



Department of
Education
Chancellor Richard A. Carranza

**Testimony of the New York City Department of Education
on Physical Education and Athletics
Before the NYC Council Education Committee**

December 3, 2018

Good afternoon Chair Treyger and Members of the Education Committee. My name is Lindsey Harr, and I am executive director of the Office of School Wellness Programs within the Division of School Climate and Wellness. Thank you for the opportunity to update you on the progress we are making in improving both the quantity and quality of instruction in the core academic area of physical education.

We appreciate our partnership with the Council and your leadership in supporting DOE programs dedicated to student health and well-being. The vision and mission of my office is rooted in this administration's core tenets of Equity and Excellence for All. We believe that educating the whole child involves creating conditions in schools where quality physical education thrives and school communities are engaged in supporting student well-being.

Research shows that physically active students do better in school and learn skills that can keep them healthy for their entire lives. Physical education focuses on teaching students *why* fitness and health are important and *how* students can develop the knowledge, skills, and confidence to enjoy a lifetime of health-focused physical activity.

In April 2016, the Mayor and Chancellor, with the Council's invaluable support, launched the *PE Works* initiative, an unprecedented multi-year \$100 million investment to transform physical education for our students -- growing an initial pilot that reached 400 schools to a citywide initiative reaching all district schools.

Our mission through *PE Works* is to create a sustainable model for quality PE instruction for generations of students to come. We do this by developing educators—both teachers and school administrators—who understand the importance of physical education and who have the knowledge and skills to implement a strong PE program that supports students' fitness, health, and academic success.

PE Works attacks the barriers and obstacles to quality instruction using a model rooted in the *Framework for Great Schools* and adaptable to the unique needs of individual schools. We have completed individual needs assessments for nearly 1,500 schools to identify scheduling, facilities, staffing, and professional learning challenges in each school. Working with principals, we create action plans and provide resources, support, and ongoing assistance as needed. By design, we have focused intensively on elementary schools, which needed the most support, but we are also providing expanded professional learning and instructional resources for middle and high school teachers, as well as targeted support to secondary-level administrators, to increase the quality and quantity of PE in those grades.



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As a result, DOE's PE data released in August of this year show that schools report 75.8% of students met PE requirements in 2017-18, compared to 53.5% in 2015-16. That progress is reflected across all student demographic groups, boroughs, and grade levels, and stems from these key elements of *PE Works*:

- In collaboration with DOE's office of Teacher Recruitment and Quality, and in partnership with colleges and universities, we have recruited and hired more than 450 certified physical education teachers who are working in elementary schools. As of June 2018, 85% of elementary schools had at least one certified PE teacher.
- Working with the United Federation of Teachers, we created a new K-12 PE license that makes it easier for schools to retain certified and licensed PE teachers in elementary schools.
- We created alternative pathways and supplemental certification options so teachers can gain PE certification. One hundred and thirty-nine teachers have participated in these options to date.
- We significantly increased professional learning options for teachers to help ensure that students have high-quality, standards-based PE instruction. 78% of elementary PE teachers attended at least one professional learning session last year, and approximately 220 PE teachers participated in individualized coaching cycles to improve instructional practices.
- We created 31 teacher-led Professional Learning Communities across the City where approximately 360 educators come together monthly to share ideas and best practices. The number of these Professional Learning Communities will expand this year.

Building on *PE Works*, last year the Mayor and Chancellor, in collaboration with the City Council, announced a Universal PE initiative to provide all schools with a designated PE space. Our work also includes engaging school communities in supporting a culture of high-quality PE and student well-being. School Wellness Councils help to bring administrators, teachers, families, students, and community organizations together to tackle issues identified by the school community; last year we provided 207 Wellness Council grants.

Physical education enables students to develop the skills they need to participate in physical activities of all types, including but not limited to competitive sports. Our CHAMPS before- and after-school program, funded in part by the City Council, was created with the goal of engaging students, regardless of athletic ability, in fitness activities that they can enjoy now and for a lifetime. Last year, CHAMPS reached approximately 29,000 students in approximately 400 elementary and middle schools.

Finally, the Public Schools Athletic League, known as PSAL, is another way in which we provide students with opportunities outside of the school day to further develop their physical fitness, character, and socialization skills through competitive athletics that foster teamwork, discipline, and sportsmanship. On that note, it is my pleasure to turn it over to my colleague Seth Schoenfeld, executive director for Educational Equity in the Division of School Climate and Wellness, who will discuss athletics in NYC schools.



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*Testimony of Seth Schoenfeld,
Executive Director of Educational Equity, Division of School Climate and Wellness*

Good afternoon Chair Treyger and members of the Education Committee. My name is Seth Schoenfeld and I am the executive director for educational equity in the Division of School Climate and Wellness. I am joined by Daniel Harris, Director of Professional Development and Special Projects, and LaQuana Chambers, Director of Sports Programming, from the Public Schools Athletic League. Since this is my first time before this Committee, I would like to share a little about my background. I am a proud former PSAL student athlete, coach, and principal. Recently, over the last month and a half, I have been supporting PSAL's transition into our division. Thank you for the opportunity to discuss this important issue.

The Public Schools Athletic League is America's largest school sports league, and provides all league-level support, including allocating funding to schools for teams, coordinating league events, scheduling competitions, assigning officials to oversee games, and providing funding for coaches, game officials, and athletic directors. PSAL works alongside school staff, including athletic directors, who are responsible for engaging students, hiring coaches, obtaining equipment and uniforms, and locating space suitable for team practices. In addition, PSAL partners with organizations such as the New York Yankees, New York Jets, and the Women's Sports Foundation to provide exciting opportunities for our scholar-athletes. These events include recognition dinners, championship games at major venues such as Yankee Stadium and Madison Square Garden, and special events for our female athletes on National Girls & Women in Sports Day. In fact, tomorrow the PSAL Football City Championship will take place at Yankee Stadium where the number one seeded Vikings of South Shore Campus will face off against the number two seeded Dutchmen of Erasmus Hall Campus.

Approximately 44,000 New York City students compete in 20,000 contests each year, in 24 different sports—ranging from football to Double Dutch. PSAL organizes competitions for approximately 3,000 teams each year, providing students access to after-school athletic programming. Research has shown that students who play high school sports have better educational outcomes, including higher grades and standardized test scores. According to the Centers for Disease Control and Prevention, playing sports helps adolescents build and maintain strong muscles and bones, and reduces the risk of developing obesity, diabetes, and cardiovascular disease. Athletic competition helps students learn important lessons about teamwork, setting goals, and perseverance.

This Administration has promoted PSAL's work in four important ways.

First, since school year 2013-14, the PSAL budget has grown from \$28 million to \$34 million, including \$1 million from the Council, allowing PSAL to increase its reach by providing afterschool athletic programs to 7,000 additional students, with approximately 400 new teams added to PSAL's roster. Almost all of these new teams increased access for students at schools with fewer existing teams.



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Second, PSAL has focused on expanding opportunities for female student-athletes with the goal of ensuring that they have equitable access to after-school sports. These efforts have paid off – we are making real progress towards an equal number of male and female student-athletes. Our most recent data show that females comprise 44% of our student-athletes, and 45% of teams are girls' teams. We look forward to continuing this progress.

Third, DOE has increased access to competitive athletics for students at smaller-sized schools. To that end, in collaboration with the City Council, we have made investments aimed at guiding smaller and newer schools through the process of growing a comprehensive athletic program. We look forward to building on the work done so far.

Fourth, this school year, PSAL has expanded its portfolio to include management of the Middle School Basketball League. The Middle School Basketball League will generate interest in athletics in our middle schoolers while creating a pipeline for athletes to join sports teams in their high school years. Participation in the Middle School Basketball League is open to all middle schools —any school can apply for a team.

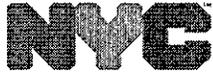
Our first priority at every PSAL competition and practice is the safety of our students. All PSAL coaches undergo health and safety training, including certifications in First Aid and CPR. Coaches must also be certified in Concussion Management. Certification includes both an in-person course and an online component, taken every two years. Schools also must provide Automated External Defibrillators (AEDs) at competitions and ensure that a staff member who is trained in their use is on site during competitions. There are specific additional safeguards for certain sports: for example, swimming coaches must have current lifeguard and CPR for the Professional Rescuer certifications, in addition to regular PSAL first aid. We have also implemented measures such as pitch limitations in baseball and improved head gear for female lacrosse players.

Providing all of our students with equity and access is a top priority for this administration. PSAL has recently come under the leadership of the Division of School Climate and Wellness, where we are focused on supporting the whole child, including social-emotional learning and related supports. Under the leadership of Chancellor Richard Carranza and Deputy Chancellor LaShawn Robinson, we are moving the work of PSAL forward with a deep focus on equity and access to ensure that all students in our City can benefit from participating in after-school sports.

I would now like to turn to the proposed legislation:

Proposed Intro. 242-A requires DOE to report on funding for after-school athletics. We support the goal of increasing transparency regarding PSAL and look forward to working with the Council to ensure that the reporting requirements align with the data we currently track in our reporting systems.

The pre-considered legislation sponsored by Council Member Treyger requires DOE to report on physical education curricula. We share the Council's goal of ensuring that all students receive



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high-quality physical education. DOE policy permits schools to select their curricula in all subject areas, and while we recommend Physical Education curricula, we do not track school-level use. We are rolling out a Scope and Sequence this year to establish shared expectations for PE instruction citywide. The PE Scope and Sequence will assist teachers and administrators in providing sequential, developmentally-appropriate PE that enables students to develop the skills and knowledge to stay active and healthy throughout their lives. We look forward to further discussion with Council on this bill.

The pre-considered bill sponsored by Council Member Rosenthal requires DOE to report on adaptive physical education. We support the goal of the legislation.

The DOE is committed to ensuring that all students have access to a high-quality education that includes access to physical education and a wide range of sports. We are proud of our efforts and committed to continuing to expand athletic opportunities and support for our students. We look forward to working with the Council on this important issue.

