

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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July 21, 2023
Start: 1:15 p.m.
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HELD AT: COMMITTEE ROOM - CITY HALL

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

COUNCIL MEMBERS:

Alexa Avilés
Carmen N. De La Rosa
Eric Dinowitz
Oswald Feliz
James F. Gennaro
Jennifer Gutiérrez
Shahana K. Hanif
Kamilah Hanks
Shekar Krishnan
Linda Lee
Farah N. Louis
Julie Menin
Mercedes Narcisse
Lincoln Restler
Pierina Ana Sanchez
Lynn C. Schulman
Althea V. Stevens
Sandra Ung
Vickie Paladino

A P P E A R A N C E S

Kenyatte Reid
Executive Director within the Office of Safety
and Preventive Partnerships

Robin Davson
Executive Director of School Culture and Climate
within the Office of Safety and Preventive
Partnerships

Mary Shamon
Director of Crisis within the Office of Safety
and Preventive Partnerships

Katie Jedrlinic
Chief of Staff for the Division of Family and
Community Engagement and External Affairs at New
York City Public Schools

John Hammer
New York City Public Schools

Dr. Jackie Cody

Hannah Mercuris
Brooklyn Defender Services

Chantal Hinds
Policy Entrepreneur at Next100

Mike Porcelli
Mechanic

David Adams
CEO of the Urban Assembly

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

Erika Palmer
Advocates for Children

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2 SERGEANT AT ARMS: This is a microphone check for
3 the Committee on Education recorded on July 21, 2023
4 located in the Committee Room recorded by Nasli
5 Petuvie(SP?).

6 SERGEANT AT ARMS: Good afternoon and welcome to
7 today's New York City Council Hearing on the
8 Committee on Education. If you wish to submit
9 testimony, you may at testimony@council.nyc.gov.

10 Once again, that's testimony@council.nyc.gov. At
11 this time, please silence all electronic devices.

12 Just a reminder, no one may approach the dais at any
13 point during this hearing. Chair, we are ready to
14 begin.

15 CHAIRPERSON JOSEPH: Good afternoon and welcome
16 to the Education hearing. [GAVEL] Good afternoon.
17 I'm Council Member Rita Joseph, Chair of the
18 Committee on Education. Thank you for joining us
19 today for this hearing on legislation. We will hear
20 seven pieces of legislation including Intro. Number
21 121, sponsored by Council Member Rafael Salamanca Jr.
22 A local law in relations to requiring the Department
23 of Education to report annually on the number of
24 teachers, administrators and school staff who have
25 completed therapeutic crisis intervention in schools

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2 training. Intro. Number 857, sponsored by myself, a
3 Local Law in relations to expanding disaggregated
4 data in Department of Education reporting including
5 metrics on students in foster care.

6 Many DOE reports do not include disaggregated
7 data on students in foster care or students in
8 temporary housing. More data will allow for greater
9 oversight and analysis on serving city's most
10 vulnerable students.

11 Intro. 928, sponsored by Council Member Kamillah
12 Hanks, a Local Law in relations to requiring
13 Department of Education to report on funding for
14 restorative justice programming and services.

15 Resolution Number 422, sponsored by Council
16 Member Vickie Paladino, a Resolution calling upon the
17 New York City Department of Education to expand
18 career connected learning programs and opportunities
19 at all public high schools. Resolution Number 444-A
20 sponsored by myself, a resolution calling on the New
21 York State Legislature to introduce and pass, the
22 Governor to sign, legislation requiring all district
23 leadership team to operate under open meeting law
24 requirements, requiring district leadership teams to
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2 operate under the open meeting law would provide for
3 greater transparency in the state education process.

4 Resolution Number 445-A, sponsored by myself, a
5 Resolution calling upon New York State legislature to
6 introduce, pass, and the governor to sign legislation
7 requiring district leadership team and school
8 leadership team to include student representative.

9 A student representative appointee would offer
10 district leadership and school leadership teams to
11 include perspective of those impacted by its work and
12 lastly, we will hear Resolution Number 446-A also
13 sponsored by myself, a Resolution calling upon the
14 New York State legislature to introduce and pass, the
15 governor to sign legislation establishing a citywide
16 leadership team is one step toward ensuring equity by
17 having students voices, parent voices represented in
18 all education decision making spaces.

19 Thank you to the advocates, members of the public
20 who are joining us today and thank you to the
21 representative from the administration for joining
22 us. I would like to thank the Education Committee
23 including Nadia Jean-Francois, Jan Atwell, Chloe
24 Rivera, Elizabeth Hoffman, Alia Ali, Monica Saladi
25 and Nia Hyatt.

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2 I'd like to remind everyone who wishes to testify
3 in person today, you must fill out the witness slip,
4 which is located on the desk of Sergeant at Arms near
5 the entrance of this room. Please indicate on the
6 witness slip whether you're here to testify in favor
7 or in opposition to a bill or multiple bills.

8 I also want to point out that we will not be
9 voting on any legislation today to allow as many
10 people as possible to testify. Testimony will be
11 limited to three minutes per person whether you're
12 testifying on Zoom or in person. I'm going to ask my
13 colleagues to limit their questions and comments to
14 five minutes. I will turn to Council Member Hanks
15 for remarks on Intro. 928, and then finally, I'll
16 turn to Council Member Vickie Paladino for remarks on
17 Reso. 422. Now, I'll turn it over to Committee
18 Counsel to Administer the oath.

19 COUNCIL MEMBER HANKS: Thank you so much Chair
20 Joseph. Thanks for providing me with the opportunity
21 to discuss the importance of my bill Intro. 928. This
22 bill is significant to me because as our city strives
23 to explore alternatives to incarceration and foster
24 improved police community relations, it is imperative
25 that we place a strong emphasis on prioritizing

1 funding for restorative justice. Restorative justice
2 is an approach to discipline that goes beyond mere
3 punishment. It focuses on repairing harm, promoting
4 learning and fostering community involvement. This
5 program creates a more compassionate and effective
6 system that addresses the root causes of wrongdoing
7 and encourages personal growth and responsibility.
8 Therefore, it is important to recognize that
9 restorative justice in schools play a pivotal role in
10 reducing suspensions, school-based arrest and other
11 forms of punitive discipline. Such disciplinary
12 measures often disproportionately effect students
13 from marginalized communities.
14

15 So, this bill Intro. 928 is a comprehensive
16 reporting bill that aims to ensure the effectiveness
17 of restorative justice programs. It will provide the
18 transparency to determine whether school, restorative
19 justice-based programs funding is impactful or could
20 be reallocated to be more effective.

21 Under this bill, schools will be mandated to
22 report on specific types of programming and services
23 they offer and whether the students are actively
24 utilizing programs and services by tracking and
25 monitoring these resources. We can ensure that they

1
2 are being allocated appropriately and effectively. I
3 firmly believe that by enacting Intro. 928, we will
4 contribute to the remarkable progress our city has
5 already made in fostering safer, more inclusive and
6 welcoming school environments. Thank you Chair
7 Joseph.

8 CHAIRPERSON JOSEPH: Thank you Council Member
9 Hanks. I'd like to turn over now to Council Member
10 Paladino for her remarks on Reso. 422.

11 COUNCIL MEMBER PALADINO: Thank you and good
12 afternoon. I appreciate the opportunity Chair
13 Joseph. This is about vocational learning and
14 bringing it back to our public high schools. This is
15 clearly a bipartisan bill and a good example of
16 legislation that can bring all of us together, no
17 matter what the party affiliation.

18 Public high schools should provide students with
19 vocational opportunities. Students who are active
20 and kinetic learners benefit from vocational learning
21 opportunities. High demand career opportunities,
22 such as the culinary arts, cosmetology, mechanics,
23 carpentry, electrical, heating, plumbing,
24 architecture as well as agriculture and training in
25 those fields open doors up to opportunity to students

1
2 of all backgrounds and offer good paying jobs and
3 skills and also starts then into a road of
4 entrepreneurship.

5 A cooperative model which interrogates academics
6 and skill-based training can be very successful.

7 Schools can partner with local businesses. This is
8 what they used to do years ago. It was called the
9 cooperative learning, where you went to school for a
10 couple of weeks and you worked a couple of weeks.
11 Great opportunity for the kids. Schools could
12 partner with local businesses and/or colleges to
13 receive training.

14 Parents need to get more involved and meet with
15 their school guidance counselor and to discuss the
16 options for the child. It's not a one size fits all
17 here. This is differentiated learning at its finest.
18 Students in their junior and senior years of high
19 school may not have an interest in art or music,
20 which most are required to take. Skill based trade
21 opportunities must be an option for students as an
22 alternative to traditional elective causes. Students
23 should be involved with their classroom and
24 instructional methods.

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COMMITTEE ON EDUCATION

This will improve the learning experience and the social and emotional development of our kids. So, I just want to give them another pathway. I think it's something we used to do years ago; it needs to be brought back. So, thank you very much for this opportunity.

CHAIRPERSON JOSEPH: Thank you Council Member Paladino and now, I'd like to acknowledge my colleagues, Council Member Louis, Council Member Dinowitz, Council Member Avilés, Council Member Gutiérrez, Council Member Hanks, Council Member Narcisse, Stevens and Paladino. Thank you for being here.

COMMITTEE COUNSEL: I will now administer the oath. If you could please raise your right hand. Do you affirm to tell the truth the whole truth and nothing but the truth before this Committee and to respond honestly to Council Member questions? Kenyatte Reid?

KENYATTE REID: I do.

COMMITTEE COUNSEL: Robin Davson?

ROBIN DAVSON: I do.

COMMITTEE COUNSEL: Mary Shamon?

MARY SHAMON: Yes.

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2 COMMITTEE COUNSEL: I'm sorry Mary, okay, thank
3 you. Katie Jedrlinic?

4 KATIE JEDRLINIC: Yes.

5 COMMITTEE COUNSEL: And John Hammer?

6 JOHN HAMMER: Yes.

7 COMMITTEE COUNSEL: Thank you. You can go ahead
8 and begin your testimony, sorry.

9 KATIE JEDRLINIC: Hello, can you hear me? Great.
10 Good afternoon Chair Joseph and members of the
11 Education Committee here today. My name is Katie
12 Jedrlinic and I am the Chief of Staff for the
13 Division of Family and Community Engagement and
14 External Affairs at New York City Public Schools,
15 thank you.

16 Thank you for the opportunity to discuss Intro.
17 Number 857, to expands the reporting requirements in
18 several existing local laws to include reporting on
19 students in foster care. We know that these students
20 face many challenges outside of school and require
21 help dedicated to their needs in school. We share
22 the Council's commitment to ensure that students in
23 foster care receive all the support they need to
24 succeed, and we would especially like to thank Chair
25 Joseph for her leadership in this area.

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2 Thanks to the advocacy and leadership of the City
3 Council, New York City Public Schools now has an
4 office exclusively dedicated to supporting the needs
5 of students in foster care. The Office of Foster
6 Care seeks to meet the complex needs of students in
7 foster care by developing innovative policies to
8 support schools. This office is a subset of our
9 current Students in Temporary Housing team under the
10 Office of Community Supports and Wellness, this is a
11 natural fit because it draws from existing knowledge,
12 resources, and capacity, and they are best positioned
13 to make a substantial and positive impact on students
14 in foster care.

