



**Testimony to be delivered to the New York City Council Finance Committee
on the 2018 Budget**

May 24, 2018

Good evening. I am Maggie Moroff, the Coordinator of the ARISE Coalition. We are a group of parents, advocates, educators, academics and other stakeholders who have been working together for more than 10 years. We aim to provide a collective and powerful voice in support of students with disabilities and learning differences in New York City public schools. Our goal is to bring about systemwide changes that improve day-to-day experiences and long-term outcomes for these students. Today, we are here to urge you to ensure much-needed funding for improving school accessibility is included in the City's final FY 2019 budget.

We are gravely concerned about the dearth of accessible public schools in New York City, severely limiting the choices available to students, families, and teachers with physical disabilities. Three of the City's 32 community school districts have no fully accessible elementary schools (Districts 12, 16, and 21), four school districts have no fully accessible middle schools (Districts 7, 14, 16, and 32), and six districts have no fully accessible high schools (Districts 14, 16, 18, 20, 21, and 32). District 16 has no fully accessible schools at all.

As such, there is no equity in the admissions process for students with physical disabilities. Every time a student with physical differences applies to public school, the accessibility of school buildings becomes a primary concern in their decision-making process, often over and above the student's interests and talents.

While the Department of Education has categorized a number of schools across the City as "partially" accessible, individuals using wheelchairs often cannot access key spaces in many partially accessible schools. Some lack accessible bathrooms. Others require students using wheelchairs to use separate entrances than their peers. And at others, students using wheelchairs cannot access key rooms in the school, including libraries, science rooms, cafeterias, and music and art studios.

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In 1990, long before most of today's students were born, the Americans with Disabilities Act ("ADA") was enacted. Two years ago, the U.S. Department of Justice issued findings that NYC was out of compliance with the ADA and lacked sufficient accessible school options for elementary students. Quite simply, the City must now provide individuals with disabilities access to a wider range of public schools.

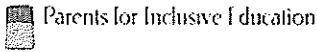
2015-2019 Capital Plan allocates \$100 million over five years for improving school accessibility and \$28 million for ensuring that a number of schools can serve as accessible emergency shelters, that represents less than one percent of the total funding in the Plan. More importantly, the City has already spent most of that money, leaving the City without funds for significant work on accessibility this year.

The work can't wait while the City develops the next 5-year Capital Plan, which will not be done for more than a year. There needs to be a sufficient allocation of funds for renovation and construction to increase the number of accessible schools this year as well.

We are very pleased that the City Council's Response to the FY 2019 Preliminary Budget recommended allocating an additional \$125 million for school accessibility projects and want to thank you again today for doing so.

We urge you to stand steadfast and negotiate a final budget that includes at least an additional \$125 million for school accessibility. New York City will never become "the fairest big city in America" until all individuals with physical disabilities have equitable access to the City's schools.

Thank you for your time today.



Parents for Inclusive Education

PIE's Testimony to New York City Finance Committee

New York City Council Executive Budget

May 24, 2018

Good afternoon. My name is Jaclyn Okin Barney, and I speak today as the coordinator of Parents for Inclusive Education (known as "PIE"). PIE is a parent-led advocacy group of educational reformers that works to ensure that all students with disabilities in the NYC public schools have access to meaningful inclusive educational and community opportunities. PIE has been in existence for almost twenty years with members throughout the five boroughs. We are the only New York City group dedicated solely to advocating for the inclusion of students with disabilities.

We work in various ways to achieve our agenda, including collaborating with the Department of Education on different projects. Over the past year or so, we have been working with Department of Education administrators and other special education groups to advocate for students with physical disabilities to have equal opportunities in attending schools across our City by increasing the number of barrier-free school buildings and school programs available to students. We applaud the efforts the DOE officials have taken regarding this issue, however much more needs to be done and more money needs to be allocated in this regard.

We all agree that all students in our City deserve an equal education. But, this is not the case for students with physical disabilities. Their choices for high school in this City, is not equal because many high schools (middle and elementary schools too) are not fully accessible and compliant with the Americans with Disabilities Act so that students with physical disabilities can access them. With data from the Department of Education's High School Directory, PIE believes that approximately 7%, or just 8 high schools, in Manhattan are fully accessible. For the Bronx, the number is approximately 19%, which is only 22 high schools out of 115 schools in the borough. In Queens, it is just 20% of high schools in the borough that are fully accessible. In Brooklyn, there is approximately 11% of high schools and 36% in Staten Island. These numbers are too low across all the boroughs.

In addition to fully accessible schools, students can consider schools designated by the Department of Education as "partially" or "functionally" accessible. However, the actual accessibility of these school varies significantly. Some of these schools may be accessible in a way that a student who uses a wheelchair can get to all areas of the school building, while other schools that are listed as "partially" or "functionally" accessible, are not actually accessible in a way that a student in a wheelchair can attend. For instance, we know of partially-accessible schools where students in wheelchairs cannot pass beyond the first floor or schools that may have elevators but have no bathrooms that can meet the needs of a student in a wheelchair. We also know of schools where a student may be able to get to some parts of the building, but are unable to access key areas such as the library, science labs, computer labs, auditorium, stages, or the lunchroom, making it difficult for students with physical disabilities to be fully included in the school's program. Finally, we know of schools where students need to use a separate entrance in order to enter the building.

Many of the schools that are partially accessible do not provide students with physical disabilities an equal opportunity to all the programs and activities of the school, unlike their nondisabled counterparts. The Americans with Disabilities Act is almost 28 years old. The law is too old for their still to be so few accessible schools in the school system.

I am here today to implore you to continue to fight for the additional \$125million of funding the City Council included in its Response to the Fiscal's 2019 Preliminary Budget to address accessibility issues. This money is key. It will enable the City to make another 15-17 schools fully accessible and to improve the accessibility of additional schools throughout the City through minor renovation projects. As a result, students will have more choices in the system.

Despite the Department of Education's efforts in this area, unless appropriate funds are allocated to this need, students with physical disabilities are not going to have the same opportunities or choices as their non-disabled peers. All students deserve an equal education and equal opportunities to that education; this includes students with physical disabilities. To do this, the City needs to start aggressively addressing this situation and improve the accessibility of our school system. We hope you will seriously consider allocating the appropriate funds needed to make substantial changes in this area.

