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## **Testimony to the NYS Senate & Assembly Education Committees Concerning Mayoral Control**

Thank you for the opportunity to testify. My name is Benita Lovett-Rivera and I am a Co-founder and Director of The Mothers' Agenda NY, also known as The MANY. My testimony is both extremely personal, and also given on behalf of the mothers and women school workers (including female educators) who, over the course of 12 years, have joined our grassroots, human rights-based mothers and women's group. We provide advocacy and raise our voices collectively for ourselves and ALL NYC children enrolled in public schools. Our agenda is for anti-racist, education excellence, equity, equality, democracy and human rights in education.

My public education activism was set ablaze prior to the infant years of the Bloomberg / Klein administration, back in the late 90s when my son was in the initial 3rd grade class at a brand new elementary school in District 2. I was the founding PTA Vice President of PS 89 in Battery Park City. Today this elementary school, as it was then, provides the highly sought after education experience that ALL parents desire for their children. Regrettably, as with others in this system, it also operates as an elite learning environment for the privileged.

I was also the founding Parents' Association President of a new, small, co-located, 6-12th grade secondary school in District 1 on the Lower East Side. The Henry Street School for International Studies opened with great fanfare and promises made by the Bill & Melinda Gates Foundation and our Park Avenue, Intermediary Business Partner, the Asia Society. I recall when Chancellor Klein visited with the press and Asia Society's Board Chair, the late Ambassador to the UN, diplomat Richard Holbrooke.

Please know, I am a native New Yorker, who attended public schools and City College. I was a member of the NYC Parent Commission on School Governance & Mayoral Control, and I am both a Soros Community Fellow and a US Human Rights Network / Urban Justice Center, Human Rights in Education Fellow. I'm also a low-income, disabled Black mom and grandma who vehemently protested the inequities at my son's secondary school, but who was powerless to find a grievance avenue or get remedies for the disaster unfolding at this school before the eyes of a small group of very concerned parents and several teachers. We witnessed a host of illegalities, cover-ups, lies, corruption, waste, over-policing, suspensions, rights' violations, teacher exodus, and the most hurtful, broken promises made to cohorts of optimistic students, parents and teachers. The promises made by wealthy business people, politicians, network leaders, and a long line of expensive consultants (including from the UK and Australia) were smoke and mirrors. The school did not hire a guidance counselor until the ninth graders had entered the 12th grade. I met with our High School Superintendent, Francesca Peña several times about the problems at this school, as well as with Deputy Chancellor Santiago Tavares at Tweed, but neither of them did a thing. I later learned that both of these individuals were subsequently let go for misconduct by the NYC DOE. Each had been separately involved in a different, yet equally horrible scandal that the media covered. Thus, there was no one to hold accountable for the education experiment conducted on the Black/Latinx and Immigrant young people who comprised 98% of the student population in this Title I, high poverty school over the course of its short life.

After opening its doors in 2004, five years later, the Henry Street School for International Studies was put on the state's list of Schools in Need of Improvement. In 2014, it became a Renewal School, and shortly there after, it was shut down and closed.

With a 2008 Regents Diploma in hand, this whistle-blower's son was not accepted into a single college. His school records had been "lost." When realizing early on that he was not going to be adequately educated for college, and I could not get him transferred to another school, I enrolled him in 2 different college prep programs: Sponsors for Educational Opportunities (SEO), and the Expanded Horizons Program at nearby Henry Street Settlement. Not only was he a high honor roll student, but he was also a college scholarship recipient by both of the college prep programs. The saddest part is recalling how my son was also nominated by both of these programs for a Posse Foundation Scholarship. He got to round 2 in the interview process before being eliminated as a candidate. Because his high school did not provide the Posse Foundation with his school records, that \$100K award and life-changing, top college admission opportunity was lost to him. It took David Bloomfield, J.D. (Professor of Educational Leadership, Law, and Policy at Brooklyn College) threatening to notify the federal Office of Civil Rights to have the records found. Mr. Bloomfield reported the inexperienced school principal, Ms. Hao Tu to the higher-ups at the NYDOE since her administrative incompetences had been well documented over 4 years. She resigned at the end of 2008. Shortly thereafter, Ms. Tu was named Senior Director, New School Development at Tweed, and is now Deputy Superintendent for Brooklyn North schools.

