

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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March 6, 2024
Start: 1:13 p.m.
Recess: 3:37 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Rita C. Joseph, Chairperson

COUNCIL MEMBERS:

Eric Dinowitz
Jennifer Gutiérrez
Shahana Hanif
Kamillah Hanks
Shekar Krishnan
Linda Lee
Farrah N. Louis
Mercedes Narcisse
Pierina Ana Sanchez
Althea V. Stevens

OTHER COUNCIL MEMBERS ATTENDING:

Gale A. Brewer
Jumaane Williams, Public Advocate

A P P E A R A N C E S

Scott Strickland, Deputy Chief Information Officer, Strategy and Governance, Division of Instructional and Information Technology at Department of Education

Intekhab Shakil, Chief Information Officer at Department of Education

Zeeshan Anwar, Chief Product Officer at Department of Education

Johel Placencia, Chief Technology Officer at Department of Education

Randy Asher, Deputy CIO of School Planning, Modernization, and Partnerships at Department of Education

Danielle Dimango, Superintendent at Department of Education

Kimberly Ramones, Senior Executive Director for Instruction and Compliance for the Special Education Office at Department of Education

Emma Vadehra, Chief Operating Officer at Department of Education

Vanessa Hunt, former Senior State Executive for NY and current Technology General Market for the US Market

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

Natasha Quiroga, Director of Education Policy and InsideSchools at the New School Center for New York City Affairs

Molly Senack, Education and Employment Community Organizer for Center for Independence of the Disabled, New York

Kesi Gordon, Senior Manager of Education Policy at the New York Immigration Coalition

Aracelis Lucero, Executive Director of MASA

Ellen McHugh, self

Paullette Healy

Tanesha Grant, Chief Executive Officer of Parents Supporting Parents NY

2 SERGEANT-AT-ARMS: Mic check. Today's
3 Committee on Education. Today's date is March 6,
4 2024, in the Chambers, recorded by Nazly Paytuvi.

5 SERGEANT-AT-ARMS: Good afternoon and
6 welcome to today's New York City Council hearing for
7 the Committee on Education.

8 If you wish to submit testimony, you may
9 at testimony@council.nyc.gov.

10 At this time, please silence all
11 electronic devices.

12 Just a reminder, no one may approach the
13 dais at any point during this hearing.

14 Chair, we are ready to begin.

15 CHAIRPERSON JOSEPH: Thank you. Oversight
16 hearing on remote learning failures in New York City
17 Public Schools. [GAVEL]

18 Good afternoon and welcome to today's
19 oversight hearing on remote learning failures in New
20 York City Public Schools. I'm Rita Joseph, Chair of
21 the Education Committee. Thank you to everyone
22 present here and to those of you who are testifying
23 remotely.

24 In anticipation of a major snowstorm, New
25 York City Public Schools went remote for the only

2 second time since the pandemic on Tuesday, February
3 13th. Despite DOE Chancellor David Banks asserting
4 that they were more than prepared for students to
5 shift online learning, that the DOE has taken some
6 time as a school system to do simulation and to
7 prepare, students and teachers who were confronted
8 with service unavailable and with other error
9 messages as they attempted to log on. Others across
10 the city reported issues accessing essential
11 services, including Google Classroom, Chromebooks,
12 and Zoom, while some other teachers reported that
13 they were struggling to even log into their emails
14 and take attendance. Chancellor Banks blamed IBM for
15 the issue, insisting DOE internal team checked all
16 boxes and promised a full analysis of what went
17 wrong. IBM released a statement the morning of
18 February 13th, stating they were working closely with
19 DOE to address the situation as quickly as possible.

20 In the meantime, it had been reported
21 that while DOE alleged they ran practice tests across
22 the system in preparation for a shift to remote
23 learning, IBM was not involved in those tests.
24 Additionally, it's also been reported that DOE had
25 been without a permanent Chief Information Officer

2 for months. While an experienced interim CIO was in
3 place at the time, critics contend that the lack of
4 permanently installed CIO six months into the school
5 year contributed to the problem.

6 More recently, February 23rd, it was
7 reported that Intekhab, if I mispronounced, forgive
8 me, Shakil, who served as a CEO at the City Law
9 Department, would join DOE as its CIO on February
10 26th. At today's hearing, I look forward to welcoming
11 the new DOE CIO.

12 Additionally, the Committee is interested
13 in understanding how DOE prepared to pivot to remote
14 learning and how potential issues were overlooked in
15 that preparation. The Committee is also interested in
16 learning how DOE will address these issues for the
17 next time it plans to go remote as well as any backup
18 plan that may be put in place.

19 I'd like to thank the Committee Staff as
20 well as my own Staff for all of the work they put in
21 for today's hearing.

22 I'd like to remind everyone who wishes to
23 testify in person today that you must fill out a
24 witness slip, which is located to the desk of the
25

2 Sergeant-at-Arms near the entrance of the room, even
3 if you already registered in advance.

4 To allow as many people as possible to
5 testify, testimony will be limited to three minutes
6 per person, whether you're testifying on Zoom or in
7 person. I'm also going to ask my colleagues to limit
8 their questions and comments to five minutes.

9 Please note that witnesses here in person
10 will testify before those on Zoom.

11 I would like to acknowledge my colleagues
12 that are present, Council Member Dinowitz, Council
13 Member Narcisse, Council Member Lewis, Council Member
14 Sanchez, Council Member Hanks, Council Member Hanif,
15 and Council Member Lee.

16 Now, without any further, I'd like start
17 our witness panel. I will turn to Committee Counsel,
18 Nadia Jean-François, to administer the oath.

19 COMMITTEE COUNSEL JEAN-FRANÇOIS: Good
20 afternoon. I will call on each of you individually
21 for a response. Please raise your right hands.

22 Do you affirm to tell the truth, the
23 whole truth, and nothing but the truth before this
24 Committee and to respond honestly to Council Member
25 questions? Intekhab Shakil.

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2 CHIEF INFORMATION OFFICER SHAKIL: Yes, I

3 do.

4 COMMITTEE COUNSEL JEAN-FRANÇOIS: Scott

5 Strickland.

6 DEPUTY CHIEF INFORMATION OFFICER

7 STRICKLAND: Yes.

8 COMMITTEE COUNSEL JEAN-FRANÇOIS: Danielle

9 Dimango.

10 SUPERINTENDENT DIMANGO: Yes.

11 COMMITTEE COUNSEL JEAN-FRANÇOIS: Zeeshan

12 Anwar.

13 CHIEF PRODUCT OFFICER ANWAR: Yes.

14 COMMITTEE COUNSEL JEAN-FRANÇOIS: Johel

15 Placencia.

16 CHIEF TECHNOLOGY OFFICER PLACENCIA: Yes.

17 COMMITTEE COUNSEL JEAN-FRANÇOIS: Randy

18 Asher.

19 DEPUTY CHIEF INFORMATION OFFICER ASHER:

20 Yes.

21 COMMITTEE COUNSEL JEAN-FRANÇOIS: Kimberly

22 Ramones.

23 SUPERINTENDENT RAMONES: Yes.

24 COMMITTEE COUNSEL JEAN-FRANÇOIS: Emma

25 Vadehra.

2 CHIEF OPERATING OFFICER VADEHRA: Yes.

3 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
4 you so much. You may begin your testimony.

5 CHIEF INFORMATION OFFICER SHAKIL: Good
6 afternoon, Chair Joseph, Members of the New York City
7 Council Education Committee. My name is Intekhab
8 Shakil. On February 26, 2024, I became the Chief
9 Information Officer of New York City Public Schools.
10 In this capacity, I oversee New York City Public
11 School Division of Instructional and Information
12 Technology, and I'm responsible for application
13 development, cybersecurity, school planning and
14 modernization and infrastructure teams that serve
15 over a million students and staff off New York City
16 Public Schools as well as our families.

17 I'm joined by Scott Strickland, Deputy
18 Chief Information Officer, Strategy and Governance;
19 Zeeshan Anwar, Chief Product Officer; Joel
20 Plascencia, Chief Technology Officer; and Randy
21 Asher; Deputy CIO of School Planning, Modernization,
22 and Partnership. Thank you for the opportunity to
23 discuss our work to support and enhance the
24 technology needs of our students and staff along with
25 Remote Learning Day on February 13th.

2 I would like to thank Chair Joseph and
3 the Council for continuously advocating for students
4 of New York City and funding our technology efforts.
5 In my new role as CIO, I look forward to working
6 closely with the Council on behalf of our school
7 communities.

8 Since this is my first time appearing
9 before this Committee, I would like to share a little
10 about my background. With nearly 25 years of service
11 to New York City agencies, including over two decades
12 with New York City Public Schools and recent tenure
13 as Chief Information Officer at the City Law
14 Department, I bring a depth and breadth of experience
15 to the table. During my time at New York City Public
16 School, I led development of products such as New
17 York City Schools Account, TeachHub, and Parent
18 University, all aimed at enhancing the educational
19 experience of students, families citywide. I was in
20 DIIT when the pandemic hit in March 2020 and led the
21 development of systems to support student device
22 distribution and, as students and teachers return to
23 schools, the Daily Health Screening System. As CIO at
24 the City Law Department, our prime focus was
25 cybersecurity, and I played a pivotal role in

2 establishing a business-driven cyber risk assessment
3 program and strengthening agency security measures in
4 alignment with citywide initiatives. At the heart of
5 my vision for technology for New York City Public
6 School is commitment to the principles outlined by
7 the Chancellor in his vision for our public schools.
8 We are dedicated to fostering a safe and inclusive
9 digital environment that caters to the diverse needs
10 of our students and staff, ensuring equitable access
11 and support for all, regardless of their abilities
12 and, of course, prioritizing the reliable operation
13 of a data network, data centers, enterprise systems
14 to guarantee seamless delivery of educational
15 services and resources. Finally, recognize that
16 technology is not an end in itself, but a means to
17 empower our students for success in ever-evolving
18 world. Overall, I'm eager to provide the necessary
19 tools that will equip our students not only in the
20 classroom but also in navigating the world beyond
21 graduation. I look forward to hearing your concerns
22 today about the remote learning day on February 13th.
23 While we understand that technological glitches are
24 an unfortunate reality, we take this incident very

2 seriously and are dedicated to ongoing enhancements
3 to our systems.

4 Now, Scott Strickland, Deputy CIO for
5 Strategy and Governance, will share details on last
6 month's shift to remote learning. Thank you.

7 DEPUTY CHIEF INFORMATION OFFICER

8 STRICKLAND: Good afternoon, Chair Joseph and Members
9 of the New York City Education Committee. My name is
10 Scott Strickland, Deputy Chief Information Officer,
11 Strategy Governance for the Division of Instructional
12 and Information Technology in New York City Public
13 Schools. From this past fall until last week, I
14 served as the Acting Chief Information Officer for
15 New York City Public Schools.

16 On behalf of Chancellor Banks, I thank
17 you for the opportunity to testify today. In addition
18 to CIO Intekhab Shakil, I am joined by Zeeshan Anwar,
19 our Chief Product Officer; Johel Placencia, our Chief
20 Technology Officer, and Randy Asher, our Deputy CIO
21 for School Planning, Modernization, and Partnerships.

22 Before I begin, I would like to thank
23 Speaker Adams, Chair Joseph, and the entire Council
24 for your advocacy on behalf of New York City school
25 systems, students, and meeting their needs in a

2 digital age. I'm here to provide testimony regarding
3 the steps the New York City Public Schools took in
4 preparation for the remote learning day, our
5 experiences during the first citywide remote learning
6 day since COVID on February 13, 2024, and the actions
7 we have taken in response to the challenges students
8 and teachers encountered that morning.

9 I want to emphasize our dedication to
10 ensuring the smooth operation of our systems and
11 services, particularly during remote learning
12 periods. While we strive to minimize disruptions, it
13 is important to acknowledge that we cannot guarantee
14 that outages will not occur. However, what we can
15 assure is our commitment to respond promptly and
16 effectively to any issues that may arise. I know how
17 frustrating it was for many students and families who
18 experienced delays when logging in for class. We are
19 sorry we did not prevent this issue from arising.

20 What did we do to prepare the schools to
21 prepare to remote? This year, New York City Public
22 Schools began preparing to pivot weeks earlier than
23 last year in anticipation of inclement weather. Three
24 anchor documents were developed, updated, and shared
25 broadly across the agency. The first was our

2 Emergency Remote Learning Plan, required by the New
3 York City Department of Education, outlining a plan
4 should the New York City Public Schools have to
5 permit to remote learning, the second was a Digital
6 Classroom Labor Agreement requiring all teachers to
7 establish a digital classroom by the end of September
8 and, third, annual updating of the Principal
9 Assessment for School Readiness to Transition from
10 In-Person to Temporary Remote Learning Checklist on
11 our InfoHub page, which houses all guidance and
12 resources for remote learning that all New York City
13 Public Schools educators can access.

14 Beginning in October 2023, we identified
15 three priority areas to ensure schools would be ready
16 to pivot to remote. First, students would have access
17 to a working device, second, students could log into
18 their digital classroom and, third, teachers have set
19 up their digital learning environment. School
20 superintendent points in each district and school
21 directors in each borough were tasked to support
22 schools directly with this effort. Additionally, our
23 central offices began reviewing data on these three
24 data points, reviewing percentages of devices
25 assigned to students, percentage of student log-ins,

2 and percent of teacher log-ins on New York City
3 Public Schools systems. To begin, we shared
4 preparation guidance with schools and district
5 leaders including a checklist that included
6 information on these eight categories, devices for
7 students and staff, staff and student accounts,
8 digital learning environments, digital professional
9 learning, student supports and related services,
10 attendance and student outreach, budget and human
11 resources, and school community communications.

12 On November 27, 2023, schools were
13 directed to conduct a pivot to remote practice both
14 in-school and at home. They were given a window of
15 time for this practice to occur by December 8, 2023.
16 The exact date each district set was set by the
17 superintendent. These expectations were communicated
18 through system-wide email messaging to all New York
19 City Public Schools superintendents. Included in this
20 message was a letter for superintendents to share
21 with each of their principals and a letter that
22 principals could share with their families, the
23 Remote Readiness Practice Plan Family Letter. The
24 focus of the practice was to ensure students had
25 access to a working device, had access to the

2 internet, and could access their digital classroom,
3 both in school and at home. In school, teachers were
4 to assure that students had guided practice on
5 logging in via their New York City provided username
6 and passwords. Discretion was given to principals and
7 teachers for additional digital learning activities
8 done in the classroom. The at-home practice activity
9 ranged from a homework assignment to an extension of
10 the day's learning conducted at home in the digital
11 environment. These were activities to test access to
12 the digital classroom for the student to complete
13 asynchronously rather than an activity of synchronous
14 teaching and learning. By December 20, 2023, all
15 superintendents confirmed their districts had
16 completed the pivot to remote practice activities.
17 During this fall and early winter, to this day, New
18 York City Public Schools regularly communicated and
19 collaborated with superintendents regarding device
20 and account access including these five things,
21 ensuring superintendents knew what to do about
22 centrally distributed devices not assigned to
23 students and student accounts with no log-ins,
24 requiring schools to inventory and assign devices to
25 students, distributing all central devices to schools

2 that requested them, a total of 700,000 central
3 devices from April 2020 to December 2023, number
4 four, helping principals gather information about
5 current home devices to ensure students' needs were
6 known and accounted for, a total of 50,000 students
7 indicated they had a device at home that could
8 support remote learning. We sent clarifying messages
9 to principals on January 3rd that they could send
10 school devices home for a pivot to remote day.
11 Additionally, we worked within New York Public
12 Schools and our partners at New York City Emergency
13 Management to improve our own internal communications
14 and decision-making processes to ensure we could have
15 an early and clear notifications to schools and
16 families in the case of a remote day.

17 February 12th, the day prior to the
18 remote learning day, once the decision was made on
19 February 12th to pivot to remote learning, DIIT
20 notified relevant vendors, including IBM and Digaro
21 (phonetic), who runs our service desk, to ensure they
22 were prepared to support the hundreds of thousands of
23 students who would be logging in to learn as well as
24 our tens of thousands of teachers and central staff
25 and support staff. We held a meeting with

2 superintendents to announce a weather-related system-
3 wide pivot to remote learning for the following day
4 and to ensure districts were prepared for the
5 transition. Superintendents were reminded to review
6 the snow day closure guidance and to remind schools
7 to send devices home with students who may need them.