I leave you with one final note today. In NYC where students are able and encouraged to apply to schools that peek their interest and where they can Hone their skills, it is ironic that among the high schools in Brooklyn that are inaccessible include: Franklin Delano Roosevelt High School, High School for Civil Rights and School for Human Rights.

Thank you for considering our testimony today.

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Advocates for Children of New York
Protecting every child's right to learn

Testimony to be delivered to the New York City Council
Committee on Finance

Re: Fiscal Year 2019 Executive Budget

May 24, 2018

Thank you for the opportunity to testify about the Fiscal Year 2019 Executive Budget. My name is Randi Levine, and I am the Policy Director of Advocates for Children of New York (AFC). For more than 45 years, Advocates for Children has worked with the City's low-income families to ensure a high-quality education for children who face a variety of barriers to academic success. We speak out for students whose needs are often forgotten, such as students with disabilities, immigrant students, students who are homeless, and students with behavioral challenges.

We are pleased that the FY 19 Executive Budget includes an additional \$125 million increase in Fair Student Funding for 854 schools. This much-needed funding will help schools pay for an extra staff member or a variety of programs to meet needs identified by each individual school. At the same time, there are important citywide needs that must be addressed through targeted investments and cannot be left to the discretion of individual schools. To this end, we are encouraged that the Executive Budget includes increased funding to provide anti-bias training and to help improve literacy for students, including students with disabilities, English Language Learners (ELLs), and students living in shelters. We will focus our testimony on several issues that were not adequately addressed in the Executive Budget and that we urge you to prioritize as you negotiate the final budget.

1. Increase and Baseline Funding for DOE Social Workers and Other Supports for Students Who Are Homeless

We ask you to work with the Administration to increase and baseline funding for DOE social workers and other supports for students who are homeless.

In 2016-2017, more than 100,000 NYC students were identified as homeless, including 38,000 students living in shelters, reflecting a 50 percent increase from just five years ago. Students living in shelter are more likely to be chronically absent, to be suspended, and to have lower literacy levels than their peers.

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The City has taken a positive step by placing 43 “Bridging the Gap” social workers in schools with high populations of students living in shelters to focus on serving this population. These social workers have provided counseling to students, connected them to academic support and mental health services, and worked to improve attendance. Social workers are trained to address the underlying stress and trauma that hold back students from thriving academically and socially and have the skillset to help families negotiate the overlapping systems that can pose barriers to regular school attendance. For example, at one school, the Bridging the Gap social worker worked tirelessly with a family and shelter staff to ensure the consistent attendance of a group of siblings living in shelter who had missed more than 60 days of school at their previous school. Only after the Bridging the Gap social worker’s intervention did the siblings begin regularly attending school.

The FY 19 Executive Budget includes the \$10.3 million for these social workers and other supports for students living in shelter included in the FY 18 budget and adds \$1.6 million for additional support for students living in shelter.

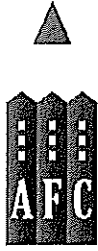
However, despite a push from more than 30 Council Members, shelter providers, and advocates to increase the number of Bridging the Gap social workers from 43 to 100 social workers, the Executive Budget includes funding for only 10 additional Bridging the Gap social workers (for a total of 53 social workers). Furthermore, for the third year in a row, the Executive Budget fails to baseline the funding to support students living in shelters, putting the continuity of the program in jeopardy.

We released a new report today showing that the Executive Budget falls far short of meeting the need for Bridging the Gap social workers.

Our analysis, attached to this testimony, shows that in New York City:

- **More than 125 schools** have 50 or more students living in shelter and no Bridging the Gap social worker. Together, these schools serve more than **9,800 students** living in shelter.
- **More than 375 schools** have 25 or more students living in shelter and no Bridging the Gap social worker. Together, these schools serve more than **18,200 students** living in shelter.

No child in New York City should be homeless. But while the City works to address the overwhelming problem of homelessness, the City must do more to mitigate the impact of homelessness on children, ensuring they get to school on a regular basis



and get the academic and social-emotional support they need to succeed in school. If we want to break the cycle of homelessness, the City must focus more attention and resources on the education of students living in shelter, starting with increasing the number of DOE social workers at schools and at shelters focused on these students.

The City should significantly increase the number of DOE social workers at schools and shelters focused on serving students living in shelters. In addition, the City should appoint a senior-level leader to coordinate the efforts of the DOE Bridging the Gap social workers and to work across agencies and DOE divisions to develop and implement policies to better serve highly mobile students, including students who are homeless and students in foster care.

We urge you to work with the Administration to ensure that the final budget baselines the \$11.9 million for support for students living in shelter included in the FY 19 Executive Budget and adds and baselines funding for the following additional supports for students who are homeless:

- **Increase the number of DOE Bridging the Gap school-based social workers for students in shelters from 53 to 100 and hire additional supervisory staff (\$7 million)**
- **Hire 50 DOE social workers to provide intensive supports at shelters to address education-related issues (\$6.5 million)**
- **Establish a Deputy Chancellor's Office for Highly Mobile Students (\$1 million)**
- **Hiring Field Support Center Directors for Highly Mobile Students (\$4.5M)**

2. Increase Funding to Improve the Accessibility of NYC Schools

We stand with the ARISE Coalition, which AFC leads, and Parents for Inclusive Education (PIE) in calling for a significant increase in funding to make more schools accessible to students, families, teachers, and staff members with physical disabilities. In December 2015, the U.S. Department of Justice found that only 17% of the City's elementary schools were fully accessible. Two years later, the numbers are still unacceptably low. Three of the 32 community school districts have no fully accessible elementary school buildings (Districts 12, 16 and 21), 4 districts have no fully accessible middle schools (7, 14, 16, and 32), and 6 districts have no fully accessible high schools (14, 16, 18, 20, 21 and 32). As a result, families have limited



options, and students often must travel longer distances to attend schools that can meet their needs. Additionally, families are required to make difficult compromises regarding curriculum and programming for their students.

Because full accessibility is so limited, the DOE places many students with accessibility needs in schools that are only “partially accessible.” Unfortunately, families find significant variation in these partially accessible schools. Students who use wheelchairs or walkers may be required to enter their buildings through separate entrances and may not have access to key spaces within the building.

