

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEES

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ON FINANCE AND CAPITAL BUDGET

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEE
ON FINANCE JOINTLY WITH THE COMMITTEE ON CAPITAL
BUDGET

December 18, 2018

Start: 1:02 p.m.

Recess: 4:34 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: MARK TREYGER
Chairperson

DANIEL DROMM
Co-Chair

VANESSA L. GIBSON
Co-Chair

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

Lorraine Grillo
President and CEO of the New York City School
Construction Authority, SCA

Karin Goldmark
Deputy Chancellor of the Division of School
Planning and Development at the New York City
Department of Education, DOE

John Shea
Chief Executive Officer at the New York City
Department of Education

Leonie Haimson
Executive Director of Class Size Matters

Sarita Subramanian
Supervising Analyst for the Education Team at the
New York City Independent Budget Office

Kim Madden
Parent of Handicapped 15-Year-Old

Lori Podvesker
Lead the Policy Work at IncludeNYC

Maggie Moroff
Special Education Policy Coordinator at Advocates
For Children of New York, AFC, Coordinator of the
ARISE Coalition

Rebecca Kostychenko
Parent of Handicapped Child, Member of ARISE
coalition

Jaclyn Okin Barney
Coordinator of Parents for Inclusive Education,
PIE

April Coughlin
Professor in the School of Education at SUNY New
Platz

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[gavel]

CHAIRPERSON TREYGER: Good afternoon, I am Council Member Mark Treyger and Chair of the Education Committee, welcome to today's hearing on the Proposed DOE fiscal 2020/2024 five-year capital plan held jointly with the Committee on Finance and the Subcommittee on Capital. I'd like to thank Lorraine Grillo, President of the School Construction Authority and Karen Goldmark, Deputy Chancellor for School Planning and Development at the Department of Education who will be testifying on the capital plan. I would like to also thank John Shea, Chief Executive Officer of the Division of School Facilities for being here to answer questions. The Proposed plan totals 17 billion dollars, a significant and welcome investment in the capital needs of New York City's school system. Over half of the plan's funding, 8.76 billion is for new capacity, another 5.17 billion is for capital improvements to existing school buildings and 3.07 billion dollars is allocated to mandated programs. On October 31st, right before this proposed capital plan was released, the Speaker, Chair Dromm, Chair Gibson and I sent a letter to the administration outlining our vision for the fiscal

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2020/2024 five-year capital plan. Our letter discussed five major aspects of the school capital program, capacity, essential school projects, plan funding, transparency and collaboration. I would like to focus my opening remarks on essential school projects and transparency. The proposed capital plan allocates 2.42 billion dollars to school enhancement projects which includes many investments the Council has advocated for in the past; science labs, bathroom upgrades, physical education, security cameras, air conditioning and accessibility. However, the inclusion of these projects under the school enhancement category is a misnomer reflective of the administration's narrow approach to funding this kind of capital work. The city must reset its baseline expectations for safe and supportive learning environments. The classification of basic school capital assets as enhancements in the capital plan should cease. Accessibility, physical education spaces and air conditioning are school essentials not enhancements and the capital plan should reflect this reality. The Council is, is not picking on semantics or simply asking for the SCA to change the name of the school enhancement project section of the capital

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plan, we're asking for a meaningful policy change in the way these types of projects are funded and prioritized. The fiscal 2020/2024 capital plan should set specific quantifiable goals in these program areas and align spending with achieving those targets. The Council is not so naïve as to think we could fund all these essential school components over the course of one five-year capital plan, however this does not preclude setting long term goals that can be accomplished with funding in future plans. Accessibility is a perfect example; the Council is thrilled to see an investment of 750 million dollars in school accessibility projects and clear goals for this funding outlined with that announcement. However, we want to see those... these goals out... codified in the capital plan and have a discussion about how funding and projects in this five-year period will move us towards a goal of, of full school system accessibility. Technology is another good example of the need to reset our baseline expectations for school facilities. Laptops and computers are not luxuries, they are essentials particularly in the 21st century yet access to these learning tools is not provided equally across city

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2 schools. the City Council allocates approximately 40
3 to 50 million dollars a year for school technology
4 projects, but the administration should be ensuring
5 all schools have the technology they need for 21st
6 century instruction. The proposed plan includes 750
7 million dollars for technology and I hope that this
8 proposed investment will move us closer towards
9 ensuring our schools have the appropriate bandwidth.
10 However, I continue to be concerned when I visit
11 schools where student laptops go unused, smart boards
12 are used to hold chart paper and special education
13 providers cannot log, log their services because of
14 poor internet speeds and connections. One of my
15 primary concerns as Chair of the Education Committee
16 has also been transparency, the SCA does publish a
17 significant amount of information in the capital plan
18 as well as provide the Council with supplementary
19 data. However, I want to see the SCA and DOE launch a
20 new effort to increase transparency. For years the
21 Council has requested the capital plan in machine
22 readable format, a request that has gone unmet due to
23 legacy systems. Publishing the capital plan in
24 machine readable would, would not only facilitate the
25 Council's oversight of school capital spending, it

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would likely also allow for more user-friendly public facing information about planned and ongoing capital projects at the individual school level. Principals, teachers and parents often have no idea what projects are planned for their school building in the five-year capital plan. They may see scaffolding go up around their school overnight without knowing what the project is for. Capital plan information should be included on the DOE's web page and on each school's web page so that members of school communities can easily see ongoing and planned projects at their schools. The Council has a long history of working collaboratively with the SCA and DOE on school capital. I look forward to hearing the response to rethinking the approach for funding essential school projects and, and revising the presentation of the capital plan to... for further transparency. And I would be remiss if I didn't also highlight funding for capacity which is essential to help the city address school overcrowding and avoid future overcrowding. While the proposed plan includes a significant investment in new schools, the Council remains frustrated by the lack of transparency, innovation and efficiency in the school planning and

1 siting process. Finance Chair Dromm will delve
2 further into this issue in his remarks. I'd like to
3 thank the Finance Committee and Education Committee
4 staff for their work in preparing for today's
5 hearing; Kaitlyn O'Hagan; Rebecca Chasan; Noah Brick,
6 Stephanie Ruiz; Liz Hoffman; Beth Golub; Jan Atwell;
7 and Kalima Johnson. I would like to thank also my
8 staff; Anna Scaife; Vanessa Ogle; and Eric Feinberg
9 and I'll now turn it over to my Co-Chair, the Finance
10 Chair, Council Member Daniel Dromm.
11

12 COUNCIL MEMBER DROMM: Thank you Chair
13 Treyger and good afternoon. I'm Council Member Daniel
14 Dromm and I'm the Chair of the Finance Committee. I
15 would like to echo Chair Treyger and welcome you to
16 today's hearing and in thanking Lorraine Grillo,
17 Karen Goldmark and John Shea for being here to
18 testify and answer questions about the proposed five-
19 year school capital plan. Let's start with the good
20 news; the proposed plan allocates 7.88 billion
21 dollars for the construction of 57,000 K to 12 seats,
22 an historic investment that will bring the total new
23 K to 12 seats constructed since the start of the last
24 five-year plan to over 83,000 seats. This fulfils a
25 commitment Mayor De Blasio made in 2017 to fully fund

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2 the identified seat need of the current 2015 to 19
3 plan by 2024 but even as the administration is taking
4 a big leap forward with respect to funding the
5 identified seat need of the current plan, we have
6 questions with respect to identified seat need in the
7 proposed new plan. The proposed plan seems to have
8 removed any reference to a recalculated identified
9 seat need for the new five-year period. According to
10 the funding levels that the administration has
11 included in the proposed plan, the identified seat
12 needs in 2024 remains at the exact same level as in
13 2019. Will seat need remain the same in five years?
14 Moreover, while the overall 83,000 identified seat
15 need remains unchanged, the locations where the
16 proposed plan is funding K to 12 seats differ from
17 where the administration determined they would need
18 it in the current plan. So, for example, in school
19 district 24 there are 4,000 fewer seats funded than
20 should have been based on the identified seat need in
21 the current plan. How did seat needs radically
22 decline in certain districts, rise in others and
23 still result in no additional seat need by 2024? The
24 Council recognized the need for an accurate seat need
25 assessment which is why it was a key recommendation

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of the Council's March 2018 report on school planning and siting called planning to learn, the school building challenge. We understand that the DOE and SCA do not solely bear the burden for implementing these recommendations and many of them require coordination and cooperation across multiple city agencies. However, the recommendations related to transparency and the integrity of the seat... identified seat need are within the DOE and SCA's control. To that end, I am pleased the Council passed legislation requiring the agencies to share data and methodology related to identified seat need and I look forward to reviewing that information once it is received in November 2019. The planning to learn report also calls for a formal process for the identification of, of Pre-K and 3K seat need. This is absent from the capital plan. While the creation of Pre-K and 3K seats is necessarily different from K to 12, funded 3K and Pre-K projects must result from our best empirical estimation of need. The city has committed to providing a Pre-K seat for all four year... all four-year olds and is moving toward providing a seat for all three-year olds who want one. Given this commitment the capital plan must

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1 accurately respond to the need for early childhood
2 education seats and plan for the long-term seat need.
3 In addition, as the birth to five system transitions
4 from ACS to DOE, I want to ensure that we are
5 planning for educational spaces that will serve our
6 youngest students appropriately. Will students
7 younger than three years olds be placed in DOE's
8 school facilities if so, how will these facilities be
9 appropriately updated or modified? How well SCA
10 ensure the state of good repair of early learn sites
11 currently leased by ACS that are transferring to DOE?
12 How is SCA engaged in the planning process for this..
13 for this transition more broadly as the DOE takes on
14 serving tens of thousands of additional children?
15 These are all questions that need to be answered. I
16 hope we can learn more about these questions at
17 today's hearing. I join Council Member Treyger in
18 thanking the Finance and Education Committee staff
19 for their hard work preparing for today's hearing and
20 with that I'll turn it over to the Chair of the
21 Subcommittee on Capital Budget, Council Member
22 Gibson. Thank you.

24 COUNCIL MEMBER GIBSON: Thank you so much
25 Chair Dromm and Chair Treyger. Good afternoon

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2 everyone. Thank you for being here to the City
3 Council. I am Council Member Vanessa Gibson, I
4 proudly represent district 16 in the Bronx and I'm
5 proud to serve as Chair of the Subcommittee on
6 Capital. I'd like to thank my fellow Co-Chairs,
7 Chairs Treyger and Chair Dromm, Dromm for hosting
8 today's hearing and joining with us today. I'd like
9 to thank President Lorraine Grillo and Deputy
10 Chancellor Karen Goldmark for being here today and
11 recognizing that this is a new Subcommittee that was
12 created by our Speaker, Corey Johnson earlier this
13 year and certainly in this new capacity I am thankful
14 to be here and would like to focus on SCA's general
15 capital planning and budgeting practices. Education
16 capital commitments have totaled 3.55 billion dollars
17 in fiscal 2018 or 30 percent of all of the city's
18 capital commitments. On the expense side the fiscal
19 2019 budget for DOE debt service is 2.68 billion
20 dollars or 39 percent of the total debt service
21 budget. The historic investment of 17 billion dollars
22 in the proposed DOE five-year capital plan for fiscal
23 2020 to 2024 is commensurate with DOE's service
24 expansions. The addition of Pre-K and 3K, which I'm
25 very supportive of, 3K is coming to district nine in

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2 the Bronx next September, very excited about that,
3 the community school program and improved high school
4 graduation rates truly means that the Department of
5 Education is providing essentially more services to
6 more students and needs the facilities to match.
7 However, there are always competing demands on the
8 city's capital budget and resources that are invested
9 in education construction which must be spent wisely
10 and efficiently. We all know the SCA is often praised
11 as they should be relative to other agencies for
12 their timeliness and their high commitment rate which
13 you know I'm a huge fan of, high commitment rates on
14 capital projects. We really appreciate the hard work
15 of President Lorraine Grillo and her team at the SCA,
16 but we also know that there is always room for
17 improvement and we appreciate President Grillo's
18 willingness to always listen to the City Council and
19 work with us as a partner. In particular, I am
20 disappointed in the presentation of information in
21 the capital plan itself. Over the past five, ten, 15
22 years and more the DOE has undergone dramatic changes
23 with significant expansion of services yet the plan
24 that we are considering and discussing this afternoon
25 is essentially the same template that we've been

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2 seeing for over a decade. Every five years the
3 Department of Ed and the SCA are given the
4 opportunity to present a new five-year plan that
5 reimagines and innovatively considers the best way to
6 fund educational facility's needs. School facilities
7 should be intimately connected to pedagogy and the
8 school environment is essential to the success of our
9 students and educators. Here at the City Council we
10 expect to see more. We expect to see more in part
11 because this City Council has been stepping in to
12 invest in all of the items that we believe are school
13 essentials, but which are treated in the proposed
14 plan as enhancements. Over the past five years
15 collectively Council Members have invested 600
16 million dollars in school capital projects like
17 upgraded bathrooms, gymnasiums and auditoriums. Why
18 is the burden on elected officials to use our limited
19 discretionary funding resources for facilities that
20 all schools should essentially have? 600 million
21 dollars and that number grows year after year. These
22 projects really should be planned for in a more
23 systemic way and funded by the administration. As the
24 Council Member who represents a district in the Bronx
25 that recently underwent a three-year rezoning, the

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1 Jerome Neighborhood plan, I am also interested in
2 discussing our planning process for capacity. I am
3 pleased that commitments were made for two additional
4 schools through the Jerome Avenue rezoning process in
5 school district nine and school district ten in the
6 Bronx. The 2015 through 2019 plan funded no
7 additional seats for school district nine and I am
8 thrilled that the proposed plan funds 1,620 K through
9 12 school seats in both Highbridge and Mount Eden, we
10 needed this. However, I share my Co-Chair's concerns
11 that the proposed plan does not include an identified
12 seat need and that the planning to learn report
13 recommendations regarding the identified seat need
14 have not yet been implemented. I am also hoping for
15 serious movement forward on the siting
16 recommendations that were included in the report. I
17 want to once again thank Chair Mark Treyger who's
18 truly been a champion for our students, collectively
19 in this budget we secured fair student funding and
20 school accessibility which were priorities of this
21 City Council as well as our Finance Chair, Chair
22 Danny Dromm who has also been a champion with his
23 history as an educator in really making sure that
24 this always remain at the forefront of our
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2 conversations. Thank you to my colleagues who are
3 here on the Committee. I'd like to thank also the
4 Finance and Education Committee staff for all of
5 their hard work in today's hearing and I look forward
6 to your testimony and to our conversation this
7 afternoon and collectively our work together as we
8 prepare for the next fiscal year 2020 budget. Thank
9 you Chair Treyger and thank you Chair Dromm.

10 CHAIRPERSON TREYGER: Thank you Chair
11 Gibson and, and I would say that you have also been a
12 champion in your role as Chair of, of your Committee
13 and as a key member of the budget negotiation team
14 you have been supportive of all these efforts and
15 leading the way, so we thank you for your leadership
16 as well. I want to thank both of my Co-Chairs, Chair,
17 Chair Dromm and Chair Gibson. I'd like to remind
18 everyone who wishes to testify today that you must
19 fill out a, a witness slip which is located on the
20 desk of the Sergeant at Arms near the front of this
21 room. To allow as many people as possible to testify
22 testimony will be limited to three minutes per
23 person. I'd like to acknowledge our colleagues who
24 are here today; Council Members Grodenchik,
25 Salamanca, Matteo who I think might have gotten the

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2 gold star today, I'm not sure, Lancman, Adams,
3 Deutsch, Kallos, Borelli, and Rose and if I'm missing
4 anyone just let me know. And I'd like to.. oh because
5 of time constraints as well because we have three
6 Committees questions from members limited to three
7 minutes and if time permits we can have a second
8 round of questions as well and now we will hear
9 testimony from the SCA and DOE and just if we could
10 ask you to please raise your right hands so our
11 Counsel can swear you in.

12 COMMITTEE CLERK: Do you swear to tell
13 the truth, the whole truth and nothing but the truth
14 in your testimony and to respond honestly to Council
15 Member questions? You may begin.

16 LORRAINE GRILLO: Well good afternoon
17 Chairs Treyger, Dromm and Gibson as well as the
18 members of the Education and Finance Committees and
19 the Subcommittee on the Capital Budget. My name is
20 Lorraine Grillo and I'm the President and CEO of the
21 New York City School Construction Authority. I'm
22 joined today by Karen Goldmark, Deputy Chancellor of
23 the Division of School Planning and Development at
24 the New York City Department of Education. We are
25 very pleased to be here today to discuss the proposed

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2 FY 2020 to 24 five-year capital plan, the largest
3 ever proposed plan. Let me start by sharing that we
4 are continually grateful to the City Council for its
5 strong support and generous funding of our schools.
6 the collaboration we've had is truly critical to our
7 success and I would be remiss if I did not take this
8 opportunity to highlight some of the accomplishments
9 that have come out of our partnership; air
10 conditioning for all, bathroom upgrades and physical
11 education space. I'll speak shortly about some
12 additional projects we've collaborated on and our
13 progress to date. The proposed FY 20/24 capital plan
14 represents the administration's commitment to equity
15 and excellence for all students and builds on the
16 foundation that we developed with, within the current
17 FY 2015 to 2019 capital plan. Here are the highlights
18 of our proposed plan: 7.88 billion dollars for nearly
19 57 new school seats in fulfilment of the Mayor's
20 commitment to reduce overcrowding; 750 million
21 dollars to make 50 percent of elementary school
22 buildings partially or fully accessible and one third
23 of all buildings fully accessible; 284 million
24 dollars for electrical work to support air
25 conditioning in all classrooms by 2021, advancing the

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2 program a full year; 550 million dollars in support
3 of the 3-K and Pre-K for All initiatives; 750 million
4 dollars for technology enhancements. As with our
5 current capital plan the proposed FY 2020/2024 plan
6 has funding allocated in three overarching
7 categories; our capacity program totaling 8.8
8 billion, billion; the capital investments category
9 with 5.2 billion dollars allocated for work in
10 existing buildings and finally our mandated programs
11 with three billion dollars in funding. The proposed
12 FY 20/24 capital plan includes 8.8 billion for the
13 capacity program. Our capacity program consists of
14 four categories: new capacity, 3-K and Pre-K Early
15 Education, class size reduction and capacity to
16 remove transportable classroom units. This plan will
17 continue the success we've had in previous plans. As
18 we reach the end of our current capital plan, I'm
19 proud to say we have sited over 40,000 seats of the
20 approximately 44,000 seats... funded seats. We've sited
21 nearly all of our funded seats and that's with the
22 mid plan increase of 11,800 seats. Of the 8.8 billion
23 dollars allocated to capacity, 7.88 billion is
24 dedicated to creating nearly 57,000 new seats through
25 an estimated 88 projects within school districts

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experiencing the most critical existing and projected overcrowding. That includes just over 8,000 seats which will be dedicated to addressing overcrowding at the high school level in Queens. Included in our capacity program is 550 million dollars for the city's 3-K and Pre-K for All initiative. In addition, 150 million dollars has been allocated to the class size reduction program. Additionally, 180 million is allocated for capacity to remove TCUs, a new program that is part of our effort to remove the remaining TCUs across the city. This program recognizes the need for targeted investments in areas of the city where additional capacity is the only solution available in order to facilitate the removal of TCUs not, not yet slated for removal. The proposed plan directs a total of 5.2 billion dollars for capital investments. Our program... our proposed plan includes 2.75 billion dollars dedicated to the capital improvement program. Within this category we are funding 2.6 billion dollars in work to address the buildings identified in our annual building condition survey as most in need of repairs including work such as roof and structural repairs and safeguarding our buildings against water infiltration. The capital

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1 investment category also includes funding for
2 athletic field upgrades, and additional resources for
3 the removal of TCUs. We will continue to make
4 progress on the removal of TCUs through this capital
5 plan. To date, we have removed 198 TCUs and have
6 developed plans to remove 53 more leaving a remaining
7 balance of 93 TCUs. A major focus of our capital
8 improvement program is in our 2.42-billion-dollar
9 school enhancement category and our work is to
10 improve school... and our work to improve school
11 accessibility. Deputy Chancellor Goldmark will
12 discuss that program as well as the investments in
13 our school-based technology infrastructure needs, the
14 other anchor to this category of work. In addition to
15 these two major priorities, we are allocating 285
16 million dollars in additional funding in this plan to
17 the Mayor's air conditioning for all initiative
18 ensuring that all classrooms will have air
19 conditioning in 2021, a year ahead of our original
20 goal. This is a key part of advancing equity now and
21 that's why we're speeding up our timeline to increase
22 this work. By adding this funding we'll be able to
23 upgrade the electrical systems of our buildings
24 faster, so classrooms can support air conditioning
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2 units. We're working around the clock on this issue
3 and more and more classrooms will continue to see
4 units installed in the weeks and months ahead. The
5 mandated program category with three billion dollars
6 allocated includes approximately 600 million.. 650
7 million dollars for boiler conversion, conversions in
8 buildings currently using number four oil. The
9 remaining funds are assigned to cover other required
10 costs including the SCA's wrap up insurance and
11 completion of projects from the prior plan. Public
12 feedback plays a crucial role in our capital planning
13 process. Each year we undertake a public review
14 process with community education councils, the City
15 Council and other elected officials and community
16 groups. We offer every CEC in the city the
17 opportunity to conduct a public hearing on the plan
18 and we partner with individual Council Members and
19 CEC COMMITTEE CLERKS to identify local needs. We have
20 started our public hearings throughout the city and
21 as of today we have.. will have joined 16 CECs to
22 discuss the proposed five-year capital plan. Thank
23 you again for your partnership and support, I will
24 now turn it over to Deputy Chancellor Goldmark who
25 will discuss additional aspects.

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2 KARIN GOLDMARK: Thank you President
3 Grillo. Good afternoon Chairs Treyger, Dromm and
4 Gibson and all the Council Members here today. My
5 name is Karin Goldmark and I'm Deputy Chancellor of
6 the Division of School Planning and Development.
7 Thank you for the opportunity to be here. the
8 Division of School Planning and Development was
9 created to bring together oversight of space planning
10 and management including the development of new
11 schools, school redesigns and coordination with
12 charter as well as non-public schools. This division
13 also leads our accessibility efforts, oversees the
14 education construction fund and maintains a close
15 working relationship with the SCA. I would like to
16 echo President Grillo's sentiment and thank you for
17 your continued support of our schools. I'm excited to
18 work with the Council in my new role and to ensure
19 thoughtful planning that supports great schools for
20 all of New York City students. This capital plan is a
21 demonstration of Chancellor Carranza's commitment to
22 look at our work through the lens of equity and to
23 empower our students and families to advocate for
24 their school communities. In his listening tour last
25 spring, the Chancellor very clearly heard students,

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1 school communities, advocates and elected officials
2 highlight key areas we needed to improve upon, so our
3 school buildings meet the needs of our students and
4 advance our equity and excellence for all agenda.