8 With regard to IBM, the DIIT team sent an
9 email at 1 p.m. on February 12th indicating that the
10 next day, February 13th, would be a remote learning
11 day for students and that we expected an increased
12 load for user log-in authentications and for them to
13 perform active monitoring. IBM acknowledged our
14 notification soon after receiving the email. February
15 13th, the citywide remote learning day. On February
16 13, 2024, a large number of New York City Public
17 School users, primarily students and teachers, were
18 unable to log into New York City Public School
19 systems at the beginning of the remote learning day.
20 After investigation, DIIT determined that the issue
21 was related to the user authentication services
22 provided by the IBM Security Verify Product that New
23 York City Public Schools had been using for several
24 years. Overall, the issues began and were identified
25 by DIIT around 7:45 a.m. IBM was notified at that

2 time. IBM acknowledged receipt of our message and
3 investigated and immediately began to work on a
4 resolution as did DIIT. After several corrective
5 actions by both IBM and DIIT, the system appeared to
6 be stabilized mid-morning. New York City Public
7 School systems, including the IBM system, operated
8 without problems for the remainder of the remote
9 learning day and since. While there's no definitive
10 data on how exactly how many students and teachers
11 were impacted, what we do know is that over 100,000
12 users were able to log in before 8 a.m. and between
13 15,000 and 40,000 users were able to log in every 10
14 minutes from 8 a. m. until 10 a. m. totaling over
15 660,000 users. By the end of the day, over one
16 million students, teachers, and staff were able to
17 log in to New York City Public School systems on
18 December 13th. The root cause of the issue was that
19 the number of New York City Public Schools users
20 logging in prior to 8 a.m. to start the remote
21 learning day exceeded the capacity of the system to
22 handle that peak load.

23 On the IBM side, the actions that were
24 taking that day included increasing the capacity of
25 New York City Public Schools authentication services

2 along with adding more CPU processing power to one of
3 their services and isolating New York City Public
4 Schools traffic to one server while moving all other
5 clients to secondary servers. We also worked with IBM
6 to turn off an alternative QR picture-based
7 authentication option to have users use the standard
8 username password authentication model. This option
9 is for younger children and special needs students
10 and was operating unpredictably under the peak load.
11 Following this first pivot to remote day, we were
12 tasked with aggressively and accurately testing
13 systems in the event of another the system-wide pivot
14 to remote. We know how frustrating it was for many
15 students and families who experienced delays when
16 logging into classes, and we're sorry we did not
17 prevent this issue from occurring.

18 What has happened since February 13th?
19 Since February 13th, DIIT has been working with IBM
20 to develop an immediate and a long-range plan of
21 action to ensure that the next remote learning day
22 can avoid the problem we experienced on February
23 13th.

24 The immediate term plan includes the
25 possibility of staggering start times on a remote

2 learning day to distribute the peak load on the IBM
3 user authentication Service. DIIT has also
4 successfully completed performance load testings in
5 its staging environment, which accesses an existing
6 IBM pre-production Authentication Service provided by
7 IBM for testing purposes. The objective of these
8 tests was to establish measurements of the system's
9 performance called a performance baseline. This pre-
10 production environment was used by DIIT as a close
11 replica of the live production environment but is not
12 yet an exact replica of the New York City production
13 environment.

14 Longer term, both DIIT and IBM were
15 performing automated performance tests on their test
16 systems to identify performance improvements that
17 could be implemented to reduce the risk of
18 overloading the system, even at New York City Public
19 Schools peak start of day volumes. In the past, while
20 we had superintendents test in all of their
21 districts, we did not conduct a load test where all
22 students and staff attempted to log in at the same
23 time. This would have been a substantial undertaking
24 that would have disrupted school and/or families and
25 staff time at home. That form of testing is also not

2 an industry standard in terms of performance testing.
3 An industry standard is automated load testing in a
4 non-production environment, as noted above, similar
5 to what we do for our other systems. We are
6 continuing to consider the best way to test all our
7 systems going forward. As noted above, we are working
8 with IBM to ensure we do all the automated load
9 testing we can to ensure readiness. Once again, we
10 regret the problems caused by the issue with this IBM
11 system capacity. We value IBM for their rapid and
12 effective response to the problem and for being a
13 longstanding partner that clearly prioritizes our
14 students and families.

15 In conclusion, New York City Public
16 Schools and IBM recognize that the start of the
17 remote day did not go smoothly, and both teams are
18 working together to minimize the possibility of this
19 occurring again in the future. Our students, family,
20 and staff deserve better. We appreciate the
21 opportunity to speak to you today. Thank you.

22 CHAIRPERSON JOSEPH: Thank you. I'd like
23 to acknowledge our Public Advocate, Jumaane Williams,
24 Council Member Brewer, Stevens, Krishnan, and I'm

2 going to turn over before I start my questioning to
3 the Public Advocate for his testimony.

4 PUBLIC ADVOCATE WILLIAMS: Thank you so
5 much, Madam Chair. I appreciate it. As mentioned, my
6 name is Jumaane Williams, Public Advocate of New
7 York. I want to thank Chair Joseph and the Members of
8 the Committee on Education for holding this important
9 hearing and from New York City Public Schools for
10 being here. This is my opening statement.

11 In 2020, New York City students
12 experienced an unprecedented disruption in their
13 learning due to the COVID-19 pandemic. For the first
14 time, the City's over one million students had to
15 switch to virtual learning and, while this was
16 necessary to slow the spread of COVID, we are still
17 feeling the effects today. The sudden dependence on
18 technology to access school deepened education
19 inequities already present in our schools with low-
20 income students, students with disabilities, ELL
21 students, and students in temporary housing are the
22 most impacted. These disparities are not unique to
23 NYC. A report released last year by UNESCO, the
24 United Nations Education and Cultural Organization,
25 found that there was a worldwide problem. The

2 disparity between those who have access to the
3 internet and those who do not, known as the digital
4 divide, existed long before the pandemic but was laid
5 especially bare when it determined which kids were
6 able to go to school.

7 First, I want to applause the city for
8 providing hundreds of thousands of iPads and other
9 electronic devices to students who needed them during
10 remote learning. The pandemic forced us to address
11 the fact that access to the internet and electronic
12 devices have become an integral part of students'
13 education, and New York City Public Schools now has a
14 reserve of iPads and Chromebooks to distribute to
15 students who need them. Still, many students went
16 weeks or months without access to an electronic
17 device or broadband connection during the pandemic,
18 and troubleshooting technological issues are
19 particularly difficult for families who do not speak
20 English or have limited English proficiency. Many
21 students did not attend school at all for long
22 periods of time during remote learning, and chronic
23 absenteeism has been elevated. Since the switch to
24 remote learning for the 2020 to 2021 school year, the
25 rate of chronic absenteeism was 41 percent and, while

2 that number has come down, it remains above rates
3 prior to the pandemic. This cannot be entirely
4 attributed to the way the City handled remote
5 learning. Many students struggling with trauma
6 experienced by the pandemic and the transition from
7 being isolated in their homes to return to school is
8 challenging. For students who lost connection during
9 the pandemic, it can be difficult to re-engage them,
10 but many students have been discouraged or left
11 behind, particularly students with disabilities who
12 did not receive all the compensatory services to
13 which they were entitled during virtual learning and
14 ELL students, who were doubly isolated both by school
15 closures and by language barriers.

16 In 2020, then Mayor Bill de Blasio
17 announced that students would have virtual-learning
18 days in lieu of snow days, policy that Mayor Eric
19 Adams has continued due to the increasing number of
20 holidays on the school calendar. However, when the
21 city experienced heavy snowfall last month and
22 students were instructed to log into school at home,
23 the system crashed, leaving many students and
24 teachers unable to log in to Zoom, Google Classroom
25 school, email accounts, and even attendance tracking

2 tools. Of course, it is a concern to me and many New
3 Yorkers that prior to the snow day issues, New York
4 City Public Schools did not have a permanent Chief
5 Information Officer for months. While one day lost to
6 technical difficulties is not the end of the world,
7 COVID has taught us that we need to be prepared to
8 provide our students with the best possible education
9 in any circumstances.

10 I just want to say thank you again to the
11 Chancellor who were at least accepted that something
12 went wrong, admitted that, and said they have to do
13 different. I wish more people within the
14 Administration would do that. I think it would help
15 our conversation go a long way but, even to that, I
16 think some of the explanations are left a lot to be
17 desired, and I'm hoping we can get some more answers
18 to what happened during this hearing. Thank you.

19 CHAIRPERSON JOSEPH: Thank you, Public
20 Advocate.

21 I'm going to yield my time to Council
22 Member Louis.

23 COUNCIL MEMBER LOUIS: Thank you, Chair,
24 and thank you to the panel for being here today. I'm
25 just going to ask all my questions and then you all

2 can feel free to answer. The first question is in
3 regards to, everything is based off the statement,
4 but I wanted to know what is DOE's process to notify
5 vendors of critical technology support needs, meaning
6 who do you call or email and what's the process, and
7 what kind of acknowledgement is required for that?

8 The second one is in regards to your
9 statement on page five, when you reached out to IBM.
10 I wanted to know when did DOE actually communicate to
11 IBM that there was a technical problem and what means
12 of communication was used and what was said and
13 communicated with IBM? How often does DOE have an
14 executive level sync with IBM's executive team, and
15 what expectations are expressed at those meetings
16 that you have with IBM and did IBM meet its minimal
17 contractual obligation in terms of service on the
18 morning of the snowstorm, meaning did IBM perform or
19 was their performance met with the contract
20 requirements? If so, why did the contract not have a
21 higher level of performance?

22 Last one, which agency owns the contract
23 that IBM operates currently for the DOE? Thank you.

24 DEPUTY CHIEF INFORMATION OFFICER

25 STRICKLAND: I'll try to answer as many as I can.

2 COUNCIL MEMBER LOUIS: I know that was a
3 lot, but just to provide some context based off your
4 statement, which I thought was fine.

5 DEPUTY CHIEF INFORMATION OFFICER

6 STRICKLAND: Great. Thank you. We have regular
7 meetings with our major vendors. We meet with IBM
8 weekly I think and they were aware that this was
9 coming. The exact communication went to them at 1
10 p.m. On the day before, we sent them an email, their
11 customer success representative who we deal with on
12 these kind of issues acknowledged that. I will say
13 that IBM has asked us to also in the future file a
14 service ticket which then gets into their help desk
15 scenario and gets the right support people lined up.
16 We've actually done that once or twice since. We had
17 threatening weather a couple of weeks ago, and what
18 they've asked for is, if we see something maybe going
19 to happen on a Thursday, put what they call a
20 proactive ticket in on a Monday, and let us know, and
21 then wave it down if it's not going to be a remote
22 day, and we actually have done that. We used Slack to
23 communicate on the morning of. They immediately
24 looked at their systems, and they were already
25 monitoring them and realized that a problem did

2 exist. They were seeing load, all the allocated
3 capacity was being used by our students and staff
4 trying to log in, and they were seeing failures of
5 students and staff not getting accurate responses.

6 The contract is a citywide contract with
7 IBM services that is held by OTI, the Office of
8 Technology and Innovation. What City agencies are
9 allowed to do is purchase from that contract, and
10 they set up a mini bid for resellers to pick the
11 items that we wanted to buy. This was one of the
12 services we buy from IBM. The bid was won by a major
13 reseller, CDW. We issue a purchase order to CDW, they
14 provide the service and use that contract and work
15 with IBM with the reseller agreement to move the
16 money that we pay to the reseller to IBM.

17 COUNCIL MEMBER LOUIS: Just the last part,
18 do you feel that their performance met the
19 requirement?

20 DEPUTY CHIEF INFORMATION OFFICER
21 STRICKLAND: Good point. This one will get into a
22 little bit of the weeds here. What we buy from IBM is
23 a service called IBM Verify. What the unit of service
24 is you need to buy it in 100,000-user bundles so we
25 buy 30 of those bundles so we can have 3 million

2 accounts on their system, each with a unique username
3 and password that supports the logging in. In the
4 description of that service, even though we buy a lot
5 of it, again, supporting 3 million users, the service
6 has indicated that it runs at 400 transactions per
7 second, and that is what it says. Since the beginning
8 of the school year this year, IBM has provided more
9 than that. When the school year started, they
10 provided 1,400 transactions per second. That was the
11 upper limit that we could use. We consume much less
12 than that on a normal day, but on the day, on
13 February 13th, we had used up all 1,400 transactions
14 per second, still not getting everybody's service
15 during the period where IBM was doing corrective
16 action, they moved that up to 2,000 and in fact even
17 tried to go to 3,000 and they've left it at 2,000 and
18 that's where it sits today.

19 COUNCIL MEMBER LOUIS: All right. Thank
20 you.

21 CHAIRPERSON JOSEPH: Thank you. When did
22 the New York City Public Schools Intel contract with
23 IBM and that specific system capacity?

24 DEPUTY CHIEF INFORMATION OFFICER

25 STRICKLAND: Was the question...

2 CHAIRPERSON JOSEPH: When you enter the
3 contract with IBM and what's the specific system
4 capacity? Just to follow up on what Council Member
5 Louis was saying, when did New York City Public
6 Schools...

7 DEPUTY CHIEF INFORMATION OFFICER

8 STRICKLAND: We do an annual purchase order. I think
9 the City enters in, the contract, I think it goes
10 back to maybe several years. I think it started in
11 2018. We would need to go to OTI to get the exact
12 duration of that contract and when it gets renewed,
13 but we purchase these services from IBM every year
14 through an annual renewal purchase order through the
15 reseller.

16 CHAIRPERSON JOSEPH: You stated that the
17 capacity was at 400?

18 DEPUTY CHIEF INFORMATION OFFICER

19 STRICKLAND: That is the stated capacity in their
20 product catalog for that service, yes. Again, IBM had
21 been providing us more than that. In the
22 configuration that we've been able to use, it was at
23 1,400 in September 2023. It was on that number at the
24 beginning of February 13th and, as problems arose,
25 IBM raised that to 2,000, even attempted to go higher

2 than that as a mechanism to see if we can get more
3 traffic through the system.

4 CHAIRPERSON JOSEPH: During the time the
5 contract was executed, did IBM caution New York City
6 Public School that the system capacity might not be
7 sufficient for the size of the New York City Public
8 School system, given that we have close to a million
9 students?

10 DEPUTY CHIEF INFORMATION OFFICER

11 STRICKLAND: I think what IBM had seen and what we had
12 procured was potential for up to three million people
13 logging in, each having a username and password. I
14 think they were making, again I'm speaking for them
15 but in terms of what actually happened, they gave us
16 something over the standard amount of TPS to support
17 the New York City Schools environment.

18 CHAIRPERSON JOSEPH: Never in a
19 conversation did they suggest you need to expand,
20 even though they gave you 3 million, but you said 400
21 is what you were using and they expanded to 2,000.
22 Was there ever a conversation to expand that?

23 DEPUTY CHIEF INFORMATION OFFICER

24 STRICKLAND: I believe each year, especially recently,
25 as we have stabilized at a certain number and with

2 the potential for a remote learning day, they have
3 asked us to re-evaluate whether we are procuring
4 enough from them and what type of service we're
5 procuring.

6 CHAIRPERSON JOSEPH: When you conducted
7 your system simulation for system-wide remote
8 learning, did you ever produce a report to give to
9 the Chancellor to review?

10 CHIEF OPERATING OFFICER VADEHRA: Thanks,
11 Chair Joseph, and thanks to all of you for having us
12 here today.

13 We provided a verbal report. I don't
14 believe we provided a written report, no, on the
15 testing we did this fall.

16 CHAIRPERSON JOSEPH: During your
17 simulation, was IBM part of that simulation?

18 DEPUTY CHIEF INFORMATION OFFICER
19 STRICKLAND: The fall simulation is recorded where we
20 were working with students and teachers to make sure
21 they had a device, could access the system and do it
22 at home and in school. No, IBM was not involved.

23 CHAIRPERSON JOSEPH: Why not?

24 CHIEF OPERATING OFFICER VADEHRA: Can I
25 just adjust one thing on that, and you should jump

2 in. I just want to say one thing. IBM systems were
3 used for that because that's the only way for folks
4 to log into our system..

5 CHAIRPERSON JOSEPH: Correct.

6 CHIEF OPERATING OFFICER VADEHRA: And so
7 the IBM product was used as a part of that testing as
8 we did it, but you can speak to what your question
9 was.

10 DEPUTY CHIEF INFORMATION OFFICER

11 STRICKLAND: Yeah, we did not involve any vendors,
12 whether it was the services we get from Google or
13 Microsoft or IBM, Zoom in the simulations. Again, it
14 was designed to make sure that students and teachers
15 had access and knew where to go to potentially
16 perform asynchronous and synchronous remote learning.