15 The Foster Care office has worked and engaged
16 with both internal and external partners to best
17 support students in foster care. The team has worked
18 collaboratively with the New York City Administration
19 for Children's Services and foster care agencies to
20 ensure that students who were promotion in doubt or
21 students who were recommended for summer enrichment
22 were quickly enrolled in the Summer Rising Program.

23 Additionally, the Foster Care team partnered with
24 ACS Children Center to provide enrichment programming
25 to students awaiting a Foster Care placement. We

1
2 partnered with the Ackerman Institute to deliver
3 trauma training specific to the needs of foster care
4 students to Bridging the Gap Social Workers,
5 Designated Liaisons, ACS Social Workers, and School
6 Counselors. The Foster Care Team has also been
7 partnering with different vendors and community
8 partners to provide targeted mentoring supports,
9 educational enrichment, and access to college and
10 post-secondary readiness opportunities for students
11 in Foster Care.

12 We look forward to Chair Joseph meeting the
13 Executive Director of the office in a forthcoming
14 meeting.

15 Offices have worked collaboratively to ensure
16 effective engagement with the adult responsible for
17 academic decisions for a student in foster care. In
18 early fall of 2022, New York City Public Schools,
19 particularly our Special Education Office,
20 collaborated with ACS and our advocacy partners and
21 released the Guidelines and Procedures for the
22 Assignment of Surrogate Parents, comprehensive update
23 to guidance for school and agency staff on how to
24 identify which adult in the life of a student with a
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2 disability has the authority to make education
3 decisions on their behalf.

4 It also describes the circumstances when a
5 surrogate parent must be assigned. This is
6 especially important in the context of special
7 education, where parental consent for initiation of
8 evaluation and services is required. Often there are
9 questions about the status of the students foster,
10 birth, or adoptive parent rights with respect to
11 providing this consent. This updated guidance also
12 includes detailed information on the role,
13 responsibilities, and expectations of surrogate
14 parent volunteers.

15 As a follow-up to the guidance released last
16 autumn and based on feedback we've received from the
17 field and Advocates for Children, we are again
18 working with our ACS and advocacy partners to update
19 this guidance with information about efforts that
20 must be taken when a birth and adoptive parent cannot
21 be easily located.

22 I'd now like to turn to the proposed legislation.
23 Intro. Number 857 expands disaggregated data in New
24 York City Public Schools reporting to include metrics
25 on students in foster care. Reporting data on

1
2 students in foster care and temporary housing a
3 welcome addition to our reports. It presents an
4 opportunity to shine a light on how New York City
5 Public Schools serves our most vulnerable
6 populations. Tracking this data will help the New
7 York City Public Schools to better support schools in
8 understanding the impact of foster care or housing
9 insecurity on our students, provide professional
10 learning specific to the needs of these populations
11 to our staff, and design multi-tiered systems and
12 supports to address these students' distinctive
13 needs.

14 We fully support the legislation to increase
15 transparency about foster care students, some of our
16 most vulnerable children and we look forward to
17 working with the Council.

18 ROBIN DAVSON: Good afternoon Chair Joseph and
19 all of the members of the New York City Committee on
20 Education here today. My name is Dr. Robin Davson
21 and I am the Executive Director of School Culture and
22 Climate within the Office of Safety and Preventive
23 Partnerships. I am joined here today by Kenyatte
24 Reid, Executive Director and Mary Shamon, Director of
25 Crisis. Thank you for the opportunity to discuss our

1
2 ongoing efforts to ensure that all schools are
3 provided a safe and supportive learning environment
4 for students and staff. Under the leadership of
5 Chancellor David Banks, the safety and well-being of
6 our students is a top priority for New York City
7 public schools. Together, we are committed to
8 ensuring that all New York City Public School
9 students and staff experience complete safety at
10 school. This encompasses physical, emotional,
11 psychological, and social safety for all students and
12 staff. Complete safety is about ensuring the
13 intentional presence of safety in the form of
14 trusting relationships, equity, affirmation,
15 compassion, dignity, and respect.

16 Through positive, supportive interventions and
17 programming, we aim to equip New York City Public
18 Schools with practice, support systems, and resources
19 to ensure complete safety resulting in a reduce
20 adverse student behavior and an increase academic and
21 pro-social world. Over the years, we have worked
22 closely with advocates and other stakeholders to make
23 significant strides toward creating a supportive
24 learning environment for all of our students through
25 our safety procedures and protocols.

1
2 Justice Action Team, which is responsible for
3 developing and implementing the Restorative Justice
4 Action Team Plan, co-facilitate youth circles, serve
5 as peer mediators, co-facilitate and co-lead the
6 annual Youth Summit event.

7 Restorative Practices focus on fostering
8 community to prevent conflict and encourage youth to
9 accept responsibility to repair the harm created by
10 the behavior that was exhibited. Restorative
11 Practices mission within the Office of Safety and
12 Prevention Partnerships is to disrupt and dismantle
13 systematic practices detrimental to the academic and
14 social emotional role of students. Restorative
15 Practices have been scientifically proven to reduce
16 suspension rates, increase school attendance, and
17 reduce disproportionality for our marginalized
18 populations.

19 In New York City Public Schools, Restorative
20 Practices are implemented on a tiered approach
21 ranging from pre-exposure/exposure to engaged and
22 embedded. Schools identified as pre-exposure or
23 exposure are in the initial stages of implementing
24 Restorative Practices and engaged and embedded
25

1 schools have fully adopted restorative practices into
2 everyday practice.

3
4 In Fiscal Year 2023, the budget allocated to
5 support restorative practices in schools was \$17.9
6 million, which derives from \$5.9 million in tax levy
7 and \$12.0 million in stimulus funding. The tax levy
8 budget supports \$3.2 million in salaries and \$2.7
9 million in OTPS and per session combined. The
10 stimulus budget supports \$1.2 million in salaries for
11 six members and \$8 million in OTPS and per session
12 combined. The stimulus budget supports \$1.2 in
13 salaries and \$8 million OTPS and per session
14 combined.

15 The stimulus budget also includes \$2.8 million
16 allocated directly to schools through a school
17 allocation memorandum to support school's Restorative
18 Justice Action Team and any student-led affinity
19 restorative justice clubs.

20 Across the country, it is generally true that
21 students who identify as Black, Hispanic, Native
22 American, LGBTQ, and those with disabilities have
23 been subjected to disproportionate disciplinary
24 measures that can have devastating long-term
25 consequences. Students of color also receive a

1
2 higher share of suspension for insubordination and
3 greater suspension durations compared to their peers.
4 Through restorative practices in New York City Public
5 Schools, we have created opportunities where students
6 see themselves as active members of their school
7 communities, taking ownership of their own school
8 cultures and leadership roles to encourage a more
9 positive, inclusive and welcoming environment for
10 them and their peers. There is a greater emphasis on
11 responses to inappropriate behavior than seek to
12 reconnect people. With restorative practices, staff
13 capacity to deal with challenging situations
14 increases, and community members are committed to
15 listening to one another, creating a safer and more
16 caring spaces and school environments.

17 In addition, we have released regulations and
18 guidance documents that set forth policies,
19 procedures and best practices to be followed in
20 addressing student behavior. Chancellor's Regulation
21 A-411 provide guidance to schools on responding to
22 behavior crisis and when to contact 911 for emergency
23 medical services. When students experience behavior
24 crisis and engage in behavior that poses a
25 substantial risk of serious injury to themselves or

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2 others, schools must determine the appropriate way to
3 manage the behavior and whether it can be safely de-
4 escalated by school staff using appropriate
5 strategies and interventions.

6 Every effort must be made safely to de-escalate
7 the behavior where possible, using strategies and
8 interventions for addressing behavior crisis.

9 Schools are required to develop crisis intervention
10 plans that identify intervention strategies for
11 students in crisis. Administrators are required to
12 exert every effort where possible, to safely de-
13 escalate situations, drawing on strategies and
14 resources provided to schools. In extreme situations
15 when a student's poses an imminent and substantial
16 risk of injury to themselves or others, the principal
17 or designee may consider alternative measures to
18 defuse the situation. In an effort to avoid crisis
19 situations, we introduced Therapeutic Crisis
20 Intervention for Schools, known as TCIS during the
21 spring of 2015. Over time, working with Cornell
22 University, we have trained field staff members to
23 turnkey this training to schools.

24 Since 2015, we have trained over 6,000 staff
25 members in various roles, including administrators,

1 teachers, counselors and other school staff. In
2 addition, in partnership with NYPD School Safety
3 Division, we have trained over 350 Level III agents
4 and supervisors.
5

6 TCIS is based on the four-day Cornell University
7 certification course. It is an evidence-based
8 informed crisis prevention and management system that
9 has shown to decrease incidents of aggression and
10 violence while improving the staff and organizational
11 capacity to prevent and effectively manage crisis
12 events. Staff must attend all four days to receive
13 certification. Upon successful completion of all
14 course requirements, participants will be certified
15 practitioners of TCIS who are trained to:

16 Proactively prevent and/or de-escalate potential
17 crisis situations with students, one. Two, Enable
18 students, including those in crisis to improve their
19 coping strategies and manage crisis situations to
20 reduce the risk of harm to students and staff.

21 After the staff member is trained the principal
22 and/or designee must update the crisis de-escalation
23 plan to reflect the staff trained. In addition to
24 TCIS, the New York City Public Schools Office Staff
25 offers staff opportunities to participate in a number

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2 of crisis-related trainings, including de-escalating
3 strategies grief and trauma, suicide prevention and
4 building and strengthening crisis teams.

5 Since School Year 2014-2015, over 18,000 school
6 staff have participated in either TCIS or crisis
7 strategy supports. In addition to crisis teams at
8 the school level, each superintendent office has a
9 student service manager who serves as a point for
10 crisis support at the superintendent level.

11 Centrally, we have the Director of Crisis who
12 oversees the development and implementation of crisis
13 support citywide. The Director of Crisis works
14 closely with the Student Service Managers at the
15 Superintendent level and with schools directly to
16 ensure schools receive the support that they need
17 before, during and after a crisis occurs. I would
18 like to thank the members of the Council for
19 prioritizing support to our schools to best address
20 student behavior.

21 We would like now to address the two proposals
22 presented today, Intro. 121, a Local Law requiring a
23 report on the number of school staff administrators
24 who have completed therapeutic crisis intervention
25 training and Intro. 928, a Local Law requiring a

1
2 report on funding for restorative justice program and
3 services. New York City Public Schools supports both
4 proposals and welcomes the opportunities to discuss
5 them further with Council Members.

6 New York City Public Schools have been a national
7 leader in reimagining approaches to school safety.
8 Schools should be a place where all students,
9 families, and educators feel safe, welcome, and
10 supported. As part of this commitment, we have
11 focused on providing schools with the resources and
12 tools they need to support students and educators.,
13 fostering trusting relationships, strengthening
14 student development of social and emotional skills
15 and ensuring that schools are better equipped to de-
16 escalate demanding situations. Supporting safe and
17 healthy learning environments in New York City Public
18 Schools will continue to be one of our foremost
19 priorities.

20 Thank you again for your continued advocacy and
21 for the opportunity to discuss these proposed
22 legislations with you today. We will be happy to
23 answer any questions.