With that, we would be happy to answer questions you may have. However, at the directive of the Law Department, I do need to note that because of pending litigation related to PSAL, there are certain questions we will be unable to answer. Please understand that our inability to answer certain questions in no way reflects on how seriously we take our commitment to equity in all aspects of education, including athletics.



FOR THE RECORD

MEMORANDUM OF SUPPORT
Int. 242-A

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RE: Int. 242-A In relation to requiring the Department of Education to report on funding for after school athletics.

The Council of School Supervisors and Administrators (CSA), which represents over 16,000 in-service and retired principals, assistant principals, educational administrators, directors and assistant directors in city-funded early childhood centers, strongly supports this common-sense resolution.

We advocate that all students throughout New York City should have the opportunity to participate in organized athletic programs, regardless of the size of their school. Schools should receive the necessary funding and resources to provide this opportunity whether they are categorized as PSAL (Public Schools Athletic League) or SSAL (Small Schools Athletic League).

By requiring the Department of Education to report on funding for after-school athletics, this resolution will help to provide transparency and is a necessary step towards ensuring that all students have equitable access to after-school athletic activities.



FOR THE RECORD

MEMORANDUM OF SUPPORT Res. 85-A

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RE: Proposed Res 85-A A resolution calling upon the New York City Department of Education (DOE) to ensure that all students have equitable access to after-school athletic activities and associated funding.

The Council of School Supervisors and Administrators (CSA), which represents over 16,000 in-service and retired principals, assistant principals, educational administrators, directors and assistant directors in city-funded early childhood centers, strongly supports this common-sense resolution.

CSA believes that all students throughout New York City should be given equal opportunity to participate in organized after-school activities, regardless of the size of their school. Currently, many small schools lack the necessary resources to provide adequate after school athletic activities to their student body.

We support this resolution because it will work in tandem with Int. 242-A to level the playing field for the funding of after-school athletic activities.



Thank you Chairman Treyger and the Education Committee for holding today's important hearing.

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My name is Ben Gologor. I'm here today representing Asphalt Green – a sports and fitness non-profit organization operating youth programs throughout New York City. This year, our organization is providing programs and trainings in partnership with 150 public and charter schools in some of NYC's most underserved neighborhoods. In addition to keeping over 30,000 kids active at recess and teaching 3,500 kids to swim during the school day, we also run a Community Sports Leagues program which gives 750 middle school youth in Harlem the chance to represent their school in interscholastic competition. Through this program we have seen how after school sports can strengthen school communities, prepare students for high school athletics, and help children develop confidence and social skills.

Over the last several years we have had the opportunity to work closely with the Department of Education's Office of School Wellness Programs. We have taken part in the Office's District Advisory Council and have collaborated to train elementary school staff on how to run active and inclusive recess periods. While there is still much work to be done, we commend the Department of Education's efforts around improving and increasing physical education and physical activity during the school day. We believe Chairman Treyger's bill will serve to further support these efforts and similar efforts in the areas of adaptive physical education and after school sports for students throughout New York City.

For many years, Asphalt Green has provided adaptive phys ed for two specialized schools serving children with autism and general learning disabilities. We believe the Department of Education has prioritized the importance of expanding and improving options for adaptive physical education and is working toward creating more opportunities for CBO's and other service providers to collaborate on making an impact in this area. Council Member Rosenthal's bill would help all stakeholders better understand where more support is needed and where successful adaptive programs are running. This will help raise the bar for adaptive phys ed and ensure every child develops the physical literacy need to be healthy and active.

We would also like to voice our support for Council Member Reynoso's bill to require increased reporting on afterschool athletic funding. After school athletics are a crucial part of the safety net for children and families. With such a wide variety of agencies and CBO's acting as service providers during the after school hours, more detailed accounting of the needs and resources of specific schools will help to guide how all of these organizations deliver services in the most equitable, coordinated, and effective way.

We look forward to continuing our work in the years to come and developing deeper partnerships with the Department of Education, The City Council, and other stakeholders to ensure all children in New York City can lead active and healthy lives.



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Nicoletta Nerangis- testimony:

I, Nicoletta Nerangis, am the Founder and Executive Director of Run4Fun, a non-profit organization that promotes holistic wellness in youth emotionally, physically, socially, and educationally through running, physical activity, and a healthy life-style. I am also on the PE4All Coalition. In addition, I am the President of Achilles Brooklyn, an international non-profit that serves athletes with disabilities.

Thank you for your continuing funding support of PE and after-school athletic activities, and for continuing to require the DOE to report on the frequency of PE. I ask that you continue to support the reporting of after-school activities, reporting adaptive PE, reporting PE curriculum, require the DOE to report on funding for after-school activities, and that all students have equitable access to after-school athletes activities and funding.

I have seen with my own eyes countless examples of how the power of sport and physical activity has changed and empowered children's lives in schools throughout New York City. I founded Run4Fun in 2014 with the inspiration of my own son, when at 7 years old on a run with him, I recommended he join a track team and he said, "No Mama, but if you lead it, I will join." He struggled with anxiety surrounding competitive sports, but loved to run and play. I soon saw in my work, that this resonated with countless children. We started Run4Fun with my son and his 6 friends and now we serve over 2000 children and teens in New York City.

I am a member of the Laureus League Sport for Good USA and International. We are a group of organizations all serving young people during school and after-school by utilizing the power of sport, all different sports, soccer, rowing, running, rugby to empower youth socio-emotionally, educationally, and to overcome challenging social issues including poverty, homelessness, discrimination, disease, and violence. President Nelson Mandela made an electrifying speech at the first Laureus World Sports Awards that has been the driving force of what I and others do in this sport for good work. He said, "Sport has the power to change the world. It has the power to inspire. It has the power to unite people in a way that little else does. Sport can create hope where once there was only despair."

One of my youth runners, Gus, suffered severe anxiety surrounding school. Physical activity was what brought him hope and relief. Recess, PE, and access to after-school sports activities was very overwhelming for him. He did not have close friends and suffered with stomach aches daily, refusing to go to school. His mother had to pick him up from school at times in the middle of the school day. Gus is one of the 6 that joined Run4Fun with the encouragement of his PE Teacher and mother. When he began to run after-school, he met friends, including my son that went to his school, PS 321. Gus began to form friendships and was able to go to school, at first on a Friday it wasn't difficult, because he knew he would run after-school, Monday would be difficult, but soon he could go to school without stomach aches, because he knew he would run on Tuesday. Gus developed deep friendships through Run4Fun, and soon school recess and PE became less challenging. His stomachs stopped, his friendships grew, he continued to be active, and he thrived academically.

Sport and physical activity has the power to create life changing opportunities for our young people. Continuing to support will be life saving to countless youth. Thank you so much for your continued support,
Nicoletta Nerangis, LMSW



Testimony of the American Heart Association
Before the New York City Council Committee on Education
Regarding

T2018-3359 - A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on physical education curricula in New York city schools

T2018-3358 - A Local Law to amend the administrative code of the city of New York, in relation to reporting by the department of education on adaptive physical education

Res 0085-2018 - Resolution calling upon the New York City Department of Education (DOE) to ensure that all students have equitable access to after-school athletic activities and associated funding.

December 3, 2018

Greg Mihailovich, Community Advocacy Director
American Heart Association, New York City

Thank you Chair Treyger and the members of the Council Committee on Education. On behalf of the volunteers of the American Heart Association, I am grateful for the opportunity to present testimony related to key educational initiatives that our organization believes will motivate healthy behaviors in young New Yorkers. As the nation's oldest and largest voluntary organization dedicated to fighting heart disease and stroke, of which approximately 80% of diagnoses are preventable¹, the American Heart Association prioritizes many policies that promote child health. Despite this potential, heart diseases and stroke continue to be our city's leading causes of death and disability. With your continued help, however, we hope to change these statistics.

The American Heart Association applauds the significant efforts undertaken by the New York City Council and Mayor de Blasio related to improving physical education in our schools. An effective PE program, offered to every student, can serve to equalize opportunities for physical activity now and inspire a lifetime of healthier behaviors for children in all communities. As part of the NYC Phys Ed 4 All Coalition, the American Heart Association is thrilled with the recent improvement of physical education in NYC schools. Over 75% of schools met PE requirements in 2017-18, up from just 54% in 2015-16². This is significant improvement because physical activity

¹ <http://www.cdc.gov/vitalsigns/HeartDisease-Stroke/index.html>

² <https://infohub.nyced.org/reports-and-policies/government/intergovernmental-affairs/physical-education-reporting>

can help children improve cognition, bone health, fitness, heart health, and can also reduce the risk of depression³.

We can accurately track this progress and identify chronic areas of need because of Local Law 102. This law has dramatically improved the transparency of individual schools' PE programs and helped ensure that schools continue to prioritize PE and overcome any obstacles that restrict access to physical activity for NYC children. As helpful as Local Law 102 has been, it can be better. The NYC Council, NYC Department of Education and Phys Ed 4 All Coalition all share the goal of ensuring every student has access to physical education in order to stay healthy, learn better, and grow into healthier adults. By amending Local Law 102 to collect additional data, families and advocates can better understand which schools need additional support to meet the PE standards.