17 CHAIRPERSON JOSEPH: So you're telling me
18 you didn't think it was important to involve IBM in
19 the simulation? This is a practice in place
20 situation.

21 CHIEF OPERATING OFFICER VADEHRA: I think
22 one of the things we're trying to do now is make sure
23 we prepare as well as possible for the future, and I
24 think both we and IBM can talk about the detailed and
25 extensive work we are doing now. I think what I would

2 say is in terms of the testing this fall, all the
3 systems we use were tested, right, so that IBM system
4 was in use, Zoom was in use, Google Classrooms was in
5 use. We did not proactively notify each vendor and
6 say we're doing a simulation using your system on
7 these dates between November and December so the
8 systems were used, but we didn't do that proactive
9 notification of those simulations. We did proactive
10 notification on February 12th for February 13th, but
11 not for the simulations themselves. That's certainly
12 something we're adjusting in terms of our practice
13 moving forward.

14 CHAIRPERSON JOSEPH: Moving forward,
15 that's what you'll be using. Okay.

16 Council Member Brewer, I'm going to let
17 you ask your question. I know you guys got to leave
18 so go ahead.

19 COUNCIL MEMBER BREWER: Hi, thank you very
20 much. Two quick questions. In your testimony, you
21 said something about staggered start time so my
22 question isn't it possible to have all of the
23 students at the same time. Is that something that we
24 could aspire to, or are we going to have to do
25 staggered times because to be honest with you, I

2 think staggered times will be very confusing to
3 people, and I would worry that it wouldn't work.

4 CHIEF OPERATING OFFICER VADEHRA: Very
5 much appreciate that question. I think we would say
6 from an ideal perspective, we would not have
7 staggered start times, and that is what we and IBM
8 are working very closely to ensure is true as quickly
9 as possible. In the meantime, because we know we need
10 to be prepared for, it's raining out there today,
11 although not that much I'm told, because we know we
12 need to be prepared at any moment in time for a
13 transition to remote, what we and IBM have determined
14 together and what IBM has recommended to us is that
15 if we have a remote learning day tomorrow, we should
16 be working to stagger start times, which we agree is
17 not ideal from a student and staff perspective, but
18 it's pretty important to us that we get it right if
19 we do need to transition tomorrow. The goal is that
20 that would not be the case and that we would be able
21 to have uniform start times with a start time school-
22 wide across the system.

23 COUNCIL MEMBER BREWER: All right, and the
24 other quick question was there was something, maybe I
25 missed it, about students who are either District 79,

2 District 75, something in here. I couldn't really
3 understand what you said how they were or were not
4 impacted by all of this. They're obviously the most
5 challenging and need the most support.

6 DEPUTY CHIEF INFORMATION OFFICER

7 STRICKLAND: Yes. I think the mention was we have
8 developed an alternate way for those students to log
9 in if needed. Normally, you put in a username and a
10 password. What we have for those students is a
11 username, and then the comeback is pick the elephant
12 or the cat.

13 COUNCIL MEMBER BREWER: Right, but they
14 couldn't use it this time is what you're saying?

15 DEPUTY CHIEF INFORMATION OFFICER

16 STRICKLAND: They were using it. When it was
17 determined between both IBM and us, that system was
18 acting in a way that was potentially affecting
19 everybody, we took that function out of the system.

20 COUNCIL MEMBER BREWER: Okay, so they
21 weren't able to log on at all for this particular
22 day, is that what you're also saying?

23 DEPUTY CHIEF INFORMATION OFFICER

24 STRICKLAND: No.

25

2 COUNCIL MEMBER BREWER: All right, so
3 there's a lot to... go ahead.

4 CHIEF OPERATING OFFICER VADEHRA: Can I
5 just try and answer the question? I appreciate the
6 question, and I just want to acknowledge that I think
7 all of us are aware remote learning is not the best
8 experience, probably, but particularly for those
9 students, and it's especially important to get it
10 right. They could still log in the way everybody else
11 could log in.

12 COUNCIL MEMBER BREWER: If they could.

13 CHIEF OPERATING OFFICER VADEHRA: If they
14 could, yes. We have another way that they and younger
15 students could potentially log in that we and IBM
16 determined was taking up excess capacity on the
17 morning of so one of the ways we increased capacity
18 was to take away that option B for some students,
19 they still had option A.

20 COUNCIL MEMBER BREWER: Okay. Thank you
21 very much. In my experience from staff and others, it
22 was really towards the end of the day that people
23 were mostly able to log on. I know you said mid-
24 morning, but I'm just letting you know, it got to be
25 noon, 12:30, 1 o'clock. That's when some of them

2 could get on so I appreciate your honest testimony.
3 Just an awful lot of work to be done. Thank you,
4 Madam Chair.

5 CHAIRPERSON JOSEPH: Thank you, Council
6 Member Brewer.

7 Council Member Hanif.

8 COUNCIL MEMBER HANIF: Thank you, Chair
9 Joseph, and thank you so much for being here. As a
10 former first-generation New York City Public School
11 student whose parents really struggled to communicate
12 with my schools, language accessibility for families
13 is deeply important to me. Could you share how the
14 DOE is communicating expectations or communicated
15 expectations for families with limited English
16 proficiency around remote learning?

17 CHIEF OPERATING OFFICER VADEHRA: Kim or
18 Danielle, can I have you come join?

19 Yes, absolutely. We from where we sit at
20 Central communicated through superintendents, through
21 principals to families in terms of our communications
22 and, Kim, can you speak to that? Kim is from our
23 Division of School Leadership. Sorry. Thanks, Kim.

24 SUPERINTENDENT RAMONES: Hi, good
25 afternoon. As stated, we communicate through

2 Principals' Digest, which is, it goes to all
3 principals. We also communicate through our
4 Superintendents' Digest, which goes to all
5 superintendents. For parents and families, whenever
6 we're sending messaging, we will provide templates to
7 schools that are translated in the nine languages,
8 and that is the way that we try to address families
9 who have languages other than English, so we rely on
10 our schools, our messaging, our citywide messaging,
11 and translated forms that we do provide. We did that
12 on the day before, February 12th, and we also did
13 that in the past when we are preparing to simulate
14 activities.

15 COUNCIL MEMBER HANIF: Where is that
16 translation done by, or who is it done by?

17 SUPERINTENDENT RAMONES: It is done by our
18 Office of Translations within our New York City
19 Public Schools.

20 COUNCIL MEMBER HANIF: Then for the
21 families that had issues on the day of, who did they
22 report to? Their school?

23 SUPERINTENDENT RAMONES: On the day of,
24 they would have had the closest communication with
25 their principal.

2 COUNCIL MEMBER HANIF: And then the
3 information that's being shared out about remote
4 learning, it's a standardized material?

5 SUPERINTENDENT RAMONES: That's correct.

6 COUNCIL MEMBER HANIF: And then my
7 understanding is that DOE distributed hundreds of
8 thousands of internet-enabled devices to students to
9 support remote learning ahead of February 13th. How
10 many students in the public school system still lack
11 access to devices and internet access?

12 CHIEF OPERATING OFFICER VADEHRA: I can
13 tell you what we what we know and then we can do our
14 best to talk through the rest. Over the past few
15 years and my colleagues here including actually
16 Shakil, who was at New York City Public Schools at
17 the beginning of the pandemic, can speak to this,
18 over the past few years, we've distributed about
19 700,000 devices to students in our system, and
20 actually we had a lot of them. I heard the public
21 advocate mention this. We've now pushed those all out
22 into the system so actually as part of our
23 preparation for remote this year, we pushed out all
24 the rest of those devices to schools who requested
25 them for the families they saw so that's one of the

2 things we've done to put devices out. In addition to
3 that, and I'm calling on Johel to check me if this is
4 wrong, schools have a number of their own devices, in
5 total over a million of their own devices, we think,
6 and we think, meaning that's what we can track, that
7 sit with school so in total, in our system, there's
8 about two million devices between schools and
9 families. One of the things we started doing actively
10 this fall, which Scott referenced and which others
11 could speak to as well, is as part of preparation to
12 remote, we actually started doing far more aggressive
13 what do we know about who has devices, who doesn't,
14 how we can push out that last small set we have
15 centrally to make sure they're in people's hands, and
16 then how can we make sure schools understand that
17 they have their own over a million devices that they
18 might not want to send home every single day but in
19 the case of a pivot to remote and emergency
20 situation, they can send those home because we know
21 we don't have more devices at central, those are out,
22 but we know schools have over a million devices and
23 they can send those home so that's a piece of the
24 work we did working with our division of school
25 leadership, our superintendents and our principals to

2 say these are the students that have central devices,
3 these are students who have said they have an at-home
4 device, and then how can you work to ensure all the
5 other students in your school can take home one of
6 these devices you have in the case of an emergency
7 situation like a pivot to remote. We put out guidance
8 to principals in January, making clear that's
9 something they should be preparing to do in the case
10 of a pivot to remote situation. There's a little bit
11 of question of whether they were allowed to do it. We
12 said you are allowed to do it. In fact, you should do
13 it. Because we are expecting you to do that, we're
14 going to commit to you that we will let you know by
15 11 a.m. the day before if we are going to pivot to
16 remote so you have time to send those devices home.

17 COUNCIL MEMBER HANIF: I'm sorry, my
18 time's running out. Is it right to say that all
19 students have a device?

20 CHIEF OPERATING OFFICER VADEHRA: Or a
21 school could send one home in this situation.

22 COUNCIL MEMBER HANIF: So right now, as it
23 stands, every student either from the DOE or the
24 school has a device.

2 CHIEF OPERATING OFFICER VADEHRA: In the
3 case of an emergency situation or the school sends it
4 home. Yes, they should.

5 COUNCIL MEMBER HANIF: Then on a day
6 that's not a mandated remote day, are schools giving
7 out homework that requires a student to have to do
8 homework using a computer or a device?

9 SUPERINTENDENT RAMONES: Not always.
10 Sometimes the homework might be done through manual
11 processes, and sometimes the homework assignment
12 could be done through a learning environment. Depends
13 on the actual lesson of the day.

14 COUNCIL MEMBER HANIF: In those instances,
15 are the students allowed to take a device, loan a
16 device for those assignments?

17 SUPERINTENDENT RAMONES: I would need to
18 check on what schools are doing in terms of on the
19 day to day for that.

20 COUNCIL MEMBER HANIF: Okay. I know that
21 the shift for like getting updates about the school
22 for parents has also transferred over to like a
23 digital interface. Is there training being done for
24 parents by schools as standardized so that limited
25 English proficient families can also be able to use

2 and understand the happenings of the school, the PTA,
3 etc.?

4 CHIEF INFORMATION OFFICER SHAKIL: I know
5 I had built when I was the Chief Product Officer
6 four, five years ago a solution called Parent
7 University so this is an important tool where parents
8 can log in and get trainings on multiple options,
9 including what you're talking about. I don't know the
10 details about which program is currently being
11 offered in this particular tool, but this is meant
12 for exactly that purpose, as you're saying, to
13 provide training to parents online through a portal
14 that we had built. It's called Parent University.

15 CHIEF OPERATING OFFICER VADEHRA: I think
16 the one thing I would add, and forgive me if this is
17 wrong, I think what you're referring to is our
18 messaging application that we've made available to
19 schools and that does include translation
20 capabilities in it and preset messages with preset
21 translations as well. Just to be clear, that's
22 something schools can opt in to use. It's also
23 something some schools are continuing to use what
24 their previous method of communication was.

2 COUNCIL MEMBER HANIF: Yeah, I bring this
3 up because I know that parents who are in my
4 community and are from the Bangladeshi community and
5 speak, read, and write Bangla have struggled with the
6 doe materials that are being distributed in Bangla
7 and are just like this is incoherent and illegible,
8 and so I worry about the translation being done that
9 from when I was in school that was not readable to
10 now when we have a workforce that could be built from
11 our communities is still not readable. It's unjust.
12 It's not okay that we're still here, and we should be
13 striving to be able to make sure that every single
14 parent in a city that has over 200 languages spoken
15 doesn't have to suffer through this, that every
16 parent, every family that speaks another language
17 understands what is going on in their school,
18 particularly on a day that their kid has to go
19 remote.

20 CHIEF OPERATING OFFICER VADEHRA: Deeply
21 and completely agree. Wasn't aware of the issue in
22 terms of the Bangla translation so we don't have our
23 language access office here. I hope they are aware.
24 We will go back and check on that.

1 COMMITTEE ON EDUCATION

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2 COUNCIL MEMBER HANIF: Finally, Chair, how
3 big is the Office of Translation?

4 CHIEF OPERATING OFFICER VADEHRA: I don't
5 have that number in front of me, but we can follow up
6 with you.

7 COUNCIL MEMBER HANIF: Thank you. Thank
8 you, Chair.

9 CHAIRPERSON JOSEPH: Just a quick
10 followup. The devices that go home to these students,
11 are they wi-fi enabled?

12 DEPUTY CHIEF INFORMATION OFFICER
13 STRICKLAND: Yes, they are. All devices are wi-fi
14 enabled.

15 CHAIRPERSON JOSEPH: All of the devices
16 are wi-fi enabled. Thank you.

17 I'd like to call on Council Member
18 Sanchez followed by Dinowitz.

19 COUNCIL MEMBER SANCHEZ: Thank you so
20 much, Chair. My question is about the attendance
21 rates across the city in the end after, what we know
22 now, so preliminary data showed that student
23 attendance on remote learning day was about 80.4
24 percent which was about 7 percent lower than the
25 prior day. Can you give us the final number, and you

2 probably don't have this today, but specifically
3 interested in the attendance rate by district and in
4 particular looking at the lower-income districts like
5 District 9 which I represent in the Bronx.

6 CHIEF OPERATING OFFICER VADEHRA: Yes, we
7 don't have the by-district data today, but we can
8 absolutely make sure we get that to you. In terms of
9 the final attendance when all was said and done, so
10 including the rolls that came in the next day, it was
11 82.9 percent for the day with 99.6 percent of data
12 accounted for, and we'll follow up with the district
13 information.

14 COUNCIL MEMBER SANCHEZ: 82., sorry?

15 CHIEF OPERATING OFFICER VADEHRA: 9.

16 COUNCIL MEMBER SANCHEZ: 82.9 percent.

17 Okay. Thank you. That's all, Chair. Thank you.

18 CHAIRPERSON JOSEPH: Council Member
19 Dinowitz. Your next.

20 COUNCIL MEMBER DINOWITZ: Thank you,
21 Chair. Good afternoon. I think you said it earlier,
22 your contract with IBM began when?

23 DEPUTY CHIEF INFORMATION OFFICER

24 STRICKLAND: The contract, legal document, between a
25 City entity and IBM is with OTI. They have a master

2 contract. DOE purchases services from that contract
3 every year so we repurchase.

4 COUNCIL MEMBER DINOWITZ: Going back to
5 what year have you purchased services?

6 DEPUTY CHIEF INFORMATION OFFICER

7 STRICKLAND: At least going back to 2018, probably
8 much before that also.

9 COUNCIL MEMBER DINOWITZ: And the 400
10 users per second log-in, it was that the number in
11 place in 2018?

12 DEPUTY CHIEF INFORMATION OFFICER

13 STRICKLAND: I don't exactly know what the item number
14 spec was at that time. I would assume it was that
15 same number, 400 TPS, transactions per second. It may
16 take two or three IBM transactions to actually
17 complete a successful user log.

18 COUNCIL MEMBER DINOWITZ: Right, but the
19 400 transactions per second number that we have
20 today, is the same one that's in place since 2018 is
21 what you're saying? You're assuming it's the same?

22 CHIEF OPERATING OFFICER VADEHRA: Yes.

23 COUNCIL MEMBER DINOWITZ: Okay, so since
24 2018, there have been a number of things that have
25 changed, notably remote learning. In 2020, the entire

2 world pivoted to remote learning, and now with the
3 death of snow days, we are anticipating that these
4 things will happen so why is it the case that you are
5 still using transactions that are similar to the
6 numbers in 2018 and have not updated those numbers
7 and the services you're procuring.

8 DEPUTY CHIEF INFORMATION OFFICER

9 STRICKLAND: I think that's a fair question. As we
10 indicated, this year, and especially during a peak
11 period, we need much more capacity than that to be
12 successful.