24 CHAIRPERSON JOSEPH: Thank you. I would like to
25 recognize Council Member Ung and Council Member

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2 Restler. I'll turn it over now to my colleague
3 Council Member Hanks for her questions.

4 COUNCIL MEMBER HANKS: Thank you so much for your
5 testimony and really drilling down into what we
6 believe is the core issues. So, I think you answered
7 my first question, which is you know, do you support
8 this legislation, so thank you very much but I wanted
9 to ask you, how many school currently offer
10 restorative justice programming and services?

11 ROBIN DAVSON: Sure, so currently we have, we
12 service 900 schools providing direct and indirect
13 support to those schools. So, direct support is one
14 that has comprehensive professional development, it
15 has the support of a restorative justice coordinator
16 and indirect are schools that don't have support of a
17 restorative justice coordinator or only when needed
18 and also receive comprehensive professional
19 development and support.

20 COUNCIL MEMBER HANKS: Thank you so much. So, do
21 you have a breakdown by borough? Middle schools,
22 high schools? Uhm, how many of these schools don't
23 currently have programming?

24 ROBIN DAVSON: Yeah, so currently, there are a
25 total of 1,626 schools in New York City Public

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2 Schools and Restorative Justice Supports over 900,
3 920 to be specific and that includes mostly middle
4 and high school.

5 COUNCIL MEMBER HANKS: Thank you so much. Chair,
6 may I ask? Thank you. Do you currently know the
7 budget for restorative justice programs for Fiscal
8 FY24?

9 ROBIN DAVSON: I'm sorry, can you repeat that?

10 COUNCIL MEMBER HANKS: Do you know what the
11 budget is currently for Restorative Justice Program
12 is?

13 ROBIN DAVSON: The current budget, yeah, so
14 currently, we have \$5.9 million in tax levy and \$12
15 million in stimulus funding, which is the total of
16 \$17.9 million.

17 COUNCIL MEMBER HANKS: Thank you so much.

18 ROBIN DAVSON: You're welcome.

19 CHAIRPERSON JOSEPH: You're welcome. Yeah, you
20 have a question? Go ahead.

21 COUNCIL MEMBER AVILÈS: The Chair is so gracious.
22 I guess following along those lines, thank you so
23 much for the description of the program and obviously
24 it's of great importance to us. Would you be able to
25 provide the Council with – you broke down of the 922,

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2 that includes direct and indirect. Give us an
3 aggregated or a list of that breakdown. What schools
4 are receiving direct support and at what levels and
5 what schools are receiving the indirect support?

6 ROBIN DAVSON: I currently don't have that on me
7 but I'll be happy to share it with you.

8 COUNCIL MEMBER AVILÈS: I would love that. Also,
9 is there a plan; this is a huge issue within the
10 Board of Education. There's quite a lot of
11 programming that is dependent on stimulus funding,
12 which we understand will soon be expiring. What is
13 the plan to maintain the level of service and expand
14 to meet the need when this \$12 million expires?

15 ROBIN DAVSON: So, New York City Public Schools
16 is committed to continuing restorative justice
17 programming for Fiscal Year 2024?

18 COUNCIL MEMBER AVILÈS: Right, is there a plan
19 when the \$12 million expires. This is not a baseline
20 funding; this is federal funding. Our understanding
21 is this will soon be expiring actually October '24.
22 Do you have a commitment from DOE to use that money
23 further out into the future and then how is DOE
24 planning in Fiscal '25 and '26 to maintain and expand
25 restorative justice programming in our schools?

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2 KENYATTE REID: Thank you for that question.

3 Senior leadership has expressed their commitment to
4 restorative practices. I think that this is going to
5 take a lot more planning to fill in for that federal
6 funding. We can't speak to the specifics of it right
7 now but we do know that the current administration,
8 senior leadership is committed to the continuation of
9 restorative practices as it is now.

10 COUNCIL MEMBER AVILÈS: And are you aware of an
11 ability to, there's quite a lot of federal stimulus
12 money within DOE that is not yet used and allocated.
13 Are you aware of the potential of being able to use
14 stimulus money beyond the October 24 deadline date?
15 A commitment to use it into '25?

16 KENYATTE REID: Yeah, I can't -

17 COUNCIL MEMBER AVILÈS: Not yet, okay.

18 KENYATTE REID: I can't speak to that. We are
19 the program experts, right?

20 COUNCIL MEMBER AVILÈS: Got it. Well, we'd love
21 to hear back from the Administration on their
22 commitment of using that money beyond the deadline
23 date and also understand a clear plan around how we
24 are going to make sure that the program is maintained
25 and expanded. Clearly, we have a long way to go,

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2 right? Because even within the expansion, which is
3 great, I still don't know how much is direct, how
4 much is indirect and all the other schools that still
5 need obviously this kind of programming.

6 And lastly Chair, uhm, how does the agency
7 monitor the efficacy of what is happening in the
8 school with the direct supports? Like, is there an
9 assessment? Is there technical assistance provided?
10 How do we know you know; we know often we have a lot
11 of really excited folks that get trained up and then
12 they move on and you lose air and energy and
13 expertise. How do we maintain like efficacy of this
14 important programming?

15 ROBIN DAVSON: Sure, thank you for that question.
16 We certainly monitor the restorative justice
17 practices across school internally as a system or as
18 an agency within our department but also, we are
19 working with an independent evaluator to evaluate
20 restorative practices across New York City Public
21 Schools.

22 COUNCIL MEMBER AVILÈS: And what does the
23 monitoring look like? Is it an annual visit? Is it
24 a phone call? Like, what - could you walk me through
25 what that looks like?

1
2 ROBIN DAVSON: So, specifically, with our office,
3 we visit schools ongoing frequently, right? So, I
4 have been in this seat for six months and have been
5 to every, probably every borough. Well, I have been
6 to every borough. I haven't been to every school but
7 we have been frequently creating the systems to
8 monitor restorative practices across New York City
9 Public Schools. And with the independent evaluator,
10 they will do more research based, a more research-
11 based study on what is working across New York City
12 Public Schools as it pertains to restorative
13 practices.

14 COUNCIL MEMBER AVILÈS: And can you tell us more
15 about the parameters of that study? When is it
16 expected to be done and does it include any kind of
17 participatory action method where young people are
18 really driving the design and methodology?

19 ROBIN DAVSON: Well, we have just started working
20 with the independent evaluator but we have an
21 abundance of youth programs in restorative practices
22 and we certainly will be including that as part of
23 their research.

24 COUNCIL MEMBER AVILÈS: I'm wrapping up Chair. I
25 guess I'd love to understand the approach that the

1
2 evaluation is taking and how young people are
3 informing the design and also, would like to
4 understand the cost of that evaluation and the
5 overall timeframe. It would be great for Council to
6 be able to receive that information. So, thank you
7 so much.

8 ROBIN DAVSON: Thank you. You're welcome.

9 CHAIRPERSON JOSEPH: Thank you Council Member.
10 I'm just wanted to do a follow-up. In the
11 programming, you said you have about 900 programs
12 right with 22 staff? Is that enough to service?

13 KENYATTE REID: So, the reason why we have
14 schools that receive direct and indirect support is
15 because it's a tiered model. Obviously, we could
16 always use more resources to support schools. Your
17 question really leads us back to what Council Member
18 Avilés was mentioning.

19 Our team actively works within schools,
20 monitoring supporting administration. More
21 headcount, more resources would allow us to do more
22 of that but as of right now, we tier our schools
23 right to say where they are in the implementation
24 process and then also, we have them grouped between
25 direct support and in indirect. So, the indirect

1
2 allows schools that do not have a restorative justice
3 coordinator or assigned to them. Full access through
4 trainings and asynchronous supports.

5 CHAIRPERSON JOSEPH: Okay, uhm, what is the
6 budget for restorative justice programming in the
7 Fiscal 2024 budget?

8 ROBIN DAVSON: So, New York City Public Schools
9 are committed to having the same budget, which is \$17
10 million, \$17.9 million.

11 CHAIRPERSON JOSEPH: Do schools have restorative
12 justice programming and also have project pivot
13 programming?

14 ROBIN DAVSON: Yes, there are I believe 67
15 schools that have restorative justice and also
16 project pivot.

17 CHAIRPERSON JOSEPH: And how do New York City
18 Public Schools assess the impact of Project Pivot and
19 Restorative Justice?

20 ROBIN DAVSON: So, we are working with an
21 independent evaluator to assess the impact of
22 restorative justice. Of course New York City Public
23 Schools, we just began that process and Project Pivot
24 is first year in its early stages. And so, there is
25

1
2 going to be a plan in place in terms of the support
3 and the evaluation of Project Pivot.

4 KENYATTE REID: And just to add, we have schools
5 that have deeply embedded practice of restorative.
6 Those schools have seen a significant decline in the
7 use of punitive discipline, such as suspensions.
8 Those schools have also seen a decrease in incidents
9 as well. So, we monitor those data points. We also
10 look at the data points such as New York City Survey
11 to see how children and staff – the children and the
12 staff in those schools, also indicate that they also
13 feel safer as a result of the implementation of these
14 practices. When it's deeply embedded, we have 172
15 schools who fall in that top tier model, meaning that
16 at least 50 percent of the staff is fully trained and
17 they have an active youth restorative justice team as
18 well.

19 So, that's just a small part of how we evaluate
20 the schools, when we're walking through with them,
21 how we coach them onto the next stage of their
22 development and then we see that those schools that
23 have deeper practices have sustainable long-term
24 results that are positive.

1
2 CHAIRPERSON JOSEPH: That's the model. Are
3 parents included in restorative justice practices?
4 Very important.

5 KENYATTE REID: So, that is a part of the
6 embedded, yes for a school to be embedded, they do
7 have to have a certain number of parents that are
8 also been trained as well. That includes the school
9 leadership team whatever members of the parent
10 leadership group that you would call it.

11 CHAIRPERSON JOSEPH: ETA, SLT.

12 KENYATTE REID: Yeah, yeah, you know.

13 CHAIRPERSON JOSEPH: Okay, okay. How about
14 school safety? Are they also trained? I noticed you
15 said level three. Not all level threes are in school
16 buildings every day. So, the ones that are
17 interacting with the students every day, are they
18 trained in restorative practices?

19 KENYATTE REID: So, I just want to note, there's
20 a very different skill set that school safety agents
21 need and that teachers and other educators need.
22 School safety agents definitely need therapeutic
23 crisis intervention training to know how to de-
24 escalate.

25 CHAIRPERSON JOSEPH: Correct.

1
2 KENYATTE REID: Restorative justice practices has
3 a lot to do with number one, building community on a
4 daily basis, whether in-house, crew, advisory,
5 however you want to do it. That's where our teaching
6 staff are trained to do that. We want to focus our
7 attention on those people who are doing that and
8 making sure our SSA's, our School Safety Agents are
9 trained to de-escalate. Knowing that our agents are
10 not being asked to facilitate community building
11 circle. So, our emphasis is on the DOE pedagogical
12 staff for restorative practices.

13 School safety agents are exposed to restorative
14 practice so they know what it is.

15 CHAIRPERSON JOSEPH: Right.

16 KENYATTE REID: They can have a brief overview to
17 understand the concepts but they are not expected to
18 be circle keepers.

