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ON GOVERNANCE OF THE NEW YORK CITY SCHOOL DISTRICT

ASSEMBLY STANDING COMMITTEE  
ON EDUCATION

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A P P E A R A N C E S:

CATHERINE T. NOLAN, Chairwoman,  
Assembly Standing Committee on Education

MARK WEPRIN, Member of Assembly

DANIEL J. O'DONNELL, Member of Assembly

JAMES F. BRENNAN, Member of Assembly

DEBORAH J. GLICK, Member of Assembly

JONATHAN L. BING, Member of Assembly

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ALAN N. MAISEL, Member of Assembly

LINDA B. ROSENTHAL, Member of Assembly

BRIAN P. KAVANAGH, Member of Assembly

MICHAEL G. DENDEKKER, Member of Assembly

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2 CHAIRWOMAN NOLAN: Good morning. I want  
3 to thank everyone for being here and I do want to  
4 try to start as close to the hour of 10:00 as we  
5 can. We just had to get a few photocopies and  
6 things made, so I just wanted to thank you for  
7 your patience. By legislative standards,  
8 starting within five or six minutes is pretty  
9 good, so we appreciate that.

10 I want to just formally open this hearing  
11 of the New York State Assembly Committee on  
12 Education. My name is Catherine Nolan, and I  
13 have the privilege of chairing the committee. I  
14 want to thank Speaker Silver who recently  
15 appointed me to my third session, the beginning  
16 of my third session, chairing this wonderful  
17 committee and challenging committee.

18 I want to welcome all of you to the  
19 second of five hearings that will review the  
20 impact of governance changes to the New York City  
21 School System. There have been governance  
22 changes to the New York City School System going  
23 all the way back to 1842, but we're not here to  
24 study all of them today. We're going to be  
25 looking most particularly at legislation that

2 passed during the 2002 and 2003 legislative  
3 session where we, in the legislature, approved a  
4 sweeping overhaul and perhaps the most  
5 comprehensive change to the New York City School  
6 District in many many decades.

7           There are so many areas that you can  
8 speak to in a system with over a million children  
9 and the precious job that we entrust to our  
10 school system, but we are trying to have the  
11 hearings focused a little bit on - for example,  
12 the role of parents. How has the administration  
13 functioned, particularly with the role of parents  
14 in the system? The development and execution of  
15 a five-year capital plan which still leaves many  
16 many schools overcrowded will be a particular  
17 focus of this hearing. We're very grateful that  
18 the School Construction Authority is able to be  
19 with us today.

20           There have also been persistent concerns,  
21 as our hearing notice said, about the lack of  
22 access to information by parents and other areas  
23 such as student achievement, English language  
24 learners, students with disabilities, all of that  
25 will be covered, I'm sure today, but also as we



2 go forward.

3 I would just want to open with a  
4 reflection by Marian Wright Edelman who I'm sure  
5 so many in the school community know, which is,  
6 "Please help us to be worthy of the children that  
7 you have entrusted to our care." All of us care  
8 so deeply about our children and their future and  
9 we want this hearing to be an important part of  
10 that review process for our children.

11 I also want to note - I have a book, I  
12 did a little reading. 45 years ago someone wrote  
13 a book about 110 Livingston Street when they  
14 talked about hearings, and they said that the  
15 hearings go on until there's an acute state of  
16 exhaustion for everyone. We're going to try to  
17 avoid that today, if we can, but I fully expect  
18 to be here to listen to as many people as  
19 possible.

20 I would ask your patience and  
21 cooperation. We are trying. We have an overflow  
22 room of people who can listen to the hearing. I  
23 want to just start by very quickly now  
24 introducing my colleagues who are here today. I  
25 apologize for sight lines in the room. We'll do

2 everything we can to make this as important and  
3 pleasant and significant an experience as  
4 possible for everyone, both the witnesses, the  
5 audience members, the press, and our colleagues  
6 who are here today.

7 Assemblyman Mike Benedetto from the Bronx  
8 is with us. He taught for many many years in the  
9 school system and has a particular expertise in  
10 special ed, so we're very grateful, Mike, that  
11 you continue to be a strong presence.

12 Jonathan Bing from Manhattan is not a  
13 member of our committee but has become extremely  
14 active on educational issues and we're very very  
15 grateful for his presence.

16 Assemblyman Mark Weprin from Queens, a  
17 newly appointed member of the committee, and  
18 we're very very appreciative, has children in the  
19 public schools, as I do, and we're very very glad  
20 that he's here.

21 I'm starting to think of him as my right  
22 hand and council, but he's a member of the  
23 legislature, he's very very good and a smart one  
24 and that's Assemblyman Danny O'Donnell from the  
25 West Side of Manhattan.

2 On this side, one of the longest serving  
3 members of the committee, probably has more  
4 expertise on education issues than almost anyone,  
5 and that's an issue to report recently, and  
6 that's Assemblyman Jim Brennan from Brooklyn, we  
7 thank you.

8 And then we have my dear friend and  
9 colleague, Deborah Glick, also from Manhattan,  
10 who has the important responsibility of chairing  
11 the committee on higher education. So she brings  
12 a particular expertise to the hearing as well.  
13 So I want to thank you.

14 I also want everyone to understand that  
15 we have a lengthy witness list, and we do move  
16 around when we can to accommodate people's  
17 schedules. So usually, as is typical at these  
18 hearings, our first witness would have been a  
19 citywide elected official, and I want to  
20 acknowledge that Public Advocate Betsy Gotbaum  
21 was with us at our first hearing, and spent a  
22 great deal of time with us going over her very  
23 very important commission on school governance  
24 and, as a matter of fact, I even have now the  
25 report in book form, which I'm sure many people

2 will be reading.

3 So we had her in Queens and we will have  
4 later our comptroller, William Thompson, but he's  
5 detained, he's in Brooklyn, and rather than wait,  
6 I would like to move forward, so the chancellor  
7 and his team were gracious enough to want to move  
8 up anyway, it's not so bad. That's what we all  
9 want to do, but I'm very appreciative of that and  
10 I want to make sure that they have all their  
11 people with them.

12 So I want to call, as the first witness,  
13 the Chancellor of the New York City School  
14 System, Joel Klein, Kathleen Grimm, the Deputy  
15 Chancellor from the New York City Department of  
16 Education, Sharon Greenberger from the School  
17 Construction Authority, please come up and join  
18 them, and I really am honored, because he came  
19 back for a second helping, that's rare in these  
20 hearings, Deputy Mayor Dennis Walcott.

21 So I thank you all and I know you have  
22 staff and others with you, they can take that  
23 front row a bit, and I should acknowledge and  
24 give a shout-out right at the outset, he has so  
25 many hearings of his own, yet, he's a glutton for

2 more, and that's the wonderful Bob Jackson, City  
3 Councilman, and Chair of the Council's Education  
4 Committee. Bob, thank you very much. We should  
5 give him a shout-out too.

6 Also, again, can't stay away because he  
7 has so much to contribute, and that's the former  
8 chair of this committee, the very very dedicated  
9 Steve Sanders, so thank you so much, Steve.

10 The way these hearings work for people  
11 who have never perhaps had the opportunity to  
12 participate in one is that our witnesses testify,  
13 and then we ask a few questions and we go on. We  
14 ask you again for your good humor.

15 I do want to say, of course, everyone has  
16 a free-speech right to put up a sign, I would  
17 just remind people that if your sign is blocking  
18 the view of another person to try to be courteous  
19 and perhaps, after you get your picture taken or  
20 whatever, put it back down. Thanks very much.

21 Again, as we review the governance  
22 relationship, we're anxious to hear from  
23 Chancellor Klein, and we would ask everyone to  
24 please give him that courtesy.

25 So welcome, Chancellor, and thank you so

2 much for being here today.

3 MR. WALCOTT: Madam Chair, good morning  
4 to the members of the task force and to the  
5 others who are not, but here as well, my  
6 greetings to you this morning. My name is Dennis  
7 Walcott, I will be extremely brief.

8 I want to, again, thank Chairperson Nolan  
9 and the members of the Education Committee to  
10 host these hearings and, this being the second  
11 one and, as I pledged to the chairperson when we  
12 met a while ago, I planned to be at all five as  
13 directed by the mayor and respond to any of your  
14 concerns. I want to acknowledge obviously our  
15 chancellor, Joel Klein, our Deputy Chancellor,  
16 Kathleen Grimm, and also the president of the  
17 School Construction Authority, Sharon  
18 Greenberger, and thank them for all their hard  
19 work.

20 Also, I really want to thank you for  
21 really putting in place this law which builds in  
22 mayoral control and also thank you for the review  
23 of this because this law is extremely important  
24 to our children of New York City and especially  
25 with today's topic, thank you for your leadership

2 and working very hard on the development of the  
3 capital plan which allows us to provide I think a  
4 record amount of dollars to fund capital  
5 campaigns throughout the city, and building and  
6 repairing new schools.

7           As I indicated before, I've been involved  
8 in the New York City public school system for  
9 over 40 years in a variety of capacities. In  
10 addition to thank, I am a father of four children  
11 who attended New York City public schools, and I  
12 now happen to be a grandfather of a grandson who  
13 attends the New York City public school system.  
14 So I have a deep investment in our school system  
15 and have currently served and has been serving as  
16 deputy mayor for education for the last seven  
17 years and two months.

18           What we've been able to do, I think, over  
19 in this period of time, is create a culture of  
20 high expectations and academic achievement and  
21 allowed the principals to be empowered, at the  
22 same time being accountable for their results or  
23 lack thereof.

24           We've been able to put in place a social  
25 promotion policy which really promotes students

2 based on achievement of goals, and not just  
3 moving them along. We've established a system of  
4 fair student funding, put in place progress  
5 reports, and really have been able to show  
6 results as a result of all of our hard work.

7 Eighth grade math proficiency scores are  
8 up, eighth grade reading proficiency scores are  
9 up, fourth grade math scores are up, fourth grade  
10 reading scores are up, our graduation rate is up,  
11 no matter if we measure it by the state or city  
12 way of keeping the information. We're closing  
13 the achievement gap as indicated in the newspaper  
14 yesterday. Test-takers are up by 39 percent, and  
15 students that are passing the AP exam is up by 32  
16 percent.

17 CHAIRWOMAN NOLAN: Dennis, if you go on  
18 much longer you're going to give Joel's  
19 testimony.

20 MR. WALCOTT: No, I'm about to wrap up  
21 now. And one of the main things that we've been  
22 able to do is really put a major emphasis around  
23 school construction, and that's why we're here,  
24 to say thank you, and now it's my pleasure to  
25 introduce the chancellor.



2 CHAIRWOMAN NOLAN: You gave us lengthy  
3 testimony last time.

4 MR. WALCOTT: That was it.

5 CHAIRWOMAN NOLAN: You can come to all  
6 five.

7 MR. WALCOTT: We're on the same page,  
8 that's why I was wrapping up.

9 CHANCELLOR KLEIN: Madam Chairwoman,  
10 thank you for achieving something that I've never  
11 been able to accomplish, which is, cut short the  
12 remarks of the deputy mayor, so I appreciate  
13 that.

14 CHAIRWOMAN NOLAN: We don't cut anybody  
15 short, we just move them along.

16 CHANCELLOR KLEIN: Let me also thank you  
17 and the members of the Education Committee for  
18 the opportunity to testify today. I thank you  
19 for holding this series of what are obviously  
20 very important hearings. I'm honored to be a  
21 part of this process. Like Dennis, I'm a  
22 graduate of the public schools in this city,  
23 schools had changed my life, and I'm delighted to  
24 be part of something that's so important to our  
25 children and to our city.

2 As Dennis said, my deputy, Ms. Grimm, and  
3 the head of the - the president of the CSA,  
4 Sharon Greenberger, is with us also.

5 It was about seven years ago when Mayor  
6 Bloomberg took office, everyone agreed that the  
7 city's public school system was in a crisis.  
8 Schools were failing, many students, especially  
9 the neediest ones, and I'm proud to say, that  
10 since then, we've come a long way, thanks in  
11 large measure to your bold decision to provide  
12 mayoral control some seven years ago, and I would  
13 also add the significant infusion of funds that  
14 this committee and Speaker Silver has helped to  
15 get for our schools.

16 I'm the first to say that what we've  
17 created is not perfect. Our work has not been  
18 without mistake, and the transformation we have  
19 worked to engender is not yet complete, but the  
20 results show how far we've come.

21 Today, more than 10,000 additional  
22 students, most of them minority students, are  
23 graduating than when we took over in 2002.  
24 Today, many more students are meeting and  
25 exceeding standards in math and reading, and

1 today, the gap separating our African American-  
2 Latino students from their White and Asian peers  
3 is shrinking.  
4

5 Let me jump to and start with what I  
6 think is the most important issue. Whoever the  
7 mayor is, whoever the mayor is in this city, you  
8 should continue to provide him or her with the  
9 authority and the accountability, and it's both,  
10 for public education in our city. I don't need  
11 to convince you, nothing is more important than  
12 education, or our city and its families, that our  
13 City's highest elected official should have the  
14 responsibility for education, just like he or she  
15 has for safety, health, and the economic well-  
16 being of our city. These are core functions.

17 Some have proposed in good faith that we  
18 should dilute the mayor's authority over  
19 education policy and budget decisions, like, for  
20 example, changing the composition of the panel  
21 for education policy. But if we do that, we  
22 undermine the mayor's accountability to the city  
23 and that would be a huge mistake. If a mayor  
24 cannot pursue his priorities, he cannot fairly be  
25 held responsible for what happens in education.

2 We don't need to speculate about any of  
3 this. That's precisely the way it was before you  
4 authorized mayoral control in 2002. Sometimes  
5 people don't remember what it was like back then,  
6 but there was divided authority. A school system  
7 in distress, lots of finger-pointing and blame  
8 passing, and a new chancellor every couple to  
9 three years. Today, there are people who  
10 disagree strongly with our priorities and there  
11 are people who focus exclusively on the mistakes  
12 we've made, but whether people agree or disagree,  
13 no one questions that the mayor and I are  
14 accountable for the state of our city's schools,  
15 and I think that's an important, important  
16 consideration as we move forward.

17 There is a second reason, and sometimes I  
18 have a hard time explaining this, so bear with  
19 me, for why I think it's critical that the mayor  
20 both be responsible and accountable. When it  
21 comes to education, as the chairwoman just said,  
22 we have to watch out for all, 1.1 million  
23 children. Divided authority - and a local,  
24 rather than a citywide focus, often leads to  
25 interest group politics in education, and those

2 with power, or access to power, typically  
3 prevail. There are, in short, as is often the  
4 case in government, winners and losers. But we  
5 cannot afford losers in public education.

6 For example, there are many parents in  
7 our city, many, who know how to navigate the  
8 system effectively to find a good school for  
9 their children. Parents who can call someone who  
10 is well connected to find out how to play the  
11 game, but who looks out for the students who are  
12 not so well connected, the children of our  
13 poorest families, the children of color, and the  
14 children of parents who recently arrived here in  
15 America.

16 In New York City, indeed throughout this  
17 nation, those students have typically gotten the  
18 short end of the stick in public education, and  
19 that's why it's significant why - and that's one  
20 of the major reasons we have the shameful and  
21 ethnic and racial achievement gaps that we do in  
22 this country.

23 The mayor and the chancellor must  
24 advocate for all of those children - and set  
25 priorities in a way that will ensure that they

2 will get an equal educational opportunity, or  
3 their needs will be continued to be neglected as  
4 they have been for far too long in our nation.

5 Our experience over the past seven years  
6 in New York City demonstrates that mayoral  
7 control provides the necessary ability to make  
8 real changes in the largest school system in our  
9 country. The sort of reforms we have implemented  
10 would not and could not have happened in the  
11 absence of such authority. Look, I understand,  
12 those sometimes are going to be very  
13 controversial decisions. These are people's  
14 kids. There's not unanimity of views when it  
15 comes to education. And you certainly don't have  
16 to agree with every program that we've  
17 undertaken, or policy that we've implemented, but  
18 I think that we all have to acknowledge, if we're  
19 going to get the job done, and if we're going to  
20 really change things for our kids in public  
21 education, we need real reform, not the feel good  
22 stuff that so often characterizes education  
23 reform.

24 Everyone wants more money for education  
25 and this committee has been so helpful in helping

2 us get that, our children need it and deserve it,  
3 but, let me assure you that more money alone, as  
4 experienced throughout our nation sadly  
5 demonstrates, hasn't solved the challenges we  
6 face.

7 There are urban school districts in  
8 America that spend five, six, 7,000 more dollars  
9 per pupil than we do and are not getting results  
10 we're getting.

11 The mayor's gone over the highlights in  
12 order to preserve time. I just want to touch  
13 briefly on them. We have made substantial gains  
14 in closing the achievement gap, particularly at  
15 the lower level. Our students overall have made  
16 real progress in math and reading since 2002, and  
17 one point that's important, because we talked  
18 about this a little last week when I was  
19 testifying on the budget, but our students in New  
20 York City have outperformed the rest of the state  
21 and outperformed other large cities. Compare us  
22 to the other big four cities, compare us to the  
23 rest of the state.

24 Most importantly, as the deputy mayor  
25 said, there are more students graduating from

2 high school, over 10,000 more now than when we  
3 started, most of whom were going to CUNY, and our  
4 graduation rate has gone up by over two points a  
5 year, indeed under the new state methodology,  
6 which Commissioner Mills testified about last  
7 week, in the past two years since the state has  
8 had it, we've gone up almost three points a year.

9 Because of our steady progress in student  
10 achievement and closing the achievement gap, we  
11 won the country's most prestigious education  
12 award, the largest urban system won the award,  
13 the Broad Prize for public education in 2007.

14 Today, we're working together as one city  
15 to address the needs of our students. We have  
16 one system that sets clear expectations for our  
17 schools and our students. No longer do we think  
18 of ourselves as 32 separate fiefdoms, divided  
19 along income and zip code lines. We are the City  
20 of New York, and we must know that success in  
21 some communities, and sustained failure in  
22 others, will hurt all of us.

23 Today, yes, we focus relentlessly on  
24 student achievement, something that you heard  
25 less about before mayoral control. I've given



2 you a folder and it has a chart in there, because  
3 we get a lot of questions, and I know I've talked  
4 to Assemblyman Weprin and others about the role  
5 of testing.

6 I've given you this chart because I think  
7 it's very very important to look at. I just ask  
8 you to take a quick look at it. You can study it  
9 at your convenience. If you look at it, it  
10 actually shows that we grade our scores in math  
11 and English language arts in the eighth grade,  
12 this is a combined score, from level one to level  
13 4.5 you get it all right. And look at the  
14 chances of getting a Regent's diploma, it  
15 correlates almost to the number by each tenth of  
16 more people.

17 So level three, which is proficient,  
18 which we all talked about, you have a 55 percent  
19 chance of getting a Regent's Diploma, a level  
20 three and a half, which, until I mentioned it,  
21 nobody heard about it, you have 82 percent. If  
22 we can move our city from a level three to a  
23 level three and a half, we can make history  
24 together in this city.

25 It's not that testing is the be-all and

2 the end-all. Mastery of knowledge, mastery of  
3 skills, those things are the be-all and end-all  
4 in education, and we need to make sure our kids  
5 do it and that's why we test.

6 As is obvious to all of you, I strongly  
7 believe that mayoral control is the best  
8 governance system for urban public schools. Not  
9 surprising, given that I'm the first chancellor  
10 to serve under mayoral control, but I want to  
11 make it clear that I've said that publically and  
12 often long before the mayor announced that he  
13 would decide that he would run again for a third  
14 term.

15 I've repeatedly urged lawmakers, and I  
16 meet with them on a monthly basis throughout this  
17 nation, particularly big city mayors like in  
18 Philadelphia, Los Angeles and Washington, D.C.,  
19 to adopt the system of mayoral control, because  
20 our kids need that accountability.

21 By the same token, I don't want to sit  
22 here and say that you shouldn't seek to improve  
23 this statute. This is not a sacred text, these  
24 are not tablets. Like the work we do every day,  
25 now is the time to focus on how we can learn from

1 our collective experiences and make modifications  
2 that will benefit our schools and students and  
3 you have my commitment to work with you on that.

4  
5 But as we strive for that mutually shared  
6 goal, there's a real danger that the debate over  
7 the statute becomes a debate over specific policy  
8 decisions that were enabled by it. And even if  
9 you don't like some of the decisions we've made,  
10 it would be a grave mistake to constrain now and  
11 long into the future the fundamental ability to  
12 make the kind of transformational change our kids  
13 need by dividing up decision-making in the law.

14 It didn't work in the past and it won't  
15 work in the future. No matter how or what it is  
16 labeled, dividing decision-making is not going to  
17 be changing, or tweaking, or improving mayoral  
18 control, it will end it, and that line, for the  
19 sake of our kids, is one we shouldn't cross.

20 Before I close, Madam Chair, you  
21 mentioned this, and I want to address briefly the  
22 issue many people have raised about a problem in  
23 mayoral control and that's the issue of parental  
24 involvement. We share a commitment to improve  
25 parental involvement in our city, but let me

2 provide some independent data.

3 A survey by the Community Service Society  
4 Independent, and you all know this David Jones,  
5 you know this group, they've been around forever,  
6 they found that the percentage of public school  
7 parents grading their child's school with an A or  
8 a B was jumped significantly from 2002 during our  
9 administration till now. Among the city's  
10 poorest parents, that number went from 24  
11 percent, A or B, to 64 percent.

12 Among the "near poor," it rose from 47  
13 percent to 64 percent, and among moderate and  
14 higher income families, it rose to 59 to 66  
15 percent. In no small measure, that's because the  
16 mayor has opened up 300 plus new schools to give  
17 people choice, and the first thing that parents  
18 want is a choice of a great school for their  
19 kids.

20 And just last week, a Quinnipiac poll  
21 found that, and I'm not one to overvalue polls,  
22 but the poll found voters with children in public  
23 schools support the continuation of mayoral  
24 control by a margin of almost 20 points, 57 to  
25 39.

2 Yet, while I believe we've made strides  
3 with community and family engagement over the  
4 course of this administration, I also know that  
5 we can and must do a better job. Ours is a  
6 complex education system to navigate and we can  
7 and we must help our families navigate it better.

8 We also need to give families in  
9 communities more information in a more timely  
10 fashion so we can do a better job of getting  
11 their input.

12 Working together with you and learning  
13 from our collective experience over the past  
14 several years, I'm confident that we can build a  
15 better process, we can do better in terms of  
16 parent engagement and parent involvement.

17 In conclusion, let me emphasize as you  
18 know that the conversation that we're having is  
19 one of the most important facing this city.

20 There are things that we've learned since 2002  
21 and things certainly that we could have done  
22 better with the benefit of hindsight. But we  
23 have a duty, all of us, to make sure our city  
24 continues to have the tools it needs to further  
25 transform education for the benefit of our

2 children, especially those children, who almost,  
3 55 years after Brown versus Board of Education,  
4 remain profoundly shortchanged. It won't be  
5 easy. It will take bold and courageous  
6 leadership and, indeed, it will be controversial  
7 if we're going to get it done. If it weren't, it  
8 would have been done a long time ago.

9 I look forward to working with each and  
10 every one of you to learn from our experience and  
11 build an Education Law that will strengthen  
12 results and outcomes for our students and  
13 families.

14 Now, I'd just ask if Ms. Grimm can say a  
15 few words on our capital plan and then we would  
16 be happy to take your questions.

17 MS. GRIMM: Good morning, Chairwoman  
18 Nolan and members of the Education Committee.

19 We are pleased to be here today to  
20 discuss the department's efforts to address  
21 overcrowding under Mayor Bloomberg and Chancellor  
22 Klein.

23 In order to support all of the gains in  
24 student achievement that the chancellor just  
25 outlined, our students must have appropriate

2 facilities in which to learn. Before we review  
3 the details of the new five year capital plan, I  
4 would like to briefly review with you the  
5 accomplishments in this administration so far  
6 with our capital program.

7 We have 55,000 new seats in progress or  
8 completed under this current plan. 18 new  
9 building opened last fall. 22 new buildings will  
10 open this coming fall. Over the next three  
11 years, 34,000 new seats will come on line.  
12 Hundreds of new science labs and libraries since  
13 2004, wired classrooms in nearly all of our  
14 schools for internet access along with equipment  
15 with wireless technology. 2,300 capital  
16 improvement projects in approximately 900 of our  
17 school buildings will be completed under this  
18 current plan. 229 new small schools and charter  
19 school organizations have been created since  
20 2005, many of them in newly opened buildings, or  
21 buildings that have undergone capital  
22 restructuring.

23 25 large failing high schools have been  
24 transformed into campuses of smaller schools  
25 which are producing higher graduation rates. All

2 schools under design since January of 2007 and  
3 thereafter are green design schools. These  
4 accomplishments are also a credit to the state  
5 legislature which granted mayoral control and  
6 which, of course, subsequently provided the  
7 capital funding to make so much of this possible.

8           When we got here in the year 2002, we  
9 inherited a bifurcated capital and facilities  
10 management system. Prior to mayoral control, the  
11 School Construction Authority, and the Division  
12 of School Facilities were separate entities with  
13 overlapping duties, little coordination and  
14 absolutely no accountability. Capital one  
15 facility projects often ran behind schedule and  
16 over budget with lots of finger pointing when  
17 things went wrong.

18           Mayoral control enabled us to bring all  
19 divisions that had any responsibility for capital  
20 planning and facilities management under one  
21 roof. Both the SCA and the DSF now report to me,  
22 and we have established clear lines of  
23 responsibility for each.

24           Now the management of the department's  
25 capital program has been consolidated in one



2 agency, the SCA, while school facilities is  
3 responsible for maintenance repair and safe  
4 operation of our schools. By making the SCA  
5 completely accountable for the plan, we have been  
6 able to improve management of the construction  
7 process, reduce school construction costs and  
8 increase competition among contractors. I would  
9 say that a great deal of our success in this area  
10 has to do with Sharon Greenberger's leadership as  
11 president of the SCA.

12 We also revived the Educational  
13 Construction Fund as part of our capital efforts  
14 which facilitates comprehensive neighborhood  
15 development by constructing mixed use real estate  
16 projects which features new school facilities.

17 Under the new and improved SCA, we  
18 released an ambitious \$13.1 billion plan in  
19 November of 2003, half of which was funded by  
20 you. This was the largest plan in the  
21 Department's history, and was for the first time  
22 a plan based entirely on need and was totally  
23 aligned with the instructional effort of our  
24 Children's First reform.

25 We all know that everybody wants new

1 schools. But there simply aren't enough dollars  
2 to meet all of our school construction goals.  
3 That said, we have made great strides in  
4 addressing capacity constraints in parts of the  
5 city, with the greatest overcrowding, and, as I  
6 mentioned earlier, improving our facilities to  
7 support the instructional needs of our students.  
8

9 To avoid the pitfalls of previous plans,  
10 we instituted an annual amendment process.  
11 Reviewing the plan regularly has allowed us to  
12 catch emerging needs quickly so that we can make  
13 changes as necessary, but most importantly, it  
14 gives us an opportunity for public comment and  
15 input from many levels.

16 As part of our annual amendment process,  
17 we now do three things, we survey all of our  
18 buildings, our building condition assessment  
19 survey, we update our enrollment projections  
20 every year through our demographers, and we  
21 overlay information on housing starts, rezoning  
22 efforts, birth rates, immigration rates, and  
23 migration rates, and we have undertaken a public  
24 review process with the Community Education  
25 Councils elected officials and community groups.

2 Every year we send out a form to get  
3 input directly from the CECs and that has allowed  
4 us actually to make additions to each amendment  
5 based on the priorities of the local school  
6 communities.

7 Each of these steps have made the plan  
8 far better to manage and has made the plan more  
9 transparent than it has ever been. We will  
10 continue this annual process and we want to work  
11 with you to seek ways to improve it.

12 In early November, we released the  
13 proposed 2010 to 2014 capital plan, and this week  
14 we just released the proposed amendment to the  
15 panel. This proposed plan is \$11.3 billion with  
16 two major components, 5.2 billion for capacity,  
17 and 6.1 billion for capital investment, including  
18 Our Children First Initiative, our campus  
19 restructuring, physical fitness projects, science  
20 labs, and mandated programs.

21 The plan does acknowledge our current  
22 economic realities and as such our capital budget  
23 and spending power are reduced from previous  
24 years. Even with reduced resources, this plan  
25 proposed the creation of 25,000 new seats, 8,000

1 of which are rolled over from the current plan.  
2  
3 These seats coupled with more efficient use of  
4 existing space are projected to address the  
5 overcrowding identified at a neighborhood level  
6 within districts.

7           The current economic situation forces us  
8 to be more strategic with our resources and more  
9 efficient with our existing space, and will  
10 require us to work together to make tough  
11 decisions in the best interest of our children.

12           We took what we learned from the current  
13 plan and incorporated it into the next one. For  
14 instance, through our public engagement process,  
15 we heard from various communities and from you  
16 that planning at the school district level was  
17 not sufficient, and we needed to examine specific  
18 neighborhoods for unique needs and pockets of  
19 overcrowding. We folded this into the new plan  
20 and have tailored proposed projects to meet  
21 specific community needs.

22           The inclusion of the new middle school in  
23 the High Bridge section of the Bronx, for  
24 example, is a product of ongoing discussions  
25 we've been having with families and community

2 members who pointed out to us that High Bridge is  
3 uniquely situated with limited public  
4 transportation access and therefore has unique  
5 needs.

6 Also in the current plan we developed a  
7 form for CECs to prioritize projects in their  
8 districts, we found this extremely helpful and we  
9 are in the midst of developing a similar forum  
10 for elected officials across the city to better  
11 obtain, through a process, your priorities and  
12 input.

13 A key part of the new plan is what we  
14 call our facilities realignment work. I said  
15 before, especially in these times, that we have  
16 to insist on a responsible use of our resources.

17 That means looking at overcrowding and  
18 enrollment trends, parent demand for particular  
19 programs, and school performance and then making  
20 adjustments to how our facilities are used. This  
21 has meant opening new school options within our  
22 school buildings that have excess space.  
23 Relocating schools from overcrowded buildings  
24 into underutilized buildings, reconfiguring grade  
25 levels within a school, and adjusting zone lines.

2 These are never easy decisions but often they  
3 are the most expedient responsible means to  
4 solving problems such as over enrollment while  
5 maintaining high educational standards.

6 Even with the improvements we've made  
7 with public engagement around the capital plan,  
8 we acknowledge we still need to do more. In  
9 District 2 in Manhattan, at the suggestion of the  
10 elected officials who represented, we have  
11 instituted a war room modeled after Borough  
12 President Marshall's recurring school  
13 construction meeting in Queens which meets  
14 regularly to discuss crowding issues and to  
15 identify viable solutions.

16 Just last week, Speaker Silver hosted a  
17 meeting and tour of classroom space at Tweed with  
18 parents. This classroom space at Tweed at  
19 Speaker Silver's suggestion will be home next  
20 September to two incubating schools that will  
21 serve the families of this neighborhood.

22 The chancellor spoke of our partnership  
23 with parents in Sunset Park and the work of our  
24 office for family engagement and advocacy. In  
25 District 19 in Brooklyn, we successfully moved a

1 public school from two separate locations into  
2 one newly constructed site after getting input  
3 from school officials, parents, and community  
4 members at the district leadership team level.  
5

6 We need to do more of this collaboration  
7 throughout the city to ensure that we are best  
8 addressing the needs and concerns of the families  
9 we serve. Dealing with overcrowding issues, it  
10 is important to keep in mind that the capital  
11 plan focuses on the physical transformation of  
12 the DOE physical plan, with a long-term  
13 perspective on demographics, enrollment, and  
14 educational innovation.

15 As we continue this long-term work, we  
16 simultaneously are focused on the current use of  
17 space by different school organizations, planning  
18 space and enrollment in a way that puts educators  
19 in the best possible position for success. We're  
20 working hard to ensure that these efforts proceed  
21 in tandem and with a great deal of public  
22 participation and input.

23 We are indeed proud of what we have been  
24 able to accomplish so far, but clearly recognize  
25 that there is much more to do.

2 We thank you for the opportunity to be  
3 here this morning and we are happy to answer any  
4 questions you may have.

5 CHAIRWOMAN NOLAN: Thank you. We've  
6 been joined by a number of other colleagues and  
7 some distinguished guests. Assemblywoman Helene  
8 Weinstein from Brooklyn has another meeting but  
9 will be in and out today, she has another meeting  
10 upstairs, and a great friend of mine, I  
11 appreciate her being here very much.

12 Assemblyman Alan Maisel is here, he's a  
13 member of our committee, who also taught for many  
14 years and served as an assistant principal, and  
15 Assemblywoman Linda Rosenthal, who has really  
16 taken a lead on many issues in Manhattan on  
17 overcrowding and others in her district.

18 We're also so pleased to be joined by a  
19 member of the board of Regents, the vice-  
20 chancellor of the board of Regents, the very  
21 Honorable Merryl Tisch and we thank you very much  
22 Merryl for being here, and for our Regents  
23 leadership that they provide so often.

24 I have many many questions but I want to  
25 let my colleagues have that opportunity. I would



2 just say one thing about the data itself,  
3 chancellor, if you can just expand on that, some  
4 people have alleged or suggested or said that the  
5 data itself is, you know, it's what you make of  
6 it, inputs equal outputs.

7 We were talking a little bit at another  
8 meeting about the number of students who were  
9 discharged every year, and say five years ago it  
10 was 15,000 students. I understand now it's more  
11 than 18,000 students. How does discharging a  
12 student early, getting them out of the system  
13 quickly, why is that number increasing and do you  
14 think then that makes the data look better than  
15 it is?

16 CHANCELLOR KLEIN: It's increasing for  
17 one simple reason, the number of students in the  
18 cohort is increasing. In fact, if you look at  
19 the percentage of students, the numbers have been  
20 virtually constant on discharges. What I mean by  
21 the number from 15 to 18,000, if the overall  
22 cohort goes up to about 80, 85,000, that will  
23 happen, and particularly in recent years -

24 CHAIRWOMAN NOLAN: But when you say  
25 "cohort," do you mean ninth graders, or tenth

2 graders?

3 CHANCELLOR KLEIN: Ninth graders are  
4 basically the group who starts, and then unlike  
5 you have in most cities, you have a huge infusion  
6 of students who come here in 10<sup>th</sup> grade and 11<sup>th</sup>  
7 grade and that number has grown. Some of those  
8 students come here for a year and then they go  
9 back to their home country. So the percentage of  
10 discharges has remained essentially within a few  
11 tenths of a point the same.

12 CHAIRWOMAN NOLAN: But the raw number has  
13 gone up?

14 CHANCELLOR KLEIN: It has gone up, but  
15 that's because the number of ninth graders and  
16 the influx of people has gone up.

17 CHAIRWOMAN NOLAN: Can you address the  
18 issue of credit recovery a little bit in the data  
19 collection process?

20 CHANCELLOR KLEIN: Sure. Credit  
21 recovery, if done properly, is a legitimate  
22 thing. A kid who doesn't pass the course the  
23 first time, should of course pass the course a  
24 second time. We don't want to say if you don't  
25 pass you can't get it. We have worked and

2 continue to work with the state that credit  
3 recovery meets all the requirements that it has  
4 to meet.

5 CHAIRWOMAN NOLAN: Can you describe it a  
6 little bit for those who may not know what -

7 CHANCELLOR KLEIN: Fundamentally, what  
8 it's saying is, if you haven't - say you take a  
9 math course and you don't pass it, you obviously  
10 need to pass the math course to get the credits  
11 to graduate, so you have to do credit recovery.

12 We want to make sure that that is  
13 rigorous and done properly, and certainly any  
14 instance we have or any information we have where  
15 it's not, we'll take appropriate action. But  
16 children are going to fail, students are going to  
17 fail, of course, and they have to have the  
18 opportunity to recover those credits.

19 CHAIRWOMAN NOLAN: What does that  
20 process entail, do those kids come off the  
21 numbers that make it look like more people are  
22 passing? Where do they fit into the data  
23 collection process?

24 CHANCELLOR KLEIN: They fit in, if they  
25 get the credits, if they recover the credits, and

2 they pass the Regents, they have to do both,  
3 they're eligible for graduation.

4 CHAIRWOMAN NOLAN: How long has credit  
5 recovery been a policy for the DOE?

6 CHANCELLOR KLEIN: Long long before I  
7 got here.

8 CHAIRWOMAN NOLAN: Has it been expanded  
9 though in the last few years?

10 CHANCELLOR KLEIN: There's no evidence -  
11 I've talked to people who have been in the system  
12 for the last 20 years. We have colleagues on my  
13 staff and colleagues throughout the city, and  
14 credit recovery is something that's happened,  
15 people were doing that before we got here, and  
16 again, if it's done properly it's a good thing.

17 CHAIRWOMAN NOLAN: Do you have anything  
18 in place to make sure that credit recovery  
19 doesn't become, in a sense, the things that we  
20 didn't want in social promotion policy, what  
21 checks and balances -

22 CHANCELLOR KLEIN: We've advised  
23 schools, we now are working with the state on a  
24 protocol to make sure that we have the right  
25 processes in place and if we find instances where

2 there is improper credit recovery, we take  
3 appropriate action.

4 CHAIRWOMAN NOLAN: Have you found any  
5 instances where there was improper credit  
6 recovery?

7 CHANCELLOR KLEIN: We have found some  
8 instances where the schools has truncated the  
9 process and we did take appropriate action on  
10 that.

11 CHAIRWOMAN NOLAN: How many would that  
12 be?

13 CHANCELLOR KLEIN: It was not a large  
14 number but we did find - I don't have the exact  
15 figure.

16 CHAIRWOMAN NOLAN: You can follow up on  
17 a lot of these questions.

18 CHANCELLOR KLEIN: Sure.

19 CHAIRWOMAN NOLAN: I want to let my  
20 colleagues, Assemblyman O'Donnell and Assemblyman  
21 Brennan ask some questions.

22 I do have to ask, we've been informed by  
23 the building though that the fire marshal, that  
24 somebody in this building will shut this hearing  
25 down if we don't have some of these people on the

2 side either go into the overflow room or perhaps  
3 leave and come back a little later.

4 This is not me, believe me, but we just  
5 got a notice of that. So I would have to ask  
6 people - I know everyone is eager, but the people  
7 who are standing here and sitting here in the  
8 middle like this, you have to - the press,  
9 obviously we have to have them stay, but there  
10 are some other people who are just sitting on the  
11 floor, if they can just - and some people  
12 standing in the back. If someone would be  
13 courageous enough to take that first step to  
14 leave others will follow, but we have to or  
15 they'll shut the hearing down.

16 ASSEMBLYMAN BRENNAN: There's another  
17 room where you can hear the proceedings.

18 CHAIRWOMAN NOLAN: It's right across the  
19 hall. I really have to ask the people standing.

20 I apologize.

21 One of the things that we're going to do  
22 at some point is ask people who have seats if  
23 they would rotate out and let others, but I would  
24 have to ask the people standing in the back,  
25 please, believe me, this is not our choice, but

2 we did make it clear to people, and we will say  
3 it again, we have three other hearings scheduled,  
4 the rooms for those hearings are much larger.

5 I, myself, have a Queens bias, but I  
6 guess a lot of people have that Manhattan thing  
7 going, but Brooklyn is great, and the Bronx will  
8 be too, and Staten Island is wonderful. So we  
9 have room for everybody. I apologize.

10 I know the chancellor has a lot of staff  
11 here, but honest, he's doing a great job without  
12 you, so some of those staff people can - and if  
13 he needs you you'll come, so just please - again,  
14 I'm asking but nobody is moving. Some of the  
15 people on the side please go to the other room.

16 Press people have to stay, I know that.  
17 I think it's moving. Again, people standing in  
18 the middle, I have to ask you - if you're not a  
19 member of the press, I ask you please - this is  
20 not my decision, but I have to cooperate with the  
21 building management.

22 Assemblyman O'Donnell. Thank you.

23 ASSEMBLYMAN O'DONNELL: Thank you very  
24 much, Mr. Klein. I'm going to try to be brief.  
25 I've two different areas I would like to discuss.

2 The first one has to do with your  
3 accountability. You said that you are  
4 accountable.

5 So recently there was a discussion about  
6 lack of resources and what has to happen and you  
7 suggested that thousands of educators may need to  
8 be fired. So if you were a parent - Shakespeare  
9 was very famous for a line that said, "The first  
10 thing we'd do is kill all the lawyers." As a  
11 lawyer, I'm kind of against that, but if you were  
12 a parent who felt that, rather than starting with  
13 firing educators, you should perhaps start with  
14 by firing the lawyers who work for you. If you  
15 thought that, how does that parent hold you  
16 accountable for that decision under this current  
17 structure?

18 And in the reality of where I represent,  
19 there was recently a very controversial fight  
20 about moving the school, and I don't want to get  
21 into the merits of whether it was the right or  
22 wrong decision, but in the end, if a parent felt  
23 that you, and Tweed made the wrong decision, how  
24 in this system do they hold you accountable?

25 CHANCELLOR KLEIN: They hold me



1       accountable in several different ways if they  
2       think that I've made a wrong decision; one, by  
3       expressing that, which I hear all the time,  
4       community meetings and in other places; and, two,  
5       by deciding when they cast their votes which way  
6       to vote; and, three, by whatever actions that  
7       they induce this body, which has taken actions  
8       vis-à-vis me me, they've taken actions in the  
9       City Council, so there's a whole host of people  
10      who are heavily involved, but it is no different,  
11      for example, if they say that we should build a  
12      building here and not build a building there, or  
13      that you ought to deploy your police troops one  
14      way or another. In the end though, it's all  
15      transparent, and both the legislature, the City  
16      Council, the public advocate and all of these  
17      people, and believe me they have held us  
18      accountable in lots of different ways, I assure  
19      you of that, and if anybody runs, they have to  
20      run on their record.

22                    ASSEMBLYMAN O'DONNELL: Under the  
23      previous system, we had elections for local  
24      school board members - and I can just tell you  
25      when I get a fairway, people walk up to me and

1 say, aren't you O'Donnell, and there's a traffic  
2 light, and that happens to me, happens to all the  
3 people on this panel. I would imagine that it  
4 may happen to you when you go places, but it used  
5 to be there were local school board members who  
6 had that happen to them, I don't like the way  
7 somebody - something is happening in schools, or  
8 a variety of different people who had  
9 responsibility for who the chancellor was vote on  
10 a board, for example, the former education system  
11 had, borough presidents had that role.

13 It seems to me that the only way out, the  
14 only responsibility is to replace the person you  
15 report to and that currently seems to be the only  
16 way for a voter or a parent to express  
17 displeasure at decisions that you make.

18 Again, I don't want to criticize the  
19 decision, that's not where it is. The question  
20 for me is, is there enough opportunity for  
21 parents to actually hold you accountable, and it  
22 seems to be that what your answer is, you get to  
23 choose a different mayor. That may or may not  
24 happen, call me Preston, I don't know. With \$100  
25 million, I can probably convince the City of New

2 York that I was thin, so I'm not sure that that's  
3 - when you're educating children, that if parents  
4 really are upset, that the current system really  
5 provides the necessary connection between  
6 decision-making that you make and whether or not  
7 the parents on the ground feel that that is  
8 effectuating the mission that you have.

9 CHAIRWOMAN NOLAN: It's wonderful to  
10 comment and everything, but we really want to try  
11 to - there's no windows in the room, just try to  
12 keep it down.

13 CHANCELLOR KLEIN: I think the citizens  
14 of this city and, indeed, I think I said this in  
15 my opening remarks, the mayor is responsible for  
16 the safety of the city, for the health of this  
17 city, and the economic well-being of this city,  
18 and I submit should be responsible for the  
19 education because these are citywide primary  
20 goals. Just as all the commissioners are held  
21 accountable by the mayor, and I assure you that I  
22 am held accountable by the mayor, I don't think  
23 that there's any difference.

24 Under the discussions you talked about  
25 where you had a divided authority, chancellors

2 served in this job for two or three years.

3 Indeed the thing was highly politicized. Before  
4 I got here, in some 60 years, it was something  
5 like 30 different chancellors, and I don't think  
6 that's right for the kids or right for the city.

7 We wouldn't do that with police commissioners,  
8 we wouldn't do it with fire commissioners, and we  
9 shouldn't do it with school chancellors.

10 Second of all, and my colleague to my  
11 left wants to say something, I'm sure on this,  
12 but I remember when we had local community  
13 control in school boards, and I remember when  
14 Dennis Walcott had to be appointed fundamentally  
15 as a receiver for what went on in that system.

16 Our system isn't perfect, but you don't  
17 see the kinds of things that you saw back then.

18 ASSEMBLYMAN O'DONNELL: Mr. Klein, I  
19 don't believe that it's very likely - and I've  
20 never really heard anyone really come forward and  
21 say we should revert to the previous system, I'm  
22 just trying to address your testimony that says  
23 that you believe that you're accountable, when it  
24 seems that the only accountability there is, that  
25 you have, is to the mayor, and the mayor is only

2 accountable to the voters. That's one line,  
3 which I'm glad there is that line.

4 And whether or not I or a parent thinks  
5 you're the best chancellor ever, or the worst  
6 chancellor ever, there needs to be some mechanism  
7 for them to do that, and I wonder whether or not  
8 only having one mind is a sufficient mechanism to  
9 address whatever their concerns are.

10 MR. WALCOTT: Assembly Member, I would  
11 like to interject just for a second I think  
12 what the chancellor also indicated though, both  
13 through the community engagement process, through  
14 community meetings, going through the local CECs,  
15 dealing with the panel, as well as dealing with  
16 City Hall, there's a level of accountability  
17 built into the chancellor, and then in addition  
18 to that I think the best accountability is in  
19 results, and if the chancellor is not doing a  
20 good job and the results were poor for our  
21 children, then the ultimate accountability is  
22 that our children have failed and then we have  
23 failed.

24 ASSEMBLYMAN O'DONNELL: And if a parent  
25 felt that way, right, but the mayor didn't feel

1 that way, then that parent has no place or  
2 anywhere to go, and so let me get to the numbers.

3 I live in the shadow of Columbia  
4 University, so the manipulation of statistics is  
5 an art form, okay? And what - there are a lot of  
6 - I do not want you to take what I am asking to  
7 suggest that I don't believe that there have been  
8 improvements, and Mr. Walcott came to the hearing  
9 in Queens which I attended as well, and we had a  
10 long conversation about bad communication and  
11 lack of notice to communities and even to elected  
12 officials. I don't even want to do that because  
13 I know that the entourage that you have is trying  
14 really hard to improve that, and I respect that,  
15 and that's great.

16 The question for this hearing though is  
17 whether or not the system that we set up before I  
18 was elected, I might add, is sufficient and  
19 whether or not it needs to be modified or changed  
20 in any way, so the question that I would have for  
21 you is, having had this job for oh, so many  
22 years, and believing that you do the job very  
23 well, which I'm clearly hearing you say that you  
24 do, what should be changed about the way the  
25

2 current system is set up, and what do you think  
3 we should do in order to make sure that parents  
4 feel more empowered and more - and feel that they  
5 have a greater role and voice in what happens in  
6 the education of their children?

7 CHANCELLOR KLEIN: Let me respond to - I  
8 want to go back to your original point and then  
9 answer your question if I can. What you're  
10 talking about is representative democracy. I  
11 think that we should understand that the state  
12 commissioner serves at the pleasure of the  
13 regions. The secretary of education, appointed  
14 by President Obama, serves at the pleasure of the  
15 President of the United States. The police  
16 commissioner, the fire commissioner, all of those  
17 people - we don't have referendums, and I would  
18 suggest to you, with all respect, it's not a good  
19 thing to do because you want your people to take  
20 some kind of controversial decisions.

21 If, in fact, every time you make a  
22 decision, people have the ability to either  
23 overrule you or terminate your job, and you're  
24 not going to get the leaders you want.

25 The area where I think is the most

1 fruitful, and I heard what you said and trust me,  
2 I heard the chairwoman has said, I think we need,  
3 and I'm happy to engage process, find ways to get  
4 information to parents in a better and more  
5 effective and more efficient way, to make sure  
6 they have forums for input. I want to hear what  
7 they have to say and I will say that at times  
8 things happen in ways where we didn't get the  
9 input.  
10

11 And, lastly, there has got to be better  
12 ways for people to work through the system. It's  
13 a complicated system, whether it's gifted and  
14 talented, whether it's high school admissions,  
15 there has to be better ways, but I don't think  
16 that we should have a different set of rules for  
17 the mayor when it comes to education, then when  
18 it comes to health, safety or the financial well-  
19 being of this city, and that's what I think is  
20 the core issue.

21 ASSEMBLYMAN O'DONNELL: Thank you very  
22 much. I didn't hear any specific recommendation  
23 in how we might want to change that, I will leave  
24 this to my colleagues. I just want to say that  
25 it's a pleasure to finally, actually, have the



2 chance to interact with you. I've been elected  
3 now for seven years, it's a pleasure to have you  
4 here.

5 Thank you very much.

6 CHAIRWOMAN NOLAN: Mr. Brennan.

7 ASSEMBLYMAN BRENNAN: Mr. Chancellor,  
8 the current structure of the panel on educational  
9 policies which legally Board of Education is 8-5,  
10 there's eight appointees of the mayor and then  
11 the five borough presidents appoint a person  
12 each; is that correct?

13 CHANCELLOR KLEIN: That's correct.

14 ASSEMBLYMAN BRENNAN: When this current  
15 panel, this board, no longer has a vote on  
16 contracts the way that the old Board of Education  
17 did prior to the mayoral control law; is that  
18 correct?

19 CHANCELLOR KLEIN: Generally speaking,  
20 that's correct, yes.

21 ASSEMBLYMAN BRENNAN: So if somebody  
22 disagrees with a policy that you have initiated  
23 and they have been appointed by the borough  
24 president, it doesn't - they can't outvote you -  
25 outvote your decision and stop you from

2 implementing that policy, true?

3 CHANCELLOR KLEIN: If the members of the  
4 panel join them, sure, they can, but by  
5 themselves -

6 ASSEMBLYMAN BRENNAN: The other members  
7 of the panel are appointed by the mayor?

8 CHANCELLOR KLEIN: Yes.

9 ASSEMBLYMAN BRENNAN: And you are the  
10 chancellor and you are appointed by the mayor.  
11 So there is no possibility that someone  
12 questioning a policy or a contract that you are  
13 initiating could prevent that from happening no  
14 matter what concerns they might have about it, as  
15 long as the group that is appointed by the mayor  
16 stands with whatever decision you have made and  
17 that is the way that it goes, that's the way it  
18 works, right?

19 CHANCELLOR KLEIN: Yes, generally  
20 speaking.

21 ASSEMBLYMAN BRENNAN: So we don't have a  
22 democracy so to speak in the board because one  
23 person get to basically control every decision of  
24 the current Panel on Educational Policy, unless  
25 the panel that is appointed by the mayor doesn't

2 agree with you, has that ever happened?

3 CHANCELLOR KLEIN: There have been times  
4 when the panel didn't agree with me, yes.

5 ASSEMBLYMAN BRENNAN: Right, the one  
6 time.

7 CHANCELLOR KLEIN: No, no.

8 ASSEMBLYMAN BRENNAN: There's been  
9 others?

10 CHAIRWOMAN NOLAN: I have to ask again  
11 for people, I know it's hard, because everybody  
12 has an opinion, just let them answer, and I have  
13 to say again, I see some witnesses on the side, I  
14 see Mr. Logan, Veronica Montgomery-Costa,  
15 obviously if you're a witness, please stay, but I  
16 really have to ask people again, some people  
17 standing in the back and sitting to please join  
18 us in the overflow room. We're going to move as  
19 quickly as we can.

20 Some of the staff people and others if  
21 there is someone who would offer their seat to  
22 someone on the side who is not actually speaking  
23 as a witness, that would be great too.

24 Thank you, Jim, I apologize.

25 CHANCELLOR KLEIN: First of all, there

2 are a variety of mechanisms, but let me say what  
3 I mean by this. You kept saying that the mayor  
4 does have control, and that's generally what  
5 mayoral control is all about, and that's why he's  
6 accountable.

7 It is no different from these other  
8 functions in our city. There's still of course  
9 oversight by this committee, this committee had  
10 enormous impact on the Contract for Excellence,  
11 and -

12 ASSEMBLYMAN BRENNAN: The reason I'm  
13 asking these questions is because you have  
14 indicated that there would be some sort of  
15 cataclysm in relation to the results of the  
16 school system if there was some alternative  
17 structure. I'm just kind of concerned about  
18 that. I mean, what is the problem - let's say we  
19 allow for the public advocate and the comptroller  
20 to make appointments to the panel, so it would  
21 become 8-7.

22 Do you foresee some major cataclysm if  
23 you have to persuade two additional people of the  
24 wisdom of a particular policy?

25 CHANCELLOR KLEIN: Not if the mayor has

2 a majority, no.

3 CHAIRWOMAN NOLAN: Again, I, really,  
4 please -

5 ASSEMBLYMAN BRENNAN: It's all right,  
6 Cathy, thank you.

7 So if there were three and it was a tie,  
8 would that be a major problem?

9 CHANCELLOR KLEIN: It would if you  
10 couldn't get things done. Here's the whole point  
11 of it -

12 ASSEMBLYMAN BRENNAN: I understand the  
13 point. But would it be cataclysmic?

14 CHANCELLOR KLEIN: I think it would be  
15 in the -

16 ASSEMBLYMAN BRENNAN: Would it be a  
17 disaster?

18 CHANCELLOR KLEIN: Well, we know what  
19 happened before. You see, the reason the  
20 assembly and the senate came together last time  
21 was it was a cataclysm, and our kids suffered if  
22 you don't have bold and strong leadership. If  
23 you say to a mayor, you can't adopt your  
24 policies, let's just say the mayor's real  
25 priority is to invest heavily in increasing

2 teacher's salaries like Michael Bloomberg did.  
3 He's put in 43 percent. You can say - reasonable  
4 people can say, he shouldn't have spent the 43  
5 percent on teacher's salaries, he should have  
6 spent it on hiring more teachers, he should have  
7 spent it on after school. Those are all  
8 reasonable discussions. But if the panel can  
9 overrule the mayor on those decisions, you no  
10 longer have an accountable authority system  
11 because the mayor's decisions, just as if -  
12 suppose the panel said to him -

13 ASSEMBLYMAN BRENNAN: If we're going to  
14 do nothing but increase - whatever money becomes  
15 available, if we're going to do nothing but  
16 increase teacher compensation, if somebody else  
17 says, no, we should hire more teachers, we think  
18 that's a better use of funds, or perhaps even a  
19 portion of the funds, it would be unacceptable  
20 for some additional people to be persuaded that  
21 that was the correct approach?

22 CHANCELLOR KLEIN: I think that's the  
23 role, quite frankly, of the assembly and the  
24 senate. I think they do those things, and it's  
25 happened, the City Council, these are all people

2 who affect our budget. What I'm saying is, just  
3 like in any other city service, we shouldn't have  
4 an entirely independent second level, but you and  
5 others have voted to say that these are the  
6 priorities under the Contract for Excellence, and  
7 I respect that, and we work according to those  
8 priorities with SED, and that's exactly the  
9 system works, but by the same token, we'd have  
10 the same issues, the mayor meets with the council  
11 on our budget, but we don't have an independent  
12 panel that decides, for example, if the mayor is  
13 for eliminating smoking, we don't have an  
14 independent panel that says that that's no good.

15 I think that's the right model, I think,  
16 I don't suggest for a moment that they're not  
17 going to be meaningful checks and balances,  
18 that's the role of the state assembly, state  
19 senate, and the City Council, oversight, we've  
20 had lots of oversight.

21 ASSEMBLYMAN BRENNAN: But there can be  
22 no internal checks and balances, if a legislative  
23 body appropriates some extra money, you and your  
24 staff, without the ability of anybody on that  
25 panel, to get persuaded that their votes count,

2 you make the decisions about how that money will  
3 be spent pursuant to law, obviously, but there  
4 could be no possibility that a decision made by  
5 you as to exactly how that money would be spent  
6 could be - that a group of people could say, no,  
7 that's not the right way to do it?

8 CHANCELLOR KLEIN: I think it would be  
9 bad policy. I understand what you're saying, but  
10 I think it would be terribly bad policy, and  
11 indeed I think that was the wisdom of what  
12 happened in 2002. Indeed, that's why you see  
13 cities throughout the country, whether it's in  
14 DC, or Los Angeles, people moving in this  
15 direction because you need - I don't think that  
16 any of us doubt, whoever the mayor is, whoever  
17 the chancellor is, we need stability and we need  
18 bold leadership. Our kids are going to require  
19 that, what's going on globally.

20 So, for example, they're now sitting in  
21 Washington deciding how to spend massive amounts  
22 of money in a stimulus package for education.  
23 After the congress comes together with the  
24 administration and they pass a bill, that money  
25 will be administered by the Department of



2 Education pursuant to the law, and we won't have  
3 a whole bunch of sub-groups and hearings deciding  
4 that, and I think that's probably because we want  
5 to allow our government to manage and then hold  
6 it accountable.

7 If we all try to do things by plebiscite  
8 and hearings, then we're not going to be able to  
9 - we're going to stymie the process. I think in  
10 education, that's going to be required. Because  
11 if the mayor can't prioritize, and take the one  
12 that caused the most enormous amount of focus was  
13 on social promotion and that was one, again, I'm  
14 not saying reasonable people couldn't disagree  
15 about that, but in the end that was a core  
16 mayoral initiative, a little hard to say to him,  
17 well, you're accountable, but your core  
18 initiatives can be overruled by an eight to seven  
19 vote.

20 MR. WALCOTT: And just to pick up on  
21 that, there was a process, Assemblyman, that took  
22 place with the panel itself to make that policy  
23 even better and there was a back and forth and,  
24 yes, we did terminate two people, and one other  
25 person left as well, but in the process, we had a

2 healthy discussion within the panel and City Hall  
3 on how to make that better, and as a result of  
4 that dialogue and that dynamic, I think that we  
5 put even a healthier process in place for the  
6 policy of social promotion.

7 So there is that dynamic and that  
8 discussion that takes place at the panel level to  
9 make a policy even better.

10 ASSEMBLYMAN BRENNAN: Let me ask you to  
11 rate the impact of various aspects of the school  
12 system on school improvement and get a sense of  
13 your opinions as to I guess your self worth.

14 Interaction between teachers and kids in  
15 the classroom, would you consider that to be a  
16 significant aspect of school improvement?

17 CHANCELLOR KLEIN: I think it's the most  
18 critical aspect of school improvement.

19 ASSEMBLYMAN BRENNAN: All right. Pre-K  
20 expansion, what do you think about the impact of  
21 that on school improvement?

22 CHANCELLOR KLEIN: Very important.

23 ASSEMBLYMAN BRENNAN: Isn't it true that  
24 the legislature enacted the Universal Pre-K  
25 Program in 1997?

2 CHANCELLOR KLEIN: Correct.

3 ASSEMBLYMAN BRENNAN: Weren't there many  
4 tens of thousands of children in pre-k programs  
5 prior to the onset of mayoral control or mayoral  
6 reforms that were benefitting from major new  
7 investments long before you showed up on the  
8 scene?

9 MR. WALCOTT: Sure. Yes. We've never  
10 claimed that to be something that's only happened  
11 since 2002.

12 ASSEMBLYMAN BRENNAN: Yes, but you were  
13 saying that any modification to the structure  
14 that you have would be a disaster, but if much of  
15 the improvement that has occurred in the school  
16 system is unrelated to your activities, I cannot  
17 see how, or I cannot foresee how there would be a  
18 cataclysm if there was a modification.

19 CHANCELLOR KLEIN: Go back to the  
20 teacher student interactions. I mean the work we  
21 have done on inquiry teams, the work we have done  
22 on differentiated instruction, the information we  
23 give our teachers now is entirely, entirely  
24 different, and what I would suggest to you is,  
25 the interaction, particularly the differentiation

1 is entirely different.

2  
3 I would suggest to you our accountability  
4 systems. I would suggest to you the mayor's  
5 investment, and again it's a priority he made, a  
6 43 - if you look at 43 percent raise, there's  
7 been studies out that particularly kids in high  
8 poverty areas now have better teachers. If you  
9 look at the mayor's decision to increase the  
10 number of charters and give parents options,  
11 those parents are voting with their feet, there  
12 are 30,000 parents, and another 30,000 on the  
13 waiting list, and when we talk about parental  
14 engagement, I really want to underscore this, it  
15 is multiple levels, and I would be the first to  
16 say that we need to do a better job.

17 But one of the most important things for  
18 a parent to be engaged in is finding a right  
19 school for his or her kid. Opening up 350 which  
20 are in high demand by and large in the city has  
21 been critical. The whole accountability system  
22 to be able to put letter grades and say to  
23 parents, fundamentally, this is what it's all  
24 about, so that if you're unhappy, you know, if  
25 this never existed, think about our surveys,

2 never existed, and, yet, we survey every parent  
3 every year in this city, and other than the  
4 census it's the largest survey. We survey our  
5 teachers in this city, and other than the census,  
6 it's the largest -

7 ASSEMBLYMAN BRENNAN: My point is, that  
8 the cohorts are the children who are benefitting  
9 from pre-k programs, or pre-k expansion early  
10 grade class size reduction, summer school,  
11 professional teacher preparation, there were  
12 major investments in all of these activities  
13 prior to the onset of your reforms, so I think  
14 the cohorts of those children who benefitted from  
15 those programs now, it may be true, and I don't  
16 disagree that you have added value in some way to  
17 the school system, I'm just saying that large  
18 proportions of the improvement that have been  
19 occurring in the school system are unrelated to  
20 your actions.

21 MR. WALCOTT: If I may, for one second,  
22 just picking up on the UPK question as well, what  
23 we've been able to do as a result of mayoral  
24 control is have better coordination and delivery  
25 of services for UPK; before there were two

2 separate systems with the administration -

3 ASSEMBLYMAN BRENNAN: I don't know about  
4 that. One of the major problems I see with the  
5 failure to have a vote on contracts by the board,  
6 that when you transfer pre-k placement to some  
7 private group and then that group bungles the  
8 placement of the children, or - I don't see how  
9 that has assisted the pre-k program, it has  
10 disrupted the pre-k program.

11 MR. WALCOTT: I'm not sure, assemblyman,  
12 what you're referring to, but at the same time  
13 with coordination between the Administration for  
14 Children's Services and the Department of  
15 Education, and mayoral accountability, and  
16 measuring performance, and increasing the numbers  
17 of children who are receiving UPK services, we've  
18 been able to do that.

19 Picking up on your other theme as well,  
20 though, in that we have had many children, and  
21 many children in the poor districts who have not  
22 done well, and who have failed miserably prior to  
23 mayoral control, and as a result of control,  
24 we've been able to increase the performance,  
25 increase the funding to those districts, and the

2 outcomes of those districts as well.

3 ASSEMBLYMAN BRENNAN: I understand once  
4 the kids get to the teacher something good  
5 happens, but if the placement is bungled along  
6 the way, then I think that sometimes somebody  
7 else's oversight in the way the contract was  
8 handled or who got the contract or whether or not  
9 the school system itself should have performed  
10 that function is a legitimate concern.

11 CHANCELLOR KLEIN: I think that is, and  
12 I think what you'll see is we've grown more pre-k  
13 in our schools than they existed before, we have  
14 a space issue.

15 Let me go back, if there's two things  
16 that I think you were saying, both of which are  
17 important; number one, predecessors of mine did  
18 important and good work. These are colleagues I  
19 respect and I give them credit. You build on the  
20 shoulders of what others do. However, if you ask  
21 each one of them, what they would tell you is,  
22 they were running under a dysfunctional  
23 governance system, and we were churning people  
24 through. Indeed, what I think is very sad, Rudy  
25 Crew who is a former chancellor here who did good

2 work, and did good work in Miami, and same kind  
3 of school board, overriding, and eventually that  
4 was the end of him.

5 David Brewer who is a head of the Los  
6 Angeles system, in two and half years he is gone.

7 So I think that the idea that we didn't come  
8 here and all of a sudden have all the great  
9 ideas, what we have is the mayor's ability to  
10 make tough decisions and continuity. When I took  
11 this job, and it's not about me, whoever the next  
12 mayor is, God bless her or him, they should have  
13 a chancellor, just like they have a police  
14 commissioner, fire commissioner, nobody thinks  
15 it's a good idea to change police commissioners  
16 every two years. But that's a system when you  
17 have all the divided authority and everything  
18 gets highly politicized.

19 But let me be clear with you because I  
20 wouldn't want to be misunderstood. Harold Levy,  
21 Rudy Crew, Ray Cortinez, who is now in Los  
22 Angeles, these people did good work, probably my  
23 only concern is that they didn't have the kind of  
24 alignment with the mayor so that they were  
25 bickering with the mayor. They didn't have the



2 ability to get done some of the tough things that  
3 they needed to be done, and they were gone in far  
4 too short of time.

5 MR. WALCOTT: Bickering with the mayor  
6 and the Board of Ed.

7 ASSEMBLYMAN BRENNAN: I think our  
8 chairperson wants us to proceed along. I just  
9 question whether or not there would be a  
10 cataclysm if you have to persuade a few  
11 additional people of the value of your policies.

12 CHANCELLOR KLEIN: Thank you.

13 CHAIRWOMAN NOLAN: Thank you. Mark  
14 Weprin, and then Mike Benedetto, and then Alan  
15 Maisel, and Linda - everybody has a - this is  
16 really the first opportunity that the chancellor  
17 has given us to question him in many many years.

18 I don't think that we've had an assembly hearing  
19 where we've had you in at least four years, so  
20 people have to bear with us, we have a lot of  
21 anxious members.

22 Mark.

23 ASSEMBLYMAN WEPRIN: Thank you,  
24 Chairwoman Nolan. Mr. Chancellor, panel, thank  
25 you for being here. You mentioned, chancellor,

2 in your testimony that your work has not been  
3 without mistakes.