We are thankful for the amendments proposed by Council Members Treyger, Kallos, and Rosenthal and for their commitment to the health of our children. However, to ensure that the annual PE Reporting data provides a comprehensive view of PE in NYC schools, we recommend that Local Law 102 be amended to report on all the following school-level metrics that are key to measuring the quality of PE programs:

- Quantity:
 - Average class size of PE
 - Number of days per year students take PE
 - Number of class periods, blocks, or applicable measurement per week of PE
- Curriculum standards: Whether the school is using a planned, K-12 sequential PE curriculum that adheres to national and state standards for PE, and whether this curriculum is systematically reviewed and updated
- Teacher credentials: Show plans for and progress toward ensuring all PE teachers are licensed, certified, or endorsed by an accredited teacher preparation program to teach PE
- Student assessment:
 - Whether the school is implementing the Presidential Youth Fitness Program or a similar program that integrates student fitness assessment, annual professional development for teachers that is specific to their field, and recognition for students who are achieving a Healthy Fitness Zone.
 - Whether they are reporting individual results to students and parents and aggregate results to the appropriate state agency.
- Equipment and facilities: Whether PE programs have appropriate equipment and adequate facilities for students to engage in the recommended amount and intensity of physical activity.
- Substitutions, Waivers, Exemptions, & Adaptions:
 - Whether the school/district has applied to the state for a waiver from the state-mandated PE requirement
 - Whether schools/districts allow student exemptions or substitutions for PE
 - Whether modifications or adaptions allow PE courses to meet the needs of students with disabilities, instead of offering waivers to students with disabilities
 - Whether students are not allowed to opt out of PE to prepare for other classes or standardized tests

³ https://health.gov/paguidelines/second-edition/pdf/Physical_Activity_Guidelines_2nd_edition.pdf

Additionally, in its current state, the annual PE reporting data is provided in dense spreadsheets can be overwhelming for anyone who doesn't regularly analyze data. AHA has produced simple infographics based on Local Law 102 data and it really resonates with parents when they can see the improvements we've made so far, and where we still have some work to do. In order, to make this important data accessible and useful for parents, educators, and advocate, Local Law 102 should ensure data is provided by every school in New York City and ask DOE to: 1) Proactively send school-level data home with students and/or post school-level data to individual schools' websites, 2) Provide a summary of key findings from the report, and 3) Make information available in the primary languages of families. With these comprehensive amendments, we can be sure our kids are getting the physical education they need and deserve.

The American Heart Association also applauds the efforts of the NYC Council and DOE to ensure students have equitable access to afterschool athletics and activities. We recommend that children ages 6 to 17 should get at least 60 minutes per day of moderate- to vigorous-intensity physical activity⁴ so the required PE minutes (120 min./week for grades K-6 and 90 min./week for grades 6-12) alone do not meet our recommendations. Providing equitable access to afterschool athletic activities for our students will help bridge that gap and keep our children active so they can live long and healthy lives.

Attachments:

- Sample spreadsheets from 2017-18 PE Reporting Data
- American Heart Association infographic based on 2015-16 and 2016-17 PE Reporting Data

⁴ <http://www.heart.org/en/healthy-living/fitness/fitness-basics/aha-recs-for-physical-activity-in-adults>

New York City Department of Education
 Report on Physical Education in New York City Public Schools, 2017-18
 Borough-level Summary

Borough	Grade Level	Category	Average Frequency	Average Minutes	# of students who are receiving the required amount of physical education instruction	%	# of students who are receiving less than the required amount of physical education instruction	%	# of students who have an IEP that recommends adaptive physical education	%
Bronx	1	All Students	3.83	124.94	8679	60.11%	5760	39.89%	173	1.20%
Bronx	1	Asian			328	54.67%	272	45.33%	s	
Bronx	1	Black			2147	61.62%	1337	38.36%	64	1.84%
Bronx	1	Hispanic			5751	60.79%	3710	39.21%	94	0.99%
Bronx	1	Other			140	59.83%	94	40.17%	s	
Bronx	1	White			313	47.42%	347	52.58%	12	1.82%
Bronx	1	Female			4230	60.79%	2728	39.21%	52	0.75%
Bronx	1	Male			4449	59.47%	3032	40.53%	121	1.62%
Bronx	1	IEP			1898	57.57%	1399	42.43%	173	5.25%
Bronx	1	ELL			1858	61.95%	1141	38.05%	36	1.20%
Bronx	2	All Students	3.82	124.28	9224	60.88%	5927	39.12%	201	1.33%
Bronx	2	Asian			321	52.29%	302	47.71%	8	1.26%
Bronx	2	Black			2293	63.01%	1346	36.99%	58	1.59%
Bronx	2	Hispanic			6112	61.53%	3822	38.47%	s	
Bronx	2	Other			92	52.57%	83	47.43%	s	
Bronx	2	White			396	51.43%	374	48.57%	12	1.56%
Bronx	2	Female			4450	61.43%	2794	38.57%	46	0.64%
Bronx	2	Male			4774	60.38%	3133	39.62%	155	1.96%
Bronx	2	IEP			2186	57.06%	1645	42.94%	201	5.25%
Bronx	2	ELL			2063	61.88%	1271	38.12%	49	1.47%
Bronx	3	All Students	3.66	122.42	8292	53.75%	7134	46.25%	176	1.14%
Bronx	3	Asian			303	47.05%	341	52.95%	s	
Bronx	3	Black			2150	56.67%	1644	43.33%	64	1.69%
Bronx	3	Hispanic			5363	53.80%	4605	46.20%	92	0.92%
Bronx	3	Other			117	54.67%	97	45.33%	s	
Bronx	3	White			359	44.54%	447	55.46%	14	1.74%
Bronx	3	Female			3973	53.59%	3441	46.41%	54	0.73%
Bronx	3	Male			4319	53.91%	3693	46.09%	172	1.52%
Bronx	3	IEP			2143	53.08%	1894	46.92%	176	4.36%
Bronx	3	ELL			1790	54.19%	1513	45.81%	35	1.06%
Bronx	4	All Students	3.10	120.77	10496	68.47%	4833	31.53%	206	1.34%
Bronx	4	Asian			377	58.63%	266	41.37%	s	
Bronx	4	Black			2773	70.63%	1153	29.37%	64	1.63%
Bronx	4	Hispanic			6729	68.53%	3090	31.47%	124	1.26%
Bronx	4	Other			135	70.31%	57	29.69%	s	
Bronx	4	White			482	64.35%	267	35.65%	13	1.74%
Bronx	4	Female			4971	68.12%	2326	31.88%	52	0.71%
Bronx	4	Male			5525	68.79%	2507	31.21%	154	1.92%
Bronx	4	IEP			2911	68.38%	1346	31.62%	206	4.84%
Bronx	4	ELL			2039	69.19%	908	30.81%	42	1.43%
Bronx	5	All Students	3.09	120.40	10686	69.02%	4796	30.98%	182	1.18%
Bronx	5	Asian			392	58.77%	275	41.23%	s	
Bronx	5	Black			2808	72.09%	1087	27.91%	66	1.69%
Bronx	5	Hispanic			6888	68.80%	3123	31.20%	97	0.97%
Bronx	5	Other			142	69.61%	62	30.39%	s	
Bronx	5	White			456	64.68%	249	35.32%	10	1.42%
Bronx	5	Female			5283	69.39%	2331	30.61%	63	0.83%
Bronx	5	Male			5403	68.67%	2465	31.33%	119	1.51%
Bronx	5	IEP			2863	69.05%	1283	30.95%	182	4.39%
Bronx	5	ELL			1887	69.48%	829	30.52%	32	1.18%

DBM ID	School Name	Grade Level	Category	Average Frequency	Average Minutes	# of students who are receiving the required amount of physical education instruction	%	# of students who are receiving less than the required amount of physical education instruction	%	# of students who have an IEP that recommends adaptive physical education	%
01M015	P.S. 015 Roberto Clemente	1	All Students	3.00	135.00	1	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	Asian			1	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	Black			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	Hispanic			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	Female			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	Male			1	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	IEP			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	1	ELL			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	All Students	3.00	135.00	2	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	Asian			2	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	Black			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	Hispanic			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	White			2	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	Female			1	50%	1	50%	0	0%
01M015	P.S. 015 Roberto Clemente	2	Male			1	50%	1	50%	0	0%
01M015	P.S. 015 Roberto Clemente	2	IEP			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	2	ELL			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	3	All Students	3.00	135.00	3	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	3	Asian			3	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	3	Black			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	3	Hispanic			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	3	Other			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	3	Female			1	33%	2	67%	0	0%
01M015	P.S. 015 Roberto Clemente	3	Male			2	67%	1	33%	0	0%
01M015	P.S. 015 Roberto Clemente	3	IEP			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	4	All Students	2.71	121.94	22	70.97%	9	29.03%	0	0%
01M015	P.S. 015 Roberto Clemente	4	Asian			1	25%	3	75%	0	0%
01M015	P.S. 015 Roberto Clemente	4	Black			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	4	Hispanic			15	72.73%	6	27.27%	0	0%
01M015	P.S. 015 Roberto Clemente	4	Other			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	4	Female			11	55%	9	45%	0	0%
01M015	P.S. 015 Roberto Clemente	4	Male			11	55%	9	45%	0	0%
01M015	P.S. 015 Roberto Clemente	4	IEP			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	4	ELL			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	5	All Students	3.00	135.00	5	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	5	Asian			5	100%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	5	Black			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	5	Hispanic			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	5	Female			2	40%	3	60%	0	0%
01M015	P.S. 015 Roberto Clemente	5	Male			3	60%	2	40%	0	0%
01M015	P.S. 015 Roberto Clemente	5	IEP			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	All Students	3.00	135.00	0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	Asian			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	Black			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	Hispanic			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	White			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	Female			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	Male			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	IEP			0	0%	0	0%	0	0%
01M015	P.S. 015 Roberto Clemente	OK	ELL			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	All Students	5.00	170.00	1	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	Asian			1	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	Black			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	Hispanic			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	White			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	Female			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	Male			1	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	IEP			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	1	ELL			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	All Students	5.00	170.00	2	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	Asian			2	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	Black			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	Hispanic			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	White			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	Female			1	50%	1	50%	0	0%
01M019	P.S. 019 Asher Levy	2	Male			1	50%	1	50%	0	0%
01M019	P.S. 019 Asher Levy	2	IEP			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	2	ELL			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	3	All Students	5.00	155.00	3	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	3	Asian			3	100%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	3	Black			0	0%	0	0%	0	0%
01M019	P.S. 019 Asher Levy	3	Hispanic			0	0%	0	0%	0	0%

Every student in New York City

deserves access to effective physical education.



you're the cure



Active kids learn better.

