

Contracts for Excellence
Manhattan Public Meeting, 9/30/09
P.S. 184
Public Comment

(Audio starts mid-sentence)

MS. PHILLIPS:

-- in front of you, is also available in paper form on that back table. So if you'd like to get a copy and follow, if it's difficult to see the front. And please know that your comments and your feedback is what this meeting is all about. In every district in New York City through the month of September, concluding with October 7th, every district is offering a hearing about the proposed Contracts for Excellence plan, so that your voice and input, or questions or feedback can be part of the process as the DOE submits the Contracts for Excellence plan to the state for approval. Let's get started.

So first, we're going to do just a quick overview. We know that the money that comes from the state for Contracts for Excellence appeared the third year of that process. Unfortunately, the money allocated for Contracts for Excellence this year is at the exact same level as last year. So whereas the hope had been that there would be incremental increases each year, this year it's about maintenance of effort, meaning that the funding from last year is being duplicated or replicated so it's at exactly the same level. So there's not going to be that much in this presentation that's different from the presentation last year. And that has to do with economic climate, hardship and -- as well as state funding.

You'll notice that all of the funds that go towards -- that come from Contracts for Excellence have to be allocated in six possible areas: either Class Size Reduction, Time on Task, Teacher and Principal Quality Initiatives, Middle or High School Restructuring Efforts, Full Day Pre-K, or Model Programs for English Language Learners.

And when -- if you ask the question how much funding from Contracts for Excellence is my child's school getting, we have a list which shows all of the District 1 schools and how much that Contracts for Excellence amount had been last year -- remember it's the exact same amount this year -- and if you're wondering where is the formula for that allocation, it has to do with the money goes for students with the greatest educational needs, and that's defined as English Language Learners, Students in Poverty, so we're looking at Title I information, Students with Disabilities, as well as Students with Low Academic Achievement or those At-Risk of Not Graduating.

Kelly Prayor (ph.) from the CEC office is distributing the page from the school allocation memo that lists all of the schools in District 1 and what the allocations were last year as well as this year -- the same amount. So since she's doing that I might trouble you to just fix (indiscernible). Thank you.

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Okay, I mentioned this up front. Given the severe economic climate faced by the state and the nation, New York State has held the funding that it's contributing to the city at exactly at a flat level. There is no increase in that foundation aid. So for this year, and we've already been told to project for next year, there are no new Contracts for Excellence funding. Therefore, it's being called a Maintenance of Effort proposal, meaning that a lot of numbers and designations and percentages that you'll see mirror what we've had last year.

Please know that the numbers that you're going to see in this presentation are preliminary and that they're still being reviewed and there are still a few million dollars, or at least when this presentation was made, that were still being allocated by schools. So you'll see that (indiscernible) a little bit later.

Okay, what we're looking at in this pie graph, or pie chart, is kind of macro-level, full citywide level. This is not District 1 funding. So, if you look at all of the money that has come through for Contracts for Excellence, that 387 million dollars -- I'd love to tell you all that that's coming to District 1 -- that's for the full city. It's allocated in these general areas. There's sixty-three percent that are going towards discretionary allocations. That means that the schools receive that funding -- in fact, they received that funding in May of 2009, and they had to make a school decision about, would that funding be allocated to Class Size Reduction, for example. Would it be allocated to Time on Task, and I can give examples of what that would mean. So it became a school decision for the sixty-three percent. Then there's the targeted allocations, which is twenty percent. Maintenance of Effort, eight percent, and then Districtwide Initiatives, ten percent. We're going to go into a little bit more detail about the future of those allocations and examples.

By far, the biggest part has to do with -- I'm sorry -- this is again, looking at the 387 million dollars, and remember I said it had to be allocated to one of six areas, like Time on Task, Class Size Reduction. This is the breakdown you'll see across the state. So most schools are allocating it in a way that's going toward the Class Size Reduction.

One question that frequently comes up is, if so much money is being allocated to Class Size Reduction, why are we not feeling it at the school. And one excellent reason for that this year is that as the funding levels have stayed exactly the same from last year to this year, however other variables have changed, including, for example, salaries. So you may not feel a net effect this year; in fact, you might see a little growth in class size. But it would look very different -- it would look far worse if there weren't this funding there to at least try to maintain the effort.