5 These issues included accessible buildings for
6 students and families with disabilities and learning
7 that is supported by 21st century technology. I'm
8 proud to say that the Chancellor took action and is
9 proposing historic investments in these areas all
10 with an eye toward advancing equity for every one of
11 our school... of our students. The proposed plan
12 allocates by far the largest amount ever towards the
13 critically important work of making our school
14 buildings more accessible. This proposed 750-million-
15 dollar investment developed in conjunction with
16 families and advocates will transform buildings with
17 newly accessible bathrooms, classrooms and
18 auditoriums creating many more opportunities for our
19 students with accessibility needs to learn in an
20 equitable environment. We greatly appreciate the
21 Council's support in this area. Our team has been
22 meeting with students, families and community
23 partners to ensure that we truly understand the needs
24 of students and can make the necessary changes as
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ON FINANCE AND CAPITAL BUDGET

quickly as possible. We are committed to making a third of the buildings in every district fully accessible by 2024 and at least 50 percent of our buildings housing elementary school grades fully or partially accessible by 2024. Another anchor of the plan is 750 million dollars in allocation towards improving school-based technology. The majority of the 750 million dollars is intended for the school tech refresh initiative which will allow us to replace critical equipment such as routers, switches and firewall wireless connection points in schools. Upgrading also ensures that the equipment has the latest security protections and controls in place. The school tech refresh plan also includes access points in all parts of the school building not just classrooms. Additionally, the DOE plans to invest approximately 350 million dollars of its smart school's bond act allocation to continue developing and expanding its technology infrastructure in school buildings and to acquire necessary learning technology equipment. This will allow more students to have fast access to essential science, technology, engineering, math and computer science materials online. Our goal is to provide all students and

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1
2 educators with the essential tools for academic
3 achievement and professional success in today's
4 digital age. Students across all of New York City's
5 great neighborhoods will see the benefits of this
6 proposed five-year capital plan. In the areas
7 critical to advancing equity and excellence for our
8 students we are making literally the largest
9 investments ever. There will always be more work that
10 needs to be done. In a system this large with over
11 1,400 unique buildings, the projects can be endless.
12 We will continue to update our capital plan on an
13 annual basis in response to needs from our school
14 communities and we will seek your input in that
15 process. We are thankful again for all of your
16 collaboration and generous support of capital
17 projects. Our students have been able to expand and
18 improve their educational experience because of these
19 projects and we look forward to seeing our future
20 students benefit as well. Thank you again for
21 allowing us to testify today and we would be happy to
22 answer any questions you may have.

23 CHAIRPERSON TREYGER: Okay, thank you
24 very much. We've also... I just want to note we've also
25 been joined by Majority Leader Cumbo. I guess I'll,

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I'll open up with some questions and turn it... turn it over to my Co-Chairs and colleagues. Thank you both for your testimony. As, as I mentioned in my opening statement and as included in the Council's letter to the SCA and DOE regarding our vision for the five year capital plan we'd like to see an overhaul of the school enhancement projects portion of the plan to recognize the full set of school facilities that are essential and, and ensures all schools have these facilities, how do you respond to this requested policy shift?

LORRAINE GRILLO: Thank you Council Member. The capital plan itself is very prescriptive, in terms of our enabling legislation its very clearly laid out how we are to deliver the plan and specifically to educational enhancements it clearly states that the plan should describe programs for the redesign and reconfiguration of space within educational facilities as educational enhancements. So, instead of as we talked about our major capital programs not having to do with roofs and, and systems, anything that we're doing within the space to change it in any way is listed as an enhancement.

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1 CHAIRPERSON TREYGER: Right but I, I
2 would just note that you recognize our concern here...
3 [cross-talk]
4

5 LORRAINE GRILLO: Sure... [cross-talk]

6 CHAIRPERSON TREYGER: ...that items that we
7 feel are critically essential to any school building
8 are listed as sort of like these elective optional
9 enhancements that should not be optional, they should
10 be essential parts of any school.

11 LORRAINE GRILLO: We absolutely agree
12 again, this is how we are prescribed to do the
13 capital plan.

14 CHAIRPERSON TREYGER: And prescribed by,
15 by what... [cross-talk]

16 LORRAINE GRILLO: Educational law and our
17 enabling legislation, its, its 2590P in educational
18 law.

19 CHAIRPERSON TREYGER: I will look it up.

20 LORRAINE GRILLO: Please.

21 CHAIRPERSON TREYGER: That's my homework
22 assignment. Thank you.

23 LORRAINE GRILLO: You're welcome.

24 CHAIRPERSON TREYGER: The 2015 to 2019
25 plan included small amounts of funding for

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2 gymnasiums, library upgrades, and auditorium
3 upgrades, the proposed plan does not include funding
4 for these categories, why not?

5 LORRAINE GRILLO: Again we are moving
6 forward with the phase one of the physical education
7 enhancements, we have about... approximately 20 and I
8 have the number here, well over 20 new builds, new
9 gyms that are being built and they are in... either in
10 construction or in the process of design and will be
11 in construction shortly, we have others that are
12 moving forward with leased space and other things
13 like that. We have not determined what the phase two...
14 these are potentially projects that would reconfigure
15 space within existing school buildings and we do not
16 have that number yet but as you know we come back
17 every year with an amendment to the capital plan so
18 when we have that information, we will certainly
19 include it.

20 CHAIRPERSON TREYGER: Right, I mean I
21 would just note that for these categories of these
22 upgrades whether its... you know an auditorium,
23 library, a gymnasium I think President Grillo you
24 would agree that many times it's really the local
25 Council Members that are shouldering the burden on

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2 these items and we just believe that these... there
3 should be a base level of... you know support that the
4 administration provides these schools that our reso A
5 dollars are used to truly supplement for... you know
6 for example, the, the computer lab should be in the
7 building and reso A dollars could just add additional
8 computers, that's how it should work, the wiring
9 should be there and our reso A dollars just could
10 build a, a new STEAM or STEM lab that's how I believe
11 but right now we just find ourselves having to fund
12 basic items such as wiring time and time... and you
13 know what we've talked about this and we're going to
14 continue to push this because this I think just... the
15 system is just not sustainable. I, I want to quickly
16 go into the issue of transparency that I raised as
17 well in my opening statement, what system does SCA
18 use to create the five-year capital plan?

19 LORRAINE GRILLO: What system?

20 CHAIRPERSON TREYGER: Right.

21 LORRAINE GRILLO: We have a... you're
22 talking about capacity or specifically... [cross-talk]

23 CHAIRPERSON TREYGER: Just, you know from
24 a practical... what... is there some sort of a program
25 like what... how do we... how do we create it?

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2 LORRAINE GRILLO: Yeah, we have a
3 specific program within the SCA, it's not an off, off
4 the shelf program, this is something that was created
5 at the SCA.

6 CHAIRPERSON TREYGER: Right and so to
7 follow up on that does the system work with other
8 city systems used for budgeting and capital project
9 management?

10 LORRAINE GRILLO: No, it does not, it is...
11 [cross-talk]

12 CHAIRPERSON TREYGER: So... [cross-talk]

13 LORRAINE GRILLO: ...a separate in-house
14 system.

15 CHAIRPERSON TREYGER: Do you think it
16 should be cognizant of what's happening in other
17 agencies and in other departments?

18 LORRAINE GRILLO: I think we've been
19 fairly successful in our use of this system up until
20 now, I'm not sure specifically what you're suggesting
21 or what issues...

22 CHAIRPERSON TREYGER: I meant... I mean it
23 touches on some of the items that was highlighted in,
24 in the planning report that we worked on here in the
25 Council that sometimes there's not enough

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2 coordination, communication across different agencies
3 to make decisions with whether its city planning,
4 whether its buildings and others to kind of make the
5 system more interactive with other, other agencies
6 and... I think... we had a whole hearing on this... [cross-
7 talk]

8 LORRAINE GRILLO: Yes, we did... [cross-
9 talk]

10 CHAIRPERSON TREYGER: ...and so I think
11 that that's one of the... I think my colleagues, my Co-
12 Chairs will also kind of delve into that. Also
13 speaking of 21st century systems, the Council is the
14 one requested the five-year capital plan be produced
15 in machine readable format and SCA has added legacy
16 systems as preventing this... [cross-talk]

17 LORRAINE GRILLO: Right... [cross-talk]

18 CHAIRPERSON TREYGER: Has any
19 consideration been given to upgrading or changing
20 systems so the five-year plan can be published in a
21 machine-readable format?

22 LORRAINE GRILLO: Again we, we have...
23 we've had this discussion many times, we certainly
24 understand the concern. This would be an expensive
25 time consuming effort, we would certainly consider

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2 it as we consider all of the recommendations that the
3 Council has.

4 CHAIRPERSON TREYGER: You mention it'll
5 be expensive... I mean for example, has DoITT like
6 Department of Information Technology, you know
7 offered assistance or... to, to upgrade the system to
8 the 21st century to make it... I think it benefits all
9 of us if we... [cross-talk]

10 LORRAINE GRILLO: I think our system is,
11 is very adequate, not more than adequate to, to do
12 the actual capital planning, it is... it uses our BCAS
13 information, it uses our seat need information, all
14 of the above and puts it into the format that is
15 required again by the Education law in that
16 particular, as I said very prescriptive format. We do
17 keep very close contact and we work very closely with
18 other city agencies so, you know other than that, no,
19 I don't believe that DoITT has anything that would
20 even compare to what we do at the SCA.

21 CHAIRPERSON TREYGER: So, from... at, at
22 the ground level just practically speaking... [cross-
23 talk]

24 LORRAINE GRILLO: Yeah... [cross-talk]

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2 CHAIRPERSON TREYGER: ...like how does SCA
3 and DOE make information about proposed capital
4 projects to schools available to communities such as
5 principals, parents and educators, how... [cross-talk]

6 LORRAINE GRILLO: Our... [cross-talk]

7 CHAIRPERSON TREYGER: ...does this trickle
8 down to the... to the local level?

9 LORRAINE GRILLO: Our capital plan in its
10 entirety... [cross-talk]

11 CHAIRPERSON TREYGER: Right... [cross-talk]

12 LORRAINE GRILLO: ...is on our website...

13 CHAIRPERSON TREYGER: Right... [cross-talk]

14 LORRAINE GRILLO: ...anyone from any school
15 can find out this... the projects that are planned in
16 their particular school just by looking it up on the
17 website.

18 CHAIRPERSON TREYGER: Alright and, and
19 how are... how are they... beyond the website which I
20 appreciate but how are they engaged in the process?

21 LORRAINE GRILLO: Sure... [cross-talk]

22 CHAIRPERSON TREYGER: ...in design and
23 implementation and... [cross-talk]

24 LORRAINE GRILLO: Sure, happy to... happy
25 to explain that.

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CHAIRPERSON TREYGER: Right...

LORRAINE GRILLO: First of all there are several different kinds of projects, okay, if we're doing a project within an existing school building, okay, we will certainly meet with the school, the principal, UFT, parents association, we will do a pre-construction meeting, we will... we'll talk about it, these are major systems that must be upgraded, again a roof, a roof that's leaking obviously needs to have that repaired so we'll have that pre-construction meeting, there's not really... going to be any room for design certainly, it's a roof and we need to do it. So, throughout the life of the project we will continue meeting with the school to update them on where we are so that, that is one type of, of meeting that we have. With regard to new capacity, if there is a principal, we will certainly include those principals in design meetings throughout, we will... if there's no principal named yet we will certainly include the superintendent in those designs so that, that's constant. Now if it's a new build there are... is no existing parent association because there's no school so again, where there are people that are actively involved, we include them.

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2 CHAIRPERSON TREYGER: And when you
3 mentioned we'll consult with them, we'll speak to
4 them does that mean getting their feedback and
5 incorporating... [cross-talk]

6 LORRAINE GRILLO: Absolutely... [cross-
7 talk]

8 CHAIRPERSON TREYGER: ...their feedback...
9 [cross-talk]

10 LORRAINE GRILLO: Absolutely... [cross-
11 talk]

12 CHAIRPERSON TREYGER: ...in changing
13 designs?

14 LORRAINE GRILLO: In a very recent design
15 of a building that we're doing in Queens not only did
16 we meet with parents, we met with educators of
17 course, we met with community groups, about four or
18 five different times so we do that, yes, that's part
19 of our, our usual process.

20 CHAIRPERSON TREYGER: I... okay. I'll
21 quickly jump to accessibility... [cross-talk]

22 LORRAINE GRILLO: Sure... [cross-talk]

23 CHAIRPERSON TREYGER: The announcement
24 that accompanied the release of the proposed plan
25 said that 750-million-dollar investment in

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2 accessibility would allow SCA to ensure that at least
3 half of all elementary school buildings in each
4 school district are at least partially accessible, is
5 there a goal for accessibility at the middle school
6 and high school level and if not why not?

7 LORRAINE GRILLO: I'm going to turn that
8 over to the Deputy Chancellor.

9 CHAIRPERSON TREYGER: Okay.

10 KARIN GOLDMARK: Thank you. The seven...
11 proposed 750-million-dollar investment in
12 accessibility actually follows the model developed by
13 the Council with the 150 million dollars that was
14 added last year and so first of all thank you very
15 much for that funding and for bringing the issue
16 really to the forefront and the center of the
17 discussion, we're very grateful for that. The goals
18 that we laid out were developed in conjunction with
19 advocates and the goal of accessibility in elementary
20 schools is a focus because number one, this is where
21 we have the greatest challenge and number two, this
22 is where we have the greatest number of school
23 buildings so we do very much anticipate having
24 projects for middle school and high schools because
25 they are further along in terms of accessibility

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2 already they are relative to elementary schools, they
3 are part of it but the elementary schools are the
4 main priority because we do have a challenge in
5 elementary schools and we'd love to see the system be
6 fully, fully accessible, this is a great step in that
7 direction, its the... by far the largest investment
8 that's ever been made in school accessibility in New
9 York City in a capital plan and we are really looking
10 forward to the work.

11 CHAIRPERSON TREYGER: Alright, so first
12 I, I do appreciate your acknowledgment of the
13 Council's, you know prioritization to this issue and
14 I just want to actually thank the families, the
15 parents, and the advocates your work made a
16 significant impact because, you know obviously this
17 was a priority for us in our budget response in, in
18 our budget to begin with but hearing the testimony
19 and hearing the personal stories and, and visiting
20 schools and seeing this and seeing what, what our
21 children are confronted with and how they're
22 basically denied not just an education but, but
23 denied dignity. That, that, that reached our budget
24 rooms, the Speaker was personally really... I mean he...
25 to his credit he stayed during many of, of the... of

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2 the hearings and heard from advocates and Chair Dromm
3 who goes to... obviously chairs all of them it, it
4 really made an impact and I just want to thank all
5 the families and the advocates for their outstanding
6 passionate advocacy and keep it up because obviously
7 folks are listening and we're... we, we still have a
8 long way to go but certainly we welcome a 750 million
9 dollar investment which is a down payment but
10 certainly much, much more... much more work, work to
11 do. I will just note Deputy Chancellor that I
12 understand some of the answers about elementary
13 schools being... a lot of them but we also want to make
14 sure that as they progress through their educational
15 career that that dignity and that access... that point
16 doesn't, doesn't just end and cut off there, they
17 move on to middle school and high school so we, we,
18 we have to have a more comprehensive I think approach
19 and I think that we, we have the capacity to do that,
20 we should... we should and we will... this Council will
21 continue to prioritize the issue of capital money for
22 accessibility for our schools. So, just giving you a
23 little bit of a heads up as we enter our, our budget...
24 our budget process. I want to... one quick question on
25 air conditioning and then we'll turn it over to my

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2 Co-Chairs. The DOE rolled out the air conditioning
3 initiative, some schools received air conditioners
4 before they could support these additional ACs
5 because they didn't have the, the upgrades, the
6 wiring can you explain why this happened?

7 KARIN GOLDMARK: So, we're very excited
8 about air conditioning for all and we're moving very
9 quickly, we advanced the timeline to be one year
10 faster so that it... the initiative will be... will reach
11 its full 100 percent throughout the system by 2021
12 instead of 2022, electrical and wiring upgrades in
13 buildings take longer than ordering air conditioners
14 so that would explain why in some cases schools
15 already have the air conditioners and are scheduled
16 to, to have the electric... the electrical upgrades but
17 those are complicated and do take time.

18 CHAIRPERSON TREYGER: Right, I, I would
19 just point out Deputy Chancellor that first of all I...
20 would you agree that air conditioners are essential
21 items in school buildings and not just luxury items?

22 KARIN GOLDMARK: I think we can all agree
23 that last June was a great example of how difficult
24 it can be in classrooms when there isn't air
25 conditioning in place and this is something that

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2 Chancellor Carranza experienced firsthand in his
3 listening tour, he heard from students, he heard from
4 parents and he actually every, every time he went out
5 of school he came back and said when are we getting
6 finished with air conditioning again, can we move
7 that up, can we move that up and he has been pushing
8 hard for us to accelerate this, its definitely a
9 priority.

10 CHAIRPERSON TREYGER: Right and I, I
11 think the Mayor heard it too when he would have town
12 halls in gymnasiums and cafeterias in schools, it was
13 awfully hot in them and so kudos to the parents and
14 advocates and the school communities for effectively
15 advocating and I welcome this policy shift because in
16 the last administration the former Mayor did not
17 acknowledge that these were essential items although
18 I'm pretty sure his office is air conditioned where,
19 where he's at. So, I, I appreciate that, I would just
20 urge you that there are schools that have, have
21 received air conditioners but they cannot use them
22 and it's not just an air conditioner issue its also
23 an issue where if the wiring is bad we can't put in a
24 computer lab, we can't put in STEAM labs, we can't do
25 a lot of things with the schools and I keep saying

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2 this but I have schools in my district that were
3 built with money from the new deal that have not seen
4 new wire since the new deal, its time to give them a
5 new deal... [cross-talk]

6 KARIN GOLDMARK: Yes... [cross-talk]

7 CHAIRPERSON TREYGER: ...a new deal so I
8 will be conscious of time and turn over now to... oh,
9 we've also been joined by a number of members;
10 Council Member Rosenthal, Ulrich, Rodriguez, Levine,
11 Van Bramer, and Cohen and I'll turn over now to my
12 Co-Chair, Chair Dromm.

13 COUNCIL MEMBER DROMM: Thank you Chair
14 Treyger and yeah, I mean I was a public school
15 teacher for 25 years and I taught in an un-air
16 conditioned classroom for all 25 years and including
17 summer school, I don't know why my principal stuck me
18 up on the... on the top floor, I, I don't know, I was a
19 UFT Rep though so, you know... and that might have had
20 something to do with it, I'm only kidding. Anyway..
21 and I also want to just reiterate the, the words of,
22 of our Chair in terms of, of schools being accessible
23 and advocates for children today, I think it was
24 today but I saw it on twitter this morning actually,
25 released an excellent video on the impact it has on

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2 students and their ability to select schools and
3 that's what I think one of the... reason I think... one
4 of the things you focused on was for high schools as
5 well and how important that is in terms of the
6 decisions that some of these students have to make
7 when they go to a high school whether it's based on
8 accessibility, whether it's just a first floor,
9 whether it's a... the whole school and, and, and one
10 point in the video the school was accessible but the
11 bathroom wasn't, you know and so that even remains an
12 issue but we are working on it and that 750 million
13 dollars in the budget I think is, is a good start.
14 So, alright let me... let me just go to a couple of
15 things that kind of jumped out at me when reviewing
16 the, the November plan. So, did the SCA recalculate
17 an identified need as of 2024 in preparing the fiscal
18 20 to 24 five-year capital plan?

19 LORRAINE GRILLO: This capital plan,
20 again, acknowledges the, the Mayor's commitment to
21 fund 83,000 seats. We do our projections yearly,
22 actually they're up online right now for the future
23 and we will continue to do that and as you may
24 remember in the last plan midway through the plan the
25 Mayor increased because the need was great, increased

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2 the funded seats by 11,800 seats so if the need does
3 show up I'm sure that those things will materialize
4 as time goes by... [cross-talk]

5 COUNCIL MEMBER DROMM: So, that's really...
6 [cross-talk]

7 LORRAINE GRILLO: But this... [cross-talk]

8 COUNCIL MEMBER DROMM: ...we have a, a
9 point... [cross-talk]

10 LORRAINE GRILLO: ...particular... [cross-
11 talk]

12 COUNCIL MEMBER DROMM: ...of disagreement...
13 [cross-talk]

14 LORRAINE GRILLO: ...this particular plan
15 and the information in the plan acknowledges the
16 funding of 83,000 seats total.

17 COUNCIL MEMBER DROMM: So, so that's
18 where I think we're going to have a point of
19 disagreement because that's 57,000 seats I think that
20 you're talking about... [cross-talk]

21 LORRAINE GRILLO: Right... [cross-talk]

22 COUNCIL MEMBER DROMM: ...but that's... that
23 number is the same as what we're talking about now so
24 in 2024, we're guaranteed to have more people, I mean
25 the, the population I think of the city is projected

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2 to hit nine million by that time if I'm not mistaken,
3 definitely going up, if... I could be off on that
4 number somewhat but with that is going to bring the
5 need for additional school seats... [cross-talk]

6 LORRAINE GRILLO: Uh-huh... [cross-talk]

7 COUNCIL MEMBER DROMM: ...so, we would have
8 like to have seen that in the plan because it, it
9 definitely is going to go up. When I was going
10 through the plan also, I looked at district 24 for
11 example and I saw that its approximately 4,900 and
12 something, almost 4,000 seats short of what it was
13 originally planned going back to the November '17
14 identified seat need, can you explain why that's
15 there? It seems to be a reduction, 3,961 seats.

16 LORRAINE GRILLO: Excuse me. As we were
17 preparing the plan we looked throughout the city at
18 all the districts, in that particular district, in
19 district 24 I think we've added more seats than any
20 other district in the city in the last five years so
21 we reallocated some of the funding in those districts
22 that need additional seats and have not had the
23 opportunity to get new schools built, we have lowered
24 the percentage of overcrowding in district 24 I
25 believe by... somewhere in the neighborhood of 20

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2 percent. So, we've been very successful, we will
3 continue to fund seats in that area but again, other
4 districts throughout the city also have needs and we
5 were cognizant of that.

6 COUNCIL MEMBER DROMM: So, that's
7 somewhat disappointing to me because not only because
8 I represent that district, but it still remains the
9 highest need district in... out of all the districts so
10 although and I will guarantee that you have made some
11 progress but still its 3,961 I think... district,
12 district 15 also was reduced by 3,023 seats.

13 LORRAINE GRILLO: Again, the... we've
14 turned the tide in both of those districts, we, we
15 built a great deal of seats in both of those
16 districts. Again, we will continue to build in those
17 districts, but other districts also have a tremendous
18 need as well.

19 COUNCIL MEMBER DROMM: But, but this...
20 that need still remains, right, there's, there's
21 still an acknowledgment that 3,900 seats are needed
22 in 24 and 3,000 or so seats are needed in 15?

23 LORRAINE GRILLO: That number has reduced
24 somewhat, I will get you the exact numbers.

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2 COUNCIL MEMBER DROMM: Okay, the
3 construction of 83,000 seats identified across the
4 two plans will not be complete until 2028, how does
5 the SCA plan to ensure projects and their associated
6 seats are not rolled over from 2020 to 2024?

7 LORRAINE GRILLO: I actually can only
8 speak to the record that we have. Again, in the
9 current capital plan, we have sited 40,000 seats and
10 half of the seats in this capital plan did not come
11 to us until mid-way through the plan. We have a
12 record of success and I continue to believe that we
13 will be successful in the current... in the new capital
14 plan.

15 COUNCIL MEMBER DROMM: Okay, in the 2015
16 through 2019 plan of the 88 new capacity projects 13
17 projects which were originally identified were rolled
18 over... were rolled over into the 2024 plan, can you
19 just tell us why that was... [cross-talk]

20 LORRAINE GRILLO: Sure... [cross-talk]

21 COUNCIL MEMBER DROMM: ...done?

22 LORRAINE GRILLO: Sure, what happens
23 basically is when we find a site we negotiate with
24 the owner, we come to an agreement, we come through
25 our public review process and then we begin the

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2 design. Sometimes that design doesn't come until
3 towards the end of... for example, those projects that
4 are in design right now will not go into construction
5 until the... until the next capital plan so those seats
6 are rolled over.

7 COUNCIL MEMBER DROMM: So, they moved
8 over, okay. Can you describe how SCA is working with
9 the DOE to prepare for the transition of birth to
10 five care system from ACS to DOE?

11 LORRAINE GRILLO: Sure, right now the DOE
12 has asked the SCA to assess the various ACS sites
13 which we are in process right now and we will see
14 next steps after that. We have just gotten that
15 assignment.

16 COUNCIL MEMBER DROMM: So, you're just
17 starting to estimate what the cost of good repair
18 would be in those sites as well?

