

**Testimony before the
New York City Council Committee on Higher Education and
Committee on Mental Health, Disabilities and Addiction
by
Denise B. Maybank, Ph.D.
Vice Chancellor for Student Affairs
The City University of New York
November 2, 2022**

Chairperson Eric Dinowitz, Chairperson Linda Lee and members of the Committee on Higher Education, and the Committee on Mental Health, Disabilities and Addiction, thank you for this opportunity to provide testimony before you regarding services for students with disabilities at the City University of New York (CUNY).

My name is Denise Maybank and I am honored to serve as the Vice Chancellor for Student Affairs for the City University of New York. I value the Committees' interest in and focus on the services and care for CUNY students. Your attention to how needs beyond the classroom are addressed is laudable and we are always appreciative of your partnership that provides support for the amazing students of CUNY.

I am accompanied today by two of our university student disability services experts, those best positioned to respond to your interests and questions. Joining me today are: Carrie Shockley, EdD – University Director for Disability Programs, and for the campus perspective, Raymond Perez – Director, Hostos Accessibility Resource Center. You will hear from them regarding specific programs and services made available to our students and the impact of some of those supports on the ultimate success of students with disabilities.

The Context

As the largest urban university in the nation, The City University of New York is described as a “transformative engine of social mobility that is a critical component of the lifeblood of New York City (www.cuny.edu/about).” An integral part of the University’s mission is the provision of services necessary to support the accomplishment of the academic goals of each student.

CUNY students deserve optimal circumstances in which to attain their goals and we position to support them in having meaningful and fulfilling experiences. We are committed to our students not merely surviving - but to them thriving through the CUNY experience.

During the 21-22 academic year, nearly 10,000 students registered with the offices of disability services across the university. Each campus has either an office or a staff member designated to assist students seeking services or accommodations to support their successful navigation of the CUNY experience.

The top three most frequently identified disabilities are:

Learning disability	34%
Mental health	21%
Physical including mobility	16.6%

To whet your appetite, I highlight for you a few of the ways in which CUNY engages with and on behalf of our student with disabilities:

Representation and Advocacy – Staff and students across the City University of New York actively serve as advocates for students with disabilities, for disability services and for disability rights. Among those specifically focused on these issues are the CUNY Coalition of Students with Disabilities (CCSD) and CUNY’s Council on Student Disability Issues (COSDI).

CCSD is one of the most active and visible student organizations representing students across CUNY. This is an amazing group of student leaders supporting their peers and educating our learning community about not only the needs of students with disabilities but more importantly, they educate us about the contributions and strengths of our students with disabilities.

COSDI is comprised of representatives from each of the campuses. COSDI publishes a Faculty Guide to Teaching College Students with Disabilities to assist faculty in successfully carrying out their central role in relation to the University’s commitment to providing access to students with disabilities. In the guide faculty will find the latest information about various types of disabilities, the functional limitations of students with these disabilities, recommended accommodations, and helpful suggestions on how to successfully meet students’ needs in the classroom and other college settings. COSDI also support the CUNY Assistive Technology Services (CATS) team of assistive technology specialists who provide a wide range of support services and tools to CUNY campuses ensuring consistent and state of the art assistive technology throughout the University.

Inclusive and Adaptive Sports – Established in 2017, Inclusive and Adaptive Sports provides opportunity for students with disabilities to compete in intercollegiate sports. The men’s and women’s wheelchair basketball teams have competed in the National Wheelchair Basketball Association championships. This expanded opportunity attracts students to CUNY offering beyond the classroom experiences that round out the total college experience for those with disabilities.

Work in Neurodiversity - As part of CUNY’s leading role in the movement to provide expanded access and services to neurodiverse students on the college campus, the Central Office of Student Affairs Disability Programs hosts the annual CUNY Neurodiversity Conference each year in March. CUNY’s two signature neurodiversity initiatives, Project REACH and CUNY Unlimited, engage stakeholders to share promising practices for supporting students while they’re in college and during transitions to and from campus. The conference attracts an international audience and throughout the pandemic had 400+ virtual participants.

Conclusion

Our work in disability and accessibility services is not merely about compliance and verification. Our work is about enhancing the lives of students with disabilities academically, personally and professionally. Our work is about advancing the knowledge and tools that matter for students with disabilities. Our work is about advocating for the policies, practices and resources that ultimately allow students with disabilities to thrive, while attending CUNY and into the future. We believe you can and will partner with us in this work as we go forward and as CUNY helps lift New York.