So here's the breakdown of cost decisions in six different areas. Next one. Now, we're not looking at the full pie of 387 million. We're just looking at that sixty-three percent, which I mentioned schools received in May as part of their discretionary spending. So that comes to -- sixty-three percent comes to 242 million dollars, and here's the breakdown, citywide, of the 242 million dollars. You can see, most of it goes toward Class Size Reduction, Time on Task and then

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smaller pieces going to Teacher and Principal Quality and some of the other programs.

Now you'll notice, TBD, to be determined, that's that four million dollars that when this presentation was made, I think, in the beginning or middle of September. Jean, do you want to give an explanation of that?

MR. MINGOT:

September 1st was when this presentation was done. At that point, the schools didn't bring forth their budgeting year.

MS. PHILLIPS:

Okay.

MR. MINGOT:

So is the little piece that wasn't budgeted.

MS. PHILLIPS:

Okay. So we're talking about two percent of it, hopefully in the last month schools have been working closely with the IFC and it's been fully allocated.

All right, the sixty-three percent that was dedicated to Discretionary. The guidance to schools -- schools were not able to just change the way they spent that money this year. The guidance that they were given was since it's a Maintenance of Effort process this year, that the money that they allocated last year should really look the same this year. If it went to reducing class size last year, it should go towards that category, except if there were changes in enrollment. So, for example, if a school could not maintain effort due to significant changes in its student population or its instructional strategy, it could reallocate funds. But for most of the schools that we're looking at, how the money -- how that discretionary funding was allocated, will probably look exactly the same as last year.

Okay, that big chunk of 76 million dollars that was the Targeted Allocations -- these are the specific programs. Sixty one million dollars are going to support CTT, which is an initiative with students with IEPs to offer them a less restrictive environment, that is, self-contained class. It's an initiative that the Department of Ed has been strongly supporting and endorsing. And so, a good chunk of that money, 61 million dollars, has gone towards supporting the increase in development of CTT classes, citywide. Similarly -- and this does affect District 1, and in fact, affects P.S. 19, where this program's now starting -- and I'm just pointing to Jackie Flanagan, our new principal at P.S. 19 -- Autism Spectrum Disorder, the ASD classrooms. That's a new initiative that the Contracts for Excellence had been supporting by 7 million dollars. And that's to support classroom development or classroom environments for children designated as being high-order autism. And finding a classroom environment within the school

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setting and the least restrictive environment where they can be supported in their learning.

Next one. Districtwide Initiatives. These are determined at a central level. It's not that CEC or the superintendent or the district office is taking this money and allocating it. But they go towards supporting programs like: Principal Training Initiatives - 10 million dollars. We know that as the Leadership Academy, for example. So, a portion of the Contracts for Excellence funding goes to support city initiatives, and it comes under the umbrella of districtwide initiatives.

Similarly, school restructuring initiatives, multiple paths to graduation kinds of programs -- that's where that 39 million dollars is going to.

Okay, now let's talk specifically about District 1. So, we know that the whole pie is that 387 million dollars. Within District 1, here you can see our allocations. Again, Class Size Reduction is the number one allocation, forty-eight percent; followed by Time on Task and Teacher and Principal Quality Initiatives. So, our funding of a little more than 3 million dollars out of that whole pie, that's where our District 1 schools have made their allocations, and this matches what happened last year.

Next one. If you want a more detailed breakdown, you can see that the Class Size Reduction -- what were the kinds of things that it went to support. Reducing teacher student ratio, team teaching was one initiative. Creating additional classrooms, that's another. Similarly, for Time on Task, you'll see supporting of summer school programs that may not have been the mandated summer school programs, that's where some of that funding went to. Or tutoring, as another example. To fund positions like coaches, that may have not been able to be supported through the regular school budget. Some of the Contracts for Excellence funding that was dedicated toward Teacher and Principal Quality Initiatives could have gone to supporting those positions.

Again, staying with District 1, we're looking at Middle and High School Restructuring, Full Day Pre-K and Programs for Ls. And so if you want to see that further breakdown within each of those categories, you can see it here or you can see it on the paper version of this presentation.

Okay, I'm going to ask you to advance and then talk about the process. I mentioned this early, up front. I'm sorry, before you get to Public Comment, can you go back to the slide before it? Yeah, Class Size Reduction. Because I think that's where a lot of the questions come in, about why aren't we feeling a significant difference in terms of reductions of class size. As teachers' salaries rise, more funds are required to maintain the same number of teachers as last year. So, that's one reason why you're not seeing a big change. And many schools chose Class Size Reduction or Pupil Teacher Ratio strategy to avoid what would have felt like a greater impact in terms of class size increases. So, that's -- it's not surprising that District 1 mirrored, or reflected, what happened in the city, in terms of allocating most of the funding towards Class Size Reduction.