19 CHAIRPERSON JOSEPH: Okay, how long does the de-
20 escalation takes for the staff? How long is it?

21 KENYATTE REID: TCIS is a four-day training.

22 CHAIRPERSON JOSEPH: And how often do you know PD
23 to constantly renew the training? And I'm sure since
24 it's evidence based, evidence changed and as long as
25 data changes, you adapt as well.

1
2 KENYATTE REID: That's right. So, can you say
3 that question again because my colleague is the
4 Director of Crisis, so.

5 CHAIRPERSON JOSEPH: She's coming to answer my
6 question? Come on up.

7 KENYATTE REID: Yeah, yeah, can you just restate
8 it so she can answer?

9 CHAIRPERSON JOSEPH: How long and how often do
10 you do PD to constantly refresh the staff?

11 KATIE JEDRLINIC: Okay, great thank you for that
12 question. So, it's ongoing. TCIS is a four-day
13 training, so we run it from 8:30 to 3:00 citywide and
14 we offer it ongoing. So, for example, we're already
15 offering - we have summer cohorts planned.

16 CHAIRPERSON JOSEPH: Okay, so, alright. So, this
17 is about Intro. 121 too. Is the Administration in
18 support of this legislation?

19 KATIE JEDRLINIC: Yes, of course.

20 CHAIRPERSON JOSEPH: Yes.

21 KATIE JEDRLINIC: Yes.

22 CHAIRPERSON JOSEPH: How many and what percentage
23 of schools have TCIS training? Could you provide a
24 breakdown?

25 KATIE JEDRLINIC: Can you repeat that?

1
2 CHAIRPERSON JOSEPH: How many schools have staff
3 that have been trained? And provide the breakdown.
4 I did send the questions in advance, so the homework
5 was supposed to be done.

6 KATIE JEDRLINIC: Yeah, so uhm, currently we have
7 6,034 staff trained. We have oh gosh thanks, yup and
8 the schools we have 1,269.

9 CHAIRPERSON JOSEPH: And that's by teachers,
10 administrators, guidance counselors, social workers
11 and other school staff as well? That whole 6,000
12 include all of that?

13 KATIE JEDRLINIC: Yeah, so teachers are 3,979,
14 administrators 604, other, which is social workers,
15 counselors 1,451.

16 CHAIRPERSON JOSEPH: And how many additional
17 teachers, administrators and school staff do you
18 anticipate on training in TCIS for FY24?

19 KATIE JEDRLINIC: I'm going to say 800.

20 CHAIRPERSON JOSEPH: And you provided the
21 breakdown? Okay, I'm going to pivot a little bit for
22 Council Member Avilés, one more question.

23 COUNCIL MEMBER AVILÈS: Chair, you're the best.
24 I can't remember if I asked this question, so forgive
25

1
2 me. Did you tell us the cost of the evaluation? Can
3 you tell us what the cost that is being allocated?

4 KATIE JEDRLINIC: I can. At this point, because
5 what we have done is – oh, restorative?

6 ROBIN DAVSON: Are you talking about restorative?

7 COUNCIL MEMBER AVILÈS: For the cost for the
8 evaluation for restorative justice, yes. I guess what
9 is the money that is allocated to do that impact
10 study?

11 ROBIN DAVSON: We don't have that cost yet but
12 we're happy to share it when we receive it.

13 COUNCIL MEMBER AVILÈS: Okay, great, thank you.

14 ROBIN DAVSON: You're welcome.

15 CHAIRPERSON JOSEPH: Amazing. TCIS, how much is
16 it going to cost us and in the FY24 school year
17 budget?

18 KATIE JEDRLINIC: Uhm, I would say for uh, maybe
19 \$5,000.

20 CHAIRPERSON JOSEPH: Okay, I as the Education
21 Chair always send over the questions. You have to do
22 your homework when you come to the hearing.

23 KATIE JEDRLINIC: So, so what we have done over
24 the years is a build capacity with TCIS. So, we have
25 trainers who are already trained, so there's not cost

1
2 with it. So, we have some trainers at the central
3 office and we have them here in the superintendents
4 team. So, we are – what we are in need of is \$5,000
5 for books and manuals, that's it. So, as far as the
6 training, that's it.

7 CHAIRPERSON JOSEPH: And I will email all the
8 questions that you could not answer, so I can get a
9 proper answer.

10 KATIE JEDRLINIC: Sure, no problem.

11 CHAIRPERSON JOSEPH: Thank you. Oh, Council
12 Member Restler, you have a question, so ahead.

13 COUNCIL MEMBER RESTLER: There are just some
14 important things. I didn't want to disrespect my
15 colleague Council Member Gutiérrez and I did want to
16 just thank Chair Joseph for this hearing and I'm
17 particularly proud to have cosponsored Council Member
18 Hanks legislation today, which I think is a terrific
19 bill Intro. 928. So, thank you for your leadership
20 on that.

21 And I'm really happy to see this DOE team today.
22 Kenyatte and Robin and Katie, all people who I've had
23 a chance to work with in the past and have a great
24 deal of respect for, so thank you each for your work
25 and it's good to have you. I just wanted to follow-

1
2 up on Chair Joseph's question. Robin, you mentioned
3 that the restorative practices funded would be
4 sustained at \$17 million for FY24. Do you have a
5 breakdown of stimulus funding for CTL? Are we
6 planning to fully fund that with City Tax Levy money?

7 ROBIN DAVSON: For FY24? Yes it's \$5.9 million
8 tax levy and \$12 million stimulus funding.

9 COUNCIL MEMBER RESTLER: So, it will be the same
10 as in FY23?

11 ROBIN DAVSON: And hopefully the Administration
12 will see the value of this programming and continue
13 to provide city tax levy funding to continue to
14 support it beyond this year when presumably the
15 stimulus funding will reduce. And then I just wanted
16 to ask, could you give advice to a Council Member
17 like this one or maybe all of us who want to see
18 expanded restorative justice practices in our
19 schools? Who want to see more of our teachers and
20 administrators trained in restorative justice
21 practices. What steps should we be taking to make
22 sure that every school in Council District 33 and for
23 everyone else who I know cares deeply about this. We
24 see restorative justice more deeply embedded across
25 our school communities.

1
2 ROBIN DAVSON: Well, thank you for that question
3 Council Member Restler. So, advocacy, your continued
4 advocacy I will say is the most priority in terms of
5 seeing restorative practices across schools. Also,
6 talking about it. When you talk about it, you put it
7 to the forefront and more people know about it. When
8 you visit your schools, as I know you do, ask them,
9 do you have restorative practices and if you don't
10 find out about it. Maybe it's something that your
11 school could prioritize or could need. So, your
12 continued advocacy. You know speaking about
13 restorative practices, ensuring that everyone knows
14 about it and know its impact and what it's done
15 across New York City public schools and beyond New
16 York City Public Schools. And when you go into your
17 schools, ask schools, do you have restorative justice
18 practices? And if you don't, contact Robin or
19 Kenyatte, so that we can make sure that you have it.

20 COUNCIL MEMBER RESTLER: You're going to regret
21 that.

22 KENYATTE REID: No, we're not. They need it.

23 COUNCIL MEMBER RESTLER: Thank you.

24 KENYATTE REID: Thank you.
25

1
2 CHAIRPERSON JOSEPH: Thank you and Council Member
3 Sanchez, do you have any questions? Okay, thank you.

4 My next set of questions will be on Intro. 857.
5 Is the Administration in support of this legislation?

6 MARY SHAMON: Yes, yes, we are.

7 CHAIRPERSON JOSEPH: How many and what's the
8 percentage of students in foster care changed school
9 one or more times during 2021 and 2022?

10 MARY SHAMON: So, as you know Chair, we didn't
11 have a foster care office at that time, so we didn't
12 try to see it as closely as we do now, so we can go
13 back and see if we can get you the numbers for the
14 previous years. I can tell you a little bit about
15 this year, which is almost done. Did you ask about
16 one transfer?

17 CHAIRPERSON JOSEPH: No, transfers. What do you
18 have for this year then? How many students and what
19 percentage of students in foster care change schools?

20 MARY SHAMON: Change schools at all?

21 CHAIRPERSON JOSEPH: Yeah.

22 MARY SHAMON: Uh, it's about 350 out of any
23 student that was in foster care at any point during
24 the year, which is roughly 4,600.

1
2 CHAIRPERSON JOSEPH: That's from K to can you
3 give a breakdown in grades?

4 MARY SHAMON: I don't have that but I can get
5 back to you about that.

6 CHAIRPERSON JOSEPH: Thank you. Let's talk about
7 absenteeism. How many and what percentage of
8 students in foster care are chronically absent so far
9 this school year?

10 MARY SHAMON: So, chronic absenteeism is
11 something that we are you know dealing with across
12 the entire school system for all of our students,
13 particularly you know vulnerable students like those
14 in foster care. We do see about half of students in
15 foster care are chronically absent.

16 CHAIRPERSON JOSEPH: Do you have a percentage?

17 MARY SHAMON: About 48 percent.

18 CHAIRPERSON JOSEPH: How many?

19 MARY SHAMON: 48.

20 CHAIRPERSON JOSEPH: 48. How does that compare
21 to students not in foster care?

22 MARY SHAMON: I think that number is about 32,
23 33, so it's a bit higher from a percentage
24 perspective.

1
2 CHAIRPERSON JOSEPH: What percentage of students
3 in foster care have missed 50 percent or more of the
4 total school year so far this year?

5 MARY SHAMON: About nine percent.

6 CHAIRPERSON JOSEPH: And compared to their peers
7 that are not in foster care?

8 MARY SHAMON: Less than two percent.

9 CHAIRPERSON JOSEPH: Suspension rates for
10 students in foster care. So far this school year,
11 how many and what's the percentage of students in
12 foster care have received principal suspension?

13 ROBIN DAVSON: So far 386 principal suspensions
14 and I just wanted to share that foster care counts
15 for two percent of our suspensions in New York City
16 Public Schools. 1.8 percent are principal
17 suspensions and 2.8 percent are superintendent
18 suspensions.

19 CHAIRPERSON JOSEPH: And how can we compare that
20 to their peers that are not in care?

21 ROBIN DAVSON: Uhm, for students who are not,
22 it's 97 percent because foster care students
23 represents two percent.

24

25

1
2 CHAIRPERSON JOSEPH: How many and what percentage
3 of students have received a superintendent suspension
4 this school year?

5 ROBIN DAVSON: Superintendent suspension is 2.8
6 percent.

7 CHAIRPERSON JOSEPH: And their peers that are not
8 in care?

9 ROBIN DAVSON: Is 98 percent, 97.3.

10 CHAIRPERSON JOSEPH: Our students in care that
11 have special needs. Currently how many and what's
12 the percentage of students in care in the New York
13 City system has an IEP?

14 JOHN HAMMER: 2,263 students in foster care have
15 IEP's and that reflects students placed in foster
16 care at any point and for any length of time this
17 school year. And 36.2 percent of students in foster
18 care.

19 CHAIRPERSON JOSEPH: Does that include students
20 in Charter Schools and students placed by DOE and
21 state approved nonpublic schools?

22 JOHN HAMMER: It does not across all settings.
23 There are 2,733 students with IEP's in foster care
24 and that represents 34.2 percent of students in
25 foster care with IEP's.

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2 CHAIRPERSON JOSEPH: How about non-public
3 schools? Do you have data on that?

