes for more students.

In addition to providing opportunities for public input, the reform should require principals to hold public meetings to report on school finances and student performance, and to discuss plans for meeting the benchmarks and budget targets of the comprehensive educational plans.

District superintendents should have primary responsibility for the supervision of principals and administrative oversight of schools in their district. In addition, they should hear and resolve grievances regarding school choice, discipline, language access for parents and ELL students, special needs, and school level participation. Hold public meetings to report on district performance and discuss plans for improvement of district schools.

And, when it comes to failing schools, we are calling for a system that supports a clear, transparent process to school closings that includes public notification, opportunities for

1 public comment and a plan to assist parents with
2 school choice options.

3
4 Second, any reform must include a system
5 of checks and balances. We support restructuring
6 the Panel on Education Policy as an independent
7 body. Strengthening the power of the PEP will
8 ensure that the decisions being made put the best
9 interest of every child first, regardless of
10 race, ethnicity, or socioeconomic background.

11 We support the proposal for the PEP to
12 have a narrow majority of members appointed by
13 the City Council or other elected officials, and
14 a minority of members appointed by the mayor.
15 The PEP should have approval power over the
16 annual DOE operating budget and five-year capital
17 plan. Also, any major education policy changes
18 should require PEP review and approval.

19 Third, as we look at the past four years
20 of mayoral control of our public schools, one
21 area that clearly needs to be addressed is the
22 question of transparency. The citizens of New
23 York City have the right, and indeed the
24 obligation, to review school performance and
25 school finances, so that we can know what is

1 really going on in our schools. In order to
2 ensure that every New York City child has the
3 opportunity to receive an excellent education, we
4 must be able to review school performance and
5 school finances.
6

7 It is clear that public schools are the
8 engines of our economic prosperity. The
9 development of the next generation of business
10 and civic leaders is critical to the future of a
11 thriving economy. It is equally clear that that
12 future depends on our investment in revitalizing
13 the way we educate our children. We have a real
14 opportunity to make a giant step toward public
15 school reform. The time is now and the outcome
16 is clear; let's put the public back in our public
17 schools. Education Voters looks forward to
18 working closely with you to support the reforms
19 that will improve academic achievement.

20 Thank you.

21 ASSEMBLYMAN BRENNAN: Thank you Ms. Carr.

22 Please identify yourself and where you're from
23 and proceed.

24 MS. VILLAREAL DE ADLER: My name is Nancy
25 Villarreal de Adler. I'm a Brooklynite. Right

1 now I am representing the New York State
2
3 Association for Bilingual Education. And I'm
4 representing the teachers, administrator's
5 advocate who work for and with English language
6 learners.

7 The recent report from the New York City
8 Department of Education, *Diverse Learners on the*
9 *Road to Success*, presents data that evidence the
10 progress of ELLs, mostly at the elementary level,
11 in meeting ELA and math standards. In addition,
12 the report underscores the crucial role of
13 quality bilingual/ESL instruction by highlighting
14 the achievement of former English language
15 learners. The levels of performance on State ELA
16 and math tests, as well as graduating rates of
17 former English language learners clearly surpass
18 those of native speakers of English.

19 Despite this encouraging information, we
20 must agree that much more work needs to be done
21 to address New York City's systemic realities,
22 including: the low proportion of English
23 language learners graduating with a high school
24 diploma, 30.8 percent in 2007, and the high ELL
25 dropout rate, 29.4 percent; the alarming low

1 achievement of middle school and high school
2 students. This group includes Students with
3 Interrupted Formal Education and Long Term
4 English language learners. Only five percent of
5 ELLs met state requirement in English Language
6 Arts.
7

8 What we find very disturbing is the
9 exclusion of the English language arts with
10 disability from the diverse *Diverse Learners on*
11 *the Road to Success* report. It does not speak
12 about English language learners in special
13 education. And unfortunately this group
14 continues to be the illegitimate child of
15 bilingual education and the illegitimate child of
16 special education. Very few people talk about
17 the English language learners in special
18 education.

19 We are also concerned about the limited
20 strategies to ensure equitable access to English
21 language learners in charter schools and small
22 high schools.

23 ASSEMBLYMAN BRENNAN: Ms. Villarreal, do
24 you have copies of your testimony for us?

25 MS. VILLARREAL DE ADLER: Yes, sir.

ASSEMBLYMAN BRENNAN: I don't know if they have been distributed to the members here.

CHAIRWOMAN NOLAN: I apologize. We're just trying to get some of these copies.

ASSEMBLYMAN BRENNAN: You've given them to us, alright. Keep going.

MS. VILLARREAL DE ADLER: The lack of authentic participation of parents of English language learner in the educational decision-making process in the New York City schools.

Based on these identified issues, the New York State Association for Bilingual Education urges all of us to consider the following recommendations.

Make fiscal accountability a priority in our City school system to ensure that all English language learners generated funds, federal and state, are spent to support and enhance educational initiatives for English language learners.

Fiscal transparency must be assured through the availability of fiscal reports for each school, as well as the Department of Education. Clearly, this fiscal reports need to

be obtained through independent assessment.

Ensure that state and federal funds target the achievement gap of English language learners by supporting and enhancing initiatives, including research and implementation of pedagogical practices and support services for middle, high schools students.

The establishment of a pre-school program in geographical areas with high concentration of immigrants. A major goal of these pre-school programs must be to promote bilingualism and multicultural education while developing the youngsters' readiness skills.

Long-term, focused professional development and additional support for administrators and practitioners on the implementation of quality research-based English language learners educational programs, particularly for those focusing on middle school and high school.

We also need to develop a strategic system-wide plan to transform the current parent engagement practices into an integrated collaborative relationship where parents of

1 English language learners, regardless of their
2 language skills, educational background or
3 immigration system can participate in the
4 decision-making process of our schools.
5

6 We must also emphasize programmatic
7 accountability to ensure that all students
8 identified as English language learners are able
9 to receive quality instructional and support
10 services in English and the native language.

11 We must ensure that current practices in
12 bilingual education programs are aligned with
13 scientific research that focuses on academic
14 success as a result of the use of native language
15 and the development of literacy skills.

16 We must ensure ELL's access to charter
17 schools and small high schools where they can be
18 provided challenging, research-based instruction
19 that targets their language and academic needs.

20 We must ensure that ELL's with
21 disabilities are assessed appropriately and
22 receive the best instruction and support services
23 to which they are entitled.

24 We must ensure that future reports on the
25 achievement of English language learners include

1 the segregated data demonstrating the academic
2 and linguistic progress of ELLs in special
3 education.

4
5 We must assure that administrators and
6 practitioners apply the research-based core
7 features of RTI to the development of the
8 schools' programs for ELLs.

9 We must ensure professional development
10 and supports for all practitioners serving
11 English language learners students with
12 disabilities. Again, this data on programmatic
13 accountability must be obtained, unfortunately,
14 through independent sources because it seems to
15 me that our membership is expressing their
16 mistrust to the reports presented recently.

17 In closing, the New York State
18 Association for Bilingual Education reiterates
19 its mission to advocate for the educational
20 rights of all English language learners.

21 Thank you very much.

22 CHAIRWOMAN NOLAN: Thank you. And
23 again, it's a pleasure to see NYSBE in the house,
24 as well as the Education Voters Group. And I
25 thank both of you, since I know you both, for

1 letting me do a little housekeeping while you
2 were speaking. But I was listening with great
3 interest.
4

5 We're going to have some questions, but
6 we'd like to keep going for the moment.

7 Yes, go ahead.

8 MR. ANDERSON: Good evening. My name is
9 Sam Anderson. I'm with a group called Black New
10 Yorkers for Educational Excellence. My name is
11 Sam Anderson. This group is represented here
12 also representing some other organizations, the
13 Three R Coalition and Roots Revisited.

14 I am a native Brooklynite, Bed-Stuy. I
15 am, over 40 years, a professor of mathematics and
16 Black history and have taught teachers in various
17 colleges here. I have two sons who went through
18 the public school system here, in New York City,
19 successfully, through much struggle. I am not an
20 outsider. I am very much a person who is
21 concerned about the future of all children in New
22 York City and in the United States, because that
23 is the future of humanity also.

24 CHAIRWOMAN NOLAN: Would you just say
25 your name again and the group? We got

distracted. I apologize very, very much.

MR. ANDERSON: Sam Anderson.

CHAIRWOMAN NOLAN: And you're representing?

MR. ANDERSON: Black New Yorkers for Educational Excellence.

CHAIRWOMAN NOLAN: Okay. Fine. Perfectly fine. Thank you.

MR. ANDERSON: First and foremost, we would like to thank State Assemblywoman Catherine Nolan and the Assembly Committee on Education, New York State Assembly for holding these important open hearings on New York City School Governance. We, in BNYEE, or Black New Yorkers for Educational Excellence, are strong advocates of participatory governance, both in the electoral arena and the public school system.

Black New Yorkers for Educational Excellence sees mayoral control of public education in any of its variations as fundamentally countering the basic tenets of democracy. We also see it an ever-growing path to completely privatizing public education. Moreover, we support the Independent Commission

1 on Public Education's vision of a totally new
2 public education system grounded in the fact that
3 education is a human right and that parents,
4 student and educators have equal decision-making
5 roles within their schools.
6

7 I'm going to skip over a lot of this
8 because you have this, but I think the audience
9 should know some of this other aspect,
10 particularly.

11 We would also like to take this
12 opportunity to offer solutions to the pressing
13 issue of systemic disappearing of Black and
14 Latino educators from the system school.

15 You may be aware of the fact that in the
16 1990/91 school year, White new teacher hires were
17 45 percent, while Black and Latino new teacher
18 hires were 16 percent and 12 percent,
19 respectively. This was bad because of the fact
20 that most students then, 85 percent of them were
21 Black and Latino and the teaching staff was 80
22 percent White. Some 17 years later, under the
23 mayoral control of Bloomberg-Klein, the White new
24 hires are now 65 percent while Black and Latino
25 new teacher hires are 12.8 and 13 percent,

1 students still major in education at a greater
2 rate than any other major. For Black college
3 undergrads nationwide, education majors are 34
4 percent of all the majors, almost doubling the
5 next highest major, business at 16 percent.
6

7 How do we solve this? BNYEE, Black New
8 Yorkers for Educational Excellence is advocating
9 that we have the current Board of Education
10 immediately take at least \$60 million annual
11 teaching recruitment budget and redirect it to
12 launch a community-based recruitment and
13 education campaign that is structured around a
14 two year, four year and eight year strategy of
15 reaching Black and Latino teacher parity that
16 matches the demographics of the student
17 population. Thus, the campaign would include
18 free tuition, through graduate school, for all
19 those Black and Latino parents, college-bound
20 high school grads, and other adults who want to
21 earn an education degree and commit to teaching
22 at least five years within the New York City
23 school system. CUNY, SUNY and private schools
24 will be the participating colleges and
25 universities.

1 The Board of Ed, further, will pay for 50
2 percent of the full-time, in good standing Ed
3 major's rent or mortgage, and for three years, 30
4 percent of their rent or mortgage when they
5 graduate and are full-time teachers in good
6 standing.
7

8 The Board of Ed have at least ten full-
9 time community teacher recruiters in each borough
10 spending the next four years actively recruiting
11 and enrolling potential educators from the Black
12 and Latino communities. Bring at least 100
13 retired Black and Latino educators out of
14 retirement, through various financial incentive
15 programs, and enhanced new retirement policies,
16 including comprehensive, free medical, including
17 dentistry, coverage.

18 Institutionalize a Black and Latino
19 Recruitment and Retention Commission and program
20 to help seek and keep the Black and Latino
21 educators.

22 CHAIRWOMAN NOLAN: Do you want to let
23 the other person - are you with the same group?

24 MR. ANDERSON: Yeah. I'm finishing up.
25 I'm just going to be a couple more minutes.

1 Couple more minutes.

2
3 The independent board - we should create
4 an independent board that is a transition
5 commission, as suggested by the Parent Commission
6 which you should be getting copies of. The
7 Parent Commission - you can go online also to
8 parentcommission.org. This commission that
9 oversee the dismantling of the present structure
10 and the creation of the more democratic human
11 rights centered neighborhood-based public school
12 system outlined in the Independent Commission on
13 Public Education's vision plan, which is also
14 online and available to you.