Although New York City has made strides in recent years, too many students don't have access to effective physical education (PE) programs. New York should continue investing in PE to ensure that all students, no matter where they live or go to school, can be active and learn lifelong healthy habits that will help them grow into healthy adults.

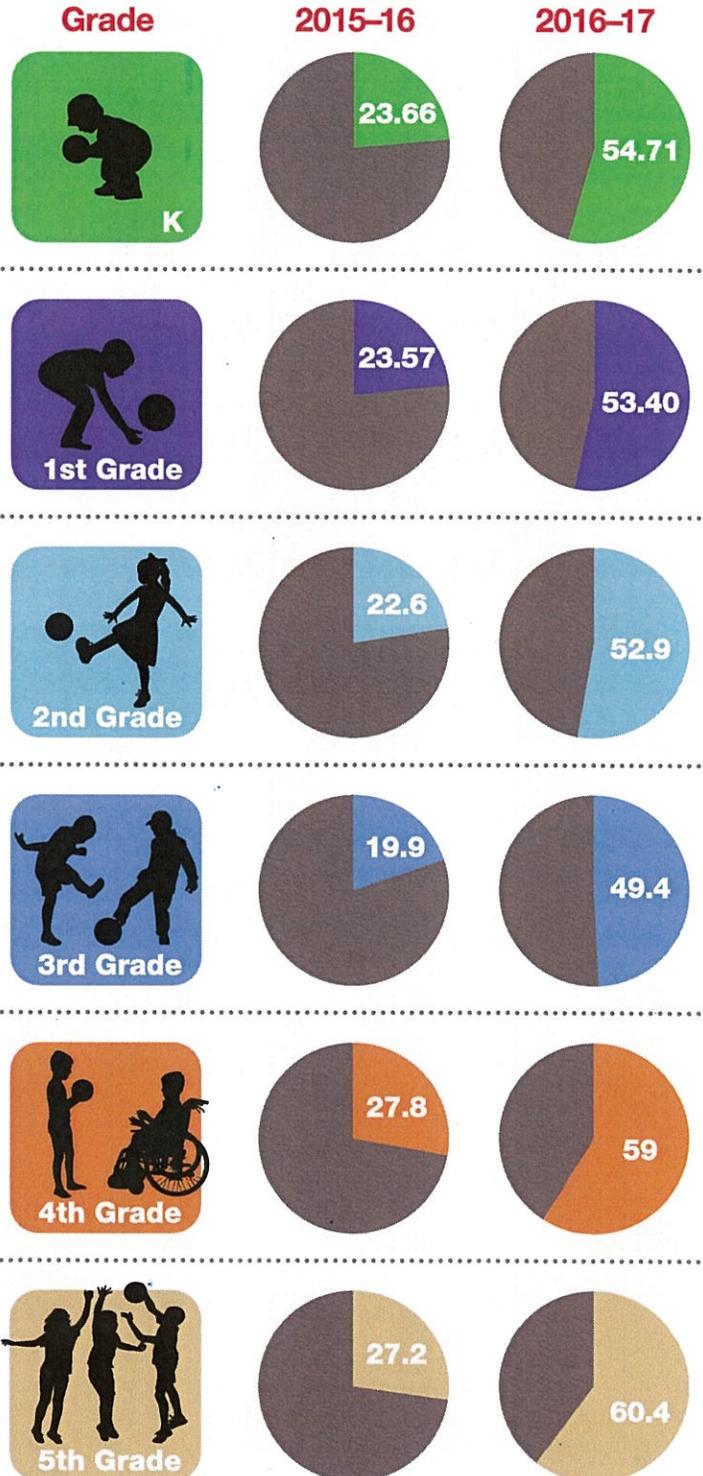


According to the CDC, **regular** physical activity reduces kids' risk of developing chronic diseases such as heart disease, cancer and type 2 diabetes.



The benefits of physical education ring clear as a school bell.

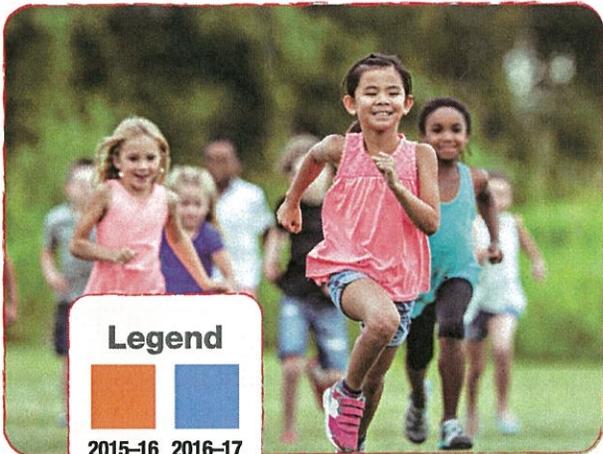
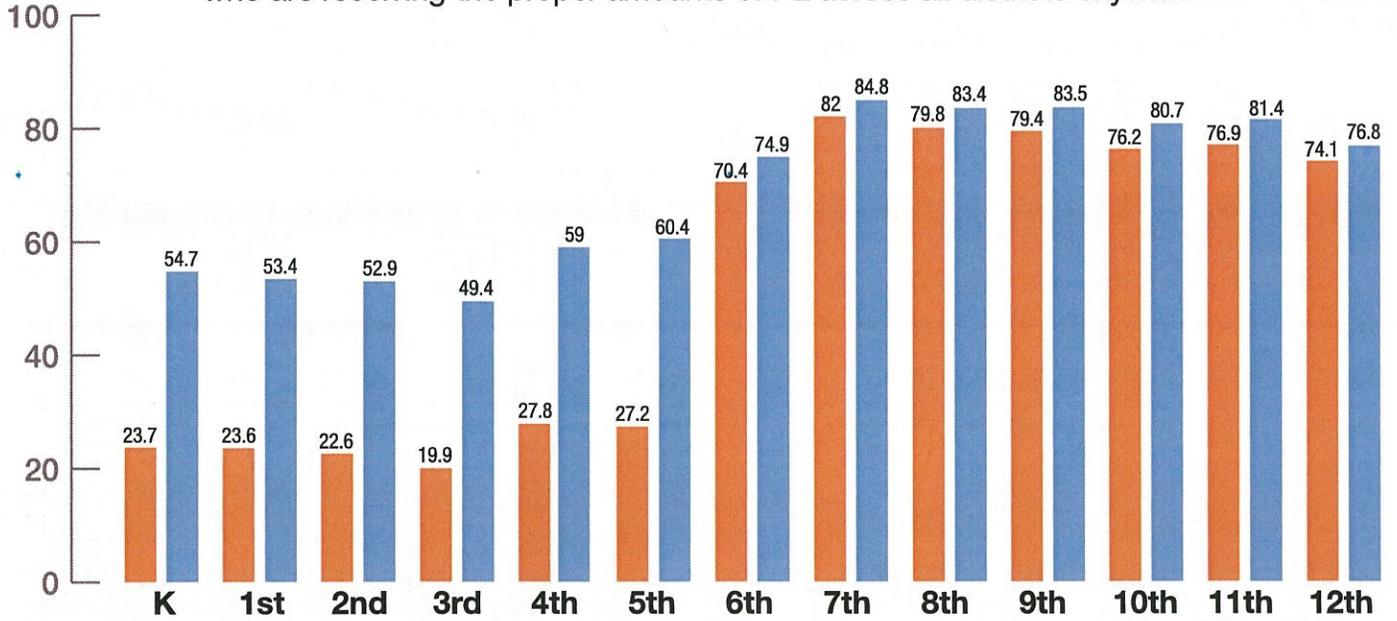
Average % of Students in Grades K-5 who are receiving the proper amounts of PE across all districts citywide*



