



**Testimony of Suhali Méndez, Policy and Legislative Coordinator
On behalf of New York Lawyers for the Public Interest to
the New York City Council’s Committee on Education
March 15, 2023, FY24 Preliminary Budget Hearing**

My name is Suhali Méndez, and I am the Policy and Legislative Coordinator at New York Lawyers for the Public Interest (NYLPI). I would like to thank Chairwoman Joseph and members of the New York City Council’s Education Committee for giving me the opportunity to present testimony.

Today, I am here to urge the Council to support funding special education services, the staffing of licensed mental health evaluation providers, the successful implementation of electric school buses, and sports equity in our schools regardless of borough. With the Council’s forecast of FY23 and FY2024 revenue totaling \$5.2 billion more than the Office of Management and Budget predictions, and the Independent Budget Office’s announcement of a \$4.9 billion surplus this year, now is not the time to retreat from our city's sustainability and equity goals. We also stand in partnership with the legal services community in full support of a Workforce Enhancement Initiative Grant that would build in reasonable funding increases each year to cover salary adjustments, inflation, labor contracts and contracting delays.

Improving Access to Education for Students In New York City

NYLPI’s Disability Justice Program protects and promotes the civil rights of people with disabilities, including children with disabilities for whom we advocate for the educational services to which they are entitled under the law. Our Environmental Justice Program works to eliminate environmental racism and the unfair burden of environmental hazards that are encountered in low-income communities of color and has long advocated for school environments that are healthy and sustainable for students, employees, and communities alike.

Special Education Services for Students with Disabilities in New York City

NYLPI's Disability Justice Program protects and promotes the educational rights of students with disabilities in New York City. Although we advocate on behalf of all students with disabilities, we concentrate today on ensuring that services for students with mental disabilities are appropriately funded, given the dearth of services for these students to date, and given the sharp rise in mental health concerns since the onset of the COVID pandemic.

In New York City, one in five children ages 2-17 have one or more emotional, behavioral, or developmental conditions, while approximately 264,000 children ages 9-17 have a severe emotional disturbance that substantially limits their ability to function.¹

Schools have an important role in meeting not only our children's educational needs, but also their social-emotional demands, and there is a significant deficit in mental health services for students with disabilities in the New York City school system.

It goes without saying that students will fare better in their academic pursuits if additional funding is directed toward the identification and treatment of mental health issues in schools. NYLPI therefore urges the City Council to budget an increase in staffing of licensed mental health providers to administer quality evaluations to target children's psychosocial concerns early on in their development and to connect them with culturally appropriate accessible services. NYLPI also urges a full restoration of critical funding including \$5 million for the Mental Health Continuum program aimed at 50 high-needs schools.

School Bus Transportation In New York City

Following the NYC Council's lead in passing an all-electric school bus mandate for New York City, New York State has now mandated that all school buses be zero-emissions vehicles by 2035. Department of Education's Office of Pupil Transportation (OPT) transports about 150,000 students to and from home and school, along 9000+ bus routes and about 52 bus companies which have over 17,500 employees.²

According to Local Law 120, the New York City Department of Education (DOE) is required to report on the implementation of electric school buses to the Mayor and the City Council Speaker starting on July 1, 2023.³ It is critical that this year's budget include necessary funding to

¹ <https://behavioralhealthnews.org/mental-health-in-schools-moving-stigma-out-in-the-open/>.

² <https://council.nyc.gov/data/data-team/school-bus-delays-2022/>.

³ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3343761&GUID=AB4AE61B-4A4D-47CB-BE5A5D7E6BEE6E0&Options=ID%7CText%7C&Search=455>

purchase, install, maintain, and train workers on fully electric school buses and chargers at the pace necessary to meet the all-electric fleet mandate.

We especially note that the City's new non-profit bus contractor, New York City School Bus Umbrella Services (NYCSBUS)¹, has the potential to set a new standard of transparency, parent involvement, and community accountability in the City's school bus industry. We urge the Council to work closely with NYCSBUS to ensure the company can make investments in rapid electrification and safety.

Overall, the proposed budget shows a \$65 million reduction in pupil transportation costs. We urge the Council to ensure that this reduction does not compromise the electric school bus initiative, nor the safety and reliability of a notoriously dysfunctional bus service that especially impacts students with disabilities.

Sports Equity for ALL New York City Students

We also urge the Council and DOE to ensure that the Public Schools Athletic League (PSAL) has a sufficient budget for and prioritizes implementation of the agency's commitments under *Jimenez v. NYC Department of Education*, the class action lawsuit seeking greater sports equity for Black and Latinx students. We applaud DOE's initiative to expand Individual Access Programs to all students for all sports and urge the agency devote ample staff and resources to roll out these new opportunities, beginning with the students and schools that have had less access to sports.

¹https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/6173241be197323bc216111d/1634935839739/Oct2021_ReportKidsMental_Health.pdf.

Conclusion

I appreciate the time and opportunity to present testimony today and urge that the funding for the above matters be allocated for FY 2024. We look forward to the Council continuing the very important work to improve New Yorkers' access to education.

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Founded over 45 years ago, New York Lawyers for the Public Interest (NYLPI) pursues equality and justice for all New Yorkers. Our work activates the power of New York communities as they lead the fight to make equal justice a reality. We strive to create equal access to healthcare, achieve equality of opportunity and self-determination for people with disabilities, ensure immigrant opportunity, strengthen local non-profits, and secure environmental justice for low-income communities of color.