4 What do you think the biggest mistakes  
5 that you made are?

6 CHANCELLOR KLEIN: I said to my wife  
7 this morning, when I say that, I said, probably  
8 Mark Weprin, but somebody is going to ask me. I  
9 think there's probably two or three, I think the  
10 busing thing was probably the biggest mistake we  
11 made.

12 I thought the original reorganization we  
13 didn't provide enough space for suspended  
14 students was a significant mistake. And I think  
15 that the issue - I talked about my testimony,  
16 figuring out better ways to keep people informed  
17 to flow information through the system to make  
18 sure we're getting feedback, to make sure that  
19 things don't come as a surprise, and helping  
20 parents navigate the system. I think those three  
21 things.

22 ASSEMBLYMAN WEPRIN: What was the  
23 thinking between each of the three whole sale  
24 bureaucracy changes that we've had?

25 CHANCELLOR KLEIN: Well, again, I don't

1 know about three, but I think there were two that  
2 I think were major.

3  
4 In the beginning we got here, 32  
5 districts each doing their own thing, math  
6 curriculums and whatever, and they were really  
7 dysfunctional, some worked well, and some worked  
8 catastrophic.

9 First thing, what you want to do when you  
10 transform a system is bring accountability, order  
11 and capacity building. So we put everybody on a  
12 single curriculum. Is that a perfect idea? No,  
13 it's not a perfect idea, but when you have a  
14 system that's dysfunctional, it's a necessary  
15 idea.

16 We moved toward regional structure so  
17 that we cannot get caught up in all the old - so  
18 that district was fine, this district was no  
19 good, and all of those issues. We were trying to  
20 maximize talent. It was quite top down. It was  
21 in order to bring coherence and stability. When  
22 we did that I think we achieved a lot of good  
23 things. We had good people good regional  
24 superintendents and so forth. However, the  
25 system was ready to evolve several years later

1 into a system in which you give much more  
2 discretion. We had a much more sophisticated  
3 accountability system several years later, and  
4 our principals I think were ready for much more  
5 discretion.  
6

7 I think that one of the important things  
8 that we did, and you'll hear from principals on  
9 this, is giving them much more budgetary  
10 discretion, much more programmatic discretion,  
11 only in New York can a principal, if he wants,  
12 pick his own school support organization. We  
13 gave them the dollars and gave them the pick.

14 It's fundamentally in evolution, but  
15 that's not surprising because you want to  
16 stabilize and bring coherence to the system and  
17 then evolve it and that's what we have done. I  
18 would hope in years to come that we would  
19 continue to make further changes in the system.

20 ASSEMBLYMAN WEPRIN: Also in your  
21 testimony you mentioned how many parents in the  
22 old system knew how to navigate the system, while  
23 some didn't. What I'm afraid of what we created  
24 now is that nobody knows how to navigate the  
25 system and they feel a very big disconnect.

1           Let me - not to be rude, but let me just  
2  
3 say, what I think the biggest mistake has been  
4 really has been the massive reorganizations and  
5 the fact that I'm not going to quibble and I have  
6 quibbled on a lot of different things, but the  
7 idea of anything that you've done, you can keep  
8 everything in place, except the law when it was  
9 passed was very specific to have 32  
10 superintendents in 32 districts.

11           And I know technically you do still have  
12 32 superintendents and 32 districts, that wasn't  
13 done to create fiefdoms, that wasn't done to -  
14 that was done very intentionally, and we had  
15 conferences on it, and everyone was very  
16 satisfied with the family of their school  
17 district.

18           Now, if you want to give principals -  
19 give local schools power, that's great, but they  
20 need to have that family of a school district to  
21 be the nerve center for them to do work. You say  
22 that it's great that principals now have  
23 discretion and that when I hear from principals  
24 and I hear from a lot of principals and the  
25 problem that I hear most often is the fact that

2 dropped in their lap, I know they're supposed to  
3 be the CO's of their building, but I don't know  
4 many CO's who are responsible for designing the  
5 budget themselves, for doing recycling plans,  
6 measuring classrooms, for reading through a 25 to  
7 30 page Principal's Weekly which they get with  
8 mandates, they spend most of their time, and this  
9 is the principals that I speak to, and maybe it's  
10 not all, but downloading documents and being told  
11 what's changed this week from last.

12 And I think you could have made it so  
13 much easier, and I never understood this part of  
14 it, so I would like you to try to explain it to  
15 me, I always felt like you bit off more than you  
16 can chew when you didn't have to.

17 We had these school districts in place,  
18 and there could be budget people at this district  
19 level, all accountable to the mayor, all  
20 accountable to the chancellor, principals - they  
21 don't have to sit there and design a budget and  
22 decide should I keep this art teacher or should I  
23 get rid of this art teacher?

24 I don't understand. I feel like you've  
25 made it a moving target which makes it harder for

1 us to really look at what's going on instead of  
2 just leaving the system in place which wasn't -  
3 I'm not talking about school boards, I'm not  
4 talking about fiefdoms, I'm just talking about a  
5 structure where people have a family that's a  
6 school district.  
7

8 I mentioned this to the deputy mayor last  
9 week, I think you've created 1,500 orphans, and  
10 these principals don't know what to do with this  
11 power if they're not given the support staff.

12 CHAIRWOMAN NOLAN: Now you know why  
13 we've put him on the committee, maybe you can  
14 respond. Thank you, Mark.

15 CHANCELLOR KLEIN: I am happy to respond  
16 to it. First of all, in every school has a  
17 budget expert in the field that's available to  
18 them, every single one of them; however, most  
19 principals that I've talked to, and, I don't  
20 know, maybe we're talking to different people,  
21 they would much rather decide whether to have an  
22 extended day program, to hire an additional art  
23 teacher, those are all budgetary discretions. If  
24 I were a principal, I would insist on having,  
25 because I don't know how you run your building if

2 someone on the outside is telling you how to do  
3 it.

4 ASSEMBLYMAN WEPRIN: I'm not disagreeing  
5 that a principal should have that decision-making  
6 power, I'm just looking for them to have the  
7 support to help them make that decision.

8 CHANCELLOR KLEIN: Everybody has that  
9 support. Our systems are so much more  
10 sophisticated now than when we started. Let me  
11 go back to the whole issue of community. Again,  
12 what worries me about that notion was what I  
13 experienced when I got here which was that some  
14 school districts function well, other school  
15 districts function very very poorly. I remember,  
16 there was a lot of concern in a lot of school  
17 districts when we had to, under federal law,  
18 start to move children under No Child Left  
19 Behind. I remember discussions we had about  
20 that.

21 My commitment then was and still is my  
22 commitment, that every school has to be a school  
23 I would send my own children to, and whether it's  
24 in central Brooklyn, Northern Manhattan, Eastern  
25 Queens, and too often, frankly, the quality



2 education which correlated with zip codes in the  
3 city, and I think that we had to tackle that. I  
4 think we had to tackle that, honestly, and that's  
5 what's worried me a lot from the time I took this  
6 job. There's still too many schools, that too  
7 many people I know would say, that's okay for  
8 somebody else's kid and not for mine, and I think  
9 we've got to be honest about that. I really do.

10 ASSEMBLYMAN WEPRIN: Schools are still  
11 having feeder patterns, there are still school  
12 districts, as far as zoning goes, for the most  
13 part. So the students are the same, it's just  
14 how it's being administered have changed.

15 CHANCELLOR KLEIN: We've opened up 300  
16 new schools. You say parents have a hard time  
17 navigating this thing, but, you know, if you look  
18 at the number of kids who get their first choice  
19 in high school in New York City, it's  
20 astonishing. I mean, the number, five choices,  
21 it's astonishing.

22 ASSEMBLYMAN WEPRIN: Different issue and  
23 the school districts didn't cover those high  
24 schools at the time, and I know that you expanded  
25 them into regions and its clusters that's

2 different.

3 Let me just say, and I know Cathy has a  
4 lot of people to really ask questions, so I want  
5 to - this is the biggest point for me, the  
6 biggest mistake that I think was made and the  
7 biggest issue, forget about school testing for  
8 now, we've gone through that, you and I, on  
9 numerous occasions I think that's been a poor  
10 policy choice, but I know that you have control.

11 These school districts were there - were  
12 put in the law for a purpose, and I believe  
13 you're violating the law. I don't want to - to  
14 paraphrase George W. Bush, "fool me once, shame  
15 on you, fool me twice - well, we ain't gonna get  
16 fooled again. I feel like this is what was set  
17 up. This was the system. 32 school districts,  
18 32 superintendents, because that's where people  
19 feel like they are connected. That's where  
20 principals are connected, that's where people are  
21 connected.

22 I really think that you've hurt the  
23 system by centralizing everything and then mixing  
24 it up three different times.

25 CHANCELLOR KLEIN: I appreciate your

2 comments.

3 CHAIRWOMAN NOLAN: Thank you,  
4 Assemblyman Weprin, for your comments.

5 Assemblyman Benedetto.

6 ASSEMBLYMAN BENEDETTO: Thank you,  
7 Chairman Nolan. Chancellor, thank you very much  
8 for being here today. I have a quick question  
9 for you and then a question for the deputy  
10 chancellor.

11 Just a clarification on the statistic  
12 that you have here, very commendable statistic,  
13 the pupil spending up from \$9,700 to \$15,100.  
14 The \$15,100 is that exclusive of special  
15 education?

16 CHANCELLOR KLEIN: No.

17 ASSEMBLYMAN BENEDETTO: So special  
18 education students spending is included in that  
19 number?

20 CHANCELLOR KLEIN: In both parts, in the  
21 original number and in the second number.

22 ASSEMBLYMAN BENEDETTO: Really? Okay.  
23 Do you know offhand what the pupil spending for  
24 special education is?

25 CHANCELLOR KLEIN: I can give you a

2 number, but it's somewhere in the \$22,000 range,  
3 but I can get you the number, I shouldn't guess  
4 at it.

5 ASSEMBLYMAN BENEDETTO: Thank you. I  
6 would appreciate that.

7 Deputy chancellor, on the whole School  
8 Construction Authority, the overall plan that you  
9 have for building new schools, is there also a  
10 plan for upgrading old schools, in particular,  
11 electrical wiring, with all the new technologies  
12 in place, computer labs, learning boards for the  
13 classrooms, and I'm just getting personal here,  
14 in my own district, the old school for my  
15 children, PS 14 in District 8, they're hampered  
16 with the electrical output in their classrooms.  
17 They can't have learning boards in their  
18 classroom because the electrical there won't take  
19 it. Is there a plan in place to help these  
20 schools to bring them into the 21<sup>st</sup> Century?

21 MS. GRIMM: Yes, there is. Like all  
22 other plans, however, our resources are limited.

23 It's one of the situations that often gets  
24 addressed by the CECs because parents are so  
25 concerned. We do have resources that we are

2 dedicating to upgrading wiring systems. It's  
3 just a - there are a lot of systems that need  
4 that upgrade, and we won't reach all of them  
5 right away.

6 ASSEMBLYMAN BENEDETTO: Thank you.

7 CHAIRWOMAN NOLAN: Assemblyman Maisel.

8 ASSEMBLYMAN MAISEL: Thank you much,  
9 Madam Chairman. I am very very much concerned  
10 about this idea of accountability and  
11 participation.

12 I speak to a lot of parents also and I've  
13 been involved in the school system for a very  
14 long time, and I have never lost my interest in  
15 the school system.

16 The parent who deal with the school  
17 system on a daily basis I don't think are the  
18 parents you're polling. If you don't have a  
19 situation where you need to get in touch with  
20 anybody, everything is fine.

21 But when you're a parent who is involved  
22 in the leadership position, like the education  
23 council or parent association leadership or that  
24 nature, and you do deal with the bureaucracy, I  
25 think you get a different poll result.

2 I served as a member of the education  
3 council District 22 for six months and I resigned  
4 because I thought it was a lot of hogwash. The  
5 education councils are nothing more than a  
6 vehicle for you to say we have parent  
7 participation. But the education councils have  
8 no authority, they have no power, they can't do  
9 anything. If a parent comes to an education  
10 council with a complaint or a problem, they can't  
11 solve that problem. So there's a fiction that  
12 the education council somehow ever serves in some  
13 capacity to meet the needs of the parents, they  
14 don't.

15 So I would like to know how you think the  
16 education councils can be improved to give the  
17 parents who are involved some real measure of  
18 responsibility, so they actually think that  
19 they're part of things.

20 CHANCELLOR KLEIN: Well, several things.

21 If you're talking about specific parent concerns  
22 and so forth, I think that we've put in a variety  
23 of mechanisms, and I've said in my testimony, I  
24 think that the scenario we need to do a better  
25 job for parents to get resolution.

2 I'm not sure that's the right area for a  
3 community education council. These are not  
4 people who can day to day be dealing with  
5 individual parent problems in a system, that's  
6 something that parent coordinators, district  
7 family advocates, but I do think, and I'm happy  
8 to hear your views and others, we need to do a  
9 better job. Now, on the CECs -

10 ASSEMBLYMAN MAISEL: Can you explain how  
11 that would be done?

12 CHANCELLOR KLEIN: Well, for example, we  
13 need to make sure that parents know that there is  
14 a point of contact that they can get the answers  
15 from the people so that if they don't get it  
16 resolved at the school - remember, we're the ones  
17 who put in all the parent coordinators in the  
18 schools, and when you said, if everything is  
19 fine, those parents are happy, well, that's  
20 basically a good thing, I think, but I'll be the  
21 first to admit they'll be some problems.

22 What I don't think is clear enough right  
23 now is how we make sure how we make sure those  
24 problems get resolved. I wouldn't propose that  
25 you do it through the CEC, I wouldn't propose we

2 do it through some mechanism in the  
3 superintendent's office. So that's what I -

4 ASSEMBLYMAN MAISEL: So what is the role  
5 of the CDECs?

6 CHANCELLOR KLEIN: It's interesting what  
7 you say because I actually think in Manhattan  
8 we've had two really important events with the  
9 CECs. We worked with the CEC in the District 3,  
10 and the elected officials, and we came up with a  
11 major rezoning there. It was contentious but it  
12 was really a big step forward. We're doing the  
13 same kinds of things now in District 2. Second  
14 role of the CEC is - and Kathleen Grimm and  
15 Sharon meet with them all the time to prioritize  
16 which new buildings they think are appropriate in  
17 their communities, I think that's important.

18 Third thing, I meet with the CEC  
19 presidents myself and we go through policy issues  
20 that they tee up and make their views known on.

21 So I think there's a lot of roles, I  
22 don't think it's solving the individual problem  
23 is the right role for them.

24 ASSEMBLYMAN MAISEL: I'm actually  
25 speechless. The education councils were supposed



2 to be, I believe, a more interactive group. They  
3 weren't supposed to be there to be cheerleaders,  
4 and I think that was the way it is evolved. If  
5 you go to an education council meeting, if you go  
6 there in disguise and go to an education council  
7 meeting, nobody shows up. You have parent  
8 coordinators show up, very very few parents show  
9 up.

10 The reason why they don't show up is  
11 because they don't feel that the education  
12 councils have authority to do anything. So you  
13 have this group of people who are trying very  
14 very hard to make a difference, but the  
15 presidents of the councils that you meet with, I  
16 have spoken to the ones in my district, and they  
17 don't feel that those meetings are worth  
18 anything, because they don't think that you  
19 listen to them.

20 So if you didn't have the education  
21 councils you would have to have them so you can  
22 say, well, we have them, but you're not doing  
23 anything with them.

24 For example, right now, they have a very  
25 very minor insignificant role in the theme of a

2 superintendent or a principal. Would you object,  
3 for example, if the education councils had the  
4 opportunity to interview candidates for principal  
5 and superintendent maybe for assistant principal,  
6 and then pass on those recommendations to you so  
7 that you could make the choice as to who becomes  
8 the principal or the superintendent based on  
9 their recommendations?

10 CHANCELLOR KLEIN: I would be happy to  
11 have their recommendations. I think on the  
12 principal, we have a whole C30 process, but I  
13 think ultimately, I should be the person - I  
14 would be happy to have their recommendation -

15 ASSEMBLYMAN MAISEL: Well, nobody said  
16 that the parent should choose, the question is  
17 whether or not that you should limit your choices  
18 to the parents' recommendations?

19 CHANCELLOR KLEIN: No, I think - at  
20 least if it were up to me, I think I should  
21 always have a fiduciary duty to appoint somebody  
22 that -

23 ASSEMBLYMAN MAISEL: Nobody would take  
24 away from you, but would you agree that if the  
25 parents were able to interview candidates, and

1 then make recommendations to you, that you would  
2 then make your choices from those  
3 recommendations?  
4

5 CHANCELLOR KLEIN: I guess what I'm  
6 trying to figure out - are you asking me, suppose  
7 they -

8 ASSEMBLYMAN MAISEL: That's part of the  
9 plan. It used to be under the old -

10 CHANCELLOR KLEIN: It's still the school  
11 - they make their recommendation -

12 ASSEMBLYMAN MAISEL: But their  
13 recommendations are meaningless because you can  
14 do anything you want. It becomes meaningful when  
15 their choices for the position are the choices  
16 that you have to pick from.

17 In other words, they would make five  
18 recommendations or 10 recommendations, and this  
19 is a panel of people that they've chosen, and  
20 think they would represent their schools, or  
21 their district, and you would pick from that  
22 group, and that would make their role meaningful.

23 CHANCELLOR KLEIN: If you want my view,  
24 I welcome their input, but I don't think that I  
25 should pick from any list. I think I have to be

2 able to pick a principal that I think is the best  
3 for -

4 ASSEMBLYMAN MAISEL: So it doesn't  
5 matter whether they interview or not because  
6 you're going to do what you want anyway?

7 CHANCELLOR KLEIN: No, no. That's not  
8 right. With all due respect, that's not right.  
9 It matters to me, but just as if you hire your  
10 staff for you, you might ask other people for  
11 their opinions, or if you were to hire committee  
12 people, but you, in the end, because you're  
13 accountable, you make the decision, and I think  
14 in the end, if I'm accountable for the schools,  
15 then in the end, I should be able to pick.

16 ASSEMBLYMAN MAISEL: See, chancellor,  
17 the difference in opinion that I have with the  
18 way things have been run, the school system is  
19 not the same as the police department, fire  
20 department, any other city agency because with  
21 the school system, there are the parents of a  
22 million - 1,100,000 children who are  
23 stakeholders, I hate that term, but everybody  
24 uses it - are the stakeholders. Their parents  
25 have a direct role in what goes on with their

2 children and their schools, and they feel left  
3 out.

4 Now, I can understand the police  
5 commissioner making decisions and the fire  
6 commissioner making decisions, and without having  
7 review panels and all that, but when you're  
8 dealing with a school, when you're dealing with  
9 issues involving the local school district, I  
10 think that you need to give the parents more of a  
11 say and more of involvement, otherwise it's a  
12 fraud.

13 CHANCELLOR KLEIN: I agree with you on  
14 involvement. I think -

15 ASSEMBLYMAN MAISEL: Well, what does  
16 involvement mean if - just, oh, come to a  
17 meeting, we'll listen to what you have to say,  
18 and then we're going to do what we want anyway,  
19 so -

20 CHANCELLOR KLEIN: In the end, the  
21 reason I say that is, I've been at this now for  
22 seven years, and I've talked to colleagues in  
23 every city throughout the United States, many of  
24 whom operated under a school board environment  
25 where there was divided authority, and they will

2 tell you, they don't survive, it's hard to do the  
3 big and bold things, and our kids are suffering.

4 ASSEMBLYMAN MAISEL: Giving the parents  
5 more choices is not the same thing as what you're  
6 describing.

7 CHANCELLOR KLEIN: Giving them choices?  
8 Nobody is giving them more choices than I have,  
9 sir. I have created more choices in this city -

10 ASSEMBLYMAN MAISEL: That sounds like  
11 the people from charter schools.

12 CHANCELLOR KLEIN: No, no. Excuse me.  
13 No, no.

14 CHAIRWOMAN NOLAN: Wait, wait, wait. I  
15 want to just say, we've had a lot of comedy - I  
16 really have to ask the people with the posters to  
17 just relax so you're not blocking other people's  
18 views. Let's just have a nice colloquy. I want  
19 to say something to Alan, and I just - is the  
20 governing arrangement fair? Is it rigged for one  
21 group over another? That's a question that I  
22 think Assemblyman Maisel is getting at here, or  
23 is there a lack of involvement by parents that  
24 it's -

25 ASSEMBLYMAN MAISEL: Cathy, just one

2 other -

3 CHAIRWOMAN NOLAN: I want to let you  
4 finish, but I want to say something. I want to  
5 read you a quote. "The general attitude is that  
6 parents are wanted at the school exactly when and  
7 only when the school wants to see them." That  
8 was written over 40 years ago to describe the New  
9 York City public school system, but there are  
10 many many people who think that that is still the  
11 case.

12 You want the parents when you want them,  
13 and you want them where you want them. The issue  
14 that Alan brings up, and I'll let him finish, is  
15 we've had seven years of - we think that we could  
16 do a better job with parental involvement, we  
17 think we could do a better job of parental  
18 engagement, but I cannot begin to tell you the  
19 number of e-mails, calls, letters, witnesses,  
20 that I get that basically says, you want the  
21 parents when you want them, and you want them  
22 where you want them, and you want them to do what  
23 you want them to do, but it's not the same as a  
24 regular city service like fire, police or  
25 transportation, because it's my child.

2 A year in the life of a child can never  
3 be brought back. So then when parents have these  
4 anxieties and concerns and Alan is asking a  
5 question, having been in the system for so many  
6 years, what you have seven years, more resources,  
7 a longer tenure, more authority than anybody,  
8 going all the way back to 1842, and every time we  
9 hear from you guys, you say you could do better  
10 for parents. We need some specifics, is it the  
11 SLTs, is it the CECs, what do we do? It isn't  
12 the same.

13 I can tell you as a parent, I attended  
14 your forum at Thomas Edison with the 3,000 other  
15 parents that was - that wasn't a forum, that was  
16 an event. I went and it was great that you did  
17 it. There was never another one. It was clearly  
18 too big. We were treated - it was a comedy how  
19 we herded up and shepherded in and out, so that's  
20 an example for me of what respect was there for  
21 parents.

22 I recently had my son take the Ulstadt  
23 test for fifth grade. That's not parental  
24 respect, okay, the way we were treated that day.

25 I try not to bring my own personal experiences



2 into the system, because I don't want to get  
3 somebody in trouble, but people were screamed at,  
4 parents were told, you, over there, children over  
5 here. I couldn't believe my eyes. My son look  
6 at me because he knows his mom is outspoken. I  
7 said, Nicholas, mommy is not going to say a word.

8 So I followed the rules of the Department of  
9 Education that day. It was - it was not what I  
10 would assume you say you want, okay?

11 I want to say - one last example, I had  
12 to call my regional office recently. I was hung  
13 up on repeatedly. When I get on the phone, I  
14 don't say, my name is Cathy Nolan and I'm an  
15 assemblywoman, I don't do that. When I get on  
16 the phone, I say, I'm the parent of a fifth  
17 grader and I have a question, hang up. I'll try  
18 again, I'm the parent of a fifth grade, maybe I  
19 have the wrong number. This is not the right  
20 number. Well, I got this off the internet.  
21 Okay.

22 So not everybody is having an ideal  
23 experience, chancellor, and I do have the  
24 fortitude and the knowledge to be able to - and  
25 let me just speak very clear. I'm not suggesting

2 that that didn't happen with the 32 in the old  
3 system because parents didn't vote, the  
4 proportional vote was ridiculous. I was an  
5 enthusiastic supporter of mayoral control, but I  
6 have now had my son in the system, he's a fifth  
7 grader.

8 There's still way way way, way way way  
9 too much of that kind of attitude. I really  
10 don't want someone now from the staff to launch a  
11 witch-hunt into poor 24 or 30 to find out who was  
12 the poor soul that hung up on me. I'm not  
13 interested in that. But it starts at the top.  
14 The respect for parents starts at the top. I can  
15 only tell you that I feel, many many times, I see  
16 it in my school, but I don't always see it in the  
17 system, and there is a suggestion that the system  
18 is rigged in some way, you just never know who  
19 it's rigged for.

20 So I didn't mean to make a speech, and I  
21 didn't mean to interrupt, Alan, but I can't - I'm  
22 trying. Alan, finish up.

23 ASSEMBLYMAN MAISEL: I appreciate that.

24 I just have one other area I just want to get to  
25 and that has to do with the school districts. I

2 just want to follow through like Mark Weprin  
3 said.

4           There was a court decision that said  
5 you're supposed to have community - not community  
6 school districts, they're schools districts,  
7 supposed to be 32 school districts. They're  
8 supposed to have a superintendent for each school  
9 district. However, as I understand it, the 32  
10 superintendents spend about 15 percent of their  
11 time in those districts. They are really not  
12 superintendents. It's a masquerade, it's charade  
13 that basically says, see, we have them, but  
14 you're not following the law because the law says  
15 a superintendent is supposed to superintend.  
16 They don't do that.

17           I don't understand - when Mark was  
18 talking about a family, what he was talking about  
19 - I think, that when you have a problem, you go  
20 to the superintendent, the superintendent has  
21 control over the district. Your superintendents  
22 control nothing. All they do is show up at the  
23 education council meetings, give a report, people  
24 have a complaint or a problem, they really can't  
25 answer or solve the problem because it has to go

2 all the way up somewhere, I have no idea where,  
3 because they don't have the authority to make a  
4 decision.

5 So your plan for mayoral control works  
6 well for you, but it doesn't work well for the  
7 children and the parents who deal with the  
8 system. You need to have superintendents who can  
9 be in charge of their districts so that parents  
10 and others can go to them to have problems  
11 solved, not some bureaucracy that keeps on  
12 changing every couple of years. And we don't  
13 know what the bureaucracy will be if there's  
14 another mayor other than Mayor Bloomberg. I  
15 wonder if you can comment on that.

16 CHANCELLOR KLEIN: Sure. First of all,  
17 I agree with you that we need processes so that  
18 parents can go - and I said that before, as a  
19 definitive place for parents to go. Where I  
20 think we can do more, and I've tried, and we need  
21 help on this is with the SLTs. I think that's an  
22 area where we need parental engagement in the  
23 school leadership team.

24 Second of all, what happened, Chairwoman  
25 Nolan, those experiences are wrong, and let me

2 assure you, my respect for the parents of  
3 children in a school system is at the heart of  
4 the work I do and it's why I get up every day,  
5 because I believe this school system failed too  
6 many of our kids for far too long.

7 I believe that too many kids,  
8 particularly in high poverty neighborhoods, were  
9 not getting prepared. And I also believe that  
10 what parents want passionately and desperately is  
11 to make sure that their kids get a shot at the  
12 education that they need and deserve. That's  
13 never an excuse for anyone being disrespectful.  
14 It's never an excuse for anyone being  
15 unprofessional. And in terms of where I think  
16 there's work to be done both you and the assembly  
17 and myself are talking about, I think that we  
18 need clear lines so that people understand where  
19 to go, and second of all, I think that we can  
20 work at the school leadership team level.

21 ASSEMBLYMAN MAISEL: Would you be  
22 willing to give the superintendents more  
23 authority and more time spent in the district?

24 CHANCELLOR KLEIN: I'm certainly willing  
25 to give the superintendents more time spent in

2 the district. I do believe they have the  
3 authority, but I think time is something that we  
4 need to look at and I'm willing to do that.

5 CHAIRWOMAN NOLAN: Deborah Glick and  
6 then Jonathan Bing, and then going down the line.

7 ASSEMBLYWOMAN GLICK: I will limit my  
8 questions although I have a thousand, because as  
9 people ask questions it generates more thoughts.

10 First of all, just to piggyback on the  
11 CECs, you have empowered them recently, in my  
12 humble opinion, because you have a serious  
13 overcrowding problem and you don't want to riot.

14 So the CECs are now going to take the  
15 heat for rezoning issues so that you can deal  
16 with what has been either behind the curve or  
17 something in noticing that you have these  
18 enormous pockets of school overcrowding, and  
19 parents - and I want to thank the deputy mayor  
20 for being willing to meet with some parents who  
21 were raising issues about overcrowding, but at a  
22 certain point it was like, well, what suggestions  
23 do you have. I mean, I think the parents came  
24 looking for answers not so much - but the did  
25 have a list of potential sites none of which have

1 actually come to fruition.

2  
3 And so these crises that parents feel  
4 deeply and are willing to participate don't have  
5 quite the way to interact until, you know,  
6 something hits the fan and it's a way of buying  
7 them in and sort of putting them - they've become  
8 human shields I guess is what I'm trying to say  
9 for what is a overcrowding problem that now -  
10 now, yes, come along, join us and try and help us  
11 get out of this.

12 I think that the class-size issue, the  
13 legislature when it comes to budgets, and,  
14 frankly, I don't think I have a lot to do with  
15 the city police department budget, the fire  
16 department budget, or the transportation budget,  
17 but we do have a lot to do and say about the  
18 education budget and it consumes an enormous  
19 amount of our time, so that's part of why we're  
20 here saying we've tried to impress upon the  
21 system and through budget concerns that class  
22 size really matters and that we want specific  
23 actions taken and monies and give the money,  
24 earmarked as best we can, which, I must say, was  
25 really not appreciated by the administration for

1 that use. We don't see it being addressed  
2 effectively.  
3

4 It's effective for some places and some  
5 rumors made in a public - I see it's called a  
6 traditional public school for a charter school,  
7 and their class size gets reduced but the  
8 traditional public school doesn't see the same  
9 level of attention. So what are you doing about  
10 class size?

11 MR. WALCOTT: If I may, before the  
12 chancellor talks about the class size just go  
13 into your first point, and I appreciate our  
14 relationship and working on issues in the  
15 district, and I would just respectfully say that  
16 we're not using the CECs as shields, quite  
17 frankly, we're engaged in the very collaborative  
18 process, we have folks who are on staff working  
19 with them and talking about the very difficult  
20 issues that some of you are mentioning around,  
21 overcrowding, and pockets of certain districts,  
22 and we've been working with the CECs and  
23 addressing the issue of zoning and what the lines  
24 mean, and, again, in Assemblyman O'Donnell's  
25 district and working in yours and others, we've



2 tried to have a very robust process and not put  
3 them out there, but having folks -

4 ASSEMBLYWOMAN GLICK: How long has that  
5 been going on?

6 MR. WALCOTT: That's been going on for a  
7 period of time, but I think we've been actively  
8 engaged - we've been actively engaged in that  
9 process for the last year and a half, and that's  
10 good. That's good. We listened to what you had  
11 to say in your particular case, since you raised  
12 it, you made suggestions and our goal is to make  
13 sure we respond to those suggestions and give you  
14 immediate feedback. So we've had a very robust  
15 process.

16 ASSEMBLYWOMAN GLICK: With all due  
17 respect, you indicated it was the last year and a  
18 half, and I would suggest to you that we've been  
19 screaming about class size problems for several  
20 years.

21 MR. WALCOTT: Then we're talking about  
22 two different things I think. Because you raised  
23 the issue around -

24 CHAIRWOMAN NOLAN: The CECs are not  
25 going to resolve the overcrowding, and it's not

2 pockets, it's over 50 percent of the high schools  
3 are overcrowded, so I think that's why the two  
4 get linked, I mean, we can't expect, as people of  
5 good will, with the billions we've put into the  
6 system, at least 51 percent of the high schools.

7 I went to a school on triple session 30 years  
8 ago. They've been overcrowded for 30 years. I  
9 don't fault mayoral control for that. The  
10 question is, what are you doing with it? You  
11 keep answering the CECs, and I don't want to  
12 interrupt Deb the way that I did Alan, but I  
13 think that's not the vehicle. The CECs are not  
14 going to resolve the fact that over 50 percent of  
15 the high schools are overcrowded.

16 MR. WALCOTT: I think, Madam Chair, what  
17 we've laid out is a very aggressive capital  
18 planning process that we've instituted and,  
19 again, the results of that where we've opened up  
20 new seats to the amount of 10,000 new seats this  
21 September, additional 11,890 seats in 2009, and  
22 then 15,000 seats in 2010. So we are definitely  
23 delivering on your commitment and the city's  
24 commitment through the capital plan, and going  
25 back to the early point, also making improvements

2 within the schools as well. We are working very  
3 hard in development and also the implementation  
4 of our capital plan.

5 ASSEMBLYWOMAN GLICK: Partly because  
6 there are many other members and a lot of other  
7 witnesses, and because I'm missing a ways and  
8 means meeting upstairs, I have one other question  
9 and you may not have a specific answer today, but  
10 I would like a real specific answer from  
11 somebody.

12 How many outside consultant contracts  
13 does the DOE have and how much do they cost, and  
14 how are they awarded, and what is their function  
15 and purpose and what metrics do you use to  
16 determine whether or not they are being effective  
17 and meeting the goal that the contract allegedly  
18 has written to - for the function there to  
19 perform?

20 CHANCELLOR KLEIN: I'm happy to get it  
21 to you. We have many many outside contracts,  
22 obviously, and - from people who consult with us  
23 on programmatic issues, to people who consult  
24 with us on construction issues and so forth.

25 I'd be happy to get you the list and show

2 you the criteria and show you what we've done.

3 ASSEMBLYWOMAN GLICK: In response to  
4 Assembly Member Weprin's question about what  
5 mistake do you think you made, I think you said  
6 that the busing contract was one of them, the  
7 arrangements for that, that was an outside -

8 CHANCELLOR KLEIN: It was an outside  
9 consultant, but it was my decision and I made the  
10 mistake and I take the responsibility for it.  
11 That particular contract, which we have shown,  
12 cost about \$17 million lead to savings - the most  
13 conservative estimates, including the one by the  
14 controller, of well over \$100 million on an  
15 ongoing basis, so I would say that was good for  
16 our schools because it lead to real  
17 consolidation.

18 The busing thing was a decision we made,  
19 it was a mistake and I'm responsible for it.

20 ASSEMBLYWOMAN GLICK: I will follow-up  
21 with someone on your staff, and I appreciate the  
22 fact that we have the war room meetings, I'm not  
23 sure that I have a sense that we've moved the  
24 ball very far, but I appreciate the fact that  
25 time and energy is spent by your staff trying to

2 explain why we haven't gotten where we would like  
3 to be.

4 CHANCELLOR KLEIN: We appreciate your  
5 engagement on it, I know that you put a lot of  
6 energy into it, and I hope that it becomes even  
7 more productive.

8 CHAIRWOMAN NOLAN: One of the things  
9 that we would like to ask the board is that when  
10 you provide information or you say you're going  
11 to provide, to please provide to all of us or  
12 provide it to me and we'll make sure the members  
13 get it.

14 ASSEMBLYWOMAN GLICK: And I would just  
15 say that the number one thing that I hear from  
16 parents, not just in my own district, but in my  
17 travels, is that class size is an issue, and that  
18 that is - I would say, if there's a failure, it's  
19 a failure for - of dealing with that issue, but I  
20 don't think that teachers, no matter how much you  
21 pay them, and God bless them, I think they  
22 deserve every penny they get, but I don't think  
23 it matters how much you pay them, if they have 30  
24 kids in a class, they're not going to be as good  
25 a teacher as they could be if they had what we

2 agreed to is the goal for much lower number of  
3 students per classroom.

4 CHAIRWOMAN NOLAN: Jonathan, and then  
5 Linda, and we've been joined by Assemblyman Brian  
6 Kavanagh from Manhattan also.

7 ASSEMBLYMAN BING: Thank you, Madam  
8 Chair, thank you for allowing those of us who are  
9 not members of the committee but represent  
10 districts of Manhattan to participate today, and  
11 for all the time that you spend on this issue.

12 Chancellor, we have had a chance to work  
13 together most recently with the opening of the  
14 new PS-59 temporary site which is in my district,  
15 which is going to stay a school after the kids go  
16 back to PS-59, so we have been able to work  
17 together, and also with Deputy Chancellor Grimm,  
18 thank you for creating the war room with regard  
19 to District 2, and I have a question about that  
20 in a moment, but thank you for recognizing the  
21 fact that the students and some of them are  
22 Glick's district, my district, have a severe  
23 overcrowding problem.

24 Turning to the accountability issue, you  
25 were responsible - you can be hired and fired at

2 the whim of the mayor, is that not correct? Do  
3 you have any doubt that if there was a consensus  
4 in the city or the mayor himself, that if you are  
5 not doing a good job that you would no longer be  
6 the chancellor of the City of New York?

7 CHANCELLOR KLEIN: If the mayor thought  
8 I was not the right person, I would no longer be  
9 the chancellor.

10 ASSEMBLYMAN BING: When I think of  
11 mayoral control, one of the things - the one  
12 thing that I think about is the ability of those  
13 involved with the educational system to work in  
14 tandem with other branches of city government and  
15 the mayor's office, whether it's Mr. Walcott  
16 speaking to his colleagues, deputy mayor, or if  
17 you are speaking to other members of the mayoral  
18 administration.

19 I think over the past few years what -  
20 there has been a tremendous building boom on the  
21 east side of Manhattan, the district that I  
22 represent in terms of new residential  
23 construction.

24 My concern has been, and I think there  
25 has been a lack of focus and understanding on

1 this, is that as building permits were flying out  
2 the door with regard to the east side, where was  
3 the coordination so that somebody was thinking  
4 about, where are all these children of these  
5 families would be going to school when all these  
6 buildings opened up on the east side? Because in  
7 the time that I've been in office, which is six  
8 years, I have five out of seven of my schools are  
9 defined as overcrowded by your numbers, and I  
10 think those of us anecdotally see that there's  
11 even more of an overcrowding problem than by our  
12 account than yours, but with mayoral control, my  
13 hope would be that all of you would be working in  
14 tandem with other branches of government to see  
15 this problem coming down the pike and take an  
16 effort.  
17

18 But now that I've seen in the districts  
19 on the east side and lower Manhattan, the problem  
20 has only gotten worse, and as these building  
21 permits are flying out the door, where were your  
22 - where was your involvement, and is there a  
23 system set up so that you can say, wait a second,  
24 we need to have schools for all these children to  
25 go to.



2 MS. GREENBERGER: I would say that we  
3 have actually, very aggressively, been working  
4 with other city agencies from the Department of  
5 Buildings to Housing, Preservation and  
6 Development, and, most especially, city planning  
7 to track where we are seeing housing development,  
8 and to determine if there are opportunities for  
9 us to engage in school development. If you look  
10 at what's going on in the upper east side in  
11 terms of school development through the ECF  
12 projects, we have one project going up on 91<sup>st</sup>  
13 street -

14 MR. WALCOTT: The Education Construction  
15 Fund.

16 MS. GREENBERGER: The Education  
17 Construction Fund, we have one on 91<sup>st</sup> Street, we  
18 do have the project on 57<sup>th</sup> Street, and those are  
19 both done with developers in anticipation of new  
20 units being added. In the lower Manhattan area,  
21 we are building a school as part of the Beakman  
22 project downtown.

23 Also, as part of an engagement with the  
24 development community, we also have the project  
25 going on in Battery Park City, we were fortunate

2 enough to secure the last developing site in  
3 Battery Park City. So we worked very closely  
4 with the city agencies to determine where those  
5 units are going to be built so we can  
6 aggressively pursue those opportunities.

7 ASSEMBLYMAN BING: Do you think - all I  
8 can tell you is that, I don't think that we've  
9 entirely realized how bad the situation is going  
10 to be, we will not know that until the fall of  
11 2009 where parents who have lost jobs, or been  
12 downsized due to the shrinkage of the financial  
13 service industry show up on the first day of  
14 public school classes with their children that  
15 formerly went to private school and now are going  
16 to public school. I think the overcrowding issue  
17 is even going to be more severe.

18 As Assemblywoman Glick pointed out that  
19 while we appreciate the war room - the ideas that  
20 have come up in terms of sites, whether it's  
21 police academy or whatever, have not moved  
22 forward. Thinks like - I think, the Sommer  
23 Development, which the leadership of that  
24 community, Assembly Member Kavanagh, there was an  
25 agreement to build a school on that site, but I'm

2 just concerned, what sort of regularized process  
3 is there to make sure that not only - you  
4 mentioned the ECF, and on the east side, at least  
5 in the past, we've been able to leverage  
6 development projects in return for building new  
7 schools, but that's not something that you can do  
8 in most parts of the city, and as the chairwoman  
9 pointed out, there are schools that have been  
10 overcrowded for 30 years that are still  
11 overcrowded where kids are having lunch at 10:00  
12 in the morning.

13 What can be done in the future - if this  
14 is renewed, what can be done in the future to  
15 make sure that there is a coordination between  
16 the Department of Buildings, and -

17 MS. GREENBERGER: Well, one of the  
18 things that we're doing right now is we're  
19 working very aggressively with city planning to  
20 ensure that as zoning discussions or major  
21 development discussions come on the table, that  
22 the school component becomes a part of that  
23 discussion, so that we see a more aggressive  
24 approach to including school use in an overall  
25 development. That's an ongoing conversation that

2 we've had throughout the city, not just in  
3 Manhattan, that's one.

4 The other thing that we do, which the  
5 deputy chancellor mentioned earlier, we do look  
6 on an annual basis at this information. We check  
7 every year where we see zoning changes, where we  
8 see permits being pulled, where are we seeing  
9 growth, and how do we have to change some of our  
10 projections to accommodate that growth.

11 In the last plan, for example, we had an  
12 original allocation of seats for District 2 that  
13 as we saw continued growth in 2007, we changed  
14 those projections to reflect the increased  
15 anticipated growth to assign more resources for  
16 new seats in that district. We did the same  
17 thing as we prepared the next capital plan. We  
18 looked at where we're seeing growth, we increased  
19 the number of seats needed for District 2, and we  
20 do that on an annual basis so that we make sure  
21 that the resources are being allocated as  
22 effectively as possible.

23 CHANCELLOR KLEIN: Let me add one other  
24 thing which I think would help this, I think that  
25 we need to do a better job engaging the community

2 boards themselves because we usually think of our  
3 agency as a community education council, but the  
4 issues you're raising are really community board  
5 issues as well, and that would provide us  
6 information I think that could enhance the  
7 process.

8 ASSEMBLYMAN BING: Finally, because I  
9 know that both of you want to speak, obviously  
10 there has been an emphasis on the subjects in  
11 school that lend themselves to Regents  
12 examinations.

13 There has been a severe cutback when it  
14 comes to arts and music programs over the past  
15 few years and something that affects specific  
16 schools in my district or the high school by  
17 design as well as students generally, and I think  
18 it's an important part of the educational  
19 process.

20 And the only reason why the arts and  
21 music programs are in my district is because the  
22 parents raised hundreds of thousands of dollars,  
23 and sometimes millions of dollars to hire the  
24 orchestra conductor, to have the art rooms, to  
25 hire the teachers and things like that.

2           What can be done in the city to make sure  
3 that students not only succeed in the subjects  
4 and lend themselves to Regents examinations, but  
5 also things that make them better people and to  
6 give them a more well-rounded education.

7           CHANCELLOR KLEIN:     First of all, I'm  
8 candidly surprised to hear you say that the arts  
9 have gone down, because all our budget numbers  
10 and all our interactions with the community  
11 groups that do the arts programs, so that the  
12 arts have actually gone up.

13           Now in the current economic environment,  
14 this year and next year, that may be affected,  
15 but all our numbers indicate that the arts have  
16 gone up.

17           Indeed the number of art teachers have  
18 gone up significantly.   However, there's still a  
19 lot more to do.   And the answer to your question,  
20 again, is one of budget allocation.   I mean, I  
21 heard Assemblywoman Glick say about lowering  
22 class size, then we talked about raising teacher  
23 salaries, we care a great deal about after-school  
24 programs, we care a great deal about pre-k, we  
25 care about the arts, physical education needs to

2 be improved and increased, and those are all  
3 tough budget allocation decisions, and what I  
4 would like to see is additional dollars so that  
5 we can provide greater opportunities for all of  
6 our kids.

7 But I do think in all of those areas,  
8 physical education, the arts, and so forth, we've  
9 made progress, not as much as I would like, but  
10 we've made progress.

11 CHAIRWOMAN NOLAN: Thank you, Jonathan.

12 Linda.

13 ASSEMBLYWOMAN ROSENTHAL: Thank you very  
14 much, and thank you, Madam Chairwoman, for  
15 allowing me as a non-member of the Education  
16 Committee to participate in this hearing.

17 I have a couple of areas I wish to ask  
18 questions about, but let me first follow up on  
19 what Assembly Member Bing said.

20 I often say that if you've walked on the  
21 upper west side, which I represent, any time  
22 within the past five years, you could personally  
23 tell that there was going to be a baby boom.  
24 Every other woman seemed to be pregnant, and  
25 those who weren't pregnant were wielding twins in

2 the strollers.

3           However, we had an emergency situation  
4 just recently with PS-199 that was receiving many  
5 more students than anticipated. People say that  
6 there are many faults with the way that you  
7 predict how many students will be entering the  
8 public schools, and I wish if you could comment  
9 on how you do it, and how you think it's done -  
10 it's not being done properly so you do not  
11 account for the increased student enrollment  
12 ahead of time.

13           CHANCELLOR KLEIN: Let me just say one  
14 more thing and turn it over to Sharon. But PS-  
15 199 is a good example of this because not far  
16 from 199, as you know, there was space available,  
17 and it wasn't that people wanted to go to school,  
18 they wanted to go to PS-199. And this is a  
19 problem we have.

20           ASSEMBLYWOMAN ROSENTHAL: People wanted  
21 to go to an excellent school which is why they  
22 wanted to go to 199, but 199 is just an example  
23 of the faulty way in which the DOE is predicting  
24 future enrollment.

25           MS. GREENBERGER: So let me just



1 describe a little bit of our process. We do have  
2 two demographers that we do use on an annual  
3 basis to look at demographic projections. They  
4 look at current enrollment, they look at  
5 demographic projections using census data, birth  
6 data, immigration data, and they put together a  
7 projection. We take that projection and we  
8 overlay information that we get from the  
9 Department of City Planning, the Department of  
10 Buildings, and HPD to determine what the housing  
11 multiplier might be, what we're going to see in  
12 terms of increased people attendance based on  
13 housing units to arrive at general enrollment  
14 projections.

15  
16 We have, and we can provide for you an  
17 overall projection comparison for - on an annual  
18 basis where our demographers come out in terms of  
19 what they're projecting on an annual basis in  
20 terms of enrollment and what the actual  
21 enrollment has been.

22 Through this capital plan, those two  
23 numbers are almost equal. Our projections have  
24 been right on. Across the city, across every  
25 district, in every borough, and we can share that

2 with you to demonstrate that.

3 I do think, as the chancellor indicated  
4 earlier, 199 is a unique situation. I think that  
5 John White and others have been working to  
6 determine how we can more effectively use the  
7 space at 199 to allow access for more students  
8 who want to be there, but the projections  
9 themselves have been accurate.

10 ASSEMBLYWOMAN ROSENTHAL: So you think  
11 there's nothing wrong with the way you predict  
12 class enrollment?

13 MS. GREENBERGER: I think generally our  
14 numbers have demonstrated that our projections  
15 are equal to the actual enrollments.

16 ASSEMBLYWOMAN ROSENTHAL: I know many  
17 people who would disagree throughout the five  
18 boroughs, which leads me to my next question.

19 MS. GRIMM: I think what we need to keep  
20 in mind and I think it's something that we have  
21 acknowledged in terms of our war room efforts and  
22 trying to work with people, we have two kinds of  
23 enrollment projections here.

24 We have demographic projections that we  
25 do through the School Construction Authority for

1 our overall long-term planning. For example, on  
2 the west side, we have roughly 5,000 children,  
3 zoned children, of elementary school age. We  
4 have 6,500 seats. What we have to do, and I  
5 think is what we're trying to do with the help of  
6 you people in a war room situation, is go school  
7 by school, neighborhood by neighborhood, and what  
8 is our short-term projection, for example, for a  
9 school like 199. I think that that's the piece  
10 that we have to do more work on. So it's the  
11 short-term projections that we're looking at for  
12 particular schools.

14 MS. GREENBERGER: And it's not to also  
15 acknowledge, and let me just say, I do understand  
16 that we do have pockets of severe overcrowding,  
17 we absolutely do, throughout the city, and we're  
18 trying to address that through new capacity, but  
19 also through the efforts that the deputy  
20 chancellor mentioned earlier, which is what we  
21 call the facility realignment strategies, which  
22 is one of those things that we're trying to do at  
23 199, to recognize where we have overcrowding but  
24 to look at the underlying reasons that that  
25 overcrowding exists. It may be that we can

2 address that through a better alignment of space,  
3 a better use of space on a neighborhood basis.

4 ASSEMBLYWOMAN ROSENTHAL: Well, I would  
5 advise you to do that before the emergency hits,  
6 rather than trying to compensate once you have  
7 seven grade classes of kindergarten.

8 What I was going to say earlier is that  
9 that leads me into my next question which is,  
10 when we are trying to ascertain if you are  
11 keeping to the provisions in the contracts for  
12 excellence lawsuit, I have tried, and other  
13 advocates have tried to get information from the  
14 DOE by foiling.

15 Now, in my case, it took months to get  
16 any information. I was told it would be 600  
17 pages long so I couldn't get it or I would have  
18 to pay for it, a quarter a page at 600 pages.  
19 This is in the age of technology where you can  
20 just burn a CD.

21 Now, that took months to sort out. I  
22 finally got the CD, the CD was empty, and that  
23 was just a clerical error. However, the  
24 information on the CD did not answer my question,  
25 and, in fact, the question was about how many

2 teachers were assigned to general ed classes,  
3 what was the enrollment per grade for general ed  
4 students, the average class size per grade in  
5 middle and high school, and I was told and others  
6 were told that there's no baseline data for that,  
7 no specific data on the number of teachers and  
8 our classes added this year, that could only be  
9 broadly extrapolated, that's a quote, and no  
10 information on the number of general ed student  
11 by grade for 2006 and 2007.

12           Isn't all that information required by  
13 state law, and why is it so difficult to pry  
14 information that is public out of the Department  
15 of Ed? It's so frustrating for advocates,  
16 elected officials, and I can see how parents feel  
17 like they can't make any headway if we, who  
18 allegedly have some authority over the public  
19 schools through mayoral control reauthorization,  
20 can't get information that we're legally entitled  
21 to.

22           CHANCELLOR KLEIN: Well, you should get  
23 the information. I'm sorry it wasn't brought to  
24 my attention.

25           ASSEMBLYWOMAN ROSENTHAL: I shouldn't

2 have to bring it to your attention. You have a  
3 foil officer, you have a whole system in place to  
4 give information when requested. You have  
5 multiple attempts by me and others yielded, some  
6 links to some websites, and certainly not the  
7 information we requested.

8 CHANCELLOR KLEIN: Well, you should get  
9 the information. I don't know the specifics,  
10 obviously, and I don't know the foil officer -

11 MR. WALCOTT: It's unacceptable.

12 CHAIRWOMAN NOLAN: I'm amused by it  
13 because the same thing happened to me. I didn't  
14 realize that, Linda, as you know, and the  
15 committee received a bill also in response to a  
16 foil request. We did squawk - it's just  
17 unacceptable. I wonder how many more people  
18 asked for information and were told that they  
19 would have to pay for it, which is not correct  
20 under the Freedom of Information. And we know  
21 that because we got a legal opinion from our  
22 counsel to the majority and sent it to your  
23 council and that was definitive, but I didn't  
24 know that you had gotten a bill too.

25 ASSEMBLYWOMAN ROSENTHAL: Yes, indeed,

2 and actually our counsel had to intervene and  
3 say, why are you doing this, it's just a time  
4 waster on purpose it seems. It shouldn't happen.

5 CHANCELLOR KLEIN: It shouldn't happen.

6 ASSEMBLYWOMAN ROSENTHAL: Maybe I'll  
7 submit again and see how fast I get a response.

8 MR. WALCOTT: In all seriousness, we  
9 would love to hear the result of that as well,  
10 because it is unacceptable that it happened.

11 ASSEMBLYWOMAN ROSENTHAL: Thank you, and  
12 I hope that's true for anyone outside of us who  
13 asks.

14 Can you just address, do you have that  
15 information that is required by state law how  
16 many general ed kids are in each class throughout  
17 the city?

18 CHANCELLOR KLEIN: City by city, every  
19 single classroom do I have a Tweed, how many -

20 ASSEMBLYWOMAN ROSENTHAL: To see if it  
21 conforms to our goal of smaller class sizes  
22 comparing year to year, how many teachers, et  
23 cetera, et cetera.

24 CHANCELLOR KLEIN: We have all of this  
25 in the plan that we submitted to the state, and

2 we would be happy to get you a copy of the plan.

3 It is multiple hundreds of pages, but we'll get  
4 you a copy of that.

5 ASSEMBLYWOMAN ROSENTHAL: That's why we  
6 have CDs or flash drives or whatever. You have  
7 it by each class?

8 CHANCELLOR KLEIN: We have each  
9 individual class, no, I don't know if we -

10 CHAIRWOMAN NOLAN: No, I think that  
11 would be just for the CFE, it wouldn't be for the  
12 whole city. You must have it somewhere but that  
13 wouldn't be in the documents that you -

14 CHANCELLOR KLEIN: Ms. Grimm will get  
15 back to you with exactly what information we have  
16 on each class.

17 ASSEMBLYWOMAN ROSENTHAL: Okay, I thank  
18 you very much.

19 CHAIRWOMAN NOLAN: We appreciate  
20 everybody's good will. We don't get this  
21 opportunity too often, as I said. Brian.

22 ASSEMBLYMAN KAVANAGH: Yes, thank you  
23 for the indulgence of the chair and for all of  
24 you for a very long stint here with us today.

25 Just a question. To what extend, under



2 the current system, is the Department of  
3 Education responsible and accountable to the  
4 ordinary mechanisms of oversight of city  
5 agencies? Before we were saying, the policy  
6 department, the fire department, and we want to  
7 be under the mayor in a way similar to this, to  
8 what extent are you subject to oversight over  
9 contracting provisions, oversight of the City  
10 Council, and just a general sort of routine  
11 oversight of city agencies?

12 CHANCELLOR KLEIN: I'll give you a  
13 general answer and Ms. Grimm can go through the  
14 contracting.

15 But we are subject to oversight by the  
16 City Council. We have extensive oversight  
17 hearings, we're subject to oversight by the  
18 public advocate, our contracts are approved by  
19 the controller's office. The controller has done  
20 numerous audits of us in all areas of concern to  
21 him. So the one issue that we're working on is  
22 migrating some of the way that we did budgeting  
23 with state agency versus city agency and Ms.  
24 Grimm can tell you about that.

25 MS. GRIMM: As the chancellor said,

2 we're certainly subject to all of the traditional  
3 oversight agencies, both city and state, in terms  
4 of auditing and things like that.

5 With regard to the actual contract  
6 process, we do not participate in the city's  
7 contract process, we have our own which is laid  
8 out by state statute. It is an area that we have  
9 I think improved greatly over the last few years  
10 in terms of its transparency, and, again, those  
11 contracts ultimately do go to the controller.

12 ASSEMBLYMAN KAVANAGH: I actually was  
13 not a member of the legislature when the current  
14 statute was negotiated, the mayor, of course, was  
15 involved in that negotiation, but what is the  
16 basis for - why would we have a distinct  
17 contracting process for the Department of  
18 Education from the rest of the city agencies  
19 under mayoral control?

20 MS. GRIMM: We have it because the  
21 Department of Education is a dependent school  
22 board which is governed in many areas by state  
23 law and that state law applies in terms of our  
24 contract processes.

25 ASSEMBLYMAN KAVANAGH: But we're the

2 subject, of course, of the - we're all  
3 considering what the state law ought to be and  
4 what kind of agency ought to be, so just putting  
5 aside - that's a good correct sort of legal  
6 answer to the question why it is now, but why  
7 ought we to create a city agency under mayoral  
8 control and set up a separate distinct mechanism  
9 for overseeing and approving contracts?

10 MS. GRIMM: Well, it's something that  
11 you certainly might want to explore, but we would  
12 certainly like to have an opportunity to sit down  
13 with you and go through what the process is and  
14 to show you that, first of all, the department is  
15 huge in many respects as large as the city.

16 We also have a very different timetable  
17 from every other city agency. We have to open  
18 our schools in September, and every single  
19 service that we need for our children and our  
20 schools have to be in place. So we have really  
21 unique contracting timetable needs, and I think  
22 you would really want to hear what they are from  
23 us.

24 ASSEMBLYMAN KAVANAGH: And I won't  
25 belabor this now because we are short of time,

2 but I would like to hear more about that.

3 With respect to the City Council, has the  
4 Department of Ed not made the case at time that  
5 the Department of Education, because it's a state  
6 agency is not subject to the same level of  
7 oversight authority of the City Council as other  
8 routine mayoral agencies that are set up by city  
9 charter?

10 CHANCELLOR KLEIN: There are times when,  
11 because the department is regulated in the area  
12 by the state that - which is not true of the  
13 other city agencies that we have said, there is a  
14 preemption problem, that's an issue which I  
15 personally don't have a view on, but whether the  
16 state or the city has oversight on those issues,  
17 we're okay with either one, there should be  
18 oversight and we would be happy with either one.

19 ASSEMBLYMAN KAVANAGH: Thank you very  
20 much.

21 CHAIRWOMAN NOLAN: Just a couple of  
22 quick things. You've been very patient and I  
23 appreciate that very much. The committee has had  
24 three hearings since I became chair on English  
25 language learners, and sadly you were not

2 available to be with us although you did send the  
3 very capable Maria Santos.

4 In the little chart here, you talk about  
5 110,000 students attending schools open since  
6 2002 and 350 new charter schools and district  
7 schools, how many of those schools are either  
8 targeted for English language learners, recruited  
9 English language learners, how many of that  
10 110,000 are English language learners?

11 CHANCELLOR KLEIN: Again, I'd be happy  
12 to get you the exact number, but there's actually  
13 an issue raised about this in the United States  
14 government who looked into it and said that we  
15 had had more English language learners in those  
16 schools than in other schools, and there was a  
17 written opinion that I would be happy to get to  
18 you.

19 In fact, quite a few of those new schools  
20 that we opened were schools based on a model of  
21 an international school and are really attracting  
22 exclusively English language learners like the  
23 newcomer school is modeled on that kind of model.

24 CHAIRWOMAN NOLAN: I think you know  
25 though at those hearings, because you had

2 representatives there, that many many people said  
3 over and over and over again that the closure of  
4 these larger traditional high schools, for  
5 example, and the creation of these smaller  
6 schools was something that made it more difficult  
7 for English language learners to be part of or  
8 there was not special programs, and in our review  
9 of charter schools - and I know there are many  
10 charter school parents here and they say that  
11 they're making a good effort, but I think ELLs  
12 are only three percent of charter school  
13 enrollment and that obviously is way way way  
14 lower than the regular schools in the city.

15 CHANCELLOR KLEIN: Those should be  
16 addressed. On the new small schools though,  
17 again, this very issue was raised and the real  
18 numbers were put out there by the federal  
19 government in their office of civil rights in a  
20 formal complaint, and -

21 CHAIRWOMAN NOLAN: Do you think that  
22 you've adequately recruited parents of English  
23 language learners to participate in these new  
24 schools?

25 CHANCELLOR KLEIN: When you say

2 "adequately," we can always improve our work, but  
3 I do think that parents of English language  
4 learners have been recruited indeed, as I said,  
5 we've set up several schools focused solely on -

6 CHAIRWOMAN NOLAN: That's a separate  
7 thing. Some would argue that that's almost a  
8 segregating of those children, so let's not talk  
9 about those unique few handful of schools, let's  
10 talk about your average English language learner.

11 Do you feel that three percent of charter  
12 schools are English language learners is an  
13 adequate number for the charter schools?

14 CHANCELLOR KLEIN: No, I don't.

15 CHAIRWOMAN NOLAN: What are you doing in  
16 the six years that you've had to run the system,  
17 seven years to create these schools, what are you  
18 doing to change that? You helped to create it in  
19 a sense because none of this existed before, so  
20 what are you doing to change that?

21 CHANCELLOR KLEIN: We're working with  
22 the Senate for Charter Excellence to be able to  
23 support this. They've invested money in it.  
24 They're working with the communities to attract  
25 it. You've go to get a certain number in order

2 to be able to provide the specialized services.  
3 That's what the challenge is.

4 CHAIRWOMAN NOLAN: But one of the  
5 questions that came up again and again is when  
6 you close - one of the few positives of the  
7 larger schools was that you had enough children  
8 to justify various other initiatives, so when you  
9 closed these larger schools, people were  
10 scattered and therefore not able to get what they  
11 are legally entitled to have. I know that we  
12 need to aggregate them, but when you close the  
13 schools, wasn't that question asked? How are we  
14 going to do this?

15 CHANCELLOR KLEIN: It was asked and,  
16 again, I'm happy to get you the actual numbers,  
17 because I think the numbers show that in those  
18 new small high schools, the number of English  
19 language learners exceeds the number in the  
20 overall city high schools.

21 CHAIRWOMAN NOLAN: But those are your  
22 numbers, okay? Those are low low numbers. You  
23 numbers say that those English language learners  
24 - we don't know where they went, some of them,  
25 and many people feel they've contributed to the



2 high dropout rate because they're not being  
3 reflected in the numbers, the percents of these  
4 new small schools.

5 CHANCELLOR KLEIN: I'd happy to supply  
6 you with the actual - these are not my numbers,  
7 this is the Office of Civil Rights -

8 CHAIRWOMAN NOLAN: I think that's  
9 something that we would like to be made more  
10 aware of and we will continue to have hearings on  
11 that special issue and in the Bronx - we've tried  
12 to make it both Bronx and Brooklyn, have some  
13 extra emphasis on that and we will look forward  
14 to having some of you represented as follow-up  
15 with us. We've asked Maria Santos to be at the  
16 hearing in the Bronx or Staten Island so perhaps  
17 we can get those answers.

18 Special Ed students is another issue of  
19 great concern. How many of these 110,000 new  
20 seats or new students were for special ed  
21 children? We get notes from heartbroken parents  
22 who feel that their children cannot participate  
23 in these, they have no choices. How many special  
24 ed kids are in these new seats?

25 CHANCELLOR KLEIN: I'll get you the

2 exact number but this issue was looked at and  
3 there is a formal report, and I'm happy to share  
4 it with you. They say what the percentages are  
5 exactly, and this was a report done by the US  
6 Department of Education, not by us, and I'd be  
7 glad to get that for you.

8 CHAIRWOMAN NOLAN: You did talk a lot  
9 about choice, I want to make it clear that we  
10 don't hold you responsible, but western Queens  
11 has been overcrowded for 35 years, so it's not a  
12 pocket, if it's a pocket, it's a pretty big  
13 pocket, and, as I said, I went to a school which  
14 now I graduated 30 years ago that had 6,000  
15 students in it that was built for three, but  
16 nothing has really changed in my particular part  
17 of the world because the middle school choices,  
18 and there are no middle school choices in  
19 District 24, you go to your zone school, because  
20 eight years ago, the school board didn't want  
21 magnet schools, so you haven't changed that under  
22 central control.

23 The bad part of the old system, no choice  
24 is still there, there's no choices in 24, I know,  
25 because I'm looking at them. So what do we have?

2 We have 1,500 children at 93 which was built  
3 for 700. We have 1,700 children at 125 which was  
4 built for 600, 700. We have 1,100 here and 1,500  
5 there, and 2,100 at IS-61 in Corona. So there's  
6 no choices for western Queens, we have no  
7 choices.

8 I don't know how - seven years into this,  
9 where are our middle school choices, where are  
10 our high school choices? We've asked you about  
11 the ELLs, we've asked you about the special ed,  
12 but now let's just ask about the choice issue,  
13 where are our choices? The system is rigged.

14 If you live in a different borough,  
15 because when there was decentralization and  
16 aggressive parents, they created a lot of choices  
17 in middle schools. I had to laugh when we got  
18 the form, we had two pages of blanks, the people  
19 who live in 24, so I asked, I said what are all  
20 these extra lines for? They said, well, in  
21 Manhattan and Brooklyn, there's all middle school  
22 choices, so it's filled in with your choices, but  
23 I have no choices, so what do I tell my district  
24 seven years - I supported mayoral control to give  
25 my neighborhood choices, but there are no

2 choices, and you know, President Greenberger,  
3 we've talked about Long Island City, we've put  
4 thousands of people into Queens West, they have  
5 no choices. They have no middle school they can  
6 go to, so what are we doing about that?

7 How do we reach that goal? You keep  
8 talking about that equity and I salute you for  
9 it, but there are no choices in which where I  
10 represent. There are no choices in middle school  
11 or high school, you're kidding, what choices?  
12 Two pages of blank lines.

13 Now I'm scrambling because I'm an  
14 aggressive parent and I'm looking into this  
15 school and that school and we're reading the  
16 documents from the people and there's a few  
17 middle schools that take kids from every borough  
18 and my kid is running all over the system trying  
19 to find out what we need to do. I'll do that  
20 because I only have the one child, my husband and  
21 I are indulgent to all the parents, we love what  
22 we do, and we're happy to do it, but how can you  
23 be an English language learner parent?

24 How could you be a parent that came from  
25 someplace else and live in 24 or 30 or any of the

2 other overcrowded districts in the Bronx and  
3 Brooklyn and Manhattan and not have that skill-  
4 set, what are your choices? You've had seven  
5 years, how do you answer that for me?

6 CHANCELLOR KLEIN: We answer that by  
7 saying there are more people having more choices,  
8 and we try to make more all the time, but for  
9 example -

10 CHAIRWOMAN NOLAN: Where's the equity in  
11 those choices? We have no choices.

12 CHANCELLOR KLEIN: That's actually an  
13 interesting question because we opened up the  
14 high school system to a citywide choice.  
15 Everybody - I have kids in this city who go all  
16 over the city to high schools and parents reflect  
17 those choices.