19 LORRAINE GRILLO: It would... what the
20 condition is...

21 COUNCIL MEMBER DROMM: Uh-huh... [cross-
22 talk]

23 LORRAINE GRILLO: ...yes... [cross-talk]
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ON FINANCE AND CAPITAL BUDGET

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2 COUNCIL MEMBER DROMM: I mean many of
3 them... would, would you be taking over sites in NYCHA
4 buildings?

5 LORRAINE GRILLO: We have not looked at
6 any NYCHA buildings at this point.

7 COUNCIL MEMBER DROMM: Is that in the
8 plan to look at them or...

9 LORRAINE GRILLO: Yes, yes, yes.

10 COUNCIL MEMBER DROMM: So, they really
11 need to be looked at... [cross-talk]

12 LORRAINE GRILLO: Yes... [cross-talk]

13 COUNCIL MEMBER DROMM: ...and I brought it
14 up at... [cross-talk]

15 LORRAINE GRILLO: ...fairly... [cross-talk]

16 COUNCIL MEMBER DROMM: ...other hearings as
17 well that... because I was a day care center director
18 and a teacher before I went to the DOE and a lot of,
19 of health concerns there including lead.. [cross-talk]

20 LORRAINE GRILLO: Sure... [cross-talk]

21 COUNCIL MEMBER DROMM: ...concerns there so
22 we hope that, that will be part of, of putting them
23 into a state of good repair. Is SCA introducing
24 design changes in new construction to accommodate
25

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2 children younger than four years old in DOE school
3 buildings themselves?

4 LORRAINE GRILLO: Well at this moment I
5 believe that we have particularly Pre-K for All in
6 those instances we've made changes to classrooms that
7 would suit Pre-K students. I do not believe, or I do
8 not know of any sightings with 3-K but I'm sure we
9 will do exactly the same thing.

10 COUNCIL MEMBER DROMM: Okay and then with
11 the 3-K seats none of those 3-K seats the need is in
12 the capital plan, is that correct?

13 LORRAINE GRILLO: Correct, we just had
14 begun to introduce those districts that will have
15 Pre-K, we had begun to work on siting those districts
16 but at this point we don't have a, a, a number
17 attached to that so.. again because we amend every
18 year and because we come back to you every year those
19 issues will be clarified as time goes by, its very
20 early in the process.

21 COUNCIL MEMBER DROMM: And, and how do
22 you go about determining the need for 3-K seats?

23 KARIN GOLDMARK: So, the need for 3-K..
24 [cross-talk]

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ON FINANCE AND CAPITAL BUDGET

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2 COUNCIL MEMBER DROMM: And where... and
3 where do you... how do you... and not only the need but
4 where you fund them?

5 KARIN GOLDMARK: So, 3-K and Pre-K of
6 course have an innovative service delivery model
7 where some of the services are provided by DOE, some
8 are provided by community based organizations so the
9 way we calculate seat... the seats is really different
10 from the K through 12 environment and that's... part of
11 the process is assessing existing capacity in the
12 community and now with the early learn condition
13 that's another element that comes in to how we
14 determine how many seats we've essentially already
15 got and how many seats we will need going forward.
16 So, it's a... really a very different process.

17 COUNCIL MEMBER DROMM: The capital
18 investment I believe in 3-K seats at budget adoption
19 totaled 771 million dollars across fiscal '19 to
20 2021, this included 306 million in fiscal 2019, can
21 you tell us how that funding is being used and what's
22 being done with it right now?

23 LORRAINE GRILLO: In, in the capital..
24 [cross-talk]

25 COUNCIL MEMBER DROMM: Yeah... [cross-talk]

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LORRAINE GRILLO: ...in the capital budget?

Yes, obviously leasing, reconfiguring space within leases and that sort of thing. We've created 8,800 Pre-K seats over the last couple of years.

COUNCIL MEMBER DROMM: Okay and I think we were supposed to get a report on that funding by the end of this year?

LORRAINE GRILLO: Okay.

COUNCIL MEMBER DROMM: And we're going to get that?

LORRAINE GRILLO: Sure.

COUNCIL MEMBER DROMM: Okay, thank you. Let me do accessibility again, the SCA has identified accessibility projects to be completed with the 50 million dollars invested in fiscal '19 and when can we expect those projects to be identified?

KARIN GOLDMARK: We will get back to you with when... with the specific projects, we've already begun the planning process for all of that funding that you generously, generously provided.

COUNCIL MEMBER DROMM: Have you started that process of going out to see where you're needed... where those funds are needed the most?

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KARIN GOLDMARK: Absolutely, so we have almost completed the process of completing the building accessibility profiles for every school building in New York City, we have last I heard we just had about 100 or so left out of the 14... over 1,400 buildings and as a result of those we look at where the greatest opportunity is for enhancing accessibility and specifically prioritizing districts that have the greatest need in terms of being the furthest from meeting the accessibility targets that we set.

COUNCIL MEMBER DROMM: And, and that's done by a team going out or is that done by principals, how is that conducted?

KARIN GOLDMARK: That's a... that's a... that's a team going out from the space management unit of DOE.

COUNCIL MEMBER DROMM: Okay, let me talk a little bit about class size reduction, the council's understanding of class size reduction projects funded in the 2015/19 capital plan was that these seats would be in addition to those funded under new capacity... [cross-talk]

LORRAINE GRILLO: Uh-huh... [cross-talk]

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2 COUNCIL MEMBER DROMM: ...that are
3 specifically meant to meet identified seat need
4 however, the proposed plan counts two class size
5 reduction projects towards meeting the 83,000 seats
6 needed in the 2015 to '19 plan, why is that?

7 LORRAINE GRILLO: If you'll give me a
8 moment sir. I... I'm going to have to get back to you
9 on that, I really am not clear on the answer to that
10 question so... [cross-talk]

11 COUNCIL MEMBER DROMM: Okay and, and then
12 also in the plan there was no provision for new class
13 size reduction, is that correct?

14 LORRAINE GRILLO: Yes, we have several
15 projects that we... are under consideration right now
16 but we are not... we have again as I mentioned before
17 we have a task force that gets together with DOE and
18 we look at those projects and we evaluate them and
19 then we become public with the... with that decision.

20 COUNCIL MEMBER DROMM: Okay and with...
21 [cross-talk]

22 LORRAINE GRILLO: So, we'll get back to
23 you... [cross-talk]

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2 COUNCIL MEMBER DROMM: ...and with the
3 current 2015 to '19 plan how are you tracking how
4 that funding is being used?

5 LORRAINE GRILLO: Well we have three
6 projects currently in process right now so that's,
7 that's the funding...

8 COUNCIL MEMBER DROMM: But how do you
9 track that, how do you go back and look at that and
10 evaluate that?

11 LORRAINE GRILLO: Well again what we do
12 is through, through design and, and then
13 construction, I mean obviously it's a low bid kind of
14 construction so those... that's how we track how these
15 projects are moving forward in terms of dollars.

16 COUNCIL MEMBER DROMM: Okay, let me be a
17 little bit more specific... [cross-talk]

18 LORRAINE GRILLO: Yeah... [cross-talk]

19 COUNCIL MEMBER DROMM: How do you
20 evaluate whether they're actually reducing class
21 size?

22 LORRAINE GRILLO: Ah, I... I'm sorry, I
23 apologize... [cross-talk]

24 COUNCIL MEMBER DROMM: Okay... [cross-talk]

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2 LORRAINE GRILLO: ...because we have not
3 yet completed those projects so its very difficult to
4 say but we will once those projects are completed,
5 we'll be able to make a judgment.

6 COUNCIL MEMBER DROMM: So, that's... is
7 that always done with class size reduction projects?

8 LORRAINE GRILLO: This is the very first
9 time this capital plan... the capital plan has had that
10 category. Again, the reason for class size reduction
11 was for persistently over crowded buildings that may
12 not be in a district that is overcrowded but they for
13 whatever reason, physical location whatever its
14 unable to move kids to another school so in fact we
15 put money into to satisfy that need. One of them, 131
16 in Queens is very, very far away from any other
17 school within the district, it's been a persistently
18 overcrowded school that was one of the schools that
19 we chose after going through committee with DOE to
20 make that determination.

21 COUNCIL MEMBER DROMM: Okay, I'm going to
22 turn it over because I know Council Members have a
23 lot of questions but before I do in April you
24 committed to working with us on implementing the
25

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1 learning... the planning to learn recommendations...

2 [cross-talk]

3 LORRAINE GRILLO: Uh-huh... [cross-talk]

4 COUNCIL MEMBER DROMM: ...can I get your
5 commitment on that again to meet with... [cross-talk]

6 LORRAINE GRILLO: Absolutely... [cross-
7 talk]

8 COUNCIL MEMBER DROMM: ...Council staff,
9 okay... [cross-talk]

10 LORRAINE GRILLO: ...we always welcome
11 working with the... [cross-talk]

12 COUNCIL MEMBER DROMM: Alright... [cross-
13 talk]

14 LORRAINE GRILLO: ...City Council staff.

15 COUNCIL MEMBER DROMM: Thank you
16 President Grillo, thank you Deputy Chancellor.
17 Council Member Gibson.

18 COUNCIL MEMBER GIBSON: Thank you Chair
19 Dromm and thank you Chair Treyger and good afternoon
20 again, great to see both of you and we appreciate
21 your partnership and certainly this five-year capital
22 plan is a testament of really the commitment of this
23 administration. I think it's a recognition of the
24 challenges that we faced but also the expected
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2 challenges we know we will continue to face, and you
3 know making sure that we address population growth
4 particularly in those neighborhoods where the growth
5 has been completely exacerbated compared to other
6 neighborhoods. It's really important that, you know
7 we continue to have dialogue. When I cited that 600
8 million dollars it's really because the City Council
9 has been an active and engaging partner. My local
10 capital that I get just in my district alone, a
11 majority of that funding every year for five years
12 has gone to schools to upgrades of facilities and
13 technology and as Chair Treyger mentioned, I mean we
14 call it school enhancements to me these are
15 necessities. Air conditioning should be a necessity,
16 bathroom upgrades and all the basic essentials should
17 always be, you know necessities and not luxuries and
18 so we want to make sure that the City Council is an
19 active partner and we will continue to engage with
20 you but a lot of these projects particularly the
21 larger scale upgrades to auditoriums and gymnasiums
22 and playgrounds are expensive and they take some
23 time, sometimes more than a fiscal year and for those
24 of us that have term limits we have a few more
25 budgets to go so today's, you know conversation

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around the five year capital plan for me is really making sure that we can expedite but obviously increasing efficiency is, is truly important. So, I first wanted to ask about the neighborhood rezonings because that's been of particular importance to me but the larger neighborhoods that we have rezoned from East New York, East Harlem, Far Rockaway, Jerome in the Bronx and Inwood but on a monthly basis on a much smaller scale we pass out smaller rezonings every single month. We are creating an incredible amount of housing and so I wanted to understand how SCA and DOE works with other agencies particularly Department of City Planning to make sure that there is a dialogue on the expected growth within a community, we assume every new construction of housing is going to bring families with school aged children and you know while we were successful in our rezoning that's just one rezoning of many more to come so what is the interagency coordination with the other agencies as it relates to population growth and ensuring that we are siting school seats?

LORRAINE GRILLO: Absolutely, thank you

Chair Gibson. We work very, very closely with Department of City Planning actually we worked

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2 together more than not we are constantly talking with
3 them about the large-scale rezoning certainly and as
4 you know we have a seat at the table when those
5 negotiations and decisions are taking place. On the
6 smaller scale rezonings certainly they alert us on
7 those rezonings, we use that as information that
8 informs our projections and work closely with City
9 Planning on comparing those projections so we're
10 always in touch with City Planning on these issues.

11 COUNCIL MEMBER GIBSON: Okay, does that
12 also include HPD as well, are they a part of any
13 conversations?

14 LORRAINE GRILLO: Yes, through DCP,
15 through City... [cross-talk]

16 COUNCIL MEMBER GIBSON: Okay... [cross-
17 talk]

18 LORRAINE GRILLO: Planning, yes.

19 COUNCIL MEMBER GIBSON: Okay, so we
20 recently passed legislation that you were supportive
21 of, Local Law 168 that relates to establishing a task
22 force on school siting and there will be an expected
23 report that will be issued in July of next year so I
24 wanted to understand is there an update you could
25 provide for us, are there any conversations that have

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2 taken place on the formulation of this task force as
3 of yet?

4 LORRAINE GRILLO: Yeah... yes, I understand
5 that the, the selection of that task force is
6 underway... is underway so we are... we are looking
7 forward to that.

8 KARIN GOLDMARK: Yes, we're... [cross-talk]

9 COUNCIL MEMBER GIBSON: Okay... [cross-
10 talk]

11 KARIN GOLDMARK: ...we're in the process of
12 finalizing each of the representatives from all of
13 the agencies and we anticipate meeting early in 2019.

14 COUNCIL MEMBER GIBSON: Okay, great,
15 we'll keep talking as we get closer to July. SCA had
16 a project labor agreement in place for the last
17 capital plan on capital improvement projects for the
18 2015/2019 plan so I wanted to ask of the current plan
19 that's in place has it been successful, have you
20 learned any lessons from it and moving forward are
21 you also going to adopt another project labor
22 agreement for this five year capital plan?

23 LORRAINE GRILLO: We hope to, it has been
24 tremendously successful, it has helped us in our
25 planning. What the project labor agreement allows us

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2 to do is to keep consistency within the, the various
3 building trades so that we understand what overtime
4 is going to cost us, we understand.. as you.. as you
5 well know our capital improvement work is all done
6 after regular school hours so in a typical
7 construction project that would be overtime and in
8 some cases time and a half and, and the like so the
9 project labor agreement allows us to have a
10 consistent flat rate, it also puts all of the trades
11 having the same vacation days because you would find
12 out in other.. in other situations carpenters may have
13 one day, plumbers may have another. So, we need those
14 consistencies plus it exempts us from the WIX law
15 which is a big savings for.. [cross-talk]

16 COUNCIL MEMBER GIBSON: Right.. [cross-
17 talk]

18 LORRAINE GRILLO: ...for SCA.

19 COUNCIL MEMBER GIBSON: So, moving
20 forward with this.. with the next five year capital
21 plan being that we are spending more, we are building
22 more, we're accommodating more students and
23 educators, do you think the new project labor
24 agreement plan will have.. obviously we want to reduce
25 overtime as much as we can and really target cost so

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2 do you expect in those conversations with all of the
3 labor unions to make sure that we can have more
4 members a part of the PLA so that we estimate better
5 without... [cross-talk]

6 LORRAINE GRILLO: At this point in time,
7 absolutely there's no... [cross-talk]

8 COUNCIL MEMBER GIBSON: Okay... [cross-
9 talk]

10 LORRAINE GRILLO: ...question that having a
11 PLA and working with the building trades has been
12 extraordinarily helpful to us and we hope to
13 negotiate an even better PLA. I will tell you though
14 that the, the building trades have all cooperated as
15 part of the PLA.

16 COUNCIL MEMBER GIBSON: Okay.

17 LORRAINE GRILLO: Yeah.

18 COUNCIL MEMBER GIBSON: Great. I wanted
19 to ask about the budgets for the program categories
20 that are under the school enhancement's projects. For
21 example, there was 50 million that's allocated for
22 bathroom upgrades so I wanted to ask specifically,
23 I'm a huge supporter of bathroom upgrades as we all
24 are, if this was a reflection of the fact that 50
25 million is the amount that's needed to bring all of

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2 our bathrooms up to the appropriate condition and if
3 so how was this number configured?

4 KARIN GOLDMARK: So, the 50 million
5 dollars is a reflection of first of all the very
6 successful work that's happened in the current
7 capital plan and the next stage of the work. So, the
8 way we select bathrooms is by the need and, and
9 condition of the bathrooms, we do this in
10 consultation with the principals and community and
11 community engagement is central to all of the work
12 that we do and increasingly the... so this planning
13 work is involving community education councils, the
14 SCA has developed a really wonderful model for
15 ensuring the CECs understand all of the capital
16 projects going on in a district and through all of
17 that dialogue we're developing the list and the
18 priorities that communities are telling us and that
19 we know from our assessments of the buildings.

20 COUNCIL MEMBER GIBSON: Okay, so to be
21 identified on a priority basis but in consultation
22 with school officials, principals, etcetera, school
23 leadership team, right?

24 KARIN GOLDMARK: Absolutely.
25

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2 COUNCIL MEMBER GIBSON: Okay, so another
3 area that's very important to me as well, a lot of
4 the school food advocates have really come to the
5 council members, we have successfully pushed for
6 universal free lunch in middle schools, universal in
7 classroom breakfast at elementary so we're very big
8 fans of food access and the quality of food but also
9 we're concerned about the conditions of our
10 cafeterias and the kitchen so in the capital plan
11 there's 25 million under interiors for kitchen areas
12 and 25 million for a program to renovate cafeterias
13 and serving lines under facility restructuring..

14 [cross-talk]

15 KARIN GOLDMARK: Uh-huh... [cross-talk]

16 COUNCIL MEMBER GIBSON: ...so I wanted to
17 understand a little bit more of that and what kinds
18 of projects will this fund? So, we care about the
19 cafeteria as well as the kitchen and the cafeteria as
20 well, right? How is that going to work...

21 KARIN GOLDMARK: I'll start and President
22 Grillo can jump in... [cross-talk]

23 LORRAINE GRILLO: Yes, please... [cross-
24 talk]

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2 KARIN GOLDMARK: So, you're absolutely
3 right, these are two really important initiatives,
4 one is in terms of kitchens so ensuring that our
5 kitchens have the equipment that they need to serve
6 obviously delicious and nutritious meals. The
7 cafeteria enhancement program is something that
8 started as a pilot and has been very successful. What
9 we found is that when we enhance the cafeteria and
10 modernize the cafeteria two things happen, students
11 eat more of the food and they waste less of the food
12 so it's actually really wonderful from a food access
13 point of view, it's important for the overall
14 atmosphere of the building and conditions for
15 learning. It's something that we found is a really
16 powerful, positive effect on schools and we have
17 prioritized those according to developing a model for
18 middle schools and high schools that works and we are
19 of course taking an equity lens in this and
20 everything we do so in consultation with communities
21 we are prioritizing schools based on if they have
22 been traditionally underserved this is one of the
23 factors, it's also of course the condition of the
24 cafeteria.

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2 COUNCIL MEMBER GIBSON: Is it possible
3 that the information and data that you are compiling
4 to be shared with the Council as it relates to some
5 of the priorities of the kitchen and cafeteria
6 upgrades, some of the... [cross-talk]

7 KARIN GOLDMARK: We're... [cross-talk]

8 COUNCIL MEMBER GIBSON: ...criteria you're
9 using?

10 KARIN GOLDMARK: As we... as we develop the
11 prioritizations, we're happy to share that with you
12 of course.

13 COUNCIL MEMBER GIBSON: Okay, great.
14 Another big project that I'm a huge fan of, was very
15 supportive during my assembly days are school based
16 health centers and we have an active partnership with
17 many of our health providers specifically the Bronx,
18 Montefiore Health Center, Children's Aid Society,
19 Morris Heights, etcetera, as we open more of our
20 school based health centers on campuses I'm noticing
21 that there sometimes is a decrease in the number of
22 school nurses so I wanted to just bring that up as a
23 side note to make sure that we talk on a side
24 conversation about school nurses but specifically
25 about the school based health centers, I didn't see

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2 any funding for that in the proposed plan so I wanted
3 to understand what are we doing with school based
4 health centers and our priority and why there wasn't
5 any funding included in the plan?

6 LORRAINE GRILLO: Well I, I can speak to
7 the fact that we've done a great job in the Bronx on
8 school based health centers and the reason that was
9 so successful is because you have active providers
10 who really want to be involved in school based
11 health, if you do not have an active provider who is
12 requesting a school based health center building one
13 and leaving it empty is not what we'd hope to do so
14 until such time as we have providers that are
15 requesting that and the location is appropriate for
16 example, it's not across the street from a health
17 center certainly we will entertain any request for
18 that but again it... really without an active provider
19 who can sustain that school based health center
20 building one is, is probably not a good use of our
21 funds.

22 COUNCIL MEMBER GIBSON: So, in the last
23 capital plan there was 20 million dollars added for
24 the construction of school based health centers in
25 school districts like mine with high concentrations

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of students in temporary housing but as of the

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February 2018 proposed amendment that was adopted by

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this Council in June we identified four projects that

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SCA gave us totaling 10 million dollars that was

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identified so does that mean that because there's no

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allocation in the new capital plan for school based

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health centers does that say that we don't have a

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need or as you mentioned we need more providers and

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if we need more providers then what are we doing to

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work and engage others to make sure that we can

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continue to expand on the number of school based

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health centers we have?

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LORRAINE GRILLO: And again we, we

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certainly agree that the school-based health centers

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for example, four of those school-based health,

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health centers are scheduled to open for, for this..

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in this school year, we don't have additional

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funding. Again, let me go back to the fact that in

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the Bronx in your area and Montefiore is a very

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active provider and is always looking for those

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schools to place the school-based health center, we

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have not had requests anywhere else at this point so

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unless.. again if the need arises, we will certainly

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entertain that.

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2 COUNCIL MEMBER GIBSON: Okay, we're going
3 to continue talking that's very, very important to
4 this Council and I think it's a reflection of the
5 ongoing need. What we've seen in terms of school-
6 based health centers are the services for medical,
7 dental, vision, the continuity of care, the support,
8 the relationships that have been developed with
9 students and educators, very, very successful so I'm
10 grateful we've identified four that will open but
11 certainly we need more, and we'll continue to talk
12 about that. I just have one final question that I
13 wanted to ask about the building condition assessment
14 survey, we call it BCAS and I wanted to get from you
15 a general understanding of the process by which the
16 results of BCAS are reviewed and projects are even
17 identified for the five-year capital plan, how does
18 that work?

19 LORRAINE GRILLO: Sure, well as you know
20 every year, we send a team of architects and
21 engineers to every single building to rate all of the
22 major systems within the building and of course it's
23 based on performance and age and all of the other
24 details, what's working, what's not working. With
25 that said we rate them one through five, five being

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2 the worst condition and of course when we're creating
3 our capital plan the first projects that we want to,
4 to undertake are those five, fives. Unfortunately,
5 we'd love to be able to do all of the projects that
6 are below... or above a three but again, you know we've
7 got a great deal of need throughout the system and
8 right now that's what we can do, those fives.

9 COUNCIL MEMBER GIBSON: Okay, thank you,
10 I'll turn it back over to our Co-Chair.

11 LORRAINE GRILLO: You're welcome.

12 COUNCIL MEMBER GIBSON: Chair Treyger.

13 CHAIRPERSON TREYGER: Thank you Chair
14 Gibson and we've also been joined by Council Members
15 Powers, Cornegy, Moya and Barron and just a reminder
16 to my... to our colleagues that we have a, a three
17 minute clock for each member, time permitting we
18 might do a round two because I want to be mindful of,
19 of folks who are waiting patiently in the audience as
20 well. I think the first member we had up was Council
21 Member Grodenchik, is he still here?

22 COUNCIL MEMBER GRODENCHIK: Mr. Chairman...
23 [cross-talk]

24 CHAIRPERSON TREYGER: Oh... [cross-talk]
25

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2 COUNCIL MEMBER GRODENCHIK: ...since I'm
3 all three committees do, I get nine minutes?