*Source: New York City Department of Education

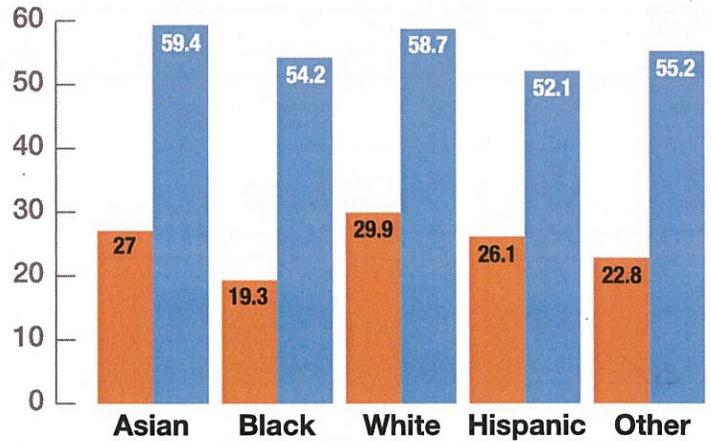
Average % of Students in All Grades

who are receiving the proper amounts of PE across all districts citywide*



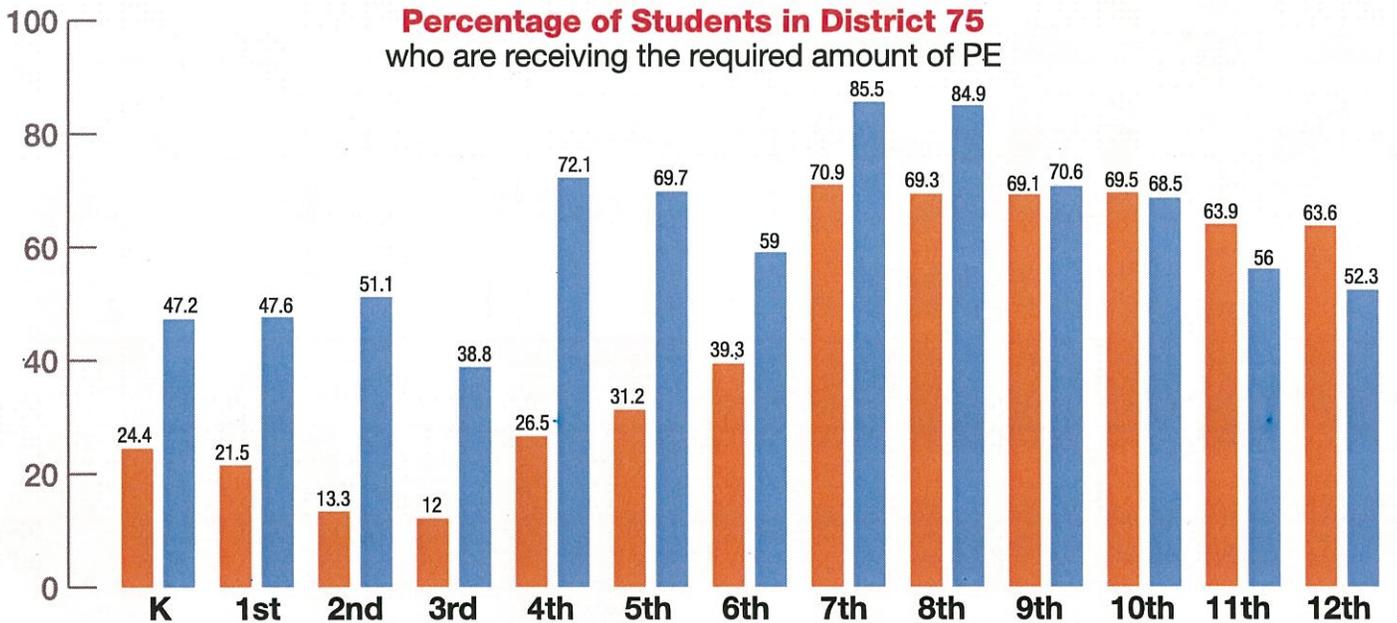
Legend

2015-16
 2016-17



Percentage of Students in District 75

who are receiving the required amount of PE



*Source: New York City Department of Education



Testimony of Dr Mark Naison, Fordham University, on Absence of Sports Opportunities for Black and LatinX Student in New York Public High Schools

October 3, 2018

My name is Dr Mark Naison. I am a professor of African American Studies and History at Fordham who has written extensively on Race and Sports in US History. But more important, for purposes of this hearing, I was a graduate of New York City public schools who ended up as captain and number 1 singles player on the Columbia University tennis team, and who had two children, Sara and Eric, who attended New York public schools and played varsity tennis and baseball at Yale University, None of us would have had that opportunity had not we played on public school teams in middle school and high school. It is simply unconscionable that many students in New York City public schools, the vast majority of whom are Black and LatinX, attend schools which have a tiny number of school teams or no teams at all.

Not only does an absence of school teams undermine student morale and academic engagement, it maximizes discrimination against Black and LatinX students in college admissions. As James Shulman and William Bowen point out in their book "The Game of Life: College Sports and Educational Values" being a recruited athlete is the single most powerful admissions advantage in getting into the nation's top colleges, having more than twice the impact of being an under represented minority or a child of an alumnus. Since 20 percent of students at Yale, Harvard and Princeton, and 40 percent of students at Williams, are recruited athletes, lacking access to sports puts Black and LatinX students in New York City at an added disadvantage to those they already experience due to race and class

As my mandated two minutes of testimony comes to a close, let me talk about a specific school where this criminal denial of educational opportunity takes place. On the Roosevelt Educational Campus across the street from Fordham, there are five high schools which have no men's and women's soccer teams, even though a good portion of their students come from West African and Central American countries where soccer is the major sport, What this means is that there is a whole generation of future Fordham, Columbia and Yale students in the Bronx, students who only differ from me and my children in race and class, whose talents and opportunities are being suppressed because of lack of access to athletic teams

This discrimination has to stop NOW. Every New York City public high school student must have, at the very minimum, opportunity to play on school teams, in soccer, tennis, track and field, baseball and softball, basketball, volleyball, and swimming, Until that happens, New York City is not only out of compliance with Title Six of the Civil Rights Act of 1964, it is out of touch with the egalitarian values this City claims to stand for to the nation and the world

Co-Signatures

Jerome Krase, Ph.D.

Emeritus and Murray Koppelman Professor

Brooklyn College

Former Football, Baseball and Track Team Member, Brooklyn Technical High School
1956-1960

John Ehrenberg Ph.D

Professor of Political Science

Long Island University

Baseball Team, DeWitt Clinton High School 1959-1961

Testimony of:
Mark Dorman Manhattan Comprehensive Night Day High School
City Council Hearing
12/3/2018

Good Afternoon,

My name is Mark Dorman. I am the Health and Physical Education teacher and former Athletic Director, Volleyball and Soccer Coach at Manhattan Comprehensive Night Day High School.

I would thank the council for allowing me to speak, however, I am saddened that it is necessary for me to do so. I have been in Education for 30 years, 20 of those years upstate as a teacher, coach, administrator, and Charter School Development Officer. The last 10 years here with the Department of Education.

When I transferred to Manhattan Comprehensive in 2013, there were no sports offered. Students constantly asked me why sports, especially soccer were not offered. I had no answer but as a former administrator, I was well aware of the Commissioners regulations Part 135.2 that require schools to offer PE, including athletics and recreation. I called the PSAL to find out how to sign up for sports teams. I was told that our school does not qualify. The official went on to say something to the effect "do you really think that transfer students deserve to have sports"?

In 2014, David Rosen came to Manhattan Comprehensive to offer our school a sport participation option by joining the Small School's Athletic League he had developed. It was a highly functioning league and we enjoyed the participation until the money promised by Mayor de Blasio was not delivered, shutting down the league, and denying hundreds of student's participation in sports. After continued pressure from students, athletic directors and coaches, the PSAL gave in and developed their own small school athletic league, which included a multiple pathway league. I became the Athletic Director and coached girls' volleyball and boys' soccer. After 4 years and promises of expansion, and pleading with the PSAL to move our soccer program from spring to fall for scholarship equity, the league has failed to deliver on their promise of sport equity. Few sports teams still exist. Many have dropped out due to the inefficiency of the PSAL and lack of facilities due to the unequitable distribution to the private sector, the elephant in the room.

Facilities, both indoors and out, that should be available to the Public School Students are being usurped by Private Schools, clubs and other outside organizations. When I inquired about getting a field permit to practice with my soccer team, one of the top teams in the city, I was told that no permits are given for practices for public schools, only for games. I then asked why Private schools k – 12 are given permits to practice and play games on public facilities? The response, they donate large sums of money.

You cannot have sport teams without facilities. 80% of the available venues in New York City's public parks are used by the private schools and the private sector. More disturbing is that hundreds of our middle and high school indoor athletic facilities after 6:00 PM are being sold by the city to the private sector, further limiting opportunities for public school students to participate in sports. The percentage of public schools that have no soccer, baseball, volleyball, softball, basketball and other sports is astronomical. When the reason for not having available sports in the public schools is because the private schools are using the majority of the facilities, something has to change. The fact that the Private schools have greater financial resources should not negate the equality of availability to public school teams.

We as a community are here to serve the public. We as a community have a responsibility. We as a community must do better for our students. The responsibility for equality rests on you the elected officials.

Thank you

**Testimony of Melissa Iachan,
New York Lawyers for the Public Interest,
Before NYC Council Committee on Education Hearing
Dated December 3, 2018**

Good afternoon, my name is Melissa Iachan, and I am a Senior Staff Attorney at New York Lawyers for the Public Interest. Thank you to Chair Treyger and the Education Committee for holding this hearing on the critical issue of access to after school sports, the PSAL, and on Intro 242-A and Reso 85. We are also grateful for Council Member Reynoso's tireless advocacy to make PSAL's decision-making on allocation of after school sports teams and resources more transparent.

NYLPI has been working with students, organizers, teachers and coaches in our public high schools for years to raise awareness of the severe inequity in access to PSAL sports teams, and to change DOE's policies in order to ensure more equal distribution of resources tied to after school sports teams. The problems with the current system of allocating DOE-funded sports teams to schools are multi-layered, but the result is that large, more integrated schools have access to many more sports teams than most small schools where the student body is predominantly Black and Latino.

You've heard some of the statistics, but they bear repeating because we cannot allow the PSAL off the hook for perpetuating discrimination in the allocation of sports teams and resources:

- There are approximately 20,800 students who attend a school with no PSAL teams—83.5% of these students are Black and Latino;
- Schools composed of ten percent or fewer Black and Latino students had a 91% PSAL team approval rate between 2012 and 2017, whereas schools with 90-100% Black and Latino students only had 55% of their team applications approved;

- Black and Latino students have less access than students of other races to every single PSAL sport with four exceptions—and those exceptions happen to be the least expensive sports to fund.

I know some members of the City Council are just as outraged by these statistics as NYLPI and our partners in the Fair Play coalition are, including the co-sponsors of Intro 242-A, which was drafted to bring more accountability and transparency to the PSAL's team granting process. We are here today to strongly encourage the Council to pass Intro 242-A, which would require the DOE and the PSAL to report to City Council, and to make public, basic information about their procedures, decision-making, and data related to allocation of resources and funding. We know transparency and reporting can make a difference, because NYLPI worked hard to pass Local Law 102 so the public could know how many students weren't getting the state-mandated amount of PE instruction in school – and with those troubling statistics public DOE has made necessary funding available for PE. The same needs to happen for school sports. Currently, the PSAL has sole authority to decide whether to grant or deny teams to schools that make requests, without making any sort of standard decision-making criteria or scoring system publicly available.

This lack of transparency, and the lack of any publicly available standard policy by which the PSAL makes its team-granting decisions, on their own would be troubling. But this is even more concerning when you look at the discriminatory results of the shrouded decision-making.

And in fact, beyond failing to make this basic information available, the DOE simply refuses to provide it even when asked to do so via Freedom of Information Law requests. NYLPI has submitted at least two Freedom of Information Law requests asking for analyses of recent team denial decisions, including the criteria PSAL used, but the DOE continues to refuse to provide or produce any such documentation.