We are pleased that the DOE’s Office of Space Planning is working to complete surveys of the accessibility of public school buildings. These surveys, known as Building Accessibility Profiles, confirm the need for the City to improve the accessibility of partially accessible buildings and can help the City identify the most effective, efficient, and necessary projects to improve accessibility for students, families, and staff with mobility, hearing, and vision needs.

The 2015-2019 Capital Plan allocates \$100 million for improving school accessibility and \$28 million for ensuring that a number of schools can serve as accessible emergency shelters. Together, that represents *less than one percent* of the total funding in the Plan. Furthermore, the City has already spent the vast majority of this funding, leaving little, if any, funding for accessibility projects in the coming year. **Unless the City increases funding for accessibility projects in this year’s budget, we will not see additional progress over the next year.**

We are very pleased that the City Council’s Response to the FY 2019 Preliminary Budget recommends an allocation of an additional \$125 million for school accessibility projects. If adopted, this funding would allow the City to make another 15-17 schools fully accessible and to improve the accessibility of additional schools throughout the City through minor renovation projects. Unfortunately, the Executive Budget, once again, omits this critical funding.

We urge you to stand firm on the City Council’s recommendation and negotiate a final budget that includes at least an additional \$125 million for school accessibility. New York City cannot be the fairest big city in America until students, families, and teachers with physical disabilities have equitable access to the City’s schools.



3. Increase Funding for Evidence-Based Practices to Improve School Climate in High-Needs Schools

Every child deserves to attend a safe, high-quality school where students, teachers, and staff are treated with dignity and respect. Yet, we know from ample research and our work with numerous AFC clients that exclusionary, punitive discipline and school policing do nothing to create school environments that reduce violence in our communities and address the mental health and social-emotional needs of NYC students.

Although we have seen a positive decrease in the numbers of NYC student suspensions and school-based summonses and arrests, too many students are unnecessarily excluded from school instead of properly supported in school. And citywide data show that Black students and students with disabilities are still disproportionately impacted. Indeed, last year Black students comprised about 61.8% of students handcuffed by the NYPD during child in crisis interventions —incidents where the police became involved when a student showed signs of emotional distress and was then sent to a hospital for psychiatric evaluation. Schools desperately need more tools and resources to implement effective, systemic solutions for addressing the most challenging behaviors, or we may see a back-slide from the progress so far. Unfortunately, the FY 19 Executive Budget does not contain the funding needed for such solutions.

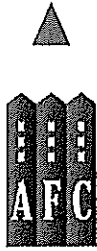
We urge the City Council to negotiate a final budget that includes and baselines funding for the following recommendations of the Mayoral Leadership Team on School Climate and Discipline:

a. Mental Health Support Continuum Pilot (\$2.875 million per year)

This pilot program uses a medical model to help ensure that students in 20 high-needs schools in Brooklyn and the Bronx have access to direct mental health services when needed. It would include school partnerships with hospital-based mental health clinics and call-in centers to assist schools with students in crisis, school response teams that help students get direct mental health services, school-based behavioral health consultants, whole-school training in the evidence-based model of Collaborative Problem Solving, and program evaluation.

b. Whole-School Collaborative Problem Solving (\$1 million per year)

Collaborative Problem Solving (“CPS”) is an evidence-based model that has demonstrated effectiveness with children and adolescents who have a wide range of social, emotional, and behavioral challenges. Use of CPS helps schools move away from an exclusionary, punitive model to a problem-solving, skill building approach in



which students take responsibility for long-term behavioral change in an environment where the adults are trained to support them. This funding would allow the City to systematically implement CPS in 25 high-needs schools and develop a cadre of CPS-Certified Trainers to build capacity by training other schools in this evidence-based approach to transforming school climate and discipline to keep students and staff safe.

We also urge you to ensure that the final FY 2019 Budget includes \$2.6 million to continue the City Council Restorative Justice Program pilot in 25 schools. The Administration and City Council split the \$2.6M cost in FY 18, but the FY 19 Executive Budget does not include any funding for this program. In addition, we support the \$3 million included in the FY 19 Preliminary Budget to expand the DOE's Restorative Practices whole-district model to three additional school districts.

4. Increase Funding for Busing for Students in Foster Care

When students are removed from their homes and families and placed into foster care, school is often the only source of stability in their lives. However, 3 out of 10 students in NYC have to change schools upon their initial placement in foster care.

The federal Fostering Connections to Success and Increasing Adoptions Act and the federal Every Student Succeeds Act (ESSA) require the DOE and ACS to provide, arrange, and fund transportation so that students can remain in their original school when they enter foster care, unless it is in their best interests to transfer to a new school. However, the City does not guarantee bus service to students in foster care. The City only provides bus service to students in foster care whose Individualized Education Programs (IEPs) require special transportation and those who may be easily added to existing bus routes. As a result, students who cannot travel to school on their own are often forced to transfer schools.

Having to transfer schools mid-year means that students must adjust to unfamiliar peers, teachers, routines, and curriculum, while experiencing the trauma of being separated from their parents, and sometimes from their siblings and communities as well. Research shows that students who change schools frequently have lower test scores, earn fewer credits, are more likely to be retained, and are less likely to complete high school than students whose school placements are stable.

The City has already extended yellow bus service to more than 5,000 kindergarten through sixth grade *students living in shelters*, paving the way for the City to provide yellow bus service to the significantly smaller number of kindergarten through sixth



grade students in foster care who may need bus service and currently cannot access it. No student in foster care should be forced to change schools due to lack of transportation. **We urge the City Council to ensure that the final FY 19 budget includes \$5 million for bus service for kindergarten through sixth grade students in foster care.**

5. Restore and Increase Funding for Early Childhood Education, After-School Programs, and Summer Programs

We also support the budget requests of the Campaign for Children including:

- Making all children who are homeless eligible for subsidized child care.
- Investing in the workforce by establishing salary parity for teachers, staff, and directors between DOE schools and community-based organizations.
- Increasing the capacity of the subsidized early childhood system to serve more infants and toddlers.
- Restoring \$9.855 million for discretionary child care programs.
- Ending the budget dance and anxiety for families by restoring at least \$20.35 million for summer programs for at least 34,000 middle school students.
- Restoring \$16 million to maintain current levels of elementary after-school capacity.