4 CHAIRPERSON TREYGER: Anything for you
5 Barry.

6 COUNCIL MEMBER GRODENCHIK: You'll least
7 give me an extra minute. Thank you, it is always a
8 pleasure to see Lorraine Grillo and its great to meet
9 the new Deputy Chancellor and we'll be talking in the
10 next few days about some issues in my district. I
11 want to pick up first on something that Chair Gibson
12 mentioned in her opening remarks and that's about
13 discretionary technology, if I don't fund it they
14 don't get it, its that simple and in my initial tour
15 of my schools when I first was elected three years
16 ago I, I can't remember the school but they were
17 working with nine year old mac computers and I
18 remember the technology teacher telling me he can't
19 even find pieces... you know they, they salvaged what
20 they could so this is important. I, I am... I
21 appreciate your comments on... Deputy Chancellor I
22 think it's on page four of the testimony that by
23 2025, you know every school of the computer science
24 for all initiative, I think that's much too long, I
25 will be a lot older by then and it's one thing that

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2 the city tends to do fairly quickly is, is produce
3 the technology and if we buy it on July 1st usually
4 by the end of the fiscal year its in place and ready
5 to be used and so I would ask that that
6 consideration take place because the technology is
7 changing so quickly, we are a great center of
8 technology now with google and probably Amazon and
9 google just announced an expansion of I believe 7,000
10 jobs another billion dollars so this should be a
11 pipeline for our children that are so inclined, it's,
12 it's a great resource for them to have here and these
13 are excellent jobs for them to get so I want you to
14 think about that. The other thing that I would ask, I
15 love air conditioning, we all love air conditioning.
16 In eastern Queens I have no fewer than five district
17 75 schools headquartered in my district, two of them
18 are in standalone buildings, the others share
19 buildings but almost every school that I have has
20 district 75 students in them and it is almost cruel
21 that in the summer these young people are basically
22 stuck in their classrooms in many cases, I have
23 worked with the SCA to air condition some of those
24 places with the resources that I am to bear but when
25 you're talking about air conditioning and when you...

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2 we really have to concentrate on these schools
3 because they have no gymnasium in the summer, we know
4 how hot it gets sometimes in May and September let
5 alone June, July and August when these children are
6 in school so it's the auditoriums which are like
7 ovens, the gymnasiums which are like ovens, some of
8 them are air conditioned and its kind of hit or miss,
9 some of them have been done by the PTAs in years past
10 but I would like to hear your comments on that
11 either, either Miss Grillo or the Deputy Chancellor.

12 KARIN GOLDMARK: So, ensuring that
13 district 75 facilities are getting at least the same
14 investments and enhancements as every other facility
15 is absolutely a priority for us, we have actually
16 been taking a look at the facilities in which 75
17 sites are located, we've also been looking every
18 month to make sure that we actually have enough seats
19 in each district for the district 75 students who are
20 in that district, this is a... been a... one of the
21 capacity challenges we've been addressing with great
22 success with the SCA and through reconfigurations of
23 existing school buildings. I won't speak for
24 President Grillo although I'm sure she agrees with me
25 that this is a major priority for both of us and

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1 something that we've been actively working on and
2 discussing in our new collaboration. In terms of
3 specific sites, I am happy to speak with you after
4 the hearing about... [cross-talk]

5
6 COUNCIL MEMBER GRODENCHIK: Okay... [cross-
7 talk]

8 KARIN GOLDMARK: ...the specific sites
9 because that is one of the ways we answer problems is
10 with specific... [cross-talk]

11 COUNCIL MEMBER GRODENCHIK: Okay, it is...
12 [cross-talk]

13 KARIN GOLDMARK: ...sites generally I want
14 to... [cross-talk]

15 COUNCIL MEMBER GRODENCHIK: ...it is...
16 [cross-talk]

17 KARIN GOLDMARK: ...assure you... [cross-
18 talk]

19 COUNCIL MEMBER GRODENCHIK: I appreciate
20 that but I know that this is not the final plan and
21 that we will be refining this over the next few
22 months before we get a chance to vote on it again but
23 I would like you to take a hard look about committing
24 more resources to that, we are making our schools
25 fortunately we, we were here... I was here with Chair

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2 Dromm that day and the Speaker and I think Margaret
3 Chin we heard the testimony of, of parents of
4 disabled children who couldn't get into school but
5 now that we're going to do a better job of getting
6 them into school we don't want them sitting in, in...
7 and all of my classrooms are air conditioned in the
8 D75 wings, that seems to be no problem but these
9 gymnasiums and the auditoriums are, even in June, I'm
10 not talking about August or July, they're, they're
11 like ovens so... and I'm sure it's not a problem that
12 is just in eastern Queens I am sure it is throughout
13 the city. So, thank you for your thoughts and I look
14 forward to speaking with you Deputy Chancellor and I
15 yield the.. my balance of my five minutes to, to.. back
16 to the Chairs.

17 CHAIRPERSON TREYGER: Thank you for, for
18 being so generous. Next, we'll hear from Council
19 Member Adams.

20 COUNCIL MEMBER ADAMS: Thank you to all
21 of the Co-Chairs for a very fine joint hearing today.
22 I, I have to echo my colleague, its always wonderful
23 to see you President Grillo, thank you for everything
24 that you've done in the past for all of us and, and
25 the work that you continue to do for our students and

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2 beyond. I welcome you as well Deputy Chancellor,
3 welcome. I just have a couple of questions, hopefully
4 I can get some answers to some quick, quick
5 questions. There is a, a school in my district, I
6 represent district 28 Queens, PS96 has not had a
7 gymnasium ever, we're talking about enhancements here
8 today, do we consider gymnasiums enhancements or
9 necessities?

10 LORRAINE GRILLO: Okay. Actually PS96,
11 Queens came up in a recent town hall that we did and
12 as a result of that town hall we are... we're sending
13 our architects and engineers to look and see if
14 there's potentially space to build a gym.

15 COUNCIL MEMBER ADAMS: Okay, do you know
16 when that's going to be as far as... [cross-talk]

17 LORRAINE GRILLO: We're, we're already...
18 [cross-talk]

19 COUNCIL MEMBER ADAMS: ...time frame for
20 the architects?

21 LORRAINE GRILLO: We're already scheduled
22 to go out there so it's going to be in the next
23 couple of weeks.

24 COUNCIL MEMBER ADAMS: That's wonderful
25 news, thank you for that. I'm also very appreciative

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2 for the bathroom upgrades in my district that had not
3 happened for decades and decades and again we're
4 talking enhancements as opposed to things that
5 normally... that are just normal so thank you for that.
6 I will be gathering with my principals again
7 tomorrow, I started an annual tradition last year
8 when I was elected, an annual gathering of the
9 principals in my district so we will gather together
10 tomorrow, and we will compare notes and I, I really
11 expect to see some great things in progress going on
12 with the SCA and beyond. One final question that I
13 had, last week there was a full on fire in my
14 district within walking distance from my home, PS160
15 Walter Francis Bishop School, it started on the roof
16 of the school and it was due to an SCA construction
17 project that has been going on for a number of years,
18 can you please tell me the cause of that fire, where
19 we are as far as time frame, what kind of a setback
20 did that cause if any for the time frame of
21 completion?

22 LORRAINE GRILLO: Well I, I don't have
23 the actual dates but I will tell you this, what I do
24 know about that particular issue was there was a fire
25 on the roof, it had to do with an electric... a

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2 temporary electrical wire and that's how it started,
3 it was put out very quickly, we do not feel it will
4 have any impact at all on the schedule for this
5 project. I will tell you though this is one of the
6 main reasons why our capital improvement work is done
7 after school hours.

8 COUNCIL MEMBER ADAMS: I agree with that
9 and I was very grateful that the fire occurred
10 sometime around six a.m. or so last Thursday morning.
11 Do you know what the completion date of that work
12 will be, I speak with the principal frequently over
13 there and she, she made me laugh the other day when I
14 checked on the students after the fire and she said
15 you know I don't know the school without scaffolding..
16 [cross-talk]

17 LORRAINE GRILLO: Oh... [cross-talk]

18 COUNCIL MEMBER ADAMS: ...you know where I
19 do, I'm from the community so I do, I said I've got
20 several pictures that I can bring you to show you
21 what the school looks like without the scaffolding so
22 can you give me an, an estimate?

23 LORRAINE GRILLO: I don't have that, but
24 I will get that to you.

25 COUNCIL MEMBER ADAMS: Terrific..

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LORRAINE GRILLO: Okay...

COUNCIL MEMBER ADAMS: Terrific, thank
you so much for your testimony today, thank you.

LORRAINE GRILLO: Thank you.

CHAIRPERSON TREYGER: Thank you so much
Council Member. Just a note we've also been joined by
Council Member Lander and next for questions we'll
hear from Council Member Cornegy.

COUNCIL MEMBER CORNEGY: Thank you
Chairs, thank you also for joining us today President
Grillo and Deputy Chancellor Goldmark. I have a
couple of question as the Chair of the MWBE
commission here, I have some MWBE related questions.
Can the SCA provide an update on its MWBE programs
including the mentor program and the internship
program with La Guardia Community College?

LORRAINE GRILLO: I, I don't have the
figures in front of me however I'm... I will provide
them, it was a banner year for us. Again we've... our
MWBE program is the best in the city and the state, I
will say that, and I will certainly get you the exact
numbers, but I will tell you that with regard to our
program on opportunity academy which I believe is the
program you're talking about with La Guardia. Again,

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2 our new class, this is our third class is begun, the
3 students are incredible, I've sat in on classes with
4 them, they're doing a fabulous job and as with the
5 past two classes and graduates I will tell you they
6 will wind up in a very good place as far as their
7 careers are concerned. We've... the, the folks that
8 have gone through the program I would say 95 percent
9 had jobs within a month of finishing the program and
10 the other five percent started their own businesses.
11 So, it's something we're extraordinarily proud of,
12 extraordinarily proud of and again I'll get you the
13 numbers on the MWBE stat.

14 COUNCIL MEMBER CORNEGY: So, so like you
15 I've had the opportunity to sit in on some of the
16 classes and have witnessed some commencements and I
17 will say that the SCA is... you know has a, a gold
18 standard for what we're expecting from agencies
19 throughout the network as it relates to MWBEs.

20 LORRAINE GRILLO: Thank you.

21 COUNCIL MEMBER CORNEGY: I would be
22 remiss if I didn't ask about the six million dollar
23 allocation many years ago to door alarms in schools
24 through Avonte's law, I believe that all of the
25 alarms are installed, you can confirm or deny that

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2 but I also wanted to ask I think we're at the.. maybe
3 the fifth year or fourth year, there should be a
4 maintenance at this point so if they've all been
5 installed I want to know what the maintenance program
6 is for that, its, it's important to me, it was.. it
7 was... I was the sponsor of that bill. Unfortunately,
8 to be quite honest we, we would prefer that that had
9 not happened but the city's response was quick, the
10 allocation of the funding was quick, the
11 installations were quick and I believe that we were
12 on schedule I'd just like to revisit and confirm
13 whether or not they've all been installed and whether
14 or now we're up for a maintenance on those at this
15 particular junction?

16 KARIN GOLDMARK: So, they have all been
17 installed and we're now maintaining the door alarms
18 as part of the on... of the ongoing maintenance of the
19 buildings.

20 COUNCIL MEMBER CORNEGY: And then lastly,
21 you know as part of the legislation to bring the
22 alarms was also training of staff... [cross-talk]

23 KARIN GOLDMARK: Uh-huh... [cross-talk]

24 COUNCIL MEMBER CORNEGY: Where are we as
25 far as trainings, has everyone in the buildings been

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2 trained, now I realize that there is considerable
3 turnover in our schools on an annual basis, I'm
4 curious as to whether or not though there's, there's
5 been the prerequisite trainings around alarms and
6 elopement potentially of autistic children and that
7 kind of thing, where are we?

8 KARIN GOLDMARK: So, training processes
9 were put in place, but I'd have to get back to you
10 with the exact specifics on exactly how that was
11 rolled out and... John are you crossing your legs
12 because you want to come up and answer?

13 [off mic dialogue]

14 KARIN GOLDMARK: Yes, that's why I'd want
15 to get back to you because I didn't think I could
16 kick it to, to Mr. Shea so I can get back to you with
17 the specifics on the... how that's rolled into the
18 training.

19 COUNCIL MEMBER CORNEGY: And, and again
20 I'd appreciate it just from the standpoint of we knew
21 that it was rolling along favorably sometimes there's
22 a drop off inadvertently on initiatives and this was
23 an important one for the city that no other child
24 could elope and conversely that there couldn't be any
25 breaches of entry into buildings and you know the

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2 potential for disasters like we've seen in other
3 states around school shootings so that alarm actually
4 provided a... you know it had dualism with it, it
5 allowed for, for not... no one to leave unannounced or
6 enter unannounced. So, I'm, I'm, I'm... I'd like to
7 know where we are with the program.

8 KARIN GOLDMARK: Absolutely, I'll be
9 happy to get back to you on that.

10 COUNCIL MEMBER CORNEGY: Thank you.

11 CHAIRPERSON TREYGER: Thank you Council
12 Member, next for questions we have Council Member
13 Barron.

14 COUNCIL MEMBER BARRON: Thank you to the
15 Chairs and thank you to the panel for coming. I have
16 a general question and then a specific check...
17 question. When will all of the TCUs be gone?

18 LORRAINE GRILLO: Okay, that... Council
19 Member that's a terrific question and a very
20 difficult one to answer because they're... [cross-talk]

21 COUNCIL MEMBER BARRON: Why, we know what
22 it costs... [cross-talk]

23 LORRAINE GRILLO: Let me... [cross-talk]

24 COUNCIL MEMBER BARRON: ...to remove...
25 [cross-talk]

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LORRAINE GRILLO: Sure... [cross-talk]

COUNCIL MEMBER BARRON: ...a TCU why can't we put the money in and get them all done by a given date?

LORRAINE GRILLO: Well because many of those TCUs have children in them and because of that one has... one... they are reliant on new capacity, new schools and in some cases finding locations for those schools are difficult, relocating those students temporarily if we're building within that school is difficult but we do it. So, what we're doing in this plan, we've funded capacity for those TCUs, we've... we put money into the plan to say where you need to build new capacity even if the district is not overcrowded... [cross-talk]

COUNCIL MEMBER BARRON: Okay... [cross-talk]

LORRAINE GRILLO: ...we will do... [cross-talk]

COUNCIL MEMBER BARRON: So, I have... I'm on the clock. If a TCU is not being utilized, it... is that at the top of the list?

LORRAINE GRILLO: You bet.

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2 COUNCIL MEMBER BARRON: Okay, so the TCUs
3 in my district that are not being utilized I can
4 expect to see them gone when?

5 LORRAINE GRILLO: Within the next year.

6 COUNCIL MEMBER BARRON: Within in the
7 next year, okay. As you know the East New York Family
8 Academy is going to be a new construction... [cross-
9 talk]

10 LORRAINE GRILLO: Right... [cross-talk]

11 COUNCIL MEMBER BARRON: ...that, that high
12 school was temporary, temporarily relocated and will
13 go back, the TCUs were scheduled to have been removed
14 in July and as of September they had not been removed
15 and when I saw the Chancellor I brought that to his
16 attention and he promised that they would be removed
17 if he had to go get machinery and do it himself, they
18 have been removed and that's great, my question now
19 becomes that's just the removal, all the other phases
20 that have to be completed... [cross-talk]

21 LORRAINE GRILLO: Yep... [cross-talk]

22 COUNCIL MEMBER BARRON: ...will now be
23 pushed back, so how is this estimated date been
24 impacted by the delay in the removal of the TCUs?

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2 LORRAINE GRILLO: Council Member I assure
3 you that project is on track to be completed as
4 promised. Often times in construction there are
5 delays regarding permitting, things like that but
6 we've built in within the schedule we build in some
7 period of float time that allows us to continue to
8 move forward when those delays occur.

9 COUNCIL MEMBER BARRON: So, September...
10 [cross-talk]

11 LORRAINE GRILLO: We are on track.

12 COUNCIL MEMBER BARRON: September 2021
13 we'll be cutting the ribbon?

14 KARIN GOLDMARK: That's correct.

15 COUNCIL MEMBER BARRON: And the other
16 question that I have relates to the shared space,
17 gymatoriums [sp?], cafeteriums [sp?] or whatever
18 those combination are, if we understand that physical
19 education is a critical part of a child's daily
20 education why don't we have dedicated gyms that are
21 used for programming for physical activity, why must
22 it be shared with another space; auditorium or
23 cafeteria which impacts how scheduling can be done
24 and when I was a principal at PS31 I had a gymatorium
25 [sp?], cafeteria all in one space with the dividing

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doors and it limited what could be done and it limited the length of time that an assembly program could be held because we had to open the doors for that and it impacted the scheduling for the other spaces?

LORRAINE GRILLO: Across the city we've done many, many, many of these schools and what we often hear from not just principals, but CECs and district superintendents and the like is their particular auditoriums unless it's a performance-based school or something like that are used... the auditoriums are used very rarely. Now most often... most often the sites that we have cannot... again years ago we were able to get very large sites and build very large schools, right now we're not in that situation across the city so with these very small sites we have to make some sacrifices and if we had to sacrifice anything it would not be the gym or the cafeteria but it would be the auditorium but in a way to allow kids to have performances or have a variety of assemblies or whatever we combine where we have to.

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2 COUNCIL MEMBER BARRON: I'm really old
3 school Chairman Dromm because we used to have weekly
4 assembly programs... [cross-talk]

5 LORRAINE GRILLO: Yes... [cross-talk]

6 COUNCIL MEMBER BARRON: ...and you knew
7 that once during the year your class was going to be
8 on stage for a formal production, I'm just saying..

9 LORRAINE GRILLO: Understood..

10 COUNCIL MEMBER BARRON: That's when
11 children learn public speaking and presentation
12 skills and preparations and costumes and set and all
13 of that, but I guess perhaps they're doing a lot of
14 time with other non-educational in my opinion
15 activities such as test prep, but we need to get that
16 balance for the educational program. Thank you, Mr.
17 Chair.

18 KARIN GOLDMARK: Thank you.

19 CHAIRPERSON TREYGER: Thank you very much
20 Council Member Barron and I would agree, auditoriums
21 are important, I mean some, some of the most
22 memorable moments of elementary school were winning
23 my spelling bee championship in an auditorium and I,
24 I will not forget that so thank you very much for,
25 for your comments but I do have some.. I think.. oh,

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I'm sorry, we've also been joined by Councilman
Lander who has questions as well.

LORRAINE GRILLO: Sure...

CHAIRPERSON TREYGER: Councilman Lander.

COUNCIL MEMBER LANDER: Thank you very
much Chair Treyger, President Grillo and Deputy
Chancellor Goldmark, it is good to see you as always
and thank you for the hard work and substantial
capital that's in this plan. Two questions, one on
air conditioners and one on district 15. On air
conditioning as... you know as one of the Council
Members that led the effort to push the
administration and the Mayor to commit to get air
conditioning in every classroom I was grateful when
the commitment was made and I'm thrilled that its
being accelerated from five years to four years, you
know as we saw this September it really is urgent,
there were just all those days in September when
teachers could not teach and kids could not learn and
there's unfortunately every reason to believe that
that's going to keep being true so I'm, I'm very
pleased with the accelerated time line. I do want to
note, and I guess it may have been raised before, I
also am the requestor of the term and condition on

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2 the updates that you give us, one you gave us in
3 April the next one is due in January. There were some
4 quality control issues with the April report that I
5 know we identified with just concerns that what was
6 on the report and what principals said was the case
7 did not align and I, I would like to know if you guys
8 are taking some efforts to make sure that the report
9 we get in January does a, a better job recognizing
10 it, it's a lot of schools but we would like you to do
11 as, as good a job as possible as making sure that the
12 information that we get about what work has been done
13 and what work is left to do is, is important
14 obviously if we mistakenly report 100 percent of the
15 classrooms are covered and they're not then we're not
16 going to be able to achieve the goal of getting to
17 all of them.

18 KARIN GOLDMARK: Lets go the other way...
19 great question, I'm going to ask my colleague John
20 Shea to come answer and while he's walking up I just
21 want to disagree with one thing you said which was
22 that... it was very hot and I'm not disputing that and
23 air conditioning is urgent, you did say that teachers
24 couldn't teach and students couldn't learn and I
25 don't think you meant to say that because I, I'm sure

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2 you believe that teachers can teach and students can
3 learn in all kinds of conditions even though the air
4 conditioning is urgent, I just want... student... [cross-
5 talk]

6 COUNCIL MEMBER LANDER: Well... [cross-
7 talk]

8 KARIN GOLDMARK: ...expectations... [cross-
9 talk]

10 COUNCIL MEMBER LANDER: ...we don't need to
11 resolve this, I'm telling... [cross-talk]

12 KARIN GOLDMARK: Oh no, I'm not making...
13 [cross-talk]

14 COUNCIL MEMBER LANDER: ...you when the
15 class... [cross-talk]

16 KARIN GOLDMARK: ...a big policy... [cross-
17 talk]

18 COUNCIL MEMBER LANDER: ...room temperature
19 is, is 100 degrees no teaching and learning is taking
20 place so... anyway we... you guys have... [cross-talk]

21 KARIN GOLDMARK: I... [cross-talk]

22 COUNCIL MEMBER LANDER: ...made a
23 commitment and I'm glad you're... [cross-talk]

24 KARIN GOLDMARK: Yes... [cross-talk]

25

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEES
ON FINANCE AND CAPITAL BUDGET

1
2 COUNCIL MEMBER LANDER: ...committing and...
3 [cross-talk]

4 KARIN GOLDMARK: I'm just sure that
5 students were learning in September even though it
6 was hot, I am not disputing the urgency... [cross-talk]

7 COUNCIL MEMBER LANDER: I'm not saying no
8 learning... [cross-talk]

9 KARIN GOLDMARK: ...of air conditioning...
10 [cross-talk]

11 COUNCIL MEMBER LANDER: ...took place in
12 the entire month of September I am saying that there
13 were classrooms... [cross-talk]

14 KARIN GOLDMARK: Thank you... [cross-talk]

15 COUNCIL MEMBER LANDER: ...some classrooms
16 in September where it was too hot for any meaningful
17 teaching and learning to take place.

18 KARIN GOLDMARK: And, and, and the
19 Chancellor is in complet agreement that this is an
20 urgent... [cross-talk]

21 COUNCIL MEMBER LANDER: We're, we're in
22 agreement... [cross-talk]

23 KARIN GOLDMARK: ...priority... [cross-talk]

24 COUNCIL MEMBER LANDER: ...you know, and I
25 don't think we can do it faster so... [cross-talk]

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEES
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2 KARIN GOLDMARK: Yes, this is the fastest
3 we possibly can, yes.

4 COUNCIL MEMBER LANDER: ...you know I...
5 okay.

6 CHAIRPERSON TREYGER: We'll just have to
7 swear you in very quickly.

8 COMMITTEE CLERK: Please raise your right
9 hand, do you swear to tell the truth, the whole truth
10 and nothing but the truth in your testimony and to
11 respond honestly to Council Member questions?

12 JOHN SHEA: I do.

13 COMMITTEE CLERK: You may begin.

14 JOHN SHEA: Good afternoon Council
15 Member... [cross-talk]

16 COUNCIL MEMBER LANDER: Good afternoon,
17 nice to see you... [cross-talk]

18 JOHN SHEA: ...thank you... thank you for the
19 question, it's, it's a simple answer, yes we have
20 been doing a lot of work on that report, we are on
21 track to provide it by January, we've done a lot of
22 surveying and data scrubbing and analysis on our end
23 so we, we fully expect the data to be much more
24 accurate than it was in the April report.

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEES
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2 COUNCIL MEMBER LANDER: Great, thank you
3 very much. Mr. Chair can I ask one of my other
4 questions, its...