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And, finally, comment and feedback. We are prepared now, and Lisa outlined the public speaking and the comments on this proposed spending of the Contracts for Excellence. But if you're not comfortable standing up and voicing your question or comment, our department then is interested in hearing from you, nevertheless. So be it in the form of an e-mail, and (indiscernible) read it to you. If you'd like to send a comment or a question, please send it to ContractsForExcellence@schools.nyc.gov. We need to have those comments in by October 8th and all comments or questions are going to be received and there's a DOE website right now has not only the presentation that I shared with you, and not only the school allocation memo and lots of other documents around what are the Contracts for Excellence, how -- what does the proposed funding look like? But it's also going to be doing kind of a FAQ, Frequently Asked Questions, and addressing and responding to any questions or comments that you have. It won't list you by name, but it will -- they will address the questions and responses. And then that whole feedback and comment will then be sent to the state with a revised Contracts for Excellence proposal, thirty days after that date.

Jean, what did I say inaccurately, or what do you want to highlight?

MR. MINGOT:

I think you really pretty much down to the --

MS. PHILLIPS:

Don't do comments. I want the right information to get out.

MR. MINGOT:

Well, if there are these specific questions surrounding Contracts for Excellence, I'll be happy to persist --

MS. PHILLIPS:

Let's start with the CEC.

FEMALE SPEAKER:

The CEC is going to voice a few comments and then we're going to open it up to the public. I'm just going to let you know who signed up, and if you wanted to sign up to speak for this portion of the meeting, please come up and add your name. Helaine Doran, Tammy Gracy (ph.), Leonie Haimson, Marianne Hunkin, and Marie Gainvis (ph.), is that right? Oh, that's Mona -- Mona Davis also signed up to speak at this portion. Right now, I'm going to begin with my colleague, Andy Reicher.

MR. REICHER:

Thank you, Daniella. It's a nice PowerPoint, but it -- I don't think it really covers the fact that I think that one of the major concerns is that Class Size Reduction

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and while one of the explanations is the PowerPoint and so forth sort of cover what might happen this year, because the funding is being cut, in fact, over the past several years, Class Size Reduction hasn't happened. In fact, class sizes have gone up as the Contracts for Excellence money has been going up in those years as well. So, I think that it's not a very -- while it may be adequate for the teacher, it doesn't really explain away what the department has been doing with our funds when one of the most important things clearly that the schools have voted for by their allocation as well as what the years-long struggle to get these funds was for -- was to reduce class sizes in our schools.

MS. PHILLIPS:

Wally?

MR. ACEVEDO:

Hi, I just have a statement that I'd like to just put for the record. Small class sizes remain our priority to all our parents. According to the DOE, on survey, the state's highest court said, "New York City children were provided -- New York City children were provided of the -- deprived of their constitutional right to an adequate education because of excessive class sizes. The city promised the state as part of the Contracts for Excellence that they would reduce class sizes every year, until the year 2011-12 each school year, when the citywide average would be no more than twenty students per class, grades K through three and twenty-three in all other grades. Class size reductions is not a state mandate and yet, the DOE continues to violate the law and class sizes remain at an increase."

FEMALE SPEAKER:

I have first a question and then a comment. Actually, so, I'm not clear how it is that the city has revised the proposed plan if, in fact, this money has already been budgeted. So what is the purpose of this comment process and hearing? Why are we taking your time, her time, our time, everyone's time to go through this if, in fact, we've just seen that it's already been determined? It was determined, in fact, a year ago, and we're just following through. How does that -- how does this impact the plan?

MR. MINGOT:

Well, technically, you have to keep in mind that schools --

MS. PHILLIPS:

Jean, could you take the --

MR. MINGOT:

In May. So the state has to give the city the latitude, given the principal. The state has to allow the principals to do their budget ahead of the school year. So being that they had the money in May, it's just preliminary. The state still has the

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option of rejecting the plan. So, if they don't find it satisfactory. So, it's just a budgeting matter. The DOE technically doesn't have the Contracts for Excellence money for this year.

