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Mr. Michael Sussman, Esq.
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Dr. Edwin M. Quezada
Superintendent of Schools

Dear Mr. Sussman:

In response to your letter dated January 18, 2021, and on behalf of the Yonkers Public Schools learning community, thank you for your interest in seeking equitable access for children by noting a few of the many academic challenges precipitated by the COVID-19 pandemic. Equity and access is foundational in all of the work undertaken by this administration and Board of Education Trustees.

Throughout this pandemic, the District has and continues to be public about the adverse impact the pandemic is having on the community we serve. We aggressively seek solutions to support and assist our families, in particular our underrepresented groups for whom the disparities are dramatically exacerbated under these conditions due in part to the inaction of some in government.

Fortunately, in Yonkers inaction has *not* been the norm. Since March, our work has been characterized by a collaborative commitment among the Trustees, the Mayor, our City Council and a supportive Yonkers Council of PTA. This collaborative approach resulted in our district being recognized by The Education Trust New York in their October 12, 2020 press release, *Analysis finds that schools with the greatest shares of students of color and students from low-income backgrounds are more likely to rely on remote learning.* "Among the findings: In the State's Big 4 school districts, ... 82% of all students are remote, with only Yonkers reporting significant hybrid learning during this period." This organization focuses on equity and access for all students and families in educational settings

In your letter, you allege failings by the District with broad accusations. Your claims are the antithesis of our data and NYSED approved practices. If you have concrete situations, examples or data please share them. Our staff has and will appropriately, to the best of our ability, address every concern brought to our attention.

In less than a year's time and with extremely limited funding, we have managed to realize resources for students and staff as well as facility improvements. It is because of this that we often state with pride that Yonkers Public Schools is the best urban district in America. The data is clear. Yonkers was one of two Big 5 City School Districts to begin Hybrid Instruction in October. In 2020, Yonkers was the first and only Big 5 district in New York State to achieve a 90% graduation rate, surpassing the graduation rate of many districts in Westchester County as

well as the State's overall average. We are most proud of the graduation rate advances of our sub-groups:

	Graduate Rate	Percentage Point increase for 2018 to 2020
Black students	90%	10 points
Latino students	90%	4 points
Multi-Lingual Learners	85%	29 points
Students with Disabilities	68%	10 points

And, the positive significant impact of Yonkers My Brother's Keeper (MBK) on graduation results. This was recently noted by NYS Education Commissioner Dr. Betty Rosa during a interview with Lohud reporter Gary Stern, "Obviously, we have been in communication with Yonkers as one of the Big 5 and we continue to work with them, both looking at their Special Education, their ELL and general education students to really look at some of their strategies to support their students. They are very active also with MBK and so Gary I would say that a good, lengthy, strong, involved discussion with Yonkers is in order."

The [District's Distance Learning](#) website is cited as a model for the State.

Below are responses to your letter.

A. The District has failed to provide and ensure a smooth transition to online learning for students.

The assertions noted within this section are focused on students' access to devices and connectivity to support learning. The District has been open and transparent on this topic since the pandemic began. There were significant challenges well into October procuring devices due to a worldwide demand for Chromebooks, of which the District had over 4,000 on order. Vendors were unable to fill our orders for laptops and tablets. In some sections of the City, access to connectivity needed to be developed. Working collaboratively with Mayor Spano and the City Council as well as our State delegation, additional funding and solutions were provided.

- 8,340 devices have been distributed for home use to date
 - 5,146 laptops, 278 iPads and 2,916 Chromebooks.
 - 436 devices have access to Optimum WiFi through a collaboration with Altice.
- There is no waitlist for devices, as of this date, and the majority of new device requests are for students new to the District, parents whose personal device is no longer working and they are unable to get it repaired, as well as District devices that are no longer functioning.
- The Mayor working with Altice provided Internet hotspots in high need communities.
- School staff reach out to every family whose children were not engaged in remote instruction to ascertain why and try to resolve the issue.
- Every available computer in schools were distributed to students.
- When available, families with multiple children received additional devices.
- Tech Help Desk, 914-376-8637 or helpdesk@yonkerpublicschools.org, is available daily 8:30 AM to 4:30 PM.

B. Students in Special Education are falling through the cracks.

The District refutes the assertion that students in Special Education are facing worsening conditions. It is important to note that through highly concerted effort, by February 2020, the District has resolved fifteen NYSED citations spanning school years 2013- 2017, which included Functional Behavioral Assessments, Behavior Intervention Plans and Manifestation of Disability Reviews.

In fact, in the following communication excerpts from NY State Education Department officials are a few examples that acknowledge the strides the District has made in addressing the needs of students with disabilities (SWD) regarding policies and procedures.