13 COUNCIL MEMBER DINOWITZ: Based on your
14 testimony, it appears that there have been a lot of
15 improvements on the student-facing, the user-facing
16 side. There was understandably so a lot of confusion
17 in March, April of 2020 when we all pivoted to remote
18 learning. Teachers, we didn't know what to do, there
19 was little guidance. It seems that there's more
20 guidance on that end, but it appears that there's a
21 lot that hasn't changed on the backend, on the
22 technical side, and the 400 users per second, what
23 type of day is that designed for? Who is that
24 designed for, 400 transactions per second?

2 DEPUTY CHIEF INFORMATION OFFICER

3 STRICKLAND: Yeah, that could also be answered by IBM.
4 I think it's their offering for and, again, that's
5 for a unit of 100,000 users. We buy 30 of those to
6 get up to 3 million. It appears that we would need to
7 have some mechanism to procure additional TPS for
8 that number of users, especially when those numbers
9 can be used in a peak period.

10 COUNCIL MEMBER DINOWITZ: In all fairness,
11 you're the one purchasing the product, right? So we
12 can ask IBM other technical questions, but in terms
13 of the New York City Public Schools, you're the ones
14 purchasing a product, and it sounds to me like you're
15 purchasing the wrong product or you're purchasing a
16 product based on the needs of 2018, and the 400,
17 please.

18 CHIEF INFORMATION OFFICER SHAKIL: I'll
19 try to answer that. As Scott was mentioning, we were
20 buying for the number of students and parents who
21 could log in, which was about 3 million, so we were
22 focused on that. In terms of transaction per second,
23 this had not been a major issue for us even during
24 the remote learning, and we did not pay enough
25 attention to ensure that it needs to be increased so

2 that we can continue because it worked consistently
3 through during the pandemic. Now, knowing what we
4 know, and we have seen how it behaved, we will work
5 with IBM to ensure that we procure the right quantity
6 of transaction per seconds to ensure this does not
7 happen again.

8 COUNCIL MEMBER DINOWITZ: When did you
9 announce that there will be no more snow days? When
10 was that announced?

11 CHIEF OPERATING OFFICER VADEHRA: I don't
12 know the date on which it was announced. I believe it
13 was referenced that it was first announced in the
14 previous Administration, but I don't know when it was
15 re-announced.

16 COUNCIL MEMBER DINOWITZ: It's been,
17 whatever, it's 2021. It's been a few years. Between
18 2021 and 2024, there was no one in the Department of
19 Education in the Technology Department, no one in the
20 entire city who said, you know what, we're going to
21 have almost a million users logging in at the same
22 time. Perhaps the product we have since 2018 may not
23 be appropriate for everyone logging in at the same
24 time. There was no one who at the DOE who asks those
25 sorts of questions.

2 DEPUTY CHIEF INFORMATION OFFICER

3 STRICKLAND: Again, we were procuring a service from
4 IBM that was, we were paying for the service to
5 support 300 million users. I'm not sure that either
6 IBM or we knew exactly how it would perform if we had
7 200,000, 300,000, 400,000 users trying to log in a
8 very condensed period of time.

9 COUNCIL MEMBER DINOWITZ: I don't even
10 know how to respond to that. The point is shouldn't
11 there be someone who says, it's a snow day and all
12 schools in New York City start at around the same
13 time, I think they're all going to log in at the same
14 time, shouldn't we be preparing for that possibility,
15 but there's no one at the DOE who asks those sorts of
16 questions. It could be a parent who knows that all
17 schools start at roughly the same time. That person
18 doesn't exist at New York City Public Schools.

19 CHIEF OPERATING OFFICER VADEHRA: I think
20 I'd say a few things. I think first of all I would
21 say, and I hope you heard, that while we are deeply
22 regretful about what happened and are committed to
23 working with IBM to make sure it does not happen
24 again, we did undertake a series of work over the
25 past few months to be as prepared as we could in as

2 many ways as we could. We did notify our vendors that
3 we were pivoting to remote. We and they have an
4 understanding of what our system load is. We
5 appreciate now that in terms of this one precise
6 issue we collectively need to work on what the
7 correct transactions per second are for enough of our
8 students to be able to log in at the same time, and
9 then in fact, now that we are working together, it
10 looks like for the time-being, at least, that needs
11 to be staggered to ensure the systems can handle it
12 so that's what we are trying to do going forward. We
13 are here and we've said that we are trying to do this
14 better for the next time, and that's what we're
15 doing.

16 The one other thing I would flag, and IBM
17 can speak to this more, not trying to kick it to
18 them, is IBM has been providing us with more than 400
19 TPS in the past as well. Since the beginning of the
20 year, we were actually above that allocation as well
21 as last year so we weren't actually functioning in
22 the particular technical environment that there was.
23 That's something regardless we need to work on going
24 forward together, right, and that's true. We weren't
25 at 400. We were at 1,400 since September.

2 COUNCIL MEMBER DINOWITZ: We don't know
3 what sorts of problems will exist in the future.
4 That's why we are counting on you to anticipate those
5 problems and prepare for it again. Based on your
6 testimony, it appears that you've prepared the
7 students and families for it, but we are counting on
8 our City agencies and our Department of Education,
9 our public schools, to prepare on the backend for the
10 things that are unforeseen that we don't always know
11 what's going to happen. That's your job, and that's
12 what we're counting on you to do. Thank you, Chair.

13 CHIEF OPERATING OFFICER VADEHRA:
14 Appreciate that. That's what we're here for, and I
15 would say we can speak about this more in terms of
16 the load testing we are doing now ourselves in our
17 current environment, the load testing we are doing
18 with IBM in our environment with them going forward
19 to ensure that's exactly how prepared we are going
20 forward. Thank you.

21 CHAIRPERSON JOSEPH: Thank you for that.
22 Has IBM ever recommended to increase the contract,
23 and how much more would that cost New York City?

24 DEPUTY CHIEF INFORMATION OFFICER
25 STRICKLAND: As we mentioned earlier, I think

2 especially recently they've indicated that there
3 should be a contract change so that more capacity can
4 be offered to the DOE on a consistent, fair basis. I
5 would expect that may cost more money. IBM may be
6 able to talk about what that might look like and what
7 type of product or service they could offer,
8 especially to handle these peak periods, which don't
9 happen every day but do happen at a very large level,
10 potentially three or four times a year.

11 CHIEF OPERATING OFFICER VADEHRA: I would
12 say to that, I would also assume it would cost more
13 money. The truth is IBM has made recommendations to
14 us in terms of what they think should be in a new
15 contract that they can speak of, because our teams
16 have not worked through the details together yet. We
17 will, of course, but as a result of that, we don't
18 know the precise cost of auto-scaling or whatever
19 else is recommended.

20 CHAIRPERSON JOSEPH: Was this
21 recommendation made prior to this snow day or was it
22 done after?

23 CHIEF OPERATING OFFICER VADEHRA: The
24 recommendation I'm speaking of was a recommendation
25 to turn our TPS to auto-scaling, which these guys can

2 explain better than me but is basically what it
3 sounds like, and that's a recommendation that was
4 made last week specifically, and we'd expect our
5 teams to work through it together.

6 CHAIRPERSON JOSEPH: And auto-scaling
7 would automatically adjust to the needs as the
8 bandwidth expands, correct?

9 CHIEF INFORMATION OFFICER SHAKIL: That's
10 what we have heard, but we have to go through proper
11 testing and validation of these before we agree on
12 the terms of the contract and what we need so that
13 work is still in progress.

14 CHAIRPERSON JOSEPH: Thank you. Council
15 Member Shekar.

16 COUNCIL MEMBER KRISHNAN: Good afternoon.
17 Thank you, Chair Joseph, for this important hearing
18 today and good afternoon to you all too, thank you
19 for your testimony. I just wanted to clarify a couple
20 things. First, just to be clear, so the contract from
21 2018 has stipulated at 400 transactions per second,
22 right? That's what's currently in place right now at
23 the DOE.

24

25

2 DEPUTY CHIEF INFORMATION OFFICER

3 STRICKLAND: That's what the contract says, yes, but
4 they've been providing more.

5 COUNCIL MEMBER KRISHNAN: Right, and that
6 contract is in existence, right? That continues in
7 existence right now.

8 DEPUTY CHIEF INFORMATION OFFICER

9 STRICKLAND: Yes.

10 COUNCIL MEMBER KRISHNAN: So currently,
11 given, as Councilman Dinowitz said before to a global
12 pandemic, everyone logged on. In this current moment
13 as we speak right now, the contract with IBM is still
14 for 400 transactions per second.

15 DEPUTY CHIEF INFORMATION OFFICER

16 STRICKLAND: Correct.

17 COUNCIL MEMBER KRISHNAN: In other words,
18 if there was another snow day, let's say tomorrow or
19 some other disaster, per of the contract, IBM system
20 with you all can only account for 400 log-ins per
21 second.

22 DEPUTY CHIEF INFORMATION OFFICER

23 STRICKLAND: That's what the contract number is. IBM
24 has been provisioning more, 1,400, at the beginning
25 of the year, now at 2,000. Contractually, it seems

2 like there's a possibility they could take that down,
3 but I think for our mutual benefit we going to get
4 that number so that we..

5 COUNCIL MEMBER KRISHNAN: Right. It's just
6 very concerning that is where the contract is right
7 now, and I get they can do more on an ad hoc basis,
8 but the fact that we're talking about 2018 numbers
9 when the whole world has changed since then, and this
10 could happen again in terms of another snow day or
11 another day where children are home from school. It's
12 a bit concerning that the contractually required
13 number is still 400.

14 You may have mentioned before, and I may
15 have missed it, so the contract requires 400
16 transactions per second. How many log-ins happened
17 that day, on February 13th?

18 DEPUTY CHIEF INFORMATION OFFICER

19 STRICKLAND: By the end of the day, over a million.

20 COUNCIL MEMBER KRISHNAN: But how many
21 happened in that morning itself when the whole system
22 shut down?

23 DEPUTY CHIEF INFORMATION OFFICER

24 STRICKLAND: We have kind of a graph of what the
25 successful log-ins were over time. Right before the

2 user started getting error messages, the system
3 actually processed 100,000 successful log-ins in 10
4 minutes. When it got overloaded, that number dropped.
5 It never went to zero, it never crashed and stopped
6 working, and it was anywhere between maybe 15,000 to
7 40,000 every 10 minutes.

8 COUNCIL MEMBER KRISHNAN: Right, and there
9 were successful log-ins, but just overall, both
10 successful and unsuccessful, how many log-ins
11 happened in that, and I know it because I was one of
12 the parents with my children trying to log them in,
13 as the Chair was too, between 8 and 8:30 in the
14 morning, how many log-ins happened during that time,
15 both successful and unsuccessful.

16 DEPUTY CHIEF INFORMATION OFFICER
17 STRICKLAND: We don't have the unsuccessful number
18 because it's not recorded anywhere. We do have the
19 successful number, 100,000, then it dropped to maybe
20 20,000 or 30,000 per 10 minutes soon after 8 o'clock.

21 COUNCIL MEMBER KRISHNAN: Right, so that
22 number is obviously much lower than what the actual
23 number was given that there were many unsuccessful
24 log-ins that weren't recorded so just to paint it
25 very clearly, 400 required by contract and well over

2 100,000 at that time, which raises a very concerning,
3 and I get you all are refining and adjusting as you
4 go along, but there is a chasm between what the
5 contract requires and the actual log-in rate, and the
6 fact that we're now in 2024 and six years after this
7 contract went into effect, such a large chasm exists
8 between what's on paper and what happened in reality
9 is really stunning.

10 Another question I had was since it was
11 right before the snow day preparation, I think Chair
12 Joseph asked this question as well, so there was no
13 actual consultation with IBM or snow day preparation
14 with IBM where they were involved before the actual
15 snow day happened?

16 DEPUTY CHIEF INFORMATION OFFICER

17 STRICKLAND: They were not involved in the test that
18 were preparing our students and staff and
19 administrators. Their service had run fine as well as
20 our services from all of our other major vendors.

21 COUNCIL MEMBER KRISHNAN: Sorry, but why
22 was that? Why were they not involved given that they
23 managed the whole system?

24 DEPUTY CHIEF INFORMATION OFFICER

25 STRICKLAND: The objective of that test was to make

2 sure our students and staff were prepared, it could
3 do the work, and we had not experienced difficulties,
4 again, across the pandemic with any of our major
5 vendors that provide these types of services, whether
6 it's IBM or Outlook, Microsoft, Google, etc.

7 CHIEF OPERATING OFFICER VADEHRA: I also
8 just want to again clarify, and I appreciate the
9 question you're asking, and it's a good question, and
10 it's obviously something we're adjusting going
11 forward with all of our vendors. Their systems were
12 involved, so their tool was involved. Their tool
13 worked in those simulations that we did district by
14 district, just like Zoom did, Google Classroom did as
15 well so it's not like their systems were not
16 involved, but we didn't do a separate notification to
17 them, this is what we're doing, this is how we're
18 doing this. Now, that is what we are doing with them
19 as well as more load testing, but their system was
20 used.

21 COUNCIL MEMBER KRISHNAN: Okay. It also
22 seems very strange that they wouldn't be involved,
23 given that they oversee the whole system and
24 administer it when you're talking about preparing for
25 the snowstorm. One thing I wanted to correct was, and

2 hopefully we hear more from IBM too, but I believe
3 that their log-in rate reached about 3,000 per
4 second, which is much higher than the contract
5 amount. Just going back to my first question.

6 My other question was, was IBM notified
7 at a senior level that a snow day was planned for
8 February 13th? Who did you notify at IBM? If so,
9 when?

10 DEPUTY CHIEF INFORMATION OFFICER

11 STRICKLAND: Okay, so a notification was the day
12 before at 1 p.m. We notified the people that we deal
13 with on an ongoing basis, I would say at the working
14 level. They recognized it and were ready to help if
15 anything came up.

16 You mentioned the 3,000. Just to be
17 clear, they provided as a corrective mechanism as we
18 were working on the problem that morning went from
19 1,400 to 2,000. They did take it to 3,000. The system
20 behaved unstable, it actually got worse, for whatever
21 reasons, so they took it back to a number where it
22 stabilized and was behaving until we made some other
23 changes.

24 COUNCIL MEMBER KRISHNAN: Got it. Thank
25 you for the clarification, but going back to the

2 question I just asked, so no one at a senior level at
3 IBM was notified about the snow day and snow day
4 preparations?

5 CHIEF INFORMATION OFFICER SHAKIL: I don't
6 think we can answer that. We reached out to our
7 representative, whether they scaled it up to the
8 senior members and their organization is for them to
9 answer.

10 COUNCIL MEMBER KRISHNAN: Okay.

11 CHIEF OPERATING OFFICER VADEHRA: And we
12 reached out and they confirmed receipt too, right, so
13 I just want to say we did understand from them they'd
14 be prepared. We don't know what communications
15 happened internally. They've asked us to adjust our
16 own communications. We are doing that and have done
17 it a few times since then already.

18 COUNCIL MEMBER KRISHNAN: Got it. I would
19 just say I think the Chancellor and the Public
20 Advocate said this best. The Chancellor did say that
21 this was a test and you all failed. I happen to agree
22 with that, and I think my kids would too, actually.
23 The one question I'll just leave you with is that
24 there seems to be a lot of blame or at least passing
25 the buck to IBM and IBM system, but the contract was

2 from 2018, IBM wasn't involved in any snow day
3 preparation before, doesn't seem like senior
4 leadership at IBM were notified of a snow day by DOE
5 before it happened so I just think when you look at
6 the way IBM, the buck is being passed there, I guess
7 I would give you the example of if you have an
8 elevator and the elevator can only hold 1,000 pounds
9 and you put 7,000 pounds in the elevator and the
10 elevator gets stuck, is it fair to blame the elevator
11 company in that situation? That's all I'd ask. Thank
12 you.

13 CHAIRPERSON JOSEPH: Thank you, Council
14 Member. Council Member Gutiérrez.

15 COUNCIL MEMBER GUTIÉRREZ: Thank you,
16 Chair. Hi, y'all. Thank you for testifying. I got
17 here a little late, so I apologize if you've already
18 answered some of these questions and, actually,
19 Council Member Shekar Krishnan addressed a lot of the
20 communication questions.

21 My question is about, similarly about
22 communication, I guess moving forward since it
23 doesn't look like the dynamics of, can you just
24 confirm the contract moving forward, will it be
25 adjusted or have you found that there is no need to

2 adjust the 400,000, I'm sorry, the wrong terminology,
3 users per second.