6. Restore and Increase Funding for AFC's Jill Chaifetz Education Helpline

We note that we are deeply grateful for the City Council's ongoing support of Advocates for Children's Jill Chaifetz Education Helpline, which has allowed us to help thousands of families navigate the education system each year. We ask the Council to continue to fund this important Citywide Initiative and to restore funding to its pre-recession funding level of \$250,000, as the Helpline provides assistance to parents who have nowhere else to turn.

We appreciate the City Council's work to ensure that the budget invests in programs that help children get a high-quality education and look forward to working with the Administration and City Council as the budget process concludes. Thank you for the opportunity to speak with you. I would be happy to answer any questions.

New York City Council Fiscal Year 2019 Executive Budget Hearings
May 24, 2018

We would like to thank the New York City Council's Committee on Finance for holding this important hearing on the Fiscal Year 2019 Executive Budget.

We testify today to highlight the significant lack of accessible schools in New York City, severely limiting the choices and experiences available to students, families, and teachers with physical disabilities. Three of the City's 32 community school districts have no fully accessible elementary schools (Districts 12, 16, and 21), four school districts have no fully accessible middle schools (Districts 7, 14, 16, and 32), and six districts have no fully accessible high schools (Districts 14, 16, 18, 20, 21, and 32).

INCLUDEnyc (formerly Resources for Children with Special Needs) has worked with hundreds of thousands of individuals since our founding 35 years ago helping them navigate the complex special education service and support systems, so that young people with disabilities can be included in all aspects of New York City life.

Over the years, we have helped many young people who use wheelchairs identify alternative school placements due to lack of available accessible schools. Examples of the ways in which schools are inaccessible to students include: related services being delivered in bathrooms because there are no alternative accessible rooms available; students missing instructional time traveling to and from limited accessible restrooms; and segregation from peers as the result of inaccessible cafeterias, science rooms, libraries, and music rooms. Families and students report that being placed in these compromising environments can lead to social anxiety and students not wanting to attend school. None of us wants this for our New York City students.

We commend Mayor de Blasio and the New York City Department of Education (NYCDOE) on their efforts to increase the number of schools that are partially and fully accessible to students with mobility impairments. Yet we are in full agreement with the Council's response to the Mayor's Preliminary Budget that it requires the NYCDOE to reallocate \$125 million within the Five-Year Capital Plan to do so. If adopted, this funding would allow the City to make another 15-17 schools fully

accessible and to improve the accessibility of additional schools thought the City through minor renovation projects. Unfortunately, the Executive Budget omits this critical funding. As a result, we urge you negotiate a final budget that includes at least an additional \$125 million for school accessibility.

Thank you for taking the time today to consider this important matter. We look forward to partnering with you to improve equity and access for all young people with disabilities in New York City.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara A. Glassman", with a long horizontal flourish extending to the right.

Barbara A. Glassman
Executive Director

**Testimony to be delivered to the NYC Council Finance Committee on the 2018 Budget
May 24, 2018**

Thank you so much for your strong support and commitment to make more NYC public schools accessible. My name is Kim Madden and my 15 year son, Owen, has a complex neuromuscular disability and uses a wheelchair. He also loves math, sports, and, inexplicably, Pink Floyd.

We were very lucky when my son started Kindergarten so many years ago because we live next to a wonderful K-8 school, Manhattan School for Children. Although it's not fully accessible, they have an expertise in and commitment to including students like my son. I'll never forget my tour there in preschool. The students rushed up to Owen and commented on all the stickers on his walker but were completely unfazed by the fact that he used a walker and later a wheelchair because so many other students there did too. It was completely normal.

That's not to say that it was perfect. One time an announcement went out about a new policy that all the side doors to the school would be locked during the day and "all" students had to exit the school down the flight of steps to the front door. I had to take my son to a doctor's appointment before school dismissal. As I pushed him down the ramp to the accessible side door, he went berserk. He kept telling me "ALL students needed to exit by the front."

It was a moment I won't ever forget because I realized my son assumed that "all" included him. Since that time, he went through the high school application process and he definitely learned that in NYC public schools "all" doesn't mean him. Given my son's health issues we first looked at high schools that were close to us. In our district, there is one fully accessible high school. It's a transfer school, and it is only open to students who are 17 and older without credits. We went to look at a school in the partially accessible school closest to us and discovered that there was no buzzer at the wheelchair entrance which was on a different street than the main entrance. Someone was kind enough to walk around the block and tell the security officers who let us in. On the way out of the building we got locked in the ramp outside the building and banged on the door for a good 15 minutes until a janitor came and found a key.

We didn't fare much better at the Manhattan High School fair. It was at the MLK building, a gigantic building that takes up an entire city block and houses the other partially accessible high school programs in our district. The front entrance has a steep set of steps. To get in we walked around almost the entire building to the back where we saw the garbage piled up by the accessible entrance. (A good tip for the inexperienced: look for the garbage to find the accessible entrance. It's easier to wheel it out than carry it down stairs).

Although there was a buzzer and there were hundreds of people inside, no one answered the buzzer or picked up the phone number listed by the buzzer to call. I called a friend who I knew

was in the building and she found a guard who eventually found the entrance, but it took almost 30 minutes of waiting to get in.

Next, I thought I would look at the fully accessible schools that I could get to quickly from my job in west midtown in case my son had a health emergency. The fully accessible schools were Stuyvesant, Beacon and Clinton. As you may know, there are a many other barriers to getting into those highly selective schools. Maybe Stephen Hawking could have gone to them. My son shouldn't have to be Stephen Hawking to get into high school.

Chancellor Carranza recently commented that all schools should be available to all students. I think he said that in the context of discussing specialized and selective schools' admission policies, but I think it's equally true for my son. All schools should be for all students. Please stand by your commitment to add at an additional \$125 million for school accessibility in the budget.

Thank you for your time.

Kim Madden

kimamadden@gmail.com

Written Testimony for FY 19 Executive Budget Hearing

Re: Fiscal Year 2019 Executive Budget – Accessibility of NYC Schools

Thank you for the opportunity to submit a written testimony regarding the Fiscal Year 2019 Executive Budget. My name is **Jasmine Tay** and I am a **parent of a child with a physical disability**. I am also a member of the ARISE Coalition. I am writing to ask you to ensure that the final FY 19 budget includes at least \$125 million to make more schools accessible to students, parents, and teachers with physical disabilities.