In another refusal to share basic information, the DOE continues to ignore our request for the results of a survey administered to all public school high school students in May of 2015, known as the "Student Sports Survey." The Student Sports Survey asked students a series of multiple choice questions about their preference of PSAL sports, and was administered via scantron. In June, 2016, NYLPI submitted a FOIL request to the DOE asking for the results of that Survey. More than two and a half years later,

we still have not seen that crucial information, which could help inform efforts to improve the PSAL system.

It is our hope that today's important discussion sheds light on how the current Public School Athletic League systems perpetuate discrimination and disproportionately allocate DOE resources to the detriment of Black and Latino students in our city's public high schools. We are looking forward to engaging with Council Members directly on this issue during our Fair Play Lobby Day next week, and then being able to see this Council pass this important bill into law. We know that this legislative body can help bring more accountability, justice, fairness, and equity into the Public School Athletic League.

Thank you.



339 Morris Avenue Bronx NY 10451 718-401-4891 X1311
David Garcia-Rosen – Director of School Culture and Athletics

City Council Testimony 12/3/2018

Nelson Mandela who would have turned 100 this week said “Sports have the power to change the world, It has the power to inspire, the power to unite people in a way that little else does. It speaks to youth in a language they understand. Sports can create hope, where there was once only despair. It is more powerful than governments in breaking down racial barriers. It laughs in the face of all types of discrimination.”

My name is David Garcia-Rosen and I am the Director of School Culture and Athletics at the Bronx Academy of Letters. The Public Schools Athletic League has run a separate and unequal interscholastic sports program for my entire 20 year career. It did not have to be this way. We did not have let generations of Black and Latinx students pass through our schools without the power of sports. I have worked at three different segregated high schools over the past 15 years, and my students were denied access to the Public Schools Athletic League countless times.

On the other hand, I have seen the power of sports with my own eyes. In 2011, I created the Small Schools Athletic League and my school had a baseball team for the first time ever. Two students, Argenis and Carlos, had pretty much dropped out of school. But when they heard about the team, they came to my office and said “we want to be on the baseball team”. I explained to them they would have to come to school every day and pass their classes to play. Both of them graduated on what was one of the best days of my career. Sports truly does turn dropouts into graduates.

The question then is why would the PSAL deny that transformational opportunity to hundreds of thousands of students for the past twenty years? Why would they give Badminton and Table Tennis to schools that already had over 30 teams, while denying segregated schools who had nothing who were simply asking for basketball, baseball, and soccer? Why would they give the whitest high school in NYC 5 more teams bringing their total to 44, while claiming they did not have enough money to fund teams at segregated schools all over NYC who had little to nothing? Why did they deny a problem even existed for over a decade and then in 2014 make the misleading statement to the New York Times that 90 percent of students had access to the PSAL? Meaning if a school had one team, all the students were counted as having satisfactory access. The NY Times called this a statistical delusion.

We may never know the answers to these questions, because the PSAL has always been an opaque operation accountable to no one. They give out teams and athletic funding without even considering equity or the impact their decisions are having on Black and Latinx students throughout the city. In 2012, I did the first research study that quantitatively proved that the PSAL was in violation of the Civil Rights of 1964. To do that research it took hundreds of hours of work, because none of the required data to do the research was in an easily accessible form for the public. This bill will change all that. For the first time the public will be able to see clearly the inequities that exist in the PSAL, and track the progress that this new administration is making towards advancing equity now. The power of sports to transform the academic and behavioral outcomes for our students is too great for us to let one more day pass without bold steps being taken to fix the failed systems and leadership at the PSAL. Intro 242 A will bring us one step closer to every student in New York City having equitable access to the Public Schools Athletic League.

Hello my name is Benji Weiss, I am in 6th grade and I am the middle school council lead for Integrate NYC, I also play a sport, soccer. Soccer is very important to me because I love playing it, watching it, and I get more exercise as a result of playing soccer. And I think every student should be able to play the sports they enjoy. Now I will tell you why sports matter and why every student should have equal access to sports. The reason why sports matters and every student should have equal access to sports in their schools is because, sports are a good way to get exercise, work on team building skills and sports can be stress relieving. And we all know that school can cause a lot of stress. Sports can also be a way for children of different races and religions to interact with each other who otherwise might not interact with one another. And sports can be a way for kids to get better sleep because sports can tire you out and make you more tired at bedtime. And scientists have proven that with better sleep students perform better in school.

One report shows that more than 17,000 black and latino students have no sports in their schools. And one New York Times article titled, *In Schools Where Sports May Be Most Vital, New York City Offers Least Help*, says that Of 480 high schools, 67 have no P.S.A.L. teams; 100 have fewer than six. It also says that, "The schools with the least access to sports teams "have the highest numbers of students of color, or for whom English is not their first language,". It also says that, "there are schools in Staten Island with heavy white enrollment, and they have 40 teams".

So we should be asking ourselves, why isn't there sports equity? And we should be saying, sports equity is vital to students and schools. And having sports equity in schools is one of the many steps to ending segregation in our schools.

**TESTIMONY OF
Matthew Diaz, FairPlay
www.FairPlayForAll.com**

**NEW YORK CITY COUNCIL
COMMITTEE ON EDUCATION
December 3, 2018**

Hello my name is Matthew Alexander Diaz, I am a senior at Bronx Academy of Letters, the Executive High School Director of IntegrateNYC, and I am the Youth Lead in the FairPlay Coalition. The FairPlay Coalition stands for the equal right of every public school student to have access to Public School Athletic League Sports.

In New York City there are many statistics that show inequitable distribution of sports--you've heard some, and I am sure you will hear more of these upsetting numbers. But I live this disparity. I can say personally that my school had less than 4 teams when I was a freshman, and now I am supposed to be excited because we have 7 teams three years later, but I know for a fact that at least one in other school in Public School system has 44 sports. And yes, that is a much whiter school than mine. So my question has been why is that allowed to happen? Many students in the Public School system have been normalized to having no sports in their schools and that is not right for all of these students.

I represent all the Black and Brown students in the New York City Public School system who want you to give us an equitable distribution of sports, and hold the people making the decisions as to who gets what accountable for their discrimination. Intro 242 is a good first step to starting to answer the many questions we have about why the system is the way it is, and we look forward to speaking to you more about this issue on the Fair Play Lobby Day next week. We hope that the Council will listen to our voices, and pass Intro 242.

Thank you.

#FairPlayForAll

www.FairPlayForAll.com

City Council Hearing Testimony 12/3/2018

My name is Devaun Longley I am 16, and a 10th grade student from the Bronx Academy of Letters. While I am an artist, I am also an athlete. Sports has been in my life since middle school---though it's been limited to basketball and track and field; I have never been able to explore other sports. I have heard that there are dozens of sports that other schools have that my school doesn't have.

Even though I am able to play baseball and soccer, I wish that my school had all the sports that other schools in New York City have. My love for sports makes me feel very badly for all the kids who go to schools without sports. Many Black and Latino students are limited, because they don't have access to things that make us free, the things that make us who we are. Sports has always been in our lives, but basketball, soccer, and baseball is what we have been linked to. Some may say that is all we need or just to be grateful we have any teams at all. But it is not just about sports itself, it is about who is getting it and why. There are so many other sports that a school could have: Swimming, tennis, lacrosse, wrestling, martial arts. There are so many things that we could have that other schools have. I want all students in New York City to have a large variety of sports that they can choose from.

#FairPlayForAll

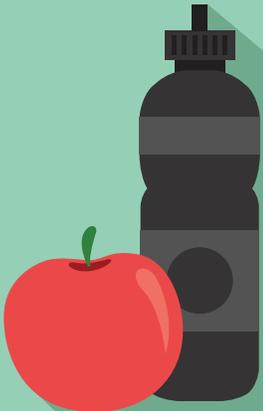
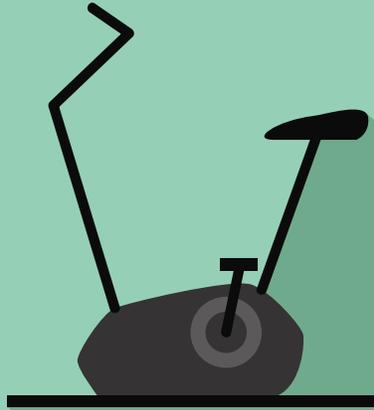
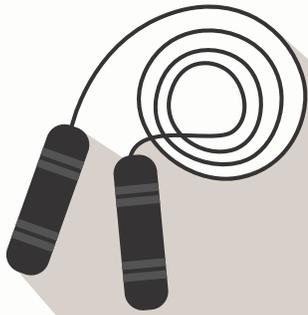
www.FairPlayForAll.com

City Council Hearing Testimony 12/3/2018

My name is Lisa Parks and I am a student at the Bronx Academy of Letters. I am an athlete. I play multiple sports including basketball, soccer, and my favorite-- track. I moved to the Bronx from Atlanta Georgia and I thought I was going to have a track team at the school I was going to attend in New York and then found out there was no track. It made me feel really disappointed and upset and made me feel like I wasn't going to be able to play sports again. I didn't really want to go to school anymore. In Atlanta, I came in first in all my meets, and I loved when people like my Mom cheered me on. It made me feel like I could do better and be better. It gave me confidence and built my self-esteem knowing that I could be good at something that I love to do. I am thinking about going back to Atlanta just so I can run on a track team. I don't think students should have to go find a way to compete in sports outside of their school. It should be at all schools. I want every school in New York City to be able to compete in every sport.

PHYSICAL EDUCATION ACCESS AND INFRASTRUCTURE:

BUILDING THE FULL PERSONHOOD OF NEW YORK CITY'S STUDENT POPULATION



Eric Adams



@BPEricAdams



@BPEricAdams

BROOKLYN-USA.ORG

BACKGROUND:

The positive connection between physical fitness and learning is well documented.¹ Students who eat healthy and exercise have better focus and more energy. Access to healthy environments is a critical component of any education system and upgrading our gym spaces must be a part of all future capital allocations.