5 JOHN SHEA: I think I'm last in line...

6 COUNCIL MEMBER LANDER: So, I want to...
7 so, thank you, that's good to know, we look forward
8 to receiving it. Obviously, what we do when we get it
9 is check with the schools in our districts and say
10 hey, it says here you got the air conditioning and so
11 they're going to tell us whether they did or didn't
12 and that's... we look forward to being optimistic that
13 it is more accurate, thank you. Alright, so on
14 district 15, it is one of the districts with a whole
15 lot of seat need though district 24 is often rightly
16 cited as the district with the most... with number one,
17 district 15 at this point is basically number two and
18 the same issue of sort of the implied unfunded seat
19 need is sitting there so according to the analysis
20 that the council has done of the work that you guys
21 have done acknowledging that you have cited a lot of
22 schools in district 15 so there's gratitude for the...
23 what's been cited, there's just a lot of work to do
24 so this plan funds 2,308 seats but the sort of
25 implied identified unmet need from the prior plan is

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1
2 5,331 seats so we're still over 3,000 unfunded,
3 uncited implied seats even before we do, you know a
4 next round of analysis and as you know we are in the
5 thick of the work on the Gowanus rezoning which is
6 going to create I think in all likelihood thousands
7 of new residential units bringing in thousands of new
8 kids and thousands of additional seat need. So, I
9 guess I would just... and we are having some
10 conversations but unfortunately the way our planning
11 process often works there's sort of a waiting until
12 the environmental impact statement comes to assess, I
13 would just... what are we doing to make sure that we
14 are going to meet both the... those 3,000 seats and the
15 increase, the substantial increase that is likely to
16 come from the Gowanus rezoning because we can't do a
17 rezoning if we can't give confidence... [cross-talk]

18 LORRAINE GRILLO: Right... [cross-talk]

19 COUNCIL MEMBER LANDER: ...to the families
20 in the district that there are going to be school
21 seats for their kids?

22 LORRAINE GRILLO: We completely agree
23 with you and I will say that on all these major
24 rezonings we have a seat at the table with City
25 Planning and all of the other agencies to talk about

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1
2 school seat need, that's one of the very first and
3 most important things that come up in those
4 discussions with the local elected officials and
5 local parent groups and so on. So, we, we completely
6 expect that the Gowanus rezoning will result in a
7 school or multiple school, it... we would have to say..
8 [cross-talk]

9 COUNCIL MEMBER LANDER: It's, it's
10 definitely going to need to be multiple.. [cross-talk]

11 LORRAINE GRILLO: ...we'll have to say..
12 [cross-talk]

13 COUNCIL MEMBER LANDER: ...schools because
14 we already need 3,000 seats and.. [cross-talk]

15 LORRAINE GRILLO: We have.. [cross-talk]

16 COUNCIL MEMBER LANDER: ...we're going to
17 have several.. [cross-talk]

18 LORRAINE GRILLO: ...well that's.. [cross-
19 talk]

20 COUNCIL MEMBER LANDER: ...thousand more..
21 [cross-talk]

22 LORRAINE GRILLO: ...that... I'm.. [cross-
23 talk]

24 COUNCIL MEMBER LANDER: ...so that'd be a
25 big school otherwise.. [cross-talk]

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2 LORRAINE GRILLO: ...I'm specifically
3 talking about the Gowanus rezoning, but we do know
4 that, and we have done a great deal of work in
5 district 15 as well as we've done in district 24.
6 There are other districts within the city that have
7 need as well and so right now we are addressing all
8 the needs across the city. Again, if the opportunity
9 arises to site 3,000 seats within, you know this
10 capital plan we will certainly do so in district 15,
11 district 24 or any other overcrowded district but
12 right now we are addressing need throughout the city.
13 We will never stop looking for seat need.. for, for
14 seats in district 15, district 24, district 20, those
15 major overcrowded districts, we continue to work on,
16 but we had to provide some seats in other districts
17 as well.

18 COUNCIL MEMBER LANDER: Well I'm, I'm
19 definitely not asking please reallocate the money
20 from the other districts to my district and really..
21 and, and some reason.. I'll just leave it here, this
22 goes more to the planning issues that the council has
23 been addressing in some ways than it does to the
24 funding issues. I think our current process misses
25 something it should achieve because what happens is

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2 City Planning develops its plans and only after the
3 plans are developed and the zoning framework is
4 released and everyone knows what the plans are and
5 there's plans basically for all the sites and
6 developers have decided what they're doing do we then
7 do an environmental impact statement, do we then
8 address... assess the seat need and do we then try to
9 mitigate it after the opportunity to bake it into the
10 plan is gone, it, it is not the right way to proceed
11 in this process, the plan that City Planning develops
12 should include building the schools into the rezoning
13 and that would mean working with you guys before the
14 EIS is out and frontloading the school planning into
15 the planning process more than has happened on any of
16 the rezonings so far, we're making a little bit of
17 progress on Gowanus on that which is why I'm up here
18 pounding my fist because I don't know how to get it
19 done otherwise but it is a systemic problem in the
20 way that we're doing it and that's not the subject of
21 today's hearing, obviously we've had other
22 conversations about planning but this is a real
23 opportunity that, that we should work hard to take
24 more advantage of.

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2 LORRAINE GRILLO: I look forward to
3 working with you on that issue.

4 COUNCIL MEMBER LANDER: Very good.

5 LORRAINE GRILLO: Okay.

6 COUNCIL MEMBER LANDER: Thank you.

7 CHAIRPERSON TREYGER: Thank, thank you
8 very much Council, Council Member and you know I
9 would... I would just agree that, you know we've, we've
10 touched on the issue that the Council worked very
11 hard on, on the planning to learn report, one of the
12 areas that we really stressed was the issue of
13 communication and coordination, it shouldn't require
14 the negotiation skills or negotiation power of a
15 local Council Member to push for a new school in
16 their district, it, it should just be kind of a, a, a
17 natural observation of... on the part of the city
18 planners and government that we need to build a new
19 school in a neighborhood that's just seeing kind of...
20 a lot of growth and, and so I, I, I think that
21 historically there's just been things happening in
22 peace meal without adequate coordination, I mean the
23 SCA I think has shown the capacity to eventually
24 implement what's been negotiated but I think the
25 planning part which I think is beyond SCA needs a lot

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of work and I think that's the frustration of my

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colleagues. I just want to just circle back to a

4

couple of issues that have been raised here and just

5

a couple more... the Mayor announced the universal

6

physical education initiative in June 2017 and

7

identified 76 schools that would receive capital

8

investment through phase one of the initiative, how

9

are the... how were these 76 schools identified?

10

LORRAINE GRILLO: They were identified

11

because... a survey was done of every single school and

12

those schools that had absolutely no gym space and no

13

opportunity to provide gym space within the building

14

though... and, and had available space outside those

15

were the first group that we identified as being

16

ground up new, new gyms, okay and we are in process

17

about 20 some odd number of those are in process

18

right now, there are others where in fact nearby

19

opportunity to lease space to create a gym, others

20

where in fact there was opportunity within the school

21

building to create a gym and so those were the, the

22

first 76 that we were dealing with.

23

CHAIRPERSON TREYGER: Right, I, I would

24

just note that we recently had a hearing about

25

physical education and PSAL and its alarming that

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over 200,000 of our students are not receiving adequate physical education which are... which are mandated, mandated by the... by the state so these are not just small items, this is a... this is a big deal and also we know that from research when our students... and I would add all students because historically Phys ed has not been really accessible to every child and so we need to make sure that every child has an opportunity to be involved in, in, in that class but there are a lot of varying reasons why we're not in compliance and I was not pleased with the DOE's answers at that hearing and I made that very much known but I just want to hear from, from the... from your perspective why do you believe we are not in compliance with these mandated state regs to provide adequate physical education, is, is it an issue of capital and construction, what, what is holding us back?

KARIN GOLDMARK: So, I believe Deputy

Chancellor Robinson answered the questions around the programmatic aspects of this, obviously the space challenges of this are, are a challenge that we took on in 2017 and have been making steady progress on and of course it's those two coming together where

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2 we'll see... where we see progress and the DOE has made
3 progress overall on the issue over the last several
4 years since the Mayor made this a priority both on
5 the programmatic end with PE Works and on the capital
6 end with PE for All.

7 CHAIRPERSON TREYGER: Okay, I, I would
8 just stress that this... it's, it's more than just Phys
9 ed, this is obviously being in compliance but also we
10 know it's... this is good for children and good for
11 their learning and, and, and so I think this is a
12 significant issue and I know progress has been made
13 but over 200,000 students are still not receiving
14 adequate PE time that's one fifth of our student
15 populations, that's, that's very significant and it
16 seems to be pocketed in certain parts of our city as
17 well so I'd like to follow up with, with, with both
18 of you on, on that matter. And a question for the
19 SCA, when the site of a new school is not extremely
20 limited in terms of size how does SCA determine what
21 kind of physical education spaces to build? For
22 example, how does the SCA determine if, if the design
23 for a new school will include a dance class, weight
24 room, pool or other physical education space that is
25 not a basic gymnasium?

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2 LORRAINE GRILLO: Again as we... as, as you
3 mentioned when the site is adequate and, and... it, it
4 depends on a number of things; it depends on the size
5 of the site, it depends upon the grade level of that
6 particular school, it depends upon, you know a, a...
7 typically in a new school a gym is required, you know
8 a cafeteria is required, dance and other, other types
9 of programs... if I'm not mistaken depending upon the
10 size we would have for example, in a high school we
11 would have a full sized gym, a competition gym and
12 then we would have a practice gym as well, you might
13 have an exercise room and or a dance room depending
14 upon the, the, the principal or the superintendent
15 to... with... you know from that particular district to
16 talk about that. I don't think that the SCA has built
17 a school with a pool in quiet a long time, probably a
18 decade, two decades.

19 CHAIRPERSON TREYGER: Uh-huh... [cross-
20 talk]

21 LORRAINE GRILLO: Unfortunately, space is
22 not available, its extraordinarily expensive and its
23 expensive to maintain and its expensive to hire
24 teachers who can teach swimming and, and the like.

25

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEES
ON FINANCE AND CAPITAL BUDGET

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2 CHAIRPERSON TREYGER: Alright, well I, I
3 was fortunate to... [cross-talk]

4 LORRAINE GRILLO: Yeah... [cross-talk]

5 CHAIRPERSON TREYGER: ...work in a school
6 that did have a... [cross-talk]

7 LORRAINE GRILLO: I know... [cross-talk]

8 CHAIRPERSON TREYGER: ...pool... [cross-talk]

9 LORRAINE GRILLO: I know... [cross-talk]

10 CHAIRPERSON TREYGER: ...and, and I will
11 say that this is during the last administration where
12 we're able to connect the former Mayor's... his, his
13 administration was going to Europe to look for life
14 guards to work on our beaches because they didn't
15 have enough life guards. When we had so many amazing
16 students in our schools that were in, in swimming
17 class and we got them... Deputy Commissioner Kavanagh
18 who's still in the Parks Department... [cross-talk]

19 LORRAINE GRILLO: Yeah... [cross-talk]

20 CHAIRPERSON TREYGER: ...came down to my
21 school and we said hey you have a pool here, I said
22 yeah and they trained the kids and our kids actually
23 worked it so that's... but I, I do think that we should
24 be building more of these great things for, for our
25 students and I understand that space remains a

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challenge. I, I have.. just to move to another,

3

another quick topic, does SCA have any role in the

4

remediation of when there's high levels of lead are

5

found in water in schools?

6

LORRAINE GRILLO: We did.. we did the

7

testing of each and every one of those outlets

8

initially and the remediation has been really done by

9

Division of School Facilities.

10

CHAIRPERSON TREYGER: So, to this point

11

SCA does not.. [cross-talk]

12

LORRAINE GRILLO: We have not done the

13

remediation for that.

14

CHAIRPERSON TREYGER: DOE's.. I know

15

expense budget currently risks include, I'm sorry,

16

three million dollars annually for custodial staff to

17

flush the water in school buildings to minimize the

18

risk of lead build up, are there any plans for

19

capital projects to completely replace pipes that

20

result in lead build up?

21

KARIN GOLDMARK: So, I will ask John Shea

22

to jump in as needed but the water in New York City

23

public schools is of the highest quality and at this

24

point every cooking and drinking fixture that's

25

online in schools is testing within state standards

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2 so we have robust protocols in place in terms of
3 testing, we're in the process of retesting, whenever
4 there's an elevated result we immediately take that
5 fixture offline if it is a water fountain, if it is
6 an essential hand washing sink we place warning signs
7 and we have robust protocols in place around
8 notifying families as well and John you can jump in
9 with where we are in the remediation process, I
10 believe we are very, very close to..

11 JOHN SHEA: Sure, so I'll just... [cross-
12 talk]

13 KARIN GOLDMARK: ...complete... [cross-talk]

14 JOHN SHEA: ...reiterate that the water in
15 our schools is completely safe to drink, the testing
16 and the remediation protocol that we have in place we
17 feel very comfortable that that will remain for the
18 foreseeable future, we have not seen the need for
19 referring... [cross-talk]

20 CHAIRPERSON TREYGER: Is your microphone
21 on by the way?

22 JOHN SHEA: Oh, I'm sorry, is that
23 better?

24 CHAIRPERSON TREYGER: Yes.
25

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1
2 JOHN SHEA: Thank you. We have not seen a
3 need to refer any projects to the SCA for lead
4 remediation for, for lead in the water so, the
5 testing... we are complete for the 16/17 cycle and we
6 are in the middle of our testing cycle for 2018, we
7 actually should be done by the end of next week for,
8 for this year and then we'll continue on next year.

9 CHAIRPERSON TREYGER: Right, I mean I, I
10 will note that there has... there have been schools
11 that... I will not that when you... when you find the
12 lead you'll shut the water fountain off, it'll be out
13 of commission but I've heard that there are some
14 schools that will get accommodations by the DOE,
15 water coolers or, or tanks, is that across the board
16 or that's just upon the request of that individual
17 school?

18 JOHN SHEA: So, if there is a building
19 where we have a high number of drinking fountains,
20 let's say that test high for lead and we have to shut
21 those off we will provide bottled water for that
22 school so that they have drinking water but once
23 those fixtures are remediated, tested and cleared we
24 put those back on and we take the bottled water out
25 so we just work with the schools based on their test

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1
2 results and where they are in the remediation
3 protocol to make sure that they have adequate water
4 supply.

5 CHAIRPERSON TREYGER: Alright, okay.
6 Actually and... I have a DSF question so... well SCA and
7 DSF, how do DS... SCA and DSF communicate and
8 collaborate if a facilities problem... this is...
9 collaboration... I never assume anything, I've learned
10 that already very quickly in government, if, if a
11 facilities problem is flagged for DSF that falls
12 under SCA's purview how does DSF ensure the, the
13 problem is addressed by SCA and vice versa?

14 LORRAINE GRILLO: Do you want to take
15 that?

16 JOHN SHEA: Sure, I'll start. So, we have
17 a well-worn path between Vernon Boulevard and 3030
18 Thompson, we're constantly back and forth with the
19 SCA but on, on a specific situation we communicate
20 directly with the, the, the project managers and the
21 senior project officers with the SCA if there's a
22 school specific issue, we have a referral process if
23 there's something that, that is an emergency that we
24 need to refer to the SCA, there is a protocol that we
25 follow, they are excellent to work with, they are

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2 always responsive, we communicate all day every day
3 on, on these kinds of things.

4 LORRAINE GRILLO: Yeah.

5 CHAIRPERSON TREYGER: Right, I, I would
6 just, you know point out this happened about a year
7 ago so its not recent but I, I will say that when I
8 flagged it for folks they did respond but there was a
9 school in Southern Brooklyn where the wheelchair lift
10 was not operating and I think the folks did not know,
11 you know they, they might have contacted, you know
12 SCA or this but it was under the purview of DSF and
13 unfortunately it took about almost a year for that to
14 get rectified and, and they didn't tell the local
15 leaders until I found out about it much later so it,
16 it did raise a concern about if someone from DSF is
17 contacted or SCA just making sure that it gets
18 connected and, and we, we cross the wires because I
19 think there is some times confusion on this issue,
20 what's a DSF issue, what's an S... I, I'd love a Venn
21 diagram or some sort of a T-chart on this because
22 sometimes even elected officials want... check in, is
23 it DSF, is it SCA and we've, we've talked about this...

24 [cross-talk]

25 LORRAINE GRILLO: Sure... [cross-talk]

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CHAIRPERSON TREYGER: ...and so this is... I think just making sure collaboration is always happening, communication, I think that's... I just want to really, really stress that. One item that we heard, there was a big hearing recently, but I just want to focus on the... on the school aspect of this, the DOE will soon be losing office space in Long Island City how does SCA and DOE plan to site and construct new office space?

KARIN GOLDMARK: We are work... actively working on that question every day, so we have been looking at what the space needs are of each of the offices that are at that location and what the options are and we're moving very quickly, we have a... an SCA DOE task force on it, you saw the smiles because it's a regular topic of conversation and we're already making some good progress.

LORRAINE GRILLO: Yes.

CHAIRPERSON TREYGER: Yes, I just... I'll ask quickly a follow up and then my, my Co-Chair will ask a follow up, is that... yes, I'm, I'm aware. We just want to make sure that there's no disruption to key operational services because I believe what's

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2 housed in this office space is also OPT if that's
3 correct?

4 KARIN GOLDMARK: Yes.

5 CHAIRPERSON TREYGER: And OPT is, is the
6 subject of many conversations these days and there's
7 a lot of follow up work that, that has to happen and
8 so I think... we're, we're... our concern is just the,
9 the operational aspect... [cross-talk]

10 KARIN GOLDMARK: Uh-huh... [cross-talk]

11 CHAIRPERSON TREYGER: ...making sure that
12 nothing disrupts the service to our students and our
13 children and this project should have been thought
14 out during the beginning stages of, of entering this
15 Amazon contest but I, I just really want to just make
16 sure that there's no disruption to our kids and we
17 will be monitoring this situation to ensure that and
18 my Co-Chair, Chair Dromm has a question on this.

19 COUNCIL MEMBER DROMM: Just along that
20 same note I think that you've generously given an
21 organization called power of my learning space in
22 that facility as well, I think they have about 7,000
23 square feet there, they're also going to lose their
24 home and they're currently looking for space... [cross-
25 talk]

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1 KARIN GOLDMARK: Yes... [cross-talk]

2 COUNCIL MEMBER DROMM: ...I would be really
3 ashamed if we... if we lose that program because they
4 reconstruct used computers... [cross-talk]

5 KARIN GOLDMARK: Uh-huh... [cross-talk]

6 COUNCIL MEMBER DROMM: ...go into schools
7 and then give those computers away in the most poor
8 parts of districts and it's an excellent program so I
9 hope that some provision will be made somehow that we
10 can work together to find them either space or, or
11 have them move along with us or whatever is going to
12 happen there, I just wanted to raise that concern as
13 well.

14 KARIN GOLDMARK: Yes, we have... we're...
15 that's actively part of our long list of items we
16 have to plan for, we've actually discussed the need
17 to take into account that program and the wonderful
18 work it does for schools but thank you for raising it
19 because it is important.

20 CHAIRPERSON TREYGER: Yes, I think
21 Council Member... well the Chair has a... something to
22 say and then I think Council Member Barron has been
23 patient...
24 patient...

COMMITTEE ON EDUCATION JOINTLY WITH THE COMMITTEES
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2 COUNCIL MEMBER DROMM: Well let, let
3 Council Member Barron go, I have a, a statement...
4 [cross-talk]

5 COUNCIL MEMBER BARRON: Thank you to the
6 Chairs. Just one comment, Chair Treyger asked about
7 pools, swimming pools and I, I think I heard you say
8 we don't build swimming pools anymore, I just want to
9 put on the record that the East New York Family
10 Academy High School that will be constructed in 2021
11 will have a pool...

12 LORRAINE GRILLO: Correct.

13 COUNCIL MEMBER BARRON: Okay, I just
14 wanted to make sure that... [cross-talk]

15 LORRAINE GRILLO: Correct.

16 COUNCIL MEMBER BARRON: I wanted to get
17 that on the record and I think it's very important
18 that where schools do have pools that they find a way
19 to utilize them. The principal Mr. Yard at that high
20 school went the extra mile to do the programming, to
21 get a certified swim teacher and to provide that
22 during the course of the school day so that his
23 children could have that instruction. At another
24 location, which we won't name, four high schools
25 stumbling all over themselves and couldn't get a

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2 dedicated program to utilize the pool that's been
3 there that my predecessor Charles Barron had
4 renovated at the cost of over a million dollars and I
5 had to use discretionary funds to pay an outside
6 agency to come in and conduct an after school swim
7 program which in fact resulted in I think five
8 children being certified as lifeguards so we've got
9 to find a way to upgrade those pools where they exist
10 and to have the school fully utilize that beautiful
11 resource.

12 LORRAINE GRILLO: Understood.

13 COUNCIL MEMBER BARRON: Thank you.

14 COUNCIL MEMBER GIBSON: Thank you, thank
15 you again, I just have a few questions I wanted to
16 keep my Subcommittee hat on and I wanted to ask about
17 cost control because in all of the work that we do
18 obviously with capacity, with growth we also want to
19 look at how we can manage to certain extent our
20 control of a lot of the cost of these projects so I
21 wanted to understand any changes that were
22 implemented today to reduce the cost of capacity
23 projects. As an example, modified designing standards
24 or building materials or anything that SCA has done
25 and continues to do to really reduce cost?

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2 LORRAINE GRILLO: Yes, thank you Council
3 Member for that question. We have actually, about two
4 years ago we promoted someone to the Director of Cost
5 Control and his job is to sit in on every design
6 meeting and look at the materials that are chosen,
7 the designs that are done and look at them because I
8 believe that... its my belief that design can be
9 beautiful and functional without being outrageously
10 expensive and so things like products that come from
11 Europe often times are very beautiful but equally
12 beautiful products can come from the US. Its
13 something that's monitored because generally we work
14 with some of the best architects in, in the city and
15 in the state but architects think differently than
16 you and I and often times they will find the most
17 extravagant product and his job, my Director of Cost
18 Control's job is to review those decisions and to
19 make sure that we are adhering to what... as I said
20 beautiful but functional and we have lowered our cost
21 per square foot over the last two years
22 significantly.

23 COUNCIL MEMBER GIBSON: Okay, so you
24 indicated that with the new Director of Cost Controls
25 in place for about two years now monitoring some of

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2 those savings, do you have an actual amount that you
3 project that you have been saving and also in terms
4 of moving forward with, with regard to design and
5 just the equipment itself are these practices that
6 you're keeping in place moving forward with school
7 construction?

8 LORRAINE GRILLO: Oh, absolutely, we have
9 specifications, we have standards and all of these
10 changes are incorporated into our standards but I
11 will tell you this, I don't have an overall number
12 but I will tell you that a couple of years ago we
13 were build, building at about 770 dollars a square
14 foot now we're down to 745 a square foot so if you
15 melt... multiply that across the city by the thousands
16 of square feet that we build you will see that we
17 have done a great job in reducing costs.

18 COUNCIL MEMBER GIBSON: Okay, does SCA
19 bid out each of the projects, the capital projects
20 individually or are there a certain group, batch of
21 vendors that you work with that are responsible for
22 several projects?

23 LORRAINE GRILLO: Our projects... all of
24 our contractors, all of our vendors are what we call
25 pre-qualified so they go through a process where they

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2 have to basically bring to us all of their background
3 information, their ownership, whether or not they're
4 certified MWBE, I mean there's a list of, of
5 questions, integrity... gosh, the list goes on, its
6 about a 40 page application but once they're pre-
7 qualified with the SCA then they can bid on any
8 project... [cross-talk]

9 COUNCIL MEMBER GIBSON: Okay... [cross-
10 talk]

11 LORRAINE GRILLO: ...and or... let me qualify
12 that, the vendors are then put into the categories
13 that they belong in. For example, a plumbing company
14 has a particular code that, that we use, they can bid
15 on any plumbing... [cross-talk]

16 COUNCIL MEMBER GIBSON: Okay... [cross-
17 talk]

18 LORRAINE GRILLO: ...project that comes
19 along and the good... the great thing about that is in
20 other capital agencies they allow an open bid and
21 then the contractor is qualified so that can delay
22 the award of a contract six months to a year where
23 we've done that up front.

24 COUNCIL MEMBER GIBSON: Okay. The
25 proposed plan allocates about 8.8 billion dollars in

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2 terms of construction of new capacity, any thoughts
3 on design build authority moving forward in terms of
4 expediting projects, saving money moving forward?