Now on to the tangible picture from those in the know...



Advocates for Children of New York

Protecting every child's right to learn since 1971

Testimony to be delivered to the New York City Council Committee on Higher Education and Committee on Mental Health, Disabilities and Addiction

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Re: Accommodations for College Students with Disabilities and Int. 660-2022

November 2, 2022

Thank you for the chance to testify today. My name is Juliet Eisenstein, and I am a staff attorney on Advocates for Children of New York's ("AFC's") Postsecondary Readiness Project. For nearly 50 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. We speak out for students whose needs are often overlooked, such as students with disabilities, students with mental health needs, students involved in the juvenile or criminal legal systems, students from immigrant families, and students who are homeless or in foster care.

We are here today to testify in support of Int. No. 660-2022, which would establish a program to provide transition services for students with disabilities entering higher education.

Students with disabilities often face obstacles to getting the accommodations and supports they need in college. While, in high school, Individualized Education Program ("IEP") teams are required to meet annually, at a minimum, to create appropriate programming for students with disabilities, in college the burden of responsibility shifts to the student to disclose that they have a disability and request accommodations. Often, students must advocate for the supports they need.

I have seen firsthand how difficult this transition can be for students with disabilities. Even the strongest of self-advocates can struggle to figure out who to turn to in order to get the accommodations they need to succeed in college. Take, for example, a student I will call Gabby. Gabby is diagnosed with several learning disabilities and worked very hard in high school to graduate with her Regents diploma. Gabby and her parent worked closely with Gabby's IEP team to make sure



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she received all the services and accommodations she needed throughout high school. When Gabby began attending Bronx Community College this fall, she knew she needed extra help and accommodations. Yet, she didn't know where to turn to for help, as she no longer had an IEP team. She began college without the accommodations she needed in place. While Gabby has now found an academic tutor, she is still struggling to advocate for extended time and other accommodations that she needs to be successful in her classes and has had to follow up many times with the office of disability services.

The program established by Int. No 660-2022 would help students like Gabby enter institutions of higher education with the necessary accommodations already in place. Int. No 660-2022 would help ensure students learn how to obtain accommodations at institutions of higher education and would allow them to consent to having the New York City Department of Education ("DOE") share their disability status with the college they will be attending. We are encouraged by the incorporation of student advocates in this bill, allowing students with disabilities entering college to see and feel that they have student allies they can turn to as they navigate new and often difficult experiences.

While we support Int. No 660-2022, we want to ensure the Mayor's Office for People with Disabilities, which would be tasked with implementation, takes full advantage of existing infrastructures. In the past several years, the DOE has opened Transition & College Access Centers ("TCACs") in each borough, which are specifically tasked with helping students with disabilities in New York City transition into post-secondary life. These centers, which have relationships with high schools across the City and conduct outreach to high school students with disabilities and their families, are not widely known by the general public. And yet, given their access to information and their staff's knowledge of special education, they can play an integral role in facilitating students with disabilities' transitions from high school to college. While the bill requires the Mayor's Office for People with Disabilities to consult with the DOE, we recommend that the bill specify the need for consultation and collaboration with TCACs to get the initiatives proposed in Int. No 660-2022 up and running. In addition, we recommend that the website and other outreach strategies required by the bill specifically include information about the services provided by the TCACs.

We look forward to working with you to ensure students with disabilities have the support they need to thrive after they leave high school. Thank you for the opportunity to testify. If you have any questions, I am happy to answer them.

**Testimony before the
New York City Council Committees on Higher Education
and
Mental Health, Disabilities and Addiction
by
Raymond Perez
Director of Disability Services & Veteran Affairs
Hostos Community College
November 2, 2022**

Good afternoon, Chair Dinowitz, Chair Lee and members of the Committees on Higher Education and Mental Health, Disabilities and Addiction.

My name is Raymond Perez, and I have worked at CUNY for 17 years, where Disability Services have always been part of my portfolio. I presently have the honor of serving as the Director of Disability Services at Hostos Community College for the last eight years, where I provide accommodations for over 600 students with disabilities in a given academic year. Students with Disabilities represent 10-12% of the overall enrollment at Hostos. This wasn't always the case. I am here today to share what Hostos and CUNY have done to become a prime destination for students with disabilities seeking to begin their college careers and how they are made aware of the services we provide at CUNY. The formula I will describe has led to an increase in enrollment of 287% after the first year of implementation at Hostos.