15 The last thing we want to cover is the
16 important of making Black history mandatory for
17 graduation. We are advocating that the making of
18 Black history, that is African and Diasporic
19 histories and culture, a mandatory requirement
20 for all students from kindergarten all the way
21 through high school. We feel that it should be a
22 requirement for graduation from high school.

23 We recognize that there cannot be U.S.
24 history without Black history, nor can there be a
25 world history without African history. These

1 facts have been systematically denied within the
2 current mayoral control education system.
3
4 Bloomberg and Klein use the excuse of the battery
5 of Eurocentric hi-stakes testing pushed on our
6 children as the reason why we have witnessed the
7 erasure of the fledgling black history curriculum
8 and the elimination of the multicultural
9 department within the Department of Education.
10 BNYEE has worked with some of the nation's most
11 prominent scholars and pedagogues to help start a
12 Black History Curriculum and Pedagogy Commission
13 to guarantee that the New York City Public
14 Schools have the curriculum and pedagogy
15 necessary to implement, by 2010, a K-12
16 curriculum for the teaching and learning of Black
17 history.

18 Finally, BNYNEE would like to also
19 emphasize that we need to file a lawsuit against
20 Bloomberg and Klein administration for
21 dismantling the Board of Education. Legally, it
22 is the entity that receives all city, state and
23 federal funds for public education. Mayor
24 Bloomberg has rendered the role of the sitting
25 Board of Education into a symbolic gesture

1 resulting in no public oversight for the \$20
2 billion school budget. In the final analysis, he
3 has the power to spend this money in any way he
4 pleases. AIG and Citibank post-bailout style,
5 without checks and balances that a sitting board
6 would provide. And Mayor Bloomberg is doing just
7 that while committing education genocide upon
8 Black and Latino children.
9

10 Thank you.

11 MS. RIVERS: My name is Sandra Rivers.
12 In addition to being a member of Black New
13 Yorkers for Educational Excellence, I'm also a
14 member of the Coalition to Save Harlem, as well
15 as the RRR Coalition and other organizations. I
16 just will highlight a few things that have been
17 said several times today.

18 We strongly support all of the statements
19 about ending mayoral control. Bloomberg and
20 Klein certainly exemplify, like the Wall Street
21 phenomenon, the lowest common denominator of
22 mayoral control. Other people in that position
23 probably would not be nearly - probably would not
24 be as bad. But putting that much power in the
25 hands of one or two individuals is just insane.

1 The total loss of community involvement
2
3 and parental empowerment cannot be restated
4 enough.

5 I just would like to cite one statistic
6 that just contradicts many of the things that
7 panel said this morning.

8 Only 30 out of 100 Black and Latino
9 students ever graduate from high school. The
10 chance today of a Black male kindergartener
11 graduating from college is only two out of 100.
12 Again, of course, we cannot allow that to
13 continue.

14 I'd like to bring your attention to the
15 pledge for action that - some of you have seen it
16 being distributed by the RRR Coalition, and we
17 expect to be gathering thousands of signatures on
18 our petition to support this pledge of action.

19 I just would like to reiterate the
20 importance of the RRR's recommendation for
21 constituent commission, at least as an interim.
22 I think we have to recognize that reforming
23 education in New York City is obviously complex.

24 And I think the Legislature's beginning to
25 recognize that the mayoral control option was, at

1 a minimum, hasty and we now are reaping the
2 negative benefits of that. And I think that's
3 highlighted by what many of us feel is just
4 outright corruption in the expenditures of the
5 \$20 billion education budget.
6

7 So the RRR's constituent commission would
8 be a plan for governance of New York City School
9 Systems. It would be established and be allowed
10 to have several - one to two years to come up
11 with a comprehensive plan that revolves around
12 education as a human right. We have lost - in
13 this country we have lost sight of that fact,
14 that education is a human right. That's why we
15 don't have arts and music education. Many
16 schools don't have physical education. This is
17 not producing whole children; this is producing
18 robots.

19 We strongly urge the institution of a
20 constituents commission that would study all
21 aspect of human development as it relates to
22 education's responsibility and would be composed
23 of constituents from the communities and would
24 come up with a holistic plan that would address
25 the pedagogic, as well as human developmental

issues that education is responsible for.

CHAIRWOMAN NOLAN: Thank you. Sir.

MR. HOOPER: Good afternoon. My name is Michael Hooper. I'm also a member of the Black New Yorkers for Educational Excellence.

CHAIRWOMAN NOLAN: Just say your name again, I'm sorry.

MR. HOOPER: Michael Hooper.

CHAIRWOMAN NOLAN: Okay.

MR. HOOPER: H -

CHAIRWOMAN NOLAN: Got it. We have an Assemblywoman with that name.

MR. HOOPER: In Hempstead.

CHAIRWOMAN NOLAN: That's right.

MR. HOOPER: Black New Yorkers for Educational Excellence, as well as Roots Revisited. I'd like to go on record that I am adamantly, if not vehemently, opposed to mayoral control. We should never had it in the beginning, should not have it now, and hopefully you will agree with us. I'm going to give you some reasons why.

One. It's not about education. It's about economics. It's about bucks. Bloomberg

1 has changed the Board of Education to the
2 Department of Education, has sold the
3 headquarters of the Board of Education to
4 families and friends, and went over to the Tweed
5 building. Now, I know you elected officials know
6 who Tweed was. I wonder if the people out here
7 know who Tweed was. Tweed is the person who was
8 the big boss, the most corrupt boss in the
9 history of New York City, prior to Tweed Number
10 2, prior to Big Bucks Bloomberg. Tweed, while he
11 controlled the entire City with his conniving and
12 his dollars, Bloomberg has done it softly with
13 propaganda and name tags and t-shirts, and we
14 shall overcome quietly as I pass on a few dollars
15 to you and you come out. Here's my issue. If he
16 is doing such an outstanding job with education,
17 why must he have to advertise it every day? Why
18 must he promote it? Your work speaks for itself.

19
20 My daughter attended Midwood High School.

21 There were no banners up for Midwood High
22 School. It was not a specialized high school.
23 It was always on the White House list. It had no
24 specific curriculum that was super-duper
25 extraordinary but everybody knew it was Midwood.

1 Nobody has to promote it. Bronx High School -
2 never had to put out flyers every day, right?
3 Misinformation in the media every day to convince
4 people, that's called propaganda. And once you
5 say it often enough and loudly, somebody's going
6 to believe it. If your work is so good you do
7 not have to promote it through advertisements, it
8 speaks for itself.

9
10 I'm saying that once you have to go out
11 there and use your Bloomberg media machine to
12 convince me you're doing a great job, there's
13 something rotten in the cotton. When you have to
14 go and convince my colleagues to divide
15 themselves between public schools versus charter
16 schools, there's something wrong there with that.

17 We need to understand that this is not
18 just a regular game, folks. Again, it's back to
19 dollars and cents, \$22 billion. There are only
20 three states in the entire United States that has
21 an entire state budget that's larger than the New
22 York State educational budget, only three. If
23 you're from Virginia or Florida or Minnesota or
24 Washington, forget it. If you're not from Texas,
25 New York or California, your entire state budget

1 is smaller than Bloomberg's big bucks in New York
2 City just in this educational system.

3
4 It's not about education, as I indicated.

5 For instance, besides the money that goes into
6 that \$22 billion budget, there was money that
7 goes throughout the state, to talk about how
8 things are contracted. You have something called
9 the penal system in New York State. Well, New
10 York State has over 90 percent, over 90 percent
11 of all people in the prisons in New York State
12 come from low performing schools in New York
13 City. It's not about education. There's a lot
14 more money involved in that penal system, that
15 criminal system that comes back to you in another
16 way economically. Education is out. What you do
17 is you take a whole group of people and you track
18 them into these various systems and you make
19 money off of them. It used to be called the
20 plantation. They don't have that now. You're
21 inside of the penitentiary where you make desks,
22 like these tables, you clean the legislative
23 office building, right? You clean Harriet
24 Tubman's grounds when people come to visit. You
25 have Costco's, you have Microsoft, you have

1 telemarketing by the inmates. That's called M-O-
2 N-E-Y. That's called bucks. That's called
3 economics, not education. In fact, the driving
4 force around mis-education is money. Bloomberg
5 and others make a lot of money off of that kind
6 of a problem that we see as a people throughout
7 the state.
8

9 So, again, it's not about education; it's
10 about economic. It's not about trying to fix a
11 system. Right now I'm saying we need to
12 eliminate this particular system, revamp it.
13 Look at it, scrutinize it and talk about what is
14 it that we need to do to move forward that will
15 actually save our children and, in fact, save us
16 dollars. Not something that's going to take one
17 man at the top of the money heap for the entire
18 City at the expense of children in New York City.

19 Thank you.

20 MS. REDWINE: Good evening. I would like
21 to thank this distinguished panel for allowing me
22 to share my testimony in support of mayoral
23 control. My name is Leslie Esters Redwine. I'm
24 the Director of External Relations for
25 Achievement First, and I am an active resident in

1 Brooklyn where I serve on my community board and
2 I live with my husband and daughter.

3 My organization is a network of public
4 charter schools -

5 CHAIRWOMAN NOLAN: Wait a second Ms.
6 Redwine. Please, we want everyone to be treated
7 with the respect that we want to be treated with.

8 This has been a very distinguished panel. And
9 now we have a young woman here who is a parent
10 and we want her treated as we all want ourselves
11 to be treated.

12 Please continue. Thank you.

13 MS. REDWINE: Thank you. Again,
14 Achievement First is a network of public charter
15 schools, operating schools in Crown Heights, East
16 New York, Bed-Stuy, Bushwick and Brownsville. I
17 don't want to make any mistake about it. I came
18 to this work in education after practicing
19 criminal law where the effect of failed education
20 system was pronounced client after client. I
21 would like to talk to you about my work today
22 with Achievement First because this is work that
23 I am very passionate about and because of our
24 focus on reforming education in America.
25

1 This great country of ours has the
2
3 world's most prestigious colleges and
4 universities attended by scholars from all over
5 the world. And our children in urban America
6 aren't prepared, nor will they gain admittance to
7 these schools, because of the abysmal K-12 public
8 education they receive. My colleagues next to
9 me, and who have spoken before me today are
10 correct, our children are not graduating from
11 high school. Our children, mostly African
12 American and Latino, are denied a great education
13 and are being failed by thoughtless policies and
14 solutions that don't put their interest first.

15 Unlike the status quo, my organization,
16 Achievement First, is building a first-class
17 network of public charter schools that will
18 ultimately serve over 6,000 students with over 15
19 academies in Brooklyn, ultimately sending more
20 scholars to college, not to the penitentiaries,
21 than most schools in this country in high
22 performing urban school districts.

23 So with a focus on closing the
24 achievement gap, Achievement First is going to
25 provide each scholar a rigorous college

1 preparatory education by tailoring instruction to
2 individual student needs, giving them the support
3 that they need by having a longer school day, a
4 longer school year, great teachers in every
5 classroom and a very well developed school
6 leader.
7

8 Our work is based on the deep belief that
9 education is the civil right's issue of our time.

10 We've heard it. Our President has said it.

11 Many candidates that were running for elected
12 office, they say it all the time that this is a
13 civil right's issue. And if we ignore the
14 achievement gap that exists in this country, we
15 will never solve poverty and the gap will only
16 widen between the haves and the have nots.

17 In New York City, Mayor Bloomberg and
18 Chancellor Klein, in my opinion, have been
19 champions for education reform of the largest
20 school district in this country. While many may
21 not agree with me, I would just ask that you
22 listen for a moment.

23 Under a system of reform and
24 accountability, we have seen unprecedented levels
25 of achievement in some of the most failing

1 schools, and I know this because I work in some
2 of the buildings where the schools have been
3 failing. In an effort to address the failure of
4 the system, especially for African American and
5 Latino students, Mayor Bloomberg and Chancellor
6 Klein sought to bring organizations, like my very
7 own, to New York City in addition to countless
8 other organizations that have imprested education
9 borough by borough, neighborhood by neighborhood
10 and block by block.

12 Just four years after opening our first
13 schools in Crown Heights and East New York,
14 scholars who were in the lowest performing
15 community school districts in the City are
16 thriving. For one example, 100 percent of our
17 scholars who took the New York State exams for
18 the first time were proficient. Our seventh
19 grade scholars, many of them who enter our
20 schools, 95 percent of them not on grade level,
21 are outperforming some of those that live in some
22 of the most wealthiest communities in New York
23 City and in Westchester and Nassau County.