5 LORRAINE GRILLO: We would love design
6 build authority. We made an effort last year and we
7 often go up to Albany and, and make that effort and
8 we have not been able to get that opportunity.

9 COUNCIL MEMBER GIBSON: Okay, so I
10 project that we're planning for the 2019 legislative
11 session?

12 LORRAINE GRILLO: Of course, we are.

13 COUNCIL MEMBER GIBSON: With our new
14 senate majority leader?

15 LORRAINE GRILLO: Yes, we are.

16 COUNCIL MEMBER GIBSON: And our assembly
17 speaker, okay... [cross-talk]

18 LORRAINE GRILLO: Correct.

19 COUNCIL MEMBER GIBSON: Great, okay. I...
20 both my Co-Chairs and I, I mean the City Council has
21 been obviously very supportive of design build, we've
22 been successful in the adopted budget in getting
23 design build authority on other agencies in large,
24 big projects but we're not always, you know getting
25 it in terms of full gambit but I think the track

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2 record that SCA has is certainly to your advantage
3 that it would certainly be highly considered in
4 Albany next... [cross-talk]

5 LORRAINE GRILLO: Thank you... [cross-talk]

6 COUNCIL MEMBER GIBSON: ...year.

7 LORRAINE GRILLO: Thank you, we would
8 appreciate your help.

9 COUNCIL MEMBER GIBSON: So, I think
10 Council Member Adams asked specifically about one of
11 her projects in southeast Queens with regard to
12 scaffolding... [cross-talk]

13 LORRAINE GRILLO: Uh-huh... [cross-talk]

14 COUNCIL MEMBER GIBSON: ...and I wanted to
15 understand how you track projects that have scaffolds
16 and the time frame in which they are, you know
17 remaining in place and how does that work if scaffold
18 is up for a certain period of time that's not
19 reasonable... [cross-talk]

20 LORRAINE GRILLO: Correct... [cross-talk]

21 COUNCIL MEMBER GIBSON: ...how do you
22 follow up with that?

23 LORRAINE GRILLO: Right, well typically
24 if there is no project in process and the Division of
25 School Facilities inspects a building and they find

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something that is of concern and they feel that's there's any kind of a possibility of a danger of a... of a brick or, or some kind of something falling off the side of that building they will immediately call the SCA and we will have our scaffolding contractor immediately as an emergency erect scaffolding. Now that's a situation where there's no planned project. So, what would happen then would be that we SCA... DSF would ask the SCA to go have our architects and engineers look at the site, see what the issue is, if it requires a capital project, we would then if it does we would then go into design, okay and that design could take a year and then we go through a, a bidding process and so you will find that before any work would start, a year or two could pass because perhaps we don't have funding for that particular project and we have to move funding around in order to be able to, to cover it. So, there are a lot of variables here, but it initiates out of abundance of caution and that caution comes from the Division of School Facilities and if they feel that there's a potential problem they will call, we will run, we will erect scaffolding.

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2 COUNCIL MEMBER GIBSON: Okay, great. I
3 also wanted to ask about the relationship that you
4 with OMB in the creation of the proposed plan, what
5 has been the conversations, the role that OMB plays
6 and how do you see that moving forward?

7 LORRAINE GRILLO: You know OMB does have
8 oversight authority and OMB has been... let's, let's...
9 OMB has been tremendously cooperative however, OMB
10 asks all the right questions; why are you doing this,
11 how many schools, where is it going to be, all of
12 those questions and we answer them and believe me our
13 proposal was for 17 billion dollars and OMB
14 authorized 17 billion dollars.

15 COUNCIL MEMBER GIBSON: Okay, so in the
16 same vein of the conversation with OMB, as I
17 understand the City Council funded school capital
18 projects in fiscal 2019, the certificates to proceed,
19 the CPs took a little longer than the typical time
20 frame to be issued... [cross-talk]

21 LORRAINE GRILLO: Yep... [cross-talk]

22 COUNCIL MEMBER GIBSON: ...and the result
23 on our end are a lot of our projects have been
24 delayed past the normal time frame and the
25 notification to principals as I understand if it has

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2 not gone out yet then it should be going out soon to
3 all of our principals about schools that we're going
4 to be funding, do you know the reasoning behind this
5 because this is not typical that this happens every
6 single year?

7 LORRAINE GRILLO: It's, it's, it's not
8 typical that it would be this late, however... [cross-
9 talk]

10 COUNCIL MEMBER GIBSON: Okay... [cross-
11 talk]

12 LORRAINE GRILLO: ...typically we're, we're
13 talking about October is when the CPs... October,
14 November so this time it's up to December, the
15 problem that happened in the past was that as soon as
16 the budget passed the letters went out to the
17 schools, the money or the CP didn't get approved
18 until October, November and the schools would become
19 very upset that they had to wait all of those months.
20 So, I think what's happened now is rather than
21 putting that letter out right after the passage of
22 the budget, we wait through the summer so that the
23 schools are not so anxious waiting for that project
24 to begin. So, why is there a delay, I... you know I
25 can't answer that you'd have to ask OMB on that.

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2 COUNCIL MEMBER GIBSON: Well I, I guess
3 my only concern is I think principals that we've
4 worked with through the years have been used to
5 receiving those notifications... [cross-talk]

6 LORRAINE GRILLO: Yes... [cross-talk]

7 COUNCIL MEMBER GIBSON: ...right after the
8 adopted and you know I understand extenuating
9 circumstances, unintended consequences, we do get
10 that, I don't want to be the practice moving forward
11 that its November, December so I think its best if,
12 you know we're not sure of what the delay is we
13 really should have a conversation with OMB because I
14 think that there, there is this, you know notion that
15 after the budget is passed the notifications do go
16 out and they go our for a reason because... [cross-
17 talk]

18 LORRAINE GRILLO: Yes... [cross-talk]

19 COUNCIL MEMBER GIBSON: ...a month or two
20 late you're notified by SCA. So, I'd like to revisit
21 that for the new fiscal year coming up because we
22 want to make sure that, you know schools are notified
23 appropriately and then we don't want to have any
24 delays as best we can avoid them.

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2 LORRAINE GRILLO: I would absolutely love
3 to do that, yes.

4 COUNCIL MEMBER GIBSON: Okay, so in terms
5 of your staffing a lot of the work that the
6 Subcommittee has been doing with each agency to
7 understand a lot of the internal mechanisms that
8 really drive a lot of the work we do as it relates to
9 project, timelines, cost, efficiencies, etcetera. The
10 operating budget including your budgeted head count
11 is that something that you would be able to provide
12 the City Council, could you give us an understanding
13 of what that looks like?

14 LORRAINE GRILLO: Yes, our operating
15 budget right now is, is approximately 205 million
16 dollars and our head count at this point has been
17 raised to 840.

18 COUNCIL MEMBER GIBSON: Okay, do you
19 typically have vacancies at the agency or is that the
20 average... [cross-talk]

21 LORRAINE GRILLO: We... at this point it
22 was just recently raised, the head count was recently
23 raised so I believe we are somewhere in the
24 neighborhood of 20 vacancies, that's it.

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COUNCIL MEMBER GIBSON: Okay and I think...
I, I bring that up because we all agree that, you
know agency resources are extremely important, how we
recruit and retain staff super important to make sure
a lot of these projects are underway and they're
moving forward so I guess a, a larger question that I
have and it's been apparent with a lot of the Council
Members is in looking at the future of school
construction and what a new school looks like..

[cross-talk]

LORRAINE GRILLO: Uh-huh... [cross-talk]

COUNCIL MEMBER GIBSON: ...we call them
enhancements, we call them necessities, are we
expecting and should we expect to see from the SCA,
you talk about designs, you talk about creativity,
innovative projects, green roofs, I mean things of
that nature we should have the mindset that these
amenities are necessities, is that something in the
design moving forward that we should automatically
expect, every school will have an auditorium, a
gymnasium, a playground, can we expect a green roof
and things of that nature like what should we expect
in this five year plan moving forward as it relates
to what school designs look like, not so that we have

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2 to advocate and fight for it but you already are
3 thinking ahead of us before we mention it?

4 LORRAINE GRILLO: We certainly would love
5 to be able to put a green roof on every building,
6 it's not feasible because its not affordable. I will
7 tell you... [cross-talk]

8 COUNCIL MEMBER GIBSON: Can we make it
9 affordable?

10 LORRAINE GRILLO: I will tell you that on
11 a new build for example if the school or the, the
12 district expresses an interest or the elected
13 official expresses an interest in putting in a green
14 roof we will design it in such a way that a green
15 roof can fit on that school, we may not be able to
16 build it with the new build but eventually it can
17 become a green roof. There are a variety of things
18 that individual Council people, individual
19 superintendents, individual principals, individual
20 parent groups would like to see in their buildings,
21 they don't always agree and so we would like... if
22 we're going to make major changes like that we have
23 to get agreement from all the parties involved so
24 often times we're not going to add something like a
25 green roof if in fact it's not something that the

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2 school desires, it's not something that the parents
3 want, they would rather have a dance studio or
4 something of that nature. So, again it's, it's
5 difficult where we can we put these things in but
6 again they are expensive.

7 COUNCIL MEMBER GIBSON: Okay, I
8 appreciate that and, and certainly the willingness in
9 talking about it moving forward I would add that a
10 very component of the work we're doing here at the
11 Council where you can get civic engagement from
12 parents, from students, from many stakeholders is
13 participatory budgeting... [cross-talk]

14 LORRAINE GRILLO: Right... [cross-talk]

15 COUNCIL MEMBER GIBSON: ...and I can tell
16 you in the three years I've been in this program most
17 of my winning projects have been school projects;
18 science labs, gymnasiums because parents and students
19 rally together and they prioritize it and you know I
20 think one Council Member said it but we also
21 recognize that a lot of the funding if we don't
22 provide it our schools are not necessarily going to
23 get it in a certain time frame, I mean it may be in a
24 five year capital but it may not, it may have a five,
25 it may not and so that's our struggle to make sure

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2 that we are looking at everything from the bigger
3 picture as all being necessities that our children
4 need but I think participatory budgeting not to put a
5 plug into the program but it's a really exciting
6 innovative way that you can get that support from all
7 the stakeholders that you talk about when sometimes
8 you feel there's a division and that's something that
9 the City Council has been a part of and we will
10 continue to do so.

11 LORRAINE GRILLO: Right, terrific.

12 COUNCIL MEMBER GIBSON: Thank you very
13 much, I'll turn it back over to our Chairs, thank
14 you.

15 CHAIRPERSON TREYGER: Thank you very
16 much. I really... I have more of a statement than a
17 question. I'm, I'm deeply concerned about how we're
18 going to deal with this change in the identified seat
19 need and I know Council Member Lander, you know
20 brought it up more but I think what we're dealing
21 with here is, is an issue of identifying need versus
22 determining how to address that need and it, its
23 very, very concerning to me to see the... a reduction
24 in 24... and I... and I... and I hear you saying that, you
25 know yeah, 20 percent of the need has been met, I

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2 think that was the number that you... that you used
3 before but 24 and, and some of the other ones; 20,
4 15, whatever they've traditionally never really
5 caught up with themselves and so by reducing that
6 need it, it's very, very concerning to me. So, I
7 think we're going to have to, you know discuss this
8 further and, and, and hash this out because I don't
9 think we can just let that stand.

10 KARIN GOLDMARK: Okay, happy to... [cross-
11 talk]

12 CHAIRPERSON TREYGER: Okay. And, and just
13 to kind of build on that, I mean one of the things
14 we, we flagged with staff is that why will 50,000 of
15 the 50,000 seven... 50, 57,000 seats in the proposed
16 plan not be built until 2024?

17 LORRAINE GRILLO: Again I would love to
18 begin to build every single site that we find but...
19 now but as, as Council Member Dromm mentioned,
20 district 24 is a perfect example, district 24 is a
21 very overcrowded district and finding appropriate
22 sites for those schools has been very difficult,
23 we've been successful, we've certainly been
24 successful but it takes time, it takes a search, it
25 takes negotiation, often times it takes remediation,

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2 it takes design... first of all it takes public review,
3 there is often times objection, believe it or not to
4 placing a school in an area, it takes a long time to
5 get that approval, once you get that approval you
6 need to design the building, once you design the
7 building you have to bid out the project, once you
8 bid out the project you have to construct it. So, the
9 process of our design and construction is fairly
10 short based upon what I know about other agencies
11 around this... around this city but it's not as much
12 the design and construction as it is the stuff that
13 comes before that, that can be extremely difficult
14 and time consuming.

15 CHAIRPERSON TREYGER: I mean I, I hear
16 you and I, I don't dispute that I, I have heard cases
17 where some folks might not like a school coming into
18 a community... [cross-talk]

19 LORRAINE GRILLO: I know... [cross-talk]

20 CHAIRPERSON TREYGER: ...that's, that's...
21 everyone, everyone has an opinion but it... but it does
22 seem that there are other... there are other parts of
23 the city government that is able to get this done
24 like namely EDC.

25

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2 LORRAINE GRILLO: I... you know... [cross-
3 talk]

4 CHAIRPERSON TREYGER: ...and, and... [cross-
5 talk]

6 LORRAINE GRILLO: ...Council Member I'm,
7 I'm going to argue that because at the last hearing
8 we had you said that... once before... [cross-talk]

9 CHAIRPERSON TREYGER: Right... [cross-talk]

10 LORRAINE GRILLO: We have the best record
11 in the city, 40,000 seats out of 44,000, 11,000 of
12 those not given to us until midway through out
13 capital plan, I would put that record against any
14 other agency in this city including EDC.

15 CHAIRPERSON TREYGER: Right and I, I
16 appreciate your... you know your confidence and, and
17 your... and your work at SCA President Grillo but as,
18 as we saw in... you know in, in the case of even just...
19 again I'm not going into the merits right now but I'm
20 just talking about how they're able to find the space
21 with, with Amazon, when they wanted to find it they
22 found it and, and, and I think that... and we
23 prioritize education for our children in, in our city
24 and I just think that... and I... and I... I'm not
25 disputing that the challenges that you face but I

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2 think it requires leadership at the highest levels to
3 say we're going to get this done and it will get
4 done, I mean also I have to just, you know kind of...
5 I, I hear you on district 24 but what's the... what's
6 the excuse for district 20, one of the biggest
7 overcrowded districts we have in New York City? There
8 were 2,630 seats that we expected to see funded based
9 on 2015/2019 plan, but they're not proposed in the...
10 in the new plan and I, I... what's the... what's the...
11 [cross-talk]

12 LORRAINE GRILLO: And again, we have...
13 district 20 is one of those districts that we have
14 done extraordinary work, sited many, many schools,
15 continue to site schools in district 20 and we will
16 continue to site schools however, there is a limited
17 number of funds and a lot of work to do and there are
18 other districts throughout the city where they have a
19 need and we have not been able to fund them before,
20 we need to do that as well, we have to be fair across
21 the board.

22 CHAIRPERSON TREYGER: Alright, I, I agree
23 and... but I... again I think this is the impact of
24 educators in this role, we... you know we talk here and
25 there's a lot of heavy policy, technical stuff being

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2 discussed, my mind is in the classroom, my mind is
3 knowing that we will offer our students better
4 instruction if we work to reduce overcrowding, reduce
5 class size making sure that students have the full
6 promise of a full school with an... you know with
7 auditoriums, with gyms, cafeterias, air conditioned
8 and, and so that's what on our mind so, I, I hear you
9 that you have stuff that you have to deal with and I...
10 and we appreciate your work but that's what's on our
11 mind and, and I guess we're, we're just not going to
12 stop until it gets done and the, the last thing I'll
13 say is that we heard before about the... an Albany
14 agenda, we're also preparing an Albany agenda and I
15 think many of our interests here might align as far
16 as the funding. Do you have an estimated cost of what
17 would it take to make all of our schools fully
18 accessible?

19 KARIN GOLDMARK: We do not have an
20 estimate for that, so many... we have many buildings
21 that are as the Chancellor likes to say, we have a
22 portfolio of historic buildings, over 100 buildings
23 that are over 100 years old and while beautiful those
24 designs were not at all designed with accessibility
25 in mind. In fact structurally quite the opposite so

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2 what we are doing with this again significant
3 investment of 750 million dollars is seeking to move
4 as many buildings as we can so that they are at least
5 partially and in many cases fully accessible and as I
6 believe Chair Dromm mentioned earlier, we have also
7 changed the priorities in admissions so that in the
8 high school's admissions process a student who has an
9 accessibility need will receive priority for an
10 accessible building if the list one so we are really
11 focused on how we can have the most impact for
12 families our goal of getting one thirds of schools to
13 be fully accessible feels pretty ambitious to us and
14 we don't anticipate that will stop the work when we
15 get there but this is... this feels like a, a pretty
16 ambitious agenda for the next five years.

17 CHAIRPERSON TREYGER: There's no question
18 and I, I applaud the administration for working with
19 the Council on this issue and I certainly think the
20 money is significant, it would be helpful though if
21 we can get back... follow up with us about a full
22 estimate because when we head up to Albany and begin
23 to lobby our state lawmakers these are the items that
24 we need to... we need to specify, I think... you and I
25 have talked about this and I appreciate your advocacy

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2 and your great work on this too, we need to be
3 specific with Albany. I think for years the advocacy
4 has been sometimes too abstract, we need to be very
5 specific about FSF, accessibility dealing with these
6 very, very serious issues in our school system so I,
7 I really do, do, do appreciate that. And lastly, I
8 think we mentioned technology earlier on as well, I
9 just want to stress that... and, and this might... I'm
10 not sure where this... I think... with, with, within the
11 DOE, I know that there's been a big investment in
12 trying to increase our capacity, it still remains a
13 very pressing issue. I like to visit schools as much
14 as I can, we didn't fund smartboards that were
15 supposed to be high tech for technology to be chart
16 paper holders, there are computer labs that have
17 difficulty being turned on because of bandwidth
18 issues. I'm not sure if we're even, even with the
19 proposed funding that I, I, I'm reading I'm not even
20 sure if we're catching up to the demands of... the
21 bandwidth demand so I, I just want to flag this
22 because obviously we know it's good... it's good for
23 teachers and students to have this as an option and
24 to supplement their instruction but I also want to
25 stress and I, I don't want to say I told you so

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2 three, four, five years down the road, at some point
3 we will be mandated to provide testing through
4 computers, its... I, I know that's happening... [cross-
5 talk]

6 KARIN GOLDMARK: Yes, it's, it's coming.

7 CHAIRPERSON TREYGER: What, what... we are
8 nowhere near ready. I know the Mayor has an ambitious
9 goal of computer science for all and I applaud... I
10 like having goals because it's something for us to
11 work towards, we're not there yet either but at some
12 point, it will not be an option, it will not be just
13 a, a press release, it's going to be mandated and I...
14 I'm just very much concerned about this issue of
15 technology and so... but with that I do want to also
16 just say President Grillo publicly to thank... I know
17 that you, you, you hold now two, two hats in city
18 government and I'll be honest, initially I was just
19 concerned about making sure that we're, you know full
20 steam ahead on both agencies, but I want to publicly
21 commend your office... [cross-talk]

22 LORRAINE GRILLO: Thank you... [cross-talk]

23 CHAIRPERSON TREYGER: ...your, your team
24 for being very, very incredibly responsive, I want to
25 name Melanie and others and, and I want to say this

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publicly because sometimes politicians will attack agencies at hearings and this... your office has been incredibly responsive and helpful.

LORRAINE GRILLO: I have a great team...
[cross-talk]

CHAIRPERSON TREYGER: But anyways... I, I believe you do... [cross-talk]

LORRAINE GRILLO: They're fabulous.

CHAIRPERSON TREYGER: I believe you do, thank... [cross-talk]

LORRAINE GRILLO: They really... [cross-talk]

CHAIRPERSON TREYGER: ...thank you Deputy Chancellor Goldmark as well, any closing remarks from my colleagues?

COUNCIL MEMBER DROMM: Here, here.

CHAIRPERSON TREYGER: We've also been joined by Council Member King, we thank you for, for being here as well and with that we, we thank you.

LORRAINE GRILLO: Thank you.

KARIN GOLDMARK: Thank you.

LORRAINE GRILLO: Thank you very much.

[off mic dialogue]

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2 CHAIRPERSON TREYGER: Alright, our next
3 panel that we'll call up Leonie Haimson from Class
4 Size Matters; Sarita Subramanian; Kim Madden and Lori
5 from IncludeNYC. I think we could start with Leonie
6 and then work our way around.

7 LEONIE HAIMSON: Okay, well thank you so
8 much for allowing me to speak today and holding these
9 important hearings. My name is Leonie Haimson, I'm
10 the Executive Director of Class Size Matters and I'm
11 just going to quickly summarize some of my testimony
12 which is otherwise rather lengthy. I must say I'm
13 very disappointed in this capital plan for many
14 reasons, the first you mentioned recently, I don't...
15 I'm no expert on every capital plan that's ever been
16 introduced but I don't think there's ever been one
17 where so many of the seats have been back loaded so
18 far. More than half of the seats won't be finished
19 until after the five years are over and 50,000 as you
20 know won't be completed until after 2024 and when
21 that happens we know that overcrowding is going to be
22 even worse because the school seats and, and school
23 construction is lagging years and years behind
24 development and Council Member Lander pointed out how
25 the school planning process is broken. I know your

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staff has done a lot of work on this and we really need to get to a better process if not by City Council legislation, we believe that it should be in the City Charter because otherwise we're going to just... you know we'll be having these, these hearings for the next 20, 30 years and things will be worse every time. I also wanted to point out that the current plan did not meet its goals for school construction as, as the analysis of the IBO showed, they were supposed to have created about 62 percent of their seats over the life of the program, only 24 percent will be completed, only 11,000 seats over the five years of the plan and I think if you compare that to the seat construction under Mayor Bloomberg who I, you know fought with about this as well, it's a lot less so this Mayor does not have anything to be proud of in terms of the, the, the speed of this. Other problems that we met... we've mentioned gone through, no identified seat need, you know we've been working, and your Council staff has been working to try to make that process more transparent, so they take it out of the plan for the first time since 2011. So, that's really not progress, that's moving backwards. We also show that, that, you know we're

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2 disappointed that the, the, the part of the plan for
3 class size reduction has basically been flashed and
4 basically only the unmet construction of seats in the
5 last plan which shows that there is no actual goal by
6 this administration to reduce class sizes ever I
7 believe and it served as a fig leaf five years ago
8 and its even less of a fig leaf now. There's no...
9 there's no category for replacement seats which is a
10 huge problem because we lose leases every year. And
11 then I just wanted to talk a little bit about this
12 report which we... came out today which is about the
13 increase of overcrowding by the expansion of the Pre-
14 K and the 3-K programs which we believe are good
15 programs however they should not lead to more
16 overcrowding which they have at 352 schools which are
17 already overcrowded leading to worse conditions for
18 almost a quarter of a million students and at 76
19 elementary schools it actually caused the school to
20 go over 100 percent and there's a lot of research now
21 including a randomized trial that was done. The
22 largest randomized trial of Pre-K ever done in
23 Tennessee which show that these kids did not retain
24 their, their gains in learning when they entered the
25 higher grades and one of the hypothesis put forward

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2 by the researchers and the lead authors of the report
3 was that you need to put attention and... into the
4 quality of education of kids all the way through
5 elementary school especially K through three and that
6 has not been done in this administration. We have
7 much larger classes in those grades, the new class
8 size data came out showing again increases in class
9 sizes in, in most of the grades across the city. So,
10 the overall focus and concentration on Pre-K and 3-K
11 without any thought of how that's going to affect
12 conditions in the other grades is something that
13 cannot continue and should not continue and I do
14 believe that not only does there need to be a larger
15 capital plan in terms of capacity but there has to be
16 a real focus on the part of this Mayor to build those
17 schools more efficiently and as you know development
18 does happen quicker across the city than building
19 schools and it needs to be part of the planning
20 process, it can't be an afterthought five or ten
21 years later. So, thank you and we have a nice little
22 list at the... in the end of how many seats are going
23 to be built every single year from the old plan and
24 the new plan and I couldn't have done any of this
25 work without the IBOs help so they've been invaluable

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2 as have your staff so I wanted to thank them very
3 much because the analysis is very complex and hard to
4 do.