The journey begins with creating a Marketing/Recruiting plan specifically to recruit students with Disabilities. *The National Center for Education Statistics (NCES)* estimates that about 20% of students on college campuses have some form of disability, yet only 5-10% are registered with offices of Disability Services. Most college students are unaware of services specifically offered in the area of reasonable accommodations, and the responsibility is placed solely on them to register and activate their afforded accommodations. Much different from the experience of a recent H.S. graduate whose Individual Education Plan (IEP) has followed them through their academic career.

According to *The National Center for Education Statistics*, less than half of the universities nationwide mention campus disability services in their general materials. Moreover, only 39% of the schools provided information regarding reasonable accommodations as part of their recruitment package.

There is a great need for a marketing strategy to address recruiting students with disabilities in postsecondary education. Hostos and many of my colleagues throughout Disability Service offices at CUNY took on that challenge to close the gap, and establish CUNY as a leader in higher education and the provider of world-class accommodations.

I. Marketing outline

1. We established the Office Brand Name/Logo/Identity
2. We reviewed national trends emerging with disability identification (social model).
3. We developed focus groups of faculty, staff, and student leaders to understand students' accommodation needs and Universal Design best practices.
4. We created accessible marketing material.

II. Established target audience

1. Faculty/Staff
2. Students
3. Parents
4. High school college transitional counselors
5. Access-VR vocational counselors
6. Commission for the Blind
7. Community-Based outreach organizations

III. Created a marketing package that included the following

1. Meeting students where they are by using social media (Facebook, Twitter, TikTok and Instagram)
2. Informational flyer
3. Brochure
4. Student Handbook
5. Faculty Handbook
6. Digital version of an informational packets
7. Promotional items

IV. Developed a formal marketing strategy

1. Created a marketing script for presenting the services we have to offer
2. Revisited all informational material available for accuracy and pertinent information and accessibility
3. Updated the website to follow national best practices
4. Established a calendar of events to promote services on and off campus

These are just a few examples of Hostos taking an active role in recruiting students with disabilities that will lead to degree attainment and successful transition to employment.

My team and I at Hostos begin our student relationships pre-enrollment. We visit High Schools virtually and in person to talk about the College experience, academic programs, Career goals, extracurricular activities, how to pay for college, supportive services available, and accessing accommodations on a college campus. We do so in partnership with students, so student leaders always accompany my team. I am proud to serve as one of the Faculty Advisors for the CUNY Coalition for Students with Disabilities (CCSD). CCSD mission is to serve and represent students with disabilities that are enrolled at The City University of New York. They are dedicated to improving inclusion, access, leadership development, social and civic engagement opportunities, and fostering community among CUNY's nearly 10,000 students with disabilities.

**Testimony of
Carrie L. Shockley, EdD, University Director, Disability Programs
& Director of the JFK, Jr. Institute
before the
New York City Council Joint Committee on Higher Education & Mental Health, Disabilities and
Addiction
November 2, 2022**

Good afternoon, Chair Dinowitz and Chair Lee and members of the New York City Council Joint Committee on Higher Education and Mental Health, Disabilities, and Addiction.

Thank you so much for inviting us to testify at this afternoon's hearing on accommodations for students with disabilities at CUNY.

I'm Carrie Shockley, CUNY's Director for Disability Programs and Director of the John F. Kennedy, Jr. Institute. I am proud to testify along with CUNY's student-centered Vice Chancellor for Student Affairs, Denise Maybank and my colleague Raymond Perez, Director of the Accessibility Resource Center at Hostos Community College, whose portfolio includes students with disabilities, veterans, and support for CUNY's co-located wheelchair basketball team. We deeply appreciate the opportunity to discuss how students are informed of the accommodations process at CUNY as well as other initiatives we provide to support them academically, engage them socially, and help them prepare for post-graduation.

To connect with people who are considering CUNY, we conduct presentations on programming and services available to students with disabilities several times throughout the year. These presentations are done in collaboration with the CUNY Central Office of Admissions and with external partners that host college fairs specifically focused on people with disabilities. Campus based disability/accessibility offices also present on behalf of their campus and the university. These information sessions highlight the importance of connecting with the disability services office, how to connect with resources at the campus level, describe differences between an IEP and an accommodation plan as well as other resources available to students with disabilities.