4 JOHN HAMMER: Students placed by the DOE in
5 nonpublic schools are folded into that overall total.

6 CHAIRPERSON JOSEPH: It's part of that whole
7 number, okay. Okay, uhm, how about in home and
8 hospital schools?

9 JOHN HAMMER: So, students with IEP's that
10 recommend home and hospital instruction. There are
11 two students in foster care with IEP's that recommend
12 home and hospital instruction and it's 0.1 percent of
13 the total population of students in home and hospital
14 instruction.

15 CHAIRPERSON JOSEPH: Okay, we'll also you know
16 I'm very pleased with the Office of Foster Care but
17 we need to ensure students have a feasible way of
18 getting into schools. When they're placed in foster
19 care placements. Recognizing the importance of
20 school stability, federal, state and law requires
21 students to provide transportation. For the city to
22 provide transportation to students in foster care, so
23 they don't have to switch schools during a traumatic
24 time in their life. This is very traumatic for them.

1
2 However, New York City Public School states that
3 students in foster care, grades K-6 are eligible for
4 school bus or a metro card for how many students
5 placed in foster care. Metro card, of course you
6 know I've been raising a lot of concern about that,
7 it's not sufficient to get them from point A to point
8 B. This is a seven-year-old, this is a six-year-old.
9 They cannot ride public transportation by themselves.
10 How many requests for busing has the OPT received on
11 the foster care exceptions this year?

12 MARY SHAMON: I'm sorry, could you say that one
13 more time?

14 CHAIRPERSON JOSEPH: How many requests for bus
15 have OPT received on the foster care?

16 MARY SHAMON: We bus about 1,250 foster care
17 students.

18 CHAIRPERSON JOSEPH: Of those requests, how many
19 students in foster care actually receive the busing?

20 MARY SHAMON: That's the number that actually
21 receives the busing. I'll get back to you about the
22 requests. I think it's very close but I'll double
23 check.

24 CHAIRPERSON JOSEPH: I wanted the whole number and
25 then those you did provide. Okay, so you know you'll

1
2 be getting a letter. Alright, what has the average
3 length of time been in this year between receiving
4 transportation and requesting it and getting it.
5 What's the wait?

6 MARY SHAMON: I'll get back to you the time.

7 CHAIRPERSON JOSEPH: Okay, how many students
8 waited more than ten days before receiving busing on
9 the foster care? You're going to get back to me?

10 MARY SHAMON: Yes.

11 CHAIRPERSON JOSEPH: Uhm, give me one — how many
12 students in foster care have transportation mandated
13 on their IEP's? Of those students, how many have
14 routes?

15 MARY SHAMON: How many have transportation
16 mandated on their IEP's question, we'll get back to
17 you.

18 CHAIRPERSON JOSEPH: For students who are not
19 routed, so I guess if I keep asking the questions,
20 you're going to have to get back to me. So know that
21 you'll be getting a long list of homework. I'm not
22 happy today with not being very responsive and they
23 know that, and this is going to be on the record that
24 I'm very unhappy. Very unhappy that none of these
25 questions can be answered. Yet thousands and

1
2 thousands of children that depends on the New York
3 City Public Schools to get them from point A to point
4 B and here you sit here in positions of leadership
5 and you cannot provide these answers today for the
6 public. Unacceptable for me. Council Member
7 Paladino.

8 COUNCIL MEMBER PALADINO: I'm going to agree with
9 my colleague here in Council. One of the biggest
10 problems I have in my district is the busing. I have
11 kids waiting three hours a day. They're late for
12 school. They're late getting picked up from school.
13 Name me the three bus companies that you guys deal
14 with. Give me the three main, because I could give
15 you three names. I want you to give me three names
16 of the bus companies that you deal with. Can you
17 answer that question?

18 MARY SHAMON: You want us to name three bus
19 companies.

20 COUNCIL MEMBER PALADINO: I want you to name the
21 three major forms, the three major bus companies that
22 take these kids back and forth to school.

23 MARY SHAMON: You want us name the three biggest?

24 COUNCIL MEMBER PALADINO: Yes, I do.
25

1
2 MARY SHAMON: Okay, I will get back to you on the
3 names.

4 COUNCIL MEMBER PALADINO: I will tell you who
5 they are. Are you ready? Get your pens out. It is
6 Lorissa(SP?), it is NoTockie(SP?) or Norockie(SP?)
7 whatever, and I will get you the third one but I will
8 tell you this. What is it Logan? Logan. Do you
9 know who owns these three bus companies that give our
10 kids this transportation? Are you aware of anything
11 that has anything to do with this bus because I'm
12 pulling this out. This is one of the things Council
13 Member Paladino is going to be doing because I get
14 very closely with my schools and my special ed kids
15 who come - I live on Northeast Section of Queens,
16 that's me. They come from Rockaway to go to my
17 schools.

18 One school alone, \$80,000 in overtime. Now, I'm
19 not going to tip my hand here because it's going to
20 come as a big surprise when I do break the news and I
21 work with Councilwoman Joseph because there is
22 something going on here that is terribly, terribly
23 wrong.

24 When a kid is up and dressed for school at 5
25 a.m., 6 a.m. and they have to be at school at 8 a.m.

1
2 and they don't get there till 10. And then they're
3 dismissed at 2:20 and they do not get picked up until
4 5:00 and then they don't get home until close to
5 7:00. I strongly urge you to look into the bus
6 companies that you're dealing with because I know all
7 about them. I'm just not going to say a thing about
8 it right now, but I will tell you this, I'm a little
9 unhappy too. Thank you very much.

10 CHAIRPERSON JOSEPH: In our last budget last
11 month, we talked about reimbursement for New York
12 City Public Schools, for reimbursement for
13 transportation costs that incurred last school year
14 when the DOE did not provide the service. How many
15 foster care agencies have now been contacted for
16 reimbursement?

17 MARY SHAMON: How many agencies have been
18 contacted for reimbursement?

19 CHAIRPERSON JOSEPH: Yeah, rideshares. When you
20 can't provide the transportation, the agencies step
21 up and they pay for kids to get to school.

22 MARY SHAMON: Hmm, hmm, we're in contact with all
23 the agencies. There are about uh, you know we're
24 invoicing, you know we're nearing the end of the
25 school year so we're invoicing with all of them and

1
2 wrapping up. I believe about right now, we have
3 about approximately 650,000 in reimbursements that
4 still do.

5 CHAIRPERSON JOSEPH: So, how much claims have
6 been reimbursed so far?

7 MARY SHAMON: Are you asking the total amount of
8 claims minus the amounts of the reimbursements that
9 haven't come?

10 CHAIRPERSON JOSEPH: Yes ma'am.

11 MARY SHAMON: Okay, I can get back to you. The
12 total busing contract, the total busing cost for
13 foster care is about \$21 million annually.

14 CHAIRPERSON JOSEPH: So, what is the DOE's
15 current policy for reimbursing foster care agencies
16 or foster parents for transportation costs?

17 MARY SHAMON: I'm sorry, could you repeat that?

18 CHAIRPERSON JOSEPH: What is the DOE's current
19 policy for reimbursing foster care agencies or foster
20 parents for transportation costs?

21 MARY SHAMON: So, if you incur a cost of
22 transporting a foster care student, you submit an
23 invoice to us and we reimburse it once it goes
24 through our process.

25 CHAIRPERSON JOSEPH: How long does that take?

1
2 MARY SHAMON: It varies widely.

3 CHAIRPERSON JOSEPH: There are agencies that
4 still have not been paid for transporting students to
5 schools. When do you think that will happen?

6 MARY SHAMON: We try to close everything out by
7 the end of the fiscal year.

8 CHAIRPERSON JOSEPH: I'd like to recognize
9 Council Member Menin.

10 COMMITTEE COUNSEL: Thank you so much Chair. We
11 will now turn to public testimony. We will be
12 limiting public testimony today to three minutes
13 each. For in-person panelists, please come up to
14 the table once your name has been called.

15 For our virtual panelists, once your name is
16 called, a member of our staff will unmute you and the
17 Sergeant at Arms will set the timer and then give you
18 the go ahead to begin. Please wait for the Sergeant
19 to announce that you may begin before delivering your
20 testimony. Thank you so much to DOE for your
21 testimony and our first panel will be Dr. Jackie
22 Cody, Hannah Mercuris, Chantal Hinds, and Mike
23 Porcelli. You may please make your way to the front
24 table. Dr. Jackie Cody, you may begin your
25 testimony.

1
2 DR. JACKIE CODY: Hello, good afternoon everyone.
3 Thank you so much for this opportunity and I would
4 ask the Chair to go over a few seconds if you can
5 give me that grace. I'll cut it short. Thank you to
6 the New York City Council and Chair of the Education
7 Committee, Rita Joseph, for this opportunity and for
8 introducing the Resolutions 444, 445, and 446 in
9 support of state legislators passing and the Governor
10 signing the Citywide Leadership Team bills.

11 New York City Public School System is the largest
12 school district in the state and nation. We can be
13 exemplary especially with \$37.5 billion, every
14 student can succeed and here's how: We witness why
15 we need the citywide leadership team. You just saw
16 it and heard it. Every New York City Public School
17 must have a School Leadership Team. The School
18 Leadership Team is mandated by New York State
19 Education Law.

20 The SLT is what it's called, gives opportunity
21 for every education stakeholder: students, parents,
22 and educators an opportunity to engage in shared
23 decision making around effectively aligning the
24 schools budget with the Comprehensible Education
25 Plan. The stakeholders in the school know best what

1 students in that particular school need to succeed.

2 The SLT operates under the open meetings law, which
3 also gives New York City taxpayers the opportunity to
4 observe and assist in making sure the CEP Goals are
5 met.
6

7 The main problem is, School Leadership Teams are
8 not functioning in many schools; especially in
9 underserved communities and I did add and say and
10 allege that the schools in desperate need of
11 restorative justice are the schools that do not have
12 functioning school leadership teams. And for
13 example, the first thing that a teacher does when
14 they walk into a classroom is model what they want
15 their students to learn. So how do we have the
16 largest school district in the state and the nation
17 not model and exemplify how to align the schools
18 budget with the Comprehensive Education Plan;
19 especially since funds go right from Central directly
20 to each school.

21 It is a no brainer to have every School
22 Leadership Team functioning at its optimal best.
23 Thus, the Citywide Leadership Team will be the model
24 and in position to assist specific schools in need in
25 real time. This is not a top-down approach. This is

1
2 a bottom up all hands-on deck community involvement,
3 the village in action and I'll end here and I hope
4 that everyone will be able to read the rest of my
5 testimony. And thank you again for the opportunity.
6 I'm here for questions.

7 COMMITTEE COUNSEL: Thank you so much for your
8 testimony. Next up we have Hannah Mercuris.

9 HANNAH MERCURIS: Thank you. My name is Hannah
10 Mercuris, and I am a Senior Attorney in the Education
11 Practice at Brooklyn Defender Services. Thank you to
12 Chair Joseph for holding this hearing and for the
13 opportunity to testify. BDS's Education Practice
14 provides legal representation and informal advocacy
15 to our school aged clients and parents of children in
16 New York City schools.

17 As part of that work, we advocate on behalf of
18 many families who are separated by ACS and are
19 navigating educational challenges. Our office
20 supports Intro. 857 on the Committees agenda today.
21 We're encouraged that the city's asking for more data
22 on students in the foster system.