18 We talked about doing this in the middle  
19 schools and actually in District 24 people said  
20 they didn't want to do this. They want  
21 neighborhood schools. It's a very - as you know,  
22 I grew up in District 30 and PS-151, Junior High  
23 School 10 and Bryant were those schools I walked  
24 to from where I live. That's a model in western  
25 Queens that people favored for a long time.

2 In Manhattan, they had a choice model  
3 long before we got here, but we would certainly  
4 be prepared to consider citywide choice, district  
5 choice in all of these communities.

6 CHAIRWOMAN NOLAN: But you haven't done  
7 that, and it's not enough to say that some  
8 parents in 24 told you that they didn't like it,  
9 who, when, how? It's what we get back to about  
10 when the parents matter. They matter when it's  
11 useful to prove a point that you're making now?

12 How could seven years into this there not  
13 be a more equitable distribution of choices for  
14 things like middle school when you know that  
15 you've got 1,700 youngsters in a school built for  
16 650. This is not - you didn't start it, you  
17 found it like that, but you've had seven years.

18 We voted for mayoral control because  
19 people said they were going to fix that. And now  
20 we have 1,700 kids at 125. So he didn't fix it.

21 We have no choices. We are overcrowded. So  
22 where does that get reflected in your vision?

23 Where is the vision for western Queens?  
24 Where is it? I'm using that as an example  
25 because I know it best, but where is the equity

2 in the choice distribution, for English language  
3 learners, for special ed children? There are no  
4 charter high schools, there are no charter middle  
5 schools. There are charter K to eights, there  
6 are charter K to 12s, but if you didn't get in in  
7 the K year, when do you get in then?

8 CHANCELLOR KLEIN: We're constantly  
9 doing - we've got to do the whole city and I  
10 think there are more choices and will continue to  
11 be more choices. I was the first to say, we have  
12 a lot more work to do.

13 You describe problems from 30 years ago.  
14 I don't think you fix those even in seven years  
15 sometimes, that's why when I started at the  
16 beginning, there's a lot more work to do. It's  
17 particularly important when you set up a choice  
18 system to make it equitable.

19 CHAIRWOMAN NOLAN: But it isn't because  
20 somebody else has two pages and I have two  
21 choices or one choice, and you've had seven years  
22 to address that inequity and it's not addressed.

23 I get it, but it's hard for me to sit and  
24 listen to people say choices when I know that  
25 that's not universally the case, but I understand

2 what you're saying and we have to move on.

3 The New York City's current five year  
4 school capital plan, which was adopted in June  
5 2005, had three major goals, it would eliminate  
6 overcrowding so that no school would remain at  
7 over 100 percent utilization, no school would be  
8 forced to hold double and triple shifts, it would  
9 move all the trailers in the temporary classroom  
10 units to TCUs, and it would reduce class sizes in  
11 grades K to three to 20 or less.

12 How close are we to meeting any of those  
13 goals? How many trailers do we still have in the  
14 system? Harold Levy spent a lot of time getting  
15 rid of trailers but they seem to be creeping back  
16 all over the city. So how many trailers have we  
17 eliminated, how many are still there, and how are  
18 we doing on meeting those goals about triple  
19 shifts, double shifts, and small K to three?

20 MS. GRIMM: Just to be clear on what the  
21 goals were, the goals were that when all of the  
22 projects in the plan were completed in 2012, we  
23 would be in a position where we can eliminate all  
24 of the trailers, we would no longer need those  
25 seats. We would be in a position -



2 CHAIRWOMAN NOLAN: 2012?

3 MS. GRIMM: Yes.

4 CHAIRWOMAN NOLAN: And how many trailers  
5 do we still have?

6 MS. GRIMM: We still have many trailers  
7 because until we have all of these projects in  
8 place, we will not be in a position to eliminate  
9 those trailers. We will then have to make  
10 decisions about which trailers will come out,  
11 some principals have asked us to keep them, they  
12 are also very expensive to remove, and as our  
13 purchase ability - with capital dollars  
14 shrinking, we'll have some tough decisions to  
15 make, but the goal is, that we will not need the  
16 seats in those trailers for our children once all  
17 of the projects are up.

18 CHAIRWOMAN NOLAN: 2012?

19 MS. GRIMM: Yes.

20 CHAIRWOMAN NOLAN: Okay.

21 MS. GRIMM: Also, the current plan was  
22 first envisioned, the commitment was that on a  
23 district basis, overcrowding would be eliminated.

24 We have learned, as we have worked  
25 through this plan, that we have to drill down,

2 and it's not good enough at the district level.  
3 We really have to go school by school,  
4 neighborhood by neighborhood, and that is what  
5 we're trying to do in this new plan that has been  
6 proposed.

7 CHAIRWOMAN NOLAN: How would you  
8 classify the department's efforts in special ed  
9 schools?

10 I want to read you a quote from - it's -  
11 I had to go and read all these books the last  
12 couple of weeks. The building itself is hostile.  
13 Cracked plaster, broken windows, splintered  
14 doors, carved up desks, gloomy corridors, metal  
15 stairways, dingy cafeteria, and an auditorium  
16 that has no windows.

17 Now that was something that was from  
18 something that was written 45 years ago, but how  
19 many schools, and I know we have some in my  
20 district that still look like this, and I visited  
21 colleagues -

22 MS. GRIMM: Unless this happened this  
23 morning, there's isn't a school in the city with  
24 broken windows.

25 CHAIRWOMAN NOLAN: I'm happy to hear

1 that, but many of the other things, the gloomy  
2 corridors, I mean - P-9 is a school in my  
3 district for special ed kids that, yes, has had  
4 broken windows, and continues to have them and  
5 they're boarded up. I'm not asking for a fast  
6 turnaround necessarily, but that description fits  
7 P-9, P-9 is the second most violent school in the  
8 state three years in a row. We visited with  
9 Deputy Mayor Walcott, you know it, gloomy  
10 corridors, no real cafeteria. These are our most  
11 vulnerable kids, they travel an hour and a half.

12  
13           Somehow the special ed schools never seem  
14 to be in the capital plan. I don't - where do  
15 they fit in?

16           MS. GRIMM:     They certainly fit in right  
17 along with all of our other schools. They are  
18 inspected under the same scenario as all of our  
19 schools are inspected. That isn't to say special  
20 ed schools and regular schools, we don't have  
21 facilities that ultimately should be replaced, we  
22 just can't afford to do it. And in our new  
23 construction, 10 percent of all our seats are  
24 special ed seats.

25           CHAIRWOMAN NOLAN:     In charter schools as

2 well?

3 MS. GRIMM: No. In all of our new  
4 public schools.

5 CHAIRWOMAN NOLAN: So in a general ed  
6 school - go ahead.

7 MS. GREENBERGER: That's for this plan,  
8 the current plan, and the next one.

9 CHAIRWOMAN NOLAN: How small do you  
10 think you're going to be able to take some of  
11 these class sizes down over the next five years?

12 MS. GREENBERGER: Well, our Contract for  
13 Excellence plan, which has been improved by the  
14 state, has certain levels over the next five  
15 years that we intend to hit. The capital plan  
16 has different numbers in it, although we have  
17 reduced the targeted class size for both high  
18 school and middle school in this new proposed  
19 plan.

20 But we will achieve the Contract for  
21 Excellence class size reduction through a  
22 combination of factors, one of which is new  
23 construction. We will also be working in terms  
24 of grade reconfigurations programming in schools.  
25 We have to look at the utilization of the

2 classrooms, so I'm confident that over the time  
3 period we will achieve the goals we've set for  
4 ourselves.

5 CHANCELLOR KLEIN: And, in fact, one of  
6 those areas has been - which we've done more than  
7 anyone on, collaborative team teaching and  
8 special education, where we've significantly  
9 increase and then some people take the view that  
10 that doesn't count as class size reduction  
11 because you have two teachers in a class, and  
12 it's been one of the most effective ways to deal  
13 with special ed.

14 CHAIRWOMAN NOLAN: You may not know  
15 this, but my son is a general ed student, has  
16 been participating in CTTI, many of us believe in  
17 it, again, I think there's not a lot of CTT in  
18 middle school, there's not a lot - it's like many  
19 programs. You feel like a program gets started,  
20 it's innovative for a while, it gets attention  
21 for a while, and then the DOE moves on.

22 Again, I could read you a quote from 40  
23 years ago, the New York City School System is  
24 flooded with demonstration projects and piecemeal  
25 innovations most of which are uncoordinated,

2 overlapping, and often inadequately evaluated.  
3 They have to maintain a bureaucratic structure by  
4 isolating innovation and not letting it affect  
5 the broader stream.

6 I don't know that I would be that  
7 judgmental about what's happening now, but many  
8 of us feel - and I'm sure you hear this from  
9 parents that there's a program here and a program  
10 there, but it's never quite really adopted as  
11 fully as it need be and CTT certainly was very  
12 popular at one time, there's a real feeling that  
13 it's not anymore.

14 I inquired about CTT middle school  
15 classes, there really were none, and -

16 CHANCELLOR KLEIN: I'd be happy to  
17 supply the numbers but let me just make one point  
18 because I'm the first to agree with you that  
19 there should be more of these things, but, you  
20 know, when you have a budget, you have to make  
21 tough choices, lowering class size, building new  
22 schools, after-school programs, pre-k, these are  
23 all choices that we have to make.

24 What I'd like to say about public  
25 education, the ocean is big and the boat is small

2 and we're rowing as fast as we can.

3 CHAIRWOMAN NOLAN: We understand that  
4 and appreciate that, but your budget is what, how  
5 many billion?

6 CHANCELLOR KLEIN: \$21 billion.

7 CHAIRWOMAN NOLAN: 21 billion is a lot  
8 of billions.

9 CHANCELLOR KLEIN: I'd be happy to show  
10 you where it goes. A lot of that goes to  
11 teachers, a lot of that goes to pension, a lot of  
12 that -

13 CHAIRWOMAN NOLAN: We wanted this  
14 opportunity for a long time, chancellor, and it's  
15 unfortunate that we haven't been able to have you  
16 at the committee and we look forward to perhaps a  
17 new beginning and a new dialogue. You've been  
18 very gracious with your time and your team.

19 I want to thank Comptroller Thompson who  
20 came in literally as you guys started, and so  
21 ended up standing through the presentation and  
22 others.

23 I just want to ask and add with this, we,  
24 as you know, an elementary school in my district,  
25 which has trailers, has no yard, has had trailers

2 for 20 years, has, you know, 1,200 kids in a  
3 school built for 300. Had a five year old that  
4 was handcuffed about a year or so ago, a family  
5 that maybe didn't have the command of English,  
6 didn't have the education, lots of confusion,  
7 lots of upsetness, a kindergarten student. We've  
8 tried now for a year to find out what really  
9 happened and what the policy is because I don't  
10 think a five year old should ever ever ever be  
11 handcuffed, and I try to be a practical person.

12 I've had someone say "no student," but  
13 truthfully, a big high school kid, that's a  
14 different thing, I'm only five four, you know,  
15 there are a lot of six footers out in the high  
16 schools. I'm not a doctrinaire person, I'm not  
17 an ideologue, maybe there's an occasional  
18 exception, five year old handcuffed? And I'm  
19 still waiting for over a year to hear from you  
20 what happened. What went wrong at PS-81 that a  
21 five year old was taken out in handcuffs, and  
22 I've had people's views, well, there's a legal  
23 thing now, the parents are suing, and, of course  
24 the parents are suing, this is New York.

25 e still need to have some kind of



1  
2 openness to us, as elected officials and,  
3 frankly, the reality of that school with the  
4 trailers and the overcrowding, that was one of  
5 the last schools in the city to have a coal fired  
6 furnace, it was only removed right before you  
7 came in because Harold Levy came out and looked  
8 at it and went crazy, and they finally removed  
9 it. But it's a very old building. How many  
10 schools are over 100 years old is a subject for  
11 another hearing, but it had a new principal, new  
12 AP, and a new school security guard, and in the  
13 end, we can say all those things, but a five year  
14 old got handcuffed. Handcuffed. Brought out - I  
15 still can't even - if it was my kid I don't even  
16 want to think what would have happened as a  
17 result of that.

18 Can you please tell us what the policy is  
19 on that? Can we end on that note, and get some  
20 commitment from you that that's never ever ever  
21 going to happen again? Can we get something like  
22 that, because I've waited over a year for that  
23 answer, and I hate to ask -

24 CHANCELLOR KLEIN: I'll add at this time  
25 that I was very troubled by the incident. We

2 should not be handcuffing children. The only  
3 thing I think what you've heard is, the matter is  
4 in litigation. The lawyers have said not to  
5 discuss the matter, but you shouldn't handcuff  
6 five year olds.

7 CHAIRWOMAN NOLAN: We want to see a  
8 policy from DOE that instructs people and makes  
9 sure that people have the training so that when I  
10 show up to have my son take a test, some person  
11 isn't screaming at us because they don't have the  
12 training, and all the things like that that go  
13 on. Training is critical, it is critical,  
14 critical. And we want to see a policy that says,  
15 no, we are not going to be handcuffing children.

16 It's unbelievable that a year afterwards  
17 we still don't have that policy. All right?

18 I really appreciate you coming. Thank  
19 you very much. We look forward to many many more  
20 such dialogues together.

21 CHANCELLOR KLEIN: Thank you.

22 CHAIRWOMAN NOLAN: I understand,  
23 chancellor, they want you to go out through this  
24 door, so those cameras have to move, your team  
25 wants you out that way, and I want to thank you

2 for your real gracious time and commitment to us  
3 today. Thank you very much.

4 If you want, Dennis, and Chancellor,  
5 maybe come around this way.

6 I would like to ask our comptroller,  
7 William Thompson to come up. We're trying to  
8 accommodate everybody. It's a great privilege  
9 for us in the committee to have the opportunity  
10 to question Chancellor Klein and his team, so we  
11 thank them for that. It was a first opportunity  
12 for us in my four years here at the helm of the  
13 committee, and the first opportunity was hard for  
14 him that he was available, made himself  
15 available, so he got a little bit longer time.

16 MR. THOMPSON: Madam Chairperson, it was  
17 fine. Very instructional.

18 CHAIRWOMAN NOLAN: The comptroller of  
19 the City of New York, William Thompson, and I  
20 should add a past president of the Board of  
21 Education and extremely knowledgeable on these  
22 issues.

23 Thank you. And I do want to thank the  
24 Chancellor's staff, if they go out that way, and  
25 I think the staff wanted the chancellor to go out

2 that way to do a media interview, that's fine  
3 too.

4 Thank you. Go right ahead.

5 MR. THOMPSON: Thank you, Chairperson  
6 Nolan and members of the Education Committee,  
7 good afternoon.

8 Let me thank you for giving me the  
9 opportunity to testify today regarding governance  
10 of the New York City School District. Let me  
11 make clear at the outset that I support mayoral  
12 control; I did before, and I do now. But as the  
13 sunset of the law draws near, it is imperative  
14 that we review school governance as practiced  
15 under the Bloomberg Administration.

16 This is a subject of great concern to me,  
17 not only as a New Yorker and a product of the New  
18 York City Public Schools, not only as the former  
19 president of the Board of Education, but as  
20 comptroller, I'm mandated to audit all city  
21 agencies. Recent audits conducted by my office  
22 have found numerous failures in basic governance  
23 at the New York City Department of Education.

24 In the past two years alone, our audits  
25 have found that the DOE failed to monitor and

2 track the provision of special education services  
3 effectively; failed to adopt effective controls  
4 to ensure that violent incidence at city high  
5 schools were reported to the state Department of  
6 Education; failed to provide both vision and  
7 hearing screenings in accordance with regulations  
8 due to lack of oversight; failed to exercise  
9 necessary controls over universal pre-k payments  
10 to non-public schools in Brooklyn and Staten  
11 Island, and failed through its office of public  
12 transportation to effectively record and follow-  
13 up on school bus related complaints.

14           Among my duties as the city's chief  
15 financial officer, I have also been particularly  
16 attentive to fiscal accountability at the  
17 Department of Education.

18           As many of you know, through my office's  
19 responsibility for registering city contracts, I  
20 play an important role in ensuring that the laws  
21 and regulations designed to encourage fair and  
22 open competition are followed.

23           Under the tenure of this Department of  
24 Education, however, the use of non-competitively  
25 bid contracts has soared with a cumulative total

2 of close to \$300 million since Mayor Bloomberg  
3 entered office.

4 How they get to this point? The  
5 Department of Education refuses to adopt - and I  
6 underlined the word refuses, to adopt a set of  
7 formal procurement rules similar to those  
8 followed by every other city agency, a process  
9 that is open and subject to public comment and  
10 accountability.

11 Contracts at all other city agencies are  
12 subject to the rules of the Procurement Policy  
13 Board, which takes a deliberative approach to  
14 developing policies under which the city procures  
15 goods and services. There is discussion, debate  
16 and an open forum through which the public can  
17 comment. This is a process that while not always  
18 perfect is at least transparent.

19 By contrast, since the Board of Education  
20 became the Department of Education, it has  
21 exploited a gray area in the law, one that allows  
22 it to treat itself as a state agency whenever it  
23 is convenient to do so, and then as a city agency  
24 when it's likewise convenient.

25 The Department has even taken the

2 position that it is not required to register its  
3 contracts with my office if it does not want to,  
4 a position I obviously disagree with.

5 That is neither good government nor good  
6 public policy, and has led to a number of  
7 questionable contracts in recent years.

8 In May of 2004, I recommended state  
9 legislation to make the Department subject to the  
10 same procurement rules as every other city  
11 agency, rather than pass a new law, elected  
12 officials in Albany encouraged the DOE to work in  
13 good faith with my office to resolve the problem  
14 voluntarily.

15 And yet, despite the best efforts of my  
16 office, the DOE has continued to process millions  
17 of dollars in contracts outside of the  
18 competitive bidding process. As you consider  
19 extending mayoral control, I urge you to make the  
20 New York City Department of Education transparent  
21 and accountable once and for all.

22 When I was president of the Board of  
23 Education, one thing I adamantly pursued was  
24 accountability in our public education system.  
25 Indeed, such accountability was exactly what I

2 was attempting to bring about when I pushed for  
3 serious reforms in 1996.

4 As many of you will remember at that  
5 time, some 25 years after the schools were  
6 decentralized in 1969, the system was fragmented.

7 Lines of authority were blurred, there was  
8 little accountability for educational failure,  
9 and local boards were mired in corruption.

10 We felt that if the chancellor was to be  
11 held accountable for educational performance,  
12 then he or she must be given greater and clearer  
13 authority.

14 Thanks to the legislature, we stripped  
15 individual school boards of the responsibility  
16 for day-to-day operations of schools and gave  
17 that power to superintendents.

18 The chancellor in turn was given a more  
19 direct role in the selection of individual  
20 superintendents and gained the authority to  
21 intervene in schools that were failing as well as  
22 to transfer or remove principals.

23 We mandated school leadership teams in  
24 every school, made up equally of parents,  
25 teachers and administrators that injected more



2 accountability at the school level.

3 In short, we laid the groundwork for a  
4 more centralized management of our public school  
5 system that helped clear a path towards mayoral  
6 control, but in doing so, we prioritized two  
7 things that are currently missing from the  
8 current administration's approach; transparency,  
9 and parental involvement.

10 As we look ahead to the sunset of mayoral  
11 control, we should reauthorize the law, but we  
12 must reform and strengthen it.

13 While Tweed has trumpeted gains and test  
14 scores and improvements in city graduation rates,  
15 concerns over data manipulation have arisen. For  
16 the years 2003 to 2007 the National Assessment of  
17 Educational Progress, or the NAEP tests, have  
18 shown no gains in fourth grade reading, eighth  
19 grade reading or eighth grade math, for African  
20 American, White, Hispanic, and lower-income  
21 students.

22 That's why I support using an independent  
23 body to audit test scores and graduation rates.  
24 If the public is to trust the city's claim of  
25 gains, we must remove both the incentive and the

opportunity to manipulate results.

At the same time, parents who have an enormous stake in their children's educational success must have a true voice in the decisions that impact their children's schools. Every study indicates that parental involvement equates with student achievement.

Department of Education has failed to ensure that school leadership teams have an effective role in influencing school policy. Last year, the department's own office of family engagement and advocacy found that only 51 percent of the schools that surveyed have a functioning leadership team.

Indeed, most parents don't even know what school leadership teams and community education councils are. I recommend that State Education Law require that all parents receive brochures translated into relevant languages when necessary at the start of each school year, explaining what these bodies do, and that as the year continues, there is follow-up made on that.

I also recommend that state law require the schools post their comprehensive education

2 plan, the school's blueprint for setting its  
3 goals and identifying specifically how we'll  
4 achieve them, online, maintain a copy of the plan  
5 in the school's general office, and inform  
6 parents by letter where they can review the CEP.

7 We must also nurture the development of  
8 parent teacher associations in our schools. When  
9 the chancellor's parent advisory council asked  
10 the chancellor in 2005 to publish a monthly  
11 account of how many schools have functioning  
12 PTAs, it received press coverage in the New York  
13 Times, but no response from Chancellor Klein.

14 It is high time for the Department of  
15 Education to begin publishing monthly tallies.

16 This failure to involve parents in the  
17 education policy process has reinforced a  
18 widespread perception that the department is  
19 arrogant and out of touch.

20 With its top-down approach, the current  
21 administration has sought to avoid debate and  
22 public scrutiny while fundamental decisions  
23 regarding educational reform have been made by  
24 executives with no educational background.

25 The Department of Education has gone

2 through three reorganizations in the last six  
3 years. As a chief investment advisor to New York  
4 City pension funds, I would identify a company  
5 that had gone through three fundamental  
6 reorganizations in six years as a high risk  
7 investment.

8 Let me be clear. Mayoral control of the  
9 schools, when exercised wisely, is a means of  
10 bringing efficiency, transparency, and  
11 accountability to decision-making, but it was  
12 never intended to be a green light for unchecked  
13 executive power.

14 With greater authority and control also  
15 comes greater responsibility, responsibility to  
16 parents, responsibility to the taxpayers who  
17 helped to fund our schools, and finally, and most  
18 importantly, responsibility to our children,  
19 whose educational achievement and advancement are  
20 directly tied to the future economic growth and  
21 prosperity of our city.

22 That's an assignment we cannot, we must  
23 not, and with the leadership and foresight of  
24 this committee and others, we will not fail.

25 Again, I would like to thank you for the

2 opportunity to speak this afternoon.

3 CHAIRWOMAN NOLAN: I really appreciate  
4 your patience.

5 MR. THOMPSON: Not at all.

6 CHAIRWOMAN NOLAN: I'm going to let  
7 Councilmember Jackson go and our colleague who  
8 chairs it. You can read your testimony too and  
9 then, if there's a question, we'll take it.

10 MR. JACKSON: Well, first let me thank  
11 you, Madam Chair, for holding these assembly  
12 hearings throughout the entire city on the school  
13 governance issue, and I applaud all of the people  
14 involved, UFT, CSA, DC-37, the public advocate,  
15 the city comptroller, CFE, AQE, Class-Size  
16 Matters, CECs, Campaign for Better Schools, all  
17 of the parties involved, because in reality, this  
18 is democracy in action and I appreciate that.

19 I'm a grassroots kind of guy. I believe  
20 that the best systems of governance welcome the  
21 participation of all stakeholders. Good  
22 governance is open, has debate and dialogue, has  
23 clear lines of authority and accountability, and  
24 reasonable grievance procedures for resolving  
25 differences. Mayoral control has not achieved

2 these basic goals, and the proposals on the  
3 tables do not sufficiently emphasize these  
4 objectives.

5 I have reached these conclusions based on  
6 involvement that spans many years; Parent's  
7 Association member and leadership for 20 years;  
8 community school board member for 15 years,  
9 elected five terms by the public, seven to eight  
10 years as a president of a school board; lead  
11 plaintiff in the Campaign for fiscal equity  
12 lawsuit, approximately \$16 billion for addition  
13 for our children in New York City; a member of  
14 the City Council since 2002; on the Education  
15 Committee since 2002; and as chair of the  
16 Education Committee since 2006.

17 I want to speak first as a City  
18 Councilmember who represents the northern  
19 Manhattan neighborhoods of Morningside Heights,  
20 West Harlem, Washington Heights, and Inwood.  
21 Every day of the week, my staff and I hear from  
22 frustrated parents, teachers, principals, and  
23 other constituents on the wide range of  
24 educational complaints.

25 Today's issue, and I say "today," because

1 there will be a press conference and protest at  
2 2:50 p.m. in front of PS-173, 173<sup>rd</sup> Street and  
3 Fort Washington Avenue lead by my colleague  
4 Miguel Martinez, myself, the borough president,  
5 the assembly member, the state senator, all  
6 elected officials involved, and you may ask the  
7 question, why is that? That's a good question.  
8

9 Today's issue is telling and centers on  
10 the Department of Education's proposal to put an  
11 accelerated academic achievement high school  
12 inside PS-173, which currently serves  
13 kindergarten through fifth grade students.

14 While I believe that any configuration or  
15 age range can work if it serves an educational  
16 purpose, I also know that all parties must be  
17 stakeholders and must have a say in shaping that  
18 configuration.

19 This plan was put forth without  
20 discussion at the district leadership team level,  
21 or without the school leadership team being  
22 involved, or even the district superintendent.  
23 The parent's association, not consulted. The DOE  
24 finally held a meeting, finally, two days ago.  
25 Supposedly it was to present its proposal, but

1 arrived with no written description and no  
2 handout describing the program, no oral summary  
3 of the proposal was given; the floor was simply  
4 open for questions.  
5

6 So it took parents about 25 minutes of  
7 intensive questioning to extract specifics. What  
8 DOE intends to do is to create a high school that  
9 will eventually grow to 300 students at the rate  
10 of 75 to 80 students per year.

11 The program could be open to students  
12 from all over the City of New York, and that  
13 Accelerated Academic Achievement really means  
14 students who have not met eighth grade graduation  
15 requirements, but are considered possible  
16 candidates for high school graduation if they  
17 received this extra support.

18 No specific description of any security  
19 precautions or pragmatic guidelines for shared  
20 usage of common space was even given. The  
21 Department of Education could not answer how the  
22 presence of this new school would affect access  
23 to cluster rooms, the gym, et cetera.

24 The Department of Education seems  
25 surprised by the vocal and negative reaction from



2 parents as well as the necessity of translating  
3 form dialogue from English to Spanish and Spanish  
4 to English in Washington Heights. The  
5 representative remarked, how much longer it took  
6 to conduct a question and answer session since  
7 they needed translation. Well, Department of  
8 Education, get real, this is New York City.

9 Parents even overheard the DOE  
10 representative make a disparaging comment that  
11 parents in this district did not know how to  
12 behave. Man, I'm getting annoyed just saying  
13 that myself.

14 CHAIRWOMAN NOLAN: They'll be saying  
15 that about me, Bob, don't worry.

16 MR. JACKSON: My pressure is starting to  
17 rise.

18 I wonder at the ability of the DOE to  
19 tell our community in a prescriptive way what  
20 kind of academic programs we need for our  
21 children but come to the presentation clearly  
22 ill-prepared and without a basic knowledge of the  
23 audience it would address. Point of fact -  
24 parents would love to see all day pre-k programs  
25 in those classrooms, a proposal that would help

2 to eliminate the need for "accelerated academic  
3 achievement." Parents recognize the need for  
4 academic support for these struggling students;  
5 they just don't feel this is the right location  
6 and resent the lack of participation in the  
7 decision-making process. That is what happened  
8 two days ago. That is what the press conference  
9 is about this afternoon.

10 I know this is a lengthy description of  
11 one single incident but it's symbolic of the  
12 arrogance with which DOE treats parents,  
13 community, even its own employees and certainly  
14 the governance structure it created, but it  
15 ignores it at will.

16 What is the point of having district  
17 leadership teams if they are not consulted about  
18 such plans? Collaboration and consultation are  
19 supposed to happen before decisions are made not  
20 after the fact or as damage control as DOE  
21 normally does.

22 Just - I want you to listen for a second,  
23 the DOE language used in the advisory memo from  
24 the Office of Portfolio Development to the  
25 principal of that school, and you all know who a

2 principal is under their current structure. A  
3 principal is an educational leader who is  
4 supposed to have autonomy over their schools.

5 The Office of Portfolio Development stated,

6 "We will make a final decision regarding  
7 the specific program to be located in the  
8 building."

9 "We will arrange for you to meet with the  
10 leader of the new school or program."

11 "We will develop a space allocation plan  
12 based on the standard instructional footprint."

13 Doesn't sound like autonomy to me.

14 On the ground, this is what mayoral  
15 control feels like, a very authoritarian, we know  
16 what's best for you, do as we say, not as we do,  
17 kind of distant and slightly mean father figure.

18 Although I will be submitting written  
19 testimony in much greater detail to reflect the  
20 many educational hats I have worn, I need to  
21 respect the time constraints of this hearing,  
22 Madam Chair, and there are many people behind me  
23 and in the other room who want to share their own  
24 experiences with mayoral control.

25 Therefore, I will move to the very

2 specific observations and recommendations:

3           One, you are all legislators, like  
4 myself, at the state level, I'm at the city  
5 level. If you represent New York City residents,  
6 I encourage you to go to your parents association  
7 and go to your community education council to see  
8 how happy they are with today's version of  
9 mayoral control. Go to your district office  
10 staff and find out what kind of constituent  
11 satisfaction there is with your local schools and  
12 with the governance structure.

13           These hearings are a wonderful  
14 opportunity for public comment, but I hope you  
15 will also give this process the time and  
16 attention it deserves in Albany. Don't let it  
17 become a last minute scramble in a budgetary  
18 process or left to three men in a room, and don't  
19 be fooled by public service ads or the subtle  
20 persuasion of lobbyists and consultants, somebody  
21 is paying for those expensive fees, and, believe  
22 me, it's not the coalition - it's not this  
23 coalition, the Campaign for Better Schools, it's  
24 not AQE, they don't have the billions of dollars  
25 to pay for all these consultants.

2 I don't think that the assembly members  
3 and senators from upstate counties should really  
4 be that involved at the detail level in the  
5 oversight of New York City schools. City  
6 residents are the stakeholders here, and with  
7 city government is where oversight responsibility  
8 should rest.

9 We need effective enforcement mechanisms  
10 to hold the Department of Education, the  
11 chancellor, and the mayor to the standards that  
12 have been already been decided by you, by city  
13 legislators and the courts. We need some teeth  
14 here.

15 The Panel on Educational Policy has to be  
16 weighted to give parents the loudest voice.

17 The stature and authority of district  
18 superintendents need to be increased.

19 The capital dollars side of the  
20 Department of Education, the Education  
21 Construction Fund and the School Construction  
22 Authority need far more greater scrutiny. The  
23 chancellor must not sit on the Board of Trustees  
24 of the School Construction Authority and the  
25 mayor should not control those appointments.

2 Decisions about billions of dollars of public  
3 money are being made at those board meetings, and  
4 you know how long the public meetings last, you  
5 don't know? 15 minutes. And ask me what time of  
6 day. 8:15 in the morning. Real good community  
7 input for parents and others to come down to  
8 Tweed when people have to work every single day.

9 The council and the public advocate should make  
10 board appointments.

11 A governance structure should not be  
12 judged solely by the test results of all  
13 graduation rates, and I know it sounds old  
14 fashioned, but governance needs to be measured  
15 against the yardstick of democracy of public  
16 participation, and civic engagement, as well as  
17 outcomes, we need the public back in public  
18 schools.

19 A governance structure must endure  
20 changes in demographics and weather small or  
21 large dips in the economy.

22 Governance should not be dependent on the  
23 popularity or personality of an individual office  
24 holder. And, most importantly, it must answer  
25 the constituent it serves and not the single

2 vision of a political - or political fortunes of  
3 the mayor of the City of New York.

4 Over 1.1 million children are affected  
5 for the rest of their lives by the education they  
6 do or do not receive as New York City public  
7 school students.

8 On their behalf, I urge you to move  
9 towards a governance system that rests on the  
10 broadest possible base with the greatest degree  
11 of accountability.

12 Madam Chair, thank you for the  
13 opportunity, and if I sound emotional, I am,  
14 because the parents that I represent are  
15 emotional and they do not like what's been going  
16 on.

17 CHAIRWOMAN NOLAN: We appreciate it,  
18 Councilman Jackson, and I think many people in  
19 the audience may not know, but I know, as my  
20 colleagues do that you once walked to Albany,  
21 which I could never have done, you're in much  
22 better shape than I, to advocate for your  
23 daughters now, who are long gone from the system,  
24 and it was really you who brought the original  
25 CFE lawsuit, so we salute you for that.

2 I have one quick question for the  
3 comptroller about leased space, I didn't get a  
4 chance to ask the chancellor about that because,  
5 as I said, this is our first time having him. We  
6 tried for three or four years, but we finally did  
7 get him, but it wasn't enough time.

8 Leased space, have you done anything to  
9 review that? As you may know, I'm a triple  
10 winner here, I also have in my own district a  
11 school that they call toxic high sometimes  
12 because it was built on a brown field, and in the  
13 principal's office, there's a little red light  
14 bulb, and when that light bulb goes off, they  
15 have to evacuate the school.

16 So questioning why they would place a  
17 school there, we haven't really gotten a lot of  
18 answers about the leased space program. Maybe  
19 you can just comment on your own auditing of  
20 that.

21 MR. THOMPSON: We haven't dug into the  
22 lease space situation, that may be something that  
23 we'll take a look at, but a lot of the reasons  
24 for using lease space goes back to the need for -  
25 the need for additional space goes back to in



2 some places the lack of other space to be able to  
3 build and acquire land so you wind up using it  
4 and building on leased space. That's the only -  
5 it also happens to be at times cheaper and  
6 quicker to be able to use leased space. In this  
7 case, I don't know the specific details.

8 CHAIRWOMAN NOLAN: Do you have an audit  
9 ability on the leased space program?

10 MR. THOMPSON: No. And that's something  
11 we may be able to work on together.

12 CHAIRWOMAN NOLAN: Okay, I think only  
13 Jim has a quick question or Mike but then we want  
14 to move forward.

15 ASSEMBLYMAN BRENNAN: Mr. Comptroller,  
16 your testimony focused on some audits your office  
17 has made, and I wanted to point out that they all  
18 relate to non-instructional matters, they relate  
19 to administration of the system.

20 MR. THOMPSON: Correct.

21 ASSEMBLYMAN BRENNAN: I wanted to know  
22 how you view the current governance structure in  
23 relation to the fact that these failures are  
24 administrative. We have a chancellor that  
25 reports to the mayor and not to this board. He

2 doesn't work for the board, he works for the  
3 mayor.

4 Is this a failure of the current  
5 structure that we put in place that all these  
6 functions that are administrative are where  
7 you're seeing the failures and not in the  
8 instructional?

9 MR. THOMPSON: It is harder - or it is  
10 perhaps easier to be able to look at some of the  
11 administrative functions and be able to dig in  
12 directly on the educational components. We have,  
13 over a period of time - some of these directly  
14 are, they may be administrative in nature, but  
15 they affect education and delivery of educational  
16 services to children. Being able to dig in, for  
17 example, some would say directly at education.  
18 It's hard to be able to audit the delivery of  
19 educational services to students. There isn't an  
20 objective way to be able to do that in a lot of  
21 ways, one has to look at outcomes, one has to  
22 talk to teachers and the professionals,  
23 principals and others within the school and that  
24 tends to become less objective and more  
25 subjective.

2 ASSEMBLYMAN BRENNAN: What I'm getting  
3 at is, let's say we added three appointments to  
4 the board. Okay?

5 MR. THOMPSON: Okay.

6 ASSEMBLYMAN BRENNAN: Would that enable  
7 the system to be able to focus on an  
8 administrative dysfunction in a superior way to  
9 the current system? Now the board doesn't really  
10 tell the chancellor what to do at all, they just  
11 do whatever they're going to do. I know you have  
12 aspirations, it's no secret, so what I'm saying  
13 is, let's say - all right, you appoint the  
14 chancellor, but then, all of a sudden, there's a  
15 more democratic structure on the board, there's a  
16 couple of extra votes on the board and the -  
17 another comptroller has an appointment.

18 Is it a problem to have a bunch - an  
19 additional democratic process there?

20 MR. THOMPSON: The one thing that I  
21 think that you'd like to do, I don't know that -  
22 an oversight board, a board in one form or  
23 another should, if you would, should focus more  
24 on the - focus on educational policy issues. I  
25 don't think you'd want to see them involved in

2 hiring and firing. You wouldn't want to see them  
3 involved in delivery of services or  
4 administrative issues, I think that complicates  
5 the issue. It just kind of dilutes mayoral  
6 control.

7 What you would like to create is more  
8 accountable structures and a more openness and  
9 transparency. Part of the problem that we have  
10 is they hide things. There is no transparency in  
11 so many of the things that are done. I think  
12 that what you would like to -

13 ASSEMBLYMAN BRENNAN: What I'm saying  
14 is, let's say the board holds a bunch of its own  
15 hearings on an administrative failure, and it's  
16 capable of doing that because it has some  
17 additional input.

18 My point is, a democratic process could  
19 improve the administration.

20 MR. THOMPSON: I understand, but you  
21 still want - the ability to focus attention where  
22 there's deficiencies isn't bad. But you, at the  
23 same point don't want to wind up creating a  
24 structure that impede movement, that slows things  
25 down, I think you have to be careful about that.

2 So things that create - the truth is, as  
3 we look at some of these areas, I don't know why  
4 there's more public hearings that are done by the  
5 direct -by the chancellor and his people more  
6 opportunities for people to speak to them  
7 directly and voice complaints and concerns.

8 When an issue like this comes up, an  
9 issue of administrative failure, they should be  
10 accountable to the parents and the public. They  
11 should have to go and face them and discuss that  
12 issue.

13 ASSEMBLYMAN BRENNAN: Maybe we can  
14 empower the board to trigger more hearings?

15 MR. THOMPSON: That might be a good  
16 idea, yes. That would be a good idea.

17 CHAIRWOMAN NOLAN: Mike, real quick, and  
18 then Alan real quick, and then we have to move  
19 on. I know Councilman Weprin is here and I don't  
20 know - maybe David, join us for the discussion  
21 part and then we can always have your testimony  
22 put into the record at another time.

23 Mike, real quick.

24 ASSEMBLYMAN BENEDETTO: Yes, Mr.  
25 Comptroller, I notice here on the points on one

2 of your audits, the very first one that you list  
3 here about the provision for special education  
4 services that were misreported for failed to  
5 monitor and track. I know that's a very serious  
6 thing, but when I used to be in special education  
7 every month we would have to file detailed  
8 reports as far as services going to special  
9 education children.

10 Can you elaborate very quickly on this  
11 and is there a printed report on this because I  
12 would like to see that?

13 MR. THOMPSON: Yes. It is online at my  
14 website. It's [www.comptroller.nyc.gov](http://www.comptroller.nyc.gov) and you  
15 can access report, however, I do remember this  
16 one and it really went to services that were  
17 provided, particularly in pullout services to  
18 students, language and other services that they  
19 were saying were being provided, and we went back  
20 and looked, at times the schools were closed when  
21 those services were supposed to be provided.  
22 Services that were being provided on Saturdays  
23 and Sundays, when you know the school was closed.

24  
25 Students, when we started to match it up

2 against students' attendance records, services  
3 that people had said had been provided to these  
4 students on days when the student was absent.

5 So it was a question of, was the services  
6 to these students in special education who were  
7 being provided pullout services, were those  
8 services being provided and our audit of this  
9 basically indicated that there were huge  
10 deficiencies in those services being provided  
11 directly to those students.

12 ASSEMBLYMAN BENEDETTO: Thank you. I'll  
13 check that out online.

14 CHAIRWOMAN NOLAN: We're going to have  
15 Alan Maisel, Councilman Weprin is here, and I  
16 also want to acknowledge Assemblyman, a new  
17 member of the assembly, Michael DenDekker is in  
18 the back, and he can join us up front, and then  
19 after Alan, Brian Kavanagh has quick question and  
20 then I want to make sure the people know on the  
21 on-deck circle is Randi Weingarten, United  
22 Federation of Teachers, Ernest Logan, Veronica  
23 Montgomery-Costa, and we'll go and on as we go  
24 through it, so the on-deck circle starts to move.

25 MR. THOMPSON: I'll also be brief with

2 my responses.

3 ASSEMBLYMAN MAISEL: Gentlemen, first of  
4 all, let me thank you for your testimony, I found  
5 it quite interesting. I wanted to ask Councilman  
6 Weprin a question, if I might.

7 Councilman, how do you envision - and let  
8 me just backtrack, the legislation that we're  
9 working under now, has left the City Council  
10 basically out of the equation. City Council  
11 really has no power, to illustrate, when the cell  
12 phone controversy came about, I believe there was  
13 a law passed in the City Council and the mayor  
14 promptly ignored it.

15 How do you envision the role of the City  
16 Council in any new governance plan that we would  
17 come up with?

18 MR. WEPRIN: We have oversight over the  
19 capital budget, and certain aspects of the  
20 expense budget through the City Council.

21 I would think that any additional ways of  
22 involving us, whether it be - certainly would be  
23 involved through a home rule message, and through  
24 a home rule capacity, vis-à-vis any state  
25 legislation that you adopt, but any way to link



2 additional items of oversight as the comptroller  
3 testified, as far as the contracting processing  
4 of the Department of Education which has no big  
5 contracts for hundreds and hundreds and millions  
6 of dollars of contracts, obviously any oversight  
7 function that the City Council can be involved  
8 in, if there's a change in that capacity would be  
9 helpful.

10 MR. JACKSON: Mr. Maisel, assembly  
11 member, the City Council had a work group in  
12 which you may have a press release from the City  
13 Council concerning our recommendations, and if  
14 you don't staff will provide it for you.

15 ASSEMBLYMAN MAISEL: I don't have it  
16 here. Has it been given out?

17 MR. JACKSON: Can we provide the members  
18 with the press release? Clearly, the City  
19 Council believes in municipal control. So we  
20 want to have the full authority to either approve  
21 things with respect to DOE and it's laid out in  
22 this press release which basically was a result  
23 of a work group where we interviewed many many  
24 people over the course of months and have  
25 concluded with this press release with

2 recommendations.

3 ASSEMBLYMAN MAISEL: You have the same  
4 kind of control with the police department, the  
5 fire department, the DOT, you have a role to play  
6 in all those agencies, am I correct?

7 MR. JACKSON: Yes.

8 ASSEMBLYMAN MAISEL: But you don't have  
9 that with the Department of Ed?

10 MR. JACKSON: Well, just oversight only.

11 The bottom line is, the mayor is in full  
12 control, and the mayor is doing whatever he wants  
13 to do provided his - the chancellor, and we hope  
14 that you want to bring that into check, right, so  
15 when the chancellor was talking about  
16 accountability, he really is not accountable to  
17 the City Council.

18 ASSEMBLYMAN MAISEL: He's not  
19 accountable to the City Council only by way of  
20 oversight hearings, and one of the things that I  
21 constantly state, and Madam Chair may have heard  
22 this, every meeting, they are tardy and late in  
23 responding to our requests on a continuous basis.

24 The bottom line is, unless the state legislature  
25 put them in check, they basically do whatever

1 they want to do.

2  
3 The point made, very very clearly, is  
4 when the DOE moved from 32 districts to 10  
5 regions, and CSA and the other unions, and even  
6 state legislators say, you can't do that. The  
7 law says there's 32 districts. And I'm  
8 simplifying it, but they said, oh, yes, we can.  
9 And they said, oh, no, you cannot. They said,  
10 well, we're doing it anyhow. You know what the  
11 legislators did and the unions? The filed a  
12 lawsuit against the Department of Education.

13 Can you imagine a state assembly member,  
14 a state senator filing a lawsuit because DOE  
15 wants to change state law without going to you to  
16 change the law, that's how arrogant they are in  
17 their process of being dictators in my opinion.

18 ASSEMBLYMAN O'DONNELL: Mr. Kavanagh.

19 ASSEMBLYMAN KAVANAGH: Just a quick  
20 question for Comptroller Thompson, I think you  
21 were in the room when the deputy chancellor  
22 testified that there are aspects of the school  
23 system that make it - would make it difficult for  
24 them to file the normal contracting process of  
25 the city.

2           You've been at the education system,  
3 you've been the comptroller for a number of  
4 years. Is there anything about educational  
5 services and the need to have services in place  
6 for September, or anything else that you know  
7 about the school system that would make it  
8 difficult -

9           MR. THOMPSON: I thought it was an  
10 incredibly creative response on the part of the  
11 deputy chancellor. No, there's nothing to  
12 prevent them from being treated like any other  
13 agency at all.

14           ASSEMBLYMAN KAVANAGH: Thank you.

15           CHAIRWOMAN NOLAN: Thank you very much.

16           MR. WEPRIN: Chair Nolan, just in  
17 response to Assemblyman Maisel's question about  
18 the City Council, you actually, through your  
19 prior legislation, given mayoral control, gave  
20 the City Council for the very first time control  
21 over the capital budget for the Department of  
22 Education.

23           Prior to that, the City Council did not  
24 have jurisdiction over the capital budget of the  
25 Department of Education. That became, in effect,

2 when you enacted mayoral control originally. So  
3 you actually did involve the City Council through  
4 the prior legislation, because for the first time  
5 we actually had legal authority over the capital  
6 budget for the Department of Education.

7 ASSEMBLYMAN BRENNAN: You don't want us  
8 to take that away?

9 MR. WEPRIN: We do not. We want you to  
10 expand it, enhance it, and, at the very least,  
11 keep it.

12 CHAIRWOMAN NOLAN: Thank you, David, you  
13 have great testimony, and you've been kind enough  
14 to leave it and not read it and thank you for  
15 participating in the dialogue, you were great  
16 just even to come.

17 I know there are a number of other  
18 members of the council and they were kind of  
19 enough to sort of send in their testimony, and we  
20 want the record to reflect Gale Brewer, Jessica  
21 Lappin, and Charles Barron, they're either going  
22 to come back later or come to another borough  
23 hearings.

24 So thank you all very much. I really  
25 apologize to the comptroller because you were so

2 great to come in.

3 MR. THOMPSON: I thought it was a great  
4 discussion, so thank you very much.

5 CHAIRWOMAN NOLAN: Thank all three of  
6 you for your fine service to the people of New  
7 York.

8 MR. WEPRIN: Thank you, Chairwoman.

9 MR. JACKSON: Thank you.

10 CHAIRWOMAN NOLAN: I want to thank Randi  
11 Weingarten and ask her to come up and take the  
12 hot seat right here. And Ernie Logan and  
13 Veronica Montgomery-Costa come up and we'll do  
14 the UFT first, and then move along that way. I  
15 guess in size order. She's got the most members.

16 I thank you Veronica and Ernie for your  
17 patience, I know Randi also has to go, so we'll  
18 start with them.

19 How many members do you have, actually?  
20 There are a lot of teachers in this system.

21 MS. WEINGARTEN: We are now the largest  
22 local union in the universe. We have 200,000  
23 members and it makes it - in terms of democratic  
24 unions, excluding China and Russia, we are the  
25 largest local union.

2 CHAIRWOMAN NOLAN: You speak for many  
3 and we know you speak very well as do your  
4 brothers and sisters here from the labor movement  
5 and the leadership.

6 MS. WEINGARTEN: And I'm glad that my  
7 colleagues are here because they always have my  
8 back.

9 CHAIRWOMAN NOLAN: Thank you for  
10 waiting.

11 MS. WEINGARTEN: I am pleased to be  
12 here. As Chairwoman Nolan knows, I have some  
13 personal family issues that I have to attend to  
14 that I've been trying to do and balance my two  
15 jobs in that.

16 Let me, instead of reading my testimony,  
17 I just want to make an observation that I think  
18 is pretty obvious, but I'm going to make it  
19 anyway, which is, this morning's testimony by the  
20 chancellor, and I concur with the comptroller,  
21 that it was a fascinating exercise to sit and  
22 listen to it.

23 I have listened to the chancellor testify  
24 at different times with the Assembly, and I have  
25 never seen either the chancellor or the deputy

1 mayor be as responsive to the assembly members as  
2 he was today. What this says, there was  
3 frustration as well as the frustration of people  
4 who were sitting behind you. What this says is,  
5 one has to create a governance system that has a  
6 problem solving and a voice mechanism that is  
7 short of a sunset each and every year.  
8

9           Ultimately, that is what we saw today and  
10 heard today. Because of the sunset and because  
11 the Assembly and the Senate and the Governor are  
12 taking their responsibilities seriously, their  
13 educational responsibilities seriously, we will  
14 now have in this city, thanks to you, Cathy  
15 Nolan, we will now have in this city finally a  
16 real debate about what has happened in the past  
17 seven years.

18           That debate, particularly on policy  
19 grounds, really has to happen all the time, and  
20 that was essentially the pivotal centerpiece of  
21 the UFT recommendations on governance. On budget  
22 issues, the chancellor was quite right, there are  
23 choices made all the time, but CFE actually made  
24 a choice as did all of you on having class size  
25 be one of the drivers of budget. It was stymied



1 on the local level, as you have said and heard  
2 and questioned the chancellor about today.

3  
4           There are many other individual examples  
5 as the chair of our City Education Committee so  
6 eloquently said. They come across my desk every  
7 day, they come across I'm sure Ernie and  
8 Veronica's desk every day, as well as some of the  
9 advocates that are in back of me.

10           So probably the second most important  
11 thing I will say is this. Every time some of us  
12 feel that there is a legitimate issue with the  
13 current administration, the first response we  
14 normally get is no, and if we think that it is  
15 really legitimate, the only options we have in  
16 terms of attempting to have problem solving done  
17 is to go to the streets to sue, to grieve, or to  
18 embarrass the school system in the public press.

19           Now, ultimately, institutionally, that  
20 doesn't feel like the way you should do things  
21 when the mission of this institution every single  
22 day should be the education of our children.

23           So the second thing the UFT tried to do  
24 in these governance recommendations is to figure  
25 out institutionally how to change that. Not how

1 to have power. We got a lot of power, and,  
2 frankly, when you do it on the streets, it makes  
3 us really powerful. When you do it inside,  
4 behind closed doors, where you're trying to make  
5 the best interest of kids most paramount, it  
6 makes us less powerful.

7  
8 But if that is the goal, which should be  
9 the goal of a governance system, we need to have  
10 mayoral control, operational mayoral control,  
11 plus transparency, and checks and balances. That  
12 is what we tried to design.

13 Let me say two or three more things and  
14 then I'll stop because you can read the  
15 testimony. In some respects, mayoral control has  
16 been a great asset for our public schools. I  
17 know there are people who disagree with me on  
18 that. Having a mayor who is willing to take  
19 responsibility for what goes on in schools and  
20 make education a priority in this city was  
21 paramount and continues to be paramount.

22 Under mayoral control, plus the CFE  
23 lawsuit, both of them coming together at the same  
24 time, we have witnessed an unprecedented infusion  
25 of city budget dollars and private investment

1 targeted to education.

2  
3 Other mayors, even mayors that we all  
4 supported, starved the schools and then said it  
5 wasn't their problem. But in the last seven  
6 years, billions more dollars were poured into our  
7 schools. Teacher salaries have increased,  
8 improving and recruitment and retention efforts  
9 and forward-thinking measures such as lead  
10 teachers and school-wide bonus program have  
11 become a reality.

12 There are also other potentials with  
13 mayoral control as you have already heard, such  
14 like having some coordination between city and  
15 planning and city school systems so you know  
16 where people are moving in the city. Where the  
17 city population is growing as Assemblywoman  
18 Rosenthal talked before. There are other things,  
19 such as having wraparound services around schools  
20 like Jeff Canada is doing in Harlem, but what we  
21 can't do anywhere else in the city, why can't we  
22 have health clinics attached to schools, or those  
23 kind of resources like they do under mayoral  
24 control in Chicago and in other places.

25 But on the flipside, we know that the

1 changes of the last seven years have been chaotic  
2 at times, and at times difficult for parents as  
3 well as for individual teachers who get stymied  
4 when they want to help kids and are told it's not  
5 part of the plan to raise test scores.  
6

7 And then they get threatened when they  
8 say, this is not in the best interest of  
9 children.

10 We know that there have been issues in  
11 terms of audits and money, as the comptroller has  
12 testified. We know that the lack of  
13 transparency, collaborations, and checks and  
14 balances have lead to a lot of controversies,  
15 even controversies where I may agree with the  
16 school system, but there have been controversies,  
17 nonetheless, like the arbitrary removal of  
18 central board members on the issue of social  
19 promotion which, frankly, I agreed with where the  
20 school system was on that, but to say and to fire  
21 people because they ask questions about whether  
22 how kids were going to get services if they were  
23 left back, that was not an appropriate use of  
24 executive authority.

25 The lack of public discussion about how

1 to increase student success, the lack of public  
2 discussion about graduation rates or school  
3 capacity, the lack of public discussion about  
4 career and technical education or gifted and  
5 talented education, from policies concerning  
6 testing, school closing, and changing bus routes  
7 mid year to the many no bid contracts that cost  
8 the city millions and worse, the disregard for  
9 education laws that are deemed inconvenient with  
10 a class-size issue being one of the most  
11 important.  
12

13           So with all of this, we try to say, what  
14 could work instead? We maintained in our  
15 recommendations - we have six core principles  
16 ensuring accountability and transparency with  
17 checks and balances at all levels, encouraging  
18 public involvement and decision-making, providing  
19 clear lines of communication and responsibility  
20 to solve problems, complying fully with state  
21 laws, supporting teamwork and collaboration  
22 focused on achievement, and ensuring the  
23 stability and oversight of resources that schools  
24 depend on.

25           But the most important issue was, what is

2 going to help ensure that students have more  
3 success over the next four or six years, than  
4 they have had right now. So from there we have  
5 developed the following recommendation. Most  
6 importantly, to have an independent voice that  
7 would champion kids, and that was why we proposed  
8 the reconfiguration of the panel for education  
9 policy. We proposed that five of the 13 members  
10 would be appointed by the mayor, one each would  
11 be appointed by the public advocate, the  
12 comptroller and the City Council speaker, and the  
13 remaining five by each of the five borough  
14 presidents.

15 The chancellor would be an ex-officio  
16 member rather than a voting member. We also  
17 recommended fixed terms for the appointees so  
18 that they could be removed only for cause and  
19 allowing the panel to pick its own chair, and in  
20 the spirit of it, we even changed the name.

21 But this was the point of the plan, by  
22 opening the panel to broader representation, the  
23 governor and the legislature would give voice to  
24 the officials who are elected to do the people's  
25 business, and thereby create an institutional

2 voice for parents, students and the teachers who  
3 rely on and work within the system every day.

4 Under this plan, the panel would still  
5 strictly be a policy panel, not an operational  
6 panel. The chancellor would continue to have all  
7 the powers the chancellor now has, and the  
8 chancellor would continue to be appointed by the  
9 mayor and the mayor would continue to have the  
10 budgetary authority that the mayor now has under  
11 law. But under this plan, on policy issues, the  
12 mayor would need to sway two, only two, of the  
13 eight votes that are not under his or her control  
14 in order to make major changes in public school  
15 policy.

16 Why did we propose this? Because we  
17 believed in independence and responsibility  
18 balanced with accountability. A check and  
19 balance that would ensure proper debate, problem  
20 solving, and more timely decisions.

21 This week, or the last 10 days is a  
22 perfect case in point, where is the independent  
23 voice championing student's needs in the way of  
24 this budgetary nightmare?

25 Again, the issue comes down to improving

1 outcome for kids. When you look at great  
2 schools, you see several things, most notably,  
3 you see parental and teacher engagement that is  
4 both collaborative and meaningful. Schools where  
5 parents choose to be involved are inherently  
6 stronger.  
7

8 Schools that foster collaboration and  
9 reflect the true voice of the staff can point to  
10 better student outcomes. We are trying to create  
11 a voice, not a veto.

12 There are several other recommendations  
13 in here. The only other one, I just want to note  
14 is the issue about superintendents.  
15 Superintendents can and should play an important  
16 role in their districts. Superintendents are  
17 responsible for making certain that all children  
18 in their districts are achieving at high levels  
19 and all schools are being properly resourced and  
20 supported.

21 We do need somebody in charge who knows  
22 the schools, the neighborhoods and their needs.  
23 Superintendents are also a great conduit of  
24 information for the community and can be a  
25 resource for parents who needs their concerns



2 heard and decisions made when an issue cannot be  
3 resolved on a school level.

4 Ultimately, in the 2002 law, it was a  
5 very good balance that was struck. That balance  
6 has been negated in some operational ways and I  
7 believe we need to get back to it.

8 Thank you very very much for your time.

9 CHAIRWOMAN NOLAN: Thank you.

10 MR. LOGAN: I'm also going to attempt to  
11 be brief, you do have my testimony.

12 I just want to touch on a couple of  
13 things. Most notably, I'm going to start with  
14 the panel for educational priorities as they call  
15 it now.

16 We believe that, because we are  
17 supportive of this idea of the governance  
18 structure where the mayor is indeed in charge  
19 because no longer do we have the battle about  
20 whether he's going to fund the public - the Board  
21 of Education or not fund it. It's his  
22 chancellor, he's picking them, et cetera.

23 But what we believe is that there needs  
24 to be a voice of the borough presidents, maybe  
25 possible a seat from the City Council, so no

2 longer do we get this thing where I don't know  
3 what's going on, because what we've seen in the  
4 last seven years is that when we go elected  
5 officials they say, well, I don't know. As a  
6 community person, as a parent, as an educator, we  
7 can't have "I don't know."

8 In regard to the community school  
9 districts and the superintendents, CSA was at the  
10 forefront with Steve Sanders, former chair of  
11 this committee during a lawsuit to make the City  
12 of New York continue the 32 community school  
13 districts in the geographic. But what did they  
14 do? Instead they made superintendents SAFs, they  
15 sent them all around the city, they had no impact  
16 on the schools, they had no idea what the schools  
17 were like.

18 CHAIRWOMAN NOLAN: What's an SAF?

19 MS. LOGAN: School achievement  
20 facilitator, or student achievement facilitator,  
21 whatever way that you want to look at it. They  
22 looked only at data for individual schools.

23 Community superintendents serve a vital  
24 role. Some people say, you're the president of  
25 the union that represents principals. Why would

2 principals want bosses. Well, everyone has a  
3 boss. Everyone has someone that does cost  
4 collection. Everyone needs someone to give  
5 support, and guidance to help the leader at the  
6 building advocate for what the resources are  
7 needed for their building, what the students  
8 need, what the parents need.

9 We also want to ask for transparency. We  
10 have recommended a total independent school  
11 performance and data budget office. No one  
12 really knows how well we're doing. The public  
13 never sees the raw data. The public gets  
14 reported out of what the data supposedly shows.  
15 So now we're always in this argument of what the  
16 state says we're doing, what the federal  
17 government says we're doing, and what the Board  
18 of Ed says that we're doing.

19 While we believe that there needs to be  
20 complete transparency of exactly what we have in  
21 the way of data, and what it is showing, whether  
22 it's on enrollment, attendance, test scores,  
23 graduation rates, you name it, pupil teacher  
24 ratios, there has to be that independent office.

25 And we believe the New York City

1       comptroller should have the authority to audit  
2       all DOE budgets and contracts which means that  
3       they can't have a separate procurement system  
4       separate from the City of New York, so everyone  
5       understands how many contracts we have. No one  
6       knows how many contracts, even today, there is a  
7       question about how many contracts do you have.  
8       And, you know, nobody can tell you how many  
9       millions and millions of dollars, and they're  
10      spent on contracts or what the overruns are in  
11      those contracts that people thought were a  
12      million dollars and are now \$7 million. No one  
13      has that.

15               We believe that the community and  
16      parental involvement is at the community school  
17      district level. We believe that the community  
18      needs to have a portal for them to express the  
19      issues about what happens in the schools and  
20      their community. Right now there is no portal.  
21      There is no place for parents to go in the past  
22      that started at the school level, went to the  
23      community superintendent, it went to the  
24      chancellor and then it went to the city panel.

25               Right now parents have no place to go to

2 have the issues addressed. Parents need to have  
3 that because you will not have, as Chairman  
4 Jackson said, all of a sudden you're putting a  
5 school in the building, and nobody's heard a  
6 discussion about it.

7 Or you're closing a school and you find  
8 out that the school is not doing well until they  
9 decide to close it, there's no conversation with  
10 the community. So who is responsible for  
11 educating our children, yes, the school is but  
12 also our community, and they need to have a buy-  
13 in. And we also believe - also believe that the  
14 chancellor must have a background in education or  
15 possess all the accreditation requirements  
16 otherwise required of a school superintendent  
17 under the state law.

18 Now, I've seen some other - people say,  
19 well, if you want to have a waiver, you should  
20 have a public discussion, have a vote, I don't  
21 mind that. But if my members are required, as  
22 Randi's members are required to have state  
23 certification to be in the school, we believe  
24 that the chancellor should also have that  
25 requirement or be someone how has reasonable

2 knowledge about education and how schools work.  
3 Why? Because when you're walking through a  
4 school, when you're setting policy, you need to  
5 know what the effect that policy has on the  
6 children that you're serving. I'll stop right  
7 there. I'll leave the conversation and you can  
8 go from there.

9 And the last piece is the sunset  
10 provision. We fought for a sunset provision and  
11 I keep saying this, because that's the one thing  
12 CSA - governance is that we said we need, to have  
13 an opportunity to look at this again, and thank  
14 God for that, because now the conversation, as  
15 you seen today, is more open, more about the  
16 discussion, because they know that it's not going  
17 to continue the way it is. We need to have a  
18 sunset provision that we look at this every eight  
19 years or every six years, but somewhere where we  
20 have a conversation because education changes all  
21 the time.

22 Thank you very much.

23 CHAIRWOMAN NOLAN: Now just stay right  
24 there. I know Randi has to go, and Assemblyman  
25 Weprin had a quick question for her, so if we can

2 do that, I would just ask you to stay for just a  
3 minute, okay.

4 ASSEMBLYMAN WEPRIN: I just want to make  
5 a quick statement and then I would like Randi and  
6 Mr. Logan just to comment on whether I'm being  
7 accurate because I've saying this in a lot of  
8 places.

9 I speak to teachers and I speak to  
10 principals. I believe neither the principals nor  
11 the teachers are being allowed to do their jobs  
12 properly. Because there's no school districts,  
13 principals are being CEOs, they're being dropped  
14 in their lap a thousand things, and they spend  
15 their time on the computer, instead of doing  
16 their jobs, which is walking around the school  
17 and watching and holding teachers accountable,  
18 and walking around and seeing what's going on in  
19 classrooms, knowing children's names and things  
20 like that.

21 Teachers are not being allowed to do  
22 their job because they're being offered \$10,000  
23 bonuses and \$20 million worth of bonuses for  
24 getting test scores up. When they talk about  
25 accountability, every time it's about getting a

1 test score up. Now I may be wrong, but good  
2 teachers - it's not about getting test scores up,  
3 it's about inspiring kids to want to learn, and  
4 they're not learning now, and it's crazy.  
5

6 I know you're an attorney, Randi, when  
7 you went to law school and you graduated, when  
8 you took the bar exam, you probably took a prep  
9 course, Barbari they were amazing, Peeper -  
10 Barbari they were amazing at getting me the right  
11 answer. But I don't want them teaching me  
12 contracts and torts and constitutional law. That  
13 is what's going on in classrooms now.

14 My kid - and I hate to pick on my kid  
15 because I'm always afraid of what will happen,  
16 but he came home with a Kaplan packet, a Kaplan  
17 packet. And in that Kaplan packet it told him  
18 exactly the tricks to get the right answers, not  
19 information or knowledge, and I don't have here  
20 what the chancellor talked about, but we're  
21 building educational foundations, we're not,  
22 we're teaching them how to get right answers on  
23 tests. They were giving clues - this is a nine-  
24 year-old, by the way, if it says always or never  
25 in the answer choice, that's wrong, so take that



2 one out.

3 My point is, do you agree with my  
4 statement that principals are not doing their job  
5 as well as they can because they're being given  
6 too much paperwork and teachers are not doing  
7 their job because they're being forced to  
8 concentrate on getting test scores up?

9 MS. WEINGARTEN: You know, what makes  
10 the answer hard is that it's not a black and  
11 white situation, in that under No Child Left  
12 Behind, and whether or not the chancellor and the  
13 mayor would have done this anyway we would never  
14 know, but certainly under No Child Left Behind  
15 there is fixation under national accountability  
16 standards to meet AYP which means a progressive  
17 increase in English and math test scores, K or  
18 three through eight.

19 So that fixation is part and parcel of  
20 the operation of this school system every single  
21 day. Teachers complain about it all the time.  
22 And what we've seen in surveys that we've taken  
23 of UFT members is that more and more of their  
24 time goes to the paperwork, the assessment, the  
25 test prep, to deal with getting those test score

2 up, rightly or wrongly, on the high school level,  
3 it goes to the credit accumulation and things  
4 like that because of those metrics.

5 Now, is some of the - the most  
6 interesting data we have is if you look at data  
7 from Minnesota, data from Massachusetts, versus  
8 data from New York, and why am I putting my  
9 national hat on for a second, because there is  
10 something Tony Ierarda used to say, if you  
11 actually teach kids, you really do a rigorous job  
12 at teaching them, then they will do well on test  
13 scores. So that real question becomes, do we  
14 have the space in the system to do real rigorous  
15 teaching, as opposed to trying to get to higher  
16 test scores the way drug companies and big pharma  
17 used to try to get to higher profits.

18 I think, unfortunately, what's happening  
19 is, more and more, because the pressure of higher  
20 test scores is the predominant issue in the  
21 system, that a lot of the teaching and the rigor  
22 in the teaching is getting lost.