4 CHIEF OPERATING OFFICER VADEHRA: We
5 assume it will need to be adjusted. We do not have a
6 final set of decisions between us and IBM on what is
7 needed, whether it is auto-scaling or some TPS
8 amount. They made us a recommendation last week. We
9 will work with them on the specifics of what that
10 recommendation are and then what the costs would be
11 associated with that. Obviously, again, the contract
12 is with OTI, not us, so we would need to work through
13 them.

14 COUNCIL MEMBER GUTIÉRREZ: Right. Is there
15 anything that you can share about what some of those
16 suggestions have been from IBM so far?

17 CHIEF OPERATING OFFICER VADEHRA: I would
18 say the core one, but I do want to say our teams have
19 not worked through the details of it, so I don't
20 think any of us can answer followup questions, but I
21 believe the core recommendation that was given to us
22 last week was about auto-scaling, automatically
23 scaling as opposed to having a set TPS, but we
24 haven't talked about the details between us and IBM
25 yet, so we'll have to come back on that.

2 COUNCIL MEMBER GUTIÉRREZ: Okay. My next
3 question is just regarding the communication, not
4 necessarily between New York Public Schools and OTI
5 or an IBM, I think what was very disheartening was
6 hearing the Mayor for some time in the morning
7 essentially blamed parents for the fact that their
8 kids could not get logged on, and I distinctly
9 remember the press conference saying that this was up
10 to parents and if parents were unwilling to navigate
11 this issue that was on them. I don't think I'm saying
12 it exactly, but that was the tone, that was the chief
13 complaint that I heard from constituents in my
14 District, and so my question to you all is how do you
15 all respond to that now knowing that the issue was
16 never on the parents, right? It was authentication.
17 What is the response? What is the apology from the
18 Department to parents? It was really offensive. I
19 don't know if there are folks here that will testify
20 to that, but it was really insulting, and so would
21 love to hear if that's something the Department is
22 working on.

23 CHIEF OPERATING OFFICER VADEHRA: We are
24 here in part because we are really sorry about what
25 happened for students and families that morning and

2 doing a lot of work to try and ensure that it doesn't
3 happen again.

4 COUNCIL MEMBER GUTIÉRREZ: Yeah, no, no, I
5 know, I get it.

6 CHIEF OPERATING OFFICER VADEHRA: And the
7 Chancellor did, as was noted out, note that morning
8 that we failed to deliver for our students and
9 families and that we would do better.

10 COUNCIL MEMBER GUTIÉRREZ: But I'm
11 specifically asking about the comment that this was
12 parents' failure to navigate. That was what the Mayor
13 said. Is there any response to that?

14 CHIEF OPERATING OFFICER VADEHRA: On the
15 morning of, I think what I'd say is we're working as
16 hard as we can to make sure our systems are working
17 for our students and families.

18 COUNCIL MEMBER GUTIÉRREZ: I know. I get
19 it. That's why you're here. That's why IBM is here.
20 That's not what my community, that's not what they
21 want to hear from the City's leader, that it's their
22 fault is what I'm saying so we'd love to know if
23 there's an apology with regard to that specific
24 statement.

2 The last question that I'll ask, and I
3 know this was in your testimony, is there any
4 specific information you can give us on special needs
5 students and their ability on the 13th to like fully
6 get on. Is there, I don't know if you already covered
7 that, I apologize if you did, but just curious if
8 there was any special attention played in those
9 instances, to those students. I know there was a
10 whole plan with superintendent, so I'm assuming there
11 was more touch bases, but I just want to hear on the
12 record if there were any additional efforts once you
13 realize there was an issue with special needs
14 students. Thank you. Thank you, Chair.

15 CHAIRPERSON JOSEPH: Thank you.

16 SUPERINTENDENT DIMANGO: Good afternoon.
17 Thank you for having me here today. One of the things
18 that we could say is that our schools, our
19 superintendents, principals, and teachers did a
20 tremendous job in making sure that the needs of the
21 students in each particular school were met. In terms
22 of any student, when we did our tests to make sure
23 that students could log on both in school and at
24 home, any child that was having difficulty, either
25 school leaders or teachers would reach out to the

2 students and their families to make sure that they
3 were ready to log on that day.

4 COUNCIL MEMBER GUTIÉRREZ: But on the
5 13th, were you able to assess if that was the case
6 specific to special needs students or you don't know?

7 SUPERINTENDENT DIMANGO: No, we don't have
8 that data specifically, but the principals I know and
9 teachers as well as we were getting access, we were
10 logging on right away and teachers and leaders were
11 reaching out to families that may have had issues.
12 Each school has what's called a SPOC which is a point
13 of contact for families and other members of the
14 community to reach out if they were having difficulty
15 logging into systems.

16 CHAIRPERSON JOSEPH: Thank you. I also had
17 noticed that they were putting in tickets for DoITT.
18 How long did it take for DoITT to respond to parents
19 who had put in tickets? It was on Twitter. Do I need
20 to pull it up?

21 CHIEF INFORMATION OFFICER SHAKIL: I don't
22 think we can respond about DoITT.

23 CHAIRPERSON JOSEPH: You'll get back to me
24 on that because parents were told they can put in
25 tickets and DoITT to OTI and they would get a

2 response. What was the turnaround time on those
3 tickets? Does anybody know? You will get that to me.
4 Thank you.

5 How many students and teachers were
6 impacted by the system outage?

7 DEPUTY CHIEF INFORMATION OFFICER

8 STRICKLAND: As we've been discussing, it was not
9 localized to any particular borough or grade level or
10 school or anything of that nature so all teachers and
11 students may have had trouble logging in on a
12 particular day.

13 CHIEF OPERATING OFFICER VADEHRA: We at
14 New York City Public Schools don't have the data on
15 who tried to log in and couldn't. I don't believe IBM
16 does either, they can answer that, but we don't. What
17 we have is the data from them on who could log in.

18 CHAIRPERSON JOSEPH: All those who could
19 log in, but not, okay, and I know Council Member
20 Sanchez had asked also, even by District, you don't
21 have data as well or no? Yes or no.

22 CHIEF OPERATING OFFICER VADEHRA: We'll
23 have to check on what we can get by District, but we
24 got the question as a followup.

25

2 CHAIRPERSON JOSEPH: Thank you. How many
3 staff members manage your Division of Instructional
4 and Information Technology Office at New York City
5 Public Schools? Could you list the titles, number of
6 full time and part time staff?

7 DEPUTY CHIEF INFORMATION OFFICER

8 STRICKLAND: We had that question in advance, so we do
9 have it. We have a leadership team of eight. I'll
10 maybe quickly run down. Do we have their names? I
11 thought we did so our eight leaders are our Chief-of-
12 Staff, the Chief Operating Officer that handles
13 finance and HR, CIO for strategy and governance,
14 myself, Chief Product Officer, Zeeshan, Chief
15 Technology Officer, Johel who's here, Chief
16 Information Security Officer, Demond Waters, Deputy
17 CIO for School Planning, Modernization and
18 Partnership, Randy Asher, who's here, and the Deputy
19 CIO for Digital Content and Services so that's eight
20 senior people that report directly to our CIO. We
21 also have about 30 other director level people that
22 handle our infrastructure, our hosting, app
23 development, security, things of that nature. Our
24 total staff, full-time equivalents is 603 at the
25 moment.

2 CHAIRPERSON JOSEPH: How many vacancies
3 are there in DIIT?

4 DEPUTY CHIEF INFORMATION OFFICER

5 STRICKLAND: We worked on that number also. There are
6 seven vacancies. Those are empty positions where we
7 have authority to hire.

8 CHAIRPERSON JOSEPH: Were any of the
9 vacancy reduction in this Department.

10 CHIEF OPERATING OFFICER VADEHRA: In terms
11 of vacancy reductions for our PEGs?

12 CHAIRPERSON JOSEPH: Yes.

13 CHIEF OPERATING OFFICER VADEHRA: The last
14 time one of those vacancy reductions impacted DIIT
15 was in January 2022. They haven't been impacted from
16 those last few rounds.

17 CHAIRPERSON JOSEPH: Thank you. What's the
18 New York City Public Schools budget for remote
19 learning and is that budget within DIIT?

20 DEPUTY CHIEF INFORMATION OFFICER

21 STRICKLAND: We answer that question two ways. So
22 remote learning is not a separate category of DIIT
23 expenses. We host, we have licenses for products, our
24 authentication, our security, etc. so we provide,
25 within our budget, we have the hosting, we pay for

2 the license for Google, Enterprise, for Zoom, and we
3 built other systems around this that we pay for out
4 of our budget, TeachHub, Parent University, etc. The
5 other addition would be what schools buy for actual
6 digital curriculum for ELA math, social studies
7 language arts, that is third party digital
8 curriculum.

9 CHAIRPERSON JOSEPH: Thank you. Can you
10 share what were some initial challenges with the
11 remote learning software when it was first launched?

12 DEPUTY CHIEF INFORMATION OFFICER
13 STRICKLAND: Sure. As was mentioned, the first thing
14 we needed to do, which was the pivot to remote in
15 March for the pandemic, which came up suddenly. We
16 wanted to make sure students had access to learning
17 at home. That required us to procure and send devices
18 actually to each student's home. About 300,000 went
19 out in 90 days in that fall. In the meantime, we were
20 making sure our teachers and staff could work from
21 home and setting up systems for that and making sure
22 they had devices and access, and then we started
23 building technology. We built a system called
24 TeachHub, which allowed everybody to log into one
25 place and get to the curriculum and tools they're

2 going to use. As students came online with their
3 devices, more and more curriculum was built on our
4 Enterprise Google platform or other learning
5 management systems to actually allow robust
6 synchronous and asynchronous instruction so the
7 challenges were going from not knowing we had to plan
8 for that to some major procurements, distribution,
9 and set up and operating of systems that didn't have
10 any kind of super long-range planning.

11 CHAIRPERSON JOSEPH: In terms of your
12 current devices now, what is the warranty on those?

13 DEPUTY CHIEF INFORMATION OFFICER

14 STRICKLAND: The warranty is a three-year warranty,
15 and a three-year useful life for an iPad or a
16 Chromebook that we've been purchasing centrally. We
17 do sometimes extend those warranties to five years,
18 but for capital purposes and even ECF purposes, which
19 was a major funding sources for a lot of our student
20 devices, it's a three-year life cycle.

21 CHAIRPERSON JOSEPH: A lot of the schools
22 are now coming up with testing online. Are you
23 prepared for that?

24 DEPUTY CHIEF INFORMATION OFFICER

25 STRICKLAND: Yes. We've been working...

2 CHAIRPERSON JOSEPH: Emma knows I'm going
3 to ask. Two decades in doing this business, she knows
4 I'm going to ask.

5 CHIEF OPERATING OFFICER VADEHRA: We've
6 had two briefings on that in the past week.

7 DEPUTY CHIEF INFORMATION OFFICER

8 STRICKLAND: Yes. Emma's been very active with us to
9 making sure, because that's, again, another high-
10 stakes point of service where students are going to
11 be taking their SATs and PSATs in school for the
12 first time and also the state testing for the third
13 graders and the eighth graders. Johel can speak a
14 little bit maybe about the work that we've done to
15 see how those schools that will be offering those
16 testing are set up for the in-school bandwidth and
17 the in-school device distribution, and we do have a
18 small number of schools that are what we call lease
19 sites, they're not DOE-owned buildings which have
20 been hard to get to do network upgrades in some
21 cases. We want to make sure that there's enough
22 bandwidth and internet access points in the exact
23 classrooms where schools are going to be offering
24 that service where they won't have capacity problems.

2 CHAIRPERSON JOSEPH: Yeah, because I know
3 last year you had an issue with testing so I want to
4 make sure because the pilot program launched to test
5 kids online so I want to make sure that system is up
6 and running. We saw what happened with snow days. I
7 don't want kids coming in and not being able to take
8 the test.

9 DEPUTY CHIEF INFORMATION OFFICER

10 STRICKLAND: Fair enough, and there's what we can do
11 on our side and then the software itself is provided
12 by the state. There is a download that can happen on
13 some of our platforms. We're making sure that
14 download is done ahead of the testing period.

15 CHAIRPERSON JOSEPH: When are you going to
16 start practicing doing a simulation with the testing
17 system to make sure that there will be no glitches
18 that day?

19 DEPUTY CHIEF INFORMATION OFFICER

20 STRICKLAND: Johel, you want to talk a little bit
21 about that?

22 CHAIRPERSON JOSEPH: Don't be scared. I
23 don't bite.

24

25

2 DEPUTY CHIEF INFORMATION OFFICER

3 STRICKLAND: Again, he's had, as you mentioned, two-
4 or-three-years' experience with this.

5 CHAIRPERSON JOSEPH: 22 years teaching in
6 New York City Public Schools, and I ran in all those
7 positions. I was a spark in my building so trust me,
8 firsthand experience.

9 CHIEF TECHNOLOGY OFFICER PLACENCIA: Yes,
10 so preparation started last year. 127 schools
11 participated in this pilot program in getting ready
12 for transitioning to computer-based testing. This
13 year, there's been a couple of simulations, the most
14 recent one happening in January, and I think there's
15 another one, and the Office of Assessment is reaching
16 out to the schools who are not able to complete or
17 participate in that simulation to make sure that they
18 have an opportunity to do so before test season
19 begins.

20 CHAIRPERSON JOSEPH: We checked all the
21 schools, the bandwidth in the school systems have
22 been expanded.

23 CHIEF TECHNOLOGY OFFICER PLACENCIA: Yes,
24 so we took...

25

2 CHAIRPERSON JOSEPH: To make sure they can
3 support it.

4 CHIEF TECHNOLOGY OFFICER PLACENCIA: Yes,
5 so we took a look at the technology for every
6 building, the devices, making sure that the
7 applications that are needed to conduct these tests
8 are installed in those applications, downloaded,
9 working, etc. as well as making sure that we ran
10 those applications through our security and
11 compliance process and, lastly, making sure that the
12 applications requirements for data integration, data
13 exchange is already in place.

14 CHAIRPERSON JOSEPH: All right, then y'all
15 won't hear from me.

16 CHIEF INFORMATION OFFICER SHAKIL: I just
17 want to add this morning, FDR School conducted 1,600
18 students on the SAT exams, and the system worked
19 flawlessly. There were no issues with the bandwidth.

20 CHAIRPERSON JOSEPH: Okay. Thank you.
21 During the 2022 contract negotiations, did IBM
22 recommend an increase in the TPS? If so, what was
23 their recommendation, one, and does the DOE believe
24 that the outcome on February 13 might've been
25 different had IBM been included in the system test?

2 DEPUTY CHIEF INFORMATION OFFICER

3 STRICKLAND: Two questions, two answers. In hindsight,
4 certainly I think having IBM know the number of
5 students we have and the number of teachers we have
6 and they were all going to come in at around 8
7 o'clock in, in real numbers, they could have done
8 some calculations and see how their system performed,
9 they could potentially have tested it in advance so
10 yes, and we are deep into that with them at this
11 point. The other question was, sorry.

12 CHAIRPERSON JOSEPH: During the 2022
13 contract negotiations, did IBM recommend an increase
14 in TPS? If so, what was their recommendation. That
15 was never answered? What was the recommendation?

16 DEPUTY CHIEF INFORMATION OFFICER

17 STRICKLAND: Yeah, I don't know the specifics on that.
18 We will get back to you because I think it's an
19 important item at this point.

20 CHAIRPERSON JOSEPH: You mentioned
21 utilizing staggered start time. How would the
22 staggered start time be distributed as borough level
23 district level? How many users does DOE think would
24 be able to access the system at each staggered time?

25

2 CHIEF OPERATING OFFICER VADEHRA: We are
3 working on it. What we have assumed is that it would
4 be by grade level, not borough level or district
5 level. In terms of how many could access at each
6 time, that's something we're working with IBM on,
7 it's something they're making recommendations to us,
8 and working quickly to basically decrease the size of
9 the window so more can log on at once. I can't
10 remember the latest amount, it's basically currently
11 it would take us a bit over an hour for everyone to
12 be able to log in based on their recommendations, but
13 those are calculations they do and give to us.

14 CHAIRPERSON JOSEPH: For example, I know
15 schools who do staggered dismissal, they do staggered
16 arrival so maybe that is something to think about. It
17 took us half an hour to get on. I started with my
18 eighth grader at 8 o'clock. We didn't get on until
19 8:30, and that just gave me stress reliving 2020 all
20 over again that morning. I wasn't the only parent,
21 Sheker was texting me, Chair, what's going on, and I
22 was texting everybody else and calling to make sure
23 that they can also get on. Thank you.