5 SARITA SUBRAMANIAN: Thank you Leonie...
6 thank you Leonie and good afternoon Chairs Treyger,
7 Dromm and Gibson and thank you for the opportunity to
8 testify at today's oversight hearing. My name is
9 Sarita Subramanian and I'm the Supervising Analyst
10 for the Education Team at the New York City
11 Independent Budget Office. The proposed new plan
12 would increase overall capital spending to 17
13 billion, a three percent increase from the current
14 16.5 billion 2015 to 2019 capital plan. The new plan
15 would significantly increase funding in two key
16 areas; new capacity and facility enhancements, the
17 latter mainly to improve building accessibility and
18 provide air conditioning. The capacity category would
19 receive the largest overall increase, 2.3 billion, a
20 36 percent increase from the current five-year plan.
21 The increase in funding for the capacity category is
22 largely attributable to new capacity which will...
23 which will... which has increased by 64 percent, rising
24 from 4.8 billion to 7.8 billion. Almost 57,000 new
25 capacity seats are funded in proposed plan, including

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2 23,400 seats rolled over from the current plan and
3 1,600 seats in two projects that are funded for
4 design only. Over half of the new capacity seats,
5 almost 33,000, in the new plan would come online for
6 school years 2020/2021 through 2025/2026. The
7 breakdown by community school districts is shown in
8 the table attached to my testimony. In eight
9 districts all of the new capacity seats are expected
10 to be completed no later than the start of the 25/26
11 school year. Of these five school districts had
12 district level utilization rates for elementary,
13 middle and charter schools below 100 percent in the
14 recently released 2017/2018 blue book. The
15 utilization rates in the other three districts; 15,
16 24 and 27 were at or above 102.7 percent. On the
17 other hand, no new capacity projects planned for
18 school districts 19, 21 and 29 are estimated to come
19 online before the 25/26 school year. Although
20 capacity, capacity utilization was relatively low in
21 districts 19 and 29, district 21 had a utilization
22 rate of 104.9 percent. District 20 and district 25,
23 the two districts with the highest utilization rates,
24 over 121 percent in 2017/2018 are expected to get the
25 largest number of new capacity elementary and middle

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2 school seats in the new capital plan. Together these
3 two districts account for one fifth of all new
4 capacity seats and by September 2025 more than two
5 thirds of the new seats planned for district 20 are
6 scheduled to come online whereas only a little over
7 one fifth of district 25 seats are expected to be
8 ready by that time. The significant increase in new
9 capacity is offset by decreased funding for other
10 capacity programs. The new plan allocates 550 million
11 for the early education initiative, this is a 37
12 percent decrease from the 872 million allocated for
13 Pre-K for All in the 25... 2015/2019 plan. And funding
14 for class size reduction also fell from 490, 490
15 million down to 150 million, an almost 70 percent
16 decline. And as Leonie mentioned the funding for the
17 facility replacement program has been removed
18 entirely from this current plan. The new plan also
19 shifts 180 million of funds to support the removal of
20 TCUs from the capital investment category into the
21 new capacity... into the capacity category and another
22 50 million remains in capital investment. Even
23 combining these two categories, total funding for TCU
24 removal would remain 165 million, below what is
25 allocated in the current plan likely because over 70

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1 percent of original TCUs have already been removed.

2
3 The proposed capital plan allocates 5.2 billion for a
4 capital investment, a decrease of nine percent from
5 the current plan. In addition to shifting some
6 funding for the removal of TCUs out of this category,
7 there are reductions in allocations for various
8 exterior improvements and athletic field upgrades.

9 Funding for the universal physical education
10 initiative would decrease to 25 million and this is
11 also partly because the new plan includes funding
12 just through 2021 for that initiative. There are
13 other areas that would increase within capital
14 improvement, funding for facility enhancement would
15 increase by over 71 percent. Much of the increase
16 would go towards funding to improve accessibility,
17 which would increase by almost five times over the
18 current plan. The air conditioning initiative would
19 also increase almost five-fold and spending on
20 technology enhancements which includes upgrading
21 school wireless data networks would rise 15 percent.

22 This plan also doubles the amount spent on safety and
23 security to 200 million, with a continued focus on
24 installing video surveillance. And just to sum up,
25 finally, additional funding that was recently awarded

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2 by the State Education Department for New York City's
3 Smart Schools Bond Act application will likely change
4 some of the allocations for projects in the capacity
5 and capital improvement categories. In the city's
6 approved application, 300 million would allow for TCU
7 removal, 100 million would be dedicated to building
8 or leasing new capacity for Pre-K and 383 million
9 would allow for technology upgrades to improve school
10 connectivity and classroom technology. Thank you
11 again for the opportunity to testify and I'd be happy
12 to answer any questions.

13 KIM MADDEN: Hi, my name is Kim Madden
14 and I'm here to testify about school accessibility. I
15 think the IDA was passed or... in its initial form
16 about 50 years ago and the ADA over 30. I'm not great
17 with dates or math, if my son Owen Atkins was here,
18 he could tell you both of those things. He's 15 years
19 old, he uses a wheelchair, he has a neuromuscular
20 disability, he can... he's really great at math as I
21 said, unfortunately he can't get into the vast
22 majority of school spaces in this city something that
23 I think is an inexcusable violation of his rights and
24 I'm so happy that the Council has taken this issue up
25 and that the city and the DOE seem to be finally

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2 moving on it. He's been in public school since
3 kindergarten, his first school was at Manhattan
4 School for Children, it's a K through eight school
5 actually in our neighborhood which was amazing. If
6 you're not familiar with it I would encourage you to
7 visit it, it has an amazing community of inclusion,
8 there's many students who travel from all over the
9 city to go to this school who use walkers and
10 wheelchairs and who are fully included in a district
11 school. We were sad when we had to leave it, but it
12 was time for him to go to high school, he's now at
13 Lab High School for Collaborative Studies where he's
14 part of a very, very small pilot project. Like all
15 pilot projects its had some bumps. His first year was
16 definitely bumpy, this is his second year. I think
17 the teachers are learning to work with him, he loves
18 being a part of a school community, he wore his bunny
19 slippers yesterday for pajama day, he, he likes to be
20 there, and I think that it's a place that has some
21 work but its great to be there. One thing that made
22 me sad is the principal said at a meeting last week
23 she can't expand the pilot program because they don't
24 have space because of structural issues. It makes me
25 sad but she's not wrong. Labs was upgraded recently

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2 from partially to fully accessible, I think the
3 labels in this area are something to pay very, very
4 close attention to, they seem to shift. Regardless of
5 what they say they mean very different things so MSC
6 was a partially accessible school, Lab is now called
7 fully accessible. If you walk down the hallways with
8 my son, you would see big differences but not the way
9 you would think. MSC has four very big working
10 elevators, it has wide hallways, it has a big therapy
11 room with windows and air. Lab conversely has a non-
12 ADA compliant elevator, his classmate he uses a
13 motorized wheelchair can't back into it, she has to
14 go in... she has to go in and then back out, she can't
15 turn around in it. The hallways are very narrow,
16 there's fire doors every... you know in four different
17 locations in the hallway, the classes are very, very
18 crowded. This is a fully accessible school according
19 to the DOE's new labels. The therapy room is tiny,
20 its windowless, its airless, it's the... actually this
21 is part of the pilot program where they turned a very
22 small storage room into a therapy room which is good,
23 I mean it's the reality of schools in New York City,
24 but I just want to point out what this looks like to
25 the students. When my son was on a high school tour,

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2 he was shown so many inaccessible buildings that were
3 labeled partially or fully accessible. We were at
4 front doors... or at... not front doors, at the side
5 doors where there was a buzzer, but nobody answered
6 it, we were at doors where there was no buzzer and
7 those are called... there's one where its called a
8 fully accessible school but there's no actual way to
9 get in, that's not accessible. He was shown so many
10 bathrooms and told this is the accessible bathroom
11 that were inaccessible and that terrified him because
12 he needs to be able to go to school and to be able to
13 use the bathroom. It's something that I think, you
14 know at his current school he's taught a lot of
15 people, they now see it from his perspective and
16 realize that's not an accessible bathroom, you can't
17 get into it with a wheelchair, it has bars but that
18 doesn't make it accessible. I think that the more
19 students like my son are included in schools the more
20 many people in this world will understand his
21 perspective and I want to thank the Council for
22 understanding his perspective. I think that it's
23 important not just for students but for parents, for
24 teachers, for other members of the community who have
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2 accessible needs to be able to get into schools. So,
3 thank you.

4 LORI PODVESKER: Good afternoon Chairs
5 Treyger, Dromm and Gibson. I want to thank each of
6 you for your leadership and commitment to equality
7 for all students. I'd also like to thank the
8 corresponding Subcommittees for having this joint
9 hearing and thank the entire Council for their help
10 with recognizing the need for more accessible schools
11 and their advocacy for additional funding needed to
12 make that happen. My name is Lori Podvesker and I
13 lead the Policy Work at IncludeNYC and I'm also the
14 parent of a 16-year-old with cerebral palsy who
15 attends the district 75 program. We testify today to
16 continue to highlight the urgent need for funding for
17 accessible schools. The situations remain dire. In 28
18 of the city's 32 school districts, less than one
19 third of schools are fully accessible and in seven
20 districts fewer than ten percent are fully
21 accessible. This is not acceptable. The 750 million
22 dollars in the proposed capital plan is crucial in
23 improving this situation and must be preserved.
24 IncludeNYC, formerly Resources for Children with
25 Special Needs has worked with hundreds of thousands

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of individuals since our founding 56 years helping them navigate the special education service and support systems so that young people with disabilities can be fully included in school. We commend the Mayor and the New York City Department of Education on their efforts to improve school accessibility and recent policy changes in admission processes for students with physical disabilities. We urge the DOE in this capital plan to focus on full school accessibility for students rather than partial accessibility. As defined by the DOE, a partially accessible school can mean what it implies, that only part of a school is accessible to students preventing them from fully being included in school life and all activities. Over the years we have helped many young people who use wheelchairs or other mobility devices identify the limited school placements available to them due to the lack of accessible schools. one of our families tells a story of occupational therapy taking place in a bathroom and her becoming despondent because he couldn't access the cafeteria to eat lunch with friends. We shouldn't be telling these stories in New York City. We strongly support the proposed funding in the 2020 to 2024 capital plan

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to improve school accessibility and we urge you to ensure that the final plan includes at least 750 million dollars doing this. We also want to ensure that the plan better supports individual schools in becoming fully accessible. The extent in which an entire school is physically accessible is crucial for inclusion, so students with mobility issues can equally access all activities in the same way as non-disabled students. Thank you for taking the time to consider this.

CHAIRPERSON TREYGER:

I want to just thank the entire panel. I just want... I mentioned this before and I'll say it again, the advocacy, the powerful words and advocacy has made already an impact and I echo... I, I definitely hear you and agree that these federal laws and mandates were passed decades ago but sometimes its sad that you'd need a law to make this happen, this is the right thing to do beyond of course and it just... it took a long time but I think with this Council and again I want to credit Speaker Johnson and my, my Co-Chair and our... we have a great budget team as well, we really pushed hard on this and the administration is working... but I... as you heard during our exchange there's more work

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2 to do and so once we have an estimate of full
3 accessibility that's going to help make our advocacy
4 much more targeted in Albany. I... I'm, I'm all for
5 yelling for more money but I, I want to specify where
6 that's going, and this is an area that we need... we
7 need to prioritize. I want to thank you again very
8 powerful advocacy, also thank the IBO because you've
9 been very helpful on this issue and also on the issue
10 of FSF, fair student funding, your numbers have been
11 a good fact check on, on the administration so I, I
12 really want to thank you, thank you for that and
13 thank you Leonie for continuing the, the big fight
14 for class size reduction, its about the kids, it's
15 about the kids and that's what we... as long as we
16 focus on them that's when we, we tend to deliver so
17 thank you. My, my Co-Chair, Chair Dromm has a
18 question.

19 COUNCIL MEMBER DROMM: Sure, thank you
20 very much and I have a little story and a question as
21 well. So, I can really relate to the idea of, you
22 know the space issue and it seems to always really
23 effect at least in my experience the special ed
24 students and I remember sitting in a staff room at
25 PS199 in Sunnyside where I taught and it wasn't even

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2 really a staff room to begin with, it was like, you
3 know a staff closet but I'm out of the closet now so...
4 joke, joke but I remember sitting in the staff room
5 and looking out and sure enough the maintenance guys
6 came and they opened the maintenance closet, they
7 took out the pitchfork, the rake, the shovel, the
8 brooms, threw up a coat of paint and turned it into a
9 speech room so there were no windows and there was a
10 little round table that could barely fit in there and
11 it was really just horrible so that is a very
12 familiar experience to me, thank you. And I just
13 wanted to ask Leonie and maybe IBO also, you know I
14 mentioned that I was concerned about the, the issue
15 of identified seat need and to me it seems to me as
16 I'm trying to think this through that its really an
17 issue of equity as well and the communities that they
18 choose to build new seats. I just wanted to get your
19 opinion and especially Leonie in terms of where we
20 were going with that, with the identified seat need
21 and, and, and just get a feel from you. I was in the
22 men's room, I don't know if you answered that in...
23 when you started off or not but anyway just to get a
24 feel from you on that issue.

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2 LEONIE HAIMSON: Well I... you know I, I
3 don't think anybody in any neighborhood in New York
4 City gets the education that they need and... but
5 certainly some districts that there are more funded
6 seats compared to the need than others. I think one
7 of the huge... there are huge... two, two huge problems
8 that could be addressed because New York City is a
9 growing city, because companies want to come here,
10 because real estate developers want to build house,
11 housing here, we are missing such a huge opportunity
12 to build schools along with that housing that we are
13 giving up every single day of the week, every single
14 month, every single year and its just... its, it's just
15 appalling to me, I mean in some cities which are
16 shrinking, which are losing revenue, which no one
17 wants to move to its much harder to make sure that
18 there are new schools built but here we could do it
19 if there was any political will whatsoever and there
20 just doesn't seem to be the will. The other... the
21 other issue has to do with identified seat need. We
22 will never get what we need if the DOE and the SCA
23 don't admit what we need and I have been at countless
24 hearings over the last ten years where, you know the
25 question has been asked to Lorraine Grillo and

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2 before... and sometimes Kathleen Grimm what... how much
3 money would you really need to do the repairs you
4 need, to have the seats you need, to have, have, have
5 accessibility though that wasn't necessarily a for...
6 you know a foremost issue at that particular hearing
7 and they refused to say and what Kathleen Grimm used
8 to say is we just don't have the money so there's no
9 point in telling you, right and so that's the one way
10 in which they can pretend year after year that
11 they're nearly meeting the need and it was a great
12 innovation when they finally had... added that
13 identified seat need even though we thought that it
14 wasn't transparent and we couldn't replicate there,
15 their numbers and it was a big underestimate but to
16 take it out completely is a huge problem and it
17 really shows that they have... they, they want to hide
18 the problem, they know the city is growing, they know
19 that there are going to be a million more
20 inhabitants, they know there are going to be many,
21 many more students the problems in Queens are totally
22 out of sight so Queens is the most shafted district
23 traditionally though earlier Bronx was the most
24 underfunded in terms of percentages and now Brooklyn
25 is growing fast and its, you know going to be totally

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shafted as well. I just... I just wish that we had some honesty here and I wish we had some real progressive, innovative thinking. The way they do in, in some states other... outside New York they do have impact fees, in California and Florida, in Texas, it may not fully need... meet the need for seats but developers do have responsibilities to create infrastructure in schools along with new development and I think in this city where, you know everybody wants to live here, everybody wants to build, you know expensive apartments or whatever there really is an opportunity, a golden opportunity that we're losing because there isn't the progressive inventive kind of thinking that needs to happen and instead as, as Council Member Lander says the development plans go through and maybe they throw in one school or, or two schools and then those schools don't get built for another ten or 15 years and then there's... its... we're even further behind than before and, and the, the... it's, it's not that complicated intellectually to understand but it seems incredibly complicated politically to achieve so I really wish that you guys would put your mind to how we're going to solve this problem so that in five years or four years or ten

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2 years from now we're still not making the same points
3 over and over again.

4 SARITA SUBRAMANIAN: Yeah and I would
5 just like... oh, sorry. I would just like to say, you
6 know what I highlighted in my testimony were these
7 eight districts that are, you know what we would
8 consider frontloaded and in the plan they're supposed
9 to get all of their seats before... you know on or
10 before the 2025/2026 school year, five of them have
11 current utilization rates below 100 percent, three of
12 them do have utilization rates greater than that but
13 that is something to be said... there's something to be
14 said for that, that utilization rates take into
15 account existing need or past need really without
16 even taking into account future need. District 20 was
17 another one that I've highlighted as one that as
18 Chair Treyger has mentioned has traditionally been
19 trying to keep... catch up in district 20 and they're
20 not even able to catch up let alone taking into
21 account the growing enrollment that's projected for
22 district 20 as well as other districts in Queens. So,
23 I think there is definitely a lot to... that... a lot
24 that needs to be done in terms of... and that's
25 something that we're going to continue to keep an eye

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on; how seats are paired with some of the development

3

projects that are going on in the city and to really

4

try to understand how well they are able to predict

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enrollment, whether that's adequate for the

6

development projects that have come online in the

7

past.

8

LEONIE HAIMSON: Just one more point

9

about the Amazon deal because it's in everybody's

10

mind. So, not only are they giving a big DOE owned

11

building to Amazon which by the way the community has

12

been arguing for about five years should be turned

13

into schools and a community center but they're also

14

giving to Amazon the one site they had for a middle

15

school and so Amazon is going to have to find another

16

site elsewhere in long island city which is going to

17

delay that middle school for years and that was a

18

middle school that was already promised to the

19

community and already in the capital plan so all this

20

nonsense about Amazon taking over, you know building

21

a new school actually we're losing one school.. one

22

site that could have been many schools and another

23

site which was supposed to be a school which we are

24

also losing so we're moving backwards in Long Island

25

City not forwards and I think that that is exempt..

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2 exemplifies some of the, the, the poor priorities of
3 this administration in terms of, you know housing
4 development, economic development and Pre-K are the,
5 the main things they're focused on and in terms of K-
6 12 it just isn't there, it just isn't there.

7 CHAIRPERSON TREYGER: You can ask...

8 [cross-talk]

9 COUNCIL MEMBER DROMM: What district is
10 Amazon in? 30, okay.

11 CHAIRPERSON TREYGER: Yeah and the other
12 point I was making in my exchange was that... and again
13 I, I do want to say for the record that I have found
14 President Grillo to be... if I have a question they'll
15 get back to me and I do appreciate it because some
16 folks do not get back in timely manners but the point
17 is I was making was that when we wanted to get this
18 done they got it done and that tells me as a policy
19 maker and it tells me as... also as a resident of New
20 York City that those are the... sometimes the
21 priorities over things and I, I represent in Council
22 district, mostly district 21 but I do have a, a piece
23 of district 20 which is one of the most overcrowded
24 districts in, in New York City and from, from our
25 point of view when a developer wants to build condos

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2 they always seem to find space for that, when they
3 want to build market, luxury housing they find space
4 for that but when it comes to a pressing need for,
5 for schools there's always... there's always an excuse
6 and there were decisions made in our area when the
7 DOE... this happened in past years, I can't blame the
8 current administration but I did ask them to get it
9 back, they gave a beautiful school building in
10 southern Brooklyn over to the MTA, a gorgeous
11 building in the middle of an overcrowded school
12 district to the... to the MTA, I asked them to get it
13 back, I, I... we have not heard an update to that. So,
14 I, I completely agree and then your point about they
15 build other things first before a school, that
16 happened in Coney Island too. There was a 2009
17 rezoning, they built the aquarium which the, the
18 shark tank, ocean one is... which is beautiful, they
19 built the YMCA which was beautiful, they're building
20 housing which I of course... you know for, for, for
21 folks who need housing and, and I support, there was
22 a point of agreement or, or agreements in the side
23 deals for a school, I had to remind them of that,
24 that has not happened yet so you're absolutely
25 correct. I agree with you that... and this requires

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2 better planning and execution on all parts and... but
3 again I, I want to just thank everyone here for your
4 great work and there's a lot of... a lot of follow up
5 work to do that's... thank you so much, appreciate it.

6 CHAIRPERSON TREYGER: Final panel Maggie
7 Moroff; April Coughlin; Jaclyn Okin Barney I believe
8 and Rebecca Kostyuchenko.

9 MAGGIE MOROFF: Good afternoon, thank you
10 very much for the opportunity to speak. Before I even
11 start speaking, I also want to thank you for all the
12 work that the council has done to put the issue of
13 school accessibility in the forefront these days, its
14 real... it's, it's wonderful to have you guys as
15 partners. I am Maggie Moroff, I work as the Special
16 Education Policy Coordinator at Advocates for
17 Children, I also coordinate the ARISE Coalition. I am
18 speaking here today on behalf of Advocates for
19 Children. I am not going to read you my testimony,
20 I'm going to short cut it, I'm not going to read you
21 the example, I'm going to let all the parents here
22 speak and get... share their experiences but I do want
23 to share some, some more policy wonky type stuff. So,
24 Advocates for Children has been around for over 45
25 years, we work to support New York City's most

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2 vulnerable children working on behalf in particular
3 of low-income students. We are here today to speak in
4 support of the proposal for the 750 million dollars
5 to improve school accessibility, not a surprise. With
6 our partners, many at the table today including by
7 the way I have to say Jackie Okin Barney who heads up
8 PIE and it was PIE who did that video, I wish we
9 could have taken credit for it, but it was Jackie's.
10 So, with all of our partners here and on the last
11 panel we called for a major investment in school
12 accessibility and we really are so grateful that the
13 administration has heard us. As the city works to
14 develop this next capital plan, we do want to
15 emphasize just how urgency.. urgently needed that
16 proposing.. that proposed funding is. So, we released
17 a data brief this fall which I believe everybody has
18 seen, there we found.. sort of our key finding in that
19 was that less than 20 percent of the city's schools
20 are fully accessible. It's really crucial that in the
21 final plan that that money proposed at least be
22 there, but we do want to recommend a little bit of
23 fine tuning to the description that's in the plan.
24 The language now focuses on increasing partial
25 accessibility and under emphasizes bringing us to

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1 full accessibility. We've already talked with some of
2 the key DOE staff including Deputy Chancellor
3 Goldmark who was here before and they have indicated
4 that they're open to changing that language but we're
5 seeking your assistance in, in, in pushing for that.
6 We want to recognize and with a little... there's been
7 a little bit of discussion about it also but the
8 DOE's recent announcement about their changes to the
9 admissions process for middle and high school
10 students so that paired with the fiscal year
11 2019/2020 and 2021 funding and with the proposed
12 funding now for the capital plan is going to make a
13 significant difference. We really just are here today
14 to say that we hope that the Council will work,
15 continue to work to ensure that the final plan
16 includes this funding and we trust that the final
17 language will be a little bit more forceful and more
18 ambitious than what's there right now because all of
19 our goals looking forward has to be not just partial
20 accessibility but full accessibility for every
21 student, every parent, every community member who
22 needs physical access not to some but to all of our
23 schools. Thank you.
24
25

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2 JACLYN OKIN BARNEY: Hi, I'm Jackie... I'm
3 Jaclyn Okin Barney and I speak today as the
4 coordinator of Parents for Inclusive Education
5 working with parent advocates and, and educators who
6 work to ensure more inclusive opportunities in the
7 city's... in the city. We are extremely grateful for
8 all the work the City Council has done on the issue
9 of school accessibility, you really play a key role
10 in moving the issue to the forefront and we can't
11 thank you enough for all you've done and the major,
12 major... from the DOE and city and we are so excited
13 and we applaud all that has been done and we also of
14 course support and urge you to support the 750
15 million dollar for... I'm here today to ask you in, in
16 your efforts in supporting and to watch the video
17 that, that Council Member Dromm referred to earlier,
18 obviously we made the video... and to see how hard it
19 is for us students and how it impacts them and it's
20 so difficult for students to get here and to talk to
21 you themselves. And our... all our, our primary goal
22 was for student voices to be heard... they even... they
23 even took the time to thank you... all of you and to...
24 and to thank... and to thank... at the end of the video
25 for all that you've done. I could sit here and tell

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2 you their stories, but they were so relevant, and
3 they were so passionate that I could not do that in
4 justice... is in the video as well as four other
5 students, its only seven minutes long... its only seven
6 minutes long, it is unbelievable. I, I had this idea
7 and everyone thought it would be as, as, as powerful
8 as it... as it became so please watch the video to, to
9 hear it directly from the students how they feel
10 about this issue and, and of... and continue to support
11 the issue as we all, all do and I would like to be
12 done before my time is up but that certainly won't...
13 listening to the... to the student themselves,
14 themselves. Thank you so much for all you've done.