23 So the answer to your question is yes. I  
24 don't think it's because of the bonus program,  
25 but I think it's because of the entire culture

2 that is that fixation.

3 MS. LOGAN: I have to agree with Randi  
4 in a lot of that. I find that my members,  
5 principals have found that they don't get into  
6 the classrooms as much because they are indeed  
7 inundated with paperwork.

8 It was interesting in the conversation  
9 this morning that the chancellor talked about  
10 support. Yes, there is some support, but a lot  
11 of that support comes from the principal  
12 contacting people to bring that support in and,  
13 yes, in the past, many times things that  
14 principals are required to do now were done in  
15 the district office level.

16 ASSEMBLYMAN WEPRIN: And they paid for  
17 some of those service?

18 MR. LOGAN: That's correct. They pay  
19 for every bit of the service, not some of it.

20 Let's be honest about that. Principals  
21 have hired people out of school funds to do work  
22 that the district offices used to do. We can  
23 talk about - there's a whole philosophical thing  
24 about whether it's the same money or not the same  
25 money, but it's the school support system, you

2 are paying for that.

3 But what I find is very interesting is  
4 that we're missing the rigor there used to be in  
5 education, and, as Randi said, that might be  
6 because of No Child Left Behind which we hoped  
7 we'd be able to change and get some of that  
8 change.

9 But accountability is important, inquiry  
10 teams are important. We are really starting to  
11 identify children who are moving forward. But  
12 there's also this - where we're not increasing  
13 the rigor in the classroom. You can go into  
14 schools today where children don't understand  
15 even basic current events of what's happening  
16 around them, because there's been no discussion.

17 And many of my members, you know, I have  
18 to do a special program to do this when I  
19 shouldn't have. And that has to do with the  
20 balance of the rigor and the balance of getting  
21 them ready for the test prep.

22 CHAIRWOMAN NOLAN: Let me ask Jim to  
23 jump in with one last thing for Randi because I  
24 know she has to go. I thank you, my other two  
25 colleagues, for being here and for your courtesy

2 here.

3 ASSEMBLYMAN BRENNAN: I just wanted to  
4 ask you to think about something. The board -  
5 the current board has no power over the  
6 chancellor. The chancellor has no obligation to  
7 do anything that they ask or say. You were  
8 advocating that the mayor continue to appoint the  
9 chancellor.

10 I would ask you to reflect upon that  
11 because, as long as the chancellor reports to the  
12 mayor, no one will have any power over the  
13 chancellor.

14 MS. WEINGARTEN: I don't think - I mean  
15 I -

16 ASSEMBLYMAN BRENNAN: I'm just asking  
17 you think about it.

18 MS. WEINGARTEN: I'm glad you raised it  
19 that way, Assembly Member Brennan because I think  
20 what's happened is, what has gotten lost in the  
21 recommendations that the UFT governance task  
22 force did, because remember, it's no secret that  
23 my members don't feel supported by this current  
24 chancellor.

25 So if somebody was actually acting in

2 their self-interest, the first thing they would  
3 have done is to say, the mayor should no longer  
4 pick the chancellor. But what they tried to do,  
5 they spent two years, they talked to 1,200  
6 people, they spent weeks and weeks and months and  
7 months trying to wrestle with how to maintain and  
8 increase accountability, but how to also have  
9 those checks and balances. Is this the perfect  
10 mechanism? No. But this was a way of trying to  
11 deal with those very important concepts of  
12 accountability, transparency, checks and  
13 balances, with always focusing on the mission of  
14 how to educate kids.

15 MR. LOGAN: And let me just say this -

16 CHAIRWOMAN NOLAN: Let her just finish  
17 because I know she's got to go. So I want to  
18 thank you very very much, and we'll certainly  
19 give each group opportunities, if there are other  
20 people down the road, I know you have this  
21 personal thing, and we wish you all the best,  
22 President Weingarten, we really do.

23 MR. LOGAN: May I have a moment just to  
24 respond, chairwoman? We also believe that the  
25 mayor should appoint the chancellor for some of

1 the reasons that I mentioned. It is the  
2 chancellor who is doing the work of the mayor.  
3 This is his guy, his girl, his whatever, but when  
4 the mayor understands that this is the person I  
5 put in this job, if I want to be successful, I  
6 have to support him in that. It keeps us from  
7 having the battles that we used to have. Where  
8 all of a sudden the mayor turns his back and  
9 says, well, I don't know what they're doing in  
10 education, we can never go back to that, but I  
11 believe you can have the checks and balances on  
12 education through a governance structure that has  
13 an open conversation. Because I believe in the  
14 power of the people.

15  
16 When there's a conversation being had,  
17 and it's open and you're expressing opinions,  
18 then you can use the power of the people to sway  
19 the policy.

20 CHAIRWOMAN NOLAN: Let me let President  
21 Montgomery-Costa testify. Thank you for  
22 understanding that she had a personal thing she  
23 had to do.

24 MS. MONTGOMERY-COSTA: Certainly.  
25 Chairperson Nolan and distinguished committee

2 members. My name is Veronica Montgomery-Costa,  
3 president of Local 372, and also president of  
4 District Council 37.

5 Local 372 has consistently taken the  
6 position that the state legislature should allow  
7 the expiration on June 30, 2009 of the current  
8 law giving the mayor sole control of school  
9 governance in New York City.

10 Local 372's 26,000 members are dedicated  
11 to New York City's students who we consider to be  
12 our life's work. They are also among the  
13 community residents who depend upon the New York  
14 City public schools to educate our children,  
15 grandchildren, and neighborhood youth.

16 Local 372 contends that, since our mayor  
17 has had sole control, our school system has been  
18 modeled after a for-profit business instead of an  
19 agency whose primary goal is to educate our  
20 children K to 12 to be ready for collage or the  
21 workforce.

22 We entrusted the mayor with sole  
23 proprietorship of the education of our city's 1.1  
24 million school children, yet to date he has  
25 failed to demonstrate that our children are his



2 first priority. Instead, he has stolen vital  
3 school support services from our children calling  
4 the unconscionable practice a gap closing  
5 initiative.

6 The mayor assured the public that  
7 corporate know-how will save our schools.

8 With his proven corporate know-how, this  
9 billionaire mayor, who is indeed one of our great  
10 financial success stories, promised that  
11 legislators and the New York City public that he  
12 would turn our school systems around. Thus, the  
13 New York City School Education and Reform  
14 Accountability Act of 2002 became law. Since the  
15 fateful day, the mayor seems to have been held  
16 accountable only to himself.

17 For good measure, the mayor appointed a  
18 school chancellor who was also a corporate  
19 heavyweight. What we really need is an  
20 accomplished educator in the role of chancellor.

21 Together, the mayor and the chancellor  
22 dazzled the public and the media with promises of  
23 a grand restructuring and redesign. They brought  
24 in teams of celebrities from sports, high  
25 society, and show business to visit schools to

2 show support and provide newsworthy photo  
3 opportunities for the mayor and the chancellor.

4 What we really need are well-trained  
5 teachers, administrators and school support  
6 service workers who live in the school community  
7 to give students a sense that they put them  
8 first. Our students should not feel like  
9 anonymous figures in a bottom line.

10 The mayor's accountability only to  
11 himself continues to add six figure  
12 administrative jobs and persists in awarding  
13 enormous contracts to outside vendors. The  
14 latest is a \$55 million contract with \$23 million  
15 in related expenses to a Virginia company to  
16 track special education data.

17 The history of this company with the  
18 Department of Education is tarnished and the  
19 effectiveness of the software in question is  
20 unproven.

21 One of the latest and most important high  
22 paid jobs, that of the chief financial officer,  
23 went to another corporate star, George Raab, the  
24 III, who came to us with impressive Wall Street  
25 credentials.

2 Mr. Raab is the former managing director  
3 of the now defunct Bear Stearns, one of the first  
4 cornerstones of the Wall Street to crumble in an  
5 avalanche of corporate greed that ravaged the  
6 retirement accounts of hardworking middle class  
7 and low-income taxpayers.

8 The mayor rewarded his fellow corporate  
9 type with a salary of \$196,000 of taxpayer money.

10 Should we feel secure that this mayoral choice  
11 will apply the same corporate thinking and  
12 strategies to the DOE that brought about our  
13 nation's financial meltdown?

14 Meanwhile, Local 372 school support  
15 service workers, essential to children's success  
16 in school and worth their weight in gold, face  
17 impending layoffs.

18 It takes a village, not a corporation, to  
19 raise a child.

20 We must not permit our 1.1 million school  
21 children to be treated as commodities. We also  
22 must not shut our parents and communities from  
23 the decision-making processes when it involves  
24 our children's education, for they are true  
25 stakeholders in our city's Department of

2 Education and are the real beneficiaries of the  
3 outcome of the mayor's decisions.

4 Local 372 members know what the media  
5 fails to report, that despite the corporate know-  
6 how, the mayor's sole governance of our schools  
7 have been flawed by the following bad operation  
8 decisions, none of which were made for the  
9 benefit of our children.

10 It was not for our children that the  
11 mayor gave the New York City school district with  
12 1.1 million students the distinction of being the  
13 only one in the state and one of very few in the  
14 country without a school board.

15 Parents are entitled to representation  
16 and advocacy from an entity independent of the  
17 mayor that has the authority to demand  
18 accountability from the Department of Education.

19 There is a lack of transparency and  
20 accountability in the New York City mayoral  
21 school governance which results from the absence  
22 of a central school board and the elimination of  
23 community school boards which serve to enlighten  
24 and empower parents. Major budget and staffing  
25 decisions are made without any informed input

2 from school administrators, staff, parents and  
3 community. Parents have only the right to be  
4 outraged by the results of each done deal.

5 Parent coordinators are restricted by the  
6 system in assisting parents through the  
7 Department of Education's maze of barriers and  
8 confusion.

9 In the mayor's redesign, parent  
10 coordinators were billed as a bridge between  
11 parents and the system - a kind of panacea to  
12 make up for the loss of real parent  
13 representation and advocacy.

14 But answerable to the school principals,  
15 the parent coordinators, while helpful in many  
16 ways, could not help parents penetrate the maze  
17 of the Department of Education's central offices.

18 At Tweed, the truth is shrouded with layers upon  
19 layers of high-paid, ever-changing administrative  
20 personnel until it is virtually impenetrable.

21 It was not for our children that the  
22 mayor and the chancellor redesigned the entire  
23 school system making it up as they went along  
24 reorganizing some time in the mid year, sometimes  
25 month to month, changing administrative titles

1 and locations leaving children to function  
2 somehow amidst the chaos and confusion of staff  
3 and parents.  
4

5 It was not for our children that  
6 competent workers were replaced with high-paid  
7 consultants, housed in high rent office space in  
8 private buildings.

9 It was not for our children that the  
10 contracts went to vendors with obvious past  
11 histories of fraud, some with prior conviction  
12 and jail time.

13 Vendors who failed to meet contract  
14 stipulations were not required to conform to  
15 those stipulations. The Department of Education  
16 wrongfully allowed those vendors to continue  
17 their contracts without penalty.

18 It was not for our children that the  
19 mayor increased the number of charter schools  
20 which takes the life's blood out of our  
21 neighborhood public schools and hamper  
22 integration and diversification in our schools.

23 It was not for our children that the  
24 mayor sought ways to make a fast buck by putting  
25 Snapple vending machines in schools without

2 considering the health and nutritional impact of  
3 our school children.

4 It was not for our children that the  
5 mayor designed a school reform plan that does not  
6 contain line items for staffing requirements for  
7 vital school support services, thus, school  
8 planning teams are put in a position of having to  
9 cut back on vital support services which send out  
10 students to teachers' classrooms learning ready.

11 In conclusion, Local 372 contends that  
12 for our children, the state legislature must  
13 allow the expiration of June 30<sup>th</sup>, 2009 of the  
14 current law giving the mayor sole control of the  
15 school governance in New York City.

16 We cannot revert back to the old school  
17 governance structure of the central board and  
18 local community school boards, the legislature  
19 must create an agency responsible for DOE  
20 oversight. This agency should monitor  
21 accountability and enforce regulations to prevent  
22 any abuse of power such as nepotism for jobs or  
23 contracts. Spending irregularities, to include  
24 using taxpayer money to outsource services but  
25 performed by existing Department of Education

2 employees must be eliminated.

3 We must ensure that an accomplished  
4 educator fills the job as chancellor. The  
5 corporate Department of Education model is not  
6 serving our children well. We must not repeat  
7 any of the bad decisions enabled by the New York  
8 City Education and Reform Accountability Act of  
9 2002.

10 So we ask that you take a close look at  
11 that law, and perhaps set up an independent  
12 agency so that parents and the community will  
13 have a say so that we, as people in the  
14 community, can begin to see how money is spent.

15 Every done deal is too late.

16 CHAIRWOMAN NOLAN: Thank you both very  
17 very much. Let me just quickly ask each of you,  
18 just for the record describe for the record who  
19 your members are and how many there are. We had  
20 a joke at the United Federation of Teachers.

21 I think actually the number of teachers  
22 in the system is a little less than 200,000, but  
23 I think that they represent the paraprofessionals  
24 as well.

25 I know that you represent a number of



2 people, parent coordinators as well as the  
3 cafeteria workers.

4 MS. MONTGOMERY-COSTA: I represent  
5 school aides, family paraprofessionals, school  
6 base substance abuse and intervention  
7 specialists. I also represent the school lunch  
8 employees, as well as health aides in the school  
9 system, and obviously school crossing guards  
10 which is not in this particular budget, but we  
11 had probably 125,000 members in District Council  
12 37 who are very concerned about the way that the  
13 school system is running.

14 CHAIRWOMAN NOLAN: Thank you.

15 MR. LOGAN: I represent principals,  
16 assistant principals, education administrators as  
17 well as some central office staff, as well as  
18 city funded daycare, directors and assistant  
19 directors. We represent 6,000 active DOE  
20 employees and I have about 9,000 retirees and  
21 their spouses, so I'm the smaller of the bunch,  
22 but we -

23 CHAIRWOMAN NOLAN: But probably the  
24 largest supervisor's local in the country.

25 MR. LOGAN: We are the largest

2 supervisory local in the country. Everything  
3 that happens in New York eventually goes  
4 somewhere else, so we would like to think that we  
5 - we need to get it right here in New York before  
6 it goes some other places.

7 CHAIRWOMAN NOLAN: I have a quick  
8 question. I had participated, President Logan,  
9 in a forum in southeast Queens with a group of  
10 retired principals that our colleague,  
11 Assemblyman Scarborough, had set up. They were  
12 very concerned. Many of these, mostly women,  
13 pioneers in the system, that since mayoral  
14 control - or since we passed this legislation in  
15 2002 and 2003, the number of African American and  
16 Latino principals had declined.

17 They had asked us to put in some kind of  
18 effort to have the city, Department of Education,  
19 recruit at historically Black colleges and things  
20 like that, and I don't think we were ever  
21 successful in getting them to do that. In terms  
22 of your membership, and certainly when I started  
23 in politics, it wasn't just to go to another  
24 area, there wasn't a female principal in my  
25 district, many of those people are.

2 There are lots of changes, maybe you  
3 would speak to what - I promised that I would  
4 bring that up.

5 MR. LOGAN: Part of what we're seeing  
6 now is because of how we're recruiting teachers  
7 through Teach for America, et cetera, where we're  
8 not bringing in as many minority teachers as we  
9 used to have, so there is a base that our  
10 supervisory staffing comes from, it usually comes  
11 from teacher ranks. So we don't have that  
12 pipeline that we've always had. So if you start  
13 to look for diversity, it's not truly, from what  
14 we see, anecdotal, as it used to be.

15 But I must tell the committee, so that  
16 you understand this, the problem is, once again,  
17 as everyone has spoken here, without  
18 transparency, you don't really know what it is,  
19 because, as I said, they control the numbers,  
20 they control all the numbers, all the raw data.  
21 So you really don't know what the breakdown is.

22 CHAIRWOMAN NOLAN: I have a quick  
23 question for President Montgomery-Costa, you  
24 mentioned that a new company was hired to do some  
25 review of special ed, and we'll be talking about

2 that in Staten Island, but I wonder if you have  
3 the name of the company, is it Maximus?

4 MS. MONTGOMERY-COSTA: Yes, and that was  
5 featured on January 17<sup>th</sup> in the New York Times, as  
6 I recall.

7 CHAIRWOMAN NOLAN: Is that a company  
8 that meets the Vendex criteria, or they don't  
9 have to meet that criteria?

10 MR. LOGAN: I believe they meet the  
11 Vendex criteria, but, once again, as the  
12 comptroller said, there should have been some  
13 public conversation about it before - because  
14 when we went through that, they had a major  
15 problem in Saint Louis that everyone knew about,  
16 and, yet, we brought them to New York.

17 CHAIRWOMAN NOLAN: Just one quick  
18 question because my late aunt was a cafeteria  
19 worker, so I know how hard those people, mostly  
20 women work, and how the conditions -

21 We tried to look at some legislation, our  
22 colleagues and the labor committee, which I used  
23 to chair, and where I first met all of you, to  
24 try to keep temperatures from going above 140  
25 degrees, crazy working conditions, and I know in

2 a number of schools, old schools like P-9, that  
3 special ed school, the food apparently is brought  
4 in, it's not clear - I'm still not clear what  
5 exactly happens to the food service there.

6 Have there been a lot of changes for your  
7 members and any improvements in their working  
8 conditions?

9 MS. MONTGOMERY-COSTA: Well, as you  
10 know, last year I had to fight vigorously against  
11 the Department of Education who did not want  
12 monies appropriated to alleviate some of those  
13 problems, but thank God we were able to get the  
14 monies appropriated. But they have begun the  
15 work. But in some of those instances of  
16 buildings like P-9 which is a very old building,  
17 there is some major work that has to be done.  
18 They are going to some of the schools that does  
19 not take a major effort in terms of bringing them  
20 up to standards and then going back to those  
21 individual schools that have major problems, such  
22 as schools with 150 years under their belt.

23 CHAIRWOMAN NOLAN: Colleagues,  
24 questions? Go ahead, Jim.

25 ASSEMBLYMAN BRENNAN: The old Board of

2 Ed used to take a vote on every contract, in  
3 other words, there was a public decision about  
4 whether or not to spend that money for that  
5 particular purpose, whether it was competitively  
6 bid or not, would you support a restoration of  
7 that part of the law?

8 MR. LOGAN: Yes, but I think what I  
9 would look at is the amount, so that we're not  
10 having conversations about a million dollars - a  
11 billion dollars -

12 ASSEMBLYMAN BRENNAN: You might want to  
13 speak about a million dollars, maybe \$10,000?

14 MR. LOGAN: Well, even a million  
15 dollars, because we've thrown a million dollars  
16 away into our contract, but someone has to know  
17 that when you bring a contract, when you sign an  
18 agreement, somebody can ask a question about what  
19 it is that they're doing, and somehow -

20 ASSEMBLYMAN BRENNAN: But there isn't  
21 any public notice anymore.

22 MR. LOGAN: That's correct, or what the  
23 evaluation of what that contract has achieved.

24 ASSEMBLYMAN BRENNAN: Right. Thank you.

25 CHAIRWOMAN NOLAN: Thank you.

2 Our next group of witnesses include Steve  
3 Sanders, the former chair of the Assembly  
4 Standing Committee on Education, who is  
5 responsible for this law. Dr. Diane Ravitch, the  
6 very well-known education historian from New York  
7 University, and I think Dr. Joe Viteritti had to  
8 leave, but I have a copy of the papers from his  
9 commission on school governance, and Kathryn  
10 Wylde, the president of the Partnership left her  
11 testimony and she will come back to us in  
12 Brooklyn.

13 Maybe don't get too comfy there. I  
14 apologize. I think our stenographer has to take  
15 just a very very short break and we're going to  
16 take a very very brief break and recess for a few  
17 minutes while we sets up this again.

18 Thank you very much.

19 (Whereupon, a break was taken.)

20 CHAIRWOMAN NOLAN: May I have everyone's  
21 attention? If there are people in our hearing  
22 room across the hall, we have room for them, so  
23 if there is someone in that overflow room who  
24 wants to come in here, I think we can accommodate  
25 them. I would ask people to take a seat.

2 I apologize to our distinguished guests,  
3 our next witnesses, for asking them to take a  
4 minute, and I thank our stenographer who is just  
5 incredible and just doesn't quit, we thank you,  
6 Ed.

7 Let me ask everyone in the back to just  
8 take a seat or you could go, but take a seat, and  
9 we're really very very pleased to have - I also  
10 have to apologize, some people from our press  
11 core, about copies, we're going to try to make  
12 sure that everybody gets all the right copies,  
13 and if we need to make more copies, people bring  
14 them, but sometimes they didn't bring enough, so  
15 this is Kathleen Winot from our staff. If there  
16 is a member of the press that needs a copy of  
17 testimony, we would be happy to try to provide  
18 that if the groups will give it to us. Sometimes  
19 people don't give it to us.

20 Steve first and then Dr. Ravitch. We're  
21 really pleased to have with us the architect who  
22 sat through more hearings than I have ever sat  
23 through, a good friend and colleague of long  
24 standing, Steve Sanders.

25 Thank you so much, Steve.



2 MR. SANDERS: Thank you very much. I'm  
3 delighted to be here, Madam Chairwoman, members  
4 of the assembly, members of the Education  
5 Committee. It is little bit of déjà vu for me.  
6 The work that you're doing today and throughout  
7 the course of this year is vital.

8 For the sake of brevity, I'm actually  
9 going to read most of my statement because I  
10 think you know, if I go sort of extemporaneous  
11 and ramble on, we could be here all afternoon.

12 ASSEMBLYMAN BRENNAN: That wasn't the  
13 case in the party conferences.

14 MR. SANDERS: Of course not. I will try  
15 to paraphrase a little bit, but I do want to make  
16 a few points.

17 CHAIRWOMAN NOLAN: You're doing very  
18 good, so just keep it going.

19 MR. SANDERS: In 2002 and 2003, the  
20 Legislature gave approval to major changes in New  
21 York City school governance. At that time I was  
22 a member of the assembly and chair of the  
23 Assembly Education Committee, and part of my  
24 responsibilities, as it is yours now, Madam  
25 Chairwoman, and your colleagues, was to negotiate

1 with this mayor, Mayor Bloomberg, as well as the  
2 state senate the contents of a law that is now  
3 commonly referred to as the mayoral control law.

4 Speaker Silver was heavily and personally  
5 involved in those negotiations as well. At the  
6 outset, let me just state without equivocation  
7 the importance of the sunset provision in the  
8 current law and my hope that you will include a  
9 sunset provision of some length of time in the  
10 successor law.

11 I believe that one of the many problems  
12 with the old decentralization law that was  
13 enacted in 1969 was that it did not have a  
14 trigger for automatic review. There was nothing  
15 in the law that required the legislature or  
16 anybody to revisit many aspects of that law even  
17 after many decades when people knew that it was  
18 terribly flawed and not working very well.

19 A sunset provision requires the  
20 legislature, requires the government - the  
21 governor to revisit important issues, back in  
22 2002 and 2003, we imagined that we would not  
23 think of everything, that we wouldn't think of  
24 every issue, every circumstance, and we wanted  
25

2 the successive legislature to revisit it as it  
3 was then, I would suggest, so it is now.

4 In my travels around the city and  
5 discussions with scores of individuals and  
6 organizations, I hear a common thought and  
7 complaint. Much of the public feels disempowered  
8 or even shutout from their ability to make their  
9 voices heard or even to vent. There is a feeling  
10 of less access in a palpable sense that the only  
11 real input into education decision-making resides  
12 at City Hall or the Tweed courthouse. It seems  
13 to me that they who share that view are correct.

14 There is astonishment that the  
15 legislature designed a new system in that way,  
16 and there is even greater astonishment when I  
17 tell people that we did not.

18 We, in fact, designed a system that made  
19 sense and if it had been implemented by the mayor  
20 and his chancellor as the legislature intended,  
21 in my opinion, much of the public upset and  
22 alienation could have been avoided. We created  
23 accountability, streamlined decision-making with  
24 public participation by doing the following:

25 A, we gave to the mayor the unfettered

2 ability to appoint a chancellor when heretofore  
3 the chancellor was selected by a Board of  
4 Education comprised then of most appointees by  
5 the five borough presidents;

6 B, we gave to the chancellor the  
7 unfettered ability to appoint 32 community school  
8 district superintendents who would report  
9 directly to the chancellor and not to the school  
10 board, not to the local school board.

11 Heretofore, the local school districts either  
12 appointed those superintendents unilaterally, or  
13 submitted names from which the chancellor would  
14 select. We maintained the existence of the 32  
15 local community school districts and their  
16 administrative offices for public access.

17 C, we created a new citywide Board of  
18 Education, incidentally, not a panel on education  
19 policy so named by the mayor, but that name  
20 doesn't exist in law, comprised of 13 members of  
21 which eight members are appointed by the mayor  
22 including the chancellor and the remaining five  
23 by the borough presidents. Heretofore, the Board  
24 of Education had only two of seven members  
25 appointed by the mayor.

2 To the surprise of many today, this new  
3 Board of Education was not set up to be merely  
4 advisory as the mayor might assert, or just a  
5 rubber stamp as many in the public have observed  
6 over the years. Rather, we envision this new  
7 Board of Education to have real responsibilities  
8 and the duty to vote on important matters of  
9 citywide policy or large contracts. And for  
10 them, the members of that board, new city board,  
11 to exercise their own judgment on matters  
12 proposed by the mayor or chancellor. Sadly, as  
13 you have already heard, and will continue to  
14 hear, it has not worked out that way.

15 D, while keeping the 32 local school  
16 districts intact, we did change the manner in  
17 which the local school board members were  
18 selected. The new community education councils  
19 would now have members appointed who would have  
20 to be parents instead of having public elections,  
21 and the powers of those new councils were to be  
22 undiminished with the exception of the selection  
23 of a community school district superintendent.

24 E, we gave to the mayor exclusive  
25 appointing control of the three member trustees

2 of the School Construction Authority when  
3 heretofore only one appointment was that of the  
4 mayor's.

5 F, we also required a maintenance of  
6 effort by the city so that with the exception of  
7 certain rare and dire fiscal circumstances, the  
8 mayor could not reduce local funds for public  
9 education from that which was expended in the  
10 previous year.

11 My former colleagues and friends, it  
12 seems to me that with all this new authority, the  
13 mayor and chancellor have, they could have  
14 effectively governed the system without resorting  
15 to distorting the role and the purpose of the new  
16 citywide Board of Education and the virtual  
17 dismantling of all the local school districts and  
18 the access to parents and communities for redress  
19 of their problems, or just a place to vent.

20 In essence, the mayor took all the  
21 authority we gave to him, and then assumed as  
22 much additional centralization as he could,  
23 essentially shutting off venues for real public  
24 discourse or help.

25 When I confronted Chancellor Klein about

1 this emerging disconnect with the law at one of  
2 my education oversight hearings, he famously  
3 responded to me, "if you think what I am doing is  
4 wrong, you can always sue me, that is what we  
5 have courts for." So we did.

6  
7 Seven years later, having witnessed the  
8 implementation of the law which I sponsored, by  
9 views about school governance have changed, but  
10 not that much.

11 So I make the following observations and  
12 recommendations:

13 1, I do not favor allowing the current  
14 law to lapse and the return to the previous  
15 decentralization law;

16 2, instead, the basic precepts of the  
17 current law should be strengthened and made more  
18 specific to promote greater public input and  
19 access as was always envisioned and to prevent  
20 future mayors from misinterpreting or misapplying  
21 the law as the legislature intends;

22 3, as for the citywide Board of  
23 Education, I still favor a mayoral majority of  
24 some configuration, but terms of office for the  
25 members of the board of at least two years should

1 be established to guard against some future mayor  
2 removing a sitting member for the sin of  
3 disagreement.  
4

5 I would require some number of the Board  
6 of Education members appointed by the mayor be  
7 parents of public school children. As you know,  
8 the five members appointed by the borough  
9 presidents are supposed to be parents, but I  
10 would also require some number appointed by the  
11 mayor be parents.

12 I would remove the chancellor as a  
13 convener of the board or voting member. He or  
14 should present proposals and serve in an ex-  
15 officio capacity. Language in a new law should  
16 state more clearly what kinds of contracts must  
17 be approved by this board, and insist that policy  
18 initiatives by the mayor must be seriously  
19 considered and approved and not presented as  
20 "fait accompli's;"

21 4, it should be made clear, as the courts  
22 have affirmed, that there are indeed 32 local  
23 community school districts, each with a  
24 superintendent with specific powers under state  
25 law. That superintendent would be selected by



1 the chancellor, and there should be a public  
2 accessible district office with a reasonable  
3 budget.  
4

5 If the legislature wishes to abolish the  
6 32 districts and replace it with other  
7 subdivisions of local education communities, it  
8 should do so, but only the legislature and not  
9 the mayor has the power to do that.

10 Community education councils should be  
11 trained and supported by the mayor as the law  
12 provides, and, you might also give consideration  
13 to returning to public elections for local  
14 community school boards, with direct voting;

15 5, finally, whatever you decide to do  
16 with the governance law you should include  
17 another sunset provision. I promise you, no  
18 matter how much thought and wise decision-making  
19 you engage in, you will not think of everything,  
20 not think of everything that might occur or  
21 changing circumstances.

22 Give your successor legislature and  
23 future colleagues the opportunity to make  
24 whatever you do this year even better.

25 I wish you the best of luck and I thank

2 you very very much for having given me the  
3 opportunity to once again be amongst you, my  
4 former colleagues and forever friends, to discuss  
5 this vital subject.

6 Thank you so much.

7 CHAIRWOMAN NOLAN: Thank you, Steve.

8 Dr. Ravitch, thank you.

9 DR. RAVITCH: Thank you very much for  
10 allowing me to participate today. I'm a  
11 historian of education on the faculty at New York  
12 University. My first book was published in 1974,  
13 and it was a history of the New York City Public  
14 Schools.

15 It's generally considered the definitive  
16 history of the school system and I'm working on  
17 an update. Since then, I have continued to study  
18 and write about the New York City public school  
19 system.

20 When the legislature changed the  
21 governance system in 2002, I supported the  
22 change, I supported the idea of mayoral control.

23 I looked forward to an era of accountability and  
24 transparency. From my historical studies, I knew  
25 that mayoral control was the customary form of

2 governance in our city's schools for many years.

3 From 1873 to 1969, the mayor appointed every  
4 single member of the New York City Board of  
5 Education, and the Board of Education, in turn,  
6 chose the superintendent or chancellor. The  
7 decentralization of control from 1969 to 2002 was  
8 in operation.

9 Having observed the current system since  
10 it was created, however, I've become convinced  
11 that it needs major changes. It needs change  
12 because it lacks accountability, it lacks  
13 transparency, it shuts the public out of public  
14 education, it has no checks or balances. It  
15 lacks the most fundamental element of a  
16 democratic system of government, which is public  
17 oversight.

18 Never before in the history of New York  
19 City have the mayor and the chancellor exercised  
20 total unlimited, unrestricted power over the  
21 daily life of the schools. No other school  
22 district in the United States today or ever has  
23 operated in this authoritarian fashion.

24 We've often been told by city officials  
25 that the results justify continuation of this

2 authoritarian control. They say that test scores  
3 have dramatically improved, but there is no  
4 independent source that verifies these  
5 assertions.

6 The city's claims are contradicted by the  
7 federal testing program called the national  
8 assessment of educational progress, or NAEP. The  
9 federal tests are the gold standard of  
10 educational testing. I know them well because I  
11 was appointed by President Clinton on the  
12 governing board for NAEP and served there for  
13 seven years.

14 New York City is one of 11 cities that  
15 participates in the federal testing program. On  
16 the NAEP tests, the city's scores were flat from  
17 2003 to 2007, and fourth grade reading, eighth  
18 grade reading, and eighth grade math. Only in  
19 fourth grade math did student performance  
20 improve, but those gains had washed out by eighth  
21 grade. The eighth graders were the product of  
22 the mayor's Children First reforms, yet these  
23 students showed no achievement gains in either  
24 reading or math.

25 The federal tests showed no significant

1 gains for Hispanic students, African American  
2 students, white students, Asian students, or  
3 lower-income students, in fact, for no students  
4 at all.  
5

6 The federal data showed no narrowing of  
7 the achievement gap among children of different  
8 ethnic and racial groups. This story was covered  
9 on the front page of the New York Times in  
10 November of 2007, and the chancellor responded  
11 with a press release on the date that it came out  
12 saying these are impressive results.

13 The SAT is another independent measure.  
14 This past year, the city's SAT scores fell  
15 reaching their lowest point since 2003, at the  
16 same time that national SAT scores held steady.  
17 The students who take the SAT intend, or hope, or  
18 plan to go to college; they are presumably our  
19 better-performing students. Yet, the SAT reading  
20 score for New York City was an appalling 438,  
21 which is the 28<sup>th</sup> percentile of all SAT test  
22 takers. The state SAT reading score was 488, 50  
23 points higher, much closer to the national  
24 average than our city students.

25 Are graduation rates up? The city says

1 they've climbed from 53 percent to 62 percent  
2 from 2003 to 2007. The state says they've  
3 climbed from 44 percent to 52 percent from 2004  
4 to 2007. Either way, the city's graduation rate  
5 is no better than the graduation rate for the  
6 state of Mississippi which spends less than a  
7 third of what New York City spends per pupil.  
8

9 We must wonder though whether we can  
10 believe any numbers for the graduation rate,  
11 whether they come from the city or the state  
12 because the city has encouraged a dubious  
13 practice called credit recovery which inflates  
14 the graduation rate. Under credit recovery,  
15 students who failed a course, or never even  
16 showed up, can still get credit for the course by  
17 turning in an independent project unmonitored or  
18 attending a few extra sessions.

19 A principal told the New York Times that  
20 credit recovery is, "The dirty little secret of  
21 high schools. There's very little oversight and  
22 there are very few standards." This was in the  
23 New York Times on April 11<sup>th</sup>, 2008. Furthermore,  
24 the city doesn't count students who have been  
25 discharged. These are students who have been

2 removed from the rolls, but are not counted as  
3 dropouts. Their number has increased every year.

4 Leaving out these students also inflates the  
5 graduation rate.

6 So I suggest to you - we have no idea  
7 what the graduation rate is because we should be  
8 counting the discharges, some of them, most of  
9 them, perhaps all of them, and we should not be  
10 engaging in credit recovery.

11 We have all heard that social promotion  
12 was eliminated, that students cannot be promoted  
13 from grade three or five or seven or eight unless  
14 they have mastered the work of the grade.

15 Nonetheless, a majority of eighth graders do not  
16 meet state standards in reading or math, and two  
17 thirds of the city's graduates who enter CUNY's  
18 community colleges, must take remedial courses in  
19 reading, math or writing. These figures suggest  
20 that social economic promotion continues and that  
21 many students are graduating who are not prepared  
22 for postsecondary education.

23 So what does a graduation rate mean when  
24 students enter a community college and have to be  
25 remediated to basic skills?

2 The present leadership of the Department  
3 of Education has made testing in reading and math  
4 the keynote of their program. Many schools have  
5 narrowed their curriculum in hopes of raising  
6 test scores. As Assembly Member Weprin pointed  
7 out, this is actually not just a reflection of No  
8 Child Left Behind, New York City goes way beyond  
9 the requirements of No Child Left Behind in its  
10 narrowing of the curriculum.

11 The department's own survey of arts  
12 education showed that only four percent of the  
13 children in elementary schools and less than a  
14 third of those in middle schools are receiving  
15 the arts education required by the state.

16 When the federal government tested  
17 science, again, through NAEP, the National  
18 Assessment of Educational Progress, in 2006, two  
19 thirds of New York City's eighth grade students  
20 tested below basic, which is the lowest possible  
21 rating. That's virtually two thirds failing the  
22 eighth grade science test given by the federal  
23 testing program.

24 These figures suggest that our students  
25 are not getting a good education no matter what



2 the state test scores may show.

3           The Department of Education, lacking any  
4 public accountability, has heedlessly closed  
5 scores of schools without making any sustained  
6 effort to improve them. They send someone around  
7 to show people how to close their school. Had  
8 they dramatically reduced class sizes, had they  
9 mandated a research-based curriculum, had they  
10 provided intensive professional development,  
11 supplied prompt technical assistance, and taken  
12 other constructive steps, they might have been  
13 able to turn around some or many of the schools  
14 that, in many cases, are the anchor of their  
15 community.

16           When Rudy Crew was chancellor, he rescued  
17 many low-performing schools by using these very  
18 techniques in what was then called the  
19 chancellor's district. Unfortunately, the  
20 chancellor's district, whose sole purpose was to  
21 improve low-performing schools was abandoned in  
22 2003. There may be times when a school must be  
23 closed and even under the chancellor's district  
24 there were some schools that were closed, but it  
25 was considered a last resort, it was triggered

2 only after all other measures had been exhausted,  
3 only after extensive community consultation.

4 The legislature owes it to the people of  
5 New York City to make significant changes in the  
6 governance of the public schools, and I will not,  
7 unlike some of the other speakers, attempt to  
8 tell you all the things that need to happen,  
9 because that's above my pay grade.

10 First, the governance system clearly  
11 needs checks and balances. Having the chance to  
12 vote for the mayor once in four years is no check  
13 and no balance, nor does it provide adequate  
14 accountability. The school system needs an  
15 independent board, whose members serve for a  
16 fixed-term, to review and approve the policies  
17 and budget of the school system. This board  
18 would hold public hearings before decisions are  
19 made, and not simply ratify decisions that  
20 already have been made.

21 It would review the budget in public and  
22 give the public full opportunity to express its  
23 concerns. My understanding is that the old Board  
24 of Education did review every contract in a  
25 public hearing in excess of \$100,000.

1                   Second, the performance of the school  
2  
3 system must be regularly monitored by an  
4 independent and professional auditing agency.  
5 This agency should report to the public on  
6 student performance and on graduation rates.  
7 Those in charge of the school system should not  
8 be allowed to monitor the system's performance  
9 and to give principals and teachers performance  
10 for higher performance. Such an approach does  
11 not produce accountability, instead it only  
12 encourages principals and teachers to find  
13 creative ways to boost their test score and their  
14 graduation rates by gaming the system.

15                   I can go on at length with all the very  
16 creative ways that have been developed, not just  
17 in New York City, but across the country to  
18 produce higher test scores without giving  
19 children a better education.

20                   Third, and here I disagree with some of  
21 the previous panelists, I believe that the leader  
22 of the school system, the chancellor, should be  
23 appointed by the board and not by the mayor. The  
24 chancellor's primary obligation is to protect the  
25 best interest of the students. If elected

2 officials say that they must cut the school's  
3 budget, the chancellor should be the voice of the  
4 school system, fighting for the interest of the  
5 children and the schools, fighting the mayor if  
6 need be. If the chancellor is appointed by the  
7 mayor, his first obligation is to the mayor, not  
8 to the children.

9 There are many challenges facing the New  
10 York City public school system. Many of the  
11 students that it serves are disadvantaged by  
12 poverty, they're English language learners, or  
13 they have special needs. Changing the governance  
14 of the school system will certainly not solve all  
15 the problems of educating more than one million  
16 children.

17 Nonetheless, the legislature must learn  
18 from experience. It should correct the flaws in  
19 the law that was passed in 2002, that law went  
20 too far in centralizing all authority in the  
21 mayor's office, and excluding the public from any  
22 voice in decisions affecting their communities  
23 and their children. It is time to change that  
24 law.

25 Thank you so much.

2 CHAIRWOMAN NOLAN: Thank you.

3 ASSEMBLYMAN BRENNAN: Assemblyman  
4 Sanders - I mean, Steve Sanders, seeking your  
5 wise counsel in relation to this matter, you  
6 know, your ideas about the board are very  
7 thoughtful, and there are a lot of ways to tinker  
8 with the accountability of the board, the  
9 independence of the board, the board members, all  
10 those things, but what I wanted to ask you about  
11 was the school districts. Klein has dissolved  
12 these community school districts, they don't  
13 exist except in the educational law. I don't  
14 know how to undo that, to turn it back into its  
15 intended - our intended relationship between the  
16 schools and the communities, and to restore them  
17 to a functional operation.

18 I'm just wondering if you have any  
19 further thoughts about how we can restore these  
20 community-based vehicles for the parents and the  
21 schools?

22 MR. SANDERS: I guess I have two brief  
23 observations about that, number one, of course,  
24 the legislature has the sole authority to draw  
25 school district lines. The school district lines

1 of 32 community school districts that continue to  
2 exist in law, if not in practice today,  
3 essentially never were changed. They were  
4 established in the early 70s, and I suspect the  
5 reason why they were not changed, it was a  
6 tremendous hot potato, just like all re-  
7 apportionment is, so you move a line from here to  
8 here, you get people upset, you move it somewhere  
9 else, people are upset, so the current lines just  
10 continued to be what they always were even though  
11 you had tremendous disparities in student  
12 population evolve over the 30 some odd years.

14 This is what I think. I think that for  
15 better or for worse, those lines, those  
16 districts, those communities are essentially  
17 okay. It is about the right size in my opinion,  
18 32 is about the right size for a city this large.

19 Yes, there will be some disparities, yes, you've  
20 got some school districts with less than 10,000  
21 kids, and yes, you've got some school districts  
22 with over 30,000 kids, but I would say to you  
23 that what we need to have, which we actually do  
24 have, are digestibly-sized districts that will  
25 actually be able to represent a community and

2 respond to local needs.

3 Now, Assemblyman Jim, you are correct  
4 that for the last, easily five or six years of  
5 the seven, these school districts have only  
6 existed on paper. Yes, we took the mayor to  
7 court; yes, the judge rules as the judge had to  
8 rule, the state supreme court justice, that those  
9 32 school districts exist, I would say reaffirm,  
10 unless you want to tinker with the dimensions of  
11 those districts, reaffirm in the law that those  
12 districts operate - require that there be a  
13 functioning district office, and, by the way,  
14 there is a long set of responsibilities that a  
15 local community school district superintendent  
16 has already in law that, if they are required to  
17 dispense those responsibilities, everything else  
18 at the local level will fall into place.

19 ASSEMBLYMAN WEPRIN: Can I just follow-  
20 up on the that, Cathy?

21 CHAIRWOMAN NOLAN: Yes, go ahead.

22 ASSEMBLYMAN WEPRIN: Just on the same  
23 point. I think the frustration Jim feels, and I  
24 think I feel, a year ago I thought, we can change  
25 this. This is an area we can change. We can

1 force the next mayor to put on the books - we'll  
2 be very clear, this is what the law says, there  
3 have to be 32 districts, there have to be 32  
4 superintendents with offices and staff, and  
5 whoever the new mayor would be would then  
6 understand that's where you're going into.  
7

8 The problem is is that we now have a very  
9 good chance we're going to have the same mayor,  
10 and possibly the same chancellor, and he didn't  
11 listen the first time and he's violating the law.

12 So we're going to have to sue him again, even if  
13 we're very specific, and -

14 MR. SANDERS: I believe, of the several  
15 mistakes that were made in the 2002 law that I  
16 will assume as much responsibility for as  
17 anybody, I think the two biggest mistakes were,  
18 number one, not enough specificity. We  
19 negotiated - I'm not going to bore you now, we  
20 can talk about it some other time, but we knew -  
21 the speaker and I knew because we had specific  
22 conversations with the mayor and Dennis Walcott  
23 and others, we knew what was expected. We  
24 expected the mayor to perform and to execute his  
25 responsibilities faithfully.



1            Sadly, I would say to you that that did  
2  
3 not happen. I believe that we facilitated the  
4 mayor ignoring the law because we were not as  
5 specific as we should have been.

6            So I would suggest, whatever you do,  
7 knowing that you can't legislate everything, you  
8 can't legislate every single eventuality and  
9 circumstance, but you need more specificity than  
10 we provided.

11            And the final thing I would just say is,  
12 of course, the one thing that you could never  
13 legislate for or against is attitude. And if you  
14 have a chief executive who is bent on for his or  
15 her feelings - that he or she knows best, and are  
16 doing things for the public interest, but in so  
17 doing, is ignoring the law, it's difficult to  
18 protect against that. You can't legislate  
19 attitude, but what you can do is be more specific  
20 and lay out the duties and functions and  
21 responsibilities of the new citywide Board of  
22 Education and, at the local level, I would  
23 implore you in whatever new configuration you  
24 decide on the new citywide Board of Education,  
25 it's important to give them terms of office, they

2 should have a term of office, now you might say,  
3 and correctly so, well, if they have a term of  
4 office, and the mayor still gets to appoint a  
5 majority, and the people who are appointed know  
6 that its their job even with a term of office to  
7 simply do whatever the mayor wants them to do,  
8 you're still going to have a problem.

9 But I would also suggest to you that the  
10 balance you want to try and strike here, which I  
11 think Ms. Ravitch alluded to, although we might  
12 depart on some points, but the balance here is  
13 that you want appropriate authority vested in the  
14 hands of the mayor to be able to run a system,  
15 but you want the checks and the balances, and you  
16 want the public input. I think we did most of  
17 that in the law, but we weren't specific enough.

18 We didn't lay it out clearly enough, and I think  
19 that's what you're going to have to do.

20 CHAIRWOMAN NOLAN: Assemblyman Kavanagh  
21 has a quick question, and then Jim has a question  
22 for Dr. Ravitch.

23 ASSEMBLYMAN KAVANAGH: Just let me say  
24 quickly, first of all, it's an honor not only to  
25 have one of the architects of this law, but my

2 former assembly member and predecessor here  
3 today.

4 Just a question about, I see in your  
5 testimony that you talk about having the board  
6 play a role in approving specifically contracts  
7 and what kind of contracts they have to do. I  
8 have a question about the role of existing city  
9 institutions that do oversight over other aspects  
10 of the city government, the other agencies, the  
11 police department, overseeing the school system  
12 in the city.

13 What should, in your view, be the role of  
14 the City Council, be the role institutions that  
15 oversee the contracting process for city agencies  
16 in the governance of schools in New York City?

17 MR. SANDERS: Well, I think certainly  
18 where you have to begin, especially if you're  
19 talking about contracts, again, you have to be  
20 very specific.

21 I think the citywide Board of Education,  
22 panel education policy, whatever the mayor wants  
23 to call it, I think that there needs to be a very  
24 very specific requirement with respect to  
25 contracts coming before that entity.

2 I think it should be made clearer, if  
3 it's not already clear enough, that there is a  
4 full auditing responsibility or opportunity for  
5 the comptroller, and maybe there ought to be an  
6 education inspector general that has the powers,  
7 the office, the funding, to be able to look at a  
8 whole range of issues.

9 But I think that it's very important that  
10 this new citywide Board of Education is given the  
11 kind of specific powers and role and  
12 responsibility that we envisioned, that's alluded  
13 to in the law, that's even talked about in the  
14 law, but simply isn't specific enough. The City  
15 Council, I think that they perform their role  
16 admirably, they hold oversight hearings.

17 I think Chairman Jackson has done a very  
18 good job using the bully pulpit, which at times  
19 is what is necessary here, but I think in the  
20 final analysis, it's the specificity that you  
21 will come up with in language, especially as it  
22 relates to the citywide Board of Education, its  
23 responsibilities, as well as at the local level,  
24 just what is the district superintendent supposed  
25 to do? It is listed in the law, but the mayor

2 has been able to get around that.

3 I'm sure that the minds that reside in  
4 Albany, in the Assembly, the majority side of the  
5 Assembly can come up with that language that  
6 we'll make - at least much more difficult for a  
7 mayor to go off and simply do whatever he or she  
8 thinks, even if he or she is convinced it is for  
9 the best.

10 CHAIRWOMAN NOLAN: Very quickly, Jim has  
11 a question for Dr. Ravitch. We have to keep  
12 moving.

13 ASSEMBLYMAN BRENNAN: Dr Ravitch, the  
14 chancellor has argued that the reason we should  
15 do - we should continue to give them carte  
16 blanche with no change is that they've done such  
17 a spectacular job on their test scores, and I  
18 think you debunk that rather effectively when you  
19 referenced the national test results, and my  
20 office recently released a report saying that  
21 there had actually been substantial progress on  
22 the state test scores. We took the state test  
23 scores at their face value prior to the onset of  
24 mayoral reforms, and that the chancellor has been  
25 exaggerating the school improvement under their

2 system because they have been using the wrong  
3 benchmark year, for many years that they've been  
4 stating that 2002 was the year that we need to  
5 take a look at, and I'm wondering if you have any  
6 comments about the report? And please be honest,  
7 I can't handle any criticism - just kidding, you  
8 can criticize.

9 DR. RAVITCH: I did read your report and  
10 I was very pleased to see that you caught the  
11 fact that they were inappropriately taking the  
12 data from the year before the reform started.

13 As it happened, the biggest gains that  
14 New York City has seen occurred the year before  
15 Children First was implemented. The chancellor  
16 was appointed in August or September of 2002, and  
17 he spent the full - discussing - thinking about  
18 what he was going to do and they announced it in  
19 January of 2003. At the time they were making  
20 their announcement, the kids were taking the  
21 state test.

22 The scores came out in May of 2003 and  
23 the New York Times said the chancellor was glum  
24 because there was a huge increase in scores in  
25 2003. Subsequently, when their own gains turned

1 out to be not very large, they simply  
2 appropriated the figures from 2003 and said those  
3 were our gains too because we were there. But  
4 they had nothing to do with them, they hadn't  
5 initiated any reforms, they hadn't put any new  
6 people in, the people - they hadn't imposed their  
7 reorganization, that started in September 2003.  
8 The people who were about to come regional  
9 superintendents were informed of their job - of  
10 their hiring in January of 2003, so they had  
11 nothing to do with the big increase and I believe  
12 that the big increase really represented the  
13 culmination of the work of both Harold Levy and  
14 Rudy Crew, both of whom worked on literacy and  
15 math and they saw big gains.  
16

17 The only large gain that New York City  
18 saw on the federal test was in that same year,  
19 which confirmed the state test. A big increase  
20 took place between 2002 and 2003, and, of course,  
21 the Department of Education claims credit for  
22 that too, but inappropriately because they had  
23 done nothing and they were still in their  
24 cogitation state at that point. So you're -

25 ASSEMBLYMAN BRENNAN: I understand why

2 you have a doctorate.

3 CHAIRWOMAN NOLAN: Just two quick  
4 questions, and then we'll be on to our next  
5 panel, for Dr. Ravitch.

6 We don't have him coming yet, but I'm  
7 trying to arrange to have the accountability  
8 director come, Mr. Leidman. And, of course, I,  
9 myself, personally have thought the grading  
10 system wasn't what I wanted to see, but, again, I  
11 try not to, it's certainly a viable way to  
12 proceed.

13 Would you want to comment on that, number  
14 one?

15 DR. RAVITCH: Yes, I would. Because I'm  
16 working on a new book and I just finished a  
17 chapter on accountability and there is such a  
18 thing as positive accountability and there is  
19 such a thing as punitive accountability. And  
20 positive accountability is what Florida has done.

21 Florida gives grades to schools. I don't happen  
22 to approve of giving grades to schools. To me,  
23 that is objectionable because it would be like  
24 sending a child home from school with a report  
25 card with one letter on it, you are a C student



2 or an A or F, ridiculous. I mean, a school is  
3 multi-dimensional, there are things it does well,  
4 there are things it does poorly. There are many  
5 things to take into account and a letter grade is  
6 a ridiculous thing.

7 But given that we have that system now,  
8 what Florida has done with it is, if a school  
9 gets an F, they immediately send in technical  
10 assistance, extra resources, they have all kind  
11 of follow through in terms of helping the school  
12 improve.

13 In New York City, they began measuring  
14 the schools, to close it down and put in charter  
15 schools. So it's using those letter grades to  
16 say, I just read yesterday on line, one of top  
17 officials on the board, not an educator, of  
18 course, because hardly anyone there is an  
19 educator, but one of the top officials say, we're  
20 going to be closing down many many more schools  
21 as soon as the next set of report cards come out.  
22 They look at closing schools joyfully.

23 CHAIRWOMAN NOLAN: I was surprised, in  
24 your mind, and I don't know if you were here for  
25 Chancellor Klein's testimony, but they placed a

1 great prominence - or they emphasize that most  
2 parents say that they're happy with their child's  
3 school. Now, I've taken that survey twice as a  
4 parent, and really, you would never want to say  
5 that you're not happy with your child's school  
6 because why would you be keeping them there?  
7 People are very negative about politicians, but  
8 they're usually a little kinder about their own  
9 individual member of the legislature, and,  
10 perhaps that shouldn't be, but that's human  
11 nature.  
12

13 I wondered what you thought of the fact  
14 that they are closing schools - and when they do,  
15 they don't tell us whether the parents in that  
16 school, perhaps in the survey, gave it a great  
17 rating, since they stressed that.

18 DR. RAVITCH: The first thing you should  
19 know about parent satisfaction is that - and  
20 survey after survey, not just in New York City,  
21 but all over the country, parents say that  
22 they're very happy with their schools. Most  
23 parents are - they like their schools.

24 CHAIRWOMAN NOLAN: Why else would you be  
25 sending your child there?

2 DR. RAVITCH: Right, the children like  
3 the teacher, they like the school. Whether it's  
4 a good school or a bad school, they're satisfied.

5 Then they'll say, well, what do you think of  
6 American education? They'll say, American  
7 education is terrible, my school is great though.

8 People are happy with their schools,  
9 generally speaking, and every survey, phi delta  
10 capa, and Gallop Poll, Harris Poll. They've all  
11 come up with the same finding, what is so  
12 objectionable about the current accountability  
13 system is that it's rigged to force principals to  
14 say that they're happy, because, if they're not  
15 happy, they're in big trouble.

16 Do you feel you're getting good support?

17 Oh, yeah, I'm getting wonderful support. Do you  
18 like the DOE? I love the DOE. And then they say  
19 it's all anonymous. But we have your computer  
20 ID, that's not anonymous, but you're anonymous.

21 So the system is rigged so that parents  
22 and teachers are told, if you give your school a  
23 low rating, you're going to close your school  
24 down, and, of course, then they say, look how  
25 wonderfully we're doing. They have set

2 themselves up to give themselves a good report  
3 card, which is why I hope, if you remember one  
4 thing from my testimony, it is the need for an  
5 independent agency to look at test scores,  
6 graduation rates, and any other kind of  
7 evaluative data so that the public and parents  
8 know what's really going on.

9 CHAIRWOMAN NOLAN: Wouldn't that be the  
10 function of the State Education Department  
11 though?

12 DR. RATITCH: Forget about it. They're  
13 patting themselves on the back. I mean, the  
14 chancellor - we have seen test score increases  
15 that have not been seen. Test scores, when you  
16 have a large population, go up in very small  
17 increments, they go up one point, and if you get  
18 a five point raise, you say, wow, we had test  
19 scores going up in the last few years, 20 points,  
20 15 points, schools seeing dramatic increases, the  
21 next year they went down again. It such an  
22 unreliable - and I think invalid testing system  
23 when you have these dramatic ups, ups and ups.

24 New York State reports to the federal  
25 government huge numbers of kids who are

2 proficient, but if you look at the federal  
3 figures, it's about a third. If you look at New  
4 York State figures, it's about two thirds. New  
5 York State has inflated figures. I wouldn't  
6 count on them to audit the New York City schools  
7 because they're part of the problem.

8 CHAIRWOMAN NOLAN: Thank you, and thank  
9 you for that answer, I appreciate that. I  
10 appreciate you both coming and giving us the  
11 benefit of your many years of experience. Thank  
12 you.

13 Our next witness is Zakiyah Ansari from  
14 the Alliance for Quality Education; Laonie  
15 Haimson, executive director of Class Size  
16 Matters; Helaine Doran, the deputy director of  
17 the Campaign for Fiscal Equity; Ailin Chen, a  
18 senior policy associate for education, Citizens  
19 Committee for Children, and if people will  
20 understand, we have a member of the clergy here,  
21 Reverend David Haberer, from Manhattan Together,  
22 I've seen him with his foot wrapped up all  
23 morning and he asked if he could go.

24 Maybe we can just slide over and make a  
25 little room for him at the table. Helaine and

2 Leonie, would you just move down so the pastor  
3 can get there, and if it's all right with the  
4 other members on this panel, perhaps we can have  
5 him just deliver his testimony before all of you  
6 get started. I know he's very uncomfortable and  
7 I don't want anybody sitting here when they're in  
8 pain.

9 So you go first. Go ahead, pastor, and  
10 then I know you have to go.

11 PASTOR HABERER: Okay. I appreciate the  
12 opportunity to be here. Unfortunately we had  
13 about 75 of our leaders here, but due to hunger  
14 they've kind of fallen by the wayside.

15 CHAIRWOMAN NOLAN: They are welcome to  
16 come to the Bronx or one of our other hearings.

17 PASTOR HABERER: We'll have people at  
18 all of those as well. A lot of people have  
19 spoken for what parents have told them, I want  
20 to come here as a parent, and I support mayoral  
21 control of the public school system.

22 I'm a parent of three children who did  
23 some of their education in the New York City  
24 public school system, and as a grandparent of  
25 three children who are currently enrolled in the

2 public school system, as well as the pastor and  
3 the pastor churches in Queens and in Manhattan.

4 I have been working with parents who have  
5 children in the public school system for a very  
6 long time. I'm well aware of how the old system  
7 was run and I witnessed vast improvements that  
8 have taken place under mayoral control.

9 As a leader of Metro IAF, I have been  
10 involved in working with parents in the poor  
11 neighborhoods of the city, what we define as  
12 education dead zones, Brownsville and other  
13 places where education was very poor. I've been  
14 doing that since the late 80s.

15 I've experienced the runaround of the  
16 local school board. There were plenty of people  
17 to see, and plenty of people to talk to, but no  
18 one who would ever make a decision. Every trip  
19 to the school board, every phone call was an  
20 effort in futility because no one would ever make  
21 a decision or solve a problem. It was not the  
22 caring, supportive, family environment that one  
23 of the assembly people made reference to this  
24 morning.

25 When I first moved to Far Rockaway, I

1       tried to put my son in kindergarten in the local  
2 school. He spent one week sitting in the  
3 hallway. No one would find a classroom for him.

4       No one in the school. No one in the Board of  
5 Education. No one in the local school board  
6 could give me an answer why.

7               Fast forward to the present situation.  
8 My grandchildren have benefitted under mayoral  
9 control. I put one grandchild in a local school  
10 and we were unsatisfied with the education she  
11 was getting. But everything is different now.

12               Unlike with my son, we had some options.  
13 We looked around for another school in the city,  
14 we found one. We placed her in there. Her and  
15 her sister are now attending a different school  
16 in a different part of the city but they're both  
17 excelling and the difference was choice. Choice  
18 came as a result of mayoral control. With the  
19 opening of new schools, both public and public  
20 charter schools, with accountability that holds  
21 schools responsible for educating our children,  
22 and not blaming children for not learning, and an  
23 accountability system that does close and  
24 restructure failing schools, has seen much  
25



2 improvement in the system. It's not perfect, far  
3 from it, but it's moving in the right direction,  
4 you need to understand that.

5 The opposition would tell us that under  
6 the new system that there's no parental  
7 involvement. This notion that parents never have  
8 a voice, and are never heard is not the  
9 experience that we have in Metro IAF. Let's be  
10 clear, under the old system of no accountability,  
11 you never could get an answer. Under mayoral  
12 control, we, Metro IAF, Manhattan Together, our  
13 parent organizing that we do in public schools,  
14 we get to go to the chancellor's office. When we  
15 have a problem, we can call up. We can talk  
16 about the problem, and we get to meet with him  
17 and we bring our solutions and their discussion.  
18 We don't always get the answers we like, but we  
19 do get answers. Before that never happened.

20 CHAIRWOMAN NOLAN: Excuse me. What is  
21 it again, Manhattan -

22 PASTOR HABERER: Manhattan Together is  
23 part of the Metro IAF.

24 CHAIRWOMAN NOLAN: What is Metro IAF?

25 PASTOR HABERER: Metro Industrial Areas

2 Foundation.

3 CHAIRWOMAN NOLAN: Okay. Sorry about  
4 that.

5 PASTOR HABERER: The question of  
6 parental access is an important one, but the  
7 solution is never to go back to the old  
8 dysfunctional non-solution. We propose an  
9 impartial, privately funded resource center to be  
10 established, one that would have no ties to the  
11 UFT, no ties to the chancellor's office, no ties  
12 to DOE, no ties to Metro IF, no ties to Manhattan  
13 Together. We suggest the New York Foundation as  
14 an organizer and director of the center, a  
15 foundation that's well respected by everyone.

16 The could put into place a monitoring  
17 system that would allow parents who are not tied  
18 to any organization the well-deserved advocacy  
19 that they need and deserve and get answers to  
20 their questions and concerns.

21 We do applaud the state legislature for  
22 putting mayoral control into place. We know it  
23 needs to be worked on and there are some things  
24 that might need to change, but we encourage you  
25 not to turn back at this point. Our city, our

2 children are counting on you to do the right  
3 thing.

4 Thank you.

5 CHAIRWOMAN NOLAN: Thank you, Pastor.  
6 We know you want to get out of here. I'm sorry,  
7 I know how uncomfortable it is when you're  
8 feeling pain, so thank you very much for being  
9 with us.

10 Do you want to start, Ms. Ansari?

11 MS. ANSARI: Yes. Good afternoon. My  
12 name is Zakiyah Ansari. I reside in East  
13 Flatbush Brooklyn. I'm a mother of eight  
14 children, all of whom have been or are currently  
15 in the public school system. Four currently  
16 attend schools in District 13, 19, 22, and 23.  
17 I've served on my children's PTAs from  
18 elementary, middle school, and high school, and  
19 I've been a parent leader with the Alliance for  
20 Quality Education for many years. AQE is part of  
21 a citywide coalition of parents, youth,  
22 community-based organizations and education  
23 advocates called the Campaign for Better Schools.  
24 I want to start out by saying that we are  
25 not advocating going back to the old system.

2 Campaign for Better Schools believes mayoral  
3 control has led to some positive improvements.  
4 The 2002 law lead to dramatic changes that got us  
5 out of the old dysfunctional system. But you  
6 haven't got it perfect yet, and there is need for  
7 improvements.

8 We are suggesting changes to make the  
9 system more open, transparent, and accountable.  
10 We feel these changes are crucial to address many  
11 of the problems with mayoral control that will  
12 create the much needed balance.

13 We've all seen the polls that show most  
14 people feel that the school system has improved  
15 under mayoral control. We've seen the great  
16 headlines about test scores and graduation rates  
17 going up, but parents and students in our  
18 communities don't see that improvement in our  
19 schools.

20 We've even seen the great subway ad  
21 campaign that says, things are great, keep it  
22 going. If all is so rosy, then why are most of  
23 our children failing to graduate with Regent's  
24 diplomas. And why do parents, students, and the  
25 public all feel shut out by DOE.

2 The way we came up with our  
3 recommendations was similar to the way President  
4 Obama won. He connected to the grassroots, the  
5 community. And we have a real community-driven  
6 proposal that has come from the grassroots. It  
7 was developed by parents, students, and community  
8 groups. We spent over a year having meetings and  
9 conversations in our neighborhoods. From the  
10 south Bronx, to east New York, to Jackson Heights  
11 just to name a few. We've interviewed education  
12 experts and studied how mayoral control works in  
13 other cities like Boston and Chicago. As I  
14 mentioned before, we represent the diversity of  
15 the city and the school system. In December, we  
16 had a speak-out in five languages with hundreds  
17 of parents and students.

18 We, the people, want a system of mayoral  
19 control with real checks and balances. A system  
20 that allows the public to have a clear picture of  
21 what's working and what's not working without  
22 having to follow freedom of information requests,  
23 otherwise known as transparency. We want  
24 meaningful public participation. Our plan still  
25 leaves the mayor in control, he should continue

2 to appoint the chancellor who should be in charge  
3 of running the school system, but we need to  
4 ensure real checks and balances on the mayor's  
5 power over the schools.

6 We believe that strengthening the PEP  
7 significantly is crucial to creating the kind of  
8 vigorous public debate needed to ensure the best  
9 policies and reforms get put in place. We've  
10 learned that the PEP was intended to serve as a  
11 collaborative partner in the development and  
12 approval of educational policies, but that has  
13 not happened under the current system of mayoral  
14 control.

15 Because PEP members can, and have, been  
16 removed if they plan to vote against a mayoral  
17 proposal, the PEP is nothing more than a rubber  
18 stamp right now. To give the PEP the  
19 independence it needs to serve as a meaningful  
20 check and balance on the mayor's power, we  
21 propose a few changes. The mayor should continue  
22 to make some appointments to the PEP, but a  
23 narrow majority should be made by the City  
24 Council or other elected officials. Even though  
25 the mayor would not have the majority of

1 appointees, he would only have to convince one or  
2 two appointees on the merits of the policy he is  
3 proposing, and the result would be a health  
4 public debate about what's best for our students.  
5

6 This type of debate has been missing, and if it  
7 had been in place initially, we would have  
8 avoided some poorly conceived policies, like the  
9 school bus re-routing two years ago, and don't  
10 forget the reorganization of the reorganization  
11 of the reorganization.

12 The PEP should maintain its current  
13 approval power over major education policies and  
14 reforms proposed by the chancellor. The PEP  
15 should be empowered to approve the operating  
16 budget and capital plan as a whole annually in an  
17 up/down vote, although the PEP should not be  
18 allowed to make any changes to proposed budgets.

19 Our changes wouldn't take us back to the  
20 old system. The mayor would still directly  
21 appoint the chancellor who would be responsible  
22 for running the school system and designing  
23 policies and reforms. This is significantly  
24 different than the old system, where the mayor  
25 did not appoint the chancellor and did not

2 control school policies. These recommendations  
3 would not create the perfect system, but there is  
4 no perfect system as we heard today.