FEMALE SPEAKER:

It hasn't been spent. It's been budgeted but will be revised as --

MR. MINGOT:

Correct.

FEMALE SPEAKER:

-- as a result of these comments. So, kind of addressing that plan, then, if you'll indulge me one more time, in District 1 the school average class size increased last year in the early grades K through three by about three percent and in the upper grades, four and five, by almost two percent -- 1.7 percent, actually. And so, I'm confused, really, how we can say that we're reducing class size and spending all this money when last year, in '07-'08, the New York State Education Department determined that the DOE did not meet its class size reduction targets. And in fact, half of the schools saw an increase in the pupil to teacher ratio. And so the state intervened and said, you need to do a better job implementing your plan, 'cause you're not meeting your targets with the money we're giving you. Yet again, the following year, '08-'09, class size again increased, even in about half of the schools that said they were spending money on class size reduction. So, you know, I don't really understand how we can say on paper we're putting all this money into reducing class size, but then the facts don't come through. And then, when the state does an audit and requests an improvement, we get even worse results.

FEMALE SPEAKER:

We're going to finish comments and then you could please speak.

FEMALE SPEAKER:

Is it on? Is it --

MR. MINGOT:

No, this is --

FEMALE SPEAKER:

It's on now.

MALE SPEAKER:

Just last week, City Comptroller Thompson released an audit showing that in 2007 and '8 the city misused 47 million in the early grades size class reduction program meant to reduce class size in K through third grade. As part of this

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Contracts for Excellence plan, the city promised to the state to continue this program. I quote, "The department continues to be committed to reducing class size in early grades via the early grade class size reduction program. The administration's response to last week's audit, that the program has ceased to exist."

FEMALE SPEAKER:

I have also an additional question. My understanding is that the allocations from the principals from last year are the ones that we pulled through again this year, because there is no change to be done, and this fifty-three percent of the allocation the principals had chosen were going towards class size reduction. So, I mean, just imagine what would happen if you could ask them today where they would allocate the money. I guess we would receive, like, ninety-eight percent going into class size reduction because the class sizes are larger. But we're not asking that, right? We're just keeping, like, track of old data. Which we're used to at the DOE because we also always have to make our opinions based on old data, a lot of very old data.

So my problem with this whole idea is really that you get additional funds into the city and then you're meeting less targets from years back then. I mean, this all doesn't add up to any conclusion that makes sense to me, that there's additional money come to the school -- to the city and then you don't meet targets that are years old. And in addition, we just have more and more kids pouring into the schools and less money. I don't find any answer to these very basic questions in whatever publication I go into.

And we, just as the CEC of District 1, want to urge any other CEC that would -- may be listening through whatever channel to pass resolutions to make the state stop the city to increase our classes. This is not the way this money should be spent. This is a -- I don't know, I don't want to spend too much time and not too harsh words yet. But it's just not making any sense.

FEMALE SPEAKER

Next speaker.

Our first speaker is Helaine Doran.

MS. DORAN:

Do I need a mike?

I have a question. Do I have -- I think it would be useful, that because of who I represent, to give a little more time than three minutes. Is that fair?

MS. PHILLIPS:

It's okay with me.

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MS. DORAN:

Is that okay?

MS. PHILLIPS:

Do you want to tell people who you represent?

MS. DORAN:

Yes, I will. My name is Helaine Doran. I'm deputy director of the Campaign for Fiscal Equity. I'm going to give you a little background to add to what Daniella said in order so you can make some sense of what's going on here.

In 1993, Campaign for Fiscal Equity, or it's known as CFE, filed a lawsuit on behalf of New York City's public school students, that the state was underfunding and depriving students of the constitutional right to an adequate, sound, basic education. That lawsuit concluded in November of 2006. In that time frame we had a new governor who committed to settle the lawsuit. He committed 7 billion dollars, statewide, 5.4 billion for New York City, in particular. It was to be phased in over four years.

The Contracts for Excellence was the accountability mechanism to give you, parents, community, teachers, administrators, all of you, a voice in the process of what should happen with this money.

In the first year, the first allocation, CFE, because it brought the lawsuit, appointed itself monitor, you know, somebody has to look at this. Somebody has to care. Somebody has to care that we fought all these years to get this money and that it's spent wisely and that it impacts student achievement and that it gets us where we want to go. This is one of thirty-eight cases around the nation. There are a lot of critics who want to say that money does not matter in public education. We want to say it does. I think you probably agree with me.