The mayor's announcement in 2017 dedicating \$385 million in capital funding to gym space creation was an encouraging start toward addressing this space availability crisis across New York City, as was his decision to make the 200 schools in New York City that do not have gym space at all the first priority to receive this investment. However, the announced funding only addresses the needs of 76 of those schools and we must be vigilant in tracking the progress of all schools going forward.

In order to fully understand the space crisis facing schools in Brooklyn, we developed a survey and sent it to every school in Brooklyn. In addition, we spoke directly with some schools and sports groups that use, or would like to use, school facilities. This report is the result of these efforts.

OVERVIEW OF SURVEY RESULTS:

Recognizing the importance of physical activity and education to both educational and health outcomes, the Office of Brooklyn Borough President Eric L. Adams conducted a gym survey of all Brooklyn public schools during July 2018. There are 573 schools in Brooklyn and 307 schools responded to the survey, a 53.6 percent response rate.

When schools were asked if they had dedicated space to use as a gymnasium — defined as space primarily used as a gym and meant to be used as a gym — 83.1 percent of respondents said yes, leaving 16.9 percent of schools reporting no dedicated gym space. Of those schools that responded affirmatively in having dedicated gymnasium space, more than half, or 51.1 percent of respondents, indicated their gym space was shared with another school. Nineteen schools reported using their cafeteria as their gym space while 18 reported using converted classrooms and multipurpose rooms as their primary gym space.

The final survey question attempted to generate additional input from respondents and simply asked if there was anything else the Office of the Brooklyn Borough President should be aware of relating to their gym space. This question elicited a series of diverse and varied responses that showed that this is a topic that has been ignored for far too long and demands immediate and increased attention. Responses from this broad question included:

- Buckling gymnasium floors
- Gym spaces with large support pillars in them
- Lack of air conditioning in gym spaces
- Many spaces that are used as multi-purpose areas (thus limiting gym use), brittle backboards, and more
- Overcrowded buildings with no option for converting classrooms
- Padded classrooms
- Underserved special needs children who require adaptive physical education and cannot be properly accommodated at the school

¹Centers for Disease Control and Prevention. *The association between school-based physical activity, including physical education, and academic performance*. Atlanta, GA: U.S. Department of Health and Human Services; 2010, available at: https://www.cdc.gov/HealthyYouth/health_and_academics/index.htm.

Even schools with existing dedicated gyms often mentioned the lack of space for the size of the student body. Drawing from this survey, as well as a focus group conversation with several sports organizations that currently work with schools, school athletics directors, and others with knowledge in the area, several recommendations were generated to truly tackle the issue of limited school space and athletics programming in schools.

RECOMMENDATIONS:

1. Appoint a dedicated, high-level schools sports czar within the New York City Department of Education (DOE) or Mayor's Office who can work with schools to ensure that physical fitness is a priority and that schools have the proper infrastructure and space they need for physical education. Previously, this position was under former Chief Executive Officer of the Office of School Support Services Eric Goldstein, who also oversaw school bus and school food policy. The position should be one that is dedicated solely to school athletics. This position could be responsible for:

- Advocating for transparency and reform in the space/field permitting process
- Connecting PSAL programs to each other and to schools that want them
- Putting together an executive committee of industry experts to suggest new policies going forward

2. Prioritize capital funds for gym space at a greater level than already announced.

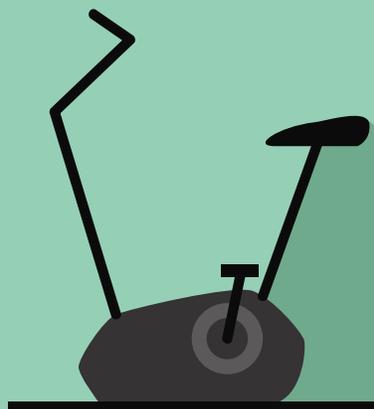
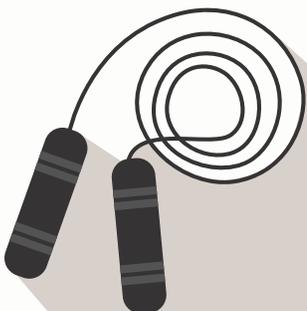
- Include updates to current spaces that have not been renovated in years. The current funding levels only address a small portion of the schools in need. There must be a specific plan put in place now to fill this gap by 2028.

3. The DOE should develop public-private partnerships to further athletics in schools.

- For schools with no dedicated gym space, identify existing, underutilized spaces within a quarter-mile of schools that could work as temporary school sports facilities while new physical education space construction occurs.

CONCLUSION:

Addressing the challenges schools face regarding physical fitness cannot be done in an ad hoc manner. The City and the DOE must develop a long-term plan and dedicate significant resources to ensure that all New York City students have access to appropriate, dedicated gymnasium space. This cannot happen if the person charged with the task is also in charge of several other major divisions within the DOE. A single point person will be able to provide the focus this issue demands. Given that this issue will require significant capital and time, there is real urgency to act now to ensure a healthier future for every New York City child.





Testimony of

Alice Bufkin

Director of Policy for Child and Adolescent Health

Presented to the
New York City Council
Committee on Education

***Oversight: Physical Education and Athletics in NYC Public Schools
Physical Education Reporting Bills: T2018-3358 and T2018-3359***

December 3, 2018

Thank you for the opportunity to provide testimony today. Citizens' Committee for Children of New York, Inc. (CCC) is an independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated and safe.

We would like to thank Chair Treyger and all the members of the Committee on Education for holding today's hearing, as well as the authors of the bills being heard today. Our testimony will focus on T2018-3358 by Council Member Rosenthal, and T2018-3359 by Council Members Treyger and Kallos, both of which take important steps towards improving data collection on physical education in New York City schools.

Quality physical education as part of the school day enhances students' health, mental health, and academic achievement. Regular physical activity is essential to promote lifelong health and prevent a wide array of health conditions and chronic diseases, including heart disease, cancer, type 2 diabetes, and obesity.¹ Children who have high levels of physical activity are more likely to have increased concentration, persist in learning, and exhibit other positive classroom behaviors.² Physical education builds a foundation for student success, academic achievement, and long-term health.

Despite the well-established physical and academic benefits of PE, and despite the New York State Education Department's (NYSED) clear physical education requirements for public schools, far too many schools in New York City fail to meet these standards.

A 2015 report by NYC Comptroller Scott Stringer revealed that almost 60% of elementary schools lack a full-time certified PE teacher.³ According to an analysis of 2017-2018 city data by New York Lawyers for the Public Interest (NYLPI), over two-thirds of children in Kindergarten through third grade were failing to receive enough PE instruction. On average, only 20% of third graders in New York City were receiving 120 minutes of instruction per week, the required amount of physical education instruction.⁴

While schools face many barriers to compliance, the lack of comprehensive data makes it difficult to assess areas of greatest need. Local Law 102 includes important physical education reporting requirements, and the Department of Education currently publishes this data on its website. However, additional data is necessary to determine which students lack access to quality physical education. It is also important that any data produced by the DOE is accessible to parents, educators, and other stakeholders.

¹ Centers for Disease Control and Prevention. *Physical Activity Facts*. <https://www.cdc.gov/healthyschools/physicalactivity/facts.htm>

² Florence MD, Asbridge M, Veugelers PJ. *Diet quality and academic performance*. *Journal of School Health*. 2008 Apr; 78(4):209-15.; U.S. Department of Health and Human Services: Centers for Disease Control and Prevention. *The Association Between School-Based Physical Activity, Including Physical Education, and Academic Performance*. July 2010.; New York City Department of Health and Department of Education (2009). *Childhood Obesity is a Serious Concern in New York City: Higher Levels of Fitness Associated with Better Academic Performance*. <http://www.nyc.gov/html/doh/downloads/pdf/survey/survey-2009fitnessgram.pdf>

³ Office of the New York City Comptroller Scott M. Stringer. *Dropping the Ball: Disparities in Physical Education in New York City Schools*. May 2015.

⁴ Appah, Christine. "2017-2018 NYC DOE Report on the State of Physical Education on Public Schools." New York Lawyers for the Public Interest. October 22, 2018.

CCC urges the City Council to pass T2018-3358 by Council Member Rosenthal, and T2018-3359 by Council Members Treyger and Kallos. Both bills will improve the quality of the data available on PE in New York City schools, and will ultimately help increase access to quality physical education.

T2018-3358: A Local Law to amend the administrative code of the city of New York, in relation to reporting by the department of education on adaptive physical education.

CCC strongly supports T2018-3358, which would amend Local Law 102 to allow for stronger reporting on adaptive physical education in New York City schools. CCC thanks Council Member Rosenthal for introducing this legislation.

We support the inclusion of new language to require reporting on the average class size of PE instruction provided to students in each grade level in each school. Research indicates that students who attend schools with low student-to-physical educator ratios have more PE time and engage in higher levels of physical activity during class time.⁵ Reporting on average class size will help the Department of Education and other stakeholders determine which schools are experiencing class sizes that may interfere with their ability to receive quality physical education instruction.

CCC also strongly supports the inclusion of reporting requirements for each school on whether students with disabilities are provided adaptive physical education, or receive waivers for physical education instruction, as well as on the number of students at each school who receive adaptive physical education or waivers for physical education instruction. Schools must work to meet the needs of students with disabilities and develop curricula that are appropriate to their interests and capabilities. This reporting requirement will enable the DOE to determine whether certain schools are failing to offer adequate modifications to the physical education curriculum so that it can serve all students.

Finally, CCC supports the proposed requirement for a summary of key findings. Any effort that makes reporting on physical education more accessible to parents, educators, and advocates has great value.

T2018-3359: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on physical education curricula in New York City schools.

CCC strongly supports T2018-3359, which would amend Local Law 102 to strengthen reporting on physical education in New York City schools. We thank Council Members Treyger and Kallos for authoring this bill.