24 I know this Committee is concerned about
25 facilities. I can attest that the process, while

1 not perfect, is working. I think that parents
2 seeking public charter schools as a choice should
3 be able to have their children attend a school in
4 their neighborhood in an under utilized building.
5

6 In fact, the resources that Mayor Bloomberg and
7 Chancellor Klein have provided, while risky, is
8 working. And our scholars are working right
9 alongside students in traditional public school
10 space that is adequate and sufficient for all.

11 And I can attest to that and I would be happy to
12 follow-up with any questions there.

13 Our parents have not been shut out of
14 this process. They have a voice and have joined,
15 this morning, and have been here, some of them,
16 all day today, and I'd ask that they raise their
17 hands in support. We have a bunch of -

18 CHAIRWOMAN NOLAN: I want to thank them.

19 I've seen them and I thank you for that. Very
20 few people have done that, and I thank you for
21 that.

22 MS. REDWINE: They have a voice. They've
23 joined this morning. They've been here to show
24 their support. Their involvement is not just
25 them filling out an application to join a

1 lottery. But they engage with their principals,
2 who they can call every single night, they can
3 call their teachers. They can walk into the
4 school building and enter inside of the
5 classroom, and they are working side-by-side to
6 tackle the tough issues that we face in our
7 schools.
8

9 Our parents have demonstrated that
10 parents don't need a law to be empowered. They
11 are already empowered and should focus their
12 efforts on the school every single day. I'm
13 almost finished. I submit that more parents who
14 gather to meet in the principal's office seeking
15 change will ultimately see success in their
16 communities.

17 I have visited schools all across this
18 City, from the Bronx to Staten Island. The very
19 first time I visited an Achievement First School
20 I cried, because I saw the great education that
21 every single child deserves.

22 Now, at 100 Charters, non-profit
23 organizations like mine can address failure and
24 redirect children on the path to college
25 acceptance and graduation. Chancellor Klein has

1 said if we don't give every kid the education he
2 or she deserves we're going to have an enormous
3 price to pay. In many cities, including New York
4 City, is paying that price. He goes on further
5 to say that it's time in public education to stop
6 the excuses and do the work that the Supreme
7 Court promised to every single kid after the
8 Brown v. The Board of Education. For ten years
9 my organization, Achievement First, has been
10 producing amazing results with children, African
11 American and Latino, in some of the nation's
12 toughest cities, including Brooklyn where I work
13 and live. We use data not only to measure what
14 our students learn but to ensure that our
15 students are on track to meet college readiness
16 standards.
17

18 I can only say that President Obama,
19 himself, has endorsed public charter schools as a
20 solution for education reform in this country.
21 Not surprisingly, in his first official visit to
22 a school, it was a charter school in Washington,
23 D.C. This act of a President, himself an African
24 American and a product of a great school, to rise
25 to the highest level of office in this country,

1 not only validate that this work matters, but
2 inspires me and gives me hope that something must
3 be done to close the achievement gap.
4

5 I am asking this Committee to consider
6 the record and the risk that Mayor Bloomberg and
7 Chancellor Klein have taken to insure that our
8 system has instituted some accountability.

9 I used to work at 110 Livingston Street.

10 I actually worked on the eleventh floor, where
11 policies and priorities put adult's interests
12 first. I joined Achievement First because the
13 opportunity to create a system where children
14 could thrive and pursue their dreams. Parents
15 are invited to participate. I would love to have
16 you, each of you, visit one of our schools to see
17 firsthand the difference that this reform in
18 education has provided. Because when I worked at
19 110 Livingston Street the type of change that
20 I've seen in the educational system in New York
21 City would have never happened.

22 And when I look across the country at
23 urban cities that are suffering, I am not
24 originally from New York, I'm from Detroit. And
25 when I look at that city being one of the lowest

1 performing cities in the country and a city where
2 mayoral control would likely never happen, and I
3 look at what's happened in this particular city,
4 the political interest of many are undermining
5 the nation's educational system. Mayoral control
6 has allowed our system to show marked improvement
7 over the last six years, and I beg of you to pass
8 the law to allow this control to continue because
9 it is working.

10
11 Thank you.

12 CHAIRWOMAN NOLAN: Thank you. I want to
13 thank these witnesses very, very much. I also
14 just want to remind people we have not had any
15 hearings where - everyone has brought signs.
16 Just remember, if you're putting your sign up
17 that means the person behind you can't see. If
18 everyone could just take it easy, we're just
19 trying to be respectful of everyone else.

20 I appreciate each and every one of you.
21 As I said, two of the witnesses I know quite
22 well. I thank you for your patience. I look
23 forward - we had a nice age group here, in terms
24 of our some of our experience, voices, and yours
25 being a young mother and parent, and we look

forward to working with you in the future.

Thank you very much.

I would say Assemblyman Darryl Towns has come back to us. And we thank you for that very, very much. Thank you.

ASSEMBLYMAN O'DONNELL: Do you have the statistics, the innovation first in those schools that you're talking about? What percentage of the kids are English language learners and special ed kids? Do you know?

MS. REDWINE: I actually do know. I could answer that question. Actually, if you'll allow me just one more moment.

I would say I listened to the testimony that my colleague, here, provided about English language learners, and I think that my organization, the amount of work - and Morty Ballen talked about his work. We go out deep into the community to recruit parents looking for great options. April 1st is the application deadline to get an application for our schools. We would love to partner with organizations that serve students that are ELL students, special education parents, because we serve them.

1 Currently, I have 2100 students in
2
3 Brooklyn. About ten percent of that population
4 are students that are special needs. Only one
5 school in an area where there is a higher ELL
6 concentration, about two percent of the
7 population of that school. That number, I'd love
8 for it to go up. I would love for it to go up.

9 If you are looking for kindergarten -

10 CHAIRWOMAN NOLAN: It's okay, go ahead.

11 MS. REDWINE: I think it's important to
12 note that it's not that we don't want to serve
13 this population, we'll do all that we can to try
14 to.

15 Thank you.

16 CHAIRWOMAN NOLAN: We're not suggesting
17 that - I thank you - although it is a relevant
18 point.

19 I want to thank each and every one of you
20 for your insightful testimony. Once you come on
21 our committee's mailing list, you never get off.

22 So we will be in touch with you again.

23 I want to also just call Leticia Alanis
24 and Margarita Pavon from La Union. They're here.

25 Wendy Cheung, I just want to make one last call.

1 These ladies here, I don't know which group, but
2 we called you, I guess. From Make the Road New
3 York we have DC Aqurvos (phonetic), and Robert
4 Moore. That would be Ellen Bilofsky, Rosa
5 Flores, Benita Lovett-Rivera, Carla Phillip, and
6 Charmaine Phillips. I assume among your group
7 that includes that group.
8

9 Please get started, our friends from Make
10 the Road New York.

11 MS. ALANIS: Good evening. And thanks
12 for listening to our voices. My name is Leticia
13 Alanis, and I'm Deputy Director -

14 CHAIRWOMAN NOLAN: I also want to -
15 fortunately, for me, and our Committee, Nicholas
16 speaks Spanish. So if someone is more
17 comfortable in that language, we welcome that.
18 And we want everyone to feel welcome, and he can
19 help me ask questions, if need be. Gracias.
20 Feel free.

21 MS. ALANIS: My name is Leticia Alanis.
22 I'm Deputy Director of LaUnion, an organization
23 in Sunset Park, Brooklyn, with about 600 members.
24 Our parents committee has found many problems
25 that Latino parents and students are facing in

1 our community. For those problems that we are
2 facing, we feel that several changes are needed
3 in the governance of the public school system.
4

5 Right now parents see that their children
6 don't receive adequate support to succeed in a
7 school and there is no one responsive to their
8 concerns. Through our community study, we
9 conducted a community study and we found
10 troublesome deficiencies in the guidance
11 counseling services middle and high school
12 students receive. They are being encouraged to
13 seek a GED instead of receiving support to
14 graduate from high school and go to college.

15 We brought this and many important
16 problems to Dennis Walcott and the DOE, and we
17 didn't find any serious consideration of the
18 dropout crisis and extremely low graduation
19 rates. We didn't find, until now, an adequate
20 response. This lack of responsiveness that
21 parents found happens over and over again.

22 Parents and students in Sunset Park have
23 nowhere to turn in this crisis, affecting Black
24 and Latino students more than anyone else in the
25 City. LaUnion is part of the campaign for

1 schools and contributed to create the following
2 recommendations.
3

4 Checks and balances through an
5 independent EEP that is more representative of
6 the diverse communities to which we belong.
7 Transparency in data about performance and
8 financial matters. Opportunities for parents'
9 participation.

10 I'm making my testimony very short
11 because there is one mother with me who has an
12 important thing to say, and I would like one
13 minute for her, too. Thank you.

14 MS. ARIAS: Good evening everyone. My
15 name is Alda Arias. I'm going to be interpreting
16 for a couple of the Spanish parents that are
17 going to be here this evening, both on this panel
18 and others to come. Thank you.

19 MS. CIROS: Buenos tardes.

20 CHAIRWOMAN NOLAN: Excuse me. Just
21 maybe let her help us translate a little bit.

22 MS. ARIAS: (translating for Guadalupe
23 Ciros) Good evening. My name is Guadalupe Ciros.

24 I have three children - one in fifth, seventh
25 and ninth grade. I am a parent leader with

1 LaUnion in Sunset Park, Brooklyn. And I'm here
2
3 to tell you what we, as parents, want is for our
4
5 children to have access to a quality education.
6
7 We want our children to be able to contribute to
8
9 our community.

10 Us, poor Latino parents, we don't want
11 our youth left behind. We want to be partners in
12 everything. We don't want schools to be open or
13 closed without our voices being listened to in
14 regards to how this can affect our youth and
15 ourselves. We want a PEP that is representative
16 of the people in the community, of the voices of
17 the community.

18 We want more transparency and the
19 opportunity to be able to defend the rights of
20 our children. Thank you.

21 MS. PAVON: (Translated by Alda Arias)
22 Good evening. My name is Margarita Pavon. I'm
23 from LaUnion I Sunset Park, a mostly poor and
24 immigrant community where our schools are low
25 performing and as a result our kids are having a
26 bad education. I am a parent of two children in
27 second and in seventh grade. I'm here not to
28 just to testify on behalf of my own children, but

all children in general, to defend their rights.

I say that under mayoral control our children have had difficulties, especially with regards to the guidance counselors. Our children end up not graduating and many of them don't do so because they're unable to choose the high school of their choice. Again, because they don't do that they don't end up graduating and, therefore, don't end up in college.

We want to ask for greater transparency.

We want for the rights of students, regardless of their race, color or ethnic group, for all of their rights to be respected. All youth have the right to graduate.

MS. CIROS: Again, I have three children and in each one of their classes the average class size is 25 to 30 students.

MS. PAVON: Again, I have two children. My answer is the following. In my daughter's class the answer is, yes, they have a low class size. In my son's case my answer is no, they do not. The average class size for him is 25 to 30 students. The reason being is that for the students that are further ahead there are smaller

1 class sizes, so that is my daughter's case.
2
3 However, in my son's case, and the reason why I'm
4 here, is because that is not happening. So what
5 really is going on is that the kids who are
6 already behind because of the higher class size
7 are falling further behind.

8 CHAIRWOMAN NOLAN: Thank you.

9 MS. RIVERA: Good afternoon to our
10 elected officials, to guests and to my community
11 members. My name is Benitta Lovett-Rivera. I am
12 a parent of several older children now and soon
13 to be grandma. I am a member of both the Parent
14 Commission on School Governance and Mayor Control
15 and also a member of the Independent Commission
16 on Public Education. I plan to tell you three
17 things. The first is who I am, why I believe
18 that very, very strong, that our State
19 Legislature needs to look beyond just governance,
20 I'm going to tell you about my experience as a
21 high school parent in a Title 1 school, and then
22 I'm going to leave you with recommendations.