I am testifying that this tale of racist and class inequities, unequal education and blind-eyes and deaf ears to administrative and/or teaching incompetence, aren't unique. This didn't just happen to my Black/Puerto Rican son, but to countless others too. Fortunately, I learned from excellent parent leaders and community activists how to advocate, and actually fight the system— not only on my child's behalf, but for many, many other students and their mothers across the city as well.

My testimony on The MANY's behalf is about the individual struggles all across the city to find clean, safe, anti-racist school environments where our children will be eagerly engaged in their curriculums, where their cultures and home languages will be respected, where they will love learning from caring, respectful teachers in small classes and where their interests and abilities will be recognized, nurtured and stretched to their fullest potentials. It is about the dozen years of struggle to support them receiving the diplomas they worked and studied so hard to earn. In NYC's over-abundance of bureaucratic mediocrity these struggles for a quality education are unnecessarily hard and stressful on all concerned. No parent should be labeled a problem for seeking answers to their concerns, or have ACS called on them because they were defiant in protection of their child's best interests, or be silenced and shamed for speaking up and out about wanting a quality education for their child. For over 20 years, thousands of wonderful people— from experienced career educators to administrators have left our unjust system, and millions of students have had their dreams dashed, opportunities ruined and/or lessened. All because this top-down, system of undemocratic control, governed now by 3 different mayors who wield unchecked power — simply doesn't work.

The MANY knows NYC can do so much better by our children. It seems unconscionable that our beloved city boasts about world renowned universities, scientific research, financial and medical centers, famed artists and museums, award-winning architects, chefs and master builders, yet our majority children's education and pipeline to this wonderful, other side of NYC are forsaken. Captivated by our education budget, corporate privateers and free market capitalists were permitted to invade the public school landscape— not to benefit our students, but rather to seek profit, control and contain the intellects of a future Black/Brown/Immigrant, low-wage work force. For a child of parents without means, obtaining a high quality, public education in NYC is like gambling at a casino and expecting to win. Far too many of our students do not have the critical skills needed to positively reach their human potential, or to fully participate in their own upward mobility, as have previous generations prior to the erosion of the so-called American Dream.

As our nation and world struggle with the idea of democracy and demand for human rights, The MANY believes they can no longer be intangible, illusionary ideals. Imagine the different kind of city we would be if these principles were woven throughout our public education system, starting with our education governance structure, as well as taught AND practiced daily in all of our schools, classrooms and city agencies. That we are the most famous city, ranked at the top of wealthiest in the world makes it incomprehensible that New York City isn't the global education leader— much less the national model for democracy in governance, human rights teaching AND practice, and public education excellence for all.

The MANY calls for Mayoral Control to begin the transition into ending. We are adamantly opposed to any reauthorization of this education law exceeding 24 months, as that should be adequate time for conducting a thorough AUDIT of every aspect of this structure over the past 20 years.

- The Audit must include examining the data on all school building facilities, effects of co-locations, over-crowding, teaching and learning, testing and programming, curriculum outcomes, hiring and firing, policing, suspensions, safety, grievances, law suits, food and health services— every bit that's been hidden from the public's view must be examined and out in the open as well. In addition to the financial/accounting Audit, we want city-wide, on-going public hearings open to all to give testimony that will shine a needed light on the outcomes, the money spent, the contracts and vendors that have and haven't benefited our students, teachers, and schools, and on how changing regulations and reforms have effectively silenced parent involvement, student learning, and community voices.
- There must be a microscope put to the budget— and comprehensive introspection on the effects of testing and over-testing, data collection, and privacy.
- We need the law strengthened and adhered to for smaller classes and healthy school buildings. And we need a complete historical record of what parents, students, and teachers have repeatedly grieved, protested against, rallied for, petitioned for, and said at PTA, SLT, CECS, CPAC, and the PEP for years.

To this end, we are beseeching you to read, support and adopt the attached Resolution from the NYC Coalition to Finally End Mayoral Control, of which The Mothers' Agenda NY is a member.

**We believe that collectively, the brilliance in our school community members, educators, and innovative policy makers is enough to design together a viable alternative to mayoral control. All it takes is the will.** Together, we can figure out how to create the most amazingly wonderful, brand new system of educational excellence for all, a system where democracy, and human rights in education are brought to tangible fruition through best practices in locally elected school boards, and a Peoples Board of Education that is accountable to the voters.