23 In our role as educational advocates for these
24 families, Brooklyn Defender Services sees how the
25 foster system contributes to students becoming

1 disconnected from school, in many significant ways.

2 Including excluding parents from their children's

3 educational lives, excluding children from their own

4 schools through suspension and failing to ensure that

5 children can attend school in their communities

6 through lack of transportation and inappropriate

7 school transfer.

8 The DOE, ACS and foster agencies often exclude

9 parents from their children's educational lives when

10 they're separated by the foster system. This happens

11 because school mistakenly believe that the presence

12 of ACS or a foster agency means that parents are no

13 longer permitted to remain involved in their

14 children's education. This is particularly harmful

15 for the nearly 40 percent of students in the foster

16 system who have disabilities. For those students,

17 parents participation, contributions and consent to

18 special education services are essential. The

19 majority of children return home from the foster

20 system.

21 And when they return home, their parents

22 knowledge of what happened with their education while

23 they were separated is critical to their educational

24 success going forward.

1
2 Students in the foster system also become
3 disconnected from their school communities because
4 those students simply aren't in school. Whether it's
5 students suspension, lack of transportation or school
6 change. Though policy changes have been made to
7 ensure school stability, children in the foster
8 system still change schools frequently and City
9 Council is well aware how students in the foster
10 system miss school because of delays in
11 transportation.

12 ACS and foster agencies also routinely deny
13 requests to provide transportation or chaperones
14 while DOE transportation is pending. As the Chair
15 pointed out, often because they're not getting
16 reimbursed by the DOE.

17 Just last week, a parent I am working with
18 requested that ACS provide transportation for her
19 young son so he could attend his specialized program
20 for students with autism in Brooklyn. While living
21 with her mother, a kinship foster resource in the
22 Bronx. ACS refused to provide transportation for
23 that child to attend school and said they were
24 looking into remote learning. An unrealistic and
25 inappropriate recommendation for this child.

1
2 Whether the DOE or ACS are responsible, timely,
3 reliable and direct transportation for students in
4 the foster system must be guaranteed. Because of
5 these interconnected issues of school disconnection,
6 more than half of students in the foster system are
7 chronically absent but parents are expected to fix
8 these challenges the moment their children return
9 home. We cannot hold foster agencies to a different
10 standard than parents when it comes to school
11 attendance.

12 We hope the data gathered by this bill will
13 provide critical information about the best ways for
14 our city to support students and their parents as
15 they navigate the foster system and after they are
16 reunited. Thank you.

17 COMMITTEE COUNSEL: Thank you so much for your
18 testimony. Chantal Hinds.

19 CHANTAL HINDS: Thank you. Good afternoon Chair
20 Joseph, nice to see you in person. Good afternoon
21 Chair Joseph and members of the Committee on
22 Education. Thank you for the opportunity to speak
23 with you today.

24 My name is Chantal Hinds and I am a policy
25 entrepreneur at Next100, a startup think tank working

1 to diversify and improve the public policy sector.
2
3 Prior to Next100, I was an attorney at Advocates for
4 Children of New York working to ensure students in
5 the foster system receive the support they needed to
6 succeed. Thank you Chair Joseph for sponsoring
7 Intro. 857 and moving this bill forward. I am here
8 today to ask the City Council to support Intro. 857,
9 which would require expanded data reporting for
10 students in the foster system in the areas of special
11 education, suspensions and enrollment.

12 I released a report in August 2022 about why
13 increasing education data transparency for young
14 people in the foster system in New York State is a
15 critical first step in improving educational outcomes
16 for this student group. Increased data transparency
17 means awareness and accountability for the outcomes
18 of these students. I am delighted to see my city,
19 New York City, leading the charge in our state on
20 behalf of students in the foster system. Ultimately
21 holding the New York City Department of Education
22 accountable for the academic outcomes of this group
23 of students.

24 Students in the foster system in New York City
25 face incredible educational odds. According to a

1
2 January 2023 report from Advocates for Children of
3 New York, over 40 percent of students in the foster
4 system are classified as students with disabilities.
5 A rate more than twice that of all students.

6 Additionally, data from the three years
7 immediately preceding the pandemic revealed that
8 students in the foster system experienced a
9 disproportionate number of suspensions, including
10 superintendent suspensions, which are suspensions for
11 6-180 days.

12 This was a rate more than five times that of New
13 York City students overall. This report shed light
14 on data that was previously unknown to the public and
15 requires a response from our city. I think Intro.
16 857 is the right response. Data plays an important
17 role in providing a baseline understanding of the
18 educational experiences of students in the foster
19 system and can act as a guide for informed decision
20 making about how to address the educational
21 challenges faced by these young people.

22 In addition to data reporting, the DOE must
23 reporting, the DOE must guarantee busing or other
24 door to door transportation to students in the foster
25 system. Getting to school is a challenge that no

1
2 student should have to face, much less students who
3 are in the city's care and custody. Federal and
4 state law require the city to provide transportation
5 to students in the foster system so they can stay in
6 their original school unless it is in their best
7 interest to transfer.

8 Since the federal law was passed in 2015, the DOE
9 has yet to guarantee bus service or another
10 comparable mode of transportation to these students,
11 forcing some students who cannot travel to school on
12 their own to transfer schools or change foster homes.

13 The city should invest \$5 million in the DOE
14 budget to provide prompt reliable workable bus
15 service or other door to door transportation to a
16 relatively small number of students in the foster
17 system who need it to maintain school stability.

18 Thank you for the opportunity to provide this
19 testimony and for considering the importance of data
20 and transportation funding for students in the foster
21 system.

22 COMMITTEE COUNSEL: Thank you so much for your
23 testimony. Next up, Mike Porcelli.

24 MIKE PORCELLI: Good afternoon Madam Chair,
25 Council Members. My name is Mike Porcelli and I'm a

1
2 mechanic. I've been a mechanic all my life since I
3 was five years old. I've been fixing things. I
4 studied automotive in high school. Even though my
5 high school tried to keep me out of the automotive
6 program. They told my parents I was too smart to
7 take shop class. Now, many of you may be old enough
8 to remember when schools had shop class. I don't
9 know if you experienced that. Alright, we have one
10 person at least. Okay, every group I speak to about
11 shop class, everyone says, "we used to have that in
12 shop class and we enjoyed it." Well, why was shop
13 class taken out of most schools?

14 Now, I know today we have CTE. I read a
15 newspaper column advocating for CTE. It's called the
16 other side of education. There's the academic side
17 and then there's the trade skills side. The vocation
18 what used to be called vocational education. Well,
19 vocational education is just as important as academic
20 education. Not every student is gifted academically.
21 Not every student likes to learn from books. Many of
22 us like to learn with our hands. I've been blessed
23 to be able to do both, both ways. They told my
24 parents, the counselors told my parents not to let me
25 take shop class because I was too smart and if I took

1 shop class, I wouldn't go to college and I was smart
2 enough that I should go to college.

3 Well, I proved them wrong. I took shop class and
4 I went to college on a full scholarship by the way
5 and graduate school on a full scholarship. So, the
6 thinking that people that are in shop class, students
7 in shop class are not gifted at all and will not
8 succeed in college is not true. The fact that half
9 the students that enroll in colleges every year drop
10 out proves that they probably didn't belong there in
11 the first place. They might have been better off
12 taking shop class in high school, electrical,
13 mechanical or carpentry or plumbing, which our
14 economy is in desperate need of.

15 A month ago, I was on TV with Mike Grow. You may
16 be familiar with Mike Grow, Dirty Jobs Mike Grow.
17 He's the most eloquent advocate trade education as
18 ever had. He has been advocating for trade education
19 for 20 years. I've been doing it for 50 years since,
20 practically since I got out of high school. Trade
21 education, shop class provide valuable skills to
22 students who can earn a terrific living. Most skill
23 trade graduates from either a high school program or
24 a community college program, I teach community
25

1 college at Bronx Community College. I teach in the
2 automotive program. Graduates of our programs or
3 high school programs can immediately get jobs in many
4 cases making more money than their parents with no
5 student debt in most cases.

6
7 So, I'm here to suggest that you need to
8 seriously expand the CTE offerings in all high
9 schools and beyond that, go back to having basic shop
10 classes in middle school, where kids can get exposed
11 to machining, electrical, carpentry, basic
12 homemaking, culinary. Middle school kids should have
13 the opportunity to explore all career fields and then
14 they can pick a field that they want to study in high
15 school. And just make sure there are enough CTE
16 programs available. There should be a seat for every
17 kid who wants a place in a CTE program.

18 UNIDENTIFIED: [INAUDIBLE 01:15:43]

19 MIKE PORCELLI: Exactly, everybody has different
20 gifts. Make sure the education matches those gifts.

21 CHAIRPERSON JOSEPH: Thank you. Just for the
22 record, I wanted to let you know this Council in FY23
23 made historic investments in CTE. We invested over
24 \$30 million in CTE programming and some of them I
25 know I visited and I've seen the work that's being

1
2 done in the Bronx. We have an automotive program in
3 the Bronx. They actually fix your cars. They have
4 partnerships with dealerships with Ford and I
5 promised Council Member Paladino we should visit some
6 as the Education Chair, so you can see the kind of
7 work that's being done.

8 I agree, home ed should come back. Learning how
9 to make uhm, what did they teach us in middle school,
10 how to type and how to make copying machines, sewing.
11 For example, I visited Chelsey CTE program. They
12 teach students the latest in fiberoptic, so they can
13 work with their hands like you say. Most students
14 are tactile. They do graphic design and when they
15 leave these programs, they leave with a certificate
16 that takes them straight to career pathway.

17 So, that's what this Chair does and we invest in
18 that and we will continue to do so but I will invite
19 the Council Member to visit some of these CTE
20 programs across the city to see the work and maybe
21 get her input as to maybe where we can have them more
22 and what type of programming we can have for our
23 young people.

24 MIKE PORCELLI: CTE graduates can immediately get
25 jobs making more money than lawyers.

1
2 CHAIRPERSON JOSEPH: Absolutely, six figure
3 salaries, correct. Uhm, my parents in foster care,
4 what do you think we should be doing differently in
5 terms of engaging foster parents? Not foster parents
6 but birth parents when their child is temporarily
7 taken away? What is the percentage of them returning
8 home to their families? Being reunited with their
9 families?

10 HANNAH MERCURIS: My understanding, the majority
11 of children return home from foster care and I'm
12 happy to get back to the Council with exact numbers
13 about the number of children who return home.

14 One of the things that I tell every single DOE
15 staff member that I speak with, is every single call
16 that you make to a foster parent or a foster care
17 agency, you should make that exact same call to
18 parents. They should be receiving the same kind of
19 communication about their child that the foster
20 parent is receiving. There are so many ways that
21 parents become disconnected from their children's
22 school when they're separated by the foster system.
23 And it takes a lot of resources right? We ask our
24 school staff to do so much work but it's incredibly
25

1
2 important because as the Council's discussed today
3 and heard today, children change foster homes.