23 As a responsible mother, I spent the last
24 seven years attempting to understand the
25 restructuring of the Board of Ed and the many

1 reorganizations of the Board of Ed and the many
2 reorganizations of the DOE, all the while
3 attempting to exercise my right to direct,
4 participate in and be supportive of my child's
5 intellectual, emotional and social development in
6 public school.
7

8 In my duty as an elected, but now
9 graduated, high school parent leader, I helped
10 other parents, specifically those who have been
11 historically marginalized because of race,
12 poverty and residency status to also stand strong
13 in their human right to seek, question,
14 participate in and, ultimately to come to demand
15 a quality education that matched the values,
16 expectation and aspiration they held for their
17 children.

18 But what does that mean? What is a
19 quality education? What are the goals and values
20 of a quality, public education and which children
21 get to receive it? Better yet, whose
22 responsibility is it to define expectation,
23 aspirations and values, and what measure is used
24 as a determining factor of who learns what and
25 where they can learn it? Is it race, zip code,

1 family income, native tongue or high-stakes test
2 score? How does the public school system teach
3 the majority of its students to value
4 differences, and to break the barriers of
5 stereotypical demographics that otherwise limit
6 and, thus, define their human potential?

7
8 My personal experience with a lack of aim
9 and poorly defined student expectations, imposed
10 values and dismissal of family aspirations, came
11 from a brand new, small high school that started
12 in 2004. With doors opened by a Gates Foundation
13 Grant, a Park Avenue Asia Society business
14 partner, a novice, yet empowered principal, a
15 hoopla of press and photo ops with Chancellor
16 Klein and lots of teaching to the test, all of
17 which resulted five years later in a massive,
18 experimental failure.

19 Just this week, that Title 1 school was
20 finally recognized as lacking, and placed on the
21 new list of schools in need of improvement. For
22 me, it was a Herculean effort to supplement my
23 youngest child's learning outside of the
24 classroom and get him, a Black and Puerto Rican
25 male, graduated and accepted into a private

1 college campus outside of New York City. I
2 cannot tell you how difficult that task was. And
3 as you can see, I'm an articulate person, an
4 educated person. I participated in PTA since the
5 time my children were in kindergarten. There
6 should have been no reason for me to have been
7 dismissed when I asked about his scores. There
8 should have been no reason why my son, twice, was
9 the only child in high school to take Regents
10 exams, and that's only because I persisted and
11 asked the principal and wrote formal letters
12 saying my child was ready to take those exams.
13 Something was going on and nobody seemed to
14 listen. Nobody.

16 Thus, with that same Obama believe that,
17 oh, yes we can, and with a hope not just for the
18 education and self-sufficiency for mine, but the
19 1.1 million other children who are as deserving,
20 I joined a groundswell of grassroots organizing
21 and parent leadership within the Parent
22 Commission on School Governance and Mayoral
23 Control to work on creating change.

24 Formed last spring, the Parent Commission
25 is a group of concerned parent leaders and

1 education/parent advocates who come from across
2 the five boroughs. Brought and held together by
3 a unanimous energy to create positive change in
4 our schools, the Parent Commission's public
5 learning forums with panels of recognized
6 education experts, monthly Commission meetings
7 and weekly committee work bound our pragmatic
8 visions together and permitted us to craft an in-
9 depth public education proposal for the greater
10 and democratic good of all.

12 We are calling for mayoral partnership,
13 not control and certainly not a continuance of
14 undemocratic dictatorship.

15 CHAIRWOMAN NOLAN: Do you think you
16 could sum up? You have your whole group.

17 MS. RIVERA: I'll go faster.

18 CHAIRWOMAN NOLAN: Thank you.

19 MS. RIVERA: My fellow Commission members
20 are here today to discuss our recommendations for
21 changes in the present governance structure, to
22 create checks and balances, including mechanisms
23 for more parent involvement, transparency and
24 accountability. All of these are important to
25 help avoid a repetition of the excesses of

authoritarian decision-making.

Yet, over the past 40 years, the structure of the school system has ranged among varying forms of centralization and decentralization, with chancellors who have been educators and those who were not.

CHAIRWOMAN NOLAN: You're all with the same group. Is there a way you could just - okay.

MS. RIVERA: What I'm calling for, what I'm asking for is for you all to be visionaries.

I'm asking for - the Parent Commission is asking for a constitution, an educational constitution.

We're asking for a task force to be put together, a commission to study what has gone on, to take that task, to share the burden with the community -

CHAIRWOMAN NOLAN: Thank you.

MS. RIVERA: to bring together a consensus and to put together a constitution that will not change regardless of who gets to run the system, who the chancellor is, who the mayor is.

It's a body of laws that defines what our mission, what our aim is, what we want children

to know and to participate in the society.

Thank you.

CHAIRWOMAN NOLAN: And I apologize. We were asking groups to try to have one or two of you. There are five of you here. If we could just do it quicker. I apologize for this, but we're in the final hour. Quickly, okay? Try to sum up.

MS. PHILLIP: Good evening Assembly members. I am Carla Phillip, a parent of a daughter at IS383. I have joined the Parent Commission last year because the DOE informed the parents at IS383 that a charter school, Achievement First, was going to be placed in the school last September. The parents were disempowered and had no recourse. DOE made up their mind and that was it.

We are calling for reforms so that our elected parent representatives on the Community Education Council must approve the siting of all new schools, including charter schools in their districts. These are our children and we deserve a voice as to how they are educated.

The Parent Commission proposes a school

1 system that will allow each child to reach their
2 highest potential. It's essential to have a
3 community of parents with the resources, training
4 and skills to work together with other
5 stakeholders within the system. Parents today,
6 as stakeholders, have little representation, no
7 voice or formal support in decision making at the
8 schools district or citywide level.
9

10 Parent participation in school-based
11 planning and school leadership teams has been
12 severely eroded under mayor dictatorship. The
13 purpose of SLTs is to set overall education
14 vision, goals and priorities, have strategies to
15 achieve these visions, align fiscal and material
16 resources to achieve these strategies.

17 When the state legislation that
18 established SLTs and mayoral dictatorship sunsets
19 in June, it must be replaced with a plan that
20 strengthens parental involvement and acknowledges
21 the legitimate authority of the principals and
22 district superintendents.

23 Our vision is for parents to be on equal
24 footing. They must have an organization of their
25 own to provide legal, research and skill training

2 as an independent Parent Organization and
3 Academy.

4 Recommendations for school leadership
5 teams are to establish with authority, through
6 consensus or agreed process, to develop the
7 annual school comprehensive education plan,
8 provide adequate resources and support, expand
9 the responsibilities and duties to internal
10 school problems, selection of the principals,
11 develop school-based budget, annual space
12 assessment.

13 Finally, the Parent Commission calls on
14 the governor and State Legislature to convene to
15 guarantee that every child has a right to a
16 worldwide education with parent support and
17 participation. Thank you and good night.

18 MS. BILOFSKY: We're each speaking to a
19 different part of our recommendations today. My
20 name is Ellen Bilofsky. I'm a Brooklyn public
21 school parent. I've had two children in the
22 system for 17 years through five different
23 chancellors. And I'm speaking about
24 accountability.

25 The bid for mayoral control was based on

1 a promise of accountability. But as you've heard
2 today, to my mind, it stood the very meaning of
3 the word accountability on its heads. Everybody
4 keeps repeating the argument that mayoral control
5 equals accountability. Unlike the school board
6 system that came before and it's repeated over
7 and over again until everyone believes it. But,
8 in fact, while everybody is accountable to the
9 mayor and the chancellor, the mayor and the
10 chancellor refuse to account for their actions to
11 anyone, whether it's to you, the State
12 Legislature, or the City Council or us, the
13 parents of the school children.

14
15 They have even referred to the kinds of
16 incredibly destructive acts, like reorganizing
17 the system some five times; they refer to that as
18 creative chaos. Well, creative chaos may work
19 well in a business, but it's not good for our
20 children.

21 The only way that we can hold the mayor
22 accountable is to vote him out of office. But
23 our children can't afford to wait four years to
24 correct the mistakes in their education. Four
25 years is an eternity for a child. So, while we

1 don't want to go back, we do want to go forward
2 and end mayoral control in favor of a community-
3 based partnership that allows parents to have a
4 realer role in their children's education.
5

6 So, the Parntership - these are our
7 recommendations. We are proposing a Board of
8 Education that is independent and responsive,
9 with 15 members with fixed terms, including six
10 parents who would be elected by the members of
11 the CECs, with one seat reserved for a parent of
12 a child in special ed. Monthly meetings to be
13 run in an open and democratic fashion with
14 published agendas, published minutes, and
15 advanced notice of the policy and budget
16 initiatives so that stakeholders can provide
17 input before decisions are made. We also
18 recommend that the chancellor be an educator who
19 can be selected by the mayor from three
20 candidates recommended by the Board of Education.

21 The chancellor can, of course, hire as many
22 businessmen and lawyers to help him or her run
23 the system as he or she chooses.

24 We believe that the very concept of
25 mayoral control has politicized school governance

1 in an even more insidious way than the old school
2 boards because decisions on education policies
3 and the reporting of outcomes are held hostage to
4 the political ambitions to the mayor and the
5 chancellor. So, therefore, we are recommending
6 the creation of three new agencies to guarantee
7 transparency of information, which Rosa will talk
8 to.
9

10 CHAIRWOMAN NOLAN: This is my mistake,
11 and I apologize. You're all with the same group.
12 Look at all the other groups here. If you could
13 just try to condense it, it would just help us so
14 much.

15 MS. RIVERA: Yes. Thank you.

16 CHAIRWOMAN NOLAN: My apologies. I
17 apologize. Remember, your group testified in the
18 Bronx, as well. If you could just summarize.

19 MS. PHILLIPS: What I will do is I'll
20 just leave my testimony because some of it was
21 already said.

22 CHAIRWOMAN NOLAN: Just say your name.

23 MS. PHILLIP: Okay, I will. My name is
24 Charmaine Phillip, and I have a child in the
25 public school system.

CHAIRWOMAN NOLAN: Class size?

MS. PHILLIP: Class size is 33 to 34.

CHAIRWOMAN NOLAN: Thank you for that information.

MS. FLORES: My name is Rosa Flores. I'm a mother of two school children, one in elementary school and one in high school. I'm from Sunset Park, and I'm an active member of the Parent Commission. I would just like to say a little bit about the accountability thing.

They like to say that they are accountable.

CHAIRWOMAN NOLAN: If you could just sum up first. Tell us the class size of your child's class. What is it?

MS. FLORES: One is 30 and the other one is 26.

CHAIRWOMAN NOLAN: That's it. Thank you. A last word quickly and then thank you.

MS. FLORES: I just wanted to say something about the accountability thing. As a former member of a PTA, I know that the budget should be released to all parents, teachers and administration on a monthly basis, but the budget

1 from the high school, I went to my principal,
2 that was only for the DOE to know. So there is
3 no accountability for them on that.
4

5 If a child has a problem, like the one
6 I'm having now that she doesn't want to go to
7 school, they don't call and say what's wrong with
8 your child, can we talk to your child? What they
9 said is we're going to send ACS as a threat. We
10 have nobody to talk. We have nobody to go. It's
11 not just my case, it's many, many cases. If you
12 want me to go out and find names and everything,
13 I can do that because I have them.

14 It is a problem in this situation. If a
15 child has a problem within the school there is
16 nobody to fix it right now.

17 CHAIRWOMAN NOLAN: Thank you. And I
18 apologize for asking you to summarize like that
19 ladies. Thank you very much. Thank you.

20 Our next group - I just want to make sure
21 Wendy Cheung and then Make the Road New York.
22 Please come up. Young Women's Leadership
23 Network, Center for Arts Education, Future of
24 Tomorrow School Board and John DiPaolo, Beginning
25 with Children. Lynette E. Banks, Joyce Johnson,

Robert Santos, Aminisha Black, Parent's Notebook.
Christopher Treiber. Joan Washington.

I really have to almost beg people at this point, please realize that we're trying so hard to accommodate everyone. Why don't we start with you, please? Please try to condense your remarks. The record will reflect everything.
Thank you.

MS. CUEVAS: (Translated by Alda Arias)

Good evening. I'd like to thank the panel for taking the time to listen to us. My name is Daysi Cuevas. I have two children, one in Seamount Charter School and the other in Cascade High School. I am a member of Make the Road New York and CEG. I am here today because there is a current emergency right now in regards to parental participation in the decision making in regards to our children's education.