And so we were very careful in monitoring what the department of education did the first year. In the first year when they got their first-year increase, this money is to supplement. It cannot supplant. What does that mean? It means that at your school, if you have a first grade teacher who's paid by your city tax levy funds, you cannot now take this new money and say, I'm not going to pay for that teacher that way. I'm going to pay for it this way. The idea was more that if you decided that your first grade should reduce class size, you were adding a classroom and you were reducing class size across that grade. Okay, so that was the concept.

In the first year of the increase, the biggest challenge that we made to the Department of Education and to the State Education Department, is that New York City had made a decision to take the money and distribute it widely across varied schools, and that the driving factors, as we said -- 'cause this was not meant -- certainly we would wish that we got money for every school in New

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York City and that, you know, if it was Stuyvesant, they would get lots of money, too. But that's -- there's not enough to go around. So the idea was is that you had to target it to the students in schools that needed it the most, that were not meeting the standards; that had lots of English language learners; that had special ed kids.

And so, the city was not distributing the money that way, and we challenged that. And I have to say that State Education Department did step in, would not approve of the city's contract, and said you've got to redistribute this money appropriately, so it is going to the students that it was always intended for in both law and regulations.

So we get through that process. We get to the second year of the increase. And some of you might remember, or you may be new parents. In the second year, it was the beginning of declines, but it was not like the world had fallen apart yet. This was not -- this is prior to the election of President Obama. That there was some indications that the economy was crumbling, but the state actually gave all the money it was supposed to give for this increase. And the city made the decision that it pulled back its own funding. So, it put your principals in a bad position that, again, this money was not meant to supplant, it was meant to supplement. So, instead, your principals had to twist and turn and pretend. We challenged, CFE, that 243 million of the 387 million of last year was used to supplant. It was used to -- what city took away in tax levy now was being paid for by this money that we fought for thirteen years to get. Okay, so we're still in an argument over that.

And what's sad is the State Education Department has not been good about stepping up to the plate and saying, City, you've got to have some kind of resolution. It's not that we couldn't accept that the city wanted to say, we can't fund everything then give us an IOU. Then when fiscal times are better, you owe that money plus inflation on top to make sure that we get to where we're going. We don't want to lose the whole point that we're, like, treading water; that this money and what we fought for is that we just barely maintain a baseline here. So that's our second year. That's still a fight that we're doing.

Here's the third year. I have to say that advocates and CFE fought hard that the city and -- there's thirty-six other contract districts -- had to maintain their effort, okay? And that the two years after it had to be shown, it had to be in a contract. So, unlike New York City-- unlike the rest of the state -- did not issue a contract in a timely manner. The rest of the state did. They issued their contracts. They had public hearings, and they were approved by the state.

New York City finally came out with a contract on September 8. It's after schools opened, so it's -- you know -- same questions you have. Sort of, like, what's the point? You know, how are we going to take money back from schools at this point in time? But the thing that was upsetting for us was in the law, in the regulation, in the guidance documents from the State Education Department, the city is required to not tell you about 387 million. They're required to tell you about 645 million, and what they're doing with that money.

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So we're still in opposition with the DOE -- I mean, it's not -- we're friends at points. We do have a speaking relationship. But it's sort of, like, why is nobody complying with the law here? And then the sad thing was, is that the State Education Department, when we looked into the other school districts, they too only give one-year contracts. You know, they only give the last year of the contract.

So, all right. So, we still feel, most of you are feeling it, is that we're continuing to supplant, that the money's receding, that this money is barely filling the holes that are happening, and that if I say anything in comment to you it's that you should push back on it.

Oh, one more thing. They were required by law to hold five borough hearings, and there were supposed to be hearings at the CEC level. Now, they argued with us that they didn't want to give the borough hearings because they thought, particularly because there was no increases, they didn't want to do them.

Okay, so they're going to do the CECs. When the contract comes out, there's a page and you go and you click. And for you to figure out how to get to your district and your school is mighty -- you have to be a persistent person to get to the information. And so, we, CFE, took it upon ourselves to inform the CECs that, here -- here are the documents that you're -- the Department of Education didn't even give you, just left you to click your way and find, you know, the information. And so, you know, we don't feel that that's an adequate way that the whole supporting, public participation to the law was that, this should be out there, this should be accessible to you, this should be distributed, there should have been a timely discussion about this, so that -- I'm finished.