5 Our changes would create the kind of  
6 open, transparent process that brings people  
7 together to work towards solutions. Our proposal  
8 was created by parents, youth, community and  
9 education advocacy groups who individually have  
10 always fought for what is right in education and  
11 who represent the diverse communities from high  
12 poverty neighborhoods of color which is 80  
13 percent of the school population.

14 We've done our homework, and we believe  
15 that mayoral control of schools, with these  
16 changes, can work for all our children and youth.

17 Thank you.

18 CHAIRWOMAN NOLAN: Would you introduce  
19 the people that you have with you?

20 MS. ANSARI: Yes. Joining me on the  
21 panel is Ailin Chen, Carol Boyd -

22 MR. GERARDO: My name is Hector and I'm  
23 representing one of the young people from my  
24 community.

25 CHAIRWOMAN NOLAN: We didn't have them,



2 we're going to Leonie. Go ahead. Did you want  
3 to -

4 MS. CHEN: My name is Ailen Chen and I  
5 am the senior policy associate for Education for  
6 Citizens Committee for Children.

7 CCC is 65 year old multi-issued child  
8 advocacy organization and we don't take any  
9 government funding because we're an independent  
10 advocacy organization.

11 We are a member of the Campaign for  
12 Better Schools because we believe that there  
13 needs to be greater transparency in order to  
14 promote the checks and balances and the greater  
15 public participation that many of us have been  
16 talking about today.

17 I'm also here because I'm a new parent,  
18 and I'm looking forward to being a public school  
19 parent, and as I'm listening today, you know, I'm  
20 also thinking about all the challenges that I'm  
21 going to have to face as I send my daughter to  
22 the local school. So that's my special interest  
23 here today.

24 The vast majority of the things that  
25 we've been talking about has to do with DOE's

2 reluctance to open up its finances, policy making  
3 processes, data and student achievement to public  
4 scrutiny, improve checks and balances and greater  
5 participation can only come about if you increase  
6 transparency.

7 As Assembly Member O'Donnell mentioned,  
8 I'm going to be brief and cut to the chase and  
9 talk about our two major recommendations around  
10 transparency.

11 Citizens Committee for Children and the  
12 campaign recommends that the independent budget  
13 office is given the legal authority to report on  
14 all aspects of DOE's finances, school  
15 performance, as well as the impact of major  
16 policy decisions. Further existing law should be  
17 clarified to allow the city comptroller to have  
18 financial oversight over DOE's finances for  
19 auditing purposes.

20 As you heard today, the comptroller  
21 mentioned that there are a lot of gray areas and  
22 we want to make sure that those don't exist with  
23 the reauthorization of mayoral control. The  
24 ability to independently analyze and audit DOE  
25 reports on student achievement would help to ease

2 the mistrust and skepticism that's really been  
3 fermented by the lack of unfettered access. I  
4 just - the last thing I want to mention is that  
5 CCC produces an annual report card, so to speak  
6 on the well-being of children in New York City,  
7 and we've been able to collect statistics over a  
8 period - more than a decade of statistics of how  
9 children are doing in New York City, and we get  
10 that data from city and state agencies.

11           Unfortunately, we've had a very difficult  
12 time with DOE, and I'm sure we've been around to  
13 all of your offices to share that book. So  
14 that's the reason why we're here, it's just to  
15 try to get more information out to the entire  
16 community.

17           CHAIRWOMAN NOLAN:     Thank you so much.  
18 How old is your child?

19           MS. CHEN:        She's only 14 months, and I  
20 actually need to run and go to pick her up. I  
21 apologize.

22           CHAIRWOMAN NOLAN:     Yes, yes.  
23 Congratulations. We know, been there, done that.  
24 Wonderful.

25           The other people, just a word, because

2 you're not really on the list, but tell us your  
3 names, we didn't know you were coming. Are they  
4 with you?

5 MS. CHEN: Yes, they're actually on the  
6 list.

7 CHAIRWOMAN NOLAN: Okay.

8 MS. BOYD: We were supposed to be a  
9 panel. I am on the list, just moved around

10 CHAIRWOMAN NOLAN: Okay, just quickly  
11 then.

12 MS. BOYD: My name is Carol Boyd and I'm  
13 a concerned parent leader with the New York City  
14 Coalition for Educational Justice, which is also  
15 a member of the Campaign for Better Schools.

16 All over the city, when you speak with  
17 parents, students and others involved in the  
18 school system, the biggest complaint usually  
19 revolves around not having a voice that matters.

20 In other words, not being listened to.

21 At CEJ, we often have masses of parents  
22 testify at hearings, but it doesn't seem to make  
23 a difference, why? Because usually decisions  
24 have already been made. Case in point, how is it  
25 that every single speaker at the PEP meeting on

2 the eighth grade promotion retention policy spoke  
3 out against it, and yet it passed. As parents,  
4 grandparents, and caregivers to public school  
5 children, as well as voting taxpayers, our  
6 members have a special interest in the governance  
7 of our local schools.

8 I'm going to cut to the chase too. At  
9 the school level, our plan calls for a renewed  
10 commitment to school leadership teams including  
11 strengthening the role of parents and high school  
12 students providing training and support for them.

13 We support Commissioner Mills' recent ruling  
14 that the school leadership teams, and not the  
15 principals alone should develop the comprehensive  
16 education plans for schools.

17 At the district level, parents really  
18 want to have community superintendents back in  
19 their districts and overseeing schools in these  
20 districts. Then we as parents would know who to  
21 turn to to help us resolve problems. Under our  
22 plan, community superintendents would be put back  
23 in charge of supervising principals and  
24 overseeing schools in their district.

25 In addition, they would be empowered to

2 address issues of concern to parents such as  
3 school choice, discipline, language access,  
4 special needs, and shared decision-making. The  
5 SLTs should be consulted during the development  
6 of school budgets to ensure that these budgets  
7 are aligned with these goals of these schools'  
8 educational plan.

9 Finally, one of the most frustrating  
10 issues for families and communities is the DOE's  
11 unilateral decision to close certain schools and  
12 to place new schools inside existing schools.  
13 We're calling for a process to be established  
14 that ensures community input before schools can  
15 be closed and before new schools can be placed  
16 inside existing schools.

17 CEJ, as a part of the Campaign for Better  
18 Schools has spent countless hours thinking this  
19 through. We've asked our members for input at  
20 meetings throughout the city, and didn't finalize  
21 our proposal until it was approved by parents and  
22 community members of our six neighborhood based  
23 member organizations.

24 We hope that the Assembly will take  
25 seriously the voices of parents, and some of the

2 lowest performing and struggling school districts  
3 in New York City.

4 Thank you.

5 CHAIRWOMAN NOLAN: Thank you. What is  
6 your name, sir?

7 MR. GERARDO: My name is Hector Gerardo.

8 CHAIRWOMAN NOLAN: I think that we have  
9 you a little further down on the list as we did  
10 Ms. Boyd, and I want to show people respect, and  
11 you were here, but I have to ask you to wait a  
12 little bit.

13 MS. ANSARI: Can I just share that we  
14 came with the impression, we spoke to Gerry  
15 yesterday in Albany and she said we were going to  
16 be as a panel, so we had no idea until we got  
17 here.

18 CHAIRWOMAN NOLAN: They're on a second  
19 panel, we tried to take some from each group, and  
20 put some of the panels up front. That's okay,  
21 but this young man is going to have to wait.

22 Okay, you're not going to wait. So tell  
23 us quickly then.

24 MR. GERARDO: I'm here representing  
25 Corey Butler, he's a 17 year old -

2 CHAIRWOMAN NOLAN: You're not here on  
3 your own - you're going to have to wait. I'm  
4 sorry. I thought you were giving your own  
5 testimony. If you're reading someone's testimony  
6 you're really going to have to wait.

7 MS. ANSARI: That's because the youth  
8 couldn't be here.

9 CHAIRWOMAN NOLAN: I understand but  
10 you're going to have to wait.

11 MR. GERARDO: I'm reading for a young  
12 man that goes to school that couldn't be here to  
13 give his testimony. So you're not going to let a  
14 young man -

15 CHAIRWOMAN NOLAN: You jumped the line,  
16 so go ahead.

17 MR. GERARDO: He goes to school, the  
18 Community School for Social Justice. He's also a  
19 member of Sistas and Brothas United and Urban  
20 Youth Collaborative. During my time in high  
21 school under mayoral control has seen many  
22 changes for the bad and not for the good. I've  
23 seen increases in metal detectors, police  
24 officers, school safety agents, budget cuts;  
25 things that do not help students prosper



educational wise.

Every year the educational system is more and more underfunded. I would like to know why we have so many cuts and is the money really going into our schools or being used for security. Till this day, I have yet to see any improvements in my school. There aren't enough teachers to hold the different types of classes that the students ask for. Even if we put more teachers, my school does not the proper resources, like textbooks and adequate classroom space. Organizing under this system has made it harder for me to fight against injustices because they would rather put money into more useless security concerns than school groups. Students often lose interest because they see no hope for positive change.

The mayor has never asked the people how we want the money to be divided. The mayor is now telling students that in order to graduate, you must get a Regents diploma. How are we supposed to graduate on time with these honors when the learning fundamentals are nowhere to be found?

2 When there are problems with school  
3 safety agents, the only person I can go to is the  
4 mayor. I wonder, how long will it take for me to  
5 get a proper response before my complaint is long  
6 forgotten? With the current system the way it  
7 is, opinions and complaints are often put out of  
8 the spotlight.

9 Let students and parents both be heard.  
10 We are the real special interest when it comes to  
11 education. We have a very special interest in  
12 our schools and in our futures.

13 CHAIRWOMAN NOLAN: Thank you.

14 MS. HAIMSON: Thank you, Assembly Member  
15 Nolan and the other members of the Education  
16 Committee for holding these important hearings  
17 today.

18 Last winter, Class Size Matters released  
19 the results of an independent, parent-driven  
20 survey to address some of the key areas left out  
21 of the official DOE parent survey. Hart  
22 Associates polled a representative cross section  
23 of 604 New York City public school parents by  
24 telephone, and more than 1,000 parents responded  
25 to the survey online.

2 My name is Leonie Haimson, and I'm  
3 executive director of Class Size Matters.

4 As substantial majority of both groups  
5 believed that mayoral control should be ended or  
6 amended by the state legislature. Those who were  
7 parent leaders, and that is CEC members, or SLT  
8 or PTA members felt even more strongly that the  
9 current system needed changing.

10 Nearly 800 parents provided detailed  
11 comments online on this issue, which clustered  
12 around several main themes.

13 In the current system of governance,  
14 there was a lack of checks and balances leading  
15 to dictatorial powers being exercised by the  
16 mayor;

17 the views of important stakeholders like  
18 parents had been routinely ignored, and the  
19 school system had been run more like a business  
20 than an educational enterprise;

21 other common criticisms revolved around  
22 what parents saw as the results of this  
23 unchecked, unaccountable power, including the  
24 wrong educational policies, including an  
25 overemphasis on the results of standardized tests

2 and a lack of attention to the need to reduce  
3 class size;

4 the DOE had mismanaged finances and spent  
5 too much money on consultants and contractors,  
6 had embarked on too many confusing  
7 reorganizations;

8 and, finally, our parents felt that our  
9 schools needed some insulation from the political  
10 sphere than mayoral control could provide, and  
11 rather than becoming less political, all of a  
12 sudden our schools were intensely political.

13 I urge you to read this report,  
14 especially some of the comments from parents,  
15 which were passionate, articulate and  
16 penetrating.

17 More recently, together with other parent  
18 leaders from throughout the city, we formed a  
19 parent commission on school governance, and we  
20 will be releasing recommendations soon which we  
21 hope will create a partnership between the mayor  
22 and parents, rather than a system of mayoral  
23 dictatorship which is what we have now.

24 I have a rather long and detailed  
25 statement and I would like to enter it into the

2 record but I just want to make a few points  
3 upfront.

4 A Daily News reporter this fall wrote an  
5 article about the personal wealth about many of  
6 the top officials at Tweed which was bumped by  
7 the paper, actually censored and did not appear  
8 in the paper but we retrieved it off the cached  
9 version on the web, and the most revealing thing  
10 about this article is not the story about the  
11 personal wealth, but what the DOE spokesperson  
12 said in defense and I quote him. He said, "other  
13 top DOE officials were not multimillionaires and  
14 that two of the chancellor's roughly 20 senior  
15 advisors were life-long educators."

16 Two out of 20, and this is what he was  
17 bragging about in defense. Not only is a lawyer  
18 running the Department of Education, but he's  
19 surrounded himself with other lawyers, including  
20 a lawyer running the accountability office, with  
21 no expertise in either testing or statistics. In  
22 fact, he devised a formula for school grades,  
23 which experts say is totally unreliable and based  
24 on chance.

25 We have another lawyer in charge of

2 deciding which schools are being closed, based  
3 upon finding in space for the increasing number  
4 of small schools and charter schools which he,  
5 himself, has been given to create.

6 Just last week, he announced that this  
7 lawyer was also put in charge of reorganizing  
8 special education, a man with no expertise or  
9 experience in this area. With an abundance of  
10 people running the system, who widely derive the  
11 need for smaller classes, even though no one was  
12 ever actually taught in a classroom, believes  
13 that this is not important.

14 As Bill Cala, former superintendent of  
15 the Rochester Schools recently said, "Anyone who  
16 claims that class size doesn't make a difference  
17 has not been in a classroom in the past 20  
18 years."

19 So whatever other changes you make, we  
20 need to have people running our schools who  
21 actually know something about education, and this  
22 requires, first of all, that the chancellor  
23 himself have actual experience as a teacher or a  
24 principal with no waiver allowed.

25 Another change we need is real

1           accountability, which, despite all the claims of  
2           this administration, there is absolutely none of  
3           it present. There can be no accountability  
4           because there is no transparency. And I think  
5           there's been a lot of discussion on that so I  
6           won't go into that anymore except that we do need  
7           independent source data.  
8

9                         School-based expenditure reports have not  
10           been produced in years, and both the IBO and city  
11           comptroller say that it's nearly impossible to  
12           ascertain how they're allocating funds.  
13           Accountability also means adherence to the law.

14                         This is something that I really care very  
15           passionately about and if you take message home  
16           it's this. Right now the Department of Education  
17           does not comply with either city or state law,  
18           and its chancellor, despite all the statements  
19           today that education is just like city service,  
20           like safety or like public health, those  
21           departments actually have to comply with city  
22           law. The Department of Education argues that it  
23           does not. But right now - and I have long list  
24           of city laws that the Department of Education  
25           routinely violates in my testimony, I won't go

2 into them now, but what I will go into is the  
3 state laws which they routinely violate, and you  
4 made those laws, so you should have some pride of  
5 ownership in this area.

6 In 2006, the state comptroller's office  
7 released an audit, showing that the Department of  
8 Education had misused nearly \$90 million in  
9 annual state funds meant to reduce class size,  
10 and out of all that money, had only created 20  
11 extra classes over the baseline, which meant that  
12 each class cost four and a half million dollars.

13 The state comptroller wrote a detailed  
14 set of recommendations on how the DOE should  
15 improve compliance. The DOE said they would not  
16 take a single one.

17 More recently, you passed a law in 2007  
18 saying that along with the Contract for  
19 Excellence funding, the city should submit a  
20 class size plan for smaller classes in all  
21 grades. Last year, the first year of the  
22 program, the city didn't make any of their  
23 targets as the State Education Department  
24 reported. This year, average class sizes went up  
25 in all grades but fourth grade, for the first



1 time in 10 years, and despite declining  
2 enrollment. So you can see what kind of effect  
3 your laws had on this department's behavior.  
4 This is despite the fact that our classes remain  
5 the largest in the state by far and class size  
6 reduction remains the top priority of parents,  
7 even in the DOE's own surveys, and 86 percent of  
8 New York City principals in a recent survey said  
9 that they are unable to provide a quality  
10 education to our children because of excessive  
11 class sizes.  
12

13 They have also ignored the requirement in  
14 the law that the city align its capital plan to  
15 its class size plan, and the proposed new plan  
16 contains only 25,000 new seats which is only less  
17 than one third the number needed to actually  
18 implement their own class size reduction plan.

19 We've heard about how they've ignored the  
20 requirement that district superintendents  
21 continues their role as before, but instead are  
22 spending 90 percent of their time outside their  
23 district coaching schools on test scores, they've  
24 ignore the requirement in the law that city  
25 education councils be consulted before schools

2 are opened or closed in their districts. I have  
3 the language and the law, that's what it says.  
4 Yet, DOE alerts CECs and other community members  
5 only after these decisions have been made.

6 They have ignored the fact that school  
7 leadership teams have the authority to develop  
8 comprehensive education plans as clearly  
9 established in state law. Some of us filed a  
10 complaint about this and luckily the commissioner  
11 backed us up, but the chancellor still has not  
12 revised those regulations and we're intent that  
13 he recognize that the school leadership should  
14 have not only the power to develop CEPs but also  
15 school-based based budgets based on those  
16 comprehensive education plans, because, without  
17 that, those plans have no meaning.

18 All these violations of state law reveal  
19 how the administration has essentially thumbed  
20 its nose in the legislature's face and done  
21 everything possible to dis-empower parents. So  
22 what are the recommendations? I'm not going to  
23 make all of them now, but there's a couple of  
24 things.

25 Whatever you do, do not require more

1       hearings. There is nothing that has killed  
2       parent involvement in this city than the number  
3       of public hearings we have on a regular basis  
4       where nobody has listened to a word we say. So  
5       do not, do not, do not let these guys from Learn  
6       New York or whoever they're from say that parent  
7       involvement equals more public hearings. There's  
8       absolutely no result from them and they're  
9       tremendously - an exercise in frustration.  
10

11               So what should be done? Among the things  
12       that should be done, the district superintendent  
13       should be reinstated. The community education  
14       councils should be given the clear authority not  
15       just to be consulted, but to have to approve or  
16       disapprove the opening or closing of new schools  
17       in their districts. School leadership teams  
18       should be reinvigorated as I said with a clear  
19       mandate not only to create comprehensive  
20       education plans, but also to develop school-based  
21       budgets based on those plans, as was their right  
22       during previous administrations.

23               In addition, the Department of Education  
24       should be made explicitly subject to both state  
25       and city law, as are all other city agencies, and

2 an independent Board of Education should be  
3 reinstated. Anything less would be an abnegation  
4 of our system of democracy, along with the  
5 necessary checks and balances that are necessary  
6 to prevent the sort of dictatorial, arbitrary,  
7 and essentially destructive decision-making that  
8 has occurred under this administration.

9 Thank you so much.

10 CHAIRWOMAN NOLAN: Thank you.

11 This gentleman who read the testimony,  
12 and another gentlemen that was further on, you  
13 have to switch. Okay, thanks.

14 I just want to ask, I know we have people  
15 sitting on the floor from the press, and we just  
16 - because she's going to topple into you in a  
17 bit, and I want her to be comfortable. Maybe you  
18 could move over, Ms. Boyd, and then Mrs. Ansari,  
19 thank you very much.

20 Go ahead.

21 MS. DORAN: Good afternoon. Thank you,  
22 Madam Chair, for holding these hearings and  
23 members for taking the time to hear from us.

24 My name is Helaine Doran. I'm deputy  
25 director of the Campaign for Fiscal Equity, but

2 I'm also a former school board member of District  
3 2 in Manhattan for six years, who actually  
4 advocated the dissolving of the school boards.

5 For 15 years, the Campaign for Fiscal  
6 Equity has lead the litigation that established  
7 the constitutional right to a sound basic  
8 education for all public school students in New  
9 York and the legislative efforts that secured,  
10 historic reforms, thanks to you, for  
11 unprecedented funding, distributed based on need,  
12 tied to accountability, transparency, and public  
13 participation measures.

14 CFE now monitors and analyzes the state  
15 in the city education budgets and policies, and  
16 organizes parents and the public to ensure full  
17 funding and proper implementation of these  
18 reforms.

19 School governance in New York City must  
20 balance administrative leadership and democratic  
21 participation in the service of the primary goal  
22 of student achievement and academic excellence  
23 for all students. No one governance structure is  
24 all the time a panacea, the fine tuning is  
25 necessary to maintain the appropriate checks and

1 balances.

2  
3 As a watchdog and advocacy organization,  
4 CFE will address its comments to three areas that  
5 are kind of obscure, but sort of like up CFE's  
6 alley. One, redefining and funding the  
7 maintenance of effort; second, accessible  
8 information and transparency in reporting, and  
9 the third is public participation and decision-  
10 making.

11 Redefining and funding the maintenance  
12 effort. The governance of the school district is  
13 a state function that is delegated to the mayor  
14 of the City of New York with certain conditions  
15 to achieve agreed upon goals, one of those  
16 conditions is the obligation of the city to  
17 provide at least one dollar more in local funding  
18 each year over the previous year's baseline to  
19 ensure that the city uses state funds to  
20 supplement, not supplant, city funds.

21 Measuring the maintenance of efforts  
22 solely in dollar terms has meant in recent years  
23 that as the city has implemented mid-year budget  
24 costs and costs have risen to keep pace with  
25 inflation, the base has eroded yet the way the

1 law is presently written, it appears as if the  
2 city has complied with the MOE provision. CFE  
3 recommends the development of a methodology that  
4 addresses service levels as well as funding  
5 levels.  
6

7 In addition, in the wake of the  
8 settlement of the CFE lawsuit, the governor and  
9 the legislator added an additional funding  
10 obligation to the city of 2.2 billion to be  
11 phased in by school year 2010-11. Consistent  
12 with the MOE rules that should be integrated into  
13 this law and it should be that pension and debt  
14 savers are not counted as part of this total,  
15 which the city keeps talking to us as we talk to  
16 them that they say we are meeting our obligations  
17 and they - the debt service, which we feel is not  
18 part of the discussion.

19 The MOE provision should incorporate this  
20 obligation, if the city is unable to meet the  
21 maintenance of effort due to legitimate economic  
22 limitations, the gap in funding must be made up  
23 in subsequent years adjusted by an inflation  
24 factor reflecting the real purchasing power of  
25 the education dollar.

2 Transparency in the MOE. Under both  
3 Section 2590R of the Education Law as well as the  
4 Contract for Excellence Law and Regulations, the  
5 New York City Department of Education is required  
6 to provide school expenditure reports that show  
7 year to year spending at the school level. This  
8 allows the public to see what expenditures make  
9 up the baseline and where there are cuts and  
10 subplantation. This law was written in '99. New  
11 York City DOE has just issued the 2590R reports  
12 for 2005-6, two years behind. We had started  
13 fussing about this a couple of months ago, and so  
14 we're wondering if we've had some effect.

15 New York City DOE has not issued the  
16 Contract for Excellence Reports to school year  
17 2007-8. These reports would provide the  
18 transparent public records that allow government  
19 and outside entities to know whether and how  
20 funding and services are maintained.

21 CFE recommends referencing this reporting  
22 obligation in the governance law and utilizing it  
23 to determine whether the service level has been  
24 maintained per the MOE. Here are some options:

25 The MOE must have both a monetary and a



1 service component. School expenditure reports  
2 should be referenced and utilized in determining  
3 maintenance of services. MOE's should include an  
4 inflation factor reflecting the purchasing power  
5 of the education dollar. The 2.2 billion  
6 commitment should be integrated into the MOE.  
7 These additional funds are an absolute obligation  
8 and, like the state obligation, must be met in  
9 the specified time period. If the payout is  
10 extended, additions must be adjusted for  
11 inflation.  
12

13 A little bit more on transparency. The  
14 Contract for Excellence experience proves the  
15 value of school governance processes that are  
16 inclusive, collaborative and transparent. We  
17 understand the value of these processes all the  
18 more because they have not existed in either the  
19 area of determining whether the New York City  
20 Department of Education is supplementing or  
21 supplanting with state funds, we have challenged  
22 that they did supplant in this year. Nor were  
23 they put in place in 2006 despite CFE's call for  
24 them. When the state provided 11.2 billion in a  
25 combination of direct aid and bartering authority

2 to subsidize the city's 13.1 billion five year  
3 school capital plan to nominally resolve the CFE  
4 litigation.

5 The state capital funding came with no  
6 strings. Neither reporting and specific  
7 accountability requirements nor any direction to  
8 spend the funds to target the neediest students  
9 and schools and the public is left without the  
10 ability to ensure that the law is being properly  
11 implemented.

12 In order for the public to have  
13 meaningful input, there must be accessible and  
14 transparency means for the public to track the  
15 long-term impact of the expenditures of capital  
16 funds. While the city's five year school capital  
17 plan and amendments list all of the projects in  
18 every different program category from new school  
19 construction to roof repair to auditorium  
20 upgrades and beyond, neither the amendment nor  
21 any other document details whether projects are  
22 completed on time or on budget, whether projects  
23 have changed nor do amendments specifically  
24 articulate what criteria were used to alter the  
25 plan. The narrative gives a broad overview of

2 some change in criteria such as increased  
3 construction costs, but no specific analysis of  
4 the impact of the change criteria provided.

5 These reports should be more readily  
6 accessible on the DOE and SCA website, adding  
7 narrative introductions, explaining how to view  
8 and read the documents, modifying and augmenting  
9 the reports in specific areas, and creating an  
10 entirely new report to specifically track project  
11 status.

12 At present, only the five year class size  
13 reduction plan requires part of the city's  
14 Contract for Excellence calls for linkage with  
15 the capital plan creating some back door  
16 accountability.

17 In sum, without transparent and adequate  
18 information provided in accessible form, there  
19 can be no meaningful public input or  
20 accountability. CFE will be releasing a report  
21 next week on overcrowding in the New York City  
22 public schools which we of course will share with  
23 you, and what we have found is, the number even  
24 startled me, as long as I've been hanging around  
25 here, 501,632 students attend a school in an

1 overcrowded school building. We just didn't get  
2 there.

3  
4 The third, I'm just going to mention very  
5 very briefly and not go into it, but just to  
6 reinforce the public participation. CFE is  
7 concerned that major decisions concerning public  
8 education in New York City are made without  
9 adequate information on meaning public input.  
10 The education budget and reform act of 2007  
11 created the Contract for Excellence, the state-  
12 approved agreement with New York City determines  
13 how the new classroom operating dollars will be  
14 spent. The contract process, and I disagree  
15 maybe a little bit here with Leonie, provide a  
16 model for incorporating public participation,  
17 accountability, transparency, and decision-  
18 making.

19 It hasn't been perfect. I do think that  
20 the hearings have been useful. I think that some  
21 of the accountability mechanisms have been  
22 useful. If we didn't have what was spelled out  
23 in it, we couldn't have gotten the city to do the  
24 75/50 rule, which is how they are supposed to  
25 distribute the money to the neediest students and

2 the students who haven't had the soundest basic  
3 education.

4 So the specificity that we were able to  
5 create, I think, together in that law was very  
6 useful and can be used as a model to look at how  
7 to reform this governance law.

8 Thank you for the opportunity. We will  
9 be submitting this testimony..

10 CHAIRWOMAN NOLAN: Thank you very much.

11 I have one quick question for Ms. Ansari, I know  
12 you so many years and I know the work that you  
13 do.

14 What were your thoughts six years ago,  
15 and seven years ago, and now, how do you feel  
16 parents are feeling? You have your children in a  
17 number of different school districts and you know  
18 a lot of parents, I know the kind of work that  
19 you do as parent organizer.

20 Where do you feel we are - for example,  
21 something like ARIS which my son's school has, I  
22 can't understand it myself, not one word of it.  
23 How do you feel parents are feeling with the new  
24 tools and with the new approach these past seven  
25 years?

2 MS. ANSARI: Well, ARIS, I guess, is its  
3 own animal. I honestly don't know. I know if  
4 you're a parent who knows the system and have  
5 connections and you know this person and you're a  
6 parent leader, then you can get by. But if  
7 you're the average parent, if you're an immigrant  
8 parent, if you don't speak the language you can  
9 really get lost. And most parents unfortunately  
10 are lost and they don't know where to reach out  
11 to.

12 Therefore, there needs to be something  
13 there in place, the PEP, make it stronger, where  
14 we go there and we say as a district, there's  
15 issues in our schools, that they listen to us.  
16 Not just have us talk and nothing happens. That  
17 there's some real power to their board where  
18 community parents, you can come out and share  
19 real decisions with solutions and have them  
20 heard.

21 CHAIRWOMAN NOLAN: Were you a PTA  
22 president yourself at any time?

23 MS. ANSARI: Yes.

24 CHAIRWOMAN NOLAN: Would you, just for  
25 the record, list the school and the information?

2 MS. ANSARI: Well, last year I took a  
3 break, but I was PTA of my daughter's high school  
4 for four years, unfortunately nobody wanted to  
5 take that away from me. PTA in PS-19, that's in  
6 Brooklyn for two years, and I could go on, but -

7 CHAIRWOMAN NOLAN: Do you get  
8 information from that citywide parents advisory  
9 council?

10 MS. ANSARI: CCHS?

11 CHAIRWOMAN NOLAN: Yes.

12 MS. ANSARI: CPAC?

13 CHAIRWOMAN NOLAN: Yes.

14 MS. ANSARI: No. I don't sit on the  
15 board anymore, but I do - and that's because I'm  
16 connected again, I know parents on the board, so  
17 I might run into them in between, but as I go out  
18 telling people about mayoral control, they have  
19 no idea who CPAC is, and that's the connection  
20 that we need to make, there needs to be  
21 conversation so people know those avenues where  
22 they can reach out to parents that are actually  
23 in the school, PTA and all those other parents to  
24 actually reach into the schools and community  
25 members to say, this is an avenue you can go to,

2 but there's no transparency, people don't know  
3 that, they don't understand the system.

4 CHAIRWOMAN NOLAN: Earlier we didn't get  
5 a chance to ask Chancellor Klein this, but I  
6 would have loved to have spoken about the gifted  
7 and talented programs which were supposed to be  
8 in every district.

9 Do you represent some of the districts  
10 that were denied gifted and talented programs?  
11 They said that they were going to make it more  
12 equitable, but it turned out that some districts  
13 now have none. It may have had imperfect ones  
14 before, but now they have none, so I don't know  
15 any particular districts where you work as an  
16 organizer or where you've been a PTA president,  
17 do you know the status of the gifted and talented  
18 programs?

19 MS. ANSARI: I honestly don't, but I  
20 don't know if anybody else on the panel does.

21 CHAIRWOMAN NOLAN: That's all right.  
22 You'll find out and get back to us. I would like  
23 to know that because we were trying to find out  
24 where those gaps are.

25 Thank you very much. I'm sorry if there



2 was a mix-up, we're just trying to follow our  
3 list.

4 MS. ANSARI: I just want to say thank  
5 you for having this. And just as a suggestion as  
6 we go forward, I think the frustration, as we go  
7 forward, is that - and I know it's important to  
8 have other people speak, but somehow if you can  
9 alternate where you have a DOE and a parent, and  
10 then a - it's hard for us to sit here, so I do  
11 respect that you have it here, but it needs to be  
12 about -

13 CHAIRWOMAN NOLAN: Unfortunately for us,  
14 this was the first time we've been able to secure  
15 Chancellor Klein's participation in a hearing  
16 that I'm chairing, so it was an opportunity for  
17 us that we haven't had the opportunity to have.  
18 But we have three more coming up and we intend to  
19 try to do that.

20 Assemblyman O'Donnell has some questions  
21 for the panel.

22 ASSEMBLYMAN O'DONNELL: The minister who  
23 was previously on your panel said that when he  
24 had a concern, he would go see the chancellor.

25 Have any of you had a private meeting

2 with the chancellor?

3 MS. ANSARI: Only because we've knocked  
4 on, banged on doors, and knocked them down.

5 MS. HAIMSON: I've never had had a  
6 meeting with the chancellor, in fact, I've been  
7 specifically, up until now, anyway, excluded from  
8 all meetings on class-size issues.

9 ASSEMBLYMAN O'DONNELL: I wanted to make  
10 sure it wasn't just me, okay.

11 Thank you, Ms. Haimson, for your  
12 testimony. We had a very interesting interaction  
13 on the west side of Manhattan where the senior  
14 policy advisor to the mayor on education has  
15 asked what her credentials were. She said she  
16 went to school. That's a good thing, we favor  
17 that, and she was a lawyer, okay, and I'm a  
18 lawyer too, and then the tidbit of it all, my  
19 siblings are educators was my response.

20 My sister used to have a very famous talk  
21 show, that doesn't mean I should be in charge of  
22 programming for NBC, right, I don't really think  
23 that that makes any sense. Even - I presume she  
24 was telling the truth, I don't think she was  
25 lying. It was among the most audacious

2 performances I've ever witnessed in my life, for  
3 someone to invoke what their siblings do as a  
4 mechanism to justify their extraordinarily high  
5 salary for the purpose of doing this, and when I  
6 confronted the deputy mayor at the hearing in  
7 Queens, he actually was angry that I dared  
8 question this person's credentials.

9 To be quite frank, I was questioning her  
10 credentials because of the answer she chose to  
11 give. So there are too many lawyers in the DOE,  
12 and there are too many lawyers in Tweed, and I  
13 would be very curious to know, if you fired them  
14 all, how much money would you save and how many  
15 teachers we could keep if you fired all those  
16 lawyers? So I thank you for bringing that up. I  
17 tried to do that this morning with the  
18 chancellor, but he gets a little feisty.

19 MS. HAIMSON: One point - in the midst  
20 of all these budget cuts I went on the DOE's  
21 website last night and saw that they are hiring  
22 many more lawyers as we speak. There's full page  
23 of ads that were posted in the last five days for  
24 more lawyers at DOE.

25 ASSEMBLYMAN O'DONNELL: Thank you.

2 ASSEMBLYMAN BRENNAN: I know that you  
3 are expressing many concerns about the mayoral  
4 control system and have been advocating for a  
5 majority of the board members not to be  
6 appointees of the mayor, for the mayor to have a  
7 minority, but I'm concerned about you being  
8 careful of what you wish for in relation to the  
9 mayor continuing to appoint the chancellor  
10 because as long as the chancellor doesn't report  
11 to the board, the chancellor doesn't have to do  
12 anything that the board says.

13 I just - the City of Yonkers is a big  
14 city school system. It's ethnically,  
15 demographically, very similar to New York City.  
16 It's 82 percent Black, Hispanic, and Asian. It  
17 does not have mayoral control. The mayor  
18 appoints the board members but the board hires  
19 the chancellor. The City of Yonkers school  
20 system has had test score improvements that are  
21 equal to or better than the New York City  
22 schools.

23 So they managed to do their thing and  
24 improve while the board controlled the  
25 chancellor. So I'm not - the notion that we

2 should compromise right up at the start as to who  
3 has the most power, and keep the mayor having the  
4 most power and never undermine that basic element  
5 of the system, may result, if we renew the law  
6 with the person who has the most power,  
7 continuing to have the most power, then we will  
8 have a continuation of what everybody is unhappy  
9 about. So I hope that you will consider that  
10 fact.

11 MS. ANSARI: Well, when we come up to  
12 visit you, Campaign for Better Schools, we can  
13 talk about it some more. That would be great.

14 ASSEMBLYMAN BRENNAN: Thank you.

15 CHAIRWOMAN NOLAN: I have just one last  
16 question for Mrs. Doran and Leonie. The DOE's  
17 Contract for Excellence does not meet the 75/50  
18 requirement but SED granted them a waiver. Are  
19 you aware of that?

20 MS. DORAN: The 75/50, they got that  
21 down. The first year they did not meet that  
22 requirement, and they had to redo and it still  
23 wasn't quite right.

24 In this year, I think that they maybe  
25 chose to meet the 75/50 because the other thing

2 that they were deciding to do according to our  
3 analysis is that they had holes in the their  
4 budget, and then they took the CFE money and they  
5 used it to plug the holes.

6 So they did the 75/50 right this year,  
7 but the plugging, which specifically, the  
8 Contract for Excellence forbids, is it must  
9 supplement and not supplant. So the city money  
10 was dropping and the CFE money was filling the  
11 holes.

12 CHAIRWOMAN NOLAN: Thank you. Ms.  
13 Haimson.

14 MS. HAIMSON: I'm no expert on that as  
15 Helaine is, but I can tell you that they approved  
16 New York City's class size reduction plan even  
17 though when they approved it we already knew that  
18 class sizes had gone up in all grades before, so  
19 clearly New York City was in non-compliance with  
20 whatever plan they approved by the time they  
21 approved it.

22 CHAIRWOMAN NOLAN: I want to thank you,  
23 and Ms. Boyd, thank you, even though if we  
24 changed that ratio, I have a lot of respect for  
25 you as a parent leader, and trying to accommodate

2 everybody, so thank you very much.

3 Our next panel is Hazel Dukes, the  
4 president of the NAACP, New York State  
5 Conference, and a very very eminent leader here  
6 in New York for a long time; Lillian Rodriguez-  
7 Lopez, the president of Hispanic Federation; ;and  
8 Choua Vou, Education Policy Coordinator,  
9 Coalition for Asian American Children and  
10 Families.

11 And the next group, I just want to double  
12 check this. I know that Mr. Canada has stayed,  
13 and Peter Hatch from Lean New York, do they want  
14 to come up with this panel and then have the  
15 larger group, or do they want to wait and come up  
16 with the larger group?

17 Hazel could start, and then whoever is  
18 here representing them, if he wants to come up  
19 and sit, they can sit.

20 MS. DUKES: Let me thank you, Assembly  
21 Member Nolan and members of the Education  
22 Committee, not only thank you, but let me  
23 congratulate you. It is now that - I got in at  
24 10:25, and it's now 10 minutes to 4:00, and you  
25 members have been very attentive, so on behalf of

2 all of us, I would like to congratulate you. You  
3 have not left the room. I have not seen you work  
4 your ipods and all of that, you've listened to  
5 us. So on behalf of all of us who have been here  
6 since 9:30 this morning, I want to congratulate  
7 you for that.

8 CHAIRWOMAN NOLAN: Thank you, Hazel, for  
9 that.

10 MS. DUKES: Let me say that we've all  
11 heard a lot today to make us think about it, but  
12 this is a very important hearing on school  
13 governance. I am the president of the NAACP New  
14 York State branches, and we are 15 branches  
15 within the five boroughs of New York City, and I  
16 must say, Chairwoman Nolan is a regular member  
17 that understands that these people are volunteers  
18 and they work very hard.

19 The NAACP was founded February 12<sup>th</sup> of  
20 1909 right here in New York City. This year we  
21 celebrate our centennial anniversary, here in New  
22 York City, and education has long been a priority  
23 on our civil rights agenda; since 1964 when the  
24 Supreme Court ruled on Brown versus the Board of  
25 Education.



2 The policies and programs implemented in  
3 New York City public school system and public  
4 schools today, will predetermine the quality,  
5 character, and preparedness of our students from  
6 which our future leadership in our society will  
7 be drawn.

8 This will affect the welfare of our  
9 entire citizenry. Already, the decline in the  
10 ranking of the US education system with other  
11 countries reflects that it is no longer in the  
12 top percentile.

13 Our New York City public school system is  
14 one of the largest in the nation and it is  
15 imperative that we immediately address the ways  
16 and means by which significant improvement can be  
17 undertaken.

18 In view of this, we offer the following  
19 commentary. Across this nation NAACP voices have  
20 been heard on reforming and ensuring quality  
21 education for all children. For the past six  
22 years, the members of the NAACP branches along  
23 with advocates, parents, teachers, community  
24 members and now elected officials, they have been  
25 constantly meeting, receiving complaints, and

2 having open forums to ways to be included into  
3 the decision-making when it comes to policy  
4 implemented in our schools. Too often, many of  
5 those policies have had damaging effects.

6 We believe that there has not been enough  
7 inclusion of parents, city groups, or educators  
8 when it comes policy implemented in our public  
9 schools, and from reports, many believe the  
10 policies have not been a positive effect. I,  
11 myself, have often become frustrated with the way  
12 in which information has been disseminated on  
13 policy and financial matters that would improve  
14 the educational outcomes in our schools.

15 I would like to start out with the class  
16 size, an issue very close to my heart. Why? My  
17 son was educated in Roslyn, Long Island, so I  
18 think I can speak on this subject. New York City  
19 students continue to be forced to endure the  
20 largest class sizes in the state, even though  
21 there are two education reforms that have been  
22 shown to narrow the achievement gap, increasing  
23 access to pre-kindergarten programs and reducing  
24 class sizes.

25 The NAACP is a core member of New Yorkers

2 for smaller class sizes, for the Coalition for  
3 Better Schools, and work very closely with many  
4 other organizations, my colleagues sitting next  
5 to me, the Hispanic Federation.

6 We are a coalition of many advocacy  
7 groups and unions working to provide small  
8 classes in New York City schools. A few years  
9 ago, we helped collect over 100,000 signatures to  
10 put a proposition on the ballot requiring class  
11 size reduction in the city charter; however, the  
12 proposition was successful, remove was bumped off  
13 the ballot.

14 We helped push for measure passed by the  
15 state legislature in 2007. In return for  
16 receiving hundreds of millions of dollars in New  
17 York state aid that would come to our school as a  
18 result of the Campaign for Fiscal Equity lawsuit.

19 The state required that the New York City  
20 Department of Education to submit a plan to  
21 reduce class sizes in all grades. After much  
22 resistance, Chancellor Klein did finally did  
23 submit such a plan, but he has consistently  
24 refused to implement it.

25 The result has been the last school year,

1 the first year of the program, the state found  
2 that in half of all New York City schools, class  
3 sizes or student teacher ratio actually  
4 increased. And though average class size  
5 citywide declined, the state criticized the city  
6 for failing to make any of the class size targets  
7 in its plan.  
8

9 This year, the administration's record is  
10 even worse with data showing that class sizes  
11 increased in all grades but the fourth for the  
12 first time in 10 years. The increases were sharp  
13 in grades kindergarten through third. Those  
14 grades are widely believed to be the most  
15 critical in terms of narrowing the achievement  
16 gap and ensuring that children in our high-needed  
17 communities have the best possible start.

18 What equity is served by the failure to  
19 provide New York City children with the smaller  
20 classes that students and the rest of the state  
21 receive and that is now required by state law?

22 We believe some of the policies pursued  
23 by the administration have also served to put  
24 low-income students at a disadvantage. The  
25 chancellor announced last year that he wanted to

2 improve access to gifted and talented programs in  
3 underserved areas. Many experts warned him that  
4 if admissions to these programs were based solely  
5 on the results of high state tests, this would  
6 cause a significant drop in Black and Hispanic  
7 students served.

8 Educators and experts warned that the  
9 notion like NCLB, that it's all being done in the  
10 name of equity on behalf of the oppressed is such  
11 nonsense. They're using two instruments that we  
12 know for a fact provide racially-biased results.

13 Yet, the experts were ignored and they  
14 went ahead with this anyway, and what the  
15 educators and others warned indeed occurred.

16 This year, and Cathy, this will answer  
17 your question, there was a sharp decline in the  
18 number of students in gifted and talented  
19 programs in districts with high poverty rates.  
20 Many communities with a high number of Black  
21 students also lost ground, seven predominantly  
22 minority city school districts have no gifted and  
23 talented programs this year, two more than last  
24 year, how does this serve the cause of equity?

25 Another issue that concerns us greatly is

2 that the percentage of new teachers who are  
3 African American in our public schools has  
4 dropped sharply by more than half over the course  
5 of this administration, fallen from 21 percent in  
6 2001 and 2002 to 13 percent last year. This  
7 decline has greatly altered the racial makeup of  
8 new teacher workforce, with a drop of more than  
9 1,000 new African American teachers last year.

10 Despite repeated claims, the achievement  
11 gap has not diminished in any grades or subjects  
12 since this administration came into office.

13 You've heard a lot and there's been a lot  
14 of talk today, but two of the things that struck  
15 me mostly since I've been sitting here listening  
16 to the voice of parents and advocates and  
17 educators and community members about how we been  
18 silenced.

19 I believe what the author of this bill  
20 said today, your former colleague, I believe that  
21 you should go back and take seriously what you've  
22 heard today. I believe we can have mayoral  
23 control with the following recommendation. I  
24 think you must go back and if it's possible that  
25 you spell out and underline in red, and you send

1 it back to whoever the mayor of the city might be  
2 that what you say that no man or woman is above  
3 the law, nobody but - I guess there's only one  
4 who showed us he's above the law, Mr. Mayor, got  
5 all the monies still at home in his penthouse,  
6 but I hold you members of the legislature  
7 responsible for this law. You made it, you made  
8 it in good faith, I believe it could work for all  
9 our children for quality education, but I believe  
10 as Robert Jackson said, you've got to put the  
11 teeth in now, and when they don't do it, and just  
12 like that groundhog bit him the other day, you  
13 gonna have to bit.

15 CHAIRWOMAN NOLAN: Thank you.

16 MS. DUKES: So my recommendation is,  
17 that we keep mayoral control, and put the teeth  
18 into the governance of what we want here today  
19 that you've heard from civil leaders, you've  
20 heard from educators and you heard from  
21 advocates, that we maintain the control, we don't  
22 need to add any more, we need to make sure that  
23 the parental involvement is necessary. We need  
24 to make sure that no man, not any man in this  
25 city, or woman, can just have all the power about

2 our children. We are parents, we are educators,  
3 we are community leaders, and we are educated.  
4 I've never been, Mr. Assemblyman O'Donnell, in  
5 the theatre, but I do know how to be a parent,  
6 and I believe every parent, given a chance,  
7 trained well, they'll know what to do about their  
8 children.

9 Thank you so much and, again,  
10 congratulations for the time you've taken today.

11 CHAIRWOMAN NOLAN: Thank you, Hazel.  
12 Ms. Rodriguez.

13 MS. RODRIGUEZ-LOPEZ: Thank you. Good  
14 afternoon. I want to thank you, New York State  
15 Assemblywoman and Education Chair Cathy Nolan.

16 CHAIRWOMAN NOLAN: I want to apologize.  
17 There are some young people here. I hope that  
18 if they have to go, I understand, we are going to  
19 try to have some of them on, they want to do a  
20 little presentation later, so if they can wait,  
21 we'll try to accommodate them. I didn't mean to  
22 interrupt. Thank you.

23 MS. RODRIGUEZ-LOPEZ: I also want to  
24 thank Speaker Silver who is not here and the  
25 members of the Committee on Education for



2 providing me with this opportunity to testify on  
3 the issue of mayoral control of the New York City  
4 school system.

5 The Hispanic Federation is a membership  
6 organization of Latino helping human service  
7 providers. In the region, however, 75 of our  
8 agencies are in New York State and they go as far  
9 as the top of Suffolk County, all the way to  
10 Buffalo and Rochester. So they are represented  
11 throughout New York State.

12 Let me state for the record that the  
13 Hispanic Federation is in favor of maintaining  
14 mayoral control for New York City's public  
15 schools.

16 I testified last year before the public  
17 advocate and her committee on school governance  
18 that we are not asking that the system be  
19 returned to the days of the past when the schools  
20 really seemed to be in a chaotic state. However,  
21 within the current structure, changes are needed  
22 to ensure that we have sufficient community  
23 participation and parental involvement.

24 We must also reexamine and recalibrate  
25 the processes that we currently have in order to

2 ensure the fullest transparency on actions and  
3 data on school finances, school performance and  
4 student achievement.

5 I have served as the chair of New Yorkers  
6 for smaller classes for three years, and now work  
7 on a smaller class size task force with the  
8 Department of Education, the United Federation of  
9 Teachers, the NAACP, and most recently, and  
10 hopefully, Class Size Matters, where we have  
11 struggled to obtain or fully understand citywide  
12 or school district data on class size, including  
13 system wide expenditures. This is clearly one  
14 area to be strengthened under the mayoral control  
15 rule.

16 I have also raised strong public concern  
17 and have been a very loud critic in the past  
18 about the process for public participation by  
19 parents and community leadership. At Tweed there  
20 has been too little dialogue with education  
21 advocates, community groups, parents, and thought  
22 leaders in education.

23 As a result, important decisions have  
24 been made and implemented without this meaningful  
25 parent and community input at the local level.

2 The school closures, last year, as an example in  
3 East Harlem, were a travesty, and some of it  
4 comes from a lack of meaningful dialogue and  
5 really taking the opportunity and the time to  
6 really educate people. So because of this, I  
7 believe that this is one of the most fundamental  
8 areas to be strengthened for the most important  
9 people relying on the system - parents with  
10 children in our schools.

11 A partnership was recently announced  
12 between the Hispanic Federation, the Asian  
13 American Federation, the Black Equity Alliance  
14 and Learn New York to educate parents and  
15 community leaders, particularly those who are not  
16 English dominant to understand the impact of  
17 mayoral control on the schools and the education  
18 of their children.

19 I want to emphasize that as I sat here  
20 and I did not sit here like some of my colleagues  
21 who have sat here for so many hours, but I did  
22 note the lack of representation, not only in  
23 terms of the speakers, but overall the audience  
24 in terms of the Latino community in New York  
25 City.

2 We cannot take responsibility for the  
3 fact that they are not on this list to testify,  
4 or that they're not in this audience, but I take  
5 very seriously that I need to make sure that the  
6 next time we are here, we are fully represented.

7 So it's through this partnership, it's  
8 our hope, that we're going to receive  
9 perspectives on what they believe is working best  
10 in the system, because there may be some things  
11 that are working well in the system. Some of the  
12 testimony implies that.

13 The problem is, it's not clearly  
14 identified, it's not a baseline, it doesn't  
15 happen anywhere. So we have to see the good  
16 things further developed and expanded throughout  
17 the city schools, and we have to also know and  
18 change the things that need to be improved under  
19 the structure of mayoral control. This is the  
20 nature of our project, and we look forward to  
21 hearing from the parents and working together as  
22 we go forward.

23 The New York State Legislature should  
24 seek to reauthorize mayoral control in 2009, but  
25 with much much stronger enhanced processes for

2 community and parental engagement and  
3 transparency measures.

4           Again, I want to thank you. Thank you  
5 very much, Chairwoman Nolan for this opportunity,  
6 and the members, to testify at these public  
7 hearings, as they are critical to shaping the  
8 governance structure of New York City schools,  
9 and to furthering the democratic process that we  
10 hold so dear in this country.

11           I look forward to working with parents,  
12 educators, community leaders, and this committee  
13 and its members on the issue of mayoral control.

14           CHAIRWOMAN NOLAN: Thank you.

15           MS. VUE: Thank you, Assemblywoman  
16 Nolan, and members of the Assembly.

17           CHAIRWOMAN NOLAN: Welcome back to our  
18 committee, you've testified before us before.

19           MS. VUE: Yes, definitely. It's good to  
20 be back. My name is Choua Vue, and I am the  
21 education policy coordinator for the Coalition  
22 for Asian American Children and Families. CACF  
23 is the nation's only pan-Asian - nation's only  
24 pan-Asian children's rights advocacy group with  
25 over 35 committee members mainly in New York

2 State.

3 CACF is also a part of the Campaign for  
4 Better Schools, a broad-based coalition of  
5 community organizations that is seeking for  
6 improvements to mayoral control that include a  
7 system of checks and balances, transparency, and  
8 increased public participation.

9 Today I will mainly focus on the need to  
10 improve mayoral control that strengthens parent  
11 engagement, especially for Asian American  
12 parents, and the need for more transparency in  
13 the mayoral control system.

14 Many Asian-American parents have  
15 expressed to us over the years their frustration  
16 with the school system, especially recent  
17 immigrant parents who feel like they're unaware  
18 of how the system works and how to navigate it.  
19 Even though there's a presence of parent  
20 coordinators, many of them don't know they exist,  
21 or, if they do know, they have a hard time  
22 reaching out to them or getting a hold of them.

23 Language barrier is also a challenge for  
24 the Asian American community. We have the  
25 highest rate of linguistic isolation at 28

1 percent, which means that a majority of the  
2 children growing up are growing up in households  
3 that have parents that don't speak English.

4 Although the Department of Education has  
5 taken some steps in providing language services  
6 and translating materials, those one or two times  
7 services does not constitute effective parent  
8 engagement.

9 And for us, parent engagement means  
10 building relationship, doing targeted outreach  
11 into immigrant communities, and having ongoing  
12 communication about how to engage parents into  
13 their own children's education.

14 Parents are a critical factor in a  
15 child's success and therefore mayoral control  
16 needs to be improved to increase public  
17 participation that involves parents and students  
18 at all levels of the decision-making processes.

19 The Campaign for Better Schools and CACF  
20 also calls for transparency in financial  
21 reporting and data collection, especially of  
22 student achievement and academic attainment. We  
23 recommend a separate entity such as the  
24 Independent Budget Office that can overlook the  
25

2 DOE's finances and data reporting.

3 The Department of Education seems to rely  
4 heavily on data in terms of determining school  
5 closures, evaluating student performance, given  
6 this emphasis on data, CACF is particularly  
7 concerned that transparency also means the  
8 collection and reporting of disaggregated data,  
9 especially ethnicities, such as Chinese, Korean,  
10 Vietnamese, Bangladeshi.

11 In the past year, DOE has not always  
12 reported on Asians when they're reporting data on  
13 race and which is unacceptable, given that Asian  
14 students comprise of 14 percent of the student  
15 population. Regardless, examining data on Asian  
16 students alone does not offer a complete picture  
17 of how Asian American students are doing in the  
18 school system. We have Asian Americans represent  
19 over 50 ethnicities. They speak over 100  
20 languages and, therefore, looking at race alone  
21 hides the differences, the ethnic differences,  
22 that they have in those - especially those  
23 students who are, in fact, struggling in the  
24 school system.

25 For instance, the DOE reports that, as a



1 whole, Asians are doing pretty well in terms of  
2 their graduation rate, but we know the national  
3 statistics as well as the youth that we work  
4 with, specifically, are struggling in the school  
5 system, and therefore the aggregate total doesn't  
6 offer a full picture of how they're really  
7 struggling. We also know that students are  
8 struggling in our communities - they barely  
9 graduate and they barely pass the basic CUNY  
10 exams.  
11

12 So, therefore, disaggregated data and  
13 transparency reporting is necessary to  
14 understanding the academic challenges that Asian  
15 Ethnic groups face and how we can best tailor  
16 services to meet their needs.

17 In conclusion, the Campaign for Better  
18 Schools recommends that the state legislature  
19 considers and incorporates some of our proposals  
20 to improve mayoral control by increase  
21 transparency and reporting establishing the  
22 system of checks and balances, and deepening  
23 public participation to engage parents and  
24 students.

25 Thank you for your time, and we look

2 forward to working with you.

3 CHAIRWOMAN NOLAN: Thank you. Mr.  
4 Canada, would you like to let us ask them some  
5 questions, and then come to you in the group?  
6 You have a larger group with you, right?

7 MR. CANADA: No, I don't.

8 CHAIRWOMAN NOLAN: Okay, so why don't  
9 you go now?

10 MR. CANADA: Okay.

11 CHAIRWOMAN NOLAN: Everyone be careful,  
12 please.

13 MR. CANADA: I'm going to get my heart  
14 to calm down here. I know Hazel a long time, and  
15 I don't want to lose her in a hearing on  
16 education.

17 CHAIRWOMAN NOLAN: I do too, 25 years.

18 MR. CANADA: Chairwoman Nolan, first of  
19 all, I would like to thank you and the committee  
20 for doing these hearings. I know listening to  
21 people for the number of hours that you all have  
22 already, and it's no easy task, and you all have  
23 been just terrific. So I'm going to thank you on  
24 behalf of New York City's children.

25 I happen to think that the children of

2 the city, like the children of the state, like  
3 the children of the country, are really in a  
4 state of crisis, and education is the most  
5 important thing and it's tough and it's hard and  
6 we have to figure out the right answers, and  
7 there are no easy answers and there are no silver  
8 bullets, so I appreciate the fact that you have  
9 listened and have asked probing questions.

10 I'm going to try and do a favor for  
11 myself, and maybe for you, to try to be the  
12 shortest speaker that you have seen today.

13 I am going to stipulate that I have  
14 worked very hard on my testimony which I have  
15 submitted. I think that it's scintillating and I  
16 really suggest that you read it all, but I am not  
17 going to read it into the record because I have  
18 been listening for a few hours, and I think that  
19 you have all really heard an awful lot of -

20 CHAIRWOMAN NOLAN: Just say your name  
21 for the record.

22 MR. CANADA: My name is Geoffrey Canada.  
23 I am the chair of Learn New York, and the  
24 president and CEO of the Harlem Children's Own in  
25 New York City.

2 I've been at this for 25 years. I've  
3 been working in schools for 25 years. I have  
4 right now - we'll work with about 10,000 children  
5 in Harlem. We run three charter schools but  
6 probably what is not known is that I work in nine  
7 public schools and we spend about \$2 million of  
8 our own money supporting public education. We  
9 really think that you've got to make sure that  
10 our public schools work, and I am as concerned  
11 with everybody I think on this panel about the  
12 state of public schools.

13 The one thing that I want to mention, and  
14 I'm going to do it quickly, is why the state  
15 legislature was so correct in doing mayoral  
16 control. I've worked in District 5 for those 25  
17 years, and it was - if not the worst district in  
18 New York, it was certainly one of the worst.  
19 After years of education neglect, I heard someone  
20 else call it an educational dead zone, it was  
21 certainly that. I had had enough and I decided  
22 that no matter what, I had to get rid of the  
23 superintendent, Bercham Brown, I'll mention  
24 names, in District 5. District 5, between 1970  
25 and late 1980s, it had over 13 superintendents,

2 it was just a horror show.

3 So I went to the local school board, and  
4 they said there was nothing that they could do.  
5 They sent me to 110 Livingston Street to the  
6 Manhattan representative who sent me back to the  
7 chancellor, and there was nothing. You know that  
8 scene, I don't have to convince you of that.

9 Finally, Rudy Crew came. I sat down with  
10 Chancellor Crew, and I said you got to do  
11 something with District 5, it is a horror show,  
12 it's been 30 years of failing kids. He  
13 threatened to fire Bercham Brown, he actually  
14 never fired him because he quit before he could  
15 ever get fired.

16 Then, as you may know, Rudy Crew ran  
17 afoul of Mayor Giuliani, and Mayor Giuliani ran  
18 him out of town, and then we ended up with more  
19 lousy superintendents, and it's just been that  
20 way.

21 One of the answers I think to what is  
22 going on in schools right now is that somebody  
23 has to be accountable. There has to be somebody  
24 that you say, no excuses, I don't want to hear  
25 it. This finger-pointing, everybody blames

2 everybody else, I think has been a disaster for  
3 our city. We may not like the answers we get,  
4 and I've been listening today, and everybody  
5 knows whose fault it is if it's bad. There's no  
6 one who said it's anybody else's fault if we  
7 don't like what's going on right now, it's Mayor  
8 Giuliani and Chancellor Klein, they have not been  
9 able to say, it's someone else, it's someone  
10 else, it is them, and we have to hold them  
11 accountable, and so on this issue there are two  
12 things which seem to me to be at the crux of this  
13 matter.

14           Everybody seems to say, okay, mayoral  
15 control is better than what we had before and you  
16 all would like to change it which I'm really  
17 happy about.

18           One issue is, should the mayor continue  
19 to have a majority on the board. I think it  
20 would be a disaster to not let him have a  
21 majority or let whoever is there have a majority  
22 because in the end someone has to be accountable  
23 and sometimes systems, and you see that a little  
24 bit in the federal government, and I won't  
25 mention any other governments, sometimes systems

1 get to a place where there's an impasse that you  
2 get two groups who, for whatever reasons, and  
3 then you have to go to the marginal person in the  
4 middle and they get to make all of the decisions  
5 even though they don't represent the major  
6 interest of either group because things could get  
7 deadlocked. I think it would be a problem to  
8 have that - to run schools that way again.

10 The other issue I've heard, and I've  
11 heard it both here, and before here, is this  
12 issue of transparency that we really want to know  
13 what's going and what's not going on. I'm in  
14 total agreement with the fact that we need an  
15 independent entity that certifies how our kids  
16 are doing, that you can believe the results that  
17 it is not connected to the mayor, or to the  
18 chancellor or anyone else, that when they give us  
19 data, we can believe in that data.

20 The third thing I'm going to say and end  
21 on is that there has to be a way that parents  
22 feel engaged in this process for real. They have  
23 to feel listened to, they have to feel respected,  
24 they have to feel that the schools are theirs,  
25 and so we need a way to do that. I think we have

2 to do that without undermining the authority of  
3 the mayor to run the school and other things, but  
4 we got to make sure that is an essence of what it  
5 means to be a parent in the New York City school  
6 system. So having said those three things, I'm  
7 going to stop and hope that I ended quickly  
8 enough.

9 Thank you.

10 CHAIRWOMAN NOLAN: Great. Thank you  
11 very much.

12 ASSEMBLYMAN O'DONNELL: Mr. Canada, I've  
13 been to your school and it's a rather impressive  
14 thing to see, so I wanted to commend you for all  
15 your good work and also mention that a very small  
16 part of my district is District 5, so I am very  
17 much engaged with the parents there.

18 One of the things that I can tell you as  
19 an elected official, and I was not present in - I  
20 was not in the assembly when the change was made,  
21 that when I tell my colleagues from outside of  
22 New York City that if a parent doesn't like their  
23 kindergarten teacher, they come to my office,  
24 they're horrified. They're like, well, why can't  
25 you just send them to the school board? And I



1 said, because you eliminated the school board. I  
2 hear loud and clear your message and the message  
3 of many other people here today that the concept  
4 of accountability is very very important, but  
5 there seems to have been a real disconnect  
6 between what the accountability is and a sense  
7 that parents have recourse, and recourse that  
8 they can be heard, and to the extent that one  
9 would be critical of the previous system, that  
10 they were small fiefdoms, and that some school  
11 districts functioned much better than other  
12 school districts.

13  
14 And at the end of this six-hour day so  
15 far, the conclusion I'm coming to is that we've  
16 sort of replaced one set of fiefdoms for another  
17 set of fiefdoms, and that some parents have  
18 access and some parents really get responsive -  
19 the idea that one of the - I don't know if you  
20 were here for the minister who said, when there's  
21 a problem with the chancellor, he calls him up,  
22 and I was very impressed. I thought, that's the  
23 most impressive testimony I've heard all day.  
24 How is it that that's the case for some and not  
25 for others, and I'm not trying to point a finger

2 or blame on anyone, but it is clear to me that  
3 whatever we do, we have to address this problem  
4 so that parents feel that they have an avenue and  
5 a recourse for accountability other than just  
6 saying, three and a half years from now you get  
7 to elect a new mayor. That seems too disjointed  
8 from their children's education, and to be quite  
9 frank, if we have 12-year mayoral terms, they'll  
10 be in CUNY by the time they get to respond.

11 So there has to be a better system in  
12 place. I'm curious if you can tell me, if you  
13 know, or do you have any suggestions that you  
14 might have for us to help address that particular  
15 concern?

16 MR. CANADA: First of all, I think that  
17 your point is exactly right. Having run schools  
18 and running schools, parents know where my office  
19 is, and they come there all the time, invited and  
20 uninvited, and I think that's the kind of access  
21 that parents have to have to get their real  
22 problems answered.

23 I don't think that we have spent enough  
24 time designing a way to really deal with real  
25 issues in real schools with parents and I see

2 that as a fault of the way that this system is  
3 set up. It's not a particular area that I can  
4 claim that I'm an expert in saying that this is  
5 what I would do, but fixing this - and I mean  
6 really fixing it, I think is absolutely  
7 necessary.

8 When parents can't get those basic needs  
9 met, and I heard someone talking about their  
10 child sitting in the hall, I think it was the  
11 same passage that we're talking about, and in  
12 kindergarten, that's horrible, we cannot allow  
13 systems to operate like that, and big city  
14 systems like New York City, there are some places  
15 that it works really well and some places that  
16 it's an absolute horror show. We should really  
17 look for a way to solve that. I agree with you  
18 on that.

19 ASSEMBLYMAN O'DONNELL: Thank you very  
20 much. I'm done, Cathy.

21 CHAIRWOMAN NOLAN: Just a quick question  
22 I have about teacher recruitment for the group of  
23 you, but particularly for Hazel. I don't know if  
24 you were here when I asked the chancellor, asked  
25 the comptroller. I was approached by a group of

2 retired principals in southeast Queens, many of  
3 them pioneers in this area, and I still can't get  
4 an answer from the DOE as to whether they have  
5 reached out to the historically Black colleges or  
6 alternately other places, maybe south and  
7 central, you know, some recruitment of people  
8 from other places.

9 And my impression of Teach for America -  
10 if we're able to get to everybody, is Teach for  
11 America tends to be mostly young white people  
12 from other state, and that's great, but we  
13 certainly want to have teacher core that reflects  
14 the diversity, and those hard one gains on  
15 principalships and things like that are  
16 important.

17 I was just wondering if the NAACP had  
18 been involved in any of that?

19 MS. DUKES: Mr. O'Donnell, I do have an  
20 appointment with the chancellor.

21 ASSEMBLYMAN O'DONNELL: Again, I'm very  
22 impressed.

23 MS. DUKES: I have met with him quite  
24 honestly on the subject, and this is one of the  
25 things that's coming to us again, as you heard DC

2 37, not only Teach for America, we've been told  
3 in the complaints that come, that we are  
4 recruiting from outside of this country even,  
5 outside of the United States. Now that's really  
6 going a little too far.

7 So I will be meeting with the chancellor  
8 and the deputy mayor, Dennis Walcott, in the next  
9 coming week. We brought this up the other night.

10 We had the deputy mayor with the 15 branches on  
11 Monday night for a meeting and we couldn't get  
12 into that again, that meeting was called for 7:00  
13 and we left at 10:30, it's like this one,  
14 everybody had to get the plug in.

15 So we will be meeting with the chancellor  
16 in the next two weeks.

17 CHAIRWOMAN NOLAN: I have the name here.

18 The group that asked to meet with me were many  
19 many - quite a large group of retired principals,  
20 people of some real accomplishment, pioneers, and  
21 I would hate to see them continue to feel that  
22 they are just -

23 MS. DUKES: Well, we're going to be  
24 addressing that issue, that's why I put it in the  
25 testimony to bring it up to your attention.