Once on campus, in orientations across the university, new students are provided with information for the office of disability/accessibility and again encouraged to register. From the academic side, it is best practice for faculty to include a statement on their syllabus and course sites regarding how to receive reasonable accommodations from the disability/accessibility office and how to communicate their plan. Additionally, when faculty observe that a student may need support, they are asked to connect that student with the disability office.

As a form of self-advocacy, and a right to self-disclose, students initiate contact with the disability office. Currently there are nearly 10,000 students who have self-identified and are registered with our disability offices.

For those who are registered, demographically speaking, CUNY students with disabilities are:
40% Male; 60% Female
33% White; 28% Hispanic; 27% Black; 12% Asian

In Fall 2021, students with disabilities (84%) were majoring in:

- Liberal Arts and Sciences
- Health Professions and Related Programs
- Business, Management Marketing, and Related Support Services
- Psychology
- Visual and Performing Arts
- Computer and Information Sciences and Support Services
- Social Sciences
- Public Administration and Social Service Professions
- Education
- Homeland Security, Law Enforcement, Firefighting and Related Protective Services
- Biological and Biomedical Sciences
- Physical Sciences

Most frequently registered disability group:

Learning disability	34%
Mental health	21%
Physical including mobility	16.6%

Students with disabilities access notetaking, extended time for examinations, quiet rooms for test taking, sign language interpreting, captioning, and assistive technology which includes screen readers and reading and writing software among other accommodations.

CUNY has several initiatives that can support all learners including those with disabilities. Campus resources such as tutoring and writing centers provide essential support for all students; CUNY Start, Math Start, and ASAP are models which provide much needed wrap-around support for students. Faculty training in universal design in learning principles and technology that evaluates course sites for accessibility, helps support faculty in meeting students' needs.

There are also several programs that are designed to foster inclusion and campus membership. Project REACH (Resources and Education on Autism as CUNY's Hallmark) is a grant-based initiative funded by The FAR Fund. REACH is located at 8 campuses and provides no-cost additional layers of support to autistic students to assist with the transition to college life. Programming may include peer mentoring (group and/or individual), transition to college support, coaching services, workshops, and student interest groups. In addition, the Project REACH team hosts its annual Neurodiversity Conference where promising practices are shared by faculty, staff, students, and partners internal and external to CUNY.

Through a model called CUNY Unlimited, in partnership with the non-profit AHRC NYC and our colleagues at the New York City Department of Education's District 75, CUNY has developed an inclusive higher education program that allows students with intellectual disabilities (ID) to benefit equitably from our University's historic role as an engine of social mobility and independence for New York families. CUNY Unlimited will offer students with ID the opportunity to earn a U.S. DOE-certified meaningful credential, which verifies to employers that these students have achieved core competencies in basic literacy, civic engagement, independent living, and career readiness through their experiences at CUNY. The data indicate that CUNY Unlimited participants are employed at a rate 20 percent higher within 3

years of graduation than similarly situated individuals with ID who do not participate in inclusive higher education.

And lastly to prepare for employment, since 2008, CUNY LEADS (Linking Employment Academics and Disability Services) has helped CUNY students with disabilities gain the confidence and skills to achieve successful academic and career outcomes, both during college and after graduation. LEADS Advisors are located on each undergraduate CUNY campus to provide individualized career guidance and resources for students preparing to enter the workforce. In addition to employment readiness support, there is a monthly online learning community in which partnering employers include non-profit organizations, private companies and public agencies share employment opportunities and pathways to employment. Guest speakers and invited guests present initiatives focused on hiring people with disabilities. There are also LEADS job developers who recruit employers and communicate opportunities to students. We recently implemented a student career management system and will have more data on internship and job types, interview, and placements in the coming months.

To support the current student population with more comprehensive services, there are a number of obstacles must be overcome.

- For students with physical disabilities, many are challenged by inaccessible spaces. More upgraded campus spaces are necessary that meet all of students' needs academically, socially, and physically.
- Disability services offices across the University report that they are under-resourced.
- We often encounter adult learners who have never received an evaluation or have documents that are quite out of date and cannot afford a new one. An investment in professionals, possibly at CUNY, who could provide low-cost, or no-cost services would be one way to address this.
- Project REACH has been grant funded for more than 10 years. Over the past four years, our neurodiverse population has increased by at least 50%. As our neurodiverse population increases steadily, we are unable to take this support model to scale across the University. An additional \$100,000 would fund an additional 3-5 micro-projects and increase program capacity by 75%.
- CUNY Unlimited has four unfunded DOE/D75 models which leave these programs in a delicate position on the partnering campuses. To expand CUNY Unlimited programs for our students with intellectual disabilities in all five boroughs, the cost of this CUNY/DOE initiative would be less than \$1 million, annually. A pilot project at 2 campuses for \$250,000 would formalize the credential and open opportunities for academic, social, and vocational experiences.