15 APRIL COUGHLIN: My name is April
16 Coughlin and I'm a professor in the School of
17 Education at SUNY New Paltz. I would like to begin by
18 saying how encouraged I am by the 750-million-dollar
19 proposal and I'd also like to say that this is a
20 great start. Before earning my PhD, I taught in New
21 York City public schools for six years but as a
22 teacher who uses a wheelchair when I applied to teach
23 in New York City I had no idea that I couldn't even
24 get into or around most of the buildings. School
25 buildings... school buildings that are not accessible

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2 or are only partially accessible do not allow
3 students with physical disabilities to learn in them,
4 teachers with disabilities to teach in them,
5 administrators with disabilities to lead them and
6 parents with disabilities to access them. As a
7 teacher and wheelchair user I have seen the many
8 injustices related to lack of access and inclusion of
9 students and teachers with physical disabilities. The
10 defining moment when I realized the grave situation
11 of inaccessibility and exclusion in New York City
12 public schools when it was, was when I was waiting
13 for the elevator to my classroom located on the third
14 floor of the building at the school that I worked at
15 in Washington Heights. The elevator was broken and as
16 a result I had to conduct my English class outside on
17 the baseball field but what bothered me more than
18 teaching English on a baseball field was something I
19 witnessed in the basement of the school and
20 ultimately led to my pursuing a PhD and became the
21 main focus of my research. I watched a group of
22 students who use wheelchairs and other mobility
23 devices being ushered into a small separate room in
24 the basement of the building down the hall from the
25 broken elevator. These students were brought to this

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separate room day after day until eventually the
elevator was fixed several weeks later. I should
pause here to say that this particular school
building was categorized as accessible but students
and teachers with disabilities could not get to their
classrooms because of a broken elevator therefore it
quickly became inaccessible. No one ever asked why
these students were being segregated, no one seemed
to be bothered by or care about the fact that these
students were separated from their non-disabled peers
and therefore forced to miss their regular classes
for weeks at a time simply because of a broken
elevator. It was at this point that I began pursuing
a PhD and focused my research on interviewing New
York City students with physical disabilities to
learn about their experiences with physical, social
and academic access or shall I say in-access. Now as
a college professor part of my job responsibility
includes supervising student teachers, I have already
encountered inaccessible New York City school
buildings that I am assigned to but can't get into in
order to do my job. I have also encountered
accessible schools where individuals with
disabilities are required to roll through back

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2 alleyways, past garbage dumpsters, dumpsters, through
3 puddles of rotten milk only to be met by a locked
4 gate where you have to wait for someone to come and
5 unlock it and escort you to the freight elevator... the
6 freight elevator. Students and teachers with
7 disabilities go through this every single day,
8 ironically painted on the wall near the entrance... the
9 accessible padlocked entrance is a sign that reads
10 education is power. To this I would like to add only
11 if you can get inside the building. And I have some
12 photos, can you run these... thank you, some photos of,
13 of that building. No school with an entrance like
14 this one should be categorized as accessible or
15 partially accessible. This is misleading and
16 inaccurate. When evaluating buildings for
17 accessibility and planning for increased access it is
18 absolutely essential for the voices of those with
19 physical disabilities to be included in the
20 conversation. As the disability rights movement
21 saying goes, nothing about us without us, yet often
22 times we are completely left out of the conversation
23 about the very things that directly concern us like
24 physical access. Let's face it, a roll through is
25 going to be much more effective in identifying

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2 barriers than a walk through when evaluating a
3 building for physical access. Please utilize our
4 expertise and contact us, I am personally
5 volunteering right now, and I will be happy to
6 provide you with my contact information. Thank you.

7 REBECCA KOSTYCHENKO: Hello, first I just
8 want to say thank you very much to all of you, I know
9 I'm not an unfamiliar face to those of you that are
10 left and to your staffs, to the whole council. If
11 they were still here, I'd say thank you to the SCA, I
12 would say... I'm saying thank you to the DOE. I think...
13 I kind of wish I could just do a happy dance and hug
14 you all about this proposed budget, but I won't
15 because that would be embarrassing to myself. I will
16 tell you that I actually wanted to ask for a billion
17 dollars, so I'll ask for that now, I was told that
18 I'm allowed to ask for my own personal request and
19 now our group request at the City Council meeting so
20 I'm now asking, I'd actually like a billion dollars.
21 So, I think that's fitting for the years of need that
22 we've seen unaddressed and I'm really glad that you
23 asked for an actual number of what we need. I think...
24 one of the things I wanted to say today and I'm not
25 that organized today, I'll apologize for that now, is

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2 that to me one of the worst things that I've heard in
3 the years that I've been advocating and finding
4 things out is that we don't even know what the
5 problem is because that's how little attention it's
6 gotten, that nobody even knows. And now thank you to
7 the work of PIE and ARISE and the DOE is work,
8 working hard with them now, I think we're going to
9 have more data and with you guys asking I think we're
10 going to know. So, I think a billion is probably
11 going to seem like the right amount once we find out
12 what it is. I'm hoping that that could mean that this
13 amount would be repeated in every five-year capital
14 budget and hopefully maybe in 50 years we might get
15 somewhere really successfully at the end. So, its
16 kind of appropriate as a parent, one thing you learn
17 when you have a child with a disability that you
18 clearly probably weren't expecting is you get to see
19 some of the worst things in the world and
20 discrimination and ignorance that you didn't expect
21 to see but the other thing is you get to see really
22 wonderful things that you also didn't see and people
23 that really care and that go above and beyond about
24 things that have no personal benefit to them and so,
25 you know thank you for being some of the angels that

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2 I see. So, thank you for that. So, its been a really
3 positive fall because of this announcement and the
4 announcement about priority admissions, its also been
5 really tough because we've been going through high
6 school choice, so I have to tell you my stories even
7 though I know that I've... I'm singing to the choir at
8 this point, but I feel like that's what I'm here to
9 do is to put them on the record and to have them be
10 heard. I passed up this page to you guys, I think you
11 saw it, I think it speaks for itself. We live in
12 Brooklyn ten of 110 schools... or 11 excuse me, of 110
13 schools are fully accessible and I put at the top
14 here when I was first looking through the book, I put
15 ADA campus, it's not ADA don't ever think fully
16 accessible is ADA because it's not so that's
17 important to be aware of. So, that's been really
18 tough to have this big book and to tell my daughter
19 that this is what she can get in Brooklyn from this
20 big book and to see her deal with it. I have seen I
21 think 28 schools this fall, I cast my net far and
22 wide because I was determined that this was not going
23 to limit her and wherever the school was in New York
24 City I was going to go and even before the decision
25 to waive some priorities that work against kids with

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2 disabilities I was going to fight to get her into
3 wherever she needed to be and we want on a lot of
4 tours. We went on tours where we stood waiting for
5 doors to be opened, where we were left behind on
6 those tours, where we saw fully accessible schools
7 that had six floors and the bathroom that was
8 accessible was on one floor and you had to get a lock
9 key to get on the elevator to get to your class to
10 get that key to go back on the elevator, you had to
11 get the key to the bathroom to use the accessible
12 bathroom, I mean those aren't architectural issues
13 necessarily like you could fix those but we found a
14 lot of people didn't even call us back when I would
15 have to call everywhere and say we're going to need
16 an accessible tour. It was very difficult to get
17 people to respond to those calls and when I did
18 importantly... especially in the partially accessible
19 schools because we clearly had to look at them. the
20 answer I... the, the, the phone return messages or
21 conversations I would have were telling because what
22 they would say was they would sort of pause when I
23 would say well, you know... they, they would say you
24 know we're partially accessible, I'd say well yes,
25 yes I do and they would kind of... their wheels would

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2 turn and, and then they'd say well you know this is
3 not really a good... this is really going to be
4 difficult for your daughter, like I'm not sure you
5 really want your child to go to school here, I heard
6 that so many times I can't tell you because they
7 really... I think the people within the schools
8 themselves think that there's some beautiful fully
9 accessible school somewhere that just aren't
10 available. So, the truth is that the partially
11 accessible schools are not good enough and the people
12 in them know that they're not good enough so we
13 really need to be looking at full accessibility, I
14 mean that's what my daughter wanted, she wanted to
15 apply to schools where she was going to go in the
16 same door as everybody else and she was going to have
17 access to the stage and access to the music room and,
18 and complete accessibility. At the end of the day her
19 list... the top of her list is a fully accessible
20 school that does not have complete accessibility
21 because she loves the school so much that she's
22 choosing to deal with it but she shouldn't have to,
23 to make that choice and I am going through my notes
24 because my daughter's also been in the hospital a lot
25 for good things and I'm only saying that because I

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2 always feel like as the parent of someone with a
3 disability speaking at these meetings I should always
4 remind you that these kids are going through a lot
5 more than just what we're talking about so you have
6 to know that the impacts of what we're talking about
7 are even bigger sometimes. So, I just wanted to say
8 that when it comes to partial accessibility my
9 daughter really wanted those things because she
10 didn't have them in her middle school and in applying
11 to high schools it makes me think very much about
12 where would she want to go if she had been able to
13 practice music in the music room for the last three
14 years and would she have wanted to go to LaGuardia or
15 Frank Sinatra if she had been able to choose drama if
16 the stage had been accessible and then... you know she
17 met April recently, she has this crazy crush on
18 April, she's like the coolest thing she thinks on
19 wheels ever so I just think what would it have been
20 like if my daughter had had a teacher like April, you
21 know or if her friends had had a teacher like April,
22 her peers had had a teacher like April but it's,
23 it's... so, there's a million things I want to say, I
24 never get through enough time, I'm not going to cry
25 today. One more thing I want to say was that the

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2 statistics at the Department of Labor for kids with
3 disabilities or people with disabilities, 16 to 64,
4 no matter what level of education you attain so even
5 if you have graduate... like post graduate degrees are
6 always double for people with disabilities than they
7 are for any, any, anybody else and if you enter... if
8 you make it intersectional and you're a woman or
9 you're person of color forget it, you're really done
10 so I just wanted to put that in here to remind us
11 that these kids need good educations, they need it
12 and they also need it in schools that have school
13 wellness, culture, climate that accepts them and
14 includes them and makes them expect that from the
15 rest of the world because so many kids with
16 disabilities in this city the way they've been
17 treated by their schools often are really happy with
18 less than what they should be happy with. They, they
19 don't... they have very low expectations because of the
20 way they've been told they should be expecting their
21 life to go. So, I'd just... thank you, thank you very
22 much.

23 MAGGIE MOROFF: I'm sorry, can I add one...
24 could I add one small thing because a number of us
25 have referenced this, we are using the DOE's own

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2 definitions of partial and full accessibility here so
3 I just wanted to make it a little bit clearer so
4 using the DOE's own language and definitions what
5 they use in those building accessibility profiles
6 that they have been using to survey all of the
7 schools, a partially accessible school can range from
8 one where there's general access to at least some of
9 the ground floor but where there are no accessible
10 bathrooms or classrooms to a school where there's an
11 elevator that goes to all of the floors but... and, and
12 this is in quotes, certain public assembly areas or
13 classrooms may not be accessible. So, you know as,
14 as, as Kim testified and as Rebecca testified and as
15 April just testified partial accessibility means a
16 lot of things and our concern about depending on that
17 is that in effect partial accessibility still doesn't
18 allow students and family members and educators to
19 access all the important parts of the building so it
20 really can't be the end goal.

21 CHAIRPERSON TREYGER: Well I, I thank you
22 for that because it, it... this will require us to
23 follow up with them to find out, you know who do they
24 rely on to make the judgment call that this is a
25 partial or full and now we have to ask even...

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2 question, I mean what, what I'm hearing and I, I
3 believe... I believe you that when they label schools
4 as fully accessible and they're still not that makes
5 no sense... I mean that's, that's crazy and, and so we
6 have to address that immediately because... especially
7 as we're finalizing these plans and I could tell you
8 that we will be advocating for more money on top of
9 the 750 because we, we know this will still... this is
10 a big down payment but it's just a down... a down
11 payment there's, there's still more work to do. We
12 need to make sure that its, it's actually getting the
13 job done and so we have to check, and I made a note
14 of that so I, I will follow up on that and... [cross-
15 talk]

16 REBECCA KOSTYCHENKO: Thank you... [cross-
17 talk]

18 CHAIRPERSON TREYGER: ...and they should
19 rely... they should work with advocates and folks who
20 know what they're doing to make, make these calls, I
21 mean that's common sense to me. I have a... first of
22 all I want to thank all of you again, I want to just
23 say that your remarks and Rebecca I just want to say
24 like some of the remarks that you... from the last
25

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2 budgets that we had they were in the room in our
3 budget room...

4 REBECCA KOSTYCHENKO: Thank you...

5 CHAIRPERSON TREYGER: They were with us...

6 [cross-talk]

7 REBECCA KOSTYCHENKO: Thank you... [cross-
8 talk]

9 CHAIRPERSON TREYGER: ...so don't let
10 anyone ever tell you that advocacy doesn't work, it...
11 you, you all have already made a tremendous
12 difference. On behalf of your children, on behalf of
13 all kids in our... in our school system so I want to
14 thank you for that and continue the advocacy... [cross-
15 talk]

16 APRIL COUGHLIN: Thank you... [cross-talk]

17 CHAIRPERSON TREYGER: I have a quick
18 question for the... for the Professor just... I have a
19 piece of legislation that's analyzing because we've,
20 we've heard anecdotally that there are students that
21 are sometimes encouraged or required to use separate
22 entrances because of their, let's say different
23 abilities or what they call disabilities, can you
24 verify if, if you've heard the same as well or if, if
25 you've seen the same?

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2 APRIL COUGHLIN: That... I'm sorry, I just
3 want to make sure I had it clear what you said, so
4 that's students with... [cross-talk]

5 CHAIRPERSON TREYGER: Students with
6 disabilities are sometimes required to use separate
7 entrances than main entrance...

8 APRIL COUGHLIN: Oh, absolutely all the
9 time... [cross-talk]

10 CHAIRPERSON TREYGER: ...of the school...

11 APRIL COUGHLIN: Yes, absolutely and, and
12 teachers and parents...

13 CHAIRPERSON TREYGER: And teachers...
14 [cross-talk]

15 APRIL COUGHLIN: And administrators,
16 yeah, I could share many, many, many stories with you
17 if you need them.

18 CHAIRPERSON TREYGER: Yeah, I... I'll make
19 sure that my staff gets your contact information...
20 [cross-talk]

21 REBECCA KOSTYCHENKO: She has a whole
22 dissertation...

23 APRIL COUGHLIN: Yeah, I have a whole
24 dissertation, I basically left my job in New York
25 City schools to work now on the outside to improve

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2 the accessibility within New York City schools, so
3 this is my, my life goal here, yeah.

4 CHAIRPERSON TREYGER: Thank you so much,
5 I cannot thank you enough and thank you for your
6 service of being an educator and we have a lot more
7 work to do clearly here. I don't know if my
8 colleagues have any questions or comments, Chair
9 Dromm.

10 COUNCIL MEMBER DROMM: I want to
11 apologize, apologize to Jaclyn because I didn't know
12 it was your video... [cross-talk]

13 JACLYN OKIN BARNEY: No worries. No
14 worries.

15 COUNCIL MEMBER DROMM: But it was a great
16 video.

17 JACLYN OKIN BARNEY: We're all advocates,
18 we're all advocates for...

19 COUNCIL MEMBER DROMM: Well its getting
20 around so now you may... you may be up for an academy
21 award or something there.

22 JACLYN OKIN BARNEY: For the kids...

23 COUNCIL MEMBER DROMM: Yeah, it was
24 great, really good. I urge everybody to watch it too.

25 JACLYN OKIN BARNEY: What?

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2 COUNCIL MEMBER DROMM: I urge everybody
3 to watch it also, yeah.

4 JACLYN OKIN BARNEY: Thank you so much.

5 COUNCIL MEMBER DROMM: Yeah.

6 CHAIRPERSON TREYGER: Thank you, Chair
7 Gibson.

8 COUNCIL MEMBER GIBSON: I also wanted to
9 thank you as well along with my Chairs because I want
10 everyone to remember that in all of the work that we
11 have done at this City Council and all of the great
12 successes that, you know we take credit for we take
13 it on behalf of you and your children and remember
14 that every movement that we've had in this society
15 has really been led by people not politicians, I know
16 I don't like that word but not politicians but really
17 by people because they have recognized the
18 fundamental inequities that existed from the
19 beginning. I think the money and you know the
20 allocations are great and what... you know Chair
21 Treyger is talking about but I think, you know where
22 a lot of the differences lie with what we're doing
23 versus what SCA and DOE are doing is the criteria,
24 how do you define what accessible means, it's just
25 like the word affordable, it doesn't apply to

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2 everyone and I think sometimes the own criteria that
3 the Department uses is not what we define as fully
4 accessible to turning a supply closet into a room for
5 speech pathology is not acceptable to us, there's no
6 air, there are no windows, I mean that's just not
7 acceptable but under their rules sometimes it is
8 acceptable and I think that's where we have the
9 impasse and what I'm hoping we can do moving forward
10 in, you know the next fiscal year is have these
11 conversations around budget because that's important
12 but the general public doesn't understand, it's also
13 the process by which we spend this money as well and
14 so I thank you for being here, I thank you for your
15 testimony not on behalf of just yourself but really
16 for a lot of children, a lot of parents that feel
17 powerless and they feel voiceless, you really are
18 making an impact and based on all the great success
19 we've had you are demonstrating that, you know there
20 is power in numbers so I am grateful for you being
21 here and your faces all look familiar so that means
22 I've seen you before and I encourage you to keep
23 coming because we have to keep talking about these
24 issues and you're on the ground as we are and you see
25 it. I think... we didn't talk about it at the beginning

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of the hearing but we all talked about air conditioning, the first two weeks of this school year were horrible, horrible in terms of being in sweltering classrooms as if that's ever acceptable and you know I experienced it myself on a personal level, one of my family members was dealing with it and came home yelling at me like well aunty what are you doing about it and I had to have an answer and so you know we hear this criticism from not just our advocates but we... you know we hear it from our family members as well so you know don't think we don't get criticized by our own family too because they also want to make sure that we're doing what we need to do but once again really appreciate you being here at this hour and coming to us and working with us through this process, I mean we are partners, we're learning together, we're learning a lot of the things that need to happen and we're also making sure that we are committed to getting a lot of great things done so I thank you for being here.

APRIL COUGHLIN: Thank you...

REBECCA KOSTYCHENKO: Thank you...

MAGGIE MOROFF: Thank you.

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2 CHAIRPERSON TREYGER: Yes, and thank you
3 for mentioning family, I mean I have... I'm a former
4 teacher myself but my father is a retired district 75
5 teacher and my mother is a retired paraprofessional
6 and so this is... education is very near and dear to
7 our hearts and I had... trust me all of your advocacy
8 was in our room, I had my dad's voice as, as well
9 saying you better get this done but I know that we
10 have a lot... a lot more work to do and time of the
11 essence because time, time is, is of the essence, I
12 mean I, I... this is a civil rights crisis that our
13 kids are experiencing and, and we have to get this
14 done and there's money to get this done and that's
15 really the issue here so as money... but also we need
16 to as my colleague Chair Gibson mentioned, we, we
17 need greater... we need more sharp definitions of
18 accessibility and, and that's where I, I like to work
19 with advocates and families on that and not just rely
20 on bureaucrats, we need a clear definition of what,
21 what this means, what the... what it looks like..
22 [cross-talk]

23 MAGGIE MOROFF: Uh-huh... [cross-talk]

24 CHAIRPERSON TREYGER: ...and I think it
25 might require maybe some, some touring of some school

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2 spaces as well for us to see firsthand too, I mean I
3 have some experience but I think that your knowledge
4 base is far greater than ours and so we will follow
5 up on, on that matter as well and... yes?

6 MAGGIE MOROFF: Just one quick thought on
7 that, so one thing that we shared with the Department
8 of Education is that those building accessibility
9 profiles that they've been doing are pretty great and
10 it was our suggestion to them that they lose the
11 partial, full accessibility terminology and they
12 identify schools by their BAP numbers with a link to
13 those numbers because that actually tells a family or
14 a community member who's looking at a school a whole
15 lot more about the school than, than these broader
16 terms... [cross-talk]

17 CHAIRPERSON TREYGER: Right... [cross-talk]

18 MAGGIE MOROFF: So, we can definitely
19 talk more about that but it, it doesn't replace
20 somebody rolling through the school as April said but
21 it's definitely a more informative start than the
22 vague sort of loose category that they're using now.

23 CHAIRPERSON TREYGER: Right and also, I,
24 I'm not going to accept their excuse that some
25 schools are just impossible... look, I understand that

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2 some schools were built many, many, many years ago
3 very difficult... I, I visited a school in Queens
4 recently, a district 75 school where they don't
5 believe that the school can sustain an elevator for
6 example. So, I'm... I said build a new school
7 immediately and why was this school even picked in
8 the first place is beyond me because its not
9 accessible in so many other ways too but let's build
10 a new school. We have money in the budget and again
11 if you can find space for Amazon you could find space
12 for our kids, bottom line and, and that's... its an
13 issue of prioritization in our city government.

14 REBECCA KOSTYCHENKO: Can, can I mention
15 one thing about that?

16 CHAIRPERSON TREYGER: Yes.

17 REBECCA KOSTYCHENKO: One thing that's
18 happening that we haven't talked to you about yet but
19 its relevant to this is in seeking spaces for schools
20 the city is leasing a lot of buildings that are not
21 accessible and every time they do that they create
22 more inaccessible seats rather than less accessible
23 seats so, you know I know that right now in district
24 15, we live in district 15 there's a lot of new
25 spaces that are about to happen in district 15 and we

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2 are overcrowded and I see it and it effects disabled
3 kids actually a lot when they're in an overcrowded
4 school but quite a few of those seats are not
5 accessible, those brand new seats that are going into
6 district 15 so I think that if we're looking for
7 sites we should be looking for sites that are
8 accessible and to the extent that they're not if we
9 have long term leases we should be making them
10 accessible when we open those schools.

11 CHAIRPERSON TREYGER: Agreed, again
12 common sense but agreed, yes. Any other comments for
13 us? Again, we can't thank you all enough.

14 MAGGIE MOROFF: Thank you.

15 CHAIRPERSON TREYGER: Onward, more, more
16 work to do.

17 APRIL COUGHLIN: Thank you very much.

18 CHAIRPERSON TREYGER: You got... and I'm
19 going... I'm going to watch this video.

20 JACLYN OKIN BARNEY: Great.

21 CHAIRPERSON TREYGER: Thank you, thank
22 you so much. And this hearing is officially
23 adjourned.

24 [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

January 8, 2019