There has to be a balance of power where parents are no longer ignored when it comes to important decision making. I remember that in March 2008 when the PEP was meeting to discuss the eighth grade retention policy we were there in the hundreds carrying thousands of postcards

1 opposing the implementation of this policy,
2
3 signed by thousands of parents of children in the
4 public school system. We wanted to talk and
5 express what we were feeling. Instead, the panel
6 got up and what did they do? They stood up and
7 they walked away and they did not want to listen
8 and instead voted completely against what we
9 wanted, approving the policy.

10 We, parents, want to be able to
11 participate in the education of our children.
12 This, as I was saying, is an example of what can
13 happen when there is no balance to a power, one
14 in which the chancellor and the mayor can make
15 all the important decisions on their own. There
16 are many needs in the schools and us, parents,
17 community and teachers, should have participation
18 in all the decision making and we should be taken
19 into account.

20 Thank you.

21 MR. DIPAOLO: Good evening. I'm John
22 DiPaolo. I'm Executive Director of Beginning
23 with Children Foundation. I want to thank the
24 Committee, and especially the Chair,
25 Assemblywoman Cathy Nolan, for holding this

1 hearing and for your endurance throughout the
2 day.
3

4 Beginning with Children Foundation was
5 formed 20 years ago with a vision of creating a
6 great school in an under resourced neighborhood,
7 and this was before there were charter schools.
8 This was under the Board of Ed. It wasn't going
9 to be a charter school but it was going to be a
10 school with a difference, a school that was part
11 of the New York City system and, at the same
12 time, doing things differently with independents
13 and with a foundation to partner with it.

14 By 1992, Beginning with Children's School
15 opened in Williamsburg, Brooklyn. It was
16 possible because many good people came together
17 to make it happen. Teachers and administrator
18 from the Board of Ed who joined the effort,
19 families and community who wanted this school for
20 their children, even the private sector. Pfizer
21 Corporation gave us a building to use as our
22 school building. But what we found is these
23 people were often working against a system where
24 accountability was avoided and the status quo was
25 embraced, so it was an uphill effort.

1 If we fast forward 20 years, Beginning
2 with Children School became Beginning with
3 Children Charter School, when that became an
4 opportunity. We opened a second school in
5 partnership with Families and Community in
6 Clinton Hill, called Community Partnership
7 Charter School, and we now run an alumni program
8 for students who leave our schools either in
9 fifth grade or in eighth grade, and we work with
10 them through middle school and high school to get
11 them into college.
12

13 Our students do great with us when
14 they're with us. They do great when they're
15 finished. It's a liberal arts approach to
16 elementary education where we focus on
17 intellectually engaging the students, doing it in
18 the context of a nurturing community that builds
19 character and values and connecting their
20 learning to the outside world.

21 So as we follow them up through school,
22 we're really proud to see we have 81 percent of
23 our students graduating from high school in four
24 years. And of this year's class, who graduated
25 from high school, 76 percent have gone on to two

and four year colleges.

We're committed to serving all students.

Our model is to individualize instruction for every student, whatever that students' level.

And was proud of the student from our first graduating class who is just entering the Harvard Graduate School of Education so that he can come back and be a teacher. And, by the way, he came back this summer and taught some of our students at our second school. We're as proud of him as we are of the student who had Down Syndrome who went through our school and now is living a relatively independent life, to the delight of his family.

CHAIRWOMAN NOLAN: Thank you. I want to thank you for that. I want to interrupt for a minute. Lorraine Bridges from the Chancellor's Parent Advisory Council. Where did she go? Come down because we called you so much earlier. I'm sorry there is was a mix up. Please come down.

Are you finished?

MR. DIPAOLO: No, but I'm close.

We care about mayoral control because we see that it has made a difference. I hear often

1 from the people who have been with my
2 organization for a decade or more, such as Joan
3 and Carol Rich, our founders, or Sonja Ortiz
4 Gallardo, who was our founding principal, about
5 the difference.
6

7 As I said before, there have always been
8 good people working to make the schools work for
9 our kids. The difference now is the system.
10 What we find is that we are working with the
11 system now, a system with a driving mission to
12 improve the schools and to find new ways and
13 better ways to educate students.

14 CHAIRWOMAN NOLAN: Thank you.

15 MR. DIPAOLO: It starts with the
16 leadership, with the mayor and the chancellor who
17 are publicly committed to and publicly
18 accountable for making our schools better, and it
19 radiates outward to the educators and
20 administrators whom we work with. They do not
21 get everything right. They do make mistakes.
22 That's what happens when you're changing the
23 status quo. And when things don't work, we do
24 know where responsibility lies. And, most
25 importantly, we are headed in the right

1 direction. The vital indicators for the public
2 schools in New York are on an upward trend and
3 this is something we should all celebrate.
4

5 Our small organization is committed to
6 staying involved and continuing to try to make
7 things better, doing more of what works and
8 correcting what doesn't. This is the attitude we
9 hear from other partners' organizations and from
10 the leadership and staff of the DOE. I want to
11 strongly and sincerely state my view that mayoral
12 control offers us our best chance to keep the
13 city schools and school children on a path
14 towards success.

15 CHAIRWOMAN NOLAN: Thank you.

16 MR. DIPAOLO: Thank you.

17 CHAIRWOMAN NOLAN: Next, quickly. Thank
18 you. Go right ahead.

19 I want to thank this panel, unless one of
20 these ladies is going to interpret for us. You
21 know what? He's going to do it for me. We're
22 going to keep moving. Just very, very quickly,
23 please. I don't know that we may not be able to
24 do that.

25 MS. BONISABO: Good evening. I would

1 also like to thank the panel for being here,
2 especially my representative, Darryl Towns, for
3 always being there for us and always speaking out
4 for the students around our community.
5

6 Good evening. My name is Krystal
7 Bonisabo. I attend Frank Calehan High School. I
8 am part of FOT, Future of Tomorrow, which is part
9 of UYC, Urban Youth Collaborative. We are a
10 member of the Campaign for Better Schools.

11 When I first heard of rumors of maybe
12 phasing out, my first thoughts were this cannot
13 be true. But, unfortunately, it was. My first
14 reaction to this news was anger. I couldn't
15 believe that this was true for the simple fact
16 that no one informed the students, neither our
17 parents.

18 Many of the students started transferring
19 after the decision was made. My organization,
20 FOT, Future of Tomorrow, spent a month and a half
21 trying to get a meeting with the DOE to find out
22 why the phase out was happening. Unfortunately,
23 they never gave us the opportunity to have a
24 voice in the future of our school.

25 The phasing out of my school has affected

1 me in many ways. One is that we now have limited
2 resources. They have put four new schools in our
3 building, which has limited us to only one floor,
4 which will be taken away soon to provide space
5 for another school.
6

7 Another way it has affected me is that
8 for many juniors and seniors who are over aged
9 and under credited. We are now being forced to
10 transfer to another school. Therefore, I support
11 the Campaign for Better School's proposal for the
12 DOE to give us public notice for its intent to
13 open, close or resite a new school. There should
14 be a public hearing, announced with reasonable
15 public notice, to discuss the DOE's proposal,
16 needs, assessment and implication and impact of
17 the proposed action.

18 Thank you.

19 CHAIRWOMAN NOLAN: Thank you.

20 Very quickly. I want to thank you
21 because you're a high school student. I see a
22 young student there and I want to give her this
23 quick opportunity. Would you just start? Now is
24 the moment. We have a young lady with us. Give
25 her a mic. Quickly.

MS. SOTO: I'm the voice for PS150 and also on behalf of my daughter, Essence Soto. She's a special ed student.

CHAIRWOMAN NOLAN: Would she like to say a word? What grade is she in?

MS. SOTO: She's in fourth grade.

CHAIRWOMAN NOLAN: How wonderful that you're here. Future Assemblywoman. Go ahead.

MS. SOTO: Hello. My name is Serrani Soto. I am speaking on behalf of the Erna Ebanks. I am a parent of a child that goes to PS150 and represent the parents of PS150. Parents like me feel like decisions have always been made by the major and the Department of Education without our knowledge and that we do not agree with.

My daughter is new to PS150 and she loves her school. Now they are shutting down the school and putting in a charter school and they did not even speak at us. She is not guaranteed a spot at the charter school. They are moving in there because it accepts students through a lottery. Where is she going to go when they shut the school down?

1 If the mayor and the Department of
2
3 Education really wanted to know what's going on
4 in our schools, they would consult and listen to
5 the parents. Every student has different needs
6 and all students needs a quality education,
7 quality education means smaller class size,
8 longer operating hours, after-school enrichment
9 programs, special education for children who need
10 it that is just as good as any other children's
11 education, quality teachers that don't keep
12 coming and going, and people that work for the
13 mayor and the Department of Education that care
14 about parents and children enough to give us a
15 say of what happens to our schools.

16 In other ways, we support the change
17 recommended by the Campaign for Better Schools
18 and we hope you will too. We need checks and
19 balances on mayoral control and parents need to
20 have a say in our children's education. I am an
21 ACORN member.

22 CHAIRWOMAN NOLAN: Thank you. My friend
23 from the Parent Advisory, this is your moment.
24 Come up. Thank you. We're moving as quickly as
25 we can. While she's coming up I want to make

1 sure that Joyce Johnson, Robert Santos, Aminisha
2 Black and Christopher Treiber I believe have
3 left.
4

5 Go ahead, start.

6 MS. GITTENS-BRIDGES: I'm going to be as
7 brief as possible. My name is Lorraine Gittens-
8 Bridges. I am serving in my sixth year as a very
9 involved parent. I am currently one of the co-
10 chairs of the Chancellor Parent Advisory Council,
11 a member of the district leadership team and
12 President of the President's Council of District
13 29. I am here to testify on behalf of the
14 President's Council for Community School District
15 29. I would like to thank the Assembly for
16 giving us this opportunity to make our
17 recommendations to the school system. I would
18 like to thank Ms. Nolan and her staff for the
19 hospitality on Tuesday, March 17th.

20 When it comes to educating the children
21 of Community School District 29, we believe that
22 everyone should be held accountable. We are one
23 of the most diverse communities in the country,
24 and the only way we are going to address the
25 needs is to work productivity. We believe in

1 change. There has been progress. However,
2 mayoral control has destabilized our community.

3 We have had four superintendents in six
4 years. Parent leaders and members of our
5 community feel like we are not taken seriously.
6 As a result, the meaningful engagement,
7 partnership and united accountability needed to
8 close the achievement gap never materialized
9 because of the constant change. We are a working
10 class community and it has been very difficult to
11 keep up with all the changes.

12 We are in our fourth year as a district
13 in need of improvement. Our middle schools and
14 high schools are struggling.

15 Mayoral control just be amended to insure
16 that districts are addressing the unique needs of
17 their community and that parents and communities
18 are better engaged in supporting their schools.

19 The purpose of my testimony will be
20 focused on three key areas - district leadership,
21 parent empowerment and accountability. I have
22 included an article here so that you have this
23 information. But I'm going to focus on the
24 district -
25

CHAIRWOMAN NOLAN: I would appreciate if you could summarize for us.

MS. GITTENS-BRIDGES: The recommendation is the community district superintendent needs to be restored to their former duties where he or she will have the authority to implement policy, support principals, address community needs and respond to parental issues.

Our recommendation for parent empowerment is to strengthen community school district councils as conduits for public input into the capital plan, zoning and education policy. Expand the role of the CDEC's to report parent and community input to the Panel on Educational Policy before decisions are made and decided.

Final recommendation is Community District Education Councils, President Councils and the community, at large, should have a meaningful input in evaluating the superintendent. Recently, we had to file a grievance against our superintendent because our rights are constantly being violated. We feel that if parents are given more involvement in the evaluation of the superintendent it will

1 basically foster a better relationship and make
2 sure that we all work together to get things done
3 on behalf of children and schools.

4 Last but not least, we just would like
5 the sunset provision extended so that somewhere
6 down the road if we have to change whatever you
7 decide, we have the ability to do so.

8 Thank you very much for giving me this
9 opportunity to speak.

10 CHAIRWOMAN NOLAN: Thank you.

11 MS. GITTENS-BRIDGES: I'm sorry for the
12 misunderstanding.

13 CHAIRWOMAN NOLAN: No. No. I just want
14 to again apologize to the Parents Commission
15 group. We will meet with you again. You are
16 very patient. Everyone has been very patient
17 with us.