Thank you.

- Benita Lovett-Rivera





*"The Community Must Be the Designers of the Dream"*

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## **Resolution on New York City School Governance**

WHEREAS, Mayoral Control was enacted shortly after 9-11 during a chaotic period in the city's history, and;

WHEREAS, Mayoral Control transferred powers from public school parents, educators, schools staff and the school communities to a single politician, and;

WHEREAS, Mayoral Control has eliminated the first rung of grassroots democracy commonly enjoyed by parents in nearly all school districts in New York state and the USA, effectively disenfranchising NYC parents and students, 70% of whom are poor and 85% of whom are Latinx, Black and Asian, and;

WHEREAS, Mayoral Control has been the method used to impose education reforms on New York City schools without the approval of parents or school-based staff, and frequently in the face of large public demonstrations opposing such "reforms," including but not limited to:

- the closure of comprehensive and vocational high schools;
- the criminalization of student misbehaviors through "zero tolerance,"
- imposition of high-stakes testing and "value-added" assessment measures for all students, pedagogues and schools in place of a child centered pedagogy;
- the normalizing of co-located schools, push-in of charter schools and privatization;
- the large increases in spending on administration and legal staff to impose unpopular reforms and to defend these reforms from challenges;
- the contracting out of technology, and professional development services such as highly paid international consultants, often without transparency, bypassing local expertise, along with questionable results, and through many no-bid contracts;
- the lack of transparency and oversight regarding hiring policies which reversed previous gains and tended towards the disappearing of Black and Latinx classroom teachers;

- the push-out of senior teachers through assignment to the Absent Teacher Reserve and without due process, the punitive use of “Rubber rooms;”
- the elimination and/or reduction of civics, arts, music, foreign languages, athletic programs, vocational courses and adult education;
- the increasingly difficult burden on parents to advocate for students with IEPs to ensure they receive legally mandated and timely services;
- the decades long creation of chaos in school bus transportation;
- the continued neglect of infrastructure affecting air quality, contamination of drinking water, asbestos and lead paint residue despite large increases in the budget from state, city and federal sources amounting to hundreds of billions of dollars;
- the refusal to comply with legal standards for class sizes, even following class size reduction mandates issued from subsequent lawsuits;
- the racist decline of acceptance in what had already been an abhorrently sparse existence of Black and Latinx students attending Specialized High Schools and Gifted & Talented programs;
- the inequitable resources available to parents of MLL (Multilingual Learner) students, and the disparate learning outcomes of their children enrolled in ENL (English as a New Language) classes; particularly in schools located in the most marginalized communities;
- the punitive use of ACS (Administration for Child Services) against involved parents who challenged school administrators and/or DOE directives;
- the inadequate and confusing response to the COVID pandemic, and;

WHEREAS, Mayoral Control in NYC schools was instituted by the NYS Legislature 20 years ago and has been renewed without a detailed, comprehensive audit of its finances, or an assessment by parents and school based educators as to the effectiveness, or lack thereof of the reforms instituted, and;

WHEREAS, such a comprehensive and public review of Mayoral Control as stated above clearly falls under the Legislature’s fiduciary duty of oversight and is furthermore, urgently needed in order for the people to make informed decisions as to how to replace Mayoral Control with a human rights system of democratic school governance and local control, therefor;

**BE IT SO RESOLVED that the Bill on Mayoral Control not be attached to the Budget bill, and;**

**BE IT SO RESOLVED that the NYS Legislature form a Joint Committee composed of Assembly persons and Senators representing New York City by February 15, 2022, to conduct an AUDIT of the NYC Department of Education, which will;**

- ***Take open public testimony (not by invitation only) on the effectiveness or lack thereof of the so called “reforms,” spending, and educational policies enacted under Mayoral Control, and;***
- ***Hear specific proposals from rights-holders on how we, the people, may establish a human rights system of democratic school governance and local control such as is enjoyed by school districts throughout the state of NY and the nation;***
- ***Make a Report to the NYS Legislature with all data and findings acquired from the NYC Department of Education made available through a public, searchable database no later than June 1, 2022.***

*Submitted by the NYC Coalition to Finally End Mayoral Control 2022*  
**[www.nycmayoralcontrolNOT.org](http://www.nycmayoralcontrolNOT.org)**