4 CHAIRPERSON JOSEPH: You saw the numbers. You
5 saw the numbers.

6 HANNAH MERCURIS: Exactly and so really, the
7 adult who is often the most consistent, the only
8 consistent adult in that child's education, is their
9 parents. Caseworkers from foster agencies change
10 too, so do educational specialists. The person who's
11 really involved in that child's school life, who has
12 been involved in that child's school life for years
13 before they enter the foster system is suddenly cut
14 out and it's incredibly harmful when children return
15 home. Because their parents don't know their
16 teachers.

17 My colleague worked just last week attended an
18 IET meeting for a parent who hadn't been involved in
19 their child's special education services or life or
20 IEP meetings for an entire year. And that child was
21 close to returning home. It's so much catchup work
22 that parents have to do at a time that's really
23 challenging for their family when they should be
24 focused on other things. They should have been
25 included all throughout.

1
2 CHAIRPERSON JOSEPH: Ms. Hinds, yes, you can
3 chime in.

4 CHANTAL HINDS: Thank you so much. I'll just
5 add, I recently completed a qualitative research
6 study asking people in New York State, primarily in
7 the New York City area, what can we do to make our
8 schools more supportive for young people in the
9 foster system and I had about 12 parents participate
10 and I think, I echo everything you said but I also
11 think the burden falls on ACS as well to have active
12 engagement with our parents. They routinely lock
13 them out of educational decisions. I can't tell you
14 how many, pretty much all 12 of the parents said to
15 me, they do what they want to do. They don't tell me
16 where they're going to go to school. They don't ask
17 me if they can change schools. They don't ask my
18 opinion.

19 In my prior role at Advocates for Children, I did
20 a ton of work with agencies, like you have to
21 communicate with the parent. The parent has to sign
22 consent. So, that breaks my heart that in a special
23 education case, the parent wasn't involved. But
24 parents largely feel disconnected. They largely feel
25 disempowered and I think that's an issue that ACS

1
2 must address as well as the school system. Part of
3 the issue in the school system as well is their data
4 systems are not equipped to hold two types of
5 information at the same time, which most, you know
6 many kids have two parents.

7 So, I don't know why this was an issue but it was
8 a huge issue that we were working with on a working
9 group with ACS and DOE just trying to get the systems
10 themselves to hold two different pieces of
11 information, so that both foster parent and parent
12 can be notified. So that they have that information
13 on hold. They can send out those automatic notices
14 and parents are aware and yes, in certain cases, you
15 may have to redact certain information but that's
16 fine. We should still do it because it's their right
17 to be involved. So, I think the burden falls both
18 ways.

19 CHAIRPERSON JOSEPH: And why is it do you think
20 the suspension rate is so high among our students in
21 care?

22 CHANTAL HINDS: Well, again going back to my
23 research and spoke with 51 current and former foster
24 youth and what I heard number one, is a lack of
25 compassion and understanding. School staff don't

1
2 understand what these students are walking into
3 school with every day. They don't understand that
4 they may have changed homes. They may have come to
5 school in one home and they're going back leaving
6 school, sorry, to a different home. They don't
7 understand that. They don't understand the trauma
8 that some of these students have experienced prior to
9 placement and let's not forget during their placement
10 in the system, lots of traumatic things have happened
11 to people in various foster homes.

12 So, when they show up and maybe students get a
13 little dysregulated, a little ruffled, their feathers
14 get ruffled, which is a natural response to any type
15 of trauma right? They are immediately labeled bad
16 kid, suspended instead of provided the
17 social/emotional supports and the skills that they
18 need to navigate those very deep heavy emotions.

19 So, that's the number one thing that has come up
20 in my conversations with impacted individuals.

21 CHAIRPERSON JOSEPH: Why you think we haven't
22 mastered the transportation aspect of students in
23 foster care? It's been mandated since 2015 and it's
24 2023.

25

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2 HANNAH MERCURIS: Frankly, OPT is a mess and the
3 way that it's structured, which is district by
4 district and borough by borough, doesn't account for
5 the lives of many New Yorkers who and students in the
6 foster system particularly who go to school out of
7 District 2 go to school in a different borough.
8 There should never be a choice between a student
9 staying with family or staying close to their school,
10 which is near their parents, which is in their
11 community and remaining with family. There's no
12 reason why foster placements should happen because
13 school is far. And the way that OPT works, it's so
14 difficult, well, this is what DOE says, this is what
15 OPT says that they can't find a route. They can't
16 find a route. They can't find a route. They can't
17 find a route. Make a route.

18 We need the funding for direct door-to-door
19 transportation for these families. It's so
20 disruptive to their family lives, to their
21 educational lives. It's incredibly harmful.

22 DR. JACKIE CODY: I would just add, if they're
23 not going to make a route, then open up pathways of
24 transportation that include, you know you mentioned
25 early shared ridesharing. Okay, but you have to be

1
2 able to – if someone needs to be in that car, it
3 certainly can't be the case worker because then
4 what's happening to all the other 10, 12, 13, 15 kids
5 on the caseload and they're spending their whole day
6 going back and forth to school with one child. There
7 needs to be compensation for chaperones if they're
8 going to be required to be in these vehicles.

9 Other cities across the country have this mandate
10 too. It's a federal law and they have figured out a
11 way to do it. They have abided by the requirement of
12 the federal law that requires a transportation
13 agreement being placed. The last time I was kind of
14 in the midst of those conversations, I don't think
15 the DOE and ACS had come to an agreement and
16 documented that agreement.

17 So, there has to be a meeting of the minds and
18 DOE and OPT have to come to the table and they need
19 to have a good faith conversation on it.

20 HANNAH MERCURIS: It's incredibly disheartening
21 to be in court and see this problem unfold. The
22 traumatic experience of children being placed into
23 the foster system and then have ACS have the parent
24 ask, "Can you provide transportation, so that my
25

1
2 child can attend their school?" And have ACS and the
3 foster agency say no.

4 And then for everyone to throw up their hands.
5 You know DOE bureaucracy. It's going to take; you
6 know it's going to take some time. It shouldn't take
7 any time. It should happen immediately.

8 CHAIRPERSON JOSEPH: It takes about 30 days for a
9 student placed in care to get to school.

10 HANNAH MERCURIS: They always say 5-7 but it's
11 not.

12 CHAIRPERSON JOSEPH: No, I know. I'd like to
13 recognize Council Member Hanif and Council Member
14 Krishnan. Council Member Paladino.

15 COUNCIL MEMBER PALADINO: Excuse my ignorance.
16 How long is --when this disjointed thing that we've
17 got going on right now with these kids. Is it
18 because -- how long is their stay with an average stay
19 with a foster family?

20 HANNAH MERCURIS: That's a great question and I
21 can provide those numbers in my written testimony.

22 COUNCIL MEMBER PALADINO: Because I think part of
23 the problem is, and I know people who took in foster
24 kids and they took them in for years at a time. It
25 wasn't three months, it wasn't four months, it wasn't

1
2 two years. It was maybe three to five years and so
3 on and so forth. And they were acclimated and they
4 went to our schools and everything was great.
5 Everything worked out beautifully.

6 I think because we are so involved in a transient
7 sort of mentality now, for so many different reasons,
8 blame it on the year 2023 and it's not 1963. I don't
9 know but right now, you know the length of stay; I
10 also feel that I'm going to get off the track a
11 little bit. I think a lot of these cases are treated
12 more like a commodity.

13 They are a number. They are dollars and cents in
14 foster parents care. So, when I hear that a parent
15 doesn't care or a parent doesn't get up in the
16 morning to make sure the kid gets - that happens too
17 often. Way, way too often. It's not the child's
18 fault that the child is in this situation. It's the
19 grown-ups. We need grown ups back in the room again.

20 You know, this has gone so far to one side, it's
21 not even funny. We can't keep track. How many kids
22 are there in the foster system right now? In our
23 foster care system in the City of New York? How many
24 kids and how many of those kids are school age kids?
25 How long do they stay when they're put in foster care

1
2 into one home? Then they return back to their
3 parents and maybe their parents screw up again and
4 then they had to go out again. I mean, this is, we
5 are in such a debacle. We need to start to figure
6 this out. You know and the only way we're going to
7 figure this out is when maybe we start to cut back on
8 how much people get paid in order to take in a foster
9 child. Because when they get paid this kind of
10 money, they don't care. They just don't care and
11 like I said, kids are being treated as a commodity
12 and not as a priority.

13 That has to change. That mentality in general
14 has got to change. CPS is called for the simple;
15 I've seen and I've gone to homes where CPS is called
16 because the kid is having a bad day and the parent
17 gets in trouble for something simple.

18 But then we have the other extreme, where the
19 parents are definitely not feeding these kids
20 properly. Not clothing these kids properly, not
21 using the money that they're being given by the City
22 of New York properly. I think we got to get to the
23 root of the problem here and once we get to the root
24 of the problem, we can kind of take care of the other
25

1
2 stuff. This is basic needs that our kids are not
3 getting and it's pathetic. It is pathetic.

4 I don't know what else to say. I got to get
5 educated some more. I want on this Committee.

6 CHAIRPERSON JOSEPH: Well, thank you Council
7 Member but I just for the record, want to clarify a
8 few things. Children stay in care for about 18
9 months. That's the state law. Also, the stipend
10 they give parents is not enough for anybody to make a
11 living. It's peanuts. It's peanuts.

12 Yeah, the stipend is, you do it out of love. I
13 was a foster mom. I had two boys. I adopted my two
14 boys, that's why I fight so hard for them. So, this
15 is personal for me as well. This is personal. So,
16 knowing the needs; I was blessed. I was educator, my
17 husband was a nurse, so we were able to manage but
18 those who don't have that support but want to do well
19 and open their homes for children, do need the
20 support for transportation. Do need the support from
21 getting to Point A to Point B, so it's New York City
22 Public Schools and I've said that before. I'm happy
23 that we finally under our leadership here in the New
24 York City Council under my push, we were able to
25

1
2 finally open an office that deals with students in
3 foster care. It's never been done before.

4 There's about 8,000 students in New York City
5 Public Schools that are in foster care. And so, we
6 were able to do that. Now, the next step is to make
7 sure they have reliable transportation. When a child
8 becomes into care, it takes about 30 days for them to
9 go into school because there is no transportation.
10 They want to give a six-year-old a metro card.

11 So, we got to do better as a city. Thank you so
12 much. Do you have a question Mike?

13 MIKE PORCELLI: Can I follow-up on something I
14 heard here today?

15 CHAIRPERSON JOSEPH: Go ahead.

16 MIKE PORCELLI: First, I want to commend all of
17 you for your obvious passion with which you deal with
18 these issues but most of what I heard here today
19 relates to problems with students and restorative
20 practices and all that.

21 I'm going to suggest that if students were placed
22 in the programs best suited to their abilities and
23 talents, most of these problems would disappear but
24 all the CTE programs that I'm familiar with, they're
25 all excellent. The teachers are excellent. They're

1
2 dedicated. The students are outstanding, the one's
3 I've seen but I've been told that CTE programs only
4 about ten percent of the people that request the
5 seats are getting in. So, that means, I don't know,
6 I don't have any specific numbers but I'm told it's
7 roughly like ten percent. One principal told me they
8 have to – they only accept ten percent of their
9 applications.

10 Those other 90 percent are going to be less than
11 satisfied with the education they get if it's not
12 matched to what they really want to do. So, I'm
13 suggesting as good as CTE is and all the schools that
14 I've seen it, it needs to be expanded massively.