18 MS. GITTENS-BRIDGES: Also, CPAC will
19 submit written testimony to you.

20 CHAIRWOMAN NOLAN: We have a number -
21 first of all, Assemblyman Perry also came back.
22 Assemblywoman Barron had to go. But we have a
23 group of here from Cypress Hills, which is close
24 to my district and is part of Assemblyman Towns'

1 district. While this group is leaving, can
2 Lenore Brown come down? And she's going to be
3 accompanied by some other parent leaders who will
4 not speak, and I appreciate that consolidation.
5 And then going back to my main list, I've called
6 a number of names. I apologize. John
7 Washington. Jim Eterno. Lisa North. Nicola
8 DeMarco. Mike Mastrangelo. Jeff Sorkin. Philip
9 Nobile. Joyce Baldino. Dolores Lozupone. Gwen
10 Garry. Leslie Bernard-Joseph. If any of those
11 people are here, this is your moment.
12

13 Please, my friends from Cypress Hills, as
14 quickly as you can.

15 And as I said, if we could have one from
16 a group it would just be so much easier. Start.

17 Again, I see another young woman, and I just
18 wish you nothing but the best, future President
19 of the United States.

20 MS. BROWN: Good evening panel. Thank
21 you for staying late for us, to listen to us. I
22 want to give a special thanks to -

23 CHAIRWOMAN NOLAN: Just say your name
24 again, too.

25 MS. BROWN: Okay. I want to give a

1 special thanks for being here to Darryl Townsend,
2 our Assemblyman. My name is Lenore Brown. I'm a
3 community activist, a lead member of Cypress
4 Hill, an advocate for education, and a found
5 member of CEJ. I have five grandchildren who
6 attend Public Schools Number 290, 127 and Boys
7 and Girls High School.
8

9 I am concerned that two schools in my
10 community, District 19, will be phased out for
11 charter schools. They are PS150 and 72. It
12 concerns me that in Cypress Hill a charter school
13 will be moving into PS65's building. The
14 community was not informed.

15 We fought for over ten years for a new
16 building in Cypress Hills. Finally, we won. By
17 bringing in an already existing charter school,
18 it defeats the whole purpose because no new seeds
19 are being created in the neighborhood. It
20 concerns me more that the DOE did not ask for any
21 parent and community participation when the DOE
22 decided to change these schools. Had the DOE
23 reached out to the parents and the community in
24 District 19, the DOE would have learned that our
25 schools are overcrowded. Where will our children

1 go?

2
3 Charter schools are lottery schools and
4 neighborhood children cannot be guaranteed the
5 seats in them. The DOE should not be allowed to
6 close our schools without putting the resources
7 in these schools to make all schools quality
8 schools. The PEP must work for the community and
9 not just go along with the mayor. There needs to
10 be a community needs assessment before any school
11 is open and closed throughout New York.

12 Mayoral control does not allow for
13 parents' voices to be heard. They were definitely
14 not heard in Cypress Hill. Thank you.

15 Sitting next to me is Israel and next to
16 me is Linda. Thanks a lot. Good night.

17 CHAIRWOMAN NOLAN: Thank you very much.
18 Go ahead.

19 MS. NORTH: Hello. I am very
20 disappointed. Lisa North. I'm a teacher in
21 District 13. I'm very disappointed not only in
22 mayoral control of the schools, but also in some
23 of our elected officials who I feel have not
24 stepped up to the plate and demanded or enacted
25 remedies for an out-of-control school

1 administration. Now I hope is the time to do
2 that. A little tweaking around the edges is not
3 enough.
4

5 This administration says they do not have
6 to follow state or city laws because they are
7 independent of both. I have taught for 20 years
8 in the New York City Public Schools in Fort Green
9 and Bed-Stuy. My son and step children have gone
10 to school in the New York City Public Schools for
11 over 20 years. I have been active for most of
12 that time as a parent and within my union trying
13 to make sure our students get the education they
14 deserve.

15 There is one thing this school
16 administration and I agree on, and that is that
17 the New York City Public Schools have failed many
18 of our students. But their solutions are making
19 it worse for our students and I feel morally
20 criminal wasting huge sums of money that could be
21 used for really making a difference for our
22 students.

23 Testing and more testing, and more
24 testing, and more testing and test prep and then
25 more testing is not the way to improve education.

1 It will improve test scores. That, along with
2
3 easier tests does mean that scores are going up.

4 But is that the education you want for your
5 child? I am sure Obama, Bloomberg, nor Klein did
6 not or are not sending their children to that
7 type of school.

8 Instead of providing the help struggling
9 schools need to improve, they are closed.

10 Students and families are often scattered to
11 different schools. Some of these schools, both
12 public and charters, end up with children with
13 families who value education a little more than
14 some others. No wonder their scores look better
15 than others. This does not improve education.

16 In the short run, this administration can claim
17 improvements, but in the long run will only
18 further segregate our students by race and class.

19 Parents, teachers and students have been
20 trying to voice their concerns, but in the
21 present system there is no recourse. This
22 administration listens and then does as it
23 pleases. On the local level, this means less
24 parental involvement because why be involved if
25 you have no real decision-making power? Here are

a few suggestions.

Bring back the local community school boards. Voting for these should take place in the regular November election. Yes, democracy is messy, but it is better than dictatorship. Why can suburban parents vote for their local school boards but we can't? Are you saying urban parents are less capable?

Two. Bring back the district superintendents to their districts and give them oversight powers.

Three. The school leadership teams must be empowered and given real, ongoing paid training so that they can function as intended.

Four. The central board should at least have some elected members and others appointed by borough presidents or city council and the mayor.

The mayor should not appoint a majority. The chancellor must have an education background.

The public advocate and comptroller must have oversight powers to make sure there is transparency.

I do believe in democracy. I often, at times, doesn't agree with all the decisions but

1 it is better than what we have experienced under
2 mayoral control.

3
4 CHAIRWOMAN NOLAN: Thank you. Go ahead.
5 Quickly.

6 MR. ETERNO: Hi. I'm James Eterno. I'm
7 a teacher from Jamaica High School in Queens. I
8 want to thank the panel for letting me address
9 you. I want to tell the story of one school, a
10 school that's been around since 1892 and how it's
11 been affected, how we've been affected by mayoral
12 control.

13 CHAIRWOMAN NOLAN: And I would just say,
14 we've had extensive correspondence with you.

15 MR. ETERNO: Yes we have.

16 CHAIRWOMAN NOLAN: If you could
17 summarize, you'd be doing us - we'll continue the
18 dialogue post the hearing because you know who
19 you are and you correspond with us. Just try to
20 summarize please.

21 MR. ETERNO: Okay. Some of us came
22 tonight and they do want to hear this.

23 CHAIRWOMAN NOLAN: I know.

24 MR. ETERNO: In 2002, when the mayor took
25 over our schools, our school had issues, as all

1 schools, and over the next couple of years they
2 started a zero tolerance policy because kids
3 weren't coming to high school prepared. Now,
4 this prepared a big spike in our reported
5 incidence. We tried to explain what we were
6 doing to keep our halls clear so our classrooms
7 could be safe for learning, but to no avail. The
8 previous principal and I pleaded with the police
9 and DOA not to label us as dangerous because we
10 never were and we knew it. The DOE told us and
11 the police that the numbers don't lie. The
12 computers flagged us as unsafe. And the
13 resulting mislabels of persistently dangerous and
14 impact schools caused our enrollments to
15 dramatically decline. In essence, we were
16 punished for telling the truth.

18 Many school officials have figured out
19 that if you just make the test scores, promotion
20 numbers, number of safety incident reports and
21 everything else look right on the computer, then
22 nobody will question anything.

23 Our administration learned - and the
24 consequences were almost deadly as Jamaica High
25 School. A directive was put out telling staff

1 not to call 911. Subsequently, a student fell
2 and since there was a delay in calling for an
3 ambulance, that student didn't get medical
4 attention fast enough, and it's fortunate that
5 she didn't die.
6

7 Our numbers for this year - looking at
8 numbers, we found out that there was someone who
9 was charged on our budget, an extra \$124,555 for
10 a support person. We later discovered that this
11 person does not do work for Jamaica High School
12 but instead works for Queens Collegiate, a new
13 small school placed in our building.

14 As you mentioned, concerned members of
15 Jamaica have written to the State Education
16 Commission several times this year, and we thank
17 you for helping us with their response. The
18 DOE's answer basically is all is well.

19 So if we have a phantom employee, the
20 numbers can look good, it looks like we're
21 getting more money but in reality that person's
22 not helping any Jamaica students. Now, due to
23 our declining enrollments the DOE said we have
24 space to open the new small school with modern
25 up-to-date facilities in our building. The new

2 school, Queens Collegiate, took over our space in
3 social studies. The Social Studies Department
4 was evicted in the fall and is now housed in a
5 room that has one electrical outlet for the
6 entire department of 15 teachers. We've been
7 waiting all year for the electricity to be
8 updated; nothing has been done.

9 As the new school has taken space, it is
10 clear that we will not have sufficient classroom
11 space to lower classes at Jamaica as our
12 enrollments hopefully have stopped dropping and
13 might even go up.

14 In one of our letters to Commissioner
15 Mills that we sent in February, we told the
16 Commissioner about how the DOE is taking state
17 class size reduction funds this spring and used
18 it to plug a budget hole from a past year. Class
19 sizes have increased substantially in social
20 studies to UFT contractual maximums. And a
21 social studies teacher who was paid with the
22 state class size reduction funds was moved out of
23 social studies to teaching special education, a
24 subject he's not qualified to teach. Meanwhile,
25 the DOE sits silent and nothing changes. We're

1 told that the state will come in in April to
2 investigate.
3

4 Now, in the old Board of Ed system, which
5 certainly was no ideal system - still, if we made
6 a complaint about misuse of these state funds or
7 anything else, someone from the Queens High
8 School Superintendence would have been there
9 almost immediately and something would have been
10 done.

11 I just want to mention a couple of more
12 things.

13 CHAIRWOMAN NOLAN: You have to sum up.
14 We're in the final half an hour. Please. Let me
15 just say I'm going to be happy - the Jamaica High
16 School people, we've had lengthy dialogue. We
17 will meet with you even separately if we have to.
18 Please sum up.

19 MR. ETERNO: Just summing up, I've got to
20 say one more thing because someone was here for
21 this.

22 Hourly employees at Jamaica are dealing
23 with much of the school's confidential
24 recordkeeping that contract and law says licensed
25 secretarial personnel are supposed to handle, and

1 the DOE does nothing to stop this. I can go on
2 and on with so many examples, many of which you
3 know.
4

5 Our solution, democratic governance
6 system, certainly some checks and balances, but
7 real checks and balances because basically they
8 just ignore what's in there right now.

9 CHAIRWOMAN NOLAN: Thank you.

10 MR. ETERNO: Thank you.

11 CHAIRWOMAN NOLAN: And we will be
12 meeting with you again. We know you have a
13 group. Some people, I've asked you because we
14 know you. The young lady, put your mic over here
15 for this group, please. We want to hear what she
16 has to say.

17 MS. GAVIN: My name is Linda Gavin.
18 This is my daughter, Ashley. She's a third
19 grader.

20 CHAIRWOMAN NOLAN: We're so happy she's
21 here. Thank you. Start. Start talking.

22 MS. GAVIN: I'm an active member of
23 Cypress Hill Advocate for Education, CHASE.
24 We're a part of a Coalition for Education
25 Justice, which is CEJ and the campaign for better

1 schools. I'm a parent of four children in New
2 York City public school.

3
4 Last year, we tried to have our voices
5 heard in the debate about the eighth grade
6 retention policy. We were slapped in our faces
7 because the Panel for Education Policy voted
8 against the demands of parents from all over the
9 City. Therefore, our voices were not heard.

10 I think parents should be more involved
11 in school decisions about budgets, programs and
12 activities. All the parents are supposed to be
13 represented on school leadership teams. Often
14 principals do not fully share information. We
15 need to change this completely. Parents must
16 have full access to school-based information
17 about budgets, programs, activities, and have a
18 powerful role in those decisions.

19 We manage homes. We manage our kids. We
20 have the skills and the ability to use resources
21 in a strategic and smart way. We must reform
22 school governance, public participation, checks
23 and balances and transparency.