We're still, you know, sort of, like, out there fighting with them, and, you know, we hope that you'll fight, too, because it's sort of, like, you know: what's going to happen? They're stretching this money out in theory over the next six or seven years.

What's going to happen at the end for us to prove that money matters, if we keep sort of, taking the money, and putting it over here, and then we say, well, where is the '07-'08? And then we say, oh, well, that money is gone, we don't know, we can't prove it, you know, it's like -- that's my (indiscernible).

MS. PHILLIPS:

Next up is Tammy Gracy (ph.).

MS. GRACY:

I'm not speaking.

MS. PHILLIPS:

You're not speaking? Okay.

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MS. PHILLIPS:

Leonie Haimson?

MS. HAIMSON:

Hi, I have a fact sheet for you guys. And anyone who wants one, e-mail me at leonie@att.net and I'll send it to you. Like Helaine, I've been watching this process closely for the last three years. I'm Leonie Haimson, head of Class Size Matters. This program was established in order to resolve the CFE lawsuit, as Helaine explained, which was fought in court for over fifteen years, and it was supposed to provide more public input, more accountability, and more transparency so that parents would have a real voice, so that we know exactly how the money would be spent and that the money would be spent on programs that were proven to work, like class size reduction.

None of this has happened. Over the last couple of years, we've gotten over 600 million dollars in additional funds from the state, and I don't think anybody knows how that that money has been spent. This year, it was the worst of all of them because they were supposed to hold the hearings in June, and they didn't want to, and they fought, kicking and screaming, and they're finally holding them now in September, when it really is too late to change the city's priorities. But we're asking CECs, including this one and others, to pass resolutions, demanding that the state not release any of these funds to the city until the city has proven that it is actually reducing class size. Even the schools that allocated the money did not reduce class size in the first two years. And the city itself -- Department of Education has never centrally allocated a single cent towards this important program, even though, in the law, it's the only thing that's absolutely required.

And this is now the third PowerPoint I've seen and it leaves out any information about the fact that the city is mandated to be reducing class sizes in all grades. You didn't see that mentioned here because the Department of Education doesn't want you to know.

So, you guys have said most of what I was going to say already. I think it's a shame. Class size reduction is still the top priority of parents in the DOE parent polls. This state's highest courts said that smaller classes would be necessary for kids to get their constitutional right to an adequate education. The law was passed requiring the city to reduce class sizes in all grades in exchange for getting hundreds of millions of dollars in state funds, and yet the city is refusing to do so.

So, we hope -- I'm going to be sending around, you'll sign a letter as well. I hope you'll all sign on, telling the state that they've got to make the city comply. This is the third year of their five-year plan. If we don't make progress now, I don't know that we ever will. Thank you.

MS. PHILLIPS:

Marianne Hunkin? I hope I'm getting that right?

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MS. HUNKIN:

Hi. I'd like to say before I start that there's a copy of my testimony at the back table, if anyone wants to take it.

Good evening. My name Marianne Hunkin, and I'm a program assistant with Advocates for Children of New York, also known as AFC. I would like to thank the Department of Education and the Community Education Council for the opportunity to testify today on the proposed Contracts for Excellence plan.

AFC is a nonprofit legal advocacy organization whose mission for over thirty-five years has been to ensure equal educational opportunity and quality education for every child in New York City. AFC is committed to serving students who are most at-risk of school failure due to factors such as, disability, poverty, race, immigration status, language barriers and involvement in the juvenile justice and child welfare system. In addition, AFC seeks to engage key policymakers and reforms to modify existing educational structures that harm young people's ability to succeed in school and to put in place inclusionary, effective and equitable practices.

We are pleased that the DOE has released a proposal C4E plan and is holding these hearings in compliance with the regulation. However, we would like to note that the DOE notified the public about these hearings two days after the hearings had already commenced, giving the public no time to review this detailed and complex proposal and prepare to testify. To allow for more meaningful -- excuse me, to allow for more meaningful public participation, the DOE must, in the future, provide the public with the proposed plan within a reasonable time period for review, as required by state regulations governing the contract funds.

Moreover, the DOE failed to provide notice in the eight most common languages spoken by parents throughout New York City. The failure to provide such notice to parents with limited English effectively excludes them from this public process. This is especially troubling, given that English Language Learners, often the children of parents with limited English, are one of the target groups that these funds are intended to benefit.

