



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,
Committee on Finance, and Subcommittee on Capital Budget**

RE: Oversight - Examining the New Five-Year Capital Plan.

December 18, 2018

Thank you for the opportunity to speak with you today. My name is Maggie Moroff. I am the Special Education Policy Coordinator at Advocates for Children of New York (AFC). I am also the Coordinator of the ARISE Coalition, and you'll be hearing from several other ARISE members today as well. For over 45 years, Advocates for Children has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. I'd like to speak with you today in support of the proposal to include \$750 million in the FY 2020-2024 Capital Plan to improve school accessibility.

We are grateful that the City has proposed \$750 million in the DOE's Five-Year Capital Plan to improve school accessibility in school districts across the City—the largest capital funding investment in accessibility to date. With our partners, many of whom are here today, we called for a major investment in school accessibility, and we are pleased that the Administration listened.

We also want to thank the City Council for the role you played in bringing attention to the need for more accessible schools and advocating for increased resources for accessibility in this year's budget.

As NYC works to develop the Capital Plan for the next five years, we want to emphasize how urgently needed the proposed funding is. Using information obtained from the DOE, AFC released a data brief in October entitled "Access Denied: School Accessibility in New York City." Key findings in the brief included the facts that:

- Less than 1 in 5 of the City's schools are fully accessible;
- In 28 of the City's 32 school districts, less than one-third of schools are fully accessible;
- In seven districts, less than 10% of the schools are fully accessible; and
- Just over a quarter of the buildings housing District 75 programs – those specialized programs designed to educate many students with more complex disabilities – are fully accessible.

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In our brief, we highlighted the experiences of a few students we have worked with at AFC. I'd like to briefly discuss one of those students to give you a sense of how difficult it can be to find an accessible school for students who have physical disabilities. Tayloni is a high school student who has used a wheelchair since becoming paralyzed by a stray bullet when she was a child. When she was applying to high school, she applied only to fully accessible schools, severely limiting her options. Through the process, she matched with a school about 4 miles from her home. Too far to wheel herself, she relied on DOE busing, which too often came late or not at all. During her sophomore year, Tayloni received home instruction. Eager to reenroll in school for her junior year, Tayloni began searching for an accessible school closer to home. Despite having begun her search early last year, it wasn't until October of this year with the help of our office and several people in key offices at the DOE that Tayloni was finally able to match with another accessible high school. The high school search can be overwhelming for any student. It was that much more difficult for Tayloni because of her accessibility needs.

We believe that it is crucial for the final Five-Year Capital Plan to include at least \$750 million to improve accessible school options. This funding will literally open doors to inclusion and integration for people who are too often excluded.

To help ensure that this funding will provide more school options for students, family members, school staff members, and other from the community with physical disabilities, we recommend fine-tuning the description in the proposed plan of how the City intends to use the accessibility funding. We are concerned that the current language focuses on partial accessibility over full accessibility, while we believe the ultimate goal should be school buildings that offer full access for all.

Partially accessible schools vary significantly in the level of access they provide to students with physical disabilities. Using the DOE's definitions as laid out in their Building Accessibility Profiles, a "partially accessible" school can range from a school where there is general access to at least some of the ground floor but where there are no accessible bathrooms or classrooms, to a school where there is an elevator that goes to all floors but where "certain public assembly areas or classrooms may not be accessible due to changes in elevation or other barriers."



The current language of the plan discusses the importance of making the *main floor* of school buildings accessible to students with physical disabilities, but we recommend that the funding be used to increase the number of schools where students with physical disabilities can access *all* areas of the school.

In conversations with the DOE, key staff have already indicated their willingness to change the language in the plan and we look forward to working with them to that end.

Finally, as we discuss accessibility in the proposed Capital Plan, we want to recognize the DOE's recent announcement of their plan to provide students with accessibility needs priority in admissions to accessible middle and high schools. Combined with the increased accessibility funding in this year's budget and the proposed five-year investment in school accessibility, that admissions change will make a significant difference for students with physical disabilities beginning this admissions cycle.

We support the funding proposed in the Fiscal Year 2020-2024 Capital Plan for school accessibility and urge the Council to ensure that the final plan includes at least \$750 million to improve school accessibility. We also want to be sure that the language in the final plan will support more ambitious work to increase the number of schools that comply with the Americans with Disabilities Act (ADA), and allow students, families, and teachers with physical disabilities to access all spaces within the school.