2           You know, you asked something about the  
3 State Ed Department early on. We really - I  
4 think all the advocacy groups don't feel that  
5 there's a place for us to take our concerns.  
6 They've just kind of ignored their part of the  
7 law that they should be monitoring also. So it's  
8 not all on you, the legislators and the senators,  
9 it's on that other group that we have too  
10 supposed to be monitoring what's happening in our  
11 school districts, not only in the city, but  
12 throughout the state.

13           CHAIRWOMAN NOLAN: Thank you. And then  
14 on the issue of charter schools, we asked the  
15 chancellor earlier about the loan numbers of  
16 English language learners in the special schools,  
17 charter schools, whatever vehicles he's created,  
18 and that a number of complaints have come to the  
19 committee that in the large high schools that  
20 were closed there were these large English  
21 language learners programs, bilingual, ESL, all  
22 kinds of strategies to get children learning and  
23 then when they went to these smaller schools,  
24 especially since charter schools only have about  
25 three percent of English language learners, and,

2 you know, I won't characterize his response,  
3 let's just say it's a continuing concern of the  
4 committee, we don't think it was resolved today,  
5 have you guys issued any policy papers or spoken  
6 to that at all?

7 MS. RODRIGUEZ-LOPEZ: Yes, we have,  
8 actually, several years back we attempted to work  
9 with the New York City Charter School for  
10 Excellence, the organization that was established  
11 prior to your reauthorization to add additional  
12 charter schools in New York. We were highly  
13 concerned that there was a low low participation,  
14 not just of ELLs but also special needs children  
15 in charter schools.

16 Assemblyman O'Donnell, I've also had the  
17 opportunity to talk directly to the chancellor  
18 about this issue.

19 ASSEMBLYMAN O'DONNELL: I mean, I bathe  
20 everyday, is there something that you all are not  
21 telling me. I don't understand.

22 MS. RODRIGUEZ-LOPEZ: Perseverance is  
23 our middle name. What I want to say is part of  
24 my concern about charter schools and how it  
25 relates to Latino students and particularly ELLs

2 is that ELLs require a specialized type of  
3 programming and occasionally, if not all the  
4 time, charter schools can be significantly  
5 undercapitalized. So in order to capture and  
6 work with that kind of a population, particularly  
7 as you're starting a charter school, you have to  
8 have the resources available to hire the  
9 teachers, and to bring in the specialized  
10 programming they need around ESL or bilingual  
11 education, and so, to me, there was a sense that  
12 they would not push us aggressively for those  
13 populations because they didn't feel like they  
14 could effectively serve them.

15 So we did do a public education and  
16 outreach initiative with the center for charter  
17 school excellence to try to drive more  
18 information to Latino parents, but we did see  
19 that that was a concern and it's a continuing  
20 concern, for such a significant part of the  
21 school system.

22 MS. VUE: To answer that, we - at CACF,  
23 we have been working with the New York  
24 Immigration Coalition as well as Advocates for  
25 Children on this particular issue, especially new



2 small schools not just charter schools for  
3 English language learners, and for a while, the  
4 DOE actually had an exclusionary policy where  
5 English language learners or special ed students  
6 for the first two years of a new small school  
7 were able to be excluded, so we worked and  
8 advocated to reverse that policy, so now you will  
9 see some ELL students in schools, however, you  
10 have been work for data on the participation of  
11 students, and it's been a long time getting data,  
12 a lot of people have expressed that, in terms of  
13 data collection.

14 And now we're concerned about the quality  
15 of services for ELL students in talking to  
16 individuals who want to start up new small  
17 schools, sometimes when you see words like ELL's  
18 or Sife, they have no clue what we're talking  
19 about. So there's definitely a need to do a lot  
20 of education about English language learners and  
21 their quality of services in small schools, and  
22 we do have some reports that I'm willing to give  
23 to you as well.

24 ASSEMBLYMAN O'DONNELL: I just want to  
25 provide some information. DOE announced, I

2 believe, on Tuesday that they were closing  
3 Brandeis High School which is a block out of my  
4 district, and what was fascinating about that  
5 decision is that I had met with them on Monday,  
6 and they chose not to share that information with  
7 me on Monday when they made the public  
8 announcement on Tuesday that they were closing  
9 it.

10 But the facts are that almost 30 percent  
11 of the students at Brandeis are ELLs and almost  
12 15 percent of the students at Brandeis are  
13 special ed students, and where are they going.  
14 I'm not Creskin the Magnificent, but I kind of  
15 have a hunch that whatever goes into that school  
16 will never come anywhere of those numbers, so it  
17 is something that we have to be very vigilant  
18 about, particularly since schools with those sort  
19 of numbers, and it's more difficult to get up to  
20 those testing numbers, and are certainly much  
21 more difficult to get the testing numbers that  
22 the chancellor like to brag about.

23 So thank you.

24 CHAIRWOMAN NOLAN: All of you are very  
25 knowledgeable, and people who have - not Mr.

2 Canada, but the other three have been before our  
3 committee before, and I look forward to just  
4 doing additional follow-up.

5 I also want the record to reflect that we  
6 did - we have three more hearings planned, in  
7 larger venues, one in the Bronx, one in Brooklyn,  
8 one in Staten Island. We've tried to make the  
9 one in Staten Island perhaps have a little extra  
10 focus on special ed issues, there's a long  
11 history in Staten Island of that, and the one in  
12 the Bronx, maybe a little extra focus on English  
13 language learners, because our colleague, Carmen  
14 Arroyo, has arranged to bring a group from NYSABI  
15 there, so we wanted to do that.

16 But, you know, we really welcome people  
17 to share with us their stories. I'm particularly  
18 very familiar - I know my son's school, we have a  
19 number of young people from Tibet, so that's -  
20 who is thinking of them in their community, so  
21 there can be language isolation in those, and,  
22 really, the city does do an amazing job in one  
23 level of providing some limited translation  
24 services for so many various languages, but, yet,  
25 it's a challenge.

2 We also were able, I just want to say for  
3 the record, last week to provide some Spanish  
4 language translation services, not Mandarin or  
5 anything else, but we were able to do that in  
6 Spanish, and we did reach out to many many  
7 groups, both for here - people have just each  
8 picked what was I guess more convenient for them  
9 to attend. I just want to say to Mr. Canada, I  
10 look forward to learning a little bit more about  
11 your schools and your programs, it's a continuing  
12 frustration for us in Queens for example that we  
13 - almost nobody has gym in Queens, and nobody has  
14 for 30 years. I mean, I never had it, and you're  
15 probably looking at some of the evidence of that.

16 So one of the concerns, even though I  
17 agree with you, call it the small school  
18 movement, call it charter, call it new visions,  
19 call it small schools, sometimes it almost seems  
20 to me to be a triage, and I hate to say that, and  
21 I hope that that's not the case. Maybe you can  
22 speak to that because my frustration of that is  
23 just enormous.

24 MR. CANADA: I think it's exactly the  
25 right frustration.

2 Let me say two things. I hope I get an  
3 invitation and, whenever I do, for your  
4 committee, I will just be honored to come in and  
5 give whatever testimony you want on any issues.  
6 If you come visit, which you and the committee  
7 have an open invitation to 125<sup>th</sup> Street, where we  
8 built our own school with our own money, you will  
9 see a full gym in our school, right, because this  
10 issue about young people having to have a place  
11 where they can get exercise is absolutely  
12 critical. And we have our own chef because we  
13 cook our own food for kids. So this issue of  
14 health is absolutely critical, and even though I  
15 am very much for small schools and charter  
16 schools, I also remind you that most of my work I  
17 do in public schools, and we have to make sure  
18 that those institutions are really designed so  
19 children have the advantages they need. So I'm  
20 with you on that issue.

21 CHAIRWOMAN NOLAN: Thank you. And thank  
22 you all so much, and, Hazel, I hope you're all  
23 right.

24 MS. DUKES: I'm fine.

25 CHAIRWOMAN NOLAN: Thank you very much.

2 The next group of witnesses include - now we  
3 have some young people, Mr. Canada, are those  
4 young people next with you? We have the  
5 president of the Common Good, Maggie Jones,  
6 director of something called MOUSE; Kavita  
7 Gilchrist, Computers for Youth; Thackston Lundy,  
8 Williamsburg Collegiate Charter School; Tara  
9 Marlovits, Leadership Prep Charter School; John  
10 King, Uncommon Schools, they were here last week,  
11 but we'll take him again; and Diane Billings-  
12 Burford from City Year; Melissa Thornton, Lincoln  
13 Center Institute; Veronica Davey, parent; and  
14 Tokumbo Shobuwale.

15 I realize we can't put all of you up  
16 here, but we were asked to treat you all as a  
17 group, I think, and then Mr. Peter Hatch, is that  
18 how we're - just give me some feedback someone as  
19 to what it is. We've really worked hard to try  
20 to accommodate everybody. Why don't we do this.

21 I call the group of people, Peter Hatch, from  
22 Learn New York and others, why don't some of them  
23 start to - of the group of names I call, which  
24 are all on the sheet, if any of those people are  
25 here, take your seats, and while you're coming

2 up, the gentleman from the Democracy Prep Charter  
3 School could perhaps sit at one of the mikes and  
4 introduce the young people.

5 I want to say, there were apparently 20  
6 young people. When we finish I'll take a break  
7 for a minute and go in the other room and meet  
8 with them, but you said that you had four that  
9 you're going to do, and if we can fit one or two  
10 more we will. It's Kendra Melendez, LeiShawn  
11 McClean, Daniel Clark, Seth Andrew, that's you,  
12 and Zyaire Taylor.

13 Why don't you tell us very briefly your  
14 name again and your institution and the charter  
15 school, if you have a minute or two about it?

16 MR. ANDREW: Will do. Thank you so  
17 much, Chairwoman.

18 We're really honored to be here. My name  
19 is Seth Andrew and I'm the principal at Democracy  
20 Prep Charter School. We opened three years ago  
21 and we're now the highest performing public  
22 school in Central Harlem, traditional or public  
23 charter school.

24 As you know, we admit all our students by  
25 a random lottery. We were talking a lot about

1 special education and ELL, 22 percent of our  
2 students enter Democracy Prep with special  
3 education needs, 12 percent enter as English  
4 language learners, including Kendra and Pedro and  
5 a number of scholars in the room today. More  
6 than 100 scholar who have been preparing over the  
7 last few weeks to come down to this testimony  
8 today.  
9

10 We are a school focused on civic  
11 education and, as you can tell from our name, we  
12 prepare our students to be engaged in their  
13 democracy and engaged as citizens, so we open the  
14 question mayoral control to them for debate. We  
15 give them an opportunity to testify for or  
16 against and you'll hear a little bit about what  
17 they wanted to say today. Some themes that the  
18 scholars picked up were that of accountability,  
19 it's one of our core values at the school. The  
20 idea of school choice, which is really what our  
21 parents were most excited about, and the fact  
22 that they're excited about their public charter  
23 school, they feel that's the best way to have  
24 their voice heard, is by being able to choose  
25 whatever school they want to attend.



2 I, myself, grew up in Assemblyman  
3 O'Donnell's district. Many of my students are  
4 members of the assemblyman's district. I went to  
5 New York City public schools for 13 years.  
6 During that time there were 10 chancellors, 10  
7 chancellors in 13 years while I was in New York  
8 City public schools.

9 I'm not here today in favor or against  
10 mayoral control, I'm here for great schools. And  
11 for great schools, because I have scholars in  
12 this room today, 100 of them, many of whom will  
13 submit additional testimony for you, deserve  
14 great schools and deserve to continue to be able  
15 to choose the schools they attend.

16 So without further ado, I would like to  
17 introduce Zyaire Taylor who is going to speak  
18 first.

19 CHAIRWOMAN NOLAN: They can sit or  
20 stand, whatever they would like.

21 MS. TAYLOR: Good afternoon. My name is  
22 Zyaire Taylor and I'm a 13 year old student at  
23 Democracy Prep Charter School. My mom is working  
24 so she can't be here today, but she is a voter,  
25 and I talked to her about who she should vote

1 for.

2  
3 I'm on the debate team and we read all  
4 about mayoral control and I got choose which side  
5 of the argument we wanted to support before  
6 coming down here today.

7 I'm here to testify today because I  
8 strongly agree with mayoral control because it  
9 gives parents and their children much more choice  
10 and voice in their schools. Before mayoral  
11 control, the system that we had was not working  
12 very well. Depending on what neighborhood you  
13 lived in, you automatically had to go to your  
14 zoned school, whether it was bad or not. This is  
15 discrimination against someone's class. If you  
16 live in a rich neighborhood, you're more likely  
17 to have an excellent education than someone who  
18 lives in the neighborhood of poverty because the  
19 school is not going to be as excellent as the  
20 school in the rich neighborhood. This is also  
21 taking away the child's right to a good education  
22 because many schools in New York City were  
23 failing.

24 Mayoral control is also good because it  
25 raises the salaries for teachers by 43 percent.

2 A starting salary for DOE teachers now is almost  
3 \$50,000 a year. This is a good thing because the  
4 teachers get paid more. That means they're going  
5 to work harder and more people will become  
6 teachers. If teachers work harder, that means  
7 that me and every other student will have a  
8 better chance at an education.

9 My school teachers get paid much more but  
10 they also work much harder. I go to school from  
11 7:44 to 5:30, or 6:00 p.m. most days. That's  
12 just one interesting statistic.

13 I was on the train the other day and I  
14 saw all these posters about changes in schools,  
15 crime in schools has gone down by 34 percent, 22  
16 percent more students graduate from high school,  
17 I thought, can those statistics really be true,  
18 and they're pretty amazing. There are about 1.1  
19 million students in New York City. Not all  
20 schools are doing well, but under mayoral  
21 control, they started to do much better.

22 The schools that aren't doing well, can  
23 and will be closed down. If schools continue to  
24 do poorly, then we know who to blame. Mayoral  
25 control allows someone to take responsibility for

2 why the schools are doing poorly instead of  
3 blaming someone else.

4 Also, if the school is doing excellent,  
5 then we know who to thank and who to vote for  
6 when it comes to our schools. In my old school,  
7 IS-151, I was not a bad kid, but the things I did  
8 were bad. Mayoral control allowed my mother to  
9 take me out of the bad environment and put me  
10 into the lottery for Democracy Prep. Now,  
11 because of mayoral control, I am a better student  
12 and I've become a better person overall. If it  
13 wasn't for mayoral control, I would still be a  
14 student who didn't take my education seriously,  
15 and I would be stuck at a failing school.

16 Earlier this year, I chose to testify at  
17 City Hall on term limits with Daniel as I told  
18 the City Council, it's not that I like Mayor  
19 Bloomberg, it's that I like my school and I think  
20 that extending mayoral control will help provide  
21 choice, voice, and progress for our public  
22 schools.

23 Thank you.

24 CHAIRWOMAN NOLAN: Thank you very much.

25 Very beautiful, thank you.

2 I want to also thank Principal Andrews,  
3 it makes me very happy to have young people here  
4 today.

5 Go ahead.

6 MR. CLARK: First I would like to say,  
7 thank you, assembly members, for letting me come  
8 out here and speak my testimony.

9 My name is Daniel Clark, Junior, and I  
10 attend Democracy Prep Charter School. As a 12  
11 year old boy, I have a lot of responsibilities.  
12 For example, I have to do all of my homework on  
13 time, I have to get to school on time, and I have  
14 to do the dishes.

15 Because I have important  
16 responsibilities, I have to get them done, no  
17 matter what. Just like me, the mayor has  
18 important responsibilities as well. One of those  
19 responsibilities is giving the kids in New York  
20 the education that they need in order to succeed.

21 Before 2002, the Board of Education ran  
22 New York City schools. Having lots of different  
23 people run your school, is like having me, my  
24 father, my grandmother, and my two year old baby  
25 sisters come in together as a committee to see

1 who is going to do the dishes. I'll tell you  
2 now, the dishes would never get done.  
3

4 Before mayoral control, I had a tough  
5 time in school because I always be one of the  
6 shortest kids in my class. I hated getting  
7 bullied all the time, so I would never try my  
8 hardest. I always hated school because I felt  
9 like no one cares about me, and I hated the  
10 people who would make fun of me.

11 All of that has changed now because I  
12 learned at Democracy Prep, and from my father,  
13 and from all of my scholars that I cannot let  
14 other people get the best of me, like they did  
15 years ago.

16 Now, I am a new and improved scholar and  
17 I try my hardest. This would have never happened  
18 if it wasn't for mayoral control giving me the  
19 gift of democracy prep. I was actually lucky to  
20 have the old Board of Education system stopped  
21 before I got to middle school, because the board  
22 would have put me in a school based on where I  
23 live in Harlem.

24 This isn't right, because that local  
25 school isn't actually doing great right now. I

2 would have been forced to go to a school that is  
3 dangerous, it was like for a person like me. I'm  
4 not sure I would have made it out alive.

5 So the mayor has to be accountable for  
6 whatever he or she is doing. The current mayor  
7 that we have now has been accountable because he  
8 is in charge and he knows what he is doing. For  
9 example, in the seven years that we've had  
10 mayoral control, crime in the schools have gone  
11 down 34 percent. Don't get me wrong, we still  
12 have too much crime in New York, but our mayor  
13 has shown that he has been accountable for not  
14 only the education of my fellow scholars, but he  
15 has been accountable for the safety as well. Why  
16 would we change that? So everything can go back  
17 to the way it was? That's silly. My principal,  
18 Mr. Andrew, has opened up, in the best way  
19 possible, so our parents, they can talk to him  
20 for anything.

21 Democracy is a safe school where I am  
22 preparing to succeed in college. I want all  
23 students and my little sisters to be able to go  
24 to a great school, so I want one person held  
25 accountable for schools in New York City.

2 Like at my father's dinner table, no  
3 other system is going to get the job.

4 Thank you.

5 CHAIRWOMAN NOLAN: Thank you. Go ahead.

6 MR. McCLEAN: My name is LeiShawn  
7 McClean and I am 13 years old and I attend  
8 Democracy Prep Charter School.

9 My brother supports mayoral control.  
10 Unlike him, I don't support continuing mayoral  
11 control in its current form. I want you to  
12 change it to make it better. Many of the  
13 statistics around mayoral control are impressive.

14 I saw on the subway that teachers' salaries have  
15 gone up by 43 percent, major crime has decreased  
16 by 34 percent, and 22 percent more students in  
17 New York City are graduating from high school.  
18 These are all great things.

19 But the reason I disagree from most of my  
20 classmates, and even my mom and my little brother  
21 is because I learned about the idea called checks  
22 and balances in my history class. American  
23 government believes that we should have more than  
24 just one person in charge, not a dictatorship.  
25 The problem with mayoral control as it exists



1 now, is that if the mayor makes up his mind to  
2 run all the schools, there is no one there to  
3 check over his decisions. If me or any other  
4 student or parent doesn't think that the  
5 chancellor is doing a good job, we have to wait  
6 four years to have our voice heard, that's just  
7 not good enough.  
8

9 Student and parent input isn't just about  
10 sitting around a table talking about how bad this  
11 dinner is. We need to really have input on how  
12 the schools are run. I used to go to a bad  
13 school, and I'm glad that my mom had the choice  
14 to go to a good school, but she was lucky. Most  
15 kids don't go to schools like mine. My little  
16 brother says that he supports only good schools,  
17 and that the mayor and chancellor are doing  
18 everything they can to support those schools.

19 I want to ask my little brother, what  
20 happens when a new chancellor comes in and he  
21 doesn't like charter schools? What if he hates  
22 charter schools? Who will stand up for students  
23 at Democracy Prep then? The whole system of  
24 total power makes me very nervous. I can't  
25 support it.

2 Thank you very much for your time.

3 CHAIRWOMAN NOLAN: Thank you very much.

4 Assemblyman Benedetto would like to say  
5 something.

6 ASSEMBLYMAN BENEDETTO: I just want to  
7 compliment, is it Mr. McClean, Ms. Taylor and Mr.  
8 Clark, you articulate your positions so well.  
9 You should be proud, and I know your school is  
10 proud of you. Mr. Clark, you said you were  
11 teased at your old school. You know how foolish  
12 those children are, right, for teasing you. But  
13 if you ever feel a little insecure about your  
14 height, you stand next to the mayor of the City  
15 of New York. You're doing a good job.

16 CHAIRWOMAN NOLAN: That's true. It just  
17 shows you you can go anywhere in New York. Let  
18 me let Mr. O'Donnell have a plan for Mr. Andrews  
19 here. We really thank you so much, and I'm sorry  
20 if there was any little mix-ups, we had over 80  
21 people want to testify at this hearing

22 ASSEMBLYMAN O'DONNELL: Just some full  
23 disclosure, I've know Mr. Andrews since he was a  
24 high school student. It's been a long time. But  
25 I would very much like meeting with all your

2 students across the hall, we can have a  
3 conversation while the hearing continues.

4 CHAIRWOMAN NOLAN: This way you'll all  
5 get to say what you would like and Mr. O'Donnell  
6 is right near your district so it's good for him  
7 to hear it. Does that work? Is there anybody  
8 else that you want -

9 MR. ANDREW: We had a number of parents,  
10 but we chose one parent who would represent the  
11 parents, Mr. Cummings.

12 CHAIRWOMAN NOLAN: Of course, go right  
13 ahead.

14 MR. CUMMINGS: Good afternoon, members  
15 of the assembly. What a hard act to follow.

16 Many years ago, a great baseball player,  
17 Lou Gehrig stood before millions of New Yorkers  
18 and the rest of the world and said, today I feel  
19 like I'm the luckiest man in the world, when  
20 faced with a debilitating career ending and  
21 ultimately life-ending illness. Well, I feel  
22 like I'm the luckiest man in the room today. My  
23 wife Marcie and I are fortunate to have a couple  
24 of our children, we have five in school, a couple  
25 of our children attend Geoffrey Canada's Harlem

2 Children Zone. Our oldest son, Michael, is at  
3 DeMarco Saint Prep, an eighth grader, this is his  
4 first year there. He's attended several schools  
5 in Harlem where we live and DeMarco Saint Prep,  
6 on so many levels, rescued our son from apathy,  
7 from all the negative things that I've heard the  
8 parents share with us today. He coming into  
9 contact with a group of educators, and I'm sure  
10 Mr. O'Donnell will testify to, having known Mr.  
11 Andrew, as you will his staff, when you get to  
12 meet them at some point, and how devoted and how  
13 compassionate they are for these children.

14 I sat in the back of the room for several  
15 hours, and I share the director of the NAACP's  
16 New York Chapter's appreciation of the board  
17 members, the Assembly Members, for your patience,  
18 and obviously very sincere compassion for this  
19 issue of mayoral control.

20 Like so many couples, my wife and I argue  
21 on many different things, about many different  
22 things, some important, some less significant,  
23 but our goal has always been the promotion of our  
24 family unit and doing the best we all could - we  
25 both could for the children. And as I listen to

1       some of the parents here who are less fortunate  
2  
3       who have children in parts of the city where  
4  
5       things aren't going very well for them, and the  
6       frustrations that they're feeling, my heart goes  
7       to them.

8               Yes, I'm fortunate to have a charter  
9       school like Democracy Prep behind our son,  
10       Michael, and I only wish - because brevity is my  
11       middle name, and I only wish that at some point  
12       when you folks in the assembly, and the lawmakers  
13       of New York, use the wisdom of Solomon to resolve  
14       this very confusing issue and you resolve it as  
15       the public would expect you to and the best for  
16       all, that I could join with some of these very  
17       vocal and devoted parents and educators and  
18       members of different groups around the city that  
19       care so much about our children and joining to  
20       make so many schools, if not modeled after  
21       Democracy prep and the other divisional schools  
22       and charter schools that are doing so well, but  
23       something where a parent like me, of  
24       comparatively modest means, to many in New York,  
25       can send your child to, and have your child  
      experience the joy of education that they have at

2 Democracy Prep.

3 So good luck to you. You have a very  
4 difficult job in front of you.

5 CHAIRWOMAN NOLAN: Thank you very much.

6 MR. CUMMINGS: I'm sorry. My name is  
7 Michael - my qualifications, as I overhead Mr.  
8 O'Donnell, a query of the assistant to the  
9 commission, my qualifications if that of a  
10 parent. My name is Michael Cummings.

11 CHAIRWOMAN NOLAN: That's very  
12 important. Thank you very much.

13 We'll let the others get started. We'll  
14 start with you and then, Mr. Andrew, would you  
15 like a final word?

16 MR. ANDREW: Just thank you so much to  
17 the entire committee for the opportunity to be  
18 here today and testify. Thank you so much.

19 CHAIRWOMAN NOLAN: We're thrilled you  
20 came. So what you're going to do is take them  
21 out to see Mr. O'Donnell, and you're going to  
22 have a few minutes because you had other children  
23 that wanted to speak, and we don't want them to  
24 be denied that opportunity, so it's very  
25 important.

2 Go right ahead.

3 MS. JONES: I would like to thank the  
4 Assembly Education Committee, in particular, the  
5 chair, Assemblywoman Cathy Nolan, for hearing my  
6 testimony today. I am here today to urge the  
7 state legislature to renew the mayoral control  
8 law.

9 CHAIRWOMAN NOLAN: Everybody should  
10 start with their name first.

11 MS. JONES: Okay. My name is Maggie  
12 Jones. I am the executive director for Children  
13 for Children, a New York City non-profit  
14 organization that provides students with  
15 meaningful opportunities to impact their  
16 communities through service.

17 I was discouraged to read the UFT's  
18 proposal to take away the mayor's majority on the  
19 PEP, again, diluting accountability.

20 Since 1996, Children for Children has  
21 mobilized young people, beginning at an early  
22 age, to discover their power, and lasting  
23 potential to solve real world problems through  
24 volunteering and service learning. We actually  
25 work with Democracy Prep, who is one of the

2 schools that uses some of our curriculum. At  
3 Children for Children we know that social and  
4 emotional development, teaching young people  
5 about citizenship and service is a critical  
6 component of every child's education and that in  
7 addition to providing measurable outcome such as  
8 greater academic engagement, increased critical  
9 thinking skills, and reduction in risky  
10 behaviors, it instills in youth a powerful sense  
11 of self-worth, self-discipline, leadership, and  
12 civic responsibility.

13 On that note, I just wanted to respond to  
14 two of the things that I heard from the Assembly  
15 today. One of those is that, we work with over  
16 100,000 young people every year in New York City,  
17 over 90 percent are growing up in poverty. And  
18 every time they have invited Chancellor Klein to  
19 attend one of their service events, he has  
20 attended, and I see him get down on bended knee  
21 next to a six-year old, communicate with parents,  
22 et cetera. So I just wanted to raise that,  
23 because I think that that matters and makes a big  
24 difference in the life of the young people.

25 I also want to say on the social and



2 emotional learning front, that the woman who is  
3 the senior policy advisor, I happen to know her,  
4 and she is my contemporary in age, and I would  
5 just say, it's a little harsh to judge people  
6 who, after their university experience, go down  
7 the path to become a lawyer, whose siblings are  
8 both educators, because, to me, that just shows  
9 that probably their parents were very invested in  
10 their education and one chose to go into policy  
11 and the other teaching in the classroom, so I  
12 have great respect for that. I just wanted to  
13 say that in her defense with her not being in the  
14 room here.

15           The foundation of our work and our growth  
16 has been our school-based service learning  
17 programs and community based volunteer  
18 opportunities, which, as I said, now engage over  
19 100,000 young people each year, over 97 percent  
20 of whom qualify for the federal free-school lunch  
21 program.

22           The growth of our programming would not  
23 have been possible without principals' and  
24 teachers' ability to choose the resources that  
25 they need to cultivate and give their young

2 people a voice and bring what they need forward  
3 to learn.

4 I know firsthand that mayoral control is  
5 working for our children. I hope we can continue  
6 to build upon the improvements over the next six  
7 years. Yes, we need to show people where our  
8 dollars are going, and I think that we can  
9 clearly do a better job of that going forward,  
10 but let's remember that this system has allowed  
11 us to add billions of dollars in education  
12 funding and made education a priority for our  
13 city, not just for our adults, but so clearly in  
14 what we saw today for our young people too. And  
15 that, I think when you're talking about changing  
16 the culture and the climate inside of a school,  
17 if you don't engage the young people and empower  
18 them too to be a part of this and inspire them,  
19 and inspire all citizens to get involved in  
20 education, I think we're going to fail, and I  
21 think our mayor is doing an incredible job doing  
22 that.

23 I would like to see him - I think the  
24 young people involved with us would like to see  
25 him continue to send this powerful and strong

2 message to our city. Today, what we're really  
3 talking about in my mind is about empowerment.  
4 Empowering principals, teachers, parents and  
5 students, the people who matter most.

6 By empowering every principal to choose  
7 learning support organizations, and the LSO  
8 programs, and programs like ours that serve their  
9 students best, hundreds of schools throughout New  
10 York City have benefitted from their ability to  
11 provide innovative curricula materials, training  
12 and technical assistance to educators in hundreds  
13 of city schools.

14 I happen to believe that in the 80<sup>th</sup> year  
15 of Dr. King, a lot of people bring up different  
16 quotes from Dr. King, but that intelligence, plus  
17 character, that is the true goal of education.  
18 And I do think that what we're seeing, as a  
19 person who, maybe not as long as some in the room  
20 but 16 years ago, I started investing myself in  
21 this quest towards bringing service and character  
22 into education, and I think we're making huge  
23 momentum.

24 I say 16 years ago, because I wrote my  
25 college admissions essay on the importance of

1 integrating MET into public education, saw it as  
2 a big divide in our affluent and at-risk  
3 communities.  
4

5 Teachers are truly empowered, I believe,  
6 from the opportunity to be able to individualize  
7 their programs, create charter schools like  
8 Democracy Prep and bring forward these  
9 instructional opportunities that develop the  
10 skills that young people need to be successful in  
11 academics and in life. And parents are empowered  
12 as well in this process, it really is about  
13 building community, and I just want to say that  
14 bureaucracy does not build community. It happens  
15 in a very different, much more grassroots way  
16 than that.

17 Finally, and most significantly of all,  
18 we see the students become empowered as we just  
19 witnessed in this room, when their principals,  
20 teachers and parents are able to have the  
21 opportunity to lead and to choose.

22 This cycle of empowerment, leadership and  
23 accountability where all citizens, including our  
24 youngest, share the responsibility and power to  
25 improve schools and communities, with the

2 accountability of the mayor at the helm, would  
3 not have been possible under the old system,  
4 whose primary features included a complicated  
5 bureaucracy and truly inflexible regulations.

6 Today, students are learning, engaging in  
7 their education and graduating from New York  
8 City's public schools. And I would just say, if  
9 our children aren't learning, nothing else  
10 matters. That is the most important thing. In  
11 order to continue on this pathway to success for  
12 all children, we truly must continue to champion  
13 mayoral control, strengthening the system,  
14 working to improve it, and strengthening the  
15 system of true supports for schools by providing  
16 them with the voice and the authority to make  
17 real and lasting change.

18 I urge you to work with us to keep moving  
19 our schools forward and renew the mayoral control  
20 law and maintain the system of accountability and  
21 reform that will truly give our kids a better  
22 future.

23 I think it's hard to have honest  
24 conversations about all this. I think we really  
25 have to look hard at the issue and be very honest

2 with ourselves and we're working in communities  
3 and what is really at the root of all of this, so  
4 I thank you for your effort in doing that and  
5 leading this charge, and thank you so much for  
6 your time as well.

7 ASSEMBLYMAN BRENNAN: Thank you, Ms.  
8 Jones. I am the default senior member on the  
9 committee at the moment, so I thought perhaps we  
10 would let the other two persons testify and then  
11 we'll open it up for questions.

12 So just identify yourself for the record.  
13 Thank you.

14 MR. LUNDY: My name is Thackston Lundy.  
15 I'm the director of operations at Williamsburg  
16 Collegiate Charter School.

17 Thank you, Chairwoman Nolan, for allowing  
18 us to be here and other members of the Education  
19 Committee. I appreciate the opportunity to talk  
20 and know that you've been here for a very long  
21 time, so I'll keep this short.

22 ASSEMBLYMAN BRENNAN: We're having  
23 continued fun.

24 MR. LUNDY: I understand. I'm the  
25 director of operations of a school in south

2 Williamsburg called Williamsburg Collegiate  
3 Charter School. It's a part of a network of  
4 charter schools called Uncommon Schools. At our  
5 school we use a dual leader model. So we have a  
6 principal who is responsible for the instruction  
7 and curriculum and professional development,  
8 overall direction of the school, and then we have  
9 a director of operations, or one individual in  
10 the school who is responsible for the logistics  
11 of running a middle school.

12 So I am responsible for yellow busing and  
13 for making sure students eat and making sure that  
14 teachers have what they need and making sure that  
15 everything and all the tiny details that go into  
16 a middle school on a day to day basis are thought  
17 about and run efficiently.

18 We have 250 students in our school. We  
19 serve students, grades five through eight. So,  
20 Chairwoman Nolan, I know you mentioned a lack of  
21 middle school options and we are one of four -  
22 next year, four five through eight charter  
23 schools.

24 CHAIRWOMAN NOLAN: Right now it is you,  
25 one?

2 MR. LUNDY: It's three, and then we're  
3 adding another one next year.

4 CHAIRWOMAN NOLAN: We'll follow-up.  
5 That's not what we've been told. 99 percent of  
6 our students are Hispanic or African American.  
7 85 percent of our students qualify for free or  
8 reduced lunch. 14 percent of our students are  
9 special ed. Last year 100 percent of our sixth  
10 and seventh graders scored advanced or proficient  
11 on the math exam. 85 percent and 95 percent,  
12 respectfully, on the ELA exam.

13 One of my responsibilities as director of  
14 operations is to manage our student recruitment,  
15 so I spend from January to April going to public  
16 libraries and housing projects and YMCA, and  
17 anywhere and everywhere I can go to talk to  
18 people about our school. We are aware that one  
19 of the criticisms is that there's an application  
20 and it's hard for families to learn about our  
21 school. So we do everything humanly possible to  
22 inform families about their options.

23 Parents I talk to are looking for a  
24 school option where mediocrity is unacceptable,  
25 where they know that standards are high, and that



1 someone is accountable for their child's  
2 education.  
3

4 Parents want a public school option so  
5 that they can find schools that are right for  
6 their child, and mayoral control has created more  
7 options for families than ever before.

8 As a charter school, we've had an  
9 opportunity to create a standards-based  
10 curriculum, our daily systems, and our school  
11 culture. We've created a school environment  
12 where accountability and high standards for both  
13 staff and students is the norm.

14 When I look at the effect that mayoral  
15 control has had on our city school, I see a slow  
16 and steady improvement where the system is  
17 accountable to schools and schools are  
18 accountable to their students. Mayoral control  
19 is not a panacea. But a governance system that  
20 makes one person both accountable for the school  
21 system and committed to finding solutions is  
22 essential for continuing the process we've  
23 enjoyed so far.

24 In the alternative could be devastating  
25 to the work we do every day to educate the young

2 people in New York City and at Williamsburg  
3 Collegiate, as well as to the parents, who for  
4 the first time are empowered to make decisions  
5 about their child's education.

6 I urge the committee to renew mayoral  
7 control with the core of accountability intact.  
8 Thank you very much.

9 MS. MARLOVITS: Thank you. My name is  
10 Tara Marlovits. I'm the co-director of  
11 Leadership Prep Charter School, also in Brooklyn.

12 I would like to thank the committee and  
13 Chairwoman Nolan for convening the hearings and  
14 hearing us speak today. I do appreciate how long  
15 we've been here so I'll try and be brief as well.

16 I began my career in education by helping  
17 to start a high school that tried to put students  
18 on the path to college. With many of them  
19 reading at a third or fourth grade level, and  
20 facing incredibly significant skill deficits in  
21 mathematics, it was almost impossible to properly  
22 prepare these students for higher education.

23 The challenges were so great that I  
24 realized that the only thing that would really  
25 make a difference for them and for many students

2 like them was really to begin with the end in  
3 mind. In order to truly prepare students for  
4 college we must start an elementary school.

5 Today, as I said, I'm the co-director of  
6 Leadership Prep located in the Bedford Stuyvesant  
7 neighborhood of Brooklyn. We are K to three  
8 charter elementary school, currently serving 250  
9 students and we're eventually growing to be a K  
10 through 8 school. About 68 percent of our  
11 students qualify for free and reduced price  
12 meals. 45 percent of our families live below the  
13 poverty line, and about 14 percent of our  
14 students qualify for special education.

15 The majority of our young scholars come  
16 to us already significantly behind their more  
17 affluent peers. In fact, less than 40 percent of  
18 our incoming students can read at grade level,  
19 and less than 20 percent of them perform  
20 mathematics when they come to us.

21 So as you can see, we placed plenty of  
22 challenges as we prepare our young scholars to  
23 climb the mountain to college. However, we're  
24 lucky enough to be in a city with a charter  
25 friendly environment that wants to offer a real

1 choice to families in our most underserved  
2 communities. This climate allows us to create a  
3 school where, by the end of our kindergarten  
4 year, over 90 percent of our students are  
5 performing at or above grade level in reading and  
6 in math.

8 I would like to share a student that I'll  
9 call Michael, which I believe truly illustrates  
10 how the reforms put in place by mayoral control  
11 benefits some of our most struggling students by  
12 allowing schools like leadership prep to thrive.

13 Michael came to us as a first grade  
14 student. He had been born premature and suffered  
15 the effects of his mother's substance abuse.  
16 Within the DOE, he had been classified as  
17 learning disabled and assigned to a self-  
18 contained special education classroom with just  
19 12 students and two teachers.

20 During his first year at Leadership Prep,  
21 Michael made slow progress and it was difficult.

22 He really struggled to meet the first grade  
23 benchmarks despite the fact that he was receiving  
24 significant academic intervention services. With  
25 much hard work, including tutoring, small group

2 instruction, and extra work at home, Michael  
3 passed first grade with flying colors.

4 Today, he's a second grade scholar. He's  
5 meeting and exceeding the benchmarks without any  
6 academic intervention services. It's clear that  
7 Michael's success is due to a number of factors,  
8 a supportive family, relentless teachers, and a  
9 school that refuses to allow students to fail.

10 Because of mayoral control, Leadership  
11 Prep and other charter schools have small classes  
12 with smart hardworking tenacious teachers, and  
13 safer more structured learning environments. We  
14 offer a longer school day, a longer school year,  
15 a college prep focus, high standards for  
16 character and behavior, and, since inception, our  
17 parent surveys have revealed that over 90 percent  
18 of our families are highly satisfied with their  
19 child's education.

20 These kinds of schools are only possible  
21 because of the support we received from the mayor  
22 and the chancellor. Any move that would shift  
23 accountability for successful schools away from  
24 the mayor, would be a step in the wrong  
25 direction.

2 Mayor Bloomberg and Chancellor Klein are  
3 the best advocates for our children. We must  
4 continue to entrust them with the ability to  
5 create and sustain great schools so that students  
6 like Michael and all of our students have the  
7 opportunity to receive a high-quality education  
8 that really prepares them for the future.

9 Thank you.

10 CHAIRWOMAN NOLAN: Let me just - I  
11 apologize, because I missed some of your  
12 testimony. I know we spelled your name wrong,  
13 it's Tara, but on this list, did we spell your  
14 name wrong as well. You didn't submit written  
15 testimony?

16 MR. LUNDY: I did.

17 CHAIRWOMAN NOLAN: We don't have it  
18 here. I don't know quite what happened to it,  
19 and we need to see it again.

20 What about your name?

21 MS. JONES: No, you spelled my name  
22 right, Maggie Jones, but I'm not at MOUSE, I'm at  
23 Children for Children.

24 CHAIRWOMAN NOLAN: I see. We got that  
25 straightened out. And Computers for Youth, okay,

2 they were here and left. So if you know them and  
3 they have testimony, we can submit it, or they  
4 can come back in Brooklyn or whatever they  
5 choose.

6 How many children, Mr. Lundy, are at your  
7 charter school?

8 MR. LUNDY: We have 250.

9 CHAIRWOMAN NOLAN: And yours, Ms.  
10 Marlovits?

11 MS. MARLOVITS: 250 also.

12 CHAIRWOMAN NOLAN: And you're educating  
13 K through -

14 MR. LUNDY: We're five through eight.

15 CHAIRWOMAN NOLAN: And you're one of how  
16 many middle schools?

17 MR. LUNDY: Right now there are three -

18 CHAIRWOMAN NOLAN: There are three  
19 citywide?

20 MR. LUNDY: Three, yes.

21 CHAIRWOMAN NOLAN: We thought there was  
22 only one. So we'll - and you are educating K  
23 through what?

24 MS. MARLOVITS: Currently, we're K  
25 through three. We're going K to eight,

2 eventually.

3 CHAIRWOMAN NOLAN: What size class do  
4 you have at your school?

5 MS. MARLOVITS: We have classes that  
6 average about 29 students each with two teachers.

7 CHAIRWOMAN NOLAN: With two teachers,  
8 okay, that's and that about 15 - I'm bad at the  
9 math.

10 MS. MARLOVITS: Actually, at Leadership  
11 Prep, none of our students are in a reading group  
12 that's larger than 10 students each, so - and our  
13 students spend about three and a half hours a day  
14 reading, out of their long school day, so the  
15 majority of their day is in various small groups  
16 of nine or 10 students with one teacher.

17 CHAIRWOMAN NOLAN: And what a job that  
18 must be. What about your school?

19 MR. LUNDY: 23 to 25, about 24.

20 CHAIRWOMAN NOLAN: All right. I guess  
21 one of the questions that I would have for you  
22 is, how do we, as policymakers, what would you  
23 prescribe when that's such a small amount of kids  
24 in a sea of - that's a tiny boat in a big sea of  
25 kids in classes of 40, 35.



2 So any recommendations for us? What did  
3 you say Children for Children - did you say you  
4 do curriculum?

5 MS. JONES: Yes, we do service learning  
6 and social and emotional development.

7 CHAIRWOMAN NOLAN: What would be some of  
8 your prescriptions, how do we not have a triage  
9 system where we're saving a few kids and  
10 everybody else is in a class of 40 or 35?

11 MS. JONES: I would love to speak to  
12 that quickly, which I think starting at an early  
13 age with social and emotional learning, and the  
14 character development supports that you need in  
15 schools, building that strong culture from the  
16 time a young person is in elementary school, not  
17 waiting until they're in middle school to be  
18 concerned about student engagement.

19 CHAIRWOMAN NOLAN: Yes, but how do we  
20 provide what you're providing for everybody?

21 MS. JONES: Actually, putting these  
22 curriculum and resources into schools is  
23 incredibly inexpensive. I think one thing starts  
24 with teacher training and technical assistance.  
25 We do all of this at no cost to schools and

2 principals. We currently work borough wide in  
3 each of the ISCs. We work through the ISC in  
4 Queens and Brooklyn and Staten Island.

5 CHAIRWOMAN NOLAN: Just spell that out  
6 for us.

7 MS. JONES: The Integrated Services  
8 Center that work in partnership with teaching and  
9 learning.

10 CHAIRWOMAN NOLAN: I just wanted to go  
11 back to the friends from the charter school  
12 again. I didn't ask this for the people that  
13 came in Queens because they were too small, they  
14 had just started, but you're running now a while.  
15 What do you do when someone doesn't measure up?  
16 How many kids have left? What do you do?

17 MS. MARLOVITS: Just to speak to your  
18 first question, I think that - our hope is that  
19 charters are providing a model and I think  
20 fundamentally the model only thrives when there's  
21 choice, so, again, that speaks to our hope for  
22 continued mayoral control of the schools. I  
23 think secondly that our schools are successful  
24 because we're able to recruit and retain  
25 incredibly talented teachers. Obviously this

2 committee is very committed to education  
3 throughout the city, so those teachers are really  
4 the heart of what we do each day, and so I think  
5 those two things speak to your point about policy  
6 recommendations which is having more fantastic,  
7 tenacious, hard-working teachers out there and  
8 continuing the choice.

9 CHAIRWOMAN NOLAN: Have you had anybody  
10 leave?

11 MS. MARLOVITS: Certainly, but we have  
12 actually though a very high retention rate. Over  
13 95 percent of our students are retained for -

14 CHAIRWOMAN NOLAN: So how long have you  
15 been in business, Leadership Prep?

16 MS. MARLOVITS: We're in our third year.

17 CHAIRWOMAN NOLAN: You're in your third  
18 year. So you've had about five percent of the  
19 kids are asked to leave?

20 MS. MARLOVITS: Typically it's parental  
21 choice, so however it works out, you know, our  
22 students are very young so it could be that a  
23 family is moving, we've seen some instances of  
24 sort of reverse migrations, so families moving  
25 closer to be with other family members in other

2 parts of the country.

3 So to your point, yes, our day is very  
4 structured, we have a long school day for young  
5 students, and some families feel that's not the  
6 best choice for their family or for their child,  
7 so the beauty of choice allows them to go and  
8 pursue other options.

9 MR. LUNDY: Let me just add to your  
10 original question about what we sort of can look  
11 at and charters. I think that the flexibility  
12 that we've been given to be accountable for our  
13 school, we've been - we, as a network, have a  
14 philosophical things that we agree on, longer  
15 school day and longer school year, as Tara  
16 mentioned, but also a real data driven and we  
17 test every student in every subject to keep our  
18 finger on the pulse of what they know and what  
19 they don't know. If we see the trends of them  
20 things that they haven't mastered yet, then we  
21 can go back and make changes to the curriculum.

22 So we try to make common sense decisions  
23 around challenges that we face every day, and in  
24 my particular case, we share space with a  
25 district school. We have a great relationship

2 with that school. The administrations are  
3 meeting once a week, once every two weeks. So I  
4 think there's a lot sort of on a day to day  
5 business.

6 CHAIRWOMAN NOLAN: What's your address  
7 in Williamsburg?

8 MR. LUNDY: 157 Wilson Street.

9 CHAIRWOMAN NOLAN: And what's your  
10 retention rate

11 MR. LUNDY: So we - right around the  
12 same thing.

13 CHAIRWOMAN NOLAN: And how many years  
14 are you in business?

15 MR. LUNDY: We started in 2005, so three  
16 years.

17 CHAIRWOMAN NOLAN: Also three years,  
18 okay.

19 Just as an aside, it's not relevant, but  
20 I have to bring it up anyway. You're at 600  
21 Lafayette Avenue which was the Brooklyn College  
22 Pharmacy.

23 MS. MARLOVITS: Yes.

24 CHAIRWOMAN NOLAN: And my late father-  
25 in-law graduated there in 1929 and I'm amazed

2 that - that building has got to be as old - my  
3 father-in-law would have been 100 if he had lived  
4 to this year.

5 So what are you doing with the building?

6 MS. MARLOVITS: It's Lafayette and  
7 Nostrand. The building is owned by a church and  
8 we actually rent the space from the church.  
9 We've really actually enjoyed being there. It's  
10 fantastic space for an elementary school. So  
11 we're probably running out of space very quickly  
12 and actually we'll be moving into a Department of  
13 Education building down the road, but we've loved  
14 incubating there.

15 CHAIRWOMAN NOLAN: Thank you very much.

16 Now we have a whole group of other  
17 people. We have John King - we had Uncommon  
18 Schools who spoke before, they spoke in Queens,  
19 okay; Diahann Billings-Burford, City Year;  
20 Melissa Thornton; Veronica Davey; Tokumbo  
21 Shobuwale; and I would like to sort of give that  
22 a final call. If they're not here, I'm going to  
23 try to see if they left testimony. Maybe our  
24 staff can see if they left testimony at the  
25 front.

2 I should say, the next - Patrick Sullivan  
3 stayed, I really appreciate that, the Panel for  
4 Educational Policy member; Richard Barr,  
5 Chancellor's Parent Advisory Committee, thank  
6 heavens, is here; and is Ellen McHugh still here,  
7 I really appreciate that, we would have like to  
8 have the three of you on earlier, but we'll  
9 finish with this group and we'll put you right  
10 on.

11 Thank you. Go ahead.

12 MR. KING: My name is John King. Thank  
13 you, Chairwoman Nolan and all of you on the  
14 Education Committee for convening these hearings  
15 and for hearing my testimony today. I'm here to  
16 talk about my personal experiences as an educator  
17 here in New York and to ask the New York State  
18 Assembly to renew the mayoral control law so we  
19 can continue to improve our school system.

20 I grew up in Brooklyn. Both of my  
21 parents were New York City public school  
22 educators. My mother was a teacher and a  
23 guidance counselor, and my father was a teacher,  
24 principal, and then eventually deputy  
25 superintendent of schools in New York City in the

1960s.

Both of my parents passed away when I was in elementary and middle school, and during that difficult period of my life, fantastic teachers in New York City public schools made a huge difference in my life. I believed deeply in the power of public education to transform lives. And it's for that reason that I greatly appreciate the improvements in New York City schools since 2002, including safer school, more qualified and better compensated teachers, improving test scores, and higher graduation rates.

As a result of the difference that schools made in my life, I became a teacher and then a principal. In 1999, I co-founded the Roxbury Preparatory Charter School in Boston. It's the highest performing urban middle school in Massachusetts, and a school that's closed the ratio achievement gap on state exams. Roxbury Prep student body is 100 percent African American Latino. Over 70 percent of the student qualify for free and reduced price lunch, and the school is dramatically outperforming, not only the



2 Boston public schools, but many of the most  
3 affluent suburban districts around Massachusetts.

4 However, despite the success of Roxbury  
5 Prep and other high performing charter schools  
6 like Boston Collegiate, Boston is not a favorable  
7 environment for creating more such schools.

8 There's a cap on charter schools and a lack of  
9 facilities both of which are significant  
10 obstacles to growth.

11 So when I wanted to create more schools  
12 like Roxbury Prep, I came back to New York City -  
13 both because of the opportunity to create better  
14 educational opportunities for students in the  
15 community where I grew up, but more importantly  
16 perhaps because the mayor and the chancellor  
17 created an educational environment that fosters  
18 innovation and makes it possible to grow the  
19 charter movement. Today, I am managing director  
20 of Uncommon Schools, a non-profit organization  
21 that starts and manages urban charter public  
22 schools that aim to close the achievement gap and  
23 prepare students to enter and succeed and then  
24 graduate from college.

25 We have five schools in New York City now

2 serving 1,000 students. By the middle of 2009,  
3 it will be 2,000 students and nine schools. And  
4 when we reach full capacity we hope to manage 20  
5 schools serving 9,000 students.

6 CHAIRWOMAN NOLAN: Only in New York  
7 State or are you in other states?

8 MR. KING: We're in New Jersey as well,  
9 in Newark, New Jersey, but those numbers are just  
10 for New York City.

11 Uncommon schools is doing extremely well  
12 and our students are thriving. In 2007,  
13 Williamsburg Collegiate Charter School was the  
14 number one ranked public school on the  
15 chancellor's progress report. In 2008,  
16 Excellence Charter School, one of our schools,  
17 was the number one ranked elementary school on  
18 the chancellor's progress report, and across all  
19 of our schools in New York State, 96 percent of  
20 the students scored advanced or proficient on the  
21 state math exams.

22 I want to highlight quickly a couple of  
23 points - a few points about why I think it's  
24 important to continue mayoral control. The first  
25 is, when I talk to parents at the schools where I

1 work and in the community, they really appreciate  
2 being able to have choices. Before 2002, many  
3 parents, particularly low-income parents, felt  
4 like their kids were stuck, stuck and  
5 underfunded, struggling schools where too few  
6 teachers were truly qualified and with no one to  
7 turn to for help.  
8

9 The situation is very different today  
10 especially when you consider that schools like  
11 ours, and other schools that are similar, that  
12 have been created since mayoral control, are  
13 located in neighborhoods where there's long been  
14 a deep need for better schools. Parents are eager  
15 to send their children to schools with an  
16 explicit college prep mission and a wide range of  
17 supports to ensure students' success.

18 Second, it's much easier today than it  
19 was in 2002 for parents to figure out how a  
20 school is performing. With uniform standards and  
21 data-showing progress, parents can look at the  
22 chancellor's progress reports and determine  
23 whether a given school is effectively helping its  
24 students achieve at higher levels. No system is  
25 perfect, but the chancellor's progress reports

1 sends a powerful signal about the importance of  
2 continuous improvement.

3  
4 Third, because the mayor is in charge of  
5 budget and policy, he's been able to commit to  
6 closing achievement gaps citywide. Although the  
7 statistics are still staggering and we've made  
8 only incremental progress, mayoral control is  
9 designed - is far far more equitable than the old  
10 system.

11 Lastly, mayoral control has made  
12 education in New York City a top priority and  
13 made transparent who is ultimately accountable  
14 for the success of the city schools. I believe  
15 that closing the achievement gap is the most  
16 important civil rights issue of our time, and I  
17 also know that reforming our school system is not  
18 an easy task and we have a long long way to go  
19 before we can rest, but when you put one person  
20 in charge, and hold that person accountable,  
21 there is no confusion about who to blame if  
22 things aren't getting better. Mayoral control  
23 rightly keeps the pressure on the mayor and  
24 chancellor to keep working hard to ensure that  
25 every child in the New York City schools has

2 equal access to opportunity.

3 When the New York State Legislature  
4 considers legislation to renew mayoral control, I  
5 urge you to protect this system of  
6 accountability. One person must be in charge or  
7 no one can be held accountable. Let's keep it  
8 that way and keep improving our schools.

9 Thanks for your time.

10 MR. SHOBUWALE: Good afternoon. My name  
11 is Tokumbo Shobuwale. I'm a resident of  
12 Brooklyn.

13 I want to thank you Chairwoman Nolan and  
14 the assembly. I was actually here at the  
15 beginning of the day for about two hours when I  
16 actually had to go back to my office and do some  
17 work, and I applaud you all. This is a long  
18 haul. But honestly I feel like there is no more  
19 of an important issue. So I know this is a long  
20 haul, but I really do applaud you for sticking  
21 through this because this is really important.

22 I am newer to New York. I only arrived  
23 about 2002 about when the mayor came into office  
24 and when this took place. I had a very different  
25 impression. I grew up in the Midwest and I went

2 to various colleges and went to Stamford and  
3 California and graduate school in Boston. I met  
4 a number of people from New York who were very  
5 well educated and I had a certain impression of  
6 the state of education in New York City, and when  
7 I came to New York and I was enrolled in a  
8 program called Corio Leadership New York and  
9 visited a couple of schools. I was appalled. I  
10 was appalled. It was - it changed me.

11 I had never been involved and now I'm  
12 actually chair of the board of one of the charter  
13 schools in the Uncommon Schools network and I'm  
14 on the board of another one because I felt I had  
15 to get involved, and I was an educator, but when  
16 I took that first step in the school in 2002,  
17 2003, it was just appalling to me that basically  
18 kids never have a shot. They simply just never  
19 have a shot.

20 The school system, and the big story that  
21 you're heard, and you know more about this than I  
22 do because this is something that you guys have  
23 been involved in for a long time, but to me it  
24 was self evident that what we had at that time  
25 was not sustainable. The school system was -

2 kids were failing - it wasn't really the kids  
3 that were failing, it was the schools that were  
4 failing the kids, and they were essentially  
5 condemned to a life of limited opportunity  
6 because of that.

7 So, again, the schools didn't get that  
8 way over the course of one year or two years, and  
9 I know now we're only seven years later and it's  
10 impossible to correct decades of neglect in only  
11 seven or eight years, but what I've seen is what  
12 John has mentioned, which is there are kernels of  
13 hope. The system of mayoral control and making  
14 education one of the top priorities of the mayor  
15 has fundamentally changed the dynamic.

16 It is the kind of people like John who  
17 had an incredibly successful career in Boston,  
18 and a number of other folks - but even people who  
19 were New Yorkers who were here to come into  
20 education, it changed the dynamic entirely. And  
21 I think that has made possible a whole set of  
22 things.

23 So the schools like Leadership Prep that  
24 Tara talked about, like Williamsburg Collegiate,  
25 like Excellence Boys School that John mentioned,

1 all these schools had been created in that very  
2 short period of time, and you're right,  
3 chairwoman, that, yes, this is only a few  
4 schools, but, to me, it's amazing that in such a  
5 short period of time there's been such tremendous  
6 change. From everything that I understand, it  
7 had been - we had been lost in the wilderness for  
8 decades.  
9

10 Again, I know there are many good  
11 schools, I've met people in college and graduate  
12 schools who went to Stuyvesant, who went to  
13 Brooklyn Tech, which is not that far from where I  
14 live - there's always been good skills, but in  
15 places like Bed Stuy, which is where I know best  
16 because that's where I'm heavily involved,  
17 there's really no alternative.

18 I think it was evident when we had our  
19 first lottery, anyone can apply and it's a matter  
20 of - we had only so many seats, it was one of the  
21 saddest days because there are all these parent  
22 who are very excited that their kids got in, and  
23 then there were other parents who were simply  
24 floored because their kids didn't get in and they  
25 felt at that point there were no other



1 alternatives. Since there are more alternatives,  
2 there are more schools, but in places like Bed  
3 Stuy, and many other parts of the city, there  
4 simply weren't those alternatives.  
5

6 So I think, again, there's a long way to  
7 go, but I think the progress that's been made,  
8 and, most importantly, I think by tracking  
9 people, by making this a priority, as John said,  
10 I think this is the civil rights issue of our  
11 time. Without an education, kids just simply  
12 don't have a chance. And overwhelmingly, the  
13 kids who have not had that chance have been poor  
14 and - poor kids of color. So I really implore  
15 you to continue on the trajectory that you guys  
16 have set. I think this is incredibly important.

17 There's much to be improved upon, but I think  
18 that you really are sending things off in the  
19 right direction.

20 CHAIRWOMAN NOLAN: Thank you.

21 ASSEMBLYMAN O'DONNELL: I have just a  
22 couple of quick questions. Some of the  
23 criticisms of the charter schools, and I'll give  
24 you two of them. One of them is that at the very  
25 least, a parent has to be active enough in their

1 child's educational life to know and go to try to  
2 get them in. So, how - if you can just briefly  
3 address that subject about having a parent who is  
4 active and concerned enough gives that kid the  
5 benefit, the average kid, or the kid with a less  
6 capable or involved parent should have;

8 And the second is, that when we've done  
9 all these hearings on English language learners,  
10 the statistics as I recall, and this is now, six  
11 or eight months ago, so please don't quote me,  
12 but something like 13 to 15 percent of elementary  
13 school kids in New York City are English language  
14 learners, and less than three percent of the kids  
15 in charter schools are English language learners,  
16 and that's just one of the statistics, and they  
17 go across the board, and so whenever we're  
18 presented with charter schools, what we're told  
19 is, we have this huge success except in terms of  
20 (a) you're not educating a lot of times the more  
21 challenging to educate kids are not in the pool  
22 and, (b) you are the parent who was already  
23 really concerned about their kids education and  
24 active in it because they, at the very least,  
25 went through the process of getting into the

2 lottery, and that some advocates would say that  
3 because of those sort of factors, it's like  
4 comparing apples and oranges, and your statistics  
5 of success can't really be taken seriously  
6 because you're not necessarily educating the same  
7 pool of people.

8 MR. KING: I appreciate those concerns.

9 A couple of points. One is, I think it's  
10 important to say that, you know, for the kids who  
11 come into our lottery, it's not necessarily that  
12 the parent is the person who is super-engaged,  
13 it's that - but I will acknowledge that there is  
14 an adult who took an interest, because sometimes  
15 the person who brings the family to lottery is  
16 grandma, or uncle, or neighbor, or someone from  
17 the Big Brother Program, but, yes, that's true.  
18 The kids who are at charter schools, there is  
19 some adult who took that level of interest and  
20 their kids, no question, who don't have that  
21 adult in their homes.

22 That said, getting into school in the New  
23 York City DOE context is not exactly easier.  
24 When I talked to families who are trying to  
25 navigate the forms and the process to get into

1 the gifted and talented program, or to get into a  
2 particular school, or trying to figure out if  
3 there's a zone preference, versus the ability to  
4 get them out of zone, that's also really  
5 complicated. So, I agree with you, I think that  
6 the system needs to be a lot more transparent for  
7 families, to make it easier for them to choose.

8  
9 The second point I would say about our  
10 results. We're outperforming the schools in our  
11 neighborhoods by 30 points, 40 points, so even if  
12 I were to conceive that some difference there is  
13 because of some degree of selection bias, I think  
14 it matters that we're getting a lot better  
15 results with low income kids, kids of color,  
16 similar numbers of special ed kids to the  
17 district.

18 There was just a study in Boston that  
19 compared students who got in the lottery with  
20 students who didn't and their performance in  
21 charter schools and found that the students who  
22 got into the charter schools dramatically  
23 outperformed their peers. So it eliminated that  
24 issue of selection bias because they were all  
25 families who were in the lottery, just being in

2 the charter school resulted in a better  
3 educational outcome, and the last point, on the  
4 ELL point, I think you're right to be concerned  
5 that we certainly have invested a lot of effort  
6 of Uncommon Schools and doing broad outreach,  
7 having a full-time person who does during the  
8 recruitment season that does outreach work so  
9 that as many families as possible know about us.

10 I do think that it's worth noting that  
11 charter schools are disproportionately located in  
12 sections of their districts or communities that  
13 tend to have lower ELL populations. So our  
14 schools that are in Bed Stuy, that's a community  
15 that has somewhat lower ELL population than,  
16 let's say, our school that's in Williamsburg, and  
17 that's reflected in the demographics at the  
18 school.

19 CHAIRWOMAN NOLAN: Thank you both very  
20 very much. I appreciate you coming and we'll  
21 follow up again with some other things.

22 Patrick Sullivan, Richard Barr, Ellen  
23 McHugh, and also, if they're still here and want  
24 to come a little closer, Rebecca Daniels,  
25 Elizabeth Rodriguez, Jennifer Freeman, Terersa

2 Arboleda, and DJ Sheppard. They can kind of come  
3 up close and then we can move forward.

4 How are you, Ellen?

5 MS. McHUGH: Good, thank you.

6 CHAIRWOMAN NOLAN: I really enjoyed  
7 watching you on New York 1, occasionally when the  
8 PEP is covered, the Panel for Educational Policy  
9 is covered and we want to send our best regards  
10 also to Borough President Scott Stringer who  
11 appointed you. Patrick, go ahead, and start.

12 MR. SULLIVAN: I'm Patrick Sullivan, the  
13 Manhattan representative to the Panel for  
14 Educational Policy, appointed by Manhattan  
15 Borough President Scott Stringer.

16 Last year, Borough President Stringer  
17 proposed a series of revisions to the school  
18 governance structure. I can recap them briefly.

19 They're consistent with what many others have  
20 said today. First, and I think probably the most  
21 important, the terms of the members of the panel  
22 should be fixed rather than having them serve at  
23 the pleasure of the appointing official;

24 Second, the board should be reduced to  
25 include fewer mayoral appointees;

2 And, three, the authority of the city  
3 board should be clarified with regard to policy  
4 and budgetary approval.

5 So I would like to take some of my  
6 specific experiences on the panel to give you a  
7 sense of how it doesn't work, and to kind of  
8 illustrate why some changes are needed.

9 First I want to talk a little bit about  
10 transparency and the rules of order and how the  
11 board functions. There's a few deficiencies  
12 here.

13 Meeting agendas are typically distributed  
14 only a few days in advance; presentation  
15 materials are rarely made available to us before  
16 the meeting. If we get them, it's either the  
17 same day or the day before, and it makes it very  
18 difficult to prepare any questioning for the  
19 meeting; by bylaws, the PEP are supposed to meet  
20 in executive session once a year to discuss how  
21 to improve its functioning, and that's never  
22 happened, at least in my two years on the panel,  
23 at least since I joined 22 months ago; members  
24 may request roll call votes, and I've done so,  
25 but I had been refused by the chancellor to have

2 a roll call vote; there are no transcripts.  
3 Meeting minutes have not been distributed since  
4 early 2007; there's no audit committee; the  
5 investigative reports of the special commissioner  
6 for investigation, Richard Condon, are not  
7 provided to the board despite being required by  
8 executive order.

9 I think we can say that the board exists  
10 only in the very limited sense that it's outlined  
11 in the law, and the mayor and the chancellor have  
12 pretty done everything that they can to minimize  
13 the role of the board. I'll take you through a  
14 few of the most salient decisions that I've been  
15 involved with on the PEP. First, the operating  
16 budget. Now in my view and in Borough President  
17 Stringer's view, the state law is very clear that  
18 we are to come up with the total sum of money  
19 deemed necessary, and pass that as the  
20 recommended budget for the Department of  
21 Education.

22 The way it really works is that the  
23 chancellor presents the number to us, and  
24 whatever cuts have to be made in order to get in  
25 line with the amount of money that the mayor has



2 offered, those cuts are made and we're expected  
3 to approve those cuts. Now I objected based on  
4 the fact that I didn't think we were representing  
5 the students and the children very well, but that  
6 - last year's operating budget was approved, I  
7 think eight votes against my sole descent.

8 The capital budget is a similar story.  
9 It's almost laughable that SEA would come and  
10 tell you that the goals of the first five year  
11 capital plan have been achieved, or will be  
12 achieved, which are to reduce class sizes to 20  
13 in every classroom, to eliminate portables and  
14 trailers across the city, and to end split  
15 sessions in high schools.

16 On the record, they have told me as well  
17 that these - all these goals will be  
18 accomplished, but there are tens of thousands of  
19 students who need portables and there's really no  
20 end in sight to that.

21 So the other issue is, I didn't see any  
22 alignment with the Contract for Excellence  
23 statutes and regulations that you've laid out for  
24 the DOE. So, again, the capital budget last year  
25 was approved again against my one dissenting

2 vote.