Aside from the problems with notice for these public hearings, the past three years have been marked by a lack of transparency on whether the contract funds have been used to create programming and supports for the students that they are intended to benefit.

This year, the DOE has actually taken a step backwards, in terms of transparency. Last year, the DOE provided -- excuse me, comprehensive education plan appendices for all schools, which included detailed information about how individual schools propose to spend their C4E allocations. These CEP appendices allowed us to see, for example, if a school proposed to increase staff in an L program, provide more professional development to teachers working with English Language Learners, or create a new program for English Language

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Learner students in their school. This, however, this year, however, the CEP appendices were not included in the plan and, therefore, the community has very little information about how schools plan to spend the C4E money. Without these details, parents cannot hold schools accountable for spending the money the way they were originally proposed. We hope that the DOE will release these appendices in the near future.

With respect to proposed spending on English Language Learners, or ELLs, we are concerned that even though ELLs are generating millions of dollars for the city, only a small fraction of contract funds are going to model ELL programs. Only seven percent of all contract funds have been specifically allocated for ELL programs, despite the fact that ELLs are generating approximately nineteen percent of contract funds. In District 1, only three percent of the C4E funds allocated to the district will go towards L programs, yet ELLs account for more than twelve percent of the district's population.

We are equally concerned that such a small percentage of schools -- less than twenty percent -- chose to use their C4E funds for ELL programs, model ELL programs. In District 1, only four out of thirty schools that received C4E funds proposed to spend those funds on model ELL programs.

Finally, we are happy to say -- to see that the DOE is targeting 2 million towards ELL summer school. We feel that other targeted interventions are needed for ELL students. Citywide, there is a lack of programming options for ELLs, such as bilingual and dual lingual programs, and almost no appropriate programs for ELLs with unique needs, like students with interrupted formal education and ELLs with special education needs. C4E funds should be targeted towards creating these types of programs.

My testimony goes on, but I know that you guys have a limited amount of time, so, I would have gone on the talk about kids with special needs and kids overage and under-credited middle schoolers. So if you would like that information, that's at the back. Thank you very much.

MS. PHILLIPS:

(Indiscernible).

MS. HUNKIN:

Sure. Can you -- yeah, absolutely. Yeah, okay, thanks.

Sure. No, thanks, that's okay. I understand.

MS. PHILLIPS:

Mona Davis?

MS. DAVIS:

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Hi, good evening, everyone. Is this thing on?

(Checking microphone)

MS. DAVIS:

Good evening, everyone, members of the CEC, thank you for having us here and for posting this meeting. My name is Mona Davis. I'm the president of the New York Charter Parents Association. We represent ---

FEMALE SPEAKER:

(Indiscernible) -- this is the CEC -- (indiscernible).

MS. DAVIS:

No, no, no, absolutely. You know, we represent charter parents and I'm so happy that I came to this meeting, because I learned about something new, Contracts for Excellence. I did not know about the Contracts for Excellence, and I am a public school parent of an eleven year-old that attended a traditional public school and now is in a charter school, but it is still a public school. But I did not know about Contracts for Excellence. So, I have a question regarding Contracts for Excellence, since I'm very new to this and this is my first time, and I understand this gentleman is the expert. Contracts for Excellence -- does that money come from the state or the federal government?

MALE SPEAKER:

State-funded.

MS. DAVIS:

It's state-funded. So, I'm looking at this list of our schools here in this district and my question is this -- and not just for schools in this district, but throughout the state, when it comes to also public charter schools, but also the three that are in this district. Do we receive these Contracts for Excellence -- this Contracts for Excellence money? I understand that the district schools are in fact receiving it, the way they're supposed to be receiving it, but, you know, I'm going to be inquisitive and ask the question. What about us? Do we receive -- yes, yes --

MALE SPEAKER:

I honestly --

MS. DAVIS:

Do charters receive it since we are, you know, Leonie, if you have an answer to that question, and I know you probably do -- that's fantastic.

MS. HAIMSON:

The cities were allowed to take a certain amount off the top for charters.

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MS. DAVIS:

Wow. Okay. But I --

MS. HAIMSON:

But they don't report it back. There's no reporting on it. They don't report it, they take a certain -- they increase every year over the increase and spend much (indiscernible).