15 CHAIRPERSON JOSEPH: Absolutely.

16 DR. JACKIE CODY: Right and if I may just real
17 quick, this is exactly the reason everything we heard
18 here today is a reason why we need a citywide
19 leadership team because as an educator, like the
20 Chair, I have all kinds of accolades of great work,
21 mainly because I listen to the students. The
22 students have the best answers for their own
23 education and they need to be represented at the
24 citywide level, at the district level and definitely
25 in schools.

1
2 I know second graders that have something to tell
3 you. So, foster care children or children of color,
4 every child needs to be represented on the leadership
5 teams, so they can share what is needed for them to
6 succeed in school, whether the CTE or going to
7 college, whatever it may be. And my last appeal is,
8 get rid of the name GNT because every child is gifted
9 and talented. We should call it accelerated
10 learning. Thank you so much again.

11 COMMITTEE COUNSEL: Thank you so much to this
12 panel. Our next panel will be a hybrid panel. We
13 will hear from one person in person, David Adams
14 followed by on Zoom Erika Palmer. David, you can
15 please make your way to the front desk.

16 David, when you're ready you may begin your
17 testimony.

18 DAVID ADAMS: Good afternoon Madam Chair, Council
19 Members, my name is David Adams, CEO of the Urban
20 Assembly, and I am here to speak in support of Intro.
21 928, focused on the reporting of funding for
22 restorative justice programming and Resolution 422
23 calling on New York Public Schools to expand access
24 to career connected learning.

25

1
2 The Urban Assembly is a non-profit organization
3 that has designed a network of 23 public schools
4 across the city. All Urban Assembly schools provide
5 career-connected learning and are built on a model of
6 social and emotional learning. We do not screen for
7 admission and our collective graduation rate is 91
8 percent.

9 Over the last two years the Urban Assembly has
10 been supporting schools in New York City to organize
11 around the principles of social and emotional
12 development. Through the course of this work the
13 Urban Assembly has cataloged how schools connect
14 programs and approaches to social and emotional
15 competencies like decision making, relationships
16 skills, and cooperation. The use of approaches like
17 restorative justice and peer mediation are
18 consistently identified by schools in New York as a
19 way to teach these skills to students.

20 When implemented pro-actively, restorative
21 justice programs are not just about alternatives to
22 discipline but about equipping young people with the
23 fundamental skills of life. Skills like conflict
24 resolution, communication, active listening and more.
25 These skills form the basis of students' social

1
2 emotional learning are important to students' peer
3 relationships, school climate, and have been found to
4 influence outcomes like mental health and use of
5 public assistance up to 20 years after students are
6 exposed to the experiences that teach them.

7 Every student in New York Public Schools and
8 every citizen in New York City benefits when young
9 people graduate from our school system with
10 proficiency in their social emotional skills. These
11 are not only the skills that are in – these are also
12 the skills that are in highest demand in the
13 workforce. The Urban Assembly has designed seven
14 Career and Technical Education Schools in New York
15 City, representing the highest concentration of CTE
16 schools in New York State. These schools, like the
17 Urban Assembly New York Harbor School, the Urban
18 School for Collaborative Healthcare and the New York
19 and Urban Assembly Maker Academy were founded on the
20 principle that students' economic and social mobility
21 can be enhanced when they leave high school with
22 credentials that are industry recognized and empower
23 students to do as well as know.

24 For 25 years the Urban Assembly has led the way
25 in this space, most recently, being highlighted by

1
2 New York State in their Plan Pilot webinars around
3 graduation requirements, the Deloitte Foundation by
4 bringing 400 students in New York Public Schools the
5 opportunity to earn college credit through Outlier,
6 and through the paper "Let's Measure What Really
7 Matters," which calls on the New York Board of
8 Regents to replace certain exit exams with work-based
9 learning opportunities.

10 Every student has something to contribute to
11 society and we must organize our schools to reflect
12 this fact. Reso. 422 brings us one step closer to a
13 public school system that elevates this ideal. The
14 Urban Assembly maintains three policy positions, on
15 the value of unscreened admissions, on the centrality
16 of social emotional learning to the educational
17 experience, and on the importance of career connected
18 learning preparing students for post-secondary
19 success.

20 Today, I have the great fortune of speaking in
21 support of Intro. 928, and Reso. 423, and to quote
22 Meat Loaf, "two out of three ain't bad."

23 I thank the Council for your time on this subject
24 and look forward to bringing about a system where all
25

1
2 students are equipped to succeed in school, work, and
3 life. Thank you.

4 CHAIRPERSON JOSEPH: Thank you for all that you
5 do.

6 COMMITTEE COUNSEL: Thank you so much for your
7 testimony. Next up Erika Palmer.

8 SERGEANT AT ARMS: Time has begun. Can you
9 unmute yourself please? We can't hear you.

10 ERIKA PALMER: It won't let me.

11 SERGEANT AT ARMS: There you go, you're fine.
12 You may begin.

13 ERIKA PALMER: Okay, thank you, sorry, it wasn't
14 letting me unmute myself. Uhm, so thank you very
15 much for holding this hearing today and for inviting
16 us to testify. I'm here to testify in support of
17 Intro. 857, to expand the DOE's data reporting
18 requirements to include metrics on students in foster
19 care.

20 My name is Erika Palmer. I work at Advocates for
21 Children and direct our foster care project. With
22 the strong backing of the Council, thank you very
23 much. The DOE recently created a first-in-the-nation
24 office focused solely on students in the foster
25 system. As the new team dives into student education

1 data, they can see what we have noted anecdotally for
2 years. That students in foster care
3 disproportionately are suspended from school and
4 over-represented in segregated special education
5 settings, like District 75, rather than getting the
6 behavioral supports and interventions they need in
7 their home schools to heal from the trauma the have
8 experienced and continue to experience while in care.

9
10 While the DOE is required to post reports on
11 special education services and suspensions, these
12 reports currently do not include any specific
13 information about students in foster care, masking
14 significant disparities. Public access to this data
15 is vital so that policy makers and advocates can
16 identify key intervention points, develop solutions
17 and hold the school system accountable. That's why
18 it's critical the reporting laws be amended to
19 include students in foster care as a distinct group.
20 And I'm happy to hear today that the DOE fully
21 supports this addition.

22 Thank you Chair Joseph and the Committee for your
23 advocacy in this area. As we strive to improve
24 education delivered to students in foster care, we
25 also must ensure that students in the foster system

1
2 have prompt, reliable, and appropriate ways to get to
3 school as we have heard from others on the panel.
4 Federal and state law requires the city to provide
5 transportation to students in foster care, so they
6 can stay in their school of origin. While many
7 students in foster care do get busing, as we have
8 heard, the city still does not guarantee bus service
9 or a comparable mode of transportation to these
10 students.

11 As the DOE website currently states, students in
12 foster care in grades PK-6 are eligible for school
13 bus service or a metro card and if a bus is not
14 available within ten business days, alternative
15 transportation may be available. While the DOE says
16 it will reimburse transportation costs if there is no
17 bus route, they will not reimburse for chaperone as
18 we've heard if the foster parent or an agency staff
19 member cannot escort the student to and from school
20 every day and there have been significant delays in
21 reimbursing the agencies for transportation expenses.
22 As a result, students who cannot travel on their own
23 have been forced to change schools and even foster
24 homes.

1
2 Even when students do get busing, delays of a
3 month or more can be hugely destabilizing to the
4 families. Like Council Member Paladino shared, I
5 also routinely hear about students in foster care,
6 who are being picked up at 6 in the morning or
7 earlier, only to arrive to school late or drivers who
8 simply don't show up.

9 Last week, I learned about a child whose bus
10 hasn't been coming at least once per week for over
11 two months now since before spring break. When the
12 bus does come, the driver is often several hours late
13 because as the bus company informed the foster
14 parent, they have to pick up and drop off the regular
15 kids first.

16 To ensure students get the transportation they
17 desperately need, so they can arrive to school every
18 day and be prepared for learning, the city should
19 invest \$5 million in the DOE budget to provide prompt
20 reliable bus service or other door to door
21 transportation to students in foster care. Some of
22 my colleagues previously testified as to you know
23 some solutions to this problem. We appreciate the
24 Council's commitment to improving the education of
25

1
2 students in foster care and I'm happy to answer any
3 questions you may have. Thank you.

4 CHAIRPERSON JOSEPH: I have a question for you.
5 In your testimony you stated they were looking for an
6 exit at exam and what they – what did you mean by
7 that?

8 DAVID ADAMS: Could you repeat the question Chair
9 Joseph?

10 CHAIRPERSON JOSEPH: Uhm, you said New York Board
11 Of Regents to replace certain exit exams with work-
12 based learning opportunities. Walk me through that.
13 What does that look like?

14 DAVID ADAMS: Yes, Chair Joseph. So, we
15 published a paper called, "Let's Measure What Really
16 Matters." In our paper, we were advocating for the
17 Regents to go from the amount of Regents that we have
18 now to focus on ELA and math only in order to create
19 more opportunities to have work based learning
20 experiences.

21 So, right now, what we're seeing in our schools
22 in New York City, particularly in high schools is the
23 constraints of the Regents means that we have
24 narrowed our vision to what it means to be educated
25 in New York City. Teachers are focused on passing

1
2 the Regents, rather than providing a holistic
3 education for young people. We believe based on this
4 paper that reducing the amount of exit exams will
5 allow schools to invest in a wide arrange of
6 experiences for young people, like internships and
7 work-based learning, so that they're prepared not
8 only for passing tests but passing the tests of life.

9 CHAIRPERSON JOSEPH: Okay and also putting them
10 on a career pathway. That's the goal right? Once
11 they finish the CTs to put them on a career pathway.

12 DAVID ADAMS: Yes, Chair Joseph, so our
13 understanding is that all students are on a career
14 pathway. The question is, what kind of credentials
15 that they acquire to put themselves in a way that can
16 be successful, so whether those credentials are
17 created in terms of the 9-12 system in the process,
18 whether that's a two-year degree, whether that's a
19 certificate degree, we know that every student needs
20 to have some sort of credential post-secondary to be
21 successful. The question is, when they achieve that
22 and how they stack for those credentials to be
23 successful.

24 So, all students are on a career pathway. All
25 students must do something to contribute to their

1
2 society. We believe paid work is one element of that
3 and when students have an opportunity to participate
4 in that, they're more motivated to graduate high
5 school in time.

6 CHAIRPERSON JOSEPH: Absolutely and they show up
7 to schools even more often because they have an
8 interest and the passion.

9 DAVID ADAMS: That's correct.

10 CHAIRPERSON JOSEPH: Well, thank you for the work
11 that you do. Thank you.

12 DAVID ADAMS: You're welcome Chair Joseph.

13 COMMITTEE COUNSEL: Thank you so much to this
14 panel. If there is anybody else in the room who
15 wishes to testify, please make your way to the
16 Sergeant at Arms desk at the back and if there's
17 anybody else on Zoom who wishes to testify, please
18 use the raised hand feature.

19 Not seeing anybody in the room or on Zoom, and so
20 that concludes our hearing for today. Thank you so
21 much.

22 CHAIRPERSON JOSEPH: Thank you for our panelists
23 and everyone who testified in today's hearing. Thank
24 you. [GAVEL]

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 July 11, 2023