We are grateful to New York State for providing designated resources for students with disabilities. Additional assistance from our City partners would be greatly appreciated and help us provide more services to our students.

For the campus perspective, I would like to introduce my colleague Raymond Perez, Director of Accessibility Resource Center at Hostos Community College. Thank you for your commitment to access and opportunity for CUNY students with disabilities.

TESTIMONY

The Legal Aid Society
to
The New York City Council

Joint Meeting of the
Committee on Higher Education
And
Committee on Mental Health, Disabilities and Addiction

Oversight: Meeting the Needs of Students with Disabilities

November 2, 2022

Presented by:
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The Legal Aid Society thanks Chairperson Dinowitz, Chairperson Lee, as well as the entire Committee on Higher Education and the Committees on Mental Health, Disabilities and Addiction for holding this hearing focusing on meeting the needs of students with disabilities who are transitioning to higher education.

The Legal Aid Society is the nation's largest and oldest provider of legal services to low-income families and individuals. From offices in all five boroughs, the Society annually provides legal assistance to low-income families and individuals in some 300,000 legal matters encompassing three practice areas: the Criminal Defense Practice (CDP), the Civil Practice (CP), and the Juvenile Rights Practice (JRP). Our Criminal, Civil and Juvenile practices all engage in special education advocacy for children and young people with disabilities.

Our Juvenile Rights Practice provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare. Our Juvenile Rights staff typically represents more than 33,000 children each year. A very significant percentage of these are children who have disabilities.

Our Criminal Practice handled nearly 220,000 cases for clients accused of criminal conduct last year. Many thousands of our clients with criminal cases in Criminal Court and Supreme Court are school-age teenagers and young adults with disabilities who need and are entitled to receive appropriate educational services.

Our Civil Practice works on more than 52,500 individual legal matters each year, including representing children and adults with disabilities through the Disability Advocacy Project and the Education Law Practice.

In addition to representing these children each year in trial and appellate courts, the Legal Aid Society also pursues impact litigation and other law reform initiatives on behalf of our clients. Our

perspective comes from our daily contacts with children, adolescents, and their families, and also from our frequent interactions with the courts, social service providers, and city agencies including the NYC Department of Education (DOE), NYC Department of Health and Mental Hygiene (DOHMH) and the NYC Administration for Children's Services (ACS).

The Legal Aid Society represents children with disabilities through two projects, the Kathryn A. McDonald Education Advocacy Project and the Education Law Project at The Legal Aid Society. We represent young people with disabilities and parents of such kids who are not getting the supports and services they deserve under the law.

Int. No. 660

The Legal Aid Society strongly supports the driving force of this bill – helping adolescents and young adults with disabilities transition to college. This is certainly an area where our society has failed kids with disabilities in the past. The failure to provide young people with disabilities with the support that they need to successfully transition from high school to college or the workforce carries lifelong consequences. We encourage any efforts to build this bridge so young people with disabilities do not feel like they are walking off a cliff upon graduation. We also know that students of color make up a disproportionate percentage of students identified as having disabilities in New York City, so this failure heavily impacts specific communities.

The Individuals with Disabilities Education Act and accompanying federal and New York State Regulations require the New York City Department of Education (“DOE”) to provide students with disabilities with transition planning and services designed to prepare a student with a disability to achieve his or her post-secondary goals related to living, learning and earning within

the community. (See 8 NYCRR 200.4 (d)(ix)). Unfortunately, the DOE often fails in this vital mandate.

Although we endorse the spirit of the proposed bill, we think there are significant changes that should be made in order to (1) streamline this process by eliminating the superfluous bureaucracy it proposes to create and (2) ensure that nearly *all* young people with disabilities will be able to take advantage of its measures by including youth who go into continuing education or the workforce instead of to higher education after graduation and young adults who might take a year or two off after graduation, come back and need transition assistance.