I would like to share some of the challenges we have experienced in finding appropriate schooling for my son, Harry, who has cerebral palsy and uses a walker to move around his environment. Harry requires a fully accessible school.

We live in the E90s in District 2 and the closest accessible school he could attend Pre-K in was at E35th – a 60 block commute, taking up to an hour each way, everyday. As a 4 year old with a physical disability, this was unacceptable yet this was our only option. The social impact also needs to be acknowledged. Our distance from the school neighborhood made it difficult to participate in social activities, and become part of a local community, which I believe would have been the case if he were able to attend one of the schools in our neighborhood.

My son now attends P.S. 333 in District 3, which is recognized as a great school for including children with physical disabilities. Despite this, the building is only partially accessible and we are still seeing structural barriers to access. For the first few months of the school year, two elevators were out of service – a violation of Section 504 of the ADA. Additionally, children requiring stair free access to the building need to use a different entry/exit to their peers. Not only is this entrance further to the elevators than the main entrance, but this segregated access can exacerbate the sense of difference between children with and without disabilities.

Due to the significant lack of accessible public schools in NYC, we have had limited choice in schools our son could attend, and have had to make decisions based on accessibility, rather than what might be in his best interest. Furthermore, the constant barriers which our family has faced and the time, effort and stress involved in trying to do what's right by our child has taken a significant emotional toll.

It is unfair and unjust that the social and academic development of my son, and others with disabilities, can be directly impacted by the lack of funding towards accessibility initiatives.

I urge you to negotiate a final budget that includes at least an additional \$125 million for school accessibility and create equal opportunity for children with disabilities.

Thank you for considering my testimony. If you have any questions, please feel free to contact me at 646 671 0927 or jaz.tay@gmail.com.

Esteemed Members of the City Council,

Thank you very much for granting me a moment of your time so that I can discuss something very dear to me, accessibility in the schools. My earliest memory of New York City public schools comes during the interview process at my elementary school, Manhattan School for Children (P.S. 333). The school is housed in the old Joan of Arc Junior High School complex. Because the school building is older, there is a set of stairs leading up to the lobby, and the only way in for people who utilize mobility devices is via a side door leading into the auditorium. This door was supposedly unlocked using an intercom system. When I first arrived, and for the first four years of my educational experience, the intercom was broken, so we had to hope that there was someone entering the building who we could ask to notify the security guards so that they could unlock the door. If this wasn't the case, then I would have to be left alone on the sidewalk while my caregiver ran inside to ask the security guards to open the door. I have been doing this from my earliest memory of the school up until around my third or fourth grade year. This experience frightened me, and I did not feel comfortable waiting outside. Eventually, we received a replacement intercom, and the problem was solved. However, the problem has just now resurfaced as I prepare to exit my freshman year of high school. Because I am lucky enough to have a motorized wheelchair, I am no longer depended upon paraprofessionals or other school officials to take me off the school bus to school every day. However, as of right now, I cannot open doors independently, so I'm often left sitting in front of the front doors of the school waiting for the next student to come along to assist me by opening the door. As I attempt to strive for more independence in life, I feel that this is a major setback. Here I am being dependent upon other people when I could be doing things completely independently with the aid of a little bit of mechanical technology. The technology of which I am speaking is push-button automatic doors. In a facility which has automatic doors, all I would have to do would be to come up to the button and press it, and the door would swing open to admit me and close behind me. This would complete the process of independently traveling to and from the school bus in the mornings, and would be beneficial for everyone, especially those who lack sufficient strength to push open heavy front doors (e.g. a person utilizing crutches). I hope money will be put into the final budget that can be earmarked to improve accessibility in the front entrances of schools, both in terms of automating doors and creating integrated school entrances.

I thank you again for your time.

Sincerely,
Joshua Stern

Written Testimony from Raquel Cepeda-Llapa (resident of City Council District 9)

Re: Fiscal Year 2019 Executive Budget -- Need to Provide Funding for Increased Accessibility in NYC Schools

Thank you for the opportunity to submit written testimony regarding the Fiscal Year 2019 Executive Budget. My name is Raquel Cepeda-Llapa, and I am a parent of a student with a physical disability who is currently in high school. I am writing to ask you to ensure that the final FY 19 budget includes at least \$125 million to make more schools accessible to students, parents, and teachers with physical disabilities.

My son has a physical disability that makes it difficult for him to walk, carry books and climb stairs. Although he can do all these things, he needs to be very careful and limit his time with each of them. When my son was looking at high schools, he had very few options to choose from. My son is a talented musician and dreamed of going to high school to pursue this talent. Despite the multiple high schools in the public system that allows students to hone their musical abilities, there was only one school in the system that was fully accessible and would enable him to focus on his music. We are extremely fortunate and thankful that my son was accepted to this one school.

The choices for high school for my son were extremely slim. Even if he agreed to put aside his musical ambitions, because of his physical needs there were still only a few choices of schools of which my son could apply. Unlike his peers who were able to list 12 schools on their high school application, my son had only 4 schools to list. This was not fair to my son.

Like my son, other students with physical disabilities have similarly limited choices of schools. It is my understanding that three of the City's 32 community school districts have no fully accessible elementary schools (Districts 12, 16, and 21), four school districts have no fully accessible middle schools (Districts 7, 14, 16, and 32), and six districts have no fully accessible high schools (Districts 14, 16, 18, 20, 21, and 32).

The City needs to do better in ensuring that there are more schools in the system that can be accessed by individuals with physical disabilities. This is not just an issue that affects students, it also affects parents, caregivers, siblings, teachers, or administrators who have physical issues. More than twenty-seven years after the enactment of the Americans with Disabilities Act ("ADA") the state of accessibility in NYC public schools is unacceptable. Changes need to be made and this work needs to start with a sufficient allocation of funds for renovation and construction to increase the number of accessible schools.

I was pleased to learn that the City Council's Response to the FY 2019 Preliminary Budget recommends an allocation of an additional \$125 million for school accessibility projects. If adopted, I understand this funding would allow the City to make another 15-17 schools fully accessible and to improve the accessibility of additional schools throughout the City through minor renovation projects. However, I was saddened to see that the Executive Budget, once again, omits this critical funding.