24 How much of the OTPS budget for Fiscal
25 2024 and 2025 and outyears are in contract?

2 DEPUTY CHIEF INFORMATION OFFICER

3 STRICKLAND: The DIIT OTPS, other than personnel
4 services, so that's everything that we spend other
5 than our full-time staff, which we talked about. Most
6 of it is with third parties whether its contracts or
7 POs and that's what we do when we buy hardware or we
8 have to pay for maintenance agreements on that
9 hardware that goes into our hosting environments. We
10 buy software and software licenses similar to IBM. We
11 buy from Google, from Microsoft, etc., and there's
12 two places we spend money on contracts that are with
13 people. The first being our service desk where we
14 have an outsourced vendors that handles all of our
15 ticketing and response to user queries on our
16 services, and we create project scopes that IT
17 services firms bid on to either enhance our current
18 systems or build brand new systems.

19 CHAIRPERSON JOSEPH: When you created the
20 simulation, I know maybe IBM will be able to answer
21 that, does it ever bring red flag? Does it give you
22 data that maybe there is a problem and how do you
23 come in and adjust and fix it?

24 DEPUTY CHIEF INFORMATION OFFICER

25 STRICKLAND: Yep. Testing has two flavors. When we

2 maybe simulated a remote day with our students and
3 teachers, we were looking to see, did the students
4 know their username and password, could they get to
5 assignment, could a teacher create the assignment and
6 maybe see how many kids actually logged in and
7 responded that they got to the classroom or actually
8 did the work so that's a simulated remote day from an
9 educational standpoint. The other thing is, did our
10 systems get tested in a manner that would recognize
11 that they function well, they didn't give errors, and
12 they could handle load, and it's that last one that
13 obviously was a problem on the morning of the 13th so
14 that work is done through what we call automated
15 performance testing, where you work in a non-
16 production environment and push it to the limit, and
17 at some point, this system will keep performing well
18 as you push higher and higher, and at some point it
19 starts to either slow down, max out its use of its
20 CPU or its storage, and it either stops or has long
21 response times to get to an answer. That second piece
22 is what we're working on with IBM now, to say if you
23 provide a certain level of TPS, how much throughput
24 can you get, how many users can come in, how many
25 successful log-ins can you get, and then if you

2 ratchet that capacity up, what can you get and how
3 far can you push until you get to the point where we
4 got to on the 13th, where things didn't get to a
5 successful result by every simulated user that was
6 coming into the system.

7 CHAIRPERSON JOSEPH: What's the timeline
8 for all of that to happen?

9 DEPUTY CHIEF INFORMATION OFFICER

10 STRICKLAND: We've been working every day since the
11 13th, IBM has got, this is a product they offer in
12 the Cloud, so they're working on improving the
13 performance of that product, which will obviously
14 service us and other users of this product. We have
15 our own test environment where we can simulate more
16 things. We can actually see a user going to TeachHub,
17 oh, you haven't logged in yet, you get interrupted,
18 get your username and password, now you go to
19 TeachHub, then you go to Google and we're making sure
20 that all those handoffs work and that the way our
21 system interacts in a real user flow way gets a user
22 from a dead start into their remote learning
23 environment where they can do their instruction.

24

25

2 CHAIRPERSON JOSEPH: In your future
3 simulations, are you planning to invite parents or
4 students to be part of it?

5 DEPUTY CHIEF INFORMATION OFFICER

6 STRICKLAND: We'll first do that in the lab, and then
7 we could either have them be part of a team logging
8 in that lab environment, which is most typically the
9 transaction loads are done, again, through an
10 automated engine that creates those transactions so
11 we could easily do user testing in that same
12 environment to show that if we had 100 people and
13 they all entered at the same time, they all got
14 through.

15 CHAIRPERSON JOSEPH: You're basically
16 telling me you do have a plan. Moving forward, New
17 York City parents will not be calling us so the next
18 snow day, snow days and remote learning is here to
19 stay, it's not going to go anywhere.

20 DEPUTY CHIEF INFORMATION OFFICER

21 STRICKLAND: Correct.

22 CHAIRPERSON JOSEPH: We, just like we
23 agreed that Zoom, Google, Teams, they're all here.
24 They're not going to go anywhere. They're part of our
25 lives forever so we just have to learn to adapt and

2 adjust and operate the system so we can meet the
3 needs of the parents because you had a lot of
4 panicking parents that morning. You were going to say
5 something, Emma.

6 CHIEF OPERATING OFFICER VADEHRA: Yes. I
7 was going to say in terms of testing going forward,
8 so we're doing all the load testing, the performance
9 testing we can do with IBM. We are still thinking
10 through whether to do a full system test that
11 includes all of our users or not. As was mentioned,
12 the industry standard for the testing of the system
13 itself is to do the performance testing we're doing
14 in the lab, and it is a heavy lift and a big ask to
15 ask all of our families and teachers to take that on
16 so we're thinking that through.

17 CHAIRPERSON JOSEPH: Okay, thank you. Did
18 students with disabilities receive special education-
19 related services through remote instruction on
20 February 13?

21 SUPERINTENDENT DIMANGO: We could get a
22 little more information from you, that data, but if
23 students were able to log in, schools did have the
24 resources for them to receive their services.

2 CHAIRPERSON JOSEPH: Were any services
3 provided for pre-K and 3K students on February 13?
4 What, if any, plans are there to serve early
5 childhood students' remote day in the future? That
6 was a question I had asked before.

7 SUPERINTENDENT DIMANGO: We do know that
8 schools were instructed to make sure that students
9 had devices and that teachers were working with
10 students to log on, but I can't say 100 percent that
11 every pre-K or child received that.

12 CHAIRPERSON JOSEPH: Is there a plan for
13 pre-K and 3K in the future and early childhood
14 centers?

15 SUPERINTENDENT DIMANGO: Yes.

16 CHAIRPERSON JOSEPH: Okay. They want to
17 make sure they're included in the plans.

18 Thank you very much. We're good on our
19 questions. If any questions come up, we will e-mail
20 them over. Emma knows I like giving homework. Thank
21 you all.

22 CHIEF INFORMATION OFFICER SHAKIL: Thank
23 you.

24 DEPUTY CHIEF INFORMATION OFFICER
25 STRICKLAND: Thank you.

2 CHIEF OPERATING OFFICER VADEHRA: Thank
3 you.

4 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
5 you so much to the Administration for their
6 testimony.

7 We will now turn to public testimony. We
8 will be limiting public testimony today to three
9 minutes each.

10 For in-person panelists, please come up
11 to the table once your name has been called, and for
12 virtual panelists, once your name is called, a Member
13 of our Staff will unmute you and the Sergeant-at-Arms
14 will set the timer and give you the go-ahead to
15 begin. Please wait for the Sergeant to announce that
16 you may begin before delivering your testimony.

17 Our first panel will be Vanessa Hunt. You
18 may begin your testimony, Vanessa.

19 VANESSA HUNT: Chair Joseph, Members of
20 the Committee, thank you for the opportunity to
21 appear today on a matter of great importance to all
22 of us at IBM. My name is Vanessa Hunt. I am IBM's
23 Senior State Executive for New York, and I have
24 worked with the City of New York in many capacities
25 for the past 17 years. I would like to start by

2 underscoring that IBM is a New York-based company
3 and, for us, the New York public school system is
4 more than just another client. For many IBMers, New
5 York City Public Schools is the system where our own
6 children learn and grow. We take our work for the
7 City's school system personally, and we recognize the
8 special responsibility that comes with delivering
9 technology in support of nearly one million students,
10 their families, and their dedicated educators.

11 The New York Department of Education uses
12 IBM Security Verify, or ISV, as its remote log-in and
13 identity management system. It allows students and
14 teachers to securely access the Department's online
15 resources, including its remote learning platform. We
16 understand how frustrating what happened on February
17 13th was to the school system's students, families,
18 and educators. It would be a disservice to them not
19 to identify the true root cause of this event, and it
20 was not a failure of IBM technology. In fact, IBM has
21 routinely supported this platform at levels far
22 beyond what was designed, tested, and contracted. Our
23 contract, which was signed in 2019, established a
24 simultaneous use threshold of 400 transactions per
25 second. That's simply a gauge of how many users can

2 log in at any given time. IBM has on multiple
3 occasions increased the capacity of this system by
4 far beyond the contracted levels at no added cost to
5 the DOE to meet the school systems evolving needs.
6 ISV is like a secure door into the DOE systems. Over
7 time, by adding more users and applications behind
8 that door, the Department was increasing the number
9 of people trying to come through. Demand that was
10 easily managed with 400 transactions per second in
11 2019 often required 1,000 transactions per second in
12 recent years. We continue to highlight that demand
13 growth to DOE while also supporting the system as
14 good partners. The Department's use of ISV was simply
15 not contracted to support nearly 1 million students
16 and their teachers logging in at the same time.

17 On February 13th, the Department of
18 Education had a closet door when it needed a barn
19 door. At over 2,000 transactions per second, everyone
20 tried to rush through that door at once. Balancing
21 the traffic over time would've resulted in a better
22 outcome. Thanks to the strong partnership between DOE
23 staff and IBM, the remote log-in issues were resolved
24 and the system successfully processed over a million
25 log-ins that day.

2 IBM has taken additional steps in
3 response to what happened on February 13th, namely
4 increasing the ISV log-in capacity to more than five
5 times our contracted level and keeping it there. Our
6 team has worked hand-in-hand with the DOE to put in
7 place short- and long-term solutions to ensure that
8 the understandable frustration students and teachers
9 felt that day does not happen again. I'm very
10 encouraged by the way our teams have come together
11 over the past three weeks to learn and apply the
12 lessons of this event. We have delivered with the DOE
13 a detailed action plan with next steps that should be
14 taken to ensure a seamless remote log-in experience
15 and I thank them for their partnership.

16 Long-term, we continue to recommend that
17 the school system transition to an auto-scaling ISV
18 solution, which can automatically throttle to meet
19 the volume of user demand. We have shared with the
20 DOE team that implementing this long-term plan will
21 require updates to our contract for the school
22 system's use of ISV, and we very much want to
23 participate in any future snow day and remote
24 learning drills or simulations.

2 IBM is proud to be a New York company,
3 and I cannot stress enough how committed we are to
4 our partnership with New York City and the New York
5 City Public Schools. Thank you again for this
6 opportunity to share our perspective, and I'm happy
7 to take any questions.

8 CHAIRPERSON JOSEPH: Thank you so much.
9 The morning of February 13th, Chancellor Bank stated
10 that New York City Public School informed IBM they
11 should expect nearly a million student log-ins
12 between 7:30 and 8 a.m. on February 13. When was IBM
13 given this guidance and did IBM do anything specific
14 to prepare for the number of students and teachers
15 expected to log on at once?

16 VANESSA HUNT: Yeah, so we did receive
17 that email the afternoon of February 12th. It was
18 from somebody on the technical team at DOE to
19 somebody at the IBM technical team. That note said
20 that there may be a remote learning day the next day
21 and asked us to keep an eye on the TPS the next
22 morning.

23 CHAIRPERSON JOSEPH: Can you continue to
24 explain what happened the very next morning?

2 VANESSA HUNT: Yes. That technical person
3 from our side did put the product support team on
4 standby, which I think ultimately helped us to
5 recover as quickly as we did. At about 8:30 the next
6 morning, I received a phone call about this issue
7 from CTO Frazier. At that point, the technical teams
8 were already engaged and working in collaboration
9 with the DOE to make this system stable.

10 CHAIRPERSON JOSEPH: By what time was the
11 system stabilized completely?

12 VANESSA HUNT: We believe the system was
13 stable at 10:15.

14 CHAIRPERSON JOSEPH: We were also getting
15 report that some students in part of the city wasn't
16 able to log in by 12 o'clock.

17 VANESSA HUNT: I understand. I will say
18 that there are other pieces of DOEs remote learning
19 solution that could impact problems logging in
20 outside of the authentication. All we know from our
21 side is that we were monitoring the system and the
22 transaction seems stable and successful at 10:15, and
23 I believe that DOE agrees with that.

24

25

2 CHAIRPERSON JOSEPH: Does IBM believe that
3 DOE provided adequate notice of Department's plan to
4 switch to remote learning?

5 VANESSA HUNT: I think that we would both
6 agree that it was not adequate, and we have plans in
7 place now that we have agreed upon, a very strong
8 communication plan, to avoid that from happening
9 again.

10 CHAIRPERSON JOSEPH: What's the turnaround
11 time to make that happen without any hiccups?

12 VANESSA HUNT: As you heard in the prior
13 testimony, we do have short-term and long-term
14 recommendations. At this point, the turnaround time
15 could be quick with the action plan that we've
16 established but, again, it would require behavioral
17 changes such as a staggered log-in with the current
18 system.

19 CHAIRPERSON JOSEPH: How often are IBM and
20 New York City Public School in touch regarding the
21 services that IBM provide for New York City Public
22 Schools?

23 VANESSA HUNT: I can say from my own
24 experience, I was in touch with the prior CIO,
25 Anuraag Sharma, somebody I have great respect for,

2 very often, and we were very optimistic to see the
3 appointment of Mr. Shakil, who we worked very closely
4 with the Law Department, and I'm confident we will be
5 in close touch with him as well.

6 CHAIRPERSON JOSEPH: The interim acting,
7 were you in communications with him very often as
8 well prior to February.

9 VANESSA HUNT: That I am not aware of. I
10 no longer cover the New York team.

11 CHAIRPERSON JOSEPH: When was the last
12 time DOE negotiated this contract with IBM?

13 VANESSA HUNT: The initial contract was
14 negotiated in 2019. They have renewed it every year
15 in July since then.

16 CHAIRPERSON JOSEPH: At the time, did IBM
17 inform New York City Public School the need to change
18 the contract for allowing more log-ins per second?

19 VANESSA HUNT: I can't speak to what
20 happened around the contract renewal as I wasn't part
21 of those conversations. I can say we absolutely, I
22 was part of conversations with the former CIO where
23 we did recommend that they move to this dedicated
24 auto-scaling instance, and I know that they were
25

2 aware that they were going over the contracted value
3 of TPS.

4 CHAIRPERSON JOSEPH: Has there been
5 discussion between February 13 and today regarding
6 New York City Public Schools contract with IBM? What
7 recommendations, if any, does IBM have to amend the
8 current contract with New York City Public Schools to
9 avoid these types of situations?

10 VANESSA HUNT: Again, we've been in
11 contact daily. It has been a very positive
12 collaboration that both DOE and IBM have just been
13 focused on ensuring that we are prepared so that this
14 does not happen again, especially in the case of an
15 imminent snow day so we have been working on those
16 plans. We have not had discussions around the
17 contract yet.

18 CHAIRPERSON JOSEPH: As you can see, it
19 may not be snow days. Last year we had, the poor air
20 quality. That day we had remote learning on June 9th.
21 It was a clerical day, if you remember so kids were
22 already out of school. What was the difference in the
23 way IBM prepared for June 9th versus February 13?

24 VANESSA HUNT: I'm not aware of the
25 preparations that happened around that, but I will

2 say that, as you said, given the clerical day, we saw
3 much less volume so about 289,000 students were
4 expected that day. That's a big difference for our
5 system than a million log-ins at the same time, but I
6 can get back to you, Chair Joseph, on what the
7 preparations were.

8 CHAIRPERSON JOSEPH: Moving forward, what
9 are some of the steps IBM plans to take with New York
10 City Public Schools to avoid these issues?

11 VANESSA HUNT: Again, we've detailed our
12 plans for that short-term plan that is very specific,
13 step-by-step directions that take into account both
14 the technical changes, the behavioral changes, the
15 communication plan that would need to take place if
16 there was any kind of remote learning day, and we are
17 working in collaboration with the DOE on what that
18 long-term plan would look like. As Council Members
19 said, obviously the ideal is that we can all log in
20 at one time, and that is certainly technically
21 feasible. We just need to plan for that in the right
22 way, and that would be that auto-scaling solution.

23 CHAIRPERSON JOSEPH: Yeah, absolutely,
24 because I also mentioned there's some school who do
25 staggered dismissals, they do staggered arrivals as

2 well, and they dismiss students a little earlier so
3 maybe we can look at that.

4 Is there anything that DOE testified
5 today that you would characterize as inaccurate?

6 VANESSA HUNT: No.

7 CHAIRPERSON JOSEPH: Council Member
8 Shekar.

9 COUNCIL MEMBER KRISHNAN: Thanks so much,
10 Chair. Thank you for your testimony. I think one
11 thing you testified just to be clear was that the day
12 before the snow day in preparation for it, the
13 technical staff at DOE was in touch with your
14 technical staff at IBM.