24 Yes, we can.

25 MR.DEMARCO: Yes. Good evening. I

1 wanted to thank you at this late hour for taking
2 the time to hear us. And we appreciate very much
3 your coming here to Brooklyn. Ms. Chairwoman
4 Nolan, my name is Nicola DeMarco. I'm a teacher.
5 I'm a social studies teacher. I wanted to make
6 this very brief, less than a minute, and just
7 tell you, to sum it up, please have the courage
8 to take on Michael Bloomberg.
9

10 The people of this State are with you.
11 Don't back down. We're with you. We have your
12 back. We're the wind to your sails. Do it.
13 Please.

14 If I could just quickly, the last 30
15 seconds, to tell you I happen to be a return
16 Peace Corps volunteer. I served in two
17 countries, including Barack Obama's home country
18 of Kenya. I trained teachers proudly. Thank
19 you. Thank you. I trained teachers proudly, and
20 now, disgracefully, Michael Bloomberg and his
21 dictatorship have not found a way to resolve
22 conflicts with me and have put me in a
23 reassignment center which is nothing more than a
24 detention camp. And as Mr. Barron spoken
25 earlier, it is racist. Most of the people in

1 those reassignment rooms are Black and Latino.

2 Please have the courage to stand up to
3 this Mayor. Thank you.

4 MR. NOBILE: Good evening. My name is
5 Philip Nobile. I'm a social studies teacher at
6 Cobleskill School of American Studies, and I'm
7 also the Chapter leader. My friend Nick and I
8 are also in the assignment room. Why am I in the
9 assignment room? Because I am going to tell you
10 something that nobody wants to hear.

11 The school system in New York City is
12 worse than you imagine. If you think that our
13 apartheid system in New York, where we teach in
14 highly segregated schools, reminiscent of
15 Mississippi in the 1950's, if you think that
16 structural racism in our schools is bad, let me
17 tell you it's worse. Why is it worse than you
18 imagined? It's because we are forced to pass
19 kids, even in high school, who don't deserve to
20 pass.

21 I am in the rubber room because my
22 principal sent me there because of my low pass
23 rate. Now, there's one thing that you must know,
24 and that is the problem in New York City is early
25

1 childhood education. I see the kids at the end
2 of this apartheid failing system. But the
3 problem is they're not getting the education that
4 they need at a very early age. I think everybody
5 knows that. But, because Chancellor Klein and
6 the Mayor base their success on test scores, they
7 are forcing teachers and supervisors and
8 principals to cheat. How do I know that?
9 Because I am the most unwanted teacher in the
10 system. I blew the whistle on the Regents
11 tampering in my school in 2005. And what
12 happened to me? Five straight unsatisfactory
13 observations. I did the same when I was in
14 school the last time in 2007. Tragically, I had
15 to fail the vast majority of my students. Why is
16 that?
17

18 CHAIRWOMAN NOLAN: You have to sum up,
19 please. I'm begging you. We've met with a lot
20 of teachers in your position. You have to sum
21 up.

22 MR. NOBILE: I'm ready to sum up. Apart
23 from early childhood education, which is the only
24 way to close the achievement gap, what we need
25 most in this system is motivation. And

2 Chancellor Klein, although I am huge critic, did
3 one smart thing; he hired a man named Roland
4 Frier and made him motivator in chief for the New
5 York City School System. Final point.

6 If you want the kids that I teach in high
7 school to succeed, you have to motivate them to
8 do one thing - of course, longer school days,
9 longer school year, yes. But the one thing that
10 the kids must do in this City that they don't do
11 - final word - is homework. Where is the
12 motivation for homework?

13 CHAIRWOMAN NOLAN: Thank you. Thank
14 you. A good point. We want to try to get in one
15 more panel. I apologize for cutting you short.

16 Victoria Bousquet, Marie Pierre, Yoland
17 Matthews and Gail Gatsden, please come down.

18 MS. BOUSQUET: Good evening. My name is
19 Victoria Bousquet. I'm the parent of two sons -

20 CHAIRWOMAN NOLAN: A little closer. And
21 please tell us the size of your child's class.
22 It's critical for us.

23 MS. BOUSQUET: My name is Victoria
24 Bousquet. I'm the parent of two sons who attend
25 Medgar Evers Preparatory School. They're in

1 seventh and ninth grade. There are approximately
2 22 children in their classrooms.

3
4 One of the things I'm a strong believer
5 in is parents having the right to seek the best
6 schools possible for their children, which is why
7 I chose Medgar Evers for my two sons.

8 I'd like to thank the Assembly for taking
9 the time to be here this late into the evening to
10 listen to parents, working parents, such as
11 myself.

12 I'm concerned about the way the mayor and
13 the chancellor are portraying mayoral control to
14 charter school parents. I'm concerned that
15 they're making it seem like if there are any
16 changes to mayoral control, then their children's
17 charter schools will be threatened. They're
18 making it seem like the mayor has control over
19 charter schools when, in fact, the mayor doesn't.

20 If another mayor who was against charter
21 schools, who was anti-charter schools had to come
22 into power, using the current mayor's logic, then
23 the schools would certainly be in a lot of
24 trouble. In reality, it's the City and the State
25 who dictates whether charter schools are being

1 opened, where they're being opened and the
2 numbers. This is not what the parents in charter
3 schools are being told. This fear tactic and
4 misinformation is currently pitting parents -
5 neighbor and neighbor - against each other.
6

7 We are also concerned how the mayor and
8 the chancellor are talking about charter schools
9 as if they were the answer to all our problems.
10 They currently say that they're 30,000 children
11 on a waiting list for charter schools and that
12 because of this there's a demand and there should
13 be more charter schools. My thing is that the
14 question the mayor should be asking is what can
15 we do to make our public schools better? What
16 can we do so that those 30,000 children would be
17 overjoyed to attend their zone schools?

18 My neighborhood schools have no art, no
19 music, they don't have certified teachers, they
20 don't even have science labs, which fortunately
21 the Brooklyn Education Collaborative and the
22 Coalition for Educational Justice fought for and
23 won for New York City public schools.

24 My thing is why are we making it seem
25 like charter schools are the answer to our

1 prayers when education is our civil right, the
2 civil rights of our children. The public schools
3 are here. Charter cannot accommodate all the
4 children in New York City, and so we do have to
5 make the public schools works for our children.
6

7 CHAIRWOMAN NOLAN: Thank you for
8 succinct testimony. Thank you very much.

9 MS. BOUSQUET: I do have to say this. If
10 the public schools were subject to the same rules
11 as the charter schools, if the public schools had
12 the same amount of funding, public and private
13 funding, if we were allowed to have the same
14 extended school days like the charter schools do,
15 if we were able to choose and single out ELL and
16 IEP students, then maybe public schools would be
17 equally successful. Let's not pit the parents
18 against each other.

19 CHAIRWOMAN NOLAN: Thank you. Go ahead.
20 Quickly. We're really taking advantage of the
21 school here, so just go right in.

22 MS. PIERRE: Good evening. I'm Marie
23 Pierre from Brownsville, a member of ACORN and
24 also a member of CEJ. Our concerns here and what
25 we are worrying about is the achievement gap.

1 When 41 of our students graduate with Regents
2 diploma in four years, less than one-third of
3 Black and Latino students and less than one-
4 quarter of Black and Latino males graduate with a
5 Regents diploma in four years. This matters even
6 more now that there will be no more local
7 diplomas. And beginning with this year's ninth
8 grades, all students will need a Regent's diploma
9 to graduate. Unless something dramatic is done
10 to support all students, then the graduation rate
11 is likely to plummet, and it is the children in
12 the neighborhoods like mine that will suffer.

14 When the mayor and chancellor talk about
15 an increase in graduation rates, they are talking
16 mostly about an increase in local diplomas.
17 These are the graduation rates that have gone up
18 62 percent. But Regents diplomas have risen very
19 little, 41 percent, as I have said already. So
20 despite all the hype about dramatic achievement
21 gains in New York City. There has not been any
22 significant change in the racial achievement gap
23 and the vast majority of students are not
24 prepared to earn a Regents diploma, which will be
25 the only diploma available soon. There needs to

1 Public Hearing on Governance - 3-20-09
2 be greater transparency so we know what is hype
3 and what is real in terms of how our children are
4 doing and what the numbers really mean.

5 If you visited the schools in our
6 neighborhoods you would realize that there has
7 not been any education miracle. Therefore, ACORN
8 supports the recommendations of the Campaign for
9 Better Schools and urges you to do the same. We
10 need checks and balances to mayoral control, we
11 need greater transparency, and we need more
12 public participation.

13 Thank you.

14 MS. MATTHEWS: Hi. Good night. My name
15 is Shalandra Matthews. I'm an ACORN member. I
16 would like to speak with y'all first about the
17 charter school. The school that I am talking
18 about is Achievement First.

19 I had a nephew that went to First
20 Achievement Charter School because my sister
21 didn't want her son in a public school, as all of
22 us went, which it didn't fail all of us because
23 all eight of my mother's children now are working
24 on masters degree. So public school helped us.
25 She tried to change and put him in Achievement

2 First, downtown Brooklyn, one of their first
3 schools. She was harassed on her job every day,
4 which I was laid off on my job because of
5 injuries. Every day I had to take a cab downtown
6 to Brooklyn to pick up my nephew who was a
7 special need child, which they claim they do.
8 Like I told my sister, don't slander where you
9 haven't put a child at yet. My nephew right now
10 is in public school and is doing fine.

11 Number two. IS55 in District 23, the
12 students have been removed from there. My niece
13 wanted to try it; always Achievement First, it's
14 a good school, that's what she said at the
15 community board. I tried to warn her. She was
16 told that they lost both of her children's
17 avocations. It's impossible. They're both
18 twins. I could understand if you lose one
19 allocation. She lives right across the street
20 from them. So I would like for you to please
21 tell Mike Bloomberg to go to the school downtown
22 Brooklyn that is filthy, that is a charter
23 school. I walked around in there and I have it
24 on video. It is not a good school and they do
25 not help special need students.

1 My nephew was kicked out of the school.
2
3 The police department, which I believe is the 88th
4 Precinct, had him there every day. And I don't
5 find that fair when you're trying to stay off
6 public assistance and work and get a good job.

7 CHAIRWOMAN NOLAN: How old was he?

8 MS. MATTHEWS: My nephew at the time he
9 went in that school at the age of 9 years old to
10 10. And every day my sister had to leave her job
11 until she was threatened to lose her job.

12 CHAIRWOMAN NOLAN: Thank you. Ms.
13 Simon, go ahead. Quickly. Thank you.

14 MS. SIMON: Thank you very much. My name
15 is Joann Simon. I'm the State Committeewoman for
16 the 52nd Assembly District. And I wanted to
17 address a couple of points that I think may not
18 have been addressed by many witnesses.

19 One is a lot of people have talked about
20 the over emphasis on testing, and there are a lot
21 of reasons why that's problematic. I think that
22 one of the things that we haven't really
23 addressed and I would like to see addressed is
24 the validity of the tests that are being used for
25 the purposes for which they're being used. One

1 of the things that they talk about all the time
2 is reliability of test scores, which is the
3 likelihood that they will occur over time. But
4 they don't really talk much about the validation
5 of these tests for the purposes that they're
6 being used, and that's a very troubling thing
7 because we're making a lot of decisions based on
8 tests that really don't give us the information
9 we're looking for.
10

11 I also wanted to talk very briefly about
12 teacher preparation and the amount of training
13 that's given to teachers to implement the new
14 curriculums that are being suggested. There are
15 a number of really fine programs that teachers
16 aren't being given enough training in how to use,
17 and so you can't really measure the results as to
18 whether or not they are successful.

19 Recently, as you know, there were a
20 couple of incidents with regard to students being
21 apprehended. There's police in, I believe it's
22 Queens, who have a pilot program and they're
23 being given two weeks of training on how to use
24 Velcro handcuffs. And the problem is teachers
25 aren't being given anywhere near that much

1 training in how to manage behavior. I think if
2 we focused on training teachers and giving them
3 the resources and tools they needed, we wouldn't
4 have to go to the Velcro handcuffs. So I just
5 wanted to raise those points.
6

7 Thank you very much for the opportunity.

8 CHAIRWOMAN NOLAN: Thank you. Thank you
9 very much. Go ahead.

10 By a show of hands, are there any other
11 people who want to speak? Because we may not be
12 able to accommodate all of you. Come down near
13 the front, we'll do the best we can. Go ahead.