I. Streamlining the Process:

The proposed bill would create a new program, under the Mayor's Office of People with Disabilities, the mission of which would be to help students with disabilities obtain accommodations at institutions of higher learning. Under this program, there would be a system developed to share information between the Department of Education (DOE) and colleges and universities. The program would also create "student advocates," whose role would be to assist students in navigating the transition process. There are also provisions that would require this program to be amply publicized and to also track data about its participation rate and effectiveness.

We applaud the City Council's efforts to ensure that the city implement processes to ensure that New York City achieves the objective of easing the transition of students with disabilities to higher education; however, we do not see a need for an entirely new layer of bureaucracy to be created under the Mayor's Office for People with Disabilities – particularly when the DOE already has a legal obligation to provide transition services and planning to students with disabilities.

Our concern is that this new office is being created to do a job that the DOE is already legally required to do. Rather than insisting that the DOE comply with the law and provide the

transitional services to ensure student success as they move into higher education, the bill would create a new office whose function would be to do the DOE's job. Under existing law, it is the DOE's responsibility to provide transition services and the creation of a new office would not only overlap with the DOE's responsibility but also give the DOE a place to "pass the buck" when they fail to provide the required transition services. Rather than requiring that the DOE do the work that they are already required to do (and giving them the funding necessary to have sufficiently trained guidance counselors, transition specialists and student advocates), it would use resources that could be invested in some other important initiative to create a whole new office under the Mayor's Office of People with Disabilities.

The goal could be significantly streamlined if this new program were simply part of the DOE. In fact, many elements of this program are already built into the Individual Education Plans (IEPs) of students with disabilities. Much of this transition work is supposed to be done pursuant to the Measurable Postsecondary Goals and Coordinated Set of Transition Activities sections of students' IEPs. As advocates, we see a lot of IEPs. However, very often we see that these sections are either not filed out at all or the filled with boilerplate language which reveals that no specialist was actually providing the coordinated set of services and supports that students with disabilities need for a successful transition to higher education, vocational education or employment. If more focus was put on giving teeth to these provisions and bolstering transition services within local schools and at the DOE's Transition and College Access Centers ("TCACs"), which are in every borough, there wouldn't be a need for a new program such as the one proposed in the bill. The already existing TCACs serve both students with disabilities transitioning to higher education, and young adults who have graduated and who wish to apply to college after a break in their educations. Unfortunately, the existence of these centers has not been well advertised and many families, and

sometimes even school staff, do not know they exist. Instead of spending funds on a campaign to promote a *new* program, these funds would be better spent publicizing an office that already exists (and that we suspect is underutilized because of the lack of publicity).

Likewise, the “student advocates” created under the proposed bill should also be part of the DOE instead of a different program and should be directly affiliated with individual schools and TCACs. Although the bill is unclear on what the specific duties of the student advocates would be, it seems that they are meant to have similar duties as a traditional school guidance counselor. The DOE could directly hire the student advocates and have them work specifically on transition issues for kids with disabilities within individual schools and/or through the TCACS.

We are in full support of hiring additional staff to support kids with disabilities, but we strongly feel these advocates should be on the ground working with students at individual schools and TCACs as part of the DOE, instead as part of a new office. In summary, we feel that creating this new office is not the best use of resources in trying to achieve the goal of smoothing out the transition process for kids with disabilities. In fact, it has the potential to create more confusion and roadblocks with respect to what is next for these kids after graduation.

II. Making the Program Maximally Inclusive:

Another way this proposed bill could be improved would be by making the transition program imagined in the bill applicable to nearly all students with disabilities and not only those who are going to institutions of higher learning or who are just graduating high school.

A. Accommodations in Vocational Programs or Employment

A very large segment of the students with disabilities with whom we work do not go to an institution of higher learning – at least not immediately after graduation. Many of them are more interested in continuing in the workforce than going to college. Also, as we know, regardless of the accommodations they receive, college (and the large student debt accumulated by some students) is not the best option for every young person. Without including other possible pathways after graduation, this bill will perpetuate the view that higher education is the gold standard and support the stigma surrounding skills-based professions that do not require a college degree.

Young people who are entering vocational educational programs or the workforce often need accommodations and transition services. Accommodations in a vocational/trade program can often mean the difference between success and failure for a young person with a disability. Moreover, many trades require certification tests for licensing. Many young people with disabilities do not know they may be entitled to accommodations on these exams, and would benefit from an advocate’s help in obtaining such accommodations. We are concerned that this bill only focuses on students with disabilities who plan to attend college.