I urge you to stand steadfast and negotiate a final budget that includes at least an additional \$125 million for school accessibility.

Thank you for considering my testimony. If you have any questions, please feel free to contact me at rellapa@gmail.com

Re: Fiscal Year 2019 Executive Budget Meeting 5/24/18 – Accessibility of NYC Schools

Our son, Joshua, is 14 years old. He is completing his Freshman year at Beacon, a competitive high school in New York City. He has a medical diagnosis of Cerebral Palsy. He cannot stand or walk independently and uses a wheelchair as his mobility device.

When you meet our son, you may first see he is in a wheelchair, but once he speaks you will notice immediately that Joshua is very articulate and knowledgeable (he enjoys reading the New York Times and “surfing” Wikipedia). He creates stories with science fiction or historically based fiction themes and uses Dragon Dictation to record his work. There is humor in his stories. He has plans for college and a future career (as a writer, politician or financier.) He has come a very long way since his premature birth with complications of bleeding and scarring on both sides of his brain.

When Joshua started speaking at the age of 18 months, we knew that no matter the severity of his physical disability, he belonged in an inclusive environment with “typically developing” children. We found a modified Montessori preschool with a supportive principal who opened up her school to Joshua, their first pupil with physical special needs: he flourished there. We were then fortunate to be accepted into the program at Manhattan School for Children where Joshua was a student from Kindergarten to 8th grade. With a supportive school administration, dedicated teachers and resourceful therapists, Joshua continued to make academic gains. With educational supports he was able to perform academically at, and sometimes above, his grade level. He was inducted into the Junior Honor Society in 7th grade, and was a member in 8th grade.

During his 8th grade year, the Department of Education assisted Joshua and other students with special needs in their search for high schools. There were very few schools to choose from that were without any physical barriers, and even fewer that offered the level of academic challenge Joshua needs. We hope the information gathered and the DOE’s first hand observation of the process parents and students experience will help future families and help schools to understand the need to create and improve accessibility, both by physical means and academic supports. In March of last year we were thrilled when Joshua received his acceptance letter to Beacon, his first choice of schools! He has had a productive and enjoyable year which has boosted his self confidence and self esteem to new heights.

NONE of this could have happened had the three schools not had functioning elevators or ramps where appropriate. Joshua would not have been able to develop into the

confident student and empowered individual he is today had he not had physical access to these three human resource-rich schools. We thank the City Council for recognizing this need and we hope they will continue to support accessibility and enable inclusion in our schools.

We urge you to stand steadfast and negotiate a final budget that includes at least an additional \$125 million for school accessibility.

Thank you for considering my testimony. If you have any questions, please feel free to contact me, Amy Wong Stern at amyjwong@gmail.com or 212-866-3659

Testimony of Rebecca Kostyuchenko
NYC Council Finance Committee, May 24th, 2018

Hello, my name is Rebecca Kostyuchenko, I am a proud New Yorker, Brooklynite and I am the parent of a 13 year old, NYC public school 7th grader. I realized today, in preparing to speak, that I have been coming to talk to the City Council about school accessibility since 2013 - for about five years now. My first hearing was October 25, 2013. I have brought you that day's written testimony, which is still relevant. The last two years I sense that the discrimination against students with ADA disabilities is truly being seen and heard by the Council. That feels really good - and importantly - you are putting your money where your mouth is - so I want to thank you. Thank you to Councilmembers Dromm, Trayger and Rosenthal. Thank you to everyone on the Education and Finance Committees and your staffs. Thank you to the City Council as a whole.

The first time I came here, I described my then 3rd grade daughter "as beautiful, joyful, silly, sweet and bright." She continues to be all of that in the face of great daily injustices in this city, a city which I love and she loves, despite it all. Thus, I continue to come and visit you on her behalf. But she and I and her Dad are lucky. Lucky that I have enough privilege to be here. Lucky that we are not one of those waiting hours for Access-A-Ride to get to important therapies, lucky that we are not working two jobs to cover copays they struggle to afford yet aren't poor enough to avoid, lucky that we speak English, lucky we are not single moms with multiple kids, or with kids with multiple disabilities or with multiple kids with disabilities. Today, at least, I am lucky that I am not laser-focused on preventing my child's condition from getting worse or on trying to do every intervention prescribed to make it better,

lucky that today I am not consumed with making sure my child doesn't die, literally. Families with children with disabilities are struggling with heavy stuff all over this highly inaccessible city. And the fight for our kids disenfranchisement by educational segregation - the fight for their civil and human rights - as important as it is - this fight doesn't often get to win out over other important priorities' demands on our time. But make no mistake, NYC is indeed violating our children's human rights. NYC is violating their civil rights. And it is the moral obligation of every New Yorker to change that. Let our kids get the education they deserve so THEY can fight for those rights in every sphere.

So, I represent a lot of people when I use my privilege today. But we are all here; from all the beautiful ribbons of cultural, racial, sexual, gender and ethnic diversity in New York City, we are here. Because disability doesn't discriminate - it is the minority that bridges all other minorities and differences. Families and people and children with disabilities are part of every other group you represent. We are all depending on you. Because even though I myself am starting to feel heard here, *it doesn't matter until the kids roll into schools and they themselves are seen and heard.* Until families and children can be part of their local elementary schools. Until parents with disabilities don't have to pick a middle school based on where they can attend their child's school play or take part in the PTA. It doesn't matter until students with ADA disabilities open up that big high school directory and see magical opportunities and excitement instead of doors closed in their face. Until all kids, able-bodied and disabled alike, have teachers and principals and staff members with disabilities in their school as mentors and role models - like Ruezalia who spoke earlier. Help make sure our NYC kids who cannot rely on their bodies get the education and equality of choice everyone else gets, that they get the inclusion

and friends and support they deserve in their communities, and please help raise a NYC population of able-bodied children that know peers with disabilities as their classmates and community partners. Not as someone "other" or different. Because the able-bodied kids' brains need this just as much - to end this exclusion and segregation for their own benefit and our city's benefit. Then perhaps we will have empowered and educated kids - disabled and able-bodied alike who can change things - who can have even better visions of equality together.

Thank you.