14 MR. GREENWICH: Good evening. Just a
15 couple of quick points. I don't want to
16 reiterate the entire testimony that we've had
17 throughout the evening. It's been a long day for
18 all of us. A couple of things that I do want to
19 bring to your attention.

20 CHAIRWOMAN NOLAN: Say your name.

21 MR. GREENWICH: My name is David
22 Greenwich, which I guess is important. The
23 second thing is this is not about charter schools
24 versus traditional public schools; it is about
25 the way and the mayor and the chancellor treats

1 parents and educators. They need to be held
2 accountable. They need to be transparent.

3
4 I'm the President from the Community
5 Education Council. We've heard testimony about
6 150, 155. We don't have a great deal of time to
7 talk about it, but I can tell you that if the
8 chancellor and his office would talk to us, the
9 type of complaints that they would have, they
10 would not be having.

11 Thank you.

12 CHAIRWOMAN NOLAN: Go ahead. Quickly.

13 MR. LANSEN: Madam Chair. Thank you.
14 Darryl Townsend, Mr. Nick Perry, I know you. My
15 name is Mr. Lansen. I'm a Second Vice President
16 of Community Education Council District 23. I
17 just want to say that I don't believe in all the
18 charter schools because they're not giving our
19 public schools a chance. Also, they closed down
20 271, that's when decentralization started and the
21 school board. They got apartment schools,
22 charter schools and it's not working. The mayor
23 is like a dictatorship and you heard it over and
24 over and the chancellor too.

25 I believe that it should go back to the

1 way it was. The mayor had something to say and
2 the chancellor have something to say. Do you
3 understand what I'm saying? It's really sad and
4 the mayor -

6 CHAIRWOMAN NOLAN: Both of you serve on
7 CECs right now?

8 MR. LANSEN: Yes, ma'am.

9 CHAIRWOMAN NOLAN: Are you going to
10 renew your service, attempt to renew your service
11 or no?

12 MR. LANSEN: Yes, ma'am.

13 CHAIRWOMAN NOLAN: Then we're going to
14 be following up with all of you who are on CECs.
15 I apologize.

16 MR. LANSEN: It don't work. It don't
17 work and it's not working for our children. They
18 put everything in our district; they don't give
19 the CEC a chance to vote on it, they don't give
20 the parents a chance to vote on it. Nobody
21 bought no nothing. They just put what they want
22 to put, shove it down your throats and say it's
23 done.

24 Also, I heard when that when the charter
25 schools are in there, the principals - she do

1 whatever she want to do. If she want to kick you
2 out of the school, she says just like the mayor,
3 the buck stops here. She has nobody to answer
4 to. She can throw my child out, throw the
5 parents out, and just like that, that's not going
6 to work in New York City.
7

8 CHAIRWOMAN NOLAN: We agree. We're in
9 our final five minutes.

10 MS. GATSDEN: Hello. I would like to
11 thank you for giving me this time. My name is
12 Gail Gatsden and my child attends PS212 where a
13 principal from the academy, and this is what's
14 happening, he's only been a teacher for one year
15 and he's now a principal making a six figured
16 salary. As you can see, the document that I gave
17 you, he is not experienced. Teachers have more
18 experience than him. And I don't understand why
19 are we, as parents, accepting what's going on.
20 Because you know what? It lies in us.

21 CHAIRWOMAN NOLAN: Just say your name.

22 MS. GATSDEN: Gail Gatsden.

23 CHAIRWOMAN NOLAN: How many children are
24 in your child's class?

25 MR. GATSDEN: Eighteen. He has an IEP.

1 The whole thing is I don't understand why we are
2 a dumping ground for the chancellor to make the
3 decisions. It's like they're the slave masters.

4 This is ridiculous. You know what? It's going
5 to be a sad day when parents really speak up and
6 shut this whole system down to be heard when we
7 get no justice. It's coming, it really is. You
8 know what? The same way we trusted the mayor to
9 vote him in there, we can vote him out or anybody
10 else who did not serve us the way we expected.

11 CHAIRWOMAN NOLAN: Thank you.

12 MS. URBY: Hi. My name is Kim Urby. I
13 do present serve on CEC13, which has dwindled
14 with all the help from the wonderful OFIA. I do
15 have six children, and I am utilizing all of my
16 so-called choices. I have a child in Leadership
17 Prep, uncommon, a child in Achievement First, a
18 child at PS20, a child at Nest, a child at Food
19 and Finance, a child at PS133.

20 CHAIRWOMAN NOLAN: You are my hero.

21 MS. URBY: I am involved, okay.

22 CHAIRWOMAN NOLAN: You are my hero.

23 MS. URBY: And I am engaged but not
24 empowered. We need to change the law so that no
25

1 matter what school that I choose that me, as a
2 parent, will not be shut down. I have a letter
3 from a lawyer telling me that I cannot have a
4 parent association from Uncommon Schools. That
5 is not parent empowerment, and these are your
6 charter schools. This is a sad thing to happen
7 to any parent in New York City no matter what
8 they choose. So I am definitely not for mayoral
9 control of my community.
10

11 My community is a public community. We
12 need to control our schools and tell those
13 inventors to invest in the public school around
14 the corner. Why do we have to create a charter
15 school for them to put their money to work? That
16 makes no sense to me. If you care about
17 communities and children, they're the same
18 children. There should be no divide.

19 This has created an unnecessary divide
20 between parents. And I'm a parent who is using
21 them all.

22 CHAIRWOMAN NOLAN: Thank you. The two
23 gentlemen, as quickly as you can.

24 MS. URBY: One other thing I have to tell
25 you, they are manipulating the lottery system.

1 If parents bring in different documentation, they
2 get more entries into the lottery. So then you
3 are dividing low income to lower income parents
4 to get into these charter schools. And I don't
5 know why they are legally allowed to do this.
6

7 CHAIRWOMAN NOLAN: Thank you. Thank you
8 for that. And that was the first time we've
9 heard that. So you see, sometimes at the end you
10 get that insight. So we'll be back to you again.

11 Thank you very much. Make sure that you sign a
12 card so we can get back to you.

13 MR. MCCANTS: Good evening. My name is
14 Sol McCants. I'm a product of the public school
15 system. I know what segregation is. I went to
16 the last wooden schoolhouse in Queens.
17 Shamefully, I live in St. Albans where across
18 Farmers Boulevard the demarcation line changed.
19 They had a full day of school; I had a half day
20 because we had to share a wooden building. The
21 school was PS110. That was before they built
22 Rocksdale Village and they had the long struggle
23 around that.

24 I know what centralization is, I know
25 what segregation is, and I've seen it return.

1 Mayor control is Benito Giuliani's black shirt
2 policy dream that he wanted that he didn't get.
3 Number two. I would like you to hear these two
4 sayings, and keep in mind these two phrases.
5 Making the same, you heard the mayor talk about
6 making the curriculum the same and all this.
7 He's always talking about bringing into line.
8 Most people are failed students of history.
9 These two phrases come from the person that took
10 over the Velmar Republic in 1933. We have a
11 clean shaven version of that person.
12

13 In reference to school discipline, School
14 Safety's initials are correct, SS. Parents are
15 not allowed to attend their basketball games, to
16 be involved with their kids. I am a former track
17 person. I coach kids. School Safety harasses
18 the kids at the meets. They tell them stop
19 cheering for their schools. These are positive
20 things where the attack is taking place.

21 In reference to the no-bid contracts,
22 Darryl, you've seen me and Nick, you've seen me
23 because I'm a minority business. And you know
24 that the minority businesses are not getting any
25 contracts out of the Board of mis-Education.

1 Shamefully, we have to understand that the
2 chancellor defended segregation for the State of
3 Missouri. We have a majority black and brown
4 city. Anybody - yes. Look it up and understand
5 that connection there. There are people who had
6 contracts that he skillfully, because he's a
7 lawyer, raised the requirements and the black and
8 brown businesses that were doing business, the
9 few that were, were removed.
10

11 Look at the black and brown employment in
12 this City and realize that those businesses
13 losing those contracts contributed to the 50
14 percent unemployment. Our kids have to find a
15 place to work. Shamefully, you had the paid off
16 bantu chiefs in here with signs saying
17 bureaucracy. That bureaucracy is the clerks that
18 work for the civil government and board of mis-
19 education. And unfortunately that bureaucracy
20 has been removed. Therefore, where are our
21 children and people going to work?

22 I will give you my testimony. Next time,
23 never let the Deputy Mayor have 3½ hours of
24 lobbying and never giving you an answer.

25 CHAIRWOMAN NOLAN: I understand that.

Just quickly, we want people to take their signs.

I know how - it was our first opportunity, you have to understand, these series of hearings in six years. Thank you.

MR. DALY: Good evening. My name is Roderick Daly. I am a teacher in District 18 in Brooklyn, and I'm a member of CEJ and I'm also the UFT Chapter Chair in that building.

I'm against mayor control as is. I teach. I have a bunch of students who are a bunch of test takers. On test days they're very well behaved. They know exactly what to do because that's how you train them. They were not educated to do very well in school, they were trained to take tests. And you can't afford that anymore under the current system.

I teach middle school. I'm reaping the benefits of eight years of test taking; that's a problem for me.

Next, the mayor has this new thing where he's putting charter schools against public schools and trying to put a façade over the parents that charter schools are better, and, therefore, depriving our students in public

1 schools of the right to a proper and adequate
2 education. We can't afford that anymore.

3
4 On top of that, he brings in a number of
5 tests. This kind of test here. This kind of
6 test there. That's causing the school system
7 millions of dollars. Every year or so he costs
8 additional millions by changing some kind of
9 system that we don't know anything about. One
10 year it was region. One year it's carpet
11 teaching. One year it's group teaching. It's
12 costing our system too much money and, at the
13 same time, I, as a teacher don't know what I am
14 teaching because I don't know what's going to
15 happen to me tomorrow morning when I walk into
16 that classroom. So that creates a problem for
17 me.

18 With that in mind, I want to say that I
19 work with a parent group, because I have students
20 in the school system as well. I know that we
21 understand that as parents, as a parent I don't
22 have proper access to my children's education.
23 Two, as a teacher, I do not have the ability to
24 educate the students who these parents have
25 presented in front of me. So we have to look at

2 mayoral control, change the system, given parents
3 a voice, give educators a voice, and not business
4 people voices in education.

5 Thank you very much.

6 CHAIRWOMAN NOLAN: Thank you.

7 We want to thank - just say your names
8 quickly.

9 MR. DELAHUSA: Philip Delahusa from Girls
10 Prep Charter.

11 MR. WILKINSON: And I'm Tyler Wilkinson.
12 I'm a special education teacher at PS1 in Sunset
13 Park, Brooklyn.

14 CHAIRWOMAN NOLAN: I promise you both we
15 will have an opportunity to speak. We're going
16 to have to shut this down. But I want both of
17 you to leave us your numbers. I will personally
18 call both of you. If we can arrange a meeting -

19 MR. WILKINSON: Don't even need to. All
20 I want to say is one sentence. It's working.
21 We're happy teachers. It's working. It's not
22 going to happen over night. It's working.

23 CHAIRWOMAN NOLAN: Please. Please.

24 I want to thank the staff of this
25 College, New York City Tech - the security team,

1 the theatre team, absolutely outstanding. I want
2 to ask all our friends, including coalitions and
3 various groups to please take your signs. I want
4 to thank our stenographer, Eddie. Unbelievable.
5

6 I want to thank my colleagues who stayed for the
7 various times, including some who stayed the
8 whole time. I want to thank Nicholas Stereli
9 Castro and Claudia Chan. Nicholas with his
10 wonderful bilingual skills and Claudia who spoke
11 Mandarin who was able to reach out for people
12 today, the 84th Precinct and all the staff - Deb
13 McDonough and the people who put these hearings
14 together, thank you, thank you, thank you.

15 This hearing is concluded.

16 (Whereupon, the Assembly Standing
17 Committee on Education adjourned at 8:05 p.m.)
18
19
20
21
22
23
24

C E R T I F I C A T E

I, EDWARD LETO, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby stated:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2009.

EDWARD LETO