B. Young Adults Need Transition Assistance After Leaving High School

The definition of “student with a disability” in the proposed bill only includes students with disabilities who are graduating from high school. It seems this only includes youth who are transitioning to higher education immediately after they graduate high school. We suggest a modification of the bill to provide assistance to any young person with a disability that needs transition help, whether it is immediately after they graduate or a year or so after they do so, much as the current TCACs already offer. Students with disabilities are entitled to attend school until the year in which they turn 22 years old. So, if a student graduates at 18, or earns a high school equivalency diploma, and later decides to enter college or attend a vocational program, they should

still be eligible to take advantage of transition services through the DOE. In this scenario, it would make most sense for these students to seek such services at the TCAC in their home borough.

Conclusion

We thank Chairperson Dinowitz, Chairperson Lee, as well as the entire Committee on Higher Education and the Committees on Mental Health, Disabilities and Addiction Committee on Education for their attention to the needs of students and young adults with disabilities and for recognizing their right have proper transition services including a coordinated set of activities to facilitate movement from school to post-school life that enables them to achieve their post educational goals, whether that be higher education, vocational education or employment.

Many thanks for the opportunity to provide testimony. We are happy to answer any questions you may have.

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NYLPI

**JUSTICE THROUGH
COMMUNITY POWER**

**Testimony of
Christopher Schuyler, Senior Staff Attorney
New York Lawyers for the Public Interest, Disability Justice Program
To the New York City Council
Committee on Higher Education and
Committee on Mental Health, Disabilities and Addiction
Regarding Int. No. 0660-2022 and
Accommodating College Students with Disabilities
November 2, 2022**

Good afternoon,

My name is Christopher Schuyler, and I'm a Senior Staff Attorney with the Disability Justice Program at New York Lawyers for the Public Interest (NYLPI). As a person who stutters, among the invisible disabilities referenced during today's hearing, I am personally invested in the issue of improving the accommodations process for college students with disabilities. NYLPI has recently ramped up its work securing accommodations for college students and individuals taking licensing exams.

NYLPI supports the goals of Int. No. 0660-2022 (Int. No. 660) which requires the Mayor's Office for People with Disabilities (MOPD) to establish a program to help high school students with disabilities who are graduating in the current school year to obtain accommodations at institutions of higher education. *See* November 2, 2022 Committee Report of the Legislative Division (Committee Report). As part of this program, MOPD will (1) develop and implement a system of shared information with institutions about students' special education services, (2) provide students with student advocates for related supports, (3) conduct outreach on the program, and (4) annually submit a report on the program and the outreach to the Mayor and the Speaker of the Council and post it on its website. *Id.*

As the Committee Report makes clear, college students seeking accommodations are largely on their own, in contrast to the assistance many received earlier in their academic careers. Seeking accommodations can be a dizzying process, with mountains

of paperwork, doctor's appointments, endless messages to their college's disability services offices, and when necessary, appealing denials. It is also an extremely stressful process for students with disabilities, given the stakes at hand. In many cases, without accommodations, they may be unable to continue schooling.

NYLPI recently worked with a student who is immuno-compromised, and due to her fear of contracting Covid, requested that the college permit her to continue pursuing her degree remotely. Though she submitted voluminous doctors' records diagnosing her condition, her college initially denied her request. Distraught, and without knowing where to turn, this individual came to NYLPI. Fortunately, after negotiations, the college granted the student's request. Given that Covid has made clear how effective remote schooling can be, this process should not have been so difficult.

NYLPI supports Int. No. 660 as it will lead to greater representation of students with disabilities in college classrooms, and later in the workplace. Expanded disability representation in colleges is crucial because, among other reasons, (1) diverse academic environments, which include people with disabilities, are more dynamic, (2) people with disabilities are historically underrepresented in classrooms and underemployed in the workplace, (3) increased representation will lead to reduced bias and stigma against people with disabilities, particularly people with disabilities who also belong to racial and other minority groups, (4) increased representation will, in turn, lead to more people with disabilities electing to self-identify, and (5) greater numbers of college-educated people with disabilities entering the workforce will improve the economy by expanding the taxpayer base and reducing the numbers of people with disabilities receiving government benefits.

In addition, NYLPI encourages implementation of the following suggestions:

- MOPD needs to ensure that colleges simplify their accommodation request processes and remove needless barriers, including with respect to appeals.
- MOPD must regularly meet with stakeholders and advocates, including NYLPI and Disability Rights New York (New York's Protection and Advocacy office), to discuss its efforts with respect to this program.
- MOPD's annual reports must include information about denials of accommodations, while maintaining student anonymity.
- MOPD must ensure that Covid-related accommodations, including remote schooling, are more freely granted.