3 This year we have a new plan and while  
4 they have said, and I told you today, SEA has  
5 told you that they have all sorts of a new  
6 planning process, they have not shared any of  
7 this with anyone. It's simply - this is the  
8 number of seats that we have, that is the number  
9 of seats that we need. There's no demonstration  
10 of how the need was derived.

11 I want to speak briefly about the special  
12 education contract. This is in my testimony, but  
13 you did mention it this morning, the \$55 million  
14 Maximus contract. There is another approximately  
15 \$20 million in DOE spending that will accompany  
16 this. I asked the general counsel, Michael Best,  
17 will we be voting on this matter? And I pointed  
18 to state law, and I said that we are obligated to  
19 vote on any contract which would significantly  
20 impact the provision of educational services or  
21 programming.

22 So, surely, if we're going to spend \$75  
23 million, we will positively impact the  
24 programming, and he said, no. The new system is  
25 not changing either the nature of the services we

1 deliver or the manner in which we deliver them,  
2 so no vote is required.  
3

4 Now I brought this up on the record with  
5 the chancellor and I said, Joel, I think it would  
6 be a good idea, and he couldn't really grasp why  
7 the panel would vote on this. And I laid it out  
8 for him, and I said, Joel, if I was going to  
9 vote, I would have some skin in the game. I  
10 would take the requirements for this system to  
11 Ellen and to the citywide council and special  
12 education and say, is this system going to do  
13 what you need it to do? I would take it to my  
14 CDECs and say, is this system something good,  
15 something that we need, what is your comment,  
16 what is your feedback, but in the chancellor's  
17 mind, none of that is necessary, simply the fact  
18 that they've decided this is something that  
19 should be done, it was enough to do it. So my  
20 recommendation there would be, take some  
21 threshold and say anything above that needs to be  
22 approved by the central board.

23 A few policy decisions I'll cover  
24 briefly. Gifted and talented admissions was very  
25 clear from the outset, it was going to be a

1 disaster. I told Deputy Chancellor Marsha Lyles  
2 point blank, if you do this, if you shift from  
3 all of the different criteria you have today to  
4 these student standardized tests which are  
5 primarily measures of preparedness and not  
6 giftedness, you will close programs in low-income  
7 neighborhoods, you will severely skew the numbers  
8 away from low-income neighborhoods. Sure enough,  
9 that happened, but the most disturbing thing to  
10 me is that I'm the only one who voted against  
11 this.  
12

13 One of the mayor's appointees, and the  
14 mayor's appointees are all very accomplished  
15 individuals and they are ethnically diverse, he  
16 told me, you are 100 percent correct on this  
17 issue. So we all knew this was coming, yet there  
18 was only dissenting vote against what has been  
19 clearly a disaster with programs being closed in  
20 Washington Heights, in Bedford Stuyvesant, in the  
21 Bronx, in the low income neighborhood of Staten  
22 Island. Everybody saw this coming, yet there was  
23 nothing anybody could do, again, to stop it.

24 The - what they call social promotion,  
25 what I would call retention, test base retention

2 votes - the first one is very well known, I won't  
3 recount it. I participated in the eighth grade  
4 vote on test base retention and I asked the  
5 chancellor the month before about a series of  
6 reports that I had thought - that I had  
7 understood to be done, commissioned by the Rand  
8 Corporation. The Rand Corporation was hired, I  
9 believe in 2005, they began a series of studies  
10 to understand what impact did the retention  
11 policy applied to fifth grade have, was it  
12 successful? They compiled hundreds of pages of  
13 reports. I brought them here today mostly  
14 because, in a forum on Staten Island -

15 ASSEMBLYMAN BRENNAN: Can we read them  
16 now? Just kidding.

17 MR. SULLIVAN: The answer is - the  
18 reason I brought them here is because Deputy  
19 Mayor Walcott denied that they even existed, so  
20 here is -

21 CHAIRWOMAN NOLAN: Do you want to leave  
22 them with the committee?

23 MR. SULLIVAN: That's my point. I'm not  
24 allowed to. These - I was told -

25 CHAIRWOMAN NOLAN: Can we at least look

2 at them, or are they considered -

3 MR. SULLIVAN: I want to keep this one,  
4 but here - and I said to Joel - you know, after  
5 hundreds of thousands of dollars to pay for this,  
6 there's a research team of eight people. It's  
7 been four years, three studies, why can't we  
8 release these. He said, Patrick, why would we do  
9 that, they're not finished yet. And I said,  
10 well, when are they going to be done? He said,  
11 well, they'll be done in August 2009, which is  
12 very conveniently three months after the law  
13 sunsets or is renewed. And I think that the  
14 problem and my issue with what Deputy Mayor  
15 Walcott said this morning about the debate about  
16 this police is that, to me, they did everything  
17 possible to suppress the debate. Why not release  
18 these documents? The longitudinal study, true,  
19 is not done, but they did extensive surveys of  
20 principals, of summer school principals, of  
21 academic intervention support staff, asked them  
22 what was working and what was not working, and  
23 there are things in here, I wish Assembly Member  
24 Weprin was still here, but here's one quote:

25 About 68 percent of principals and 75

2 percent of AIS leaders, that's Academic  
3 Intervention Support Services, indicated the  
4 promotion policy relies too much on state  
5 assessment scores. So I could see why they would  
6 not want that out in the public record.

7 Also, a majority of principals, 70  
8 percent, agreed or strongly agreed, that  
9 retention negatively affects a student's self-  
10 esteem. I'm sure Mike Bloomberg would say that  
11 this is tough love, but if we're going to have a  
12 debate, if we have this policy, let's release  
13 these documents and really have an informed  
14 debate. There's no point in suppressing this when  
15 we have such a contentious issue.

16 What I'll leave you with, besides the  
17 recommendations for the panel, I do think Borough  
18 President Stringer is an excellent idea for the  
19 community district education councils, and that  
20 is to formulate - more akin to community boards,  
21 with a small amount of staff, with a set process  
22 for approving policies and approving important  
23 budget votes for the PEP.

24 I've always sought out the opinion of the  
25 CECs that I represent in Manhattan. In fact, the

2 gifted and talented position that I adopted was  
3 pretty much taken directly from the District 3  
4 resolution on the topic. I think if we made  
5 these, even if they were advisory votes, but  
6 expect the PEP members to conform with them, I  
7 think that would be one important way of  
8 improving parental involvement.

9 Then a final thought about charter  
10 schools. I thought a lot about this subject, and  
11 I think the inside of young Mr. McClean here I  
12 think was particularly important. Charter  
13 schools today have a fixed amount of money that  
14 they are required to get under state law. I  
15 think we all know that, but beyond that, the  
16 mayor and the chancellor do a tremendous amount  
17 financially to support charter schools to give  
18 them places, food, transportation, services, if  
19 they're in the school building with the DOE  
20 school, they will often share some of the special  
21 ed services.

22 So it would be fairly easy for a mayor  
23 who, under the current governing structure, who  
24 is hostile to charter schools, to shudder  
25 probably a majority of them to withdrawing that



2 support. So, again, if we had a more independent  
3 board with fixed terms, with more of a balance,  
4 even charter schools, their place would be a  
5 little bit more secure. And I hadn't thought  
6 about it either until I heard Mr. McClean, but I  
7 don't think the charter school proponent - they  
8 think about that that much, and they probably  
9 ought to.

10 So I appreciate your time and I would be  
11 happy to answer any questions.

12 CHAIRWOMAN NOLAN: Let us just finish  
13 with the panel, and then we'll ask some  
14 questions.

15 MR. BARR: Thank you, Assembly Members,  
16 for taking my testimony.

17 My name is Richard Barr and I have been a  
18 parent of two children in the New York City  
19 public schools since 1993, the oldest is now in  
20 college and my younger is a sophomore in high  
21 school. I was a vice president of the District 3  
22 Presidents' Council, and I now represent the  
23 Bronx High School Federation on the legislative  
24 committee of CPAC, the Citywide Chancellors  
25 Parent Advisory Council. I'm also a member of

2 the parent commission on school governance which  
3 is currently drafting recommendations, but my  
4 remarks here are my own.

5 I've seen the last years of the  
6 decentralization of the system which began in the  
7 late 1960s, the partial recentralization of 1997,  
8 and now the years of mayoral control. Those who  
9 pressed for mayoral control leading up the  
10 legislature, adopting it in 2002, said that the  
11 mayor, the old system, didn't have enough say  
12 over the budget or priorities of the school  
13 system.

14 However, when the old Board of Ed  
15 proposed an \$11 billion capital plan, and Mayor  
16 Giuliani wanted it to be \$7.8 billion, he got his  
17 way. The fact that the mayor only appointed two  
18 of seven members didn't mean that he couldn't get  
19 two of the five borough presidents to have their  
20 reps vote his way if he really wanted something.

21 Advocates for mayoral control also said  
22 that district offices and community school boards  
23 were ineffective, patronage-laden, corrupt,  
24 contracts that were left in the districts which  
25 shouldn't have been, et cetera. My experience in

1 my district was that the district office and the  
2 school board were not perfect, but they seemed  
3 honest for the most part. The people serving  
4 there seemed to want to do what was best for the  
5 schools, and real service was provided on the  
6 local level to children and their parents. Those  
7 parents were kept apprised of what was going on,  
8 they were listened to, and they could have some  
9 influence.  
10

11 Were all districts functioning at the  
12 same levels, probably not, and I see no reason  
13 why an effort could not have been made to bring  
14 any which lagged behind up to the levels of the  
15 highest-functioning districts, and, instead, when  
16 mayoral control was instituted, as you well  
17 noted, districts were decimated, only to  
18 supposedly be reconstituted later on, except that  
19 they haven't been. An example, a couple of  
20 months ago, I called a phone number of the old  
21 District 3 office that I knew and the answering  
22 machine referred you to an office in Region 10  
23 which probably hasn't existed for two years. So  
24 that shows how receptive they are to helping  
25 parents with information. They haven't even

2 changed the answering machine message.

3 Local assistance, which the best  
4 districts used to provide, with navigating the  
5 system, from kindergarten admissions to questions  
6 about GNT, special ed, English language learners,  
7 middle school choice, high schools, et cetera,  
8 was no longer provided and is now harder to find  
9 and often mishandled by a centralized and  
10 inexperienced bureaucracy at Tweed, with ever-  
11 changing job titles that George Orwell might have  
12 dreamed up.

13 Institutionalized memory has been  
14 devalued, experienced personnel discouraged from  
15 staying around, and decisions have been confusing  
16 and frequently reversed. Any contract abuses  
17 under the old system pale, in my opinion, by  
18 comparison to the multi-million dollar no-bid  
19 contracts given out by Tweed now, often to  
20 consultants who mess up the school bus routes, or  
21 for giant computer systems which don't seem to  
22 work right.

23 A chancellor who was once the chief anti-  
24 trust enforcement officer in the justice  
25 department, now appears to become enamored of

2 non-competitive contracts with no outside  
3 oversight by the city or state government, or  
4 transparency in the budgeting process.

5 It was thought that mayoral control was  
6 denied to Mayor Giuliani because of his - some  
7 might say "mad dog" approach to the school system  
8 - saying he wanted to blow up 110 Livingston  
9 Street, viciously hounding Chancellor Cortines on  
10 an almost daily basis. So then we a supposedly  
11 more reasonable mayor, the legislation passed,  
12 and now what do we have?

13 In my opinion, what we have is an  
14 autocratic, dictatorial, unaccountable system,  
15 very politicized, with a huge and expensive p.r.  
16 spin in which almost on a daily basis, the mayor,  
17 with the chancellor dutifully standing behind  
18 him, praise themselves regardless of whether what  
19 they are doing is working or not. Money is  
20 raised privately through a so-called fund for  
21 public schools which the chancellor chairs, and  
22 it's spent on TV commercials praising the mayor's  
23 and chancellor's efforts. And now we hear that  
24 \$20 million is being raised for the campaign to  
25 continue mayoral control and I suspect I know

2 where it will come from, to finance that  
3 campaign.

4 This is despite the fact that, as someone  
5 who has been around involved public school  
6 parents for 15 years, I have never seen folks  
7 more pissed with the system, more discounted,  
8 more out of the decision-making loop, consulted  
9 only to be told after the fact that a decision  
10 has been made.

11 We need effective, properly-staffed  
12 district offices performing services locally. We  
13 need a return to community school boards, or at  
14 least CECs which have decision-making abilities.

15 Every concerned citizen in the district, parent  
16 or not, should be eligible to run for them, as it  
17 used to be. Every parent in the district should  
18 be able to vote for the full slate of candidates,  
19 instead of the ridiculous current miniaturization  
20 of the process where three parent sin a school  
21 can go to two candidates each for the CECs.

22 The district superintendent should once  
23 again be working with and knowledgeable about all  
24 the schools in the district. School board or CEC  
25 members should have a voice in the hiring of

2 superintendents. Superintendents and school  
3 leadership teams should have a voice in the  
4 hiring of principals and presidents' councils  
5 should have more of a voice in decision-making.

6 The Panel for Educational Policy or you  
7 call it a reversion to the Board of Ed, which it  
8 still is I understand in the law, should have  
9 decision-making ability, and not be controlled by  
10 the mayor, and should have appointees as well  
11 from the council, maybe the controller, the  
12 public advocate and parents.

13 The budget should be audited, like other  
14 agencies are, by the council and controller.  
15 This whole thing is too big and too important to  
16 be left entirely to the mayor and chancellor's  
17 discretion. It seems to me that the current  
18 occupants of those positions are more concerned  
19 with having the business community and the  
20 editorial boards on their sides than they are  
21 with seeing to it that CFE funds go towards the  
22 purposes of the lawsuit intended. More schools,  
23 better conditions in them such as library,  
24 sports, art, music, et cetera. The only thing  
25 that we're sure to see more of these days is high

2 stake testing.

3 Just an aside, I didn't hear all of  
4 Assemblyman Sanders' testimony, but I've heard  
5 him at other times say that in the negotiations  
6 over this governance law, besides the fact that  
7 the districts were supposed to remain and, in  
8 fact, the mayor hasn't lived up to that, he was  
9 told by the mayor that he wanted to call the  
10 chancellor commissioner and the mayor was told,  
11 absolutely not, he's not going to have the same  
12 relationship to you as a fire commissioner or  
13 police commissioner, there has to be some  
14 independence for the person running the schools,  
15 and, in fact, what do we have, exactly that,  
16 which is just another one of Mike Bloomberg's  
17 commissioners, never standing up for the school  
18 system if the mayor wants something else.

19 My daughter goes to Bronx Science, DEP  
20 wants to do surface drilling across the street by  
21 the reservoir without protecting the school,  
22 presumably the mayor is behind that, the  
23 chancellor won't raise a finger to fight the DEP  
24 over it. The parks department makes a deal for  
25 playing fields at Randalls Island, with private



2 schools cutting out the public schools, the  
3 chancellor won't raise his voice to get his  
4 public schools access to the playing fields. Or  
5 Hunter College wants to demolish the Julia  
6 Richmond Educational Complex, the chancellor  
7 doesn't speak up for the public schools, because  
8 he's the mayor's man.

9 If another agency is doing something and  
10 the mayor is behind it, he'll never speak against  
11 it. So Assemblyman Sanders was correct in my  
12 view in saying that then he's got to be a  
13 chancellor, not another one of the commissioners.

14 So that's it. Tweaking is not nearly  
15 enough. Either this system has got to go or at  
16 least it has to be changed very significantly.  
17 Thanks again for your time and consideration.

18 CHAIRWOMAN NOLAN: Go ahead, Ellen.

19 MS. MCHUGH: I think my kids went into  
20 school in 1983, so it's a little embarrassing I  
21 guess to say that I look this young and I've been  
22 around this long. Just for the record, my full  
23 name is Eleanor Bridget O'Shea McHugh. Since  
24 Patrick wanted to stick in his initials, I  
25 figured I'd go him one better.

2 My oldest son is 31 at this point now.  
3 And in the interest of full disclosure, I am the  
4 appointee by the public advocate to the citywide  
5 council on special education, but I also work for  
6 something called Parent to Parent of New York  
7 State. We are a statewide organization that  
8 provides support and services to kids - to the  
9 parents of kids with disabilities.

10 My son lives in Colorado. I think he  
11 lives there because I live here. But at the same  
12 time, his experience in the public school system  
13 is not very much different from what's going on  
14 right now. It was very hard to find a place for  
15 him. My son is deaf. He has a profound hearing  
16 loss. And the traditional approach would have  
17 been to go to the School for the Deaf. The  
18 School for the Deaf here had a fourth grade  
19 reading level. He graduated with an eighth grade  
20 reading level, still far behind considering he  
21 was in the 12<sup>th</sup> grade, but more than what was  
22 expected from the traditional program.

23 What I'm trying to come to is this, that  
24 currently, 18 percent of the children with IEPs  
25 graduate from high school with an academic

1 diploma after four years. 20 after five years,  
2 and 24 percent up until the time their children  
3 are 21. There are approximately 186,000 children  
4 with IEPs in this system ranging from pre-k all  
5 the way through the 12<sup>th</sup> grade. Some of the  
6 students staying until they're 21.  
7

8           When this citywide council on special  
9 education was created, we were created by law.  
10 The district is 23,000 students with the more  
11 profound disabilities. The law says there shall  
12 be a citywide council on special education in  
13 lower case letters, the interesting part is that  
14 the Board of Education, taking a look at it read  
15 it Board of Education, so they put capital  
16 letters on it, and decided that we would only  
17 represent those individual students in citywide  
18 programs, the 23,000 I'm talking about.

19           When we try to bring up the issues of  
20 other students who may be learning disabled or  
21 mildly disabled, we are repeatedly told that it's  
22 not our job to do that. Some of us are less  
23 accepting of job designations than others, and  
24 it's become a tug of war for people here as we go  
25 through this. In 2005 and 2006, the Board of

2 Education told us that they couldn't do a survey  
3 of student - of parents of students with special  
4 needs, and in Jim Leedman's words, it was too  
5 hard, and we asked very difficult questions.

6 So the CCSE did a survey. And  
7 interestingly enough, the vast majority of  
8 parents were accepting of and happy with their  
9 children's program after they had done the  
10 research to get their kids in it. It was a very  
11 different question than, are you happy with where  
12 you are now? So that was something that we asked  
13 about, but Mr. Leedman though was way too hard to  
14 do.

15 We have one generation of students,  
16 actually, seven years of students who have gone  
17 through the Klein era, for lack of a better word,  
18 and yet we have no flat out, for us, I don't know  
19 what other people want to say, no flat-out proof  
20 that their education has improved. We have had,  
21 since 2005, I'm stuck in the 1900s, I don't know,  
22 but five different reviews of special education.

23 The Hare report, the Hevessey Report, the  
24 Council of Great City Schools Report, the  
25 Dinapoli Report, and the current comptroller's

2 report.

3 My husband once said that special  
4 education has been examined more than the playboy  
5 centerfold. I don't know where to go anymore  
6 when people say to me, yes, I agree they're  
7 failing. Yes, we agree that we haven't hit the  
8 mark. Yes, we agree that it's been difficult.  
9 If I had said that about my son, that it was too  
10 hard, that it's been difficult, that I can't do  
11 it, that I don't have an answers, and if I hadn't  
12 searched out the answer, and I don't have all the  
13 answers, my son would never have gone to college,  
14 he wouldn't have gone to school. So I don't know  
15 that we can go through any more of this, yes,  
16 we're doing a bad job, but we're going to do  
17 better approach.

18 Legislatively, I don't know how, and I  
19 envy you guys, because this is going to be very  
20 painful how you're going to legislate success.  
21 You can measure success, but I don't know how you  
22 can legislate success. So I don't know how you  
23 guys are going to do it without some of the  
24 communities you serve, and I know, Jim, you  
25 banged the door on OMRDD services when the -

2 years and years ago, and I know that you have  
3 kids in the public school system, but I don't  
4 know how to legislate success.

5 The one thing that I want to say about  
6 Patrick's comment though about what the board  
7 does for kids in charter schools, there's such a  
8 thing in the law - I'm assuming every lawyer in  
9 here knows this, in like circumstances, so if  
10 their child is attending school, whether it's  
11 public, private, independent, or charter, they're  
12 entitled to busing. If the child is attending  
13 school, public, private, or charter, they are  
14 entitled access to food, books, stuff like that.

15 I don't mind blaming the mayor or the chancellor  
16 for what they did wrong, but I don't think you  
17 should blur the lines with saying, I think what  
18 people need to know is that the reason private,  
19 independent, and charter schools can say that  
20 they educate kids with less money, is that they  
21 don't carry the burden for food, books, and  
22 transportation.

23 CHAIRWOMAN NOLAN: Thank you. Anybody,  
24 questions?

25 You know, I think all of you had so much

2 to contribute, and we're all getting a little  
3 tired even up here, and I would love to be able  
4 to - I know our committee has ways we can get  
5 phone numbers and I would like to certainly speak  
6 to all of you again, and I want to encourage  
7 Ellen, we're going to be on Staten Island, and I  
8 think it's February 12<sup>th</sup>, and there are some  
9 parents, special ed parents - and we're not  
10 limited people here, but I know that was an  
11 interest, and I think of our great colleague, our  
12 late Assemblyman John LaValle so we're going to  
13 encourage people and we'd like to hear from some  
14 parents.

15 I have one quick question for Mr.  
16 Sullivan. In Queens, we didn't have a PEP  
17 member. We had some turnover and then it went  
18 vacant for a while. Has that been the case with  
19 some of the other spots as well?

20 MR. SULLIVAN: Yes, the positions are  
21 difficult to fill. The Bronx position has been  
22 open I think five months or so.

23 It's difficult to find a person to do the  
24 job because -

25 CHAIRWOMAN NOLAN: They're not

2 compensated.

3 MR. SULLIVAN: No, there's no  
4 compensation, but I think it's the sense of going  
5 out again and again and always - even if you try  
6 to fight, you're going to lose and you always  
7 have - you serve at the pleasure of the official  
8 who appointed you, so - then the mayor, to  
9 contradict what Deputy Mayor Walcott said, the  
10 mayor and his staff do micromanage the PEP  
11 members, even the borough reps, they want them to  
12 vote a certain way and tremendous pressure is put  
13 upon them.

14 So I am fortunate in that Scott Stringer  
15 respects the law and he respects public school  
16 families, so I have an usual amount of latitude.

17 But for most people, it's not a very desirable  
18 position.

19 MS. MCHUGH: There is one other thing.  
20 District 75 does not receive any Title 1 money or  
21 Campaign for Fiscal Equity money. We were told  
22 that we get a lot of monies and we really don't  
23 need that. You know, it's like, how do you treat  
24 your poorest among you because some of these kids  
25 are profoundly disabled.



2 CHAIRWOMAN NOLAN: Well, we've been  
3 visiting some of those schools and we look  
4 forward - want to find the equivalent of P9 in  
5 each of the boroughs I understand there is a  
6 school in each borough for children who have had  
7 some extreme emotional disabilities.

8 MS. McHUGH: Take a look at the Kennedy  
9 School, the Coy Cox School, Kennedy is in  
10 Manhattan and Coy Cox is in Brooklyn.

11 CHAIRWOMAN NOLAN: I think we'll be  
12 talking again. I really appreciate your patience  
13 in waiting so long and commend you all for your  
14 many years of service to the New York City school  
15 system and the children in the school system.

16 Thank you very much.

17 I call Jennifer Freeman, Teresa Arboleda,  
18 DJ Sheppard, Rebecca Daniels, Elizabeth  
19 Rodriguez, Michael McCoy, if any of these people  
20 are still here, or they have someone here on  
21 their behalf. Helen Rosenthal, Mark Diller.

22 I think at this point people can come up.

23 Why don't you just sit down and start.  
24 You start and others will follow.

25 MS. DANIELS: I actually don't know

2 where to start because I had testimony and all  
3 day -

4 CHAIRWOMAN NOLAN: Start with your name.

5 MS. DANIELS: Rebecca Daniels, Community  
6 Education President for District 2.

7 CHAIRWOMAN NOLAN: I want to thank you  
8 because you were here all day, and I know that,  
9 or a great portion of it, so thank you.

10 MS. DANIELS: I took a lot of notes.  
11 I'm trying to answer some of the questions  
12 instead of doing the testimony.

13 I've been on the PTA for 11 years, former  
14 president, two schools, the SLTs, since its  
15 inception, and chaired. Sat on many of the  
16 councils, I chaired many C30 committees, I co-  
17 chaired the committee to hire District 2  
18 Superintendent Shelly Harwin. I fought years ago  
19 in 1996 for class size and we actually got the  
20 legislation through from that Greenwich Village  
21 situation.

22 So I say after years and years of working  
23 here, I feel that this has probably been the most  
24 disappointing experience ever, being on the CEC?

25 ASSEMBLYMAN BRENNAN: Not the hearing?

2 MS. DANIELS: No, the CEC, the committee  
3 education council. No, this is a breath of fresh  
4 air. One of the things that you asked about was  
5 the GNT. I can tell you that many of our  
6 underprivileged kids obviously aren't getting  
7 their gifted and talented advantages, and I also  
8 want to say that 116, for example, lost their GNT  
9 program because they didn't have enough room so  
10 they were forced to give this up, because they  
11 don't have cluster rooms as it is right now.

12 I think as it stands, we don't have a GNT  
13 in District 2. Something to think about. I'm  
14 also not going to go on further about the special  
15 ed situation because the children are not being  
16 served. I'm constantly hearing those that have  
17 more advantages, they talk to their lawyer before  
18 they even call the district because they want to  
19 know they're covered. Many people don't how to  
20 do this. These are very active parents and they  
21 don't know.

22 Last year we had a differentia learning  
23 panel as one of the biggest evenings we had, and  
24 it was the parents talking to each other about  
25 how to work the system because they really didn't

1 know. So I think that's really quite serious  
2 that there's no place to call in District 2, and  
3 that there's no name, no accountability  
4 whatsoever, and these are mandated services these  
5 children are not getting. We hear about this  
6 obviously in the CEC as well.  
7

8 Let me see. I wanted to bring up a point  
9 about the budget cuts which was brought up  
10 earlier. When we asked Elizabeth Grimm for a  
11 copy of the cuts that were made at Tweed, we, of  
12 course, never saw the report, which I think is  
13 significant.

14 Recently we had our principals forum and  
15 I think this goes to the abusive power and the  
16 fact that this is profoundly undemocratic. In  
17 this forum we were able to hear from two schools,  
18 this is just this week, that one school was  
19 getting a new school combined with their school.

20 They weren't sure what it was and they hadn't  
21 been told and it wasn't announced at CEC. We're  
22 now hearing it's a group of suspension school  
23 that's going to be in this school. So they've  
24 asked me to come speak to them next week. I hope  
25 I can be effective but I don't know how.

2 Another school is also having a school  
3 join their school which is the lab and the museum  
4 school. At lab they have 34 to 36 kids in some  
5 of their classes, so I don't know how this is  
6 happening either. But it goes more to the point  
7 that last week we were told - we got a memo from  
8 John White that there would be six schools that  
9 are now going to be combined. This memo came to  
10 us after the fact. Every decision is after the  
11 fact.

12 The next day I got a call from the  
13 parents - whatever the group, telling me that  
14 they're going to announce to the CEC that there  
15 is yet another school that is going to be  
16 combined and opened, and that I'll get back to  
17 you and I'll bet back to your council.

18 15 minutes later, the e-mail goes out to  
19 everyone on the council saying as Rebecca and I  
20 have discussed, this is the school that's going  
21 to be combined. It's just flagrant. We had -  
22 the DOE came to speak to us at our last meeting.

23 They demanded the time to be in the CEC, we  
24 don't have the time for them to be here to go  
25 through the same conversation, and what the

2 conversation was is, he started telling us about  
3 these schools were combined. We challenged him.

4 We asked him why this was after the fact and got  
5 nothing but double talk.

6 And I tell you, as clever and glib and  
7 witty as this man was, there wasn't anyone in  
8 that room by now who sat through so many CEC  
9 meeting that did not know we were being double-  
10 talked. We find this extremely insulting and a  
11 waste of our time.

12 Also there had been three questions asked  
13 three times we have asked if we could please find  
14 out what the policy is when children cannot get  
15 in their zoned school. For example, 41 and 3 are  
16 completely overcrowded. We know for a fact that  
17 they will not get in this school. I actually  
18 sell real estate there, I completely know they  
19 will not get into these schools.

20 They're not accounting for it, they will  
21 not give us a policy, what they will do. They've  
22 avoided answering the question. We, of course,  
23 get that question all the time at the CEC, and  
24 once again we're inept, we have no answer. I do  
25 know that 200 people have already tried to apply

2 to 41 for 115 seats. There's no solution here.

3 Furthermore, the next solution we found  
4 out was that it was announced in a meeting that  
5 Clinton School was going to go into PS-33 because  
6 PS-33 was underutilized. Well, this was done at  
7 a meeting and Clinton had no idea, the CEC had no  
8 idea. This just came out in a meeting. Then we  
9 brought it up at the CEC meeting and caught the  
10 same individual off guard. Once again, well,  
11 that might have been - I think we did know - I  
12 think we discussed it.

13 We've sat in meetings with elected  
14 officials, the new war room, in these meetings  
15 with elected officials, we've listened to them go  
16 on and say how they collaborate with the CEC.  
17 They have never collaborated with the CEC. We do  
18 not know anything about this. The one thing  
19 we're supposed to do is be involved in zoning.  
20 We have no effect on the zoning. We have very  
21 strong parent groups that have tried very hard to  
22 find sites. These sites have come through parent  
23 groups to the DOE.

24 I also know because I happen to know the  
25 woman who signed the lease for it, the Greenwich

2 Village High School, which is private, and she  
3 told me two days earlier that she had looked at  
4 30 Van Dam and was told she's happy because not  
5 only can she be there, but there's two floors she  
6 can grow into. So when you sit in these meeting  
7 and you confront whoever is doing the real  
8 estate, oh, I'm sorry, I didn't know about that.

9 Or 75 Morton, which I happen to know came up for  
10 bid. We never bid on that. It never happened.  
11 We also were given the runaround on that  
12 situation and told it was off the market. I'm in  
13 the business, off the market because nobody made  
14 a bid, and there we are with every opportunity to  
15 make the bid, and we can take that in part, not  
16 even in whole.

17 I can go on and on with these kinds of  
18 examples, but you can only imagine that this is a  
19 fiasco. Whatever we do, whatever we're set up  
20 for, we had a superintendent evaluation based on  
21 the old superintendent's responsibilities and her  
22 authority. It was an embarrassment of our time -  
23 of our superintendent, a waste of our time, we  
24 were told we have to respond to this. We end up  
25 trying to get a letter explaining how ludicrous



1 this is and how very much we need our  
2 superintendent. How the principals have no one  
3 to go to. How District 2 has always been known  
4 for the fact that it collaborates, and we meant  
5 to reach other, and how we've had professional  
6 development, and how important it is to keep  
7 these kinds of districts that are growing and  
8 working with other districts as well.

10 Instead, we have principals with three  
11 years of experiences, principals who are afraid  
12 to speak up. I understand when principals go and  
13 make a proposal to be in a new school that's  
14 opening, and I know the inside track, there's an  
15 excellent excellent educator for that situation.

16 She won't get it because she doesn't know how to  
17 sell herself. She not somebody who is in the  
18 business of selling herself, politics, sales,  
19 what have you, because these people are  
20 educators, and this particular individual is in a  
21 classroom, and she's soft spoken and she's  
22 wonderful, and she'd educated many many many  
23 students. So I'm sure she won't get that  
24 opportunity because I hear this is what happens.

25 In these forums, which we're going to try

1 to have again, we do get a chance to talk one on  
2 one to the principals, but this cannot be done  
3 publically, and we can't get back to what this  
4 principal said. One teacher told me - a  
5 principal again, probably one of the bets in New  
6 York, in my opinion, she told me that she lost 14  
7 days because of the testing that she had to do.  
8 14 days. I believe it. I used to go to Albany  
9 talking about this testing. There are so many  
10 things to talk about why we don't have high  
11 stakes testing.  
12

13           Going back to the principal, they're  
14 saying with these students, what Patrick brought  
15 up, with the social promotion, that they need to  
16 have a principal because the principal can turn  
17 around and talk about the portfolio of ways of  
18 assessing a child. To take one child through in  
19 a testing situation is criminal.

20           I can go on and on, but I just want to  
21 tell you that I think that it is a disgrace the  
22 way the CECs are treated. I think it is nothing  
23 more than we are fighting the PR, we're fighting  
24 14 people and probably 24 lawyers. While we're  
25 asleep and volunteering, this is what we're up

1       against.  And it's not like we don't get it.  
2  
3       Then I finished my day on the subway looking at  
4       his own campaigns that are written on the wall  
5       that he paid for.  What can be more insulting  
6       than this.  It's not as if we don't know it.  A  
7       very prominent guy in Boston is going back to  
8       Harvard in his 40s because he wants to now do  
9       education policy because he thinks that Bloomberg  
10      is doing such a great job.  I just looked at him  
11      and said, wow, you bought the whole bill of  
12      goods.  He's spinning a brand name, and he's  
13      spinning something that I don't know where he's  
14      going with this, because obviously it's not  
15      dedicated to education, and I think it's criminal  
16      that we do not have educators making these kind  
17      of decisions.  I've been in the classroom myself  
18      for years.  Teachers, educators, principals, they  
19      know what they're doing.  If you can't get your  
20      superintendent to hook up with all of these  
21      principals, there's nowhere they go.  All roads go  
22      to wrong.  You call Chancellor Klein.  There is  
23      no one in between, no one, on every level.  What  
24      kind of business, if this is a business, can you  
25      skip that many layers to try and get to the top?

2 It's absurd, and of course you can't answer the  
3 phone.

4 And furthermore, I want to mention the  
5 account - my colleague in the back will tell you  
6 because she called, when they had the Office of  
7 Accountability, you try calling, there's not even  
8 an answering machine, No accountability. 311,  
9 I'm the one that called and spoke on NPR because  
10 I called, I said I have children that are going  
11 to 41 or 3, I'm not sure, can you tell me which  
12 one is less overcrowded, can you tell me what the  
13 process is. The quick answer, well, I don't  
14 think I can do that now. Nice guy, very polite,  
15 we went through this over and over again. He  
16 can't answer that question, of course he can't.  
17 Meanwhile, an hour earlier Bloomberg was on the  
18 phone, on the - I guess NPR, announcing now,  
19 parents will always get a direct answer. In  
20 other words, whoever is listening out there is  
21 hearing whatever they want to hear and is doing a  
22 great job, but it's our civil right and it's  
23 profoundly undemocratic for us to have to go  
24 through this. I just wish that some of the  
25 lawyers on your side could help us along.

2 Thank you for your time.

3 CHAIRWOMAN NOLAN: I can't thank you  
4 enough for your testimony and I really hope that  
5 you left a phone number and what have you with  
6 the committee staff so we can reach out to you  
7 again, and thank you for putting your time in all  
8 day. It was very impassioned testimony and I  
9 certainly share a lot of your concerns. So thank  
10 you very much.

11 Let's keep going.

12 MR. MACKALL: Yes. You didn't call my  
13 name. I'm on the list. I've submitted 10 copies  
14 of my testimony. My name is Akinlabi E.A.  
15 MacKall. I'm a member of SEEDS, Inc. We're an  
16 international NGO for about 17 years, a not-for-  
17 profit.

18 Last 10 years I have been involved  
19 through this organization with specifically  
20 working to assist community based groups. We do  
21 a lot of what might be called action research.  
22 In that vain, Jacalyn Wright, our co-founder and  
23 I share about 60 years of experience in the New  
24 York City and New York State education systems  
25 with experiences ranging from administrative

2 positions in the City of Rochester, New York, to  
3 positions such as starting and running and  
4 alternative independence, school - home schooling  
5 children.

6 Additionally, we recently started a  
7 research institute. This organization, SEEDS, is  
8 a member of two coalitions that are currently  
9 operating. One is the 3R Coalition, a newly  
10 formed group, specifically that has come together  
11 from many organizations who have been involved in  
12 education struggles for a while iCOPE, Black New  
13 Yorkers for Educational Excellence, Time-Out for  
14 Testing; a number of organizations, as well as a  
15 very new coalition which is called the New York  
16 Coalition for Neighborhood School Control.

17 Neighborhood School Control gives you a sense of  
18 the interest of that coalition. Both of those  
19 coalitions are working collaboratively there. At  
20 least 30 groups and counting. Part of the reason  
21 the groups were formed was in response to this  
22 apparent overwhelming support for mayoral control  
23 organizations who are out there.

24 At a number of meetings we've attended  
25 with groups that are supporting of mayoral

2 control, we found that many of the people in  
3 communities that they represent actually are not  
4 supportive of that but there seems to be no  
5 alternative, so speaking very frankly, it appears  
6 that there's this analysis that it's a done deal.

7 Once term limits were extended over the outrage  
8 of many in the city, they felt that Mayor  
9 Bloomberg was really not a force that could be  
10 stopped. So many organizations are trying to  
11 find a compromised position from the outset.

12 I stayed today, I got here about 8:30 and  
13 I'm here now because we represent - not those  
14 folks who've been fortunate enough or what have  
15 you to be in charter schools, or those people who  
16 happen to be at the top of school pyramid here  
17 and are maybe in talented and gifted and special  
18 arts program, we represent many of those people  
19 in the community who have not yet had the  
20 opportunity for their children to have this  
21 equitable or excellent education that we all feel  
22 our children should have.

23 On behalf of them, we feel that there's  
24 just a few points that I'll make outside of the  
25 document which will be entered in. Chairperson

1 Nolan, I thought it was interest that you were  
2 concerned about how certain things - efforts, for  
3 instance, in the recruitment of teachers of  
4 color, perhaps, who might serve not only as role  
5 models, et cetera, but also as people that would  
6 demonstrate the diversity that might be  
7 appropriate, especially in the school system that  
8 has more than seven out of 10 Black and Latino  
9 students and about 86 percent of students of  
10 color is projected.

12 We feel that that's a critical area along  
13 with several others. I'll just read a list of  
14 things over and above school governance, and then  
15 I'll end with a comment on the government  
16 structure.

17 Among a broad swath of other necessary  
18 changes to public schools, we city the following  
19 here:

20 Ending the criminalization within the  
21 schools of Black and Latino students; culturally  
22 relevant and inclusive curricula; culturally  
23 competent teacher preparation and professional  
24 development; student-centered instruction with  
25 authentic portfolio assessment; affirmative



1 recruitment and retention of Black and Latino  
2 teachers, and we've commented on that.

3  
4 I would just like to say three other  
5 things. Number one, with respect to Teach for  
6 America, New York City Teaching Fellows and  
7 programs that are - at this point we understand  
8 the primary way that new teachers are being  
9 introduced into the city schools right now.

10 These are programs that you may know seek out  
11 very strong students, undergraduate students from  
12 colleges for the most part, the fellows, bring in  
13 people and make careers.

14 But with Teach For America, for instance,  
15 this program is problematic in our view because  
16 they're bringing young people with usually zero  
17 education experience in the past. We think that  
18 the decisions around that have been political,  
19 rather than based on the needs of the students.  
20 We've seen programs proposed where residency was  
21 a core portion of the educational representative  
22 for Barack Obama during his campaign, Linda  
23 Darling-Hammond was among those people who spoke  
24 very clearly and very strongly on why residency  
25 experience and training and recruitment was very

1 important.

2  
3           What we feel is exemplary of these kinds  
4 of uses of the funds is that a non-education  
5 person who didn't bring the competency and a  
6 clear headedness about what the real tasks are to  
7 overcome the problem has missed the boat and been  
8 expedient. We think it's a problem to have young  
9 people with lack of experience as the primary  
10 responsible persons in classrooms where the  
11 students are really struggling. It just seems to  
12 be a disconnect.

13           It's the same kind of disconnect we feel  
14 has lead to a continuation of the present school  
15 system. I'm just going to quote a couple of bits  
16 of data that we have here with respect to the  
17 present situation in the schools. We say that  
18 under Bloomberg and Klein, the Black and Latino  
19 students remain trapped in a 21<sup>st</sup> Century system  
20 of apartheid. We don't use that term lightly.

21           You should know that currently in New  
22 York City many Black and Latino students are  
23 tracked to dropout before the ninth grade, a  
24 significant number;

25           Less than 50 percent of the Black and

2 Latino students who reach ninth grade graduate,  
3 less than 50 percent;

4 Less than 30 percent of the Black and  
5 Latino students who graduate with a Regents  
6 diploma;

7 Black and Latino students in gifted  
8 programs since the Bloomberg Klein administration  
9 have been reduced by more than half;

10 Black and Latino students comprise 72  
11 percent of the school population, yet constitute  
12 less than 17 percent of the students in the  
13 specialized test high schools;

14 Black and Latino students are about 13  
15 times less likely than their student counterparts  
16 to attend the specialized high schools.

17 These are issues that speak to the tip of  
18 the pyramid contradiction. These are not  
19 problems that are the student's fault, but what  
20 they do not address are how we can actually  
21 reverse it. Your responsibility, please forgive  
22 me for being so bold - a New York State citizen  
23 as to state this, but your responsibility as I  
24 see it is to make the very tough move to respond  
25 to a very strong political circumstance that

2 Mayor Bloomberg has and to make some decisions on  
3 an alternative to mayoral control, that is  
4 fundamentally different.

5 We believe that a system that would allow  
6 for the inclusion of parents at all levels, one  
7 that is not anathema to democracy where you have  
8 a single mayor who is selecting a chancellor who  
9 then - the principals speak directly to, but a  
10 system in which we have a comprehensive array of  
11 representation from the school level to the  
12 district level to a citywide, and we think that  
13 those should be elected.

14 So I want to thank you for that  
15 opportunity.

16 CHAIRWOMAN NOLAN: Thank you. We're  
17 going to take these two and then I think we're  
18 going to have - how many more people are here to  
19 testify? I had a feeling if we were this long -  
20 okay, okay. Go ahead and start.

21 MS. ROSENTHAL: My name is Helen  
22 Rosenthal and I'm chair of Community Board 7 on  
23 the upper west side of Manhattan. I want to  
24 thank you Chairperson Nolan and the other members  
25 of the assembly for sitting through this. I know

2 you've been here since at least 10:00 this  
3 morning and I just want you know that as chair of  
4 Community Board 7, we complain when our meetings  
5 go five hours, so this is very impressive.

6 I want to thank you for giving me this  
7 opportunity to speak about mayoral control. We  
8 passed a resolution, I think unanimously, that is  
9 here and we've also sent to you separately.

10 I want to speak first to two quick points  
11 in response to things that have come up today.  
12 First, it struck me that with Patrick Sullivan  
13 saying repeatedly he's the only person who is the  
14 dissenting vote on the PEP, you know something is  
15 wrong when that's happening. And I like the way  
16 you were talking about it, Assembly Member  
17 Brennan when you were saying, how do we codify  
18 specifics in order not to let some of the things  
19 happen that are happening now, that we're - a way  
20 of codifying, not, you know, recognizing when a  
21 situation is one person dissenting and you know  
22 something is wrong. I'm sure you'll figure that  
23 out.

24 And the second thing that struck me from  
25 what happened today, was apparently there was a

1 discussion, I wasn't here, but a conversation  
2 with some of the assembly members and Joel Klein  
3 about the amount of building that's going on on  
4 the upper west side, and I don't know if I'm  
5 getting this exactly right, but this is what's  
6 going on, there is a real lack of communication,  
7 a real disconnect between the Department of  
8 Buildings, the Department of City Planning and  
9 the School Construction Authority.  
10

11           You come to the upper west side, there  
12 are more baby strollers than there are people, if  
13 that's possible. Since the year 2000, there have  
14 been over 6,000 new apartment units that have  
15 gone up in our district, and there's been no  
16 commensurate infrastructure including public  
17 schools. And the result has been overcrowded  
18 schools. We just went through a rezoning that  
19 was traumatic to say the least, and it was the  
20 direct result of the Department of Education not  
21 paying attention when the community board spoke  
22 up 10 years ago and said, with all these new  
23 buildings coming up at Riverside - with all the  
24 new Trump towers coming up at Riverside Drive,  
25 you know we're going to need a new school and the

2 Department of Education refused to put a new  
3 school there.

4 We're asking for it again and it's again  
5 falling on deaf ears. Again, we're trying to  
6 point out the Department of City Planning the  
7 disconnect, and they're not hearing it. I don't  
8 know if they're getting direction not to hear it,  
9 or they're just not hearing it, but we're not  
10 getting a favorable response. We're being told  
11 to ask the Department of Education which has not  
12 included a new school in their capital plan.

13 So unlike Geoffrey Canada, I'm actually  
14 going to read my scintillating testimony.

15 We face no greater challenge than  
16 improving our children's education. I'm both a  
17 product of and strong believer in public schools  
18 and we need to do everything we can to make New  
19 York City Schools as good as they can be. There  
20 have been steps in the right direction under  
21 mayoral control, but there have also been  
22 problems and if the legislation is going to be  
23 reauthorized, the system must be restructured in  
24 three important ways.

25 First and foremost, we need to re-empower

1 parents. No one has a greater stake in good  
2 public school systems than they do, and it's been  
3 a serious shortcoming for the mayor and his  
4 administration not to genuinely involve them in  
5 the decision-making process. During the last six  
6 years, parent's voices have not been listened to.

7 Their organizations have been stripped of  
8 influence as you've heard over and over today.  
9 The mayor and his administration should recognize  
10 that often mothers and fathers do know what's  
11 best when it comes to aspects of their children's  
12 education.  
13

14           Everyday parents observe how the school  
15 system functions close up, and because of this,  
16 they're certainly qualified to make suggestions  
17 that should be given genuine consideration. They  
18 should be a real part of the process. The  
19 original law passed by the state legislature  
20 emphasized the importance of public input. This  
21 must be strengthened if the legislation is to be  
22 renewed.

23           Second, we must take a close look at the  
24 way we judge the progress of our students in  
25 schools. Under mayoral control, there's been



1 more emphasis on standardized testing than ever  
2 before. Testing is important because we need to  
3 see how the students are doing but we can't let  
4 it be the cornerstone of our students, our  
5 children's education. It's clear that a  
6 student's ability or progress cannot be fully  
7 measured by how well they fill in the bubble, or  
8 how many bubbles they choose correctly. We must  
9 make sure that a more comprehensive evaluation  
10 system is put in place, and when educators are  
11 forced to spend more and more time teaching to  
12 the test, they become less and less able to  
13 provide the kind of well-rounded curricula that  
14 our children should receive. Children will  
15 perform better and learn more when we show them  
16 the joys and opportunities that education can  
17 provide and this is something that teaching - how  
18 to take a standardized test cannot do.

19  
20 Third, and last, it is necessary for us  
21 to make sure that if the status of the school  
22 system and the result of mayoral control are  
23 independently judged, one of the primary  
24 arguments Mayor Bloomberg made for instating  
25 mayoral control is that it would be a centralized

2 source of accountability in our education system.

3 This has happened, which is a good thing, but  
4 how do we know whether or not the school system,  
5 as good as it could be, obviously Dr. Ravitch  
6 talked about earlier today, and showing us - in  
7 your study as well, showing us that there are  
8 ways of cutting the numbers that show that it's  
9 not all that the mayor says it's stacked up to  
10 be.

11 There's no doubt that something that  
12 followed the model of the independent budget  
13 office would really make a lot of sense. If the  
14 progress in our schools has been as significant  
15 as the administration claims, they should embrace  
16 the idea of independent review and let the  
17 results speak for themselves.

18 In conclusion, if mayoral control is  
19 going to be reauthorized, it must first be  
20 reformed in some significant ways. We need to  
21 re-involve parents, rethink the extent to which  
22 the system focuses on standardized testing, and  
23 create an independent assessment office as so  
24 many others have spoken about today.

25 Thank you very much. I just want to

2 mention that two members of the CEC in our  
3 district, three were here, ready to testify, as  
4 well as one of our school representatives, DJ  
5 Sheppard. So Jennifer Freeman and Terri Abroleda  
6 were here and had to go because they have kids.

7 CHAIRWOMAN NOLAN: Thank you so much. I  
8 want to let you know - I know it's hard for  
9 Manhattan people to come to the other boroughs, I  
10 know that, but they can come to Brooklyn very  
11 easily, so - and they can also submit it in  
12 writing. And for someone who has a son myself, I  
13 understand how difficult it is, I was able to  
14 make absent friends watching him tonight.

15 MS. ROSENTHAL: Same.

16 CHAIRWOMAN NOLAN: Thank you. Is this  
17 gentleman with you?

18 MS. ROSENTHAL: Yes.

19 CHAIRWOMAN NOLAN: And you are?

20 MR. DILLER: I'm Mark Diller, I'm a  
21 member of Community Board 7. I am the intern  
22 chair of its youth education and libraries  
23 committee. I'm also a recovering PTA president  
24 and SLT member. I think we're going to have a  
25 support group soon.

1 I'm going to try to leave the policy  
2 issues that have already been very well briefed  
3 before you tonight and hit upon some of the  
4 experiences I had in each of those roles and some  
5 of the feedback we've gotten in our community on  
6 the ways that parents have been marginalized,  
7 which I think is something that is a direct  
8 function of this legislation's implementation. I  
9 think as former Assembly Member Sanders correctly  
10 pointed out, that if the legislation had been  
11 implemented as it had been written, the programs  
12 wouldn't have experienced half the problems that  
13 we've experienced, but then again if the  
14 decentralized school systems had been implemented  
15 the way that the law had been written, probably  
16 some of those problems wouldn't be as bad either.

17 A couple of practical examples of the  
18 ways in which parents have been marginalized.  
19 Closing schools without engaging parents in  
20 advance. This is not abstract. It's happened in  
21 our district. Assemblyman O'Donnell referenced  
22 this week the announcement of the closing of  
23 Brandeis High School. Another is the closing of  
24 MS-44 which is in our community board district,  
25

2 and a brief note for the record, that there is a  
3 building called IS-44 and then a school - three  
4 schools that occupy it, one of which is called  
5 MS-44, that's done for clarity.

6 So the MS-44 school building - I'm sorry,  
7 the IS-44 school building is the fulcrum of this  
8 painful rezoning and resource reallocation  
9 process that's gone one as a direct result of the  
10 failure of the DOE's failure to plan for all the  
11 children that are coming from the trump buildings  
12 in Riverside south.

13 So this building is at the fulcrum of it  
14 and they never bothered to mention to anybody  
15 during the long public hearing process, didn't  
16 mention to any parents that they're going to  
17 close one of the schools that's resident in the  
18 building that is going to be the space which  
19 they're going to use to reallocate the overflow  
20 from those other buildings and other programs.

21 ASSEMBLYMAN O'DONNELL: It seems very  
22 progressive.

23 MR. DILLER: If it ain't broke for them,  
24 don't fix it, I guess is the answer.

25 ASSEMBLYMAN O'DONNELL: I guess the kids

2 in that junior high school are going to get  
3 displaced for the trump village kids, that seems  
4 to work out -

5 MR. DILLER: Sort of a baseball way,  
6 because it's going to be a pre-player deal, so  
7 that one school gets moved to another, and  
8 another one moved to where they used to be. By  
9 the way, they're mortgaging - they're solving  
10 their elementary school enrollment overflow  
11 problems by mortgaging middle school space. This  
12 is all in the phase-in process so it takes six  
13 years to phase in, by which time, five-sixths of  
14 those children will be middle school students and  
15 we'll have this problem again, not to mention the  
16 fact that they're completely ignoring exactly the  
17 same thing that's going on in Assembly Member  
18 O'Donnell's district above 97<sup>th</sup> Street, and they  
19 have no solution for that.

20 This is an isolated - this  
21 marginalization of parents. I think you've heard  
22 about how the SLT regulations under the  
23 chancellor had been rewritten to make them  
24 advisory, even though state law requires parents  
25 to be equal partners, and being turned from equal

1 partners into advisors, especially with respect  
2 to the budget, because we all know the power of  
3 the purse is where we even actually get heard, is  
4 another example of how we've been pushed aside.  
5

6 It was interesting for me to hear how the  
7 chancellor denied that the former system - denied  
8 access to any except the savvy parents. This is  
9 interesting to me because by removing the seat of  
10 access for parents away from their community to  
11 the region, and then away from the region to -  
12 I'm not sure where, but I guess Tweed, leaves us  
13 with the situation that only savvy parents will  
14 now have access to somebody who is a decision  
15 maker or control.

16 Parent's initiatives have been ignored  
17 left, right, and center under mayoral control.  
18 Foremost, of course, is class size, and you've  
19 heard plenty about that including the skewing of  
20 survey results and resorting to the courts to  
21 knock an initiative off the ballot rather than to  
22 confront head on the collective political role of  
23 the people to whom the mayor is supposedly is  
24 accountable. There's another primary issue, and  
25 I'm picking on poor Assemblyman O'Donnell, but

1 another serious issue has to do with charter  
2 schools, not so much whether you're a fan of  
3 charter schools, but the practice of this  
4 administration of placing them in existing public  
5 school where they perceive there to be excess  
6 capacity, this perception is borne of metrics of  
7 their own creation, and they advise them as they  
8 need to, so it's a convenient system once again,  
9 and they are turning deaf ears to the parents of  
10 public school children whose space is being  
11 displaced so that some child ends up with lunch  
12 at 10:00 in the morning, some child ends up with  
13 gym once every three weeks.

14  
15           And they also end up with a situation  
16 where there are glossy four-color flyers for  
17 charter schools, who have been funded better than  
18 the public schools had access to, so that there's  
19 this sense that if you're the public school kid  
20 in this building, that you're not the favored  
21 one, you're not the advantaged one. Another  
22 practical effect has been the prolonging of  
23 admissions cycles. The notion that one size has  
24 to fit all means that children who used to get  
25 their middle school placements in January and



2 February are now getting them in June when most  
3 folks are packing for the summer, where any  
4 appeals process is all but impossible, and their  
5 only resource is to go to their elected  
6 officials, again, the idea that you go to Gale  
7 Brewer or to Assemblyman O'Donnell or Rosenthal  
8 on the upper west side of Manhattan to try to get  
9 placement in middle school is beyond their job  
10 description and it denies a fair process for even  
11 the educators who have a real interest in doing  
12 this.

13 I'll close with one final practical  
14 example and that is that a year ago, MS-54 on the  
15 upper west side of Manhattan, they, like a lot of  
16 other schools it turned out, were told that a new  
17 program was going to be put into the building,  
18 again, under the perception that there was room  
19 for it. The perception was derived without any  
20 DOE officials ever visiting the building.  
21 Instead, they took at a resource allocation sheet,  
22 again, based on their convenient system of  
23 metrics and concluded that a series of closets in  
24 the basements and some windowless rooms on the  
25 first floor could be used as full classrooms.

2 Parent advocacy, and I was the PTA president  
3 there, trying to explain how a series of programs  
4 have been consolidated in our building so that we  
5 had taken what was a rough and tumble building,  
6 and turned it into something that was starting to  
7 show some good results in terms of aggressive  
8 behavior, was inconsistent with what parents need  
9 and what children need in our building.

10 At the same time, our principal put  
11 together a detailed and a very patiently prepared  
12 report explaining how small these rooms were and  
13 how they were closets, and one of them had a  
14 boiler in it.

15 All of this went on deaf ears and had no  
16 response. The only way we defeated the insertion  
17 of another program was that we reached out to  
18 Assembly Member O'Donnell who reached out to the  
19 Chair Nolan, who wrote a letter, and then  
20 suddenly the issue was off the table for us. We  
21 were delighted with the result, but the toxicity  
22 of it is that not every school is going to have  
23 the ability to gain the ear of the right person  
24 who is going to - fairness requires that these  
25 processes about relocating programs, about

2 closing schools, about opening schools, be done  
3 in the open and they're not.

4 So our resolution gives some practical  
5 thoughts as to how to accomplish a more equitable  
6 system, and we are very grateful for the assembly  
7 for taking a lead on this and hopefully  
8 delivering a better system than we have now.

9 Thanks so much.

10 CHAIRWOMAN NOLAN: Daniel has question.

11 ASSEMBLYMAN O'DONNELL: Mr. MacKall, I  
12 just want to let you know that there's a group  
13 which whose name I cannot recall because it's  
14 late, but Stuyvesant High School graduates having  
15 gone through that education experience and felt  
16 it wasn't diverse enough for both people of  
17 color, founded their own 501C3, and what they do  
18 is, they find kids who could be eligible, should  
19 be eligible, and they tutor them to get past the  
20 test. I became aware of that because they made a  
21 presentation at Community Board 9, which I served  
22 on for seven years, and the chair said to them,  
23 you should call Danny O'Donnell, he'll give you  
24 money, just what I need, but I gave them money.  
25 I gave them money in order to allow them to do

1 this work, and they do it, and they have been  
2 very very successful, and so it's a drop in the  
3 bucket, it's not enough, but I think that the  
4 composition of those specialized high schools is  
5 something that has to be addressed and it's been  
6 addressed in a small way by volunteers who are  
7 running this 501C3.

8  
9 I just want to make sure that it's clear  
10 that I'm happy to do my job and I'm happy to be  
11 friends with Cathy Nolan so that when those  
12 things happen in my district, I can make that  
13 happen. You're absolutely right that that should  
14 not be the way it should be done, and the delayed  
15 decision-making about where kids go to school is  
16 a profound problem because of how busy my office  
17 gets in the month of June when, of course, we're  
18 in session every day, and all these people are  
19 coming to me and saying, I don't know what's  
20 happening, I don't know how this could have  
21 happened. So I thank you for your resilience,  
22 all of you, and I always like to joke that being  
23 on the community board was one of Dante's circles  
24 of hell, but I've now concluded that it's a CEC  
25 that's actually as close as hell then being a

2 member of a community board.

3 MR. MacKALL: May I ask just a quick  
4 question?

5 CHAIRWOMAN NOLAN: Please, we have so  
6 many to go.

7 MR. MacKALL: I feel your pain on this.  
8 My daughter, my youngest graduated from  
9 Stuyvesant and one of the experiences we had  
10 through her whole school process were people  
11 asking us, well, how were we able to help a Black  
12 child do x, y or z, in fact we were asked by a  
13 university to write something on that.

14 The issue for us, and what we recognize  
15 from some of your earlier questions to the  
16 charter school people is, how do we begin to  
17 broaden that? How do all of those students in  
18 our school systems, for instance, the six, four,  
19 five, 600,000 of them who are not getting that  
20 experience, and we think that they're like stacks  
21 of books, there are lessons, some of the charter  
22 school people have some of the answers.

23 What is not happening is a really close  
24 looking at that and a redesign. That's actually  
25 the tough problem that we're facing through our

2 legislature and - there are issues of culture,  
3 affective issues in terms of attitudes. In our  
4 action research, we've actually heard and  
5 understood where the young teachers who are  
6 coming from Teach for America, where the  
7 attitudes of veteran teachers are, and they just  
8 do not kind of meld to with where the students  
9 are. This is the wrong time because of the time  
10 constraints, but I'm saying there's some actual  
11 answers that people have found successes, and  
12 there are ways that we can begin to spread them  
13 out. If it can be done in three or four percent  
14 of the schools charter schools or some of those  
15 charter schools, then it certainly can be  
16 replicated on a broader scale.

17 CHAIRWOMAN NOLAN: Thank you very much.

18 ASSEMBLYMAN BRENNAN: Let me just thank  
19 everyone who has testified, it's been very  
20 illuminating and educational and I wanted to  
21 thank my colleagues, especially the chairwoman,  
22 Cathy Nolan, for her extraordinary patience and  
23 capacity, something which does not appear that I  
24 have, as well as all the rest of my colleagues,  
25 in relation to this very important subject

2 matter.

3 CHAIRWOMAN NOLAN: Thank you, Jim, we  
4 know you've been here all day too, and we're in  
5 the homestretch now.

6 Jacob Morris and James Calantjis, are  
7 they here? Let me just go through this list.  
8 Ann Kjelberg, is she here? John Mogulescu?  
9 Angela de Souza? Susan Crawford? Wendy Hazen?  
10 Andres Castro? Debra Freeman? Murray Fisher?  
11 Brian DeVale? Yvonne Shuff? Nassim Zerrifi?  
12 Michael Davis? DJ Sheppard? Shino Tanikawa?  
13 Granville Leo Stevens? Diana Silverman? Peter  
14 Goodman? Vernon Ballard? Richard Berlin? Sol  
15 McCants? Richard Kessler? Andrew Ackerman?  
16 Doreen Nash? Robert Hughes? Carol Boyd  
17 testified already.

18 Okay, thank you. Please start.

19 MR. CALANTJIS: Good evening, Assembly  
20 Member Nolan, and members of the governance  
21 committee. My name is James Calantjis. I'm with  
22 the School Leadership Team Empowerment Alliance.  
23 I'm the guy who sends you all those e-mails for  
24 the last four years, just so you know.

25 Mayoral control has had a devastating

effect on the functioning of School Leadership Teams. It has empowered principals by excluding parents and teachers from meaningful participation in the development of the school's comprehensive educational plan, and school-based budget that State Education Law requires. The final report of the public advocate's commission on school governance on page 17 states, "School leadership teams that once provided parents and staff with a vehicle to have input into planning at the school level have not functioned adequately since the implementation of mayoral control."

School leadership teams are a critical component of the school governance system at the school level. They provide for participation of parents and teachers in school decision-making. The intention of State Educational Law as reflected in commissioner regulation 100-11, an earlier chancellor's regulations, was to provide a shared decision-making structure for developing the comprehensive educational plan and for developing the budget to support the CEP.

The principal is a member of the team and



not an outside entity that the team reports to. Yet, the New York City Department of Education attempted to give principals final authority over the CEP and budget in its December 2007 revision of chancellor's regulation A-655. However, an appeal filed by a parent and later joined by other parties including UFT, challenged this change as violating State Educational Law and commissioner's regulation 100-11.

Commissioner Mills, on December 31, 2008, a few weeks ago, issued his decision in the Pollicino versus New York City Department of Education appeal, which was a great victory for parents and teachers. The commissioner ruled that the principal cannot have final determination concerning the CEP and that the community education councils must be involved in the approval of any revisions to chancellor's regulation A-655.

Whether mayoral control or a Board of Education model is approved, it is essential to strengthen the role of school leadership teams as the structure for collaboration in local school government.

2 The public advocate's commission on  
3 school governance states, "the existing law needs  
4 to be revised in order to guarantee that there is  
5 more opportunity for meaningful input by parents  
6 and communities in the decision-making process in  
7 the education of their children." It also  
8 states, "the legislature must reaffirm the role  
9 of school leadership teams to serve as a voice  
10 for parents." The UFT governance task force  
11 report, which came out a few days ago, on page 20  
12 states, "strengthening school leadership teams is  
13 essential to effective parent and community  
14 engagement, involvement and representation at the  
15 school level."

16 The reason the commissioner allowed the  
17 principal to have final determination over the  
18 budget in the Pollicino decision, was because  
19 there was no specific language in the law, even  
20 though the purpose of intent of the law was  
21 reflected in chancellor's regulations.

22 Indeed, there is a current regulation on  
23 school-based budget, B-801, required by State  
24 Education Law that states, "the school leadership  
25 team shall develop and prepare the school budget

2 request." It's still a valid regulation that's  
3 ignored.

4 There is a need to make the law more  
5 specific, to review any ambiguities. It is in  
6 this spirit of strengthening school leadership  
7 teams that we have proposed the following  
8 language changes in State Education Law 2590-  
9 h(15), and 2590-r, which is up for renewal in  
10 June 2009. So these laws are also up for renewal  
11 along with mayoral control.

12 Much of this language is taken, that we  
13 recommend, from the chancellor's guide for school  
14 leadership teams and chancellor's regulation A-  
15 655 fro 2004.

16 I'm not going to read to you the language  
17 changes in the law, they're in my written  
18 testimony, but they are very very important to  
19 strengthen the law.

20 In closing, making these changes to state  
21 educational law would more clearly define the  
22 roles and responsibilities of school leadership  
23 teams, and empower parents and teachers in  
24 participation of local school governance where  
25 the most important educational decisions directly

2 affecting children are made.

3 We talk a lot about mayoral control, but  
4 where those major decisions are being made are at  
5 the school level, and we don't hear much about  
6 school leadership teams, but when they work, they  
7 work well in bringing all the constituencies,  
8 parents, teachers, administrators, into improving  
9 a school's performance.

10 Thank you.

11 CHAIRWOMAN NOLAN: Thank you.

12 MR. MORRIS: I'm Jacob Morris, co-  
13 founder of the School Leadership Team Empowerment  
14 Alliance with James and constituent of  
15 Assemblyman Danny O'Donnell.

16 Danny, I would like to apologize to you  
17 because I brought this legislation that got  
18 introduced three and a half years ago in the  
19 assembly to Assemblyman Wright before I brought  
20 it to you.

21 ASSEMBLYMAN O'DONNELL: Don't worry  
22 about that.

23 MR. MORRIS: And it was accidental,  
24 because we were talking about the AMISTAD  
25 Commission and then I mentioned to him that this

2 education policy legislation had been written and  
3 he said, show it to me. So I did and it got  
4 introduced.

5 I would like to relate to you, chairlady,  
6 that Assemblyman Wright would love for you to  
7 take precedence over him on these pieces of  
8 legislation that he has already introduced, and  
9 that's four pieces. The first one was something  
10 that Councilman Robert Jackson was screaming  
11 about this morning, which is, gee, look what they  
12 did to the school in my district without notice.

13 So the first piece of legislation is  
14 called the School Closing/Consolidation Adequate  
15 Notification Act. And I'm going to relate that  
16 to what Steve Sanders talked about which was  
17 specificity. The way that I see it, is that  
18 mayoral control isn't like an on/off switch. We  
19 can come at it from all sorts of different  
20 directions and there's many different components.

