



# 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 Education and Committee on Finance

### Re: Preliminary Budget Hearing: Capital Education

March 8, 2017

I am Maggie Moroff, the Special Education Coordinator at Advocates for Children of New York (AFC). AFC is a not-for-profit organization that has worked for more than 40 years protecting the rights of the City's most vulnerable children, including students of color, students from low-income backgrounds, and students with disabilities. We work to ensure that all students have access to a high-quality education.

#### Board of Directors

Eric F. Grossman, *President*  
Jamie A. Levitt, *Vice President*  
Harriet Chan King, *Secretary*  
Paul D. Becker, *Treasurer*

Matt Berke  
Jessica A. Davis  
Robin L. French  
Brian Friedman  
Kimberley D. Harris  
Caroline J. Heller  
Jeffrey E. LaGueux  
Maura K. Monaghan  
Jonathan D. Polkes  
Steven F. Reich  
Raul F. Yanes

#### Executive Director

Kim Sweet

#### Deputy Director

Matthew Lenaghan

Thank you for the opportunity to speak at today's hearing on the preliminary capital education budget. I want to spend my time discussing accessibility in NYC's public school buildings.

As I outlined at last week's hearing on School Planning and Siting for New Capacity, NYC lacks a sufficient number of accessible schools at the elementary school, middle school, and high school levels. Last year, the Department of Justice found that only 17% of the City's elementary schools are fully accessible and that six of the City's 32 community school districts currently have no fully accessible elementary schools. The numbers are even worse for schools serving students in higher grades – with 11 districts devoid of a fully accessible middle school and 13 without a fully accessible high school. Four of the City's districts have no fully accessible schools at any level.

Given the lack of fully accessible schools, the DOE relies heavily on partially accessible schools to serve students with accessibility needs. However, AFC and our partners in the ARISE Coalition hear from families that schools labeled as "partially accessible" often don't meet their children's needs in some very significant ways. When families tour partially accessible buildings, they sometimes find it impossible to get from floor to floor because elevators aren't working. They also find cafeterias, science labs, and libraries that are not designed to accommodate students who use wheelchairs. They see auditoriums that are accessible for audience members, but have no means of lifting a student who uses a wheelchair to the stage. Too often, even if students can enter the front door, these partially accessible schools do not allow students with accessibility needs to be part of the school community during their years at the school.



We have been speaking with City Hall, the Mayor's Office for People with Disabilities, and the DOE about accessibility in our schools. The DOE's Office of Space Planning is currently undertaking an accessibility survey of public high school buildings, which will be followed by a survey of middle schools and elementary schools. These surveys confirm that considerably more work needs to be done to make our schools accessible for those with mobility, hearing, and vision needs.

The City must invest increased funding to make additional schools accessible for students, families, and teachers with accessibility needs. The 2015-2019 Capital Plan continues to allocate only \$100 million for improving school accessibility. That translates to major improvements in about 17 school buildings over the course of five years. In response to a settlement in a lawsuit regarding disaster planning, the February amendments add another \$28 million to ensure that a number of current DOE buildings can serve as accessible emergency shelters. However, to make these buildings accessible shelter sites, only the first floor, and not even necessarily all rooms on the first floor, would need to be accessible. Including this shelter site funding, funding for accessibility projects represents *less than one percent* of the total funding in the Capital Plan. While it's true that all new construction approved in the plan will need to be compliant with the Americans with Disabilities Act and, therefore, fully accessible, given the current lack of accessible options throughout the City, considerably more than that is required.

At a minimum, we recommend that the City double the amount of funding dedicated to making schools accessible – adding at least an additional \$125 million. Of that funding, we'd suggest that \$100 million be allocated to major capital improvements to render more buildings fully accessible and to smaller renovations to improve the accessibility of other schools based on the accessibility surveys that the DOE has undertaken. This \$100 million would enable major renovations on approximately 15-17 additional schools – bringing the number to around 35 schools over five years. We'd urge that the other \$25 million be allocated to a fund to facilitate families' requests for reasonable accommodations to school buildings based on individual students' mobility, hearing, or vision needs. When a student with a physical disability is admitted to a school that is not accessible, but renovations would enable attendance, funding needs to be available to accommodate the project. We want to ensure that funding is set aside for this purpose. Adding \$125 million would not solve the accessibility problem, but it would open more options for students who are currently excluded from the majority of New York City public schools.

Thank you for your time today. I'm happy to answer any questions you may have about the proposal we've put forth.