MS. HAIMSON:

When the legislation was written, the increase in spending on charter schools from one year to another, a certain percentage of that was allowed to be taken off the top of the money that would then go to traditional public schools. So a portion of the Contract for Excellence money is going to charter schools in the city.

MS. DAVIS?

Do you know how much?

MS. HAIMSON:

I don't remember the exact figure, no.

FEMALE SPEAKER:

Sixty million, citywide.

MS. DAVIS:

Six million?

FEMALE SPEAKER:

Sixty million.

MS. DAVIS:

Well, then I would have to say with my district school parents, I'd like to know, how is this money being distributed? How is this money being allocated? And which schools have, indeed, received this money? So, I hope this is something where, while you guys are conducting your research and fighting for your money, we can join you and ask where the sixty million that's supposed to be going to public charter schools in New York City -- where that money is, and, you know, I'd love to work the CEC as well as with Leonie and try to, you know, get some of that money for our kids. Thank you. Thank you.

FEMALE SPEAKER:

And there was a gentleman who had signed up who had wanted to speak. Quickly?.

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MALE SPEAKER:

Basically, just one question and that was --

FEMALE SPEAKER:

Excuse me, can you please say your name?

MR. PIERCE:

Just one quick question. Hi, my name is Ian Pierce. I'm a parent over at the Ross Global Academy. The question I was having, I believe, I'm trying to direct it to the superintendent was, is there an open book breakdown of how you reduce class size? Is there a formula? Is there something that there's a guideline that everyone can see and this is the procedure, and the step-by-step way that this -- does this get done? Because if we're going year to year and nothing is happening, at least let's see the formula. If there's a formula and then, we can at least -- there could be an answer to that. Thank you.

FEMALE SPEAKER:

(Indiscernible). It might look better to budget piece by piece (indiscernible) class size. Of course they're released each year so that you know the numbers, but how would you use the budget, convert that into reduced class size?

MALE SPEAKER:

We're not going into any specifics. The city negotiated certain class size level for each grade. For example, K to three, I believe it's supposed to be at twenty-five. That's the part where the city would fund -- let's say the school has fifty students. The city is required by law to fund two classes at twenty-five, each. But if they choose to reduce the classes below twenty-five, then that would be class size reduction. Let's say instead of creating two classes, they create three. That would be reducing classes in the lower grades.

MR. PIERCE:

That's the formula?

MS. PHILLIPS:

No, Helaine --

MALE SPEAKER:

No, that's not the formula.

MS. PHILLIPS:

-- you had a target plan. Do you want to talk about the plan, or is that too much for people?

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MS. DORAN:

Well, you have an expert who's been tracking this.

MS. DORAN:

One of the problems is there is no real plan. The whole thing was a fiction to begin with. But the city was forced, kicking and screaming, to submit a fictional plan to the state, which the state accepted. And aside from a certain number of a small number of overcrowded high schools and middle schools, there were no individual targets for individual schools. It was just a promise by the city that they would achieve the citywide reductions in average class size every year for the next five years, until the year 2011-2012.

And then -- then they left it up to schools and they said do with this money what you like. We will provide no oversight, no direction and really we don't care whether you spend it on the right thing or not. So what happened? Schools didn't reduce class sizes, nothing's happened at schools that got the money and didn't reduce class sizes. They were given no real direction on how they were supposed to use the money. I don't even know whether principals to this day have gotten real, mandated information that they are supposed to be reducing class sizes over the next five years.

I've seen the principals weekly, I see the reports. There is no discussion of the larger goal. And all the communications to principals -- to the principals weekly about class size is very negative in tone. Talking about tradeoffs, and we don't really want you to hear this, and we want you to keep CTT classes at maximum class size, and we know that this is difficult and we really don't expect -- I mean, the hidden message there is we don't really care whether we do it or not. In fact, we would be happy if you didn't.

So there is the plan to begin with was flawed. The law was somewhat flawed to begin with as well. It wasn't specific enough. And the follow-through on the part of the DOE has been nothing short of criminal in my mind. It's fraudulent, it's depriving our kids of an adequate education, and if I hadn't -- I won't say this, 'cause this is being taped for the state, but I am, you know, obviously pretty upset about the whole thing.

FEMALE SPEAKER:

Thanks. Anybody else?

MS. PHILLIPS:

That concludes the Contracts for Excellence hearing for District 1. We're now going to move into the rest of our meeting.

(End of audio)