21 So, the one that - the School  
22 Closing/Consolidation Adequate Notification Act  
23 mean adequate notification, that means 12 months.  
24 That don't mean three months. You don't tell  
25 the community in May that a school is not going

2 to be there in September. That's not adequate  
3 notification, okay? I just had to deal with that  
4 little piece. Would love to have you be the  
5 prime sponsor of that.

6 Then - and by the way, that one picked up  
7 35 co-sponsors with no grassroots. So to have it  
8 go through your committee under -

9 CHAIRWOMAN NOLAN: It's certainly  
10 something that we'll be looking at as we go -

11 MR. MORRIS: I'm giving it to your  
12 superb chief of staff, and -

13 CHAIRWOMAN NOLAN: I had a lot of  
14 correspondence with both of you and we are well  
15 aware of some of the positions that, as you know,  
16 supported the SED determination on the school  
17 leadership team, so -

18 MR. MORRIS: Then the next piece of  
19 legislation is the GED program accountability act  
20 and there's been a lot of talk about that one.  
21 And that one picked up, I believe, 28 co-  
22 sponsors, again, with no grassroots, and that  
23 dealt with the push-out problem. That was  
24 written specifically in regards to kids that are  
25 falling behind on the Regents track, get advised

2 by the guidance counselor because the system has  
3 all these incentives to push kids out because  
4 they don't count against the drop-out rate  
5 because they're discharged - and I love what you  
6 said about what about the State Education  
7 Department's role and that ties into - you know,  
8 do they answer stuff, and do they give us  
9 information.

10 For example, Jim and I, we did a FOIA -  
11 we did a Freedom of Information Act request about  
12 all the school district leadership teams in the  
13 city, 191 pages. You know, we still don't know  
14 how many school leadership teams are functioning  
15 because they left it out of their response. I  
16 thought that was very interesting when the other  
17 assembly lady related her own experience with  
18 doing the Freedom of Information Act request.

19 And, by the way, Assemblyman Wright, he  
20 didn't believe me. He didn't believe me about -  
21 that parents couldn't find out the waiting list  
22 times for GED programs, and the graduation rates  
23 for GED programs in New York City. So he had his  
24 staff ask, he asked, they didn't give it to him.  
25 They said, do a Freedom of Information Act

2 request. He did. It got bumped back.

3 He did it again. He never got the  
4 information. The information is not available.  
5 That also goes back to what Chairlady Nolan  
6 discussed with the SED. Maybe SED doesn't know.

7 So there's multiple ways to look at that.

8 The next piece is the parents bill of  
9 rights, prominent posting, and dissemination act,  
10 which that one is real simple. You know, you go  
11 into a hospital emergency room, or a doctor's  
12 office or a lawyer's office, you got a client's  
13 bill of rights, you got a patient's bill of  
14 rights. Parent's bill of rights actually exists,  
15 but if it was posted in the lobby of every public  
16 school, gee, people would know that parents have  
17 integral role in their child's education and that  
18 should be respected, very very basic, very  
19 simple. We wrote two pieces of legislation  
20 regarding school leadership teams.

21 One, because you got to remember, when  
22 the law was written, 1996, what was internet  
23 penetration in the United States, one, one and a  
24 half percent. So we're calling for school  
25 leadership teams which represent all the



1       constituencies in the school community; teachers,  
2       parents, to have responsibility for the content  
3       of school websites.  
4

5               So as part of their mission as delineated  
6       under state law, to communicate with their  
7       constituencies, school website incredibly  
8       effective. So that's nice and simple.

9               When they initially implemented the  
10       school leadership team, that was done in good  
11       faith. The school leadership teams had  
12       discretion. The money is still there by the way,  
13       the \$3 million or so that the Department of  
14       Education uses for professional development money  
15       for school leadership teams, Chancellor Klein  
16       took it, gave it to his leadership academy in  
17       Queens Plaza. There's no competition. The most  
18       boring, horrible "professional" trainings that  
19       you can - I mean they're just pathetic trainings.

20               When they had the vendor catalog with 60  
21       different excellent vendors, universities,  
22       community-based org - providing trainings. They  
23       would compete with each other. Those were  
24       exciting trainings. If they weren't, they didn't  
25       get hired the next year because the school

1 leadership team members would talk to each other  
2 and say, yo, Columbia got a good training, or  
3 Backstreet got a good training, or Acorn got a  
4 good training, let's use them, they got good  
5 training, and they got good value. So now you  
6 got no choice, you got terrible training, and  
7 lousy professional development.  
8

9 So we're calling for the restoration of  
10 small discretionary professional development  
11 monies to the school leadership teams.

12 There is something called - and this is  
13 kind of important. District 75 and District 79,  
14 these are the people that are disabled or have  
15 some problems. There's a job category - and, oh,  
16 by the way, we're calling for professionalization  
17 standards for parent coordinators.

18 Related to that, in District 75 and 79,  
19 they have something, and these people make a lot  
20 of money, they're called transition liaison  
21 coordinators and are based on impressive analyses  
22 and reports done by advocates for children and  
23 New York Lawyers in the Public Interest, one of  
24 which is called Transition to Nowhere. These  
25 transition liaison coordinators, their job is to

2 help the kids in these districts make successful  
3 transitions to adult life. They get their jobs  
4 only by seniority. They have no professional  
5 competency. We're calling for them to have a  
6 guidance credential. Very simple. A guidance  
7 credential for these transition liaison  
8 coordinators. I would love for you to look at  
9 that.

10 CHAIRWOMAN NOLAN: Thank you very much.

11 Those are all very worthwhile suggestions, and  
12 as we go forward, we will be -

13 MR. MORRIS: I would like to run through  
14 a couple of things.

15 CHAIRWOMAN NOLAN: Five minutes. You  
16 know, you've been in a lot of contact with us.  
17 Why don't we just keep going, and I'll stay a few  
18 minutes and you can -

19 MR. MORRIS: Okay, all right. Go ahead.

20 MS. CRAWFORD: My name is Susan  
21 Crawford. I'm founder of the Right to Read  
22 Project, I'm from District 3, and I'm also from  
23 Danny O'Donnell's district.

24 I don't have written testimony to give  
25 you from ahead of time because I wanted to sit

2 here and hear what was being said and give you  
3 some feedback on what I heard and then give you  
4 my own blue sky version of the governance system.

5 I think if we can reframe the whole  
6 discussion from mayoral control to mayoral  
7 responsibility, it would really put us in a whole  
8 different place.

9 There is a long time when apparently from  
10 Steve Sanders, hearing him speak at another  
11 forum, he said one of the reasons - did you want  
12 to say something?

13 CHAIRWOMAN NOLAN: Someone just left a  
14 little angry, I don't want that. We're really  
15 trying to accommodate everyone, and I want some -  
16 okay, he's coming back. All right. She seemed a  
17 little upset.

18 MS. CRAWFORD: So if we could reframe it  
19 mayoral responsibility before mayoral control,  
20 apparently the mayors could just not fund the  
21 school system, that was a big reason the mayoral  
22 control happened. Well, if he could be  
23 responsible for funding the school system,  
24 without having to micromanage the school system,  
25 we would probably be in a much better place for

1 all of the reasons that you've heard all day  
2 long.

3  
4 I came into the school system with my  
5 older son in 1995 and as part of the this little  
6 golden age of actual - of innovation where  
7 parents can walk into the district office and  
8 help found a school and they did, it was modeled  
9 on District 4 with parental choice and it all  
10 worked. It really worked. And the SLTs worked.

11 And the Pas worked. And the idea that it was  
12 all completely dysfunctional until Bloomberg took  
13 over is a complete myth. So I would just ask you  
14 to keep that in mind, some of you, go back that  
15 far either in terms of your assemblyships, some  
16 of you may have had children in the system, and  
17 another reframe is to think just in terms - the  
18 way things are being done now is because the real  
19 agenda is privatization of the system. That is  
20 why all of this money and all of this focus and  
21 so many of the testimony today was all about  
22 charter schools, because that's really what this  
23 is about.

24 I sent you a reading - and I have a  
25 reading list I can send you. Somebody wrote a

1       dissertation in 2002 about the role of the  
2       business roundtable in our current educational  
3       structure and how it informed NCLB and we are  
4       just the living and breathing embodiment of what  
5       that body wanted. So I would like to position us  
6       as the parent roundtable with pushback. We want  
7       a place at the table.

8               In terms of the placement of schools,  
9       Assemblywoman Rosenthal earlier asked Kathleen  
10       Grimm, how do you predict enrollment needs? I  
11       would submit that they don't. They don't care.  
12       That their modus operandi is, if you don't build  
13       them, they'll go away. I will simply tell you  
14       what Noreen Conell, former head of PEP at a forum  
15       that the Broadway Democrats gave. She said, I  
16       don't really think this administration wants the  
17       middle class to use the schools. So that is why  
18       there is so much marginalization of the middle  
19       class, so much being done to make the school day  
20       so miserable for so many kids, except for in the  
21       charter schools, and the charter schools are  
22       being placed in the most needy communities, and  
23       setting up even more need. They're setting up a  
24       two-tier system of even more haves and have-nots.  
25

2 I would also just say in terms of  
3 District 5 and 6, which is often said it is  
4 Manhattan's most needy districts, many of those  
5 children, the higher performing children were in  
6 schools in Districts 2, 3 and 4, because their  
7 parents could apply to them and those schools in  
8 those districts were under-enrolled. So the  
9 higher performing kids were out. They weren't  
10 even in the schools in those districts. The ones  
11 left behind were literally left behind and needed  
12 help, but did that mean that you had to shut down  
13 when they took over the opportunity to go to  
14 Districts 2, 3 and 4. Which, that is what they  
15 did, they said no more crossing district lines,  
16 and so they forced the kids back into their own  
17 community and set up these charter schools. It's  
18 really Machiavellian, and it's just blowing me  
19 away.

20 On Teach for America, it's just part of  
21 the churn, it's just about churning people  
22 through so that you will not have people going  
23 into teaching as a lifetime career asking for  
24 things like pensions, healthcare, they're likely  
25 to last no more than five years. There are

2 certain websites that you can go on where TFA  
3 alums will talk about how they were counseled out  
4 of the program, they would say, I want to stay  
5 with teaching and they would be counseled out.

6 So it's really about - I'll send you a  
7 reading list about charter schools as well, and  
8 the whole Teach for American thing feeds into it.

9 My own blue sky version - I'm working  
10 with different parent groups, but if it were  
11 totally to me, everybody would be elected at open  
12 elections in November. The central board and all  
13 the community school board members. What you've  
14 heard today is a lot of, to my mind, my ears,  
15 capitulation. A lot of feeling like, oh, well,  
16 you're going to reauthorize it one way or the  
17 other, so, couldn't you just tweak it like this  
18 or do that? I don't think that's going to help.

19 I really think that you need fundamental change.

20 One suggestion I would give, if we don't  
21 go to complete election, is parallel what the  
22 state has which is to have the City Council, just  
23 like the state legislature appoints the region's  
24 numbers, the City Council appoints board members,  
25 and those board members appoint the mayor.



2 And the last thing, I completely agree  
3 that the mayor should not appoint the chancellor,  
4 it must come through the Board of Education, that  
5 the mayor should have no more control. All those  
6 terms on the Board of Ed should be three years or  
7 five years, or something off the whole political  
8 circle.

9 ASSEMBLYMAN O'DONNELL: I really want to  
10 thank you for being here because what I always  
11 tell my colleagues in the legislature how  
12 knowledgeable and effective and diligent my  
13 constituents are, they never really believe me.  
14 You have really established that case for me.  
15 It's a wonderful thing but I tell them that I get  
16 letters from people who know a lot, they're like,  
17 really?

18 The one thing that I just wanted to  
19 comment about is, and one of the problems that I  
20 have in trying to wrestle with these problems is  
21 that local district levels function at very  
22 different levels all across the city, and part of  
23 the problem was District 3 probably functioned  
24 better than most of them, if not all of them,  
25 which doesn't mean that system was perfect, or

2 that was perfect, but in trying to fashion a  
3 citywide remedy to a problem, we have to sort of  
4 be able to look beyond just what that was, and  
5 you're right, parents decided, we want a  
6 different school, they found the Manhattan School  
7 for Children, and it was a phenomenal adventure.

8 It's not the only one, but there are places  
9 where that never happened and those places did  
10 not function at that level, and I agree with you.

11 The question is how do we go from here to  
12 make your blue sky - there's a fabulous song  
13 about a cloudless day, what it's like to have a  
14 cloudless day, and that's what that reminded me  
15 of that. That's what that should be.

16 And from a personal perspective, one of  
17 the things that I find most difficult about some  
18 of these discussions is that my mother died when  
19 I was a child and my father had five children,  
20 and like the men of his generation, was totally  
21 incapable of being a parent in many many ways.  
22 And if my father in the 1970 had to get those  
23 five children into a middle school, and those  
24 five children into a high school, I can assure I  
25 wouldn't be here, because there was no way that

2 happening in that environment.

3 I'm not a stupid guy, but the truth is,  
4 that the systems that say that the good parent,  
5 the parent who has the time, the parent who  
6 doesn't have challenges in their life, the fully  
7 completed father knows best version of what  
8 family is supposed to be, those are the kids who  
9 get access to education in our society, that's  
10 just blatantly unacceptable to me because I know  
11 that if I was required to go through that system  
12 at that point in my life, that I would have never  
13 been in the school that the parents are fighting  
14 for, and those kids, parents, if they choose the  
15 charter schools, those parents, at the very  
16 least, are paying attention and making decisions  
17 and thinking things through. There was nothing  
18 thought through in Commack. You went to the  
19 local school and if I came home every night that  
20 was considered a success.

21 So I feel for and relate to the fact that  
22 there are some families for whatever reason their  
23 structures do not let them do the things that  
24 some of the system is almost designed to make  
25 them do, and I often wonder whether it's done

2 intentionally to get people not be in the system.

3 So thank you very much for coming and for  
4 being my constituents, and I think I have some  
5 constituents in the next panel. So I'm looking  
6 really good.

7 MS. CRAWFORD: I just want to remind  
8 you, given what you said, that when Chancellor  
9 Klein took over, he would repeat. I want every  
10 neighborhood school to be one that parents would  
11 want to send their kids to. And what happened?  
12 Seven years and what has he been doing?

13 CHAIRWOMAN NOLAN: Thank you very much.  
14 And thank you for being patient, we have to  
15 admit I'm getting a little tired, and I'm glad my  
16 colleagues are still with us.

17 MR. MORRIS: Thank you for working so  
18 hard.

19 CHAIRWOMAN NOLAN: That's all right.

20 Next is Angela De Souza, Wendy Hazen,  
21 Debra Freeman, why don't you come up? Granville  
22 Leo Stevens? I would like it if people could  
23 just come up now because we want to - Sol McCants  
24 if he's still here. And then the handful of  
25 people that are not on any lists but have stayed

2 and want to testify, why don't you ladies - can  
3 we just do like an agreement of a straight line  
4 here so we have the final six witnesses?

5 Before they speak, I just want to thank  
6 Deb McDonough, what a job, and Miota Ressio,  
7 Monica Guardiollo, Ed Leto, the room being set  
8 up, I can't thank the team enough and my own  
9 staff, Claudia Chan and Kathleen Winot, and  
10 Nicholas Sterly-Castro and Debra Nusbaum. I  
11 mean, phenomenal job by everybody who works here  
12 at the assembly, and to my colleagues who stayed  
13 all these many many hours, Brian, Mike and Danny,  
14 thank you very very much.

15 I just got a message from my family,  
16 they're all fine, I'm happy to hear that. So why  
17 don't we start with you, and then the remaining  
18 group, please just line up.

19 Ms. Hazen, go ahead.

20 MS. HAZEN: My name is Wendy Hazen. I  
21 spoke with Danny O'Donnell's office, I spoke with  
22 Shane.

23 CHAIRWOMAN NOLAN: Okay. I know what  
24 happened. You're a teacher. And I just want to  
25 - and Susan Crawford is with the Right to Read.

2 I'm sorry for misunderstanding.

3 MS. HAZEN: Ms. DeSouza and I are  
4 teachers. Unfortunately there hasn't been any  
5 teachers here tonight, I notice mostly just  
6 parents. I would like to say that most of the  
7 teachers are actually afraid to come here because  
8 of retaliation.

9 I'm going to be brief. I've been  
10 teaching 20 years. I'm a graduate of Columbia  
11 University Teacher's College. I'm a special ed  
12 teacher. I would like to discuss mayoral control  
13 as it pertains to teachers who are currently in  
14 reassignment center. Does everybody know what a  
15 reassignment center is?

16 Okay. Currently, at this present time,  
17 there are about 1,500 teachers throughout the  
18 city who are being removed from their positions.

19 Over 6,000 teachers over the period of Mayor  
20 Bloomberg have been in and out of reassignment  
21 centers.

22 Mayor Bloomberg would have the public  
23 believe that by removing teachers who are  
24 designated as ineffective, the students will  
25 benefit. The mayor believes that the students

2 reading and math scores will improve if the  
3 teachers are removed, these ineffective tenured  
4 teachers who have been teaching from about 14  
5 years to 20 years.

6 Let me give you the fiscal costs. Mayor  
7 Bloomberg has set us the unit at the Board of  
8 Education called the Teachers Performance Unit.  
9 Talk about lawyers, there are about 50 of them  
10 there. The Board calls the teachers ineffective  
11 and the Teachers Performance Unit is a euphuism  
12 for removing teachers.

13 After the principal sends a form to the  
14 unit targeting a teacher, and after the principal  
15 sends the teacher four or five letters a day,  
16 criticizing them for various different  
17 infractions, such as holding can of Diet Coke,  
18 not putting a heading on a chalk board, and  
19 various other things, they're sent to a  
20 reassignment center. The tenured teacher is paid  
21 a full salary. A substitute teacher replaces the  
22 teacher. And the teachers are housed at various  
23 sites throughout the city in all five boroughs.

24 Security guards are employed,  
25 approximately four security guards per unit, and

2 the average cost of this project for Mayor  
3 Bloomberg and Chancellor Klein is about \$200  
4 million. The teacher's careers are over. After  
5 they're given a hearing, they're usually found  
6 guilty, 95 percent of the time, they're given  
7 very heavy fines if they're not terminated. The  
8 fines range from \$2,500 to \$20,000. This is  
9 taken out of their salary.

10 They're sent back to a school as an ATR,  
11 that's an attendant's teacher in reserve, which  
12 is basically a substitute teacher. Can you  
13 imagine if you did this to other municipal  
14 employees? Let me share some of the charges that  
15 the teachers are accused of. A teacher is  
16 holding a Diet Coke while waiting for students to  
17 come to class. A teacher sends a student to the  
18 nurse, the principal said the teacher did not  
19 follow the protocol of sending the student to the  
20 health aide first. A teacher is accused of  
21 holding a magazine while in the hall. A teacher  
22 did not put a heading on a chalkboard.

23 The teachers of New York City do not  
24 deserve this disrespect. At this time,  
25 approximately 3,000 teachers are litigating in



2 the Supreme Court, more costs added to the Board  
3 of Ed's budget. This is costing the city  
4 additional money in legal fees. This seems to be  
5 the mayor's pet project.

6 I'm asking that you consider not  
7 authorizing mayoral control of the Board of  
8 Education. There are too many problems. This  
9 never happened under decentralization, this never  
10 happened with the community boards, ever. Who  
11 would ever imagine that 150 teachers would be  
12 housed in their place, waiting for their charges  
13 to be heard?

14 I think the original system of the  
15 independent board members, with community board  
16 members to represent that they're the parents, is  
17 just far more equitable. The children's math and  
18 reading scores do not justify Mayor Bloomberg's  
19 attacks on teachers.

20 According to Assemblyman Brennan's  
21 report, there was only 9 percent increase in the  
22 reading and math scores since 2004. Despite the  
23 fiscal crisis in the city, Mayor Bloomberg is  
24 still sending teachers to the reassignment  
25 centers.

2 My current reassignment center,  
3 yesterday, five new teachers were sent, including  
4 a parent coordinator. If, in fact, there is a  
5 vote to reauthorize Mayor Bloomberg, I ask that  
6 you put in many controls on his power. The  
7 teachers should not be under attack by the mayor.

8 I ask you to consider that the teachers should  
9 not be made scapegoats for an educational system  
10 that still produces over 50 percent of their  
11 students who are unable to graduate.

12 The present system that is in place is  
13 the problem, not the teachers. Bloomberg is  
14 concerned with the business of politics instead  
15 of the business of producing a quality education  
16 for our children.

17 Thank you very much.

18 ASSEMBLYMAN O'DONNELL: Thank you very  
19 much.

20 MS. DeSOUZA: I want to thank the  
21 committee for sitting here all day. My name is  
22 Angela DeSouza. Before I go any further, I just  
23 want to say that I've met you before, Assemblyman  
24 O'Donnell, although I am not in your district. I  
25 am in your district, Assemblyman Kavanagh. You

1        came when I was assistant principal. We invited  
2        you to PS-241 Family Academy in Harlem and you  
3        came and you delighted the kids and it was  
4        wonderful.  
5

6                Now they're going to be closing PS-241,  
7        so I just want to let you know that you can tell  
8        all of those charter people that there is a  
9        school that they don't even have to have a  
10       lottery for, let them come right in and take it  
11       over now. The school is closing. It is a very  
12       very difficult school, and we'll see what they  
13       can do with it, okay?

14                Once again, my name is Angela DeSouza.  
15       I'm the founder of the Teacher Advocacy Group  
16       NYC. We were founded two years ago to bring  
17       attention to the harassment that is being  
18       perpetuated against experienced teachers in the  
19       Cit of New York. Teachers are being excessed out  
20       of large schools, competent teachers, I am not  
21       speaking about incompetent teachers. I have no  
22       tolerance for incompetence. I'm talking about -  
23       there is a systematic desire to say to the public  
24       that the teachers in the City of New York are  
25       just about all incompetent and they're being sent

2 to reassignment centers.

3 I will read and then I will talk also.

4 The DOE under Bloomberg and Klein is  
5 totally lacking in transparency. There you have  
6 the only reason needed for ending mayoral  
7 control. The DOE is subject to no law. It's  
8 legal department while lie in the face of  
9 documents that belie the lie. It's legal  
10 department will refuse to provide information  
11 requested by citizens under the Freedom of  
12 Information Law. I have my rejected Freedom of  
13 Information Law which I will be bringing to you,  
14 Assemblyman Kavanagh.

15 Possible criminal charges, 300 last year,  
16 are filed against the DOE and these charges are  
17 read by only one man, Joel Klein. The DOE holds  
18 monthly public meetings, but for the past two  
19 years, no transcripts are kept of what transpires  
20 during those meetings. Public criticism is not  
21 allowed to leave the room. There is no media  
22 that attends, and no UFT representatives attend.

23 I am certain if not all of the New York  
24 State legislators know that there's not been a  
25 great advance in academic achievement within the

2 inner city schools. I am certain that all of you  
3 know that most of any advance in supposed  
4 achievement in New York City Schools is the  
5 result of lowered performance requirements on  
6 state exams and the academic fraud practiced and  
7 encouraged by many administrators within the New  
8 York City school, that's called accountability.  
9 And paychecks are dependent on high scores.

10 So if you really want to know what the  
11 city schools are doing, then I suggest that you  
12 go in and you look at some of the tests that are  
13 being turned in by the students. Whose interest  
14 is being served by - in George W. Bush's words,  
15 "the soft bigotry of low expectations"? Whose  
16 interest has been served by allowing Michael  
17 Bloomberg and Joel Klein to perpetuate this hoax  
18 on the minority population of this city?

19 They say what they do is for the  
20 children, and the teachers of New York City say,  
21 get real. The teachers know the real deal. We  
22 have serious concerns about our schools and the  
23 education our students are receiving under the  
24 Bloomberg Klein administration.

25 While the implementation of some of

2 Bloomberg and Klein's ideas have resulted in cost  
3 effective and perhaps efficient corporate  
4 practices, too many of their policies have  
5 devastated students, faculty, and parents.

6 Most notable during the Bloomberg-Klein  
7 tenure is the oppressive, hostile, abusive work  
8 learning environment created and condoned in many  
9 schools across the city. On the firing line is  
10 the New York City teacher, the perennial  
11 scapegoat for why children don't learn. The  
12 principals have abused their power to the point  
13 where targeted teachers are routinely and  
14 shamefully harassed and victimized. The  
15 principal's tool for ridding themselves of  
16 teachers who are too costly, or too outspoken, is  
17 the temporary reassignment centers.

18 The reassignment centers are testimony to  
19 the high stakes game known as educational reform.

20 The stakes are higher political office, greater  
21 paychecks. The destruction of public education,  
22 but mainly, as we believe history will show, the  
23 goal is to keep society the way some want it, an  
24 elite being served by a non-elite group.

25 How else to explain the passing through

1 of students while calling that progress? The  
2 reassignment centers are necessary to carry out  
3 this game. The administration pedals them as  
4 evidence that finally, finally, the roots of  
5 inner-city school failure, the incompetent  
6 teachers are being ripped out.  
7

8           The reassignment centers serve other  
9 purposes. They allow unethical and scared  
10 principals to selectively - selectively - remove  
11 teachers. They allow the administration to  
12 destroy teaching as a long-term career, and they  
13 rev up the voices against tenure and its due  
14 process protections.

15           The reassignment centers justify the  
16 continued ignoring of who and what is really  
17 responsible for the plight of the inner-city  
18 school, society and the ills it has perpetuated.

19           The teachers are not responsible for CFE monies  
20 not going to reduce class size, or for the  
21 failure to build new schools in expanding  
22 neighborhoods, or for the lack of creation of  
23 adequate school libraries. The teachers are not  
24 responsible for the tons of money spent on  
25 consultants, bogus educational programs,

2 inappropriate textbooks, suspect accountability  
3 systems.

4           The teachers are not responsible that the  
5 future astronauts and architects are in bed and  
6 not in their first period classes. The teachers  
7 are not responsible for the horrendous  
8 abandonment of the special needs students and the  
9 ELL students. The teachers are not responsible  
10 for the decade-long destruction of respect for  
11 the teacher and his or her authority within the  
12 classroom. The teachers are not responsible for  
13 segregated housing patterns, for the poverty that  
14 breeds hopelessness and violence that too often  
15 show up in inner-city classrooms. But we are  
16 always the fall guy.

17           So a parent who wants their child to have  
18 a valid education has to ask, what is different  
19 in the schools today? Why is there such a  
20 turnaround in teaching staff; teachers  
21 functioning as ATRs; teachers pushed into  
22 reassignment centers; teachers who retire because  
23 they can't take the harassment of score-driven,  
24 business-model principals? Parents and societies  
25 should ask these questions because the kids are



1       being cheated royally.

2                       Just two seconds more. All we ask - we  
3       have asked it from the press, the compliant  
4       press, all we ask that you investigate, okay?  
5       Investigate what is going on in the public  
6       schools. Investigate the academic fraud.  
7       Investigate the whistle blowers who are being  
8       sent to reassignment centers. Investigate the  
9       absolute devastation that is being wreaked upon  
10      teachers morale. Investigate why someone has the  
11      nerve to write in the day before yesterday's  
12      Daily News, talking about seniority rules,  
13      Contrary to what you may hear from experienced  
14      teachers representatives, however, there is  
15      basically no relationship between seniority and  
16      teaching ability. A wide a scarcely-disputed  
17      body of research finds that teacher's additional  
18      experience stops paying off after about year  
19      three. Tell that to the history teachers that go  
20      to the history conferences during the summer when  
21      they're in their 15<sup>th</sup> and 16<sup>th</sup> year. Do you want  
22      your children taught by a teacher that has three  
23      years of experience and then is out the door?  
24      No, but it's okay for the inner city school  
25

1 child.

2  
3 If you come to the reassignment centers  
4 and see the type of teacher that is being put  
5 there as a part of Bloomberg's agenda to allow  
6 principals to remove costly or annoying outspoken  
7 teachers, that's all we ask you to do.

8 Prior to - I've been in touch with Scott  
9 Stringer's office and they asked us to put  
10 together a survey about the people in the  
11 reassignment center, and on this survey the  
12 teacher advocacy group asked them to put  
13 comments. One woman - and she's wonderful, she's  
14 sitting there, she writes, After 21 years of  
15 receiving compliments from administrators,  
16 parents, fellow teachers, district personnel,  
17 state evaluators, and other guests, I have  
18 received U's for formal observations, and, thus,  
19 U ratings at the end of the last two years. As  
20 the final straw, placement in a teacher's  
21 reassignment center. Age discrimination,  
22 favoritism, recommended ineffective teaching  
23 methods versus what works in teaching deficient-  
24 skilled children, general disrespect for senior  
25 and new teacher's opinions and suggestions are

2 just some of the items dedicated successful  
3 teachers have been battling.

4 I was stunned at the paper trail of  
5 subjective views of my lessons had lead to being  
6 reassigned. I never knew of the existence of  
7 these centers. I only know that over the years a  
8 few people were placed in the district offices to  
9 undergo investigation for serious allegations.

10 How wasteful the time spent these last  
11 months instead of doing what I know best.

12 Through the years I acted as a turnkey for  
13 literacy, math, and science upon being requested  
14 to by administrators. I even taught each of my  
15 classes yearly for at least two hours on my own  
16 time for at least two to three days a week, so as  
17 to ensure the progress of each child and that  
18 could be documented.

19 Each year I was complimented for promoted  
20 the love of learning in my children. Where is  
21 the logic of this outcome? Well, she has a  
22 three-year principal from the Leadership Academy.

23 You have got to investigate going on.

24 CHAIRWOMAN NOLAN: We appreciate both of  
25 you, appreciate it very much, we just have to try

2 to - the record shows it and I thank you both  
3 very much.

4 Thank you. Go ahead, please.

5 MS. FREEMAN: Hi, my name is Debra  
6 Freeman. I'm first vice-president of public  
7 relations for the Lower Lab School at PS-77 and  
8 parent of a third grader. I am also a lawyer and  
9 do not profess to be an expert in education,  
10 though many lawyers apparently do.

11 I'm here to strongly oppose mayoral  
12 control of the schools as it exists today, and  
13 speak in favor of significant limitations and  
14 control on mayoral control including more  
15 independence, more checks and balance, more input  
16 from educators, teachers, and parents, and more  
17 transparency and accountability.

18 In a recent independent study, parents  
19 showed that by a substantial majority, they  
20 agreed that mayoral control should either be  
21 ended or significantly changed and parent leaders  
22 even more overwhelmingly felt that this was the  
23 case.

24 There are so many problems with mayoral  
25 control as it stands that I really can't go into

2 all of them, and you've heard a lot today  
3 already.

4 So what I would like to do is just  
5 highlight a few problems, some of the terrible  
6 results, some of the difference between the spin  
7 that you hear in the press and the reality on the  
8 ground in the schools and to offer some suggested  
9 solutions.

10 The key problems as I see them include a  
11 lack of checks and balances, and the absolute  
12 power of the mayor in making educational policy.

13 It was talked about earlier how there is only  
14 one dissenter on the panel of educational policy  
15 and I do think that that points to a really  
16 serious problem. The Panel of Educational  
17 policy's appointees by mayor basically walk lock-  
18 stepped, never question what the mayor wants,  
19 just go along, that's not the way it's supposed  
20 to be.

21 There's a total lack of transparency and  
22 accountability. We've talked about meeting with  
23 no notice and decisions, no transcripts, no  
24 media, there's a lack of input from educators,  
25 from parents, from principals and teachers, and

2 there's a lack of respect and understanding of  
3 education that is highly problematic when we're  
4 talking about the education of the children of  
5 the City of New York.

6 The general result, I think, is an  
7 autocratic, undemocratic system run by people  
8 with no educational experience and no respect or  
9 understanding for education. We have unhappy  
10 teachers, administrators and students, and an  
11 emphasis on high stakes standardized tests that  
12 neither teachers, administrators, or students are  
13 happy with.

14 It's an application of corporate  
15 standards of bottom-line results using high  
16 stakes testing as an analogy to profits without  
17 an understanding of why this corporate model  
18 doesn't translate in the educational world.  
19 There's a flaunting of compliance with law that  
20 is really unbelievable, and there's a really big  
21 difference between the spin and the reality on  
22 the ground. So now I would like to talk about a  
23 few of the specific problems. You read a lot  
24 about all the good results that the mayor has  
25 brought about. You hear less or nothing about

2 the bad results which are the reality.

3           Number one, and I think all of this going  
4 on with no consultation or virtually no  
5 consultation with educators, teachers,  
6 principals. The radical decentralization of the  
7 school, the spin is that this is empowerment,  
8 this is great. These schools can now have so  
9 much power to reach success. The reality on the  
10 ground is leaving schools and principals deprived  
11 of important administrative support, deprived of  
12 support from their superintendents, told that  
13 superintendents who were normally supporting the  
14 schools should be out 90 percent of their time  
15 researching test results in other districts.  
16 This makes no sense.

17           Let's look at the fatally flawed grading  
18 system that the spin is, this is great, we've got  
19 a system that using an A through F category can  
20 adequately show how parents can determine how  
21 good their schools are. This is wonderful. The  
22 reality is, this system was formed by a lawyer  
23 with no basis in public education, no testing  
24 experience, no statistic experience, and that  
25 though it's phrased and spun and a measure of

2 performance, in fact this measure of performance  
3 is virtually all based on the changes between  
4 standardized test scores from one year to the  
5 next in a limited number of grades.

6 There's been an expert from Harvard on  
7 testing who said that it makes absolutely no  
8 sense to use this as a basis for determining how  
9 good a school is. Another way of showing that  
10 it's obvious that there seems to be when there  
11 are other reports showing the progression of  
12 improvement in schools and comparing that with  
13 the A through F grading system, there's very  
14 little overlap. And, thirdly, there's have been  
15 some reports in talking about schools that  
16 parents realize are just so improving that  
17 they're really great and yet these schools are  
18 scored poorly.

19 We'll talk about GNT and I come from a  
20 GNT school. I know we spoke at the CEC because  
21 it was so obvious, all the parents and CEC people  
22 saw that this spin that the changes in the GNT  
23 system was going to expand the GNT system so that  
24 more minorities and people throughout the city  
25 would have access to GNT education, in fact, what



2 they were doing by changing the way the did the  
3 testing and by upping the percentage to an  
4 absolute was in fact decreasing the amount of GNT  
5 availability and that's precisely what happened.

6 In the overcrowding situation, there's  
7 been hearing after hearing with the DOE just not  
8 facing up to the fact that - and refusing to  
9 adapt their models of determining when schools  
10 need to be built to the reality of increased  
11 population - particularly in certain areas of the  
12 city like the upper east side, the upper west  
13 side, and downtown. There have been huge  
14 hearings with parents talking on and on about the  
15 need for building more schools, yet the capital  
16 budget does not even get close to building a  
17 sufficient number of schools.

18 Then there's been the failure for any  
19 kind of serious compliance with law in terms of  
20 reduction of class size in light of the CFE funds  
21 that were supposed to be used for reduction of  
22 class size, and I think one very glaring example  
23 that I personally experienced was going to a CEC  
24 meeting where DOE people were explaining how they  
25 were going to be using CFE funds for other

1 reasons than actual class-size reduction. And  
2 when I posed the question of how and why can you  
3 possibly be using these funds for things, for  
4 standardized testing and for other things besides  
5 class-size reduction, when those funds were  
6 earmarked to be used specifically for that, the  
7 response that I got, which really was incredible  
8 to me, was essentially that well, no one is  
9 stopping us. Albany hasn't stopped us. No one  
10 is stopping us. They literally said that. To  
11 me, that is just such a huge example of complete  
12 lack of check and balance and inappropriate use  
13 of power that it just astounds me.

14  
15 Things like the busing decisions, and e-  
16 mails to principals mid year telling them of huge  
17 budget reductions also show that there are not  
18 only issues in substance, but issues in  
19 understanding how you need to work a methodology  
20 and how you can just not treat schools like  
21 corporations and make a change in bus routes mid  
22 year or a change in significant budget  
23 availability mid year.

24 I know I need to wind up, so I'm going to  
25 end up with a few recommendations on how I feel

2 things can be changed to improve and to put some  
3 limits on mayoral control.

4 Number one, I think that we need more  
5 independence on the panel of education policy  
6 with no appointment of city employees, and have  
7 appointments by the borough president, the City  
8 Council, the public advocate and the city  
9 comptroller.

10 I think we need to make the Department of  
11 Education subject to city law like other city  
12 agencies. There needs to be a strengthening of  
13 power of the CEC and the presidents' council, and  
14 more input from parents. That there needs to be  
15 reasonable notice and serious comment period with  
16 serious consideration on what educators think and  
17 what parents think when big decisions are being  
18 made. More transparency, more accountability,  
19 get rid of root-grading system which is based on  
20 standardized testing. Require reduction of time  
21 on standardized testing. Require a chancellor  
22 with experience in education. Independent  
23 assessment, and I would also ask that you  
24 seriously consider implementation of the  
25 recommendations of the parent commission on

2 school governance.

3 I thank you for your time.

4 CHAIRWOMAN NOLAN: Thank you. That was  
5 great. This gentleman, you get started and then  
6 we're in the final wrap-up.

7 MR. GOODMAN: My name is Peter Goodman.  
8 I'm one of Brian's constituents and I write a  
9 blog called Ed in the Apple. I was a teacher for  
10 30 years and I worked in District 22. I was the  
11 union rep and Alan Maisel was on the school  
12 board.

13 CHAIRWOMAN NOLAN: We're going to tell  
14 him that.

15 MR. GOODMAN: Absolutely. We had a very  
16 high level of parent involvement. We had school  
17 leadership teams in every school. We had  
18 district leadership teams. We were very  
19 overcrowded, a district of over 30,000 kids. The  
20 school board did the zoning, it was contentious,  
21 people fought. There were hundreds and hundreds  
22 of people at meetings. Two thirds of the  
23 population were children of color and we did very  
24 very well. We were at the top of the city every  
25 year.

2 Not surprisingly, because all the  
3 research, Karen Mapp at Harvard, Norm Fruckter at  
4 Adamberg, all the research says that parent  
5 involvement correlates with high people  
6 achievement. The more parents are involved, the  
7 better kids do in school. We generally call it  
8 human capital, that's why charter schools do well  
9 because they attract parents with human capital.

10 So we should try to devise the systems which  
11 maximize the parent involvement at the local  
12 level. Yes, District 5 is a disaster, but you  
13 shouldn't have wiped away the high functioning  
14 districts with the low-functioning districts.  
15 When Joel Klein came in, he wiped away the past  
16 like it didn't exist which is very unfortunate,  
17 and we're going to have to try to reconstruct  
18 systems where parents are involved. It does mean  
19 that school boards take the heat because they  
20 made the decisions which sometimes are very  
21 unpopular, but the more involvement the better.

22 Secondly, I thank you for bringing up the  
23 question of credit recovery. In April, the state  
24 came down and went to three schools and said that  
25 kids were being given credits that violated state

2 law. Now Joel Klein that credit recovery goes  
3 back a long time.

4 CHAIRWOMAN NOLAN: Do you know the three  
5 schools?

6 MR. GOODMAN: They were in the Times in  
7 April. I don't remember them offhand. Every  
8 high school used to have a cost accreditation  
9 committee. The principal sat on it, the youth  
10 team sat on it. They reviewed every single new  
11 course in the school, they wrote it up, they sent  
12 it to the superintendent who monitored the  
13 implementation. It existed for years. We did  
14 all kinds of things to help kids. If a kid was  
15 sick and out for a few months, we sent the work  
16 home, the kid didn't have to come to school.

17 But when Joel came in, credit recovery  
18 greatly accelerated. A kid can do a book report,  
19 fail the course, and get credit for it. When the  
20 state came in, they ordered the city to come up  
21 with a program. It's now 10 months later,  
22 absolutely nothing has happened, not one piece of  
23 paper.

24 Now you might ask, how many kids get  
25 credit recovery? The board doesn't collect any

1 data on it on purpose. In fact, if you go into a  
2 school and try to look for records, you won't  
3 find any because credit recovery means that you  
4 reverse the failing grade. So if you look at the  
5 kid's transcript, it look like he passed it  
6 because they've taken the 55 and changed it to a  
7 65. Now some of these programs might be fine, I  
8 don't really know, and no one knows, but I  
9 strongly suspect that thousands and thousands of  
10 kids are getting out of high school poorly  
11 prepared because people want to pump up data.  
12

13           Ultimately, when you people sit down and  
14 make the final decision, you're going to have to  
15 - something has to be in the law that will force  
16 compliance. Because right now, no matter what  
17 you have written, no matter what has happened,  
18 the mayor and the chancellor can do as they  
19 please.

20           Now, if they were highly successful,  
21 fine, but we don't know whether they're  
22 successful because there's no independent  
23 evaluation of how they're doing. Maybe you  
24 should be the state commission of education who  
25 currently has the statutory power to remove

2 superintendents. They did it at Roosevelt, but  
3 they rarely do it anywhere else and they shy  
4 away. I've asked high level state people why we  
5 don't take action, and it's political. They just  
6 feel they don't have the real authority to do it.

7 I would encourage you to think of some  
8 way to - in the law to direct the commissioner to  
9 review, to listen to complaints, so the  
10 complaints can be sent, give them the direct  
11 power to order compliance and if compliance does  
12 not come, give them the power to go into court  
13 with Article 78 proceeding and have the court  
14 tell the chancellor he must do what's right.

15 I'm enormously encouraged, I think for  
16 the first time in years, we have people who are  
17 truly focusing on this at a time when there's so  
18 many other things in the world, I always see the  
19 glass as half full, and I have great confidence  
20 that when the dust clears in July, we'll see a  
21 much better school system, and I thank you on the  
22 part of basically the million students who are  
23 really awaiting for you to make this the great  
24 school system that it deserves to be.

25 CHAIRWOMAN NOLAN: Gentlemen, ladies,



2 somebody?

3 MS. LALLA: My name is Marcia Lalla. I  
4 am the parent of two, a senior who attends the  
5 Urban Assembly School of Business for Young Women  
6 in Manhattan and a son who attends the YABC  
7 Program at Monroe High School in the Bronx.

8 Years ago I was asked to come to come to  
9 school to remove my son because of excessive  
10 absences. He did not have any other concerns. I  
11 signed a form without realizing what I had done.

12 Now under mayoral control, or whatever you call  
13 it, I learned about options for him and he was  
14 given a second chance in the YABC program. My  
15 daughter was struggling in middle school. She  
16 was below average, and under mayoral control she  
17 was given several school choices in the election  
18 process and she chose a small school, a business  
19 school. She has gained invaluable business  
20 experience simultaneously with a college  
21 education.

22 Now she is in the first graduating class.

23 She has experienced several programs in the  
24 school. She has experienced annual college  
25 trips, overnight trips, power luncheons,

1 mentoring programs, and other programs. It's  
2 just amazing. These would not have been possible  
3 years ago.

4  
5 The Urban Assembly School of Business for  
6 Women, it's a high school with 343 students from  
7 grade nine to 12. The school population  
8 comprises 39 percent Black, 53 percent Hispanic,  
9 one percent White, and six percent Asian student.

10 The student body includes six percent English  
11 language learners, and 15 percent special ed  
12 students. Girls account for 100 percent of the  
13 students enrolled. The average attendance rate  
14 for the school year, 2007-2008 was 83 percent.  
15 The school is in receipt of having Title One  
16 funds. Small schools are working and I can  
17 attest to that.

18 I would like to say also that 20 years  
19 ago my parents were not given opportunities or  
20 were not aware of opportunities to be parent  
21 leaders. As a parent leader, I am the PTA  
22 president of my daughter's school. I am also the  
23 corresponding secretary for the Manhattan High  
24 School President Council. I sit on the SLT and  
25 parent advocate not only for my child, but for

1 all children.

2  
3 I come here today to say that we parents  
4 need to be accountable, okay, to our children  
5 first, and then to whoever. I find that parents  
6 are complaining that the system is failing them.

7 I believe that maybe you, as a parent, are  
8 failing your child. We need to seek information  
9 for our children.

10 Let us not forget, I would just like to  
11 share a couple of things. What's good about the  
12 New York City Public Schools, parent involvement.

13 For example, in 2007 the Department of Education  
14 upgraded the DOE website for parents and  
15 students. We can go online now and I'm sharing  
16 that with students and with parents that don't  
17 have the information. There's a directory  
18 online, for students there's Regent prep online,  
19 there are multiple pathways to graduation. We  
20 can be involved on the PA, PTA, SLT, MHS, PEP,  
21 CEC, there are borough wide training sessions for  
22 us parents. There are parent academies, Saturday  
23 academies which was started last year. There are  
24 parent coordinators in the schools, however, the  
25 parents are not aware that this is the first

2 contact. I sat here today and I was talking to  
3 one parent who has a five year old, and she  
4 didn't even know about the parent coordinators.  
5 So that's something that maybe the system needs  
6 to revisit.

7           What's good also is that the DOE is doing  
8 to revise A616 in May 2009, Martine Guerrier  
9 mentioned that we parents will have online access  
10 to see our children's progress reports. I think  
11 that's great. For those parents who don't have  
12 computer access as I didn't, I borrowed a laptop  
13 from the school. You can go to the school and  
14 get the access.

15           School choice is great. School safety I  
16 believe has increased underneath this new system.

17           Teachers' salaries have increased. I say to my  
18 children that failing is not an option. When you  
19 fail, I fail. There's also middle school  
20 initiative that I heard about. The focus is on  
21 middle school in that students need to be  
22 prepared for high school.

23           When my daughter was failing in middle  
24 school, I felt it was my fault, okay? It was  
25 probably my fault and as a western end parent we

2 believed that we should educate our children  
3 simultaneously with the school system. Another  
4 poor choice is CEC selection process. That's  
5 changing and it should change. Martine Guerrier  
6 mentioned that there will be some sort of  
7 struggle. I don't understand what it is, and we  
8 parents don't understand what it is, but she  
9 mentioned something about one family, one vote.  
10 Now what's happening in New York City is that I,  
11 as the PTA president, the treasurer and the  
12 secretary, we get to vote for the CEC members.  
13 It should not be. All parents should have a  
14 vote.

15 Before I conclude, I would like to say  
16 also that there should be checks and balances.  
17 The system is working but there should be checks  
18 and balances. Number one, communication to  
19 parents is important. Notify parents on a timely  
20 basis of phasing out of schools. I was at a  
21 meeting and we learned about the phasing out of  
22 bad rusting school one week before the children  
23 were given notice that there was a deadline  
24 February 5<sup>th</sup> for them to select the new schools,  
25 that's not good. Publish the procedure for

2 closing of schools, we asked them, what is the  
3 procedure, they don't know. I mean, they know,  
4 but they didn't want to advise us. Design a  
5 program for the closing of schools.

6 As I mentioned, parent involvement is  
7 important. One of my pet peeves is of course the  
8 standardized tests. If the DOE has to follow  
9 these rules, then maybe have SAT Regent prep for  
10 all schools, not just one school.

11 CHAIRWOMAN NOLAN: If you can just wrap  
12 up.

13 MS. LALLA: Data collection of grad  
14 grades, drop-out rates, teacher recruitment in  
15 the USA, as opposed to teacher recruitment  
16 abroad. My daughter's school is excellent,  
17 however, you know, they have a lot of teachers  
18 from abroad, and no African American teachers.

19 The last thing is aspirations of  
20 students. As I talk to students and parents, it  
21 is unbelievable that students believe in passing  
22 the Regents not achieving a great grade in New  
23 York City. That's appalling. I can't imagine  
24 something like that.

25 In closing, I would like to say, let us

2 not forget, just as our beloved country has one  
3 leader, President Barack Obama, thus New York  
4 City is the greatest financial cultural city in  
5 the world deserves and must have one leader.

6 Thank you.

7 CHAIRWOMAN NOLAN: Thank you very much  
8 for excellent testimony. We appreciate when  
9 parent leaders come forward.

10 We're in our final two people and we just  
11 ask you, I know you've been here many hours, so  
12 let's try to move along.

13 MS. TYLER: My name is Sylvia Tyler,  
14 I've been exposed to the public schools in many  
15 ways. First as a student, my children, my  
16 grandchildren, and for many years an educator. I  
17 retired in 2003, and I missed teaching and I've  
18 been going back and substituting and talking to a  
19 lot of teachers so I know what it was like under  
20 the old system and now I see what's happening  
21 with the new system, and my perspective is going  
22 to be as an educator what I'm going to share with  
23 you.

24 Before I do that, I want to just -  
25 listening to all the testimony, one thing that I

1 discovered, when I taught in District 10, I  
2 taught fifth grade for like 10 years. The  
3 children at that time - the law was that children  
4 could be held over twice from grades 1 through 6.

5 All the other children pretty much,  
6 overwhelmingly, the holdovers for two years was  
7 still at the bottom. So that was not a solution  
8 there. I thought I just mentioned that.

9  
10 Now I'll read my testimony. The New York  
11 City public schools have produced many successful  
12 outcomes, historically. Many famous people and  
13 people who are not famous thank this system for  
14 their success. Despite this reality, we are used  
15 to hearing about the school's failures. The  
16 public schools are failing our students, is a  
17 familiar comment. General statements like this  
18 are unfortunate because they encourage people to  
19 minimize the importance of our school system.  
20 This system, like any other, is dynamic and  
21 therefore is continuously changing. We need the  
22 state legislature to provide meaningful changes  
23 in the law to give the major stakeholders a role  
24 in the decision-making process. This does not  
25 mean that we have to revert back to the old Board



1 of Education. We need to move forward to a new  
2 option for governing our school system.

3  
4 The change from the Board of Education to  
5 the Department of Education is not the  
6 achievement of Nirvana. While there are  
7 advantages to having one executive to hold  
8 accountable, there are also many fatal drawbacks.

9 This is especially true if the executive has a  
10 "my way or the highway attitude." No one should  
11 be able to use their wealth to render themselves  
12 above scrutiny.

13 The people who have the greatest  
14 investment in the public school system are  
15 parents, students and educators. As major  
16 stakeholders, these constituent groups must have  
17 meaningful input in the decision-making process  
18 and they must share responsibilities for the  
19 outcome.

20 Parents need to have real avenues for  
21 access to their children's schools. Parent  
22 coordinators work primarily at the behest of the  
23 principals. Parents must be treated as adults  
24 and expected to support their children's formal  
25 pursuit of education. We need to work with

1 parents as partners, who are willing to support  
2 their children's progress. It is  
3 counterproductive to assume that families are not  
4 willing to meet the challenges expected of them.

5  
6 Students are individuals and not a  
7 collection of statistical data. They have a  
8 right to be engaged and excited about school.  
9 The test mania that has perpetuated many of our  
10 public schools has had the effect of dulling the  
11 student's potential to be enthusiastic learners.

12 The major emphasis on test scores stifles the  
13 teacher's creativity and in addition it limits  
14 the student's joy of learning. The need to  
15 perform on tests has impacted much of the school  
16 day.

17 The classroom time needs to be devoted  
18 primarily to meaningful teaching and learning.  
19 The students should not be thinking of themselves  
20 as numbers, one, two, three and four. They  
21 should be encouraged to think about the many  
22 things they need and want to learn about in the  
23 world. They should be excited about their time  
24 in school and not see it as dreadful and boring.

25 There is no doubt that standardized tests have

2 important functions in the education process.

3 My objection is the mayor's use of tests  
4 to punish schools. I have worked in a variety of  
5 schools. Some have been very inspirational and  
6 encouraging because the students are so  
7 impressive. Others are downright painful because  
8 the students are not engaged. Students in both  
9 types of environments are equally important to  
10 society. The second type of school is where the  
11 mayor's policies have had a greater impact. I  
12 have found that teachers in both types of schools  
13 work extremely hard. Of course the engaged  
14 students make the work much more rewarding for  
15 teachers.

16 There has always been generalizations  
17 made about educators in our public schools. They  
18 have been charged with not caring enough and not  
19 working hard enough. Those who have firsthand  
20 exposure to these professionals usually have the  
21 opposite view. This profession, and it is a  
22 profession, is not respected by Mayor Bloomberg  
23 and Chancellor Klein. They do not involve  
24 educators in their curriculum decisions. They  
25 have not developed meaningful avenues for

2 educator's input. In fact, they seem to disdain  
3 the idea. They have created the hostile  
4 environment that pits school administrators  
5 against teachers and sets up negative competition  
6 among schools.

7 The rating system, using A, B, C, D - and  
8 I didn't include F, is an example of the latter.

9 The criterion of this rating system is based on  
10 test scores, 85 percent of it. This reality  
11 mandates that much of the classroom time is spent  
12 on test taking drills. This approach is punitive  
13 rather than nurturing. School administrators are  
14 under so much pressure to meet this criterion,  
15 that an unhealthy barrier is created between them  
16 and their teachers. It's palpable in schools  
17 when I go in to them.

18 There is a sentiment among some senior  
19 teachers that they are being targeted and  
20 harassed to get them to leave the system. The  
21 rationale is that the system can hire two  
22 beginning teachers with one of their salaries.

23 I am confident that each of you assembly  
24 members would want your children and  
25 grandchildren to have a nurturing environment in

2 school. You would not want them to feel punished  
3 by the way they are being taught.

4 The saying about "honey versus vinegar"  
5 applies. Our public schools are too important to  
6 this city. They are too important to this city.

7 They belong to all of us. They should not be  
8 used as political footballs by any elected  
9 official. The public school system has obvious  
10 and not so obvious impacts on the life of New  
11 York City, all of New York City. We all have a  
12 vital stake in it.

13 I had some ideas for change but ideas  
14 that have been discussed already so I will stop  
15 here.

16 CHAIRWOMAN NOLAN: Thank you. You were  
17 very gracious to that. You were the first person  
18 who talked about the grading system, the ones and  
19 the twos for the children. In the younger grades  
20 I just don't think is productive.

21 Next is or final witness, but I just want  
22 to read out these names; Kira Streets, Susan  
23 Johnson, Jason Levy, Mary Silva, Klaus Bornerman,  
24 Jeff Hoot, Zena Mierrick, Mira Entraber, John  
25 Keith, Jonathan Chills, Valentina Alexif, Marisol

2 Sumpter, Laura Govaine, Joanne Cosma, Marguerite  
3 Clement, and Solodad Feliciano.

4 So these are a number of names of people  
5 who registered at the door. They were not able  
6 to stay. Some of them left testimony. Some of  
7 them said they will send testimony, and the  
8 record will reflect that. I want the record to  
9 also reflect the great volume of people that did  
10 come out.

11 You, sir, are our final witness and I  
12 only hope and pray you are not going to read that  
13 whole book to us because you have a very serious  
14 book on that table.

15 So if you could just give your name and  
16 be kind enough to summarize we would really  
17 appreciate it. Our wonderful stenographer has  
18 worked a very lengthy day and I just ask if you  
19 could sum up for us, sir, and start with your  
20 name.

21 MR. STEVENS: My name is Granville Leo  
22 Stevens. I am a parent. I founded the  
23 Independent Parent Organizations and we are  
24 advocates, supporters of groups all over the  
25 city.

2 A couple of weeks ago we were out in Far  
3 Rockaway at 8:30 in the morning at the Malcolm  
4 Smith Education Advisory Committee with support  
5 up in Assemblyman O'Donnell's group, the Center  
6 for Immigrant families, Donna Nevalin and the  
7 people up there and a lot of other things.

8 Basically I'm a parent, I'm here as a parent, and  
9 I'm also a lifetime of member of NAACP, National  
10 Council League of Women and I've been in District  
11 2 with five daughters for 35 years, God bless me.

12 CHAIRWOMAN NOLAN: God bless you.

13 MR. STEVENS: And they all had a good  
14 education. And one is 15 and she is in a good  
15 school, Eleanor Roosevelt on the east side. I'm  
16 not here though about them.

17 What I'm concerned about and what I heard  
18 today is a series of divergent realities. The  
19 Mexican mothers up in District 3, the - a lot of  
20 the parents and children from District 5 and  
21 Harlem and so forth, and the majority of the  
22 Black and Latino kids in District 2 have a very  
23 different reality than the experiences of the  
24 people that you have heard here.

25 I'm disappointed. I look at myself and

1 look at what we lost during our watch, and I also  
2 am very critical, not only of myself and  
3 colleagues but elected officials from those high-  
4 need areas who are not here, your colleagues, and  
5 when I was up in Albany and the governor  
6 announced the Contract for Excellence and my  
7 friend, Congressman Rangel said it wasn't going  
8 to be business as usual, and then we had the  
9 Contracts for Excellence and then we had the  
10 Children's First, we heard all the stuff about  
11 accountability, we heard about the student  
12 funding formula, I thought we were home, I  
13 thought this was it, finally, after all these  
14 years, this was going to be - talk about equity  
15 and things like that, but as you heard here, we  
16 have divergent realities and politics come up  
17 into it, unions, people in certain high  
18 performance segregated schools, you know, have  
19 their reality, they have their war rooms with  
20 their politicians and so forth. So I think if  
21 we're going to move the system and if you're  
22 going to modify this law, which I don't think  
23 needs much modification, by the way, I think that  
24 there has to be a commitment to move the children  
25



1 at the bottom who constitute the majority of the  
2 kids in the failing schools, because there's a  
3 clear dichotomy and one of the things that we  
4 haven't heard today was this dichotomy of  
5 cultural lines. I think we have to acknowledge  
6 it and address it.  
7

8 I think it was Chair Nolan who talked  
9 about 40 years ago a couple of times. Well, 40  
10 years ago, I remember that. Also, in 1963, I was  
11 a young advocate down with King and marched in  
12 Washington, but we never addressed that. We've  
13 heard people dance around it, we've heard people  
14 quote statistics about the increase and new  
15 hires, white hires, over the years, Teach for  
16 America, et cetera, and the decrease in minority  
17 control, and I can say to you in full confidence,  
18 and I'm talking about Black families, Black males  
19 in our families have been dysfunctional, and the  
20 question is, Dr. King said, well, where do we go  
21 from here? That's the difficult thing that I put  
22 to you. And it's not only Black, it's Latino, it  
23 could be special needs kids and so forth. We're  
24 the advocates and the effective advocates for  
25 those groups.

2 I don't personally see it from my vantage  
3 point, and I would hope and we design and examine  
4 this that we don't micromanage Klein, Bloomberg,  
5 get into politics and so forth, but that we look  
6 at our commitment to these children. If parents  
7 want charter schools, it's far for me to say,  
8 well, that's privatization and mischaracterize  
9 them as private schools when they're really  
10 charters, or, you know, to invade district one,  
11 for example, and nest and push those kids into  
12 the basement of Tweed and then say, well, you're  
13 not really District 2 kids. I mean, we're caught  
14 in the whipsaw where there are people who -  
15 looking at the CFE beneficiaries and saying,  
16 well, class-size reduction or this and that, the  
17 intended beneficiaries don't have advocates to  
18 say, yeah, this is supposed to come to us, and  
19 time of budget cuts this is supposed to come to  
20 us.

21 I heard a colleague of yours from Queens  
22 at the City Council basically say on the record  
23 in public, well, if it's good for them, we want  
24 some of it for our people too. I was just  
25 shocked at that kind of language.

2 But getting to the legislation, but the  
3 person who talked about social capital I think is  
4 clear, and I'll just tell you without reading  
5 from it, that Pedro Noguera's book is The Trouble  
6 with Black Boys and other Reflections on Race  
7 Equity and the Future of Public Education.  
8 Again, that's my bible and I would recommend that  
9 you all get that because we're talking about  
10 social capital and why certain groups are out in  
11 effective ways really relating to relationships.

12 Let me get to the suggestions, the  
13 positive ones, real quick. The reason I wanted  
14 to be the final one, my assembly member told me  
15 he was connected and when he told me he put me on  
16 a panel, I mean, I thought I was going to be out  
17 in early morning.

18 CHAIRWOMAN NOLAN: Who represents your -

19 MR. STEVENS: I was told not to mention  
20 it.

21 ASSEMBLYMAN KAVANAGH: I was going to  
22 claim you as my constituent.

23 CHAIRWOMAN NOLAN: Let me just apologize  
24 if there was a mix-up, we were overwhelmed.  
25 There were over 80 people expected to speak, so

2 we got a little jumbled.

3 MR. STEVENS: I'm just joking, but as a  
4 practical matter, if I may, and don't take this  
5 wrong, I think when you have these lists and you  
6 have people who are repeaters, including my  
7 friend, Dennis Walcott, I think five times, you  
8 know -

9 CHAIRWOMAN NOLAN: I did ask him to sum  
10 up for that reason.

11 MR. STEVENS: I understand, but I  
12 thought he said he was coming back.

13 CHAIRWOMAN NOLAN: So he said.

14 MR. STEVENS: But that's been kind of a  
15 gain that's kind of excluded us in District 2,  
16 going back to Anthony Alverado, is that when he  
17 had an issue, he'd have the UFT, the experts, and  
18 the City Council does the same thing and so  
19 forth.

20 So if you're going to have something  
21 that's going to focus on parents or whatever, I  
22 would say put those first.

23 What I wanted to say about the proposal  
24 is that I think there are a lot of ways where  
25 enforcement of existing regulations, laws, et

2 cetera, we've heard a lot about what - we  
3 shouldn't have a lawyer, non-educator who doesn't  
4 have the credentials. That's already available  
5 to you for two times now, the commissioner has  
6 waived the requirements for the superintendent.  
7 So if that is the issue, then don't, you know,  
8 make sure that he doesn't weight those  
9 requirements, and to me it was kind of  
10 superficial, kind of inefficient to say that.

11 We've heard a lot about responsiveness,  
12 or lack of responsiveness. I agree with that. I  
13 support the chancellor, but I agree with that.  
14 Voting on him, you know, thumbs up and down,  
15 every four years or more is ridiculous, but what  
16 about speeding up the grievance procedure and  
17 letting parents know about that grievance  
18 procedure. People talk about the SLT Pollicino  
19 decision. The issues around school leadership  
20 teams was in the works for I don't know how long,  
21 and there's no reason why Mills took that long to  
22 decide that, so let's enforce what we have and  
23 then see if we need additional things.

24 The school leadership teams, I was around  
25 before there was a green book. There was a light

1 green book, and basically that was mis-sold, I  
2 was involved with a crew and Harry Spence at the  
3 time when that went through, and basically was  
4 over-sold to parents. We thought that we had  
5 some real say and people are complaining about  
6 that now and filing grievances, but the fact is  
7 that the comprehensive education plan was always  
8 trumped in my district by a goals and objectives  
9 that the principal put out. We just happen to  
10 have decent principals that said, hey, let's join  
11 them and put them together and let's work  
12 together on it, the amount of discretionary funds  
13 was minimal. They were consumed mainly by  
14 collective bargaining mandates, et cetera, et  
15 cetera. So we spent a lot of time and energy,  
16 you know, structured, and filing grievances, et  
17 cetera, and testimony and so forth, fighting over  
18 something that basically is a qualitative  
19 opportunity for parents once they are aware of  
20 their rights and opportunities to sit down on a  
21 non-bonding basis, advisory basis, if you will,  
22 with the principal. We've got wonders done by  
23 them, but the parents have to be informed, they  
24 have to be brought into the system, and they have

2 to be informed of their rights.

3 One of the things that I think is  
4 absolutely necessary is that if you have an  
5 educational inspector general, or if DiNapoli had  
6 performance audits - I mean, years ago, I asked,  
7 could the federal government, especially with  
8 Title One funds and other funds that came from  
9 the feds to the state to the city, I mean why  
10 couldn't we audit that? It was a series of  
11 issues, problems, disjointed jurisdictions, et  
12 cetera, but I would say, if you could empower  
13 Dinapoli to do performance as well as financial  
14 audits, that would be a check and balance that  
15 would not disrupt the basic system.

16 I have a lot of other things,  
17 experiences, whatever, and I will defer, and I  
18 will work through Assembly Member Kavanagh, and  
19 if I can be of any help with some of the history,  
20 some solutions, some of the drafting  
21 recommendations, I would be happy to continue.

22 CHAIRWOMAN NOLAN: Thank you very much,  
23 and you know I appreciate everyone, the final  
24 group of five, six people, you tried to sum up.  
25 And I knew you prepared testimony, I don't want

2 you to think we're not listening. I agree with  
3 you that there may be ways to deal with some of  
4 the issues that came up here without even  
5 changing the law. You're correct, there are  
6 things that the chancellor could have not given  
7 the waiver, or somebody could have audited the  
8 Title One from the federal government, so it's a  
9 very valid point.

10 MR. STEVENS: Just to point out, Mills  
11 is retiring and so, you know - and it's around  
12 budget time, isn't it, so he will be looking at  
13 Regents again, which has been a closed system, so  
14 I think if you open up that, and if you establish  
15 some, God forbid, requirements, I mean Brad  
16 wanted someplace to land after he left NYU and  
17 all of a sudden, and he jumped there for a year  
18 and so forth, and I love Merryl Tisch, but -  
19 that's my guy, I mean, Adolade Sanford left. I  
20 mean, what's the balance? And if we're going to  
21 integrate this system, have equity, et cetera, I  
22 think the politicians from the underserved  
23 neighborhoods have to be here, and I think, at  
24 the top, from the Regents, we have to integrate.

25 CHAIRWOMAN NOLAN: Thank you. Do any of



2 my colleagues want a final word?

3 ASSEMBLYMAN KAVANAGH: No, that's it.  
4 We will follow up.

5 ASSEMBLYMAN O'DONNELL: I consider Ms.  
6 Tyler my constituent even though she's not.

7 CHAIRWOMAN NOLAN: I want to close the  
8 hearing. I want to thank everyone. We managed  
9 to get in many many witnesses, and, Ed, I don't  
10 know how to thank you enough and the staff of the  
11 assembly, the hearing staff, thank you very very  
12 much, really. We thank you.

13 This hearing is now concluded.

14 (Whereupon, the Assembly Standing  
15 Committee on Education adjourned at 8:20 p.m.)

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C E R T I F I C A T E

I, EDWARD LETO, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby stated:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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EDWARD LETO