Finally, we urge the Council to exercise robust oversight over MOPD as it develops and implements its program.

Thank you for hearing my testimony today. Please feel free to reach out to me with any questions.

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About New York Lawyers for the Public Interest

For over 40 years, NYLPI has been a leading civil rights and legal services advocate for New Yorkers marginalized by disability, race, poverty, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, organizing, and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, secure environmental justice for low-income communities of color, create equal access to health care, ensure immigrant opportunity, and strengthen local nonprofits.

About NYLPI's Disability Justice Program

NYLPI's Disability Justice Program has long fought for equal access to education for people with disabilities, including recent wins with securing accommodations for college students and law school graduates seeking professional licenses. These recent wins are built on foundations laid by our historical efforts in this area, including with the landmark case, Bartlett v. NY State Bd. of Law Examiners, 156 F.3d 321 (2d Cir. 1998), and other earlier actions.

YOUNG INVINCIBLES

Ameema Wasim

Committee on Mental Health, Disabilities & Addiction

Good Afternoon everyone. My name is Ameema Wasim. I am a sophomore at the John Jay College of Criminal Justice and a member of Young Invincibles' Young Advocates Program. Young Invincibles is a national nonprofit organization committed to amplifying the voices of young adults, ages 18-34, & expanding economic opportunity for our generation. I want to express my gratitude to the New York City Council, particularly the Committee on Higher Education and Committee on Mental Health, Disabilities, and Addiction, for giving me the chance to speak at today's meeting. I am here to discuss my challenges with ADD and how I've restructured my entire life to accommodate it.

The inattentive form of ADHD known as ADD is characterized by symptoms like disorganization, forgetfulness, and lack of focus. It has played a crucial role in my life, affecting my education and my personal life. I did exceptionally well in school as a child, frequently surprising all of my teachers. The material was really challenging as my classes got harder and I grew older. I was questioned by the doctor who was diagnosing me, "Were you a lousy student?," to which I responded, "No." Following his undermining, he then dismissed my case.

In all, CUNY has 2,256 students in other degree-credit programs and 585 students who fit the mental health category of disabilities and are enrolled in occupationally relevant programs. For CUNY 2-Year, there are 524 students in occupationally-specific programs who qualify for the mental health category of disabilities and 552 students in other degree credit-programs. Finally, there are 1,704 other degree programs and 61 occupationally-specific programs at CUNY 4-Year + Graduate School.

There are way too many students that have to deal with this consistently and maintain grades that could result in academic challenges. I am not the only student that failed a test because I was unable to finish my studying due to the inability to pay attention. I know I'm not the only student who struggles to do the everyday tasks that are necessary to keep me alive as I question how I am going to complete them.

This is why it's essential to create an on-campus facility, spaces, and resources for students who are dealing with ADD and ADHD. A safe place inside a demanding educational environment can be consoling, improve academic performance, and boost retention rates for students struggling to perform well while managing common mental health challenges that are accompanied by ADHD, such as learning disabilities, anxiety, and depression. By providing these programs on campus in addition to counseling, it gives students a place to practice juggling their academic obligations with their personal life. Even if they are provided with the proper medication, it can teach them fundamental techniques for time management because habits are sometimes more difficult to alter.

YOUNG INVINCIBLES

I would like to thank the members of the council once again for hearing my viewpoint and providing me with the platform to advocate for change.

THE COUNCIL *CUNY Panel 1 of 3*
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/2/22

(PLEASE PRINT)

Name: Denise Maybank, Vice Chancellor for

Address: CUNY Student Affairs

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

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in favor in opposition

Date: 11/2/22

(PLEASE PRINT)

Name: Michelle Horkley

Address: 85 Street Elmhurst NY 11369

I represent: The City University of New York

Address: 555 W. 57th St, 14th Fl NYC 10019

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(PLEASE PRINT)

Name: Raymond Perez

Address: Tottenham Rd Lynbrook, NY 11563

I represent: CUNY Hostos

Address: 500 Grand Concourse Bx, NY

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Date: 11/2/22

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Name: Karl Wilkerson

Address: Bath St

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in favor in opposition

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(PLEASE PRINT)

Name: Emily Sweet, MOPD

Address: 100 Cold St

I represent: MOPD

Address: _____

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