RESUBMITTED MAY 24, 2018

Rebecca Kostyuchenko

Written Statement of Testimony to the City Council Education Committee

October 25, 2013

My name is Rebecca Kostyuchenko. I am a parent of a beautiful joyful silly sweet bright eight year old child in Brooklyn. My daughter is currently receiving an excellent general education as well as special education services in her local zoned school, PS 321 in Park Slope. First, I want to thank you for this reform - local schools are one of the most important places, in our big and diverse and sometimes transient city, where community bonds are forged. There is nothing my child needs more than to be part of and embraced by her community and peers. Communities and neighborhoods have the power to normalize her experience – to know and understand her difference and support her and us. When you are a family with, often, the extraordinary burdens of special needs, this is especially important. And when you are a child with noticeable difference, it is invaluable to go get a slice of pizza at your local place and see your friends from school – kids who don't need explanation and who don't stare, who already know you and accept you and see YOU, not your difference, but your similarity. And, of course, that neighborhood and that local school and those "typical" friends and classmates are forever enriched and changed by the experience, as much as the child and family with special needs. As Abraham Lincoln said "The philosophy of the classroom today will be the philosophy of the government tomorrow". So I want to start by thanking you for this reform as an important change in how NYC educates and includes children with special needs at the local level. I have no doubt it will make incredibly positive societal change for the future – even beyond what its intentions may have been as relates to individual children and families.

However, I am also here because I want more from this reform. I want to ask you to clarify and strengthen the commitment of this reform to children with mobility issues, because it seems that children like my daughter - children who use manual wheelchairs, and/or who use walkers, or who need permanent crutches, or mobility scooters or 250 pound motorized wheelchairs, children with visual impairment as well as children with complex medical needs – these kids have not been clearly included in this important evolutionary change. As a parent of such a child that is unjust and disheartening.

Truth be told, my husband and I often feel that NYC does not value her the way it values other diversity - when we can't access our neighborhood subways, when the new taxicabs in the year 2013 are not going to be universally accessible, when so many businesses and stores, bodegas and nail salons, do not have accessible entrances, when the brand new millions-of-dollars ice skating rink being built in one of the city's most important parks has not required the vendor to provide accessible equipment or recreation, etc etc As a person who moved to NYC to be here - a true believer in the city that never sleeps, in its richness and diversity and cultural openness, it is so incredibly sad and it makes me angry. But, as a family, we deal with these things, we work around them and we stay in NYC for all we love in it. We value this city perhaps more than it values our daughter's humanity - so we work around it as needed in order to stay. But, when it comes to education, when it comes to the brains of children who cannot rely on their bodies, that is one area where work-arounds are not good enough. Our daughter's school choice and school access should be 100% or MORE of that of their peers.

I am not sure how familiar this committee is with the lack of complete and true ADA- Americans with Disabilities Act - compliance within NYC schools. I am guessing you may know that, currently, many

many, many, perhaps more than half [2018 - WE NOW KNOW IT IS WAY WORSE], of schools do not possess elevators or are otherwise inaccessible to children who cannot ascend stairs. Currently the NYC school system is in a mode of "work around" for the equal inclusion of children like my daughter. The problem is that the work around has been in place for 23 years now. Since the passage of ADA, NYC has attempted to work around and satisfy the law by sending children with limited mobility to designated "barrier free schools" which are a minority of schools. Barrier free schools are not, in most cases, their local schools, they are not, in most cases, the lottery based district-wide schools and there is no requirement for charters to become barrier free and so, also, all these charter elementary schools are not, barrier free and thus, also, do not include children with mobility issues.

Barrier free schools are segregation. They are school segregation in the 21st century. Walk into any barrier free elementary school and you will see a large minority population of children with mobility impairment drawn from all over that district, bused there from all over that district, not a part of their local community, not making playdates with their neighbor next door, not getting a slice afterschool on the way to the playground with their the friends. So many of these children can be as independent in their zoned school as they can be in a barrier free school – they simply need an accessible entrance and a classroom on the ground floor and an administration empowered and educated to do the right thing by these children - allowed and supported to make it work

The current situation of designated barrier free schools something a lot of people don't realize. By and large people are shocked when I explain this to them. ADA is so ubiquitous in popular consciousness that even people in inaccessible schools assume there is an elevator somewhere they just haven't seen! Especially when those inaccessible schools are polling sites with wheelchair signs for accessible entrances, as is our local school. They look accessible because of the signs, but they aren't. Many families with young children in wheelchairs or walkers see those signs on their local schools and are flabbergasted when they show up the first day of school only to find their child's classroom is on the second floor and there is no elevator or chair lift. I have met more than one family who had this experience. So, the special ed reform - theoretically - holds a lot of promise for children with mobility issues. But in practice this is not happening still for many people.

For us, I knew there was no elevator at our local school, and when my daughter turned four I called my local elementary school to discuss pre-k and k, to request they place her classrooms on the first floor and to discuss other lesser details of including her in the school. I was clearly told by the school support team that she could not attend there; I was told that she must be, by DOE policy, in a barrier free school, a school which was not in our neighborhood, a school which was not the one her friends in our building would be attending, not the one the children in her playgroup would attend, not the one our family's neighborhood friends would attend. And when my daughter also tested into district based gifted and talented that same year, not every recommended program was fully accessible. At the time, our family was still dealing with the recent blow of her diagnosis with a serious, progressive neuromuscular disease. Her exclusion from our community was incredibly painful. Overwhelmed and struggling, we chose to put her in private school for the time being. Of course, getting that spot was incredibly difficult as well – and private schools are not accessible as well – another reason why the public system must be better. As time moved on, we adjusted to our lives and the diagnosis and aware of the new reforms coming into place in the summer of 2012 we re-approached the school. We contacted the school principal directly to discuss our situation.

As a result, we obtained a last minute ICT spot in our school's second grade last year.

Her classroom was on the second floor and we came to school and carried her up the steps 2 to 4 times a day. We would have preferred the first floor but, being unsure of our rights under this new reform and wanting to show our school that we were team players and willing to do what it took to keep her there, we accepted what we got. Seeing is believing, and while not everything is easy and perfect, it has worked. More times than I can count people recounted they had doubts about my daughter being in the school – they couldn't see how this would work – but then once they saw it in practice – witnessed my daughter giggling with her peers in the lunchroom, just one of the kids on the playground, doing the monkey bars in her own special way, learning and sharing and participating in class discussions like everyone else– all doubts disappeared and were replaced by excitement and happiness that this possibility was realized in their school. This has been said by parents, by teachers, by staff. Many people beyond my daughter Jacqueline have been touched by her inclusion.