CCC supports language requiring reporting on the type of professional development received by certified instructors, as well as reporting on the number of certified instructors at each school who have received professional development related to physical education instruction. Having

⁵ Bevans, Katherine et al. "Physical Education Resources, Class Management, and Student Physical Activity Levels,: A Structure-Process-Outcome Approach to Evaluating Physical Education Effectiveness. *Journal of School Health*: 80(12): 2010. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3196855/>

instructors who have received regular professional development in their field is essential to ensuring students receive quality physical education instruction.

CCC also supports the proposals to require a description of the department's recommended physical education curriculum, as well as the actual curriculum used for each school. We appreciate that this bill would also require information on whether these curricula satisfy the requirements for physical education curricula pursuant to New York state education department regulations, and when the curricula were last assessed and updated. These reporting requirements will help ensure that teachers are adopting updated, standards-based curricula that meets students' needs and increase their physical wellbeing. These reporting requirements would also support parents who are invested in the type and quality of the physical education their children are receiving.

Additional Recommendations

CCC is grateful to Council Members Rosenthal, Treyger, and Kallos for recognizing the critical role physical education plays in children's wellbeing, and the importance of monitoring and addressing shortages in the quality or availability of physical education in city schools. These two bills take important steps towards improving reporting requirements in the city, and ultimately the provision of universal, high-quality physical education.

However, there are a number of additional reporting requirements the city should consider to improve access to quality PE. The following recommendations reflect those of the Phys Ed 4 All coalition, of which CCC is a member.

In addition to measures outlined in Local Law 102, we recommend that new legislation be passed to ensure the Department of Education reports on the following school-level metrics that are key to measuring the quality of PE programs:

- **Quantity:**
 - Number of days per year students take PE
 - Number of class periods, blocks, or applicable measurement per week of PE
- **Teacher credentials:** Show plans for and progress toward ensuring all PE teachers are licensed, certified, or endorsed by an accredited teacher preparation program to teach PE
- **Student assessment:**
 - Whether the school is implementing the Presidential Youth Fitness Program or a similar program that integrates student fitness assessment, and recognition for students who are achieving a Healthy Fitness Zone.
 - Whether they are reporting individual results to students and parents and aggregate results to the appropriate state agency.
- **Equipment and facilities:** Whether PE programs have appropriate equipment and adequate facilities for students to engage in the recommended amount and intensity of physical activity.
- **Substitutions, Waivers, Exemptions, & Adaptions:**
 - Whether the school/district has applied to the state for a waiver from the state-mandated PE requirement
 - Whether schools/districts allow student exemptions or substitutions for PE
 - Whether students are not allowed to opt out of PE to prepare for other classes or standardized tests

Legislation should ensure data is provided by every school in New York City and that the **DOE provides information in a way that is accessible for parents, educators and advocates**. City Council legislation should ask DOE to:

- Proactively send school-level data home with students and/or post school-level data to individual schools' websites,
- Make information available in the primary languages of families.

Conclusion

CCC is grateful that the City Council is initiating a discussion on how the city can improve reporting and access to quality physical education. We look forward to working with the City Council, DOE, and the Administration to promote the health and wellbeing of New York students.

Thank you for your time and consideration today.



Statement from Bronx Health REACH
Before the New York City Council Committee on Education

In Support of Preconsidered Int. T2018-3358, T2018-3359 and Int. 242-A

December 5, 2018
New York, New York

Moria Byrne-Zaaloff, MPH
Program Coordinator, Creating Healthy Schools & Communities
Bronx Health REACH
Institute for Family Health
212-633-0800 x 1287
mbyrne-zaaloff@institute.org

Data from the American College of Sports Medicine has shown that regular physical activity is associated with a healthier, longer life and a lower risk of heart disease, high blood pressure, diabetes, and some cancers. Physical fitness also improves cognitive functions and can lead to a reduction in insomnia, depression, and anxiety. Most importantly, fit children have higher scholastic achievement, better classroom behavior, and greater ability to focus. Therefore, Bronx Health REACH supports (Local Law 102) Preconsidered Int. T2018-3358, T2018-3359 and Int. 242-A which will improve physical education programming in NYC through mandated reporting on public school compliance with PE curricula, professional development for certified physical education teachers, adaptive physical education provided to students with disabilities, and after school athletic funding.

Over the past three years, PEWorks, a program developed as a result of Local Law 102 has made tremendous strides in improving PE in NYC schools. The citywide increase in total number of K-12 PE teachers grew from 2,400 to more than 2,750. Eighty-five percent of schools serving elementary grades have at least one state-certified PE teacher and are on track to fulfill a key promise of PE Works, to increase the number of certified PE teachers. Since PEWorks program began in 2015, 284 certified-PE teachers have been hired, including 196 new PE Works-funded elementary PE teachers in the past year alone.

According to the 2017-2018 Annual PE Report of the NYC Department of Education, sixty percent of all students across the Bronx are receiving the required amount of PE per week. Eighty percent of students, grades 6 and higher received the required number of hours of PE. In

comparing the annual reports from the past two years, we found a five percent increase in students receiving PE in high school and more than 4 percent increase in middle schools. We attribute these improvements to physical education programming in large part to the PEWorks program. (See [PEWorks Year 3 Report](#).)

As a four-year program, funding of PEWorks will end after school year 2018-2019. Yet, thirty-one percent of Bronx schools still lack a certified full-time Physical Education teacher, more than eighteen percent are still receiving less than the required amount of physical education in the Bronx, 46 percent lack space to conduct physical education classes indoors and only ten out of 1299 schools have a designated space for adaptive Physical Education.

We request that the Committee continue to expand overall funding for PE and to build upon the tremendous strides PE Works has already made in various underserved communities in the Bronx and throughout NYC over the past three years. The PE Works program has considerably strengthened Comprehensive School Physical Activity Programs, or CSPAP, in NYC schools, which includes Physical Education, Physical Activity during the School Day, Physical Activity Before and After School, Staff Involvement, and Family and Community Involvement. Bronx Health REACH recommends continued funding for PE Works to high-needs districts that currently do not have the program, the recruitment and hiring of PE instructors, and the continual professional development of new teachers to ensure that in each school, safe and engaging physical education is a right for all students. Additional funds would enable physical education and physical activity to become integrated into schools allowing for the development of the whole child who will positively impact their communities.

Student participation in physical activity should be encouraged and improved as it will counter the rise in childhood obesity, further the holistic development of children, and fulfill the need for youth to have adequate physical education. Increased funding for physical education is a crucial first step towards holistic development, and efforts must be made to ensure that resources are provided to high need communities like the Bronx. Students, PE instructors, and schools need increased opportunities to obtain physical activity with support from the Office of School Wellness and PE Works, so that physical education is weaved into the fabric of public education.

By adopting these bills, a greater understanding of the barriers to providing sufficient physical education to students of all abilities in NYC schools is possible. Further reporting on school compliance will expose the gaps in meeting the NYS DOE physical education standards and the need for on-going support from the PE Works program. Therefore, we ask for continued funding of the PE Works programing FY 19 and the adoption of Precons. Int. T2018-3358, T2018-3359 and 242-A to ensure quality physical education is provided to all students.

Thank you.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. 3358,3359 Res. No. _____
 in favor in opposition

Date: 12.3.18

(PLEASE PRINT)

Name: Christine Appah

Address: _____

I represent: New York Lawyers for the Public Interest

Address: 151 West 30th St. 11th Flr., New York, NY 10001

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: _____

(PLEASE PRINT)

Name: Devon Longley

Address: 1974 Croton Ave. 45

I represent: Fair play

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. 515 Res. No. 85B
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mark Dorman

Address: 400 W 43 Apt 13 N NY NY 10018

I represent: Students of the DOE

Address: 240 2nd Ave NY NY 10003



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THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12/3/18

(PLEASE PRINT)

Name: Michael Davdi

Address: _____

I represent: American Cancer Society

Address: Cancer Action Network

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12/3/2018

(PLEASE PRINT)

Name: Nicoletta Nerangis

Address: 162 Bay 13th St, Brooklyn, NY 11214

I represent: Run4Fun - Founder & Executive Director

Address: same as above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 242A Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: David Garcia-Rosen

Address: 4445 POST RD APT 813

I represent: FAIR PLAY COALITION

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 12/3/18

(PLEASE PRINT)

Name: Greg Mihailovich

Address: _____

I represent: American Heart Association

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lindsey Harr

Address: 52 Chambers St NY, NY

I represent: NYC DOE, Office of School Wellness Programs

Address: 52 Chambers St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Seth Schoenfeld, Executive Director for

Address: 52 Chambers St. Education eqpt/

I represent: NY DOE Division of School

Address: 52 Chambers St. C. make and wellness

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THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Daniel Harris, Director of Professional
Address: 52 Chambers St, NY, NY / Development and Special Projects
I represent: NYC DOE, Public Schools Athletic League
Address: 52 Chambers St NY, NY

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 242A Res. No. 85

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Melissa Jackson
Address: _____
I represent: NYLPI
Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 242 Res. No. 85

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lisa Parks
Address: _____
I represent: Fair Play Coalition
Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 242 Res. No. 85
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Matthew Diaz

Address: 514 E 163rd Street Bronx, NY 10451

I represent: FairPlay

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: LaQuana Chambers, Director of Sports Programming

Address: 52 Chambers St, NY, NY

I represent: NYC DOE Public Schools Athletic League

Address: 52 Chambers St, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 242A Res. No. 85
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Bengi Weiss

Address: _____

I represent: Integrate NYC

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 12-3-18

Name: BEN BOLOGORZ (PLEASE PRINT)

Address: 333 E. 90th St NY, NY 10128

I represent: ASPHALT ONE

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: Dec 3 2018

Name: Dr Mark D. Wilson (PLEASE PRINT)

Address: 575 A 6th Street

I represent: Bronx African-American History Project

Address: 640 Peck Hall, Fordham U. Bronx
1045

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