15 VANESSA HUNT: Yes.

16 COUNCIL MEMBER KRISHNAN: You're a senior
17 executive at IBM, right?

18 VANESSA HUNT: Yes.

19 COUNCIL MEMBER KRISHNAN: Were you ever
20 informed the day or in the days prior to the snow day
21 of the preparations for it?

22 VANESSA HUNT: No, I was not.

23 COUNCIL MEMBER KRISHNAN: Were any of your
24 colleagues at your senior level informed of the
25 preparations?

2 VANESSA HUNT: No, they were not.

3 COUNCIL MEMBER KRISHNAN: So it was
4 essentially, as you mentioned, the staffs who were
5 actually operating the system through the technical
6 aspects of it, but no one at a leadership level at
7 the company were informed by anyone at leadership
8 level by DOE of this issue.

9 VANESSA HUNT: Yes, that's correct.

10 COUNCIL MEMBER KRISHNAN: We had talked
11 before, you had a bunch of testimony about the 400
12 transactions per second, do you think that is
13 adequate for the current school population and, given
14 the amount of remote learning happening, do you think
15 that is an adequate number for a contract?

16 VANESSA HUNT: It's an interesting
17 question. It certainly has been adequate many times.
18 We have seen that volume change depending on a number
19 of things as DOE expands their remote learning
20 portfolio, which is great. They're offering more
21 services that parents and teachers can take advantage
22 of online. That, of course, changes the workload so
23 we can do our best to try to make sure that workload
24 is as efficient as possible. They have run at 400 TPS
25 in the past. They've also run at 1,400. The issue

2 really becomes a day like that where you try to get a
3 million people on in a very short window so I think
4 that if we are going to plan for additional remote
5 learning days where that is the plan then, absolutely
6 not, 400 TPS is not adequate, and we would need to
7 move to that auto-scaling solution.

8 COUNCIL MEMBER KRISHNAN: Right, and
9 that's really what I was getting to as well was
10 understanding that 400 TPS works on some days and
11 then it's going to need to be adjusted based on other
12 days. I think it seems that where the contract is
13 right now, I guess let's put the question to you this
14 way. If the contract allowed for a greater TPS, if
15 there was a different TPS number contracted for a
16 much higher one of transactions per second rather
17 than the 400 now that's been in place since 2018, and
18 you're adjusting based on the frequency snow days, if
19 you had a contract with the larger amount or auto-
20 scaling, would we have seen the problems that we saw
21 on February 13th?

22 VANESSA HUNT: If we had a contract with
23 the autoscaling, no, we would not have seen those
24 issues. What they had is a custom off the shelf
25 available product that comes with that 400 TPS

2 ceiling so it would be that either they would go to
3 the auto-scaling solution or they would need to
4 change behavior to be at the 400 TPS.

5 COUNCIL MEMBER KRISHNAN: Got it, so this
6 wasn't some sort of customized for DOE, this was an
7 off-the-shelf product that DOE had.

8 VANESSA HUNT: The auto-scaling solution
9 would be customized for DOE.

10 COUNCIL MEMBER KRISHNAN: I see, and so
11 with an auto-scaling contract in place, you may not
12 have had these issues at all but, even if you did,
13 would IBM (INAUDIBLE) better to address that issue
14 with an auto-scaling contract than with a 400
15 transaction per second contract?

16 VANESSA HUNT: Absolutely.

17 COUNCIL MEMBER KRISHNAN: My final
18 question is, what would you say, as part of senior
19 leadership at IBM, was your biggest frustration that
20 day, that morning, when the system was failing?

21 VANESSA HUNT: Of course, the biggest
22 frustration is for the parents and the families, the
23 students, the teachers. I'm a mom myself. I know what
24 that does to your already very busy day. Nobody at
25 IBM was happy to see that. That said, knowing the

2 partnership we have with the City of New York and how
3 seriously and personally we take it, knowing that we
4 really had done everything we can to make sure that
5 this technology was working above and beyond what it
6 was contracted to do, hearing it be summarized as an
7 IBM technology problem was, of course, frustrating.
8 That said, I really am very optimistic and encouraged
9 by the partnership with DOE over the past few weeks,
10 and I'm very confident that not only are we going to
11 avoid this from happening again but that we are going
12 to work together to find the right solution that our
13 families deserve.

14 COUNCIL MEMBER KRISHNAN: Thank you. Thank
15 you, Chair.

16 CHAIRPERSON JOSEPH: To follow up on what
17 Council Member Shekar said, to expand this contract,
18 what's the estimated cost?

19 VANESSA HUNT: I can't speak about costs
20 in a public forum, but I will get back to your office
21 on that, Chair Joseph.

22 CHAIRPERSON JOSEPH: Okay. Thank you.
23 Council Member Gutiérrez.

24 COUNCIL MEMBER GUTIÉRREZ: Thank you,
25 Chair. Thank you for testifying. Sorry to harp on

2 this, but like on the messaging issue on the, just
3 the sequence of contact, in those instances, was the
4 tone urgent, like hey, alert, because I feel the
5 announcement they made on February 12th about a snow
6 day was earlier than I've ever seen the Department do
7 in the past, and I went to school here so was the
8 tone urgent and, if that had been the case, would
9 even then a notification on the 12th, because it
10 sounds from your testimony that it was very casual,
11 like we might do remote learning, which to me sounds
12 contrary to what was testified here and certainly
13 doesn't sound urgent but had that been the case would
14 that have given IBM enough time to then accommodate
15 to switch for what you needed to prevent what
16 happened?

17 VANESSA HUNT: I think certainly had we
18 communicated at the right levels, we could have
19 improved the outcome, yes.

20 COUNCIL MEMBER GUTIÉRREZ: Okay, and was
21 the tone definitive on that February 12th
22 notification.

23 VANESSA HUNT: Notification said we may
24 have a fully remote day and can you please keep an
25 eye on the TPS.

2 COUNCIL MEMBER GUTIÉRREZ: In a scenario
3 where it had been more definitive and you'd made
4 accommodations and, in fact, there was no need for
5 remote learning, would there have been any impact at
6 all had you been overprepared and there not have been
7 remote learning.

8 VANESSA HUNT: I think DOE and IBM agree
9 on this. I think ideally we would have been planning
10 way before the day before. I think we would have been
11 a part of the simulations, a part of the planning,
12 and we would have been able to better advise the DOE
13 on potentially staggering start times, what we could
14 do to ensure that the system could handle the load.

15 COUNCIL MEMBER GUTIÉRREZ: Yeah. Thank
16 you. I think we're all in agreement, we don't want to
17 go back. We want to see better practices moving
18 forward, but we're always going to emphasize
19 transparency and better communication, and it was
20 encouraging to hear that they're taking
21 responsibility, but that really sounds like what is
22 at the crux of how everything rolled out. Thank you.
23 Thank you, Chair.

24

25

2 VANESSA HUNT: And, again, we have a very
3 strong communication plan in place and documented
4 with DOE now.

5 CHAIRPERSON JOSEPH: Thank you for your
6 testimony.

7 VANESSA HUNT: Thank you, Chair Joseph.

8 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
9 you for your testimony.

10 We will now turn to our next panel,
11 Natasha Quiroga, Molly Senak, Kesi Gordon, Aracelis
12 Lucero, Ellen McHugh. Please make your way to the
13 front table.

14 Natasha, you may begin your testimony.

15 NATASHA QUIROGA: Good afternoon and thank
16 you, Chair Joseph and Members of the Education
17 Committee, for the opportunity to testify today. My
18 name is Natasha Quiroga, and I am Director of
19 Education Policy and InsideSchools at the New School
20 Center for New York City Affairs. For 20 years,
21 InsideSchools has served as a vital resource for
22 millions of families throughout their children's K
23 through 12 education by serving as the one-stop-shop
24 where New York City families, including immigrant
25 families and newly arrived migrant families living in

2 temporary housing, can better understand New York
3 City Public Schools. During the pandemic,
4 InsideSchools supported families to navigate online
5 learning and produce several reports on the well-
6 documented digital divide and solutions to equitable
7 remote learning for all children. Data shows that
8 remote learning during the pandemic further increased
9 inequities for our most vulnerable students. Low-
10 income students of color in New York City experienced
11 almost twice the learning loss of their white peers
12 after the pandemic, and students in poverty were
13 chronically absent at a rate of almost twice as high
14 as their peers from families above the poverty line.
15 However, the digital divide remains for the city's
16 most vulnerable students as displayed during the most
17 recent transition to remote learning on February
18 13th. Families who struggled to access the internet
19 and devices during the pandemic don't necessarily
20 have access now, and there are an additional 36,000
21 newcomer students living in temporary housing who
22 didn't experience remote learning during the pandemic
23 in New York City and are unfamiliar with the devices,
24 software, and protocol used. While some students were
25 loaned tablets by their schools for the remote snow

1 day, logging in was still a challenge. Many families
2 struggled to log in despite waking up at 5 a.m. in
3 preparation, and they encountered error messages and
4 lagging connections. 23 percent of the parents we
5 surveyed said their children were unable to
6 participate in remote learning that day. Some parents
7 relied on help from other parents to eventually
8 connect later in the day. These challenges are
9 compounded for newly arrived migrant children in
10 living in temporary housing. Wi-fi is notoriously
11 slow and unreliable in shelters. Children have
12 limited access to computers or any device, and
13 parents are unfamiliar with DOE technology platforms.
14 InsideSchools has helped many parents create
15 MySchools accounts and even email accounts. We also
16 met a few moms who don't have a cell phone. For these
17 parents, how are they supposed to connect with a
18 school or other parents if they have trouble logging
19 in? These challenges also impact the effectiveness of
20 school communication with the most vulnerable
21 families. Many families we help in shelters were
22 unaware they had to apply to middle or high school.
23 If parents don't know about this, an effort that DOE
24 and schools spend months to share info and is
25

2 translated into multiple languages, how can they find
3 out about remote learning on such short notice or get
4 support the day of? The environmental conditions of
5 children who live in overcrowded households and in
6 temporary housing further amplifies the disadvantage.
7 Struggling to concentrate on an online lesson is even
8 harder in a small hotel room with your siblings and
9 parents. English learners face the additional
10 challenge of navigating a remote learning system ill-
11 equipped to support their needs. Families need the
12 technology as well as instructions and day-of
13 technical support on how to connect so their children
14 can access remote learning. Beyond access and
15 infrastructure, schools and teachers need sufficient
16 support and professional development to teach
17 effectively online. A sudden snow day does not allow
18 for adequate lesson planning. Some parents also
19 reported that their children's teachers were unable
20 to log in. Funding to support school and shelter-
21 based staff to better support immigrant students and
22 students living in temporary housing is also critical
23 in ensuring equitable education in addition to
24 funding for culturally and linguistically responsive
25 CBOs that could more effectively support our

2 immigrant children when the system fails to do so. We
3 urge DOE to share their plan in developing future
4 remote learning days and more effectively supporting
5 the City's most vulnerable families. Thank you.

6 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
7 you for your testimony. Molly.

8 MOLLY SENACK: Hi, my name is Molly
9 Senack, and I am testifying on behalf of Center for
10 Independence of the Disabled New York. Both disabled
11 and non-disabled students obviously had a lot of
12 trouble attending class virtually on February 13th.
13 However, the school day does not stop once you log
14 on. That is not automatically a successful school day
15 just because you are technically able to attend.
16 Students with disabilities face a unique issue when
17 it comes to remote learning. A student with an IEP is
18 entitled to related services such as speech therapy
19 or occupational therapy, and sometimes those services
20 are not offered remotely. According to a citywide
21 Council on Special Education Survey that they sent
22 out the week of this snowstorm, 27 percent of
23 students enrolled in a District 31 through 32 school
24 did not receive all of their related services
25 remotely on February 13th nor did 36 percent of

2 students who were enrolled in a District 75 school,
3 and that just means that they could have only
4 received a service, if that, in order to count as
5 receiving some of their services so those numbers are
6 unfortunate, not only because students missed out on
7 supports that actively help them engage in their
8 learning but because this issue was not unexpected.
9 In the 18 months that New York City Public Schools
10 incorporated some form of long-term remote learning
11 into class schedules, tens of thousands of students
12 missed out on their mandated services resulting in
13 the filing of a federal class action complaint, Z.Q.
14 versus the NYC DOE by Advocates for Children against
15 both the City and the State Departments of Education
16 so that complaint not only states that children were
17 not necessarily receiving technology and their
18 services. It also says that they were not provided
19 with compensatory services in a timely manner. This
20 complaint was initially filed in November of 2020,
21 and it's 2022 dismissal was reversed in 2023. The DOE
22 cannot say that it did not anticipate challenges in
23 providing students with disabilities the supports
24 they are entitled to remotely. Investments need to be
25 made in providing resources for families whose

2 children might face additional struggles with
3 learning remotely. These include finding alternatives
4 or compensatory options for mandated services that
5 require a physical presence like occupational
6 therapy, providing more interpretation services, and
7 investing in more hiring in special education in
8 general so that existing shortages of instructors and
9 providers of related services are not further
10 exacerbated by a change in a learning environment. If
11 a pivot to remote learning in emergencies like a
12 snowstorm is going to be the standard for New York
13 City public education, figuring out how to provide
14 related services remotely has to be as much of a
15 priority as figuring out the technical issues that
16 prevented students from logging on in the first
17 place, because both issues prevent students from
18 being able to participate in their own education, and
19 students with disabilities are less likely to have
20 that lost time made up to them. Thank you so much.

21 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
22 you for your testimony. Kesi Gordon.

23 KESI GORDON: Good afternoon and thank
24 you, Chair Joseph and Members of the Education
25 Committee. My name is Kesi Gordon, and I'm the Senior

2 Manager of Education Policy at the New York
3 Immigration Coalition, NYIC. The NYIC is an umbrella
4 policy and advocacy organization for more than 200
5 groups serving immigrants and refugees across New
6 York State. With over 30 years of experience in
7 education reform, the NYIC's education collaborative
8 has been at the forefront of improving the quality of
9 public education for New York City English language
10 learners and immigrant students. We're here today to
11 address a matter of great concern that became
12 glaringly evident during the recent remote learning
13 day, the City's unpreparedness for a full transition
14 to remote learning. Despite early announcements to
15 switch New York City Public Schools to remote
16 learning, administrators did not account for
17 potential technical challenges. This particularly
18 impacted 36,000 immigrant children living in
19 temporary shelters and those in need of translation
20 services. Remote learning exposed the long-standing
21 digital divide for immigrant students and ELLs and
22 students in temporary housing have often have limited
23 access to computers, reliable internet, and necessary
24 language services to navigate online learning.
25 Immigrant students and ELLs are still facing

2 compounding barriers to accessing remote learning
3 while being expected to show up and perform at the
4 same level as their peers. New York City Public
5 Schools claim to have conducted tests to ensure the
6 functionality of remote learning systems prior to
7 making the decision to conduct instruction online on
8 February 13. However, these tests did not encompass
9 the scalability required for a system-wide remote
10 day, and over 20 percent of students were unable to
11 access their remote classes. While this might seem
12 like a small percentage of students, this number
13 could represent some of the most vulnerable students
14 already at risk of interrupted learning. New York
15 City Public Schools failed to properly prepare
16 parents to ensure their children had the necessary
17 equipment to meaningfully part participate in virtual
18 classrooms and, at the same time, New York City
19 Public Schools did not account for the fact that
20 parents would need to arrange for child care for that
21 day, and these disparities are worse for families
22 living in temporary shelters, and it is well-known
23 that there are higher rates of absenteeism for
24 immigrant students from low-income households. Making
25 sudden changes without the proper preparation for

2 both schools and students makes it more difficult to
3 continue participation. This situation is far from
4 acceptable and falls short of the standards set for
5 supporting children and families during
6 uncontrollable interruptions such as snow days. The
7 recent failures in remote learning show that while
8 some changes have been made, there has not been much
9 progress towards equitable approaches for immigrant
10 students and, while New York City Public Schools aim
11 to continue instruction for students, we must ensure
12 that all students have access to instructions,
13 especially those who need additional support both in
14 and outside of the classroom. Along with ensuring
15 that families have the proper resources and support
16 to transition to remote learning days, the city must
17 invest 500,000 in comprehensive high schools with
18 large number of immigrant students to receive
19 professional development and best practices on how to
20 welcome and best serve immigrant and asylum-seeking
21 students. I have a more recommendations for the City
22 that I'll submit in my written testimony, but the
23 City can take these steps to help families transition
24 to remote learning and help immigrant families gain
25 access to tools and services needed for integration.