This year, they put her classroom on the first floor, and will do so next year if necessary, and the next – although we are all hopeful but not counting on getting a chair lift installed (that will also, incidentally, help the kids with broken legs -numerous every year- the teachers with injuries -two right now who have broken legs- parents with mobility issues and grandparents). However it happens, we are a team committed to making her inclusion work. And excitingly, this year, a visually impaired child is in our school, her zoned school, despite the CSE recommendation that she be placed in non-zoned barrier free school. I think this trend will continue within the walls of our school. We are lucky at PS 321 that we have an incredible leader in our school principal as well as our new vice principal for special education– they have chosen to navigate the unknown interaction zone where barrier free policy rubs up against the special ed reform and have taken positions they are not sure are supported by the Board of Ed or CSE. But what about outside of our school?

THE CSE is continuing to tell families that their children with mobility issues must be in a barrier free school. Principals, support teams and teachers are not being told they must include children with mobility issues (or other differences which formerly led to barrier free placement) in the new reform. The inclusion of kids like my daughter is completely dependent on the personal decisions of local principals and the feistiness of individual families. It is not convenient to accommodate our kids, but 23 years past ADA it is time we are admitted to our local schools as well as every other child – that is what this reform is supposed to be all about FOR ALL CHILDREN. “Work arounds” of barrier free schools are no longer enough. They have never been enough but now it has been too long. It must be clarified to the CSE and zoned elementary schools that they now must do things like move classrooms and other such accommodations in zoned school for children with mobility issues as part of the new reform. Parents must have the right to expect this inclusion should it be an adequate choice they want to make for their children. Schools must be empowered to request support from their networks, the CSE, the DOE and school staff and teachers in order to make this happen.

Please make clear that the new special ed reform finally ends barrier free segregation of children with mobility issues in NYC elementary schools.

Rebecca Kostyuchenko

917-257-5913

rebaphish@gmail.com

To Whom It May Concern:

Thank you for the opportunity to submit written testimony regarding the Fiscal Year 2019 Executive Budget. My name is Jennifer Whisenhunt and I am writing to ask you to ensure that the final FY 19 budget includes increased funding to make more schools accessible to students, parents, and teachers with physical disabilities.

I am very concerned about the significant lack of accessible public schools in New York City, severely limiting the choices available to students, families, and teachers with physical disabilities. The NYC Department of Education has 3066 sites. There are nearly 1800 schools in about 1300 buildings. We have about 1240 schools which are not fully accessible, which translates into about 900 buildings that need to be made accessible. At the current rate of 17 schools every 5 years, we will reach full accessibility in 262 years, in the year 2280. This is appalling. We need full accessibility during our lifetime. I propose that we increase the capital budget for accessibility to \$1 billion over 5 years. At that rate, we will achieve full accessibility in 26 years.

This is not just an education issue. The ADA, passed in 1990, guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life – to be employed, to purchase goods and services, and to participate in State and local government programs and services. Our schools are public buildings where teachers, administrators and staff make their living, community members vote, and families attend conferences and events. 28 years later, we have not complied with the spirit or the letter of the ADA in our school buildings.

It is easy to focus on the Department of Education when we discuss the lack of accessibility. But the money needed to achieve compliance with the ADA has to come from you, our legislators. I strongly urge you to support increased funding for making schools accessible.

Thank you,
Jennifer Whisenhunt
2903 Broadway
Astoria, NY 11106

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Jennifer Whisenhunt
PBDW Architects

Thank you for the opportunity to provide testimony today about the upcoming Capital Budget. First, I want to thank the City Council, especially the Committee on Education chaired by Mark Treyger and the Committee on Finance, chaired by Daniel Dromm, for their ongoing support on improving accessibility in New York City Public Schools. We need their efforts and support to translate into an increased budget allocation this year.

The NYC Department of Education has 3066 sites. There are nearly 1800 schools in about 1300 buildings. We have about 1240 schools which are not fully accessible, which translates into about 900 buildings that need to be made accessible. At the current rate of 17 schools every 5 years, we will reach full accessibility in 262 years, in the year 2280. This is appalling. We need full accessibility during our lifetime. I propose that we increase the capital budget for accessibility to \$1 billion over 5 years. At that rate, we will achieve full accessibility in 26 years, just in time for my grandchildren to go to high school.

We dodge our legal requirements and our moral imperative, when we twist IDEA's mandate for "a Free and Appropriate Education" to mean an education anywhere the Department of Education sends you. An appropriate education is not one where people with disabilities are segregated into schools that they can access. An appropriate education means equal opportunities to attend your neighborhood elementary school, to have a full range of middle and high school choices, and to have your parents involved in your education.

We have seen the difference having an accessible school has made for our son, Abey, first hand this year. The change from the Henry Viscardi School, a segregated special education school, located 19 miles from our home in Albertson, Long Island, and Bard High School Early College Queens, a competitive high school 2 miles from our home, has been extraordinary. My son is finally getting the challenging education he has been missing for the last 9 years. He is a member of the vinyl club, which meets after school – something he could not do at Viscardi because there was no transportation home. My son has friends, who come over to our house, and recently attended the performance of a play he wrote. And his commute has gone from one hour each way to 20 minutes each way. This is what he was entitled to all along.

This is not just an education issue. The ADA, passed in 1990, guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life – to be employed, to purchase goods and services, and to participate in State and local government programs and services. Our schools are public buildings where teachers, administrators and staff make their living, community members vote, and families attend conferences and events. 28 years later, we have not complied with the spirit or the letter of the ADA in our school buildings.

It is easy to focus on the Department of Education when we discuss the lack of accessibility. But the money needed to achieve compliance with the ADA has to come from you, our legislators. We need you to make the allocations that will support full accessibility for my son, Abey, to get a job, vote, participate in his community, and one day bring my grandchildren to school.

Michelle Noris, PE
21-37 23rd Street
Astoria, NY 11105
718-267-8881

