

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON EDUCATION

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May 28, 2019  
Start: 10:58 a.m.  
Recess: 11:11 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: MARK TREYGER  
Chairperson

COUNCIL MEMBERS: Alicka Ampry-Samuel  
Inez D. Barron  
Joseph C. Borelli  
Justin L. Brannan  
Robert E. Cornegy, Jr.  
Daniel Dromm  
Barry S. Grodenchik  
Ben Kallos  
Andy L. King  
Brad S. Lander  
Stephen T. Levin  
Mark Levine  
Ydanis A. Rodriguez  
Deborah L. Rose  
Rafael Salamanca, Jr.  
Eric A. Ulrich

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

2 [sound check] [pause] [gavel]

3 CHAIRPERSON TREYGER: Good morning. My  
4 name is Mark Treyger, and I am the Chair of the  
5 Committee on Education. We are convened here this  
6 morning for a vote on a package of bills and  
7 resolutions aimed at getting a better understanding  
8 from the Department of Education on physical  
9 education curricula and after school athletics. I  
10 know we are pressed for time this morning. So, the  
11 committee and I will be very brief. Introduction a  
12 bill I am proud to sponsor amends the existing DOE  
13 physical education curricula report. Working with  
14 the City Council data team we identified gaps in the  
15 report that Introduction 1298 would fill. More  
16 robust reporting would lead to a better understanding  
17 of the physical education that New York public school  
18 students are receiving, and who was providing that  
19 instruction. State mandates on physical education  
20 are clear: The existing the law with the additions  
21 under Introduction 1298 will help this Council and  
22 its oversight role holding the DOE accountable for  
23 providing high quality instruction for our 1.1  
24 million. Finally, Introduction 1298 will require DOE  
25 to report on its physical education scope and

2 sequence. Developed by DOE instruction leaders and  
3 teachers, and aligned with the state and national  
4 standards, scope and sequence emphasize consistent  
5 foundational skills and concepts. Introduction 1298  
6 will help us ensure that the department's scope and  
7 sequence satisfies State Education Department  
8 Regulations while also providing valuable information  
9 on how often the department assesses and updates its  
10 physical education scope and sequence. As we are  
11 almost out of time, I'd like to quickly acknowledge  
12 the other pieces of legislation we will be voting on  
13 today. Introduction 242 by Council Member Reynoso.  
14 After school athletics in our high schools should be  
15 equitable across all schools. Unfortunately, that is  
16 not the case. Reports of unequal funding, school  
17 team approval and other issues at smaller high  
18 schools and those with predominantly black and brown  
19 students is the impetus for this bill. Introduction  
20 242 will require DOE to report on after school  
21 athletic funding, athletic team requests, a facility  
22 census and other reporting criteria will provide this  
23 Council with its comp-first comprehensive look at  
24 after school athletics in all DOE schools. In  
25 conjunction with Introduction 242, Resolution 85 also

2 by Council Member Reynoso calls on DOE to do right by  
3 our public school students and provide equitable  
4 access to after school athletic activities and the  
5 associated funding with that. Introduction 1294 by  
6 Council Member Rosenthal amends the exiting DOE  
7 physical education reporting requirements. Council  
8 Member Rosenthal's bill would require DOE to report  
9 on adaptive physical education including whether  
10 students with disabilities are provided with adaptive  
11 physical education including the number of students  
12 receiving each of these options per individual  
13 school. The bill would also require a summary of key  
14 findings in the report issued by the Department of  
15 Education, and whether the department is in  
16 compliance with state physical education  
17 requirements. Finally, Resolution 811 by Council  
18 Member Miller and I'm also a big supporter, calls  
19 upon New York State to pass legislation that would  
20 require all future DOE school transportation  
21 contracts to include employee protection provisions  
22 of EPPs. EPPs give priority in hiring to employees  
23 who became unemployed because of their employer's  
24 loss of DOE bus contract work, and to pay such  
25 employees the same wages and benefits they had

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2 received prior to becoming unemployed. I'd like to  
3 thank my staff and committee staff for their  
4 assistance throughout this process. I'd like to also  
5 thank and congratulate the many students, parents and  
6 organizations as advocacy on physical education and  
7 after school sports have been critical in crafting  
8 these bills and pushing these bills across the finish  
9 line. I will now ask the clerk to call the vote.

10 CLERK: Matthew DiStefano, Committee  
11 Clerk, Committee on Education. Roll call vote on the  
12 aforementioned items. Chair Treyger.

13 CHAIRPERSON TREYGER: I vote aye.

14 CLERK: Barron.

15 COUNCIL MEMBER BARRON: I vote aye on  
16 all. Congratulations to the sponsors and for those  
17 bills on which I am not already listed, I ask that I  
18 be listed as a sponsor-co-sponsor. Thank you.

19 CLERK: Cornegy.

20 COUNCIL MEMBER CORNEGY: Aye.

21 CLERK: Dromm.

22 COUNCIL MEMBER DROMM: Aye.

23 CLERK: Kallos.

24 COUNCIL MEMBER KALLOS: Aye.

25 CLERK: King.

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2 COUNCIL MEMBER KING: Aye.

3 CLERK: Levine.

4 COUNCIL MEMBER LEVINE: Aye.

5 CLERK: Rodriguez.

6 COUNCIL MEMBER RODRIGUEZ: I vote aye,  
7 and also would like to add my name to any of these  
8 bills that I'm not included in.

9 CLERK: Ampry-Samuel

10 COUNCIL MEMBER AMPRY-SAMUEL: I vote aye.

11 CLERK: Brannan.

12 COUNCIL MEMBER BRANNAN: Aye.

13 CLERK: Borelli.

14 COUNCIL MEMBER BORELLI: Aye.

15 CLERK: By a vote of 11 in the  
16 affirmative, 0 in the negative and no abstentions,  
17 the items have been adopted. [pause]

18 CHAIRPERSON TREYGER: We'll leave the  
19 vote open until 11:10 because we have budget  
20 negotiation meetings momentarily, which are very  
21 important to our students as well. So, the vote will  
22 be open until 11:10. Thank you to my colleagues.

23 [background comments/pause]

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2 CHAIRPERSON TREYGER: Okay, we've also  
3 now been joined by Council Member Rose, and Council  
4 Member Salamanca. [pause]

5 CLERK: Committee on Education,  
6 continuation of roll call. Council Member Rose.

7 COUNCIL MEMBER ROSE: Aye.

8 CLERK: Council Member Salamanca.

9 COUNCIL MEMBER SALAMANCA: Aye on all.

10 CLERK: Okay, the updated vote, 13 in the  
11 affirmative, 0 in the negative and no abstentions.

12 [pause]

13 CHAIRPERSON TREYGER: Okay, the vote in  
14 the Committee hearing is hereby adjourned. [gavel]

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C E R T I F I C A T E

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



Date June 13, 2019