2 This will require investment, not cuts for immigrant
3 and native students alike to excel even in extreme
4 circumstances. Thank you.

5 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
6 you for your testimony. Aracelis Lucero.

7 ARACELIS LUCERO: Hi, everybody. Good
8 afternoon and thank you so much, Chair Joseph and the
9 members of the Education Committee for this
10 opportunity to testify. My name is Aracelis. I'm the
11 Executive Director of MASA. We're a community-based
12 organization that's based in the South Bronx who has
13 over two decades of experience serving recently
14 arrived immigrants and indigenous communities,
15 providing them with critical services around
16 education, family wraparound support services, and
17 advocacy and leadership opportunities. We serve a
18 population that is often considered hard to reach,
19 led mostly by parents who are undocumented. Nearly a
20 third of our parents have less than a primary school
21 education, and two thirds less than a secondary
22 school education. Over a third speak an indigenous
23 language, such as Mixteco, Nahuatl, Kichwa, Wolof,
24 (INAUDIBLE), to name a few, and the majority have an
25 annual income of 30,000 dollars or less. 55 percent

2 of our families actually have no income at all.
3 Parents in this community, and by extension the
4 beautiful children under their care, face significant
5 barriers to achieve social and economic stability,
6 limiting their ability to fully integrate in our
7 society. However, we have witnessed time and time
8 again how language barriers, the digital divide, and
9 varying degrees of literacy levels impacts immigrant
10 parents and how they do not receive the information
11 they need to properly support, advocate for, and be
12 empowered to be their children's first teacher as
13 they have every right to be. A clear example, as we
14 all have heard today, was a lack of preparedness of
15 our public education system to provide equitable
16 access to quality education for all of our students,
17 including just the basic assurance of day-to-day
18 learning. We clearly saw that even though there were
19 attempts to prepare families and children for remote
20 learning, there has existed massive gaps in
21 communication and adequate support, especially for
22 immigrant families, to ensure that them and their
23 children have the proper tools and knowledge to
24 continue with their learning. I have a higher degree.
25 I'm technologically savvy. I made a valiant effort

2 that day to try to log in. Just like you, I was
3 scrambling. I had to give my child my work computer
4 because Zoom wasn't working, his iPad had to reset,
5 and we really couldn't get on until after 45 minutes
6 of rebooting and trying to triage so I can only
7 imagine what our immigrant families were
8 experiencing, and we did get word from our families
9 that many of them were facing challenges. A lot of
10 them didn't know how to log in, understood what was
11 expected for them during that day. I, myself, had to
12 not work the whole day just to print out assignments
13 and so, again, with all the challenges that our
14 immigrant families and students in temporary housing
15 have, it's really unfair that we were just that ill-
16 equipped, and this is not like recent so we have
17 three recommendations. Immigrant families deserve to
18 know their rights in schools, to have dedicated
19 technological support, and to have access to
20 culturally and linguistically competent staff who can
21 help them navigate our massive school system. We
22 should especially ensure indigenous speakers and
23 speakers of other languages less commonly spoken are
24 not forgotten, which is very often the case. While
25 this ideally should live within the schools, the

2 experience of culturally competent CBOs who have
3 already been engaged in this work should be leveraged
4 and additional funding should be provided to increase
5 their capacity to support newcomer and immigrant
6 families. A funding stream that I would like to
7 emphasize on is the four-million-dollar allocation
8 from City Council to the DOE for immigrant family
9 communications, which we should just review and make
10 sure that we understand how that money is being used
11 and how it's supporting our families. I'd also like
12 to advocate for fully restoring funding to our 3K and
13 pre-K programs and just better supports for our
14 immigrant children and families. Thank you so much
15 for your time.

16 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
17 you for your testimony. Ellen McHugh.

18 ELLEN MCHUGH: There isn't much left to
19 say, is there? However given the opportunity, we all
20 take the chance. My name is Ellen McHugh. I've been
21 an advocate for individuals with special needs for a
22 number of years. I currently have a grandchild who is
23 autistic. My son is deaf. My experience with remote
24 work education has been limited on my own side
25 because of the separation between school and

2 families. The biggest issue for me and for the
3 children with disabilities that were being taught is
4 the lack of expertise on the part of staff and the
5 use of accessibility programs that are already loaded
6 onto computers. In many cases, the computers that
7 were given to the children who have disabilities did
8 not allow the children to access the disability
9 programs that are on there, including questions read
10 aloud, large-sized print, other things that I know I
11 wrote down and can't remember, but the point is that
12 I think we have a tool to use to find out about
13 training. At the schools, there's something called a
14 Special Education Team separate from the IEP team.
15 It's part of a new deal with the union and the
16 Department of Ed. Those teams are supposed to meet to
17 discuss implementation. Having said that, there's no
18 real plan. It's very vague. One of the things that
19 might be helpful is to suggest to that team that they
20 use this time to train their staff and in Local Law
21 27 then track the training of staff members or track
22 the training of family members. The DOE currently
23 uses Beyond Access as an outreach for families to
24 give them information, especially about special
25 education. That is certainly a tool that can be used

2 to inform families about not only their rights as
3 family members who have students with disabilities
4 but also the use of specific types of implements to
5 increase the child's understanding and knowledge
6 gain. There are also UDL methods, universal learning
7 methods, that can be implemented in classrooms prior
8 any kind of break because of any kind of emergency,
9 whether it's COVID or a snow day, the unfortunate
10 part is that the history of what happened during
11 COVID did not translate into implementation as the
12 new staff and new students came in. This is a
13 constant issue with the Department of Ed. Everything
14 is by guess and by God, lurching from one to another
15 to solve a problem immediately without plans for the
16 future. Yes, that's not a nice thing to say. Having
17 said, it it's been my experience that planning is not
18 their strength. Thank you for the time and thank you
19 for being so patient to sit here on a rainy afternoon
20 and listen to us.

21 CHAIRPERSON JOSEPH: You're welcome. As
22 always, there's a lot of work to do. I had a quick
23 question. In your testimony, you said students with
24 IEP, our students with special needs, our English

2 language learners, they didn't get their service that
3 day, correct?

4 MOLLY SENACK: We don't know the exact
5 numbers yet, which the...

6 CHAIRPERSON JOSEPH: I did ask them. They
7 said they'll get to me.

8 MOLLY SENACK: They don't know yet so all
9 of these numbers, as of right now, are based on a
10 survey that CCSC sent out on their own. That survey
11 is still technically open. As of the last time I
12 checked, which was last night, they've surveyed 753
13 parents of students with IEPs. I can also say that in
14 all of the CEC meetings for CCSE and for District 75,
15 the topic of remote learning has come up a lot, and
16 it's always okay, we have to monitor whether or not
17 our students are able to access their services
18 remotely, and there is very little information being
19 provided to parents about how able their children are
20 going to be to access these services. There is very
21 little data following up on how successfully these
22 services were provided because, again, we're just
23 looking at February 13th so they're still collecting
24 that data, but even if we look at just the 18 months
25 of the pandemic and going in and out of remote

2 learning, even that data is a little shaky just
3 because, again, the standards for what qualifies as
4 being provided with your services can literally be
5 being provided one of your services that you were
6 entitled to once. If we say for instance, like in the
7 2021-2022 school year, I think they said that 12
8 percent of students did not receive any mandated
9 services, which is actually technically speaking a
10 good number, but we don't know how many of those
11 students received their services regularly and how
12 many students received all of their services
13 regularly. We know that it's a problem regardless of
14 whether they're learning in the classroom or if
15 they're learning remotely. We know that there is a
16 shortage. We know that there is a tremendous backlog
17 of IEP cases and people waiting for compensatory
18 services. We know how much money is being spent on
19 Carter cases because families cannot act, their
20 children don't have access to the services they need
21 in public schools, and all of those factors are
22 compounded by remote learning and there are certain
23 things like physical therapy, how are you supposed to
24 offer physical therapy remotely? That's something
25 that we need to figure out if that is going to become

2 the standard every time that school shut down. You
3 can't say that school continues for some students,
4 but not others. That's not fair and equitable
5 education, and then it also comes down to as my
6 colleagues are talking about interpretation services
7 for parents and families who don't speak English.
8 That's everything everyone said already, enormous
9 issue for navigating this system, but especially if
10 your students need additional help and you are being
11 expected to provide that help and you cannot
12 interpret what your child's instructor is saying in
13 order to help your child. What are you supposed to
14 do? The federal complaint I mentioned is not the only
15 lawsuit regarding remote learning and IEP services
16 that has been filed. There's another lawsuit about
17 missed early intervention services for that reason.
18 It was a little girl whose family, she missed the
19 majority of her mandated services while in I believe
20 pre-K, and one of the issues was that her family,
21 English was not their first language and their
22 teachers kept saying hey, she had trouble sitting
23 still in front of a screen and all of the
24 instructions from the teacher that could have
25 potentially aided the child in receiving her

2 education, there was no interpreter provided. The
3 mother couldn't help her child. That's obviously not
4 what we want.

5 CHAIRPERSON JOSEPH: We saw that during
6 COVID. It was a huge issue, and ACS usually gets
7 involved as well. A lot of ACS cases were brought
8 against our families, especially our ELL families. I
9 saw it firsthand.

10 We do have someone here from New York
11 City Public Schools. He is taking notes to carry back
12 on how we can better, especially beyond access as
13 well, how we can improve the systems, and how do we
14 improve agencies talking to each other, service
15 providers talking to each other, so we can have a
16 better plan for our New York City kids so that's very
17 important.

18 ELLEN MCHUGH: Local law 27 already
19 exists, and it already collects information on the
20 lack of services for students with special needs so
21 in many cases there is something to start with prior
22 to any questions. There are anywhere between 1,000
23 and 1,400 little ones who are not receiving services.
24 We know this already so I think while collecting
25 information and collecting stories is important and

2 certainly illustrates the problem, we do have a lot
3 of information to proceed with. I think we let the
4 DOE off the hook by, this is an opinion, by
5 constantly researching the same information over and
6 over. I also questioned the DOE's intent on this.
7 It's as if they figured what the hay, we'll get some
8 time because we don't have the information. A few
9 years back, the DOE went to Australia and came back
10 with a reading program. The reason I brought this up
11 is because Australia, because of the great distances
12 in their stations, their sheep stations, they cannot
13 have schools. A large number of their children, a
14 large number of their children are totally educated
15 online. If you take a look at some of Australia's
16 curriculum and actual functioning with these online
17 students, I think it would be a very enlightening
18 episode for the Department of Education to at least,
19 online, learn about what Australia is doing.

20 CHAIRPERSON JOSEPH: Thank you.

21 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
22 you so much to our final in-person panel.

23 We will now move on to virtual testimony.
24 Again, to our virtual panelists, please wait for the

2 Sergeant to announce that you may begin before
3 delivering your testimony.

4 Our first online panel, Tanesha Grant
5 followed by NeQuan McLean.

6 Tanesha Grant.

7 SERGEANT-AT-ARMS: Starting time.

8 TANESHA GRANT: (INAUDIBLE) Hello, my name
9 is Tanesha Grant. I am the Executive Director of
10 Parents Supporting Parents, New York (INAUDIBLE)
11 Technology does not replace communication and family
12 engagement with (INAUDIBLE) The Department of
13 Education has taken an approach of putting important
14 information online. We must keep in mind that all
15 parents (INAUDIBLE) Can you hear me?

16 COMMITTEE COUNSEL JEAN-FRANÇOIS: Yes.

17 TANESHA GRANT: Okay. Sorry. And as we
18 see, we must keep in mind that all parents and
19 students cannot access that. As we see, remote
20 learning in February was a disaster. This is an issue
21 that parents and students are (INAUDIBLE) We heard
22 DOE say today that they have provided two million
23 devices. That's funny because our community-based
24 organization is still giving out devices to students
25 with their own computers and printers. High quality,

2 too. We don't do Chromebooks or iPads. For too long,
3 our students have been told they aren't good enough
4 to have their own laptops, and that's wrong. All our
5 children deserve digital access in a culturally
6 responsive holistic way. I want to say that there has
7 been no real effort since 2020 to build a good
8 learning system online. This is not the only piece.
9 Children like my son are being enrolled in online
10 college classes at school like Eagle Academy with no
11 communication with parents and no in-school support.
12 This is setting our children up to fail. We urge our
13 Chair of Education to continue to hold the Department
14 of Education responsible and accountable for the
15 horrible leadership displayed by the Department of
16 Education on the topic of remote learning. Parent
17 Supporting Parents New York will continue in our own
18 way to support our students and give as many students
19 as we can their own high-quality laptops and
20 printers. We will continue to advocate for wi-fi and
21 internet access for all our students and families. I
22 want to say that I am appalled to hear the Mayor
23 blame the failings of remote learning on parents. The
24 students and families of New York City deserve more,
25 much more, and we deserve a real apology for his

2 comments on that remote day. That's the end of my
3 testimony. Thank you so much for listening.

4 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
5 you so much for your testimony.

6 Our final panelist, NeQuan McLean, or
7 Francesca, if you are logged onto the Zoom and would
8 like to testify, please use the raised hand feature.

9 Not seeing any hands, that concludes our
10 virtual testimony.

11 We have one more in person panelist,
12 Paulette Healy. Please make your way to the front
13 table.

14 PAULETTE HEALY: Thank you so much for the
15 opportunity to testify today. My name is Paulette
16 Healy. I'm a member of the District 75 community and
17 a disability advocate. I'm raising two children with
18 disabilities, one of them being a District 75 student
19 in high school. I am submitting written testimony
20 with a lot more data than I will present to you
21 today, but I did want to amplify just a few things.
22 The digital gap that was in existence in New York
23 City with our families, it hasn't gone away so when
24 we're talking about having remote snow days, the wi-
25 fi-enabled laptops and Chromebooks that were given

2 during the pandemic, those contracts have expired so
3 they're no longer wi-fi-enabled, and families who are
4 struggling to either pay for wi-fi or pay for food on
5 the table, that shouldn't be a decision that that our
6 families should be making today, and these are the
7 kind of things that we need to continue to fight for
8 when the DOE is looking to take a monolithic type of
9 approach when it comes to climate control days that
10 our children are not able to go to school.

11 From a personal standpoint, my two
12 children that were home that day, one of them was
13 able to get on to remote learning no problem. The
14 other child could not get on to save his life, and
15 that's with constant contact with the school
16 administration and trying to get on, and 1,200
17 children from my child's high school were not able to
18 participate on that day, and quite honestly, they
19 shouldn't have had to, like it was a snow day. They
20 should have gone out and gotten on sleds and had
21 snowball fights because that's what they should be
22 celebrating when we have snow that's abundant enough
23 for us not to send our children to school.

24 I also wanted to resonate the sentiment
25 from the previous panel. Language access needs to be

2 an additional component. I think that if this is the
3 direction that we are going to take, we need to put
4 into policy that students with IEPs, their IEPs need
5 to be read in the beginning of the year, and that
6 consent for teletherapy should be sent in the
7 beginning of the year in anticipation of particular
8 snow days that may occur throughout the year. If we
9 do it in the beginning and we don't need to use it,
10 that's fine, it doesn't go anywhere, but if we are
11 scrambling to try to get consent the day before a
12 snow day happens, children are not going to get their
13 services, and when we're talking about services, that
14 includes an adaptation of material on Google
15 Classroom. If we're going to provide it in the
16 classroom on a smart board with the different
17 applications that are utilized or have the child with
18 their assistive technology device in the classroom,
19 then posting a worksheet on Google Classroom is not
20 going to service our children with IEPs, it's not
21 going to serve as our children who are not English
22 speakers and, quite honestly, it shouldn't take three
23 people to help one parent get a child logged on to
24 Google Classroom because they don't speak English.

2 Thank you so much for the time and thank you so much
3 for having this hearing. Appreciate it.

4 CHAIRPERSON JOSEPH: Thank you. Noted.

5 COMMITTEE COUNSEL JEAN-FRANÇOIS: Thank
6 you so much for your testimony.

7 If there's anybody else who wishes to
8 testify in person, please make your way to the
9 Sergeant-at-Arms' desk in the back.

10 That concludes our in-person testimony.

11 CHAIRPERSON JOSEPH: This concludes our
12 hearing. Thank you. [GAVEL]

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C E R T I F I C A T E

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



Date March 15, 2024