“I commend the efforts of your special education administrative team for the development and current implementation of the Special Education Strategic Action Plan.” **NYSED Assistant Commissioner Chris Suriano (2/16/18)**

“Enclosed is the status report for the 2015-16 Special Education Quality Assurance SPP Indicator 4BD Suspension Focused Review...Yonkers Public Schools has completed all corrective actions in the compliance assurance plan... As a result, all identified compliance issues are now resolved.” **NYSED Regional Associate Cathy St. Clair (2/21/20).**

“It should be noted that recent monitoring activities conducted in the district have identified the resolution of longstanding noncompliance dating back to the 2013-14 school year...I recognize the efforts of your special education administrative team in working to make the necessary systemic changes to build capacity across the district...” **NYSED Assistant Commissioner Chris Suriano, (2/28/20).**

“I've had multiple conversations with SEQA Regional Associates in which they tell me that the Yonkers (FBA/BIP + MDR Supplement) Manual is serving as a model. Poughkeepsie is a district that is looking at it. I can't remember the others right now, but your district's work over the last couple of years has been recognized as an exemplar.” **Director & Systems Change Facilitator, Lower Hudson Regional Partnership Center, John Boniello (11/17/20).**

Hence, the claim that the District has failed to revise policies and procedures leading to students with disabilities falling further behind, runs counter to the facts, and is inaccurate. Revisions to indicated policies and procedures have either already been implemented, or in the adoption process.

Moreover, the on-time graduation rate for SWD has increased by over ten percentage points, and the number of SWD graduating with a Regents Diploma has almost doubled over the past six years, as detailed below.

Graduation Cohorts: SWD	Number: Regents Diploma
2014 – 58.0%	89
2015 – 63.9%	79
2016 – 68.3%	178

Concerning related services, your allegations are not accurate that the District has been failing to provide related services for its many students with IEPs. On the contrary, the service agreement with St. Joseph's Medical Center to provide physical therapy (PT) and occupational therapy services (OT), has grown substantially since School Year 2013, in response to student need. The base service agreement has increased by \$1.86 M, from approximately \$2.5 M to approximately \$4.1 M. The 2019-20 contract provided for approximately 82,665 PT and OT individual and group service sessions, up from 56,455 in School Year 2013-14.

Unlike PT and OT, District employees provide speech services either individually, or in groups, depending on the student's IEP mandate. Since School Year 2014, the District has increased the number of Speech providers from 38 FTE to currently 60 FTE, a 63.3% increase.

There have been cases wherein some sessions have been missed, for example because students are not available for services, issues relating to synchronous vs. asynchronous support

and to varying degrees students attentional stamina. Most of these have been satisfactorily addressed as our collective experience with tele-therapy has increased.

Regarding your assumption that the District needs to implement policies and procedures to provide related and compensatory services to SPED students "...in-person as much as possible, and when it cannot, remotely." These are outlined in the NYSED approved [District's 2020-2021 School Reopening Plan](#) and [Addendum](#), the Hybrid Model and the Student Cohort framework, which also acknowledges parent choice a critical element in our decision-making.

In addition, the District has prioritized SWD in terms of in person instruction. All Self-Contained Special Education Classes (i.e., 12:1, 12:1:1, 12:1:2, 12:2:2, 12:1:4, 15:1 and 15:1:1) as well as the Autism Program classes (i.e., 8:1:2, 12:1:2) are scheduled for four days weekly of on-site instruction (Track C). SWD in the District's co-teaching programs (ICT) are scheduled for two days of in-person instruction weekly, supplemented by additional on-site academic/social supports on Flex Wednesdays.

Consequently, all categories of SWD have been scheduled to receive not only enhanced in-person instructional support, but also consistent access to their teachers and providers, relative to their non-disabled peers. It is important to note that access to in-person instruction is also impacted by parent choice. Working in partnership with parents, the District has and will continue to stress the benefits and preference for in-person instruction.

However, the District's instructional tracks allow for parental discretion. Parents may and do request their children be transferred from Track C (four days weekly of on-site instruction) to either Tracks A, B (hybrid instruction) or D, which is fully remote. This is largely related to parents seeking to minimize their children's potential exposure during the COVID—19 Pandemic.

C. Teachers' technology needs are not being met.

The assertions noted in this section that, "many teachers in YPS are still unable to teach appropriately using district-assigned technology," are misinformed. Daily, our school administrators work with their teachers regarding the delivery of instruction and resolve device concerns when they occur.

If Yonkers Parents Seeking Solution (YPSS) is aware of specific teachers, please provide their names so that our Infrastructure Technology team and principals can resolve their concerns.

D. The District has failed to involve communities in student teaming.

The allegations in this section are ill-informed, that the District, "failed to communicate key information to parents and families," and "failed to work with community stakeholders to find space for students to learn." Listed below are examples of the District's outreach and collaborations.

- 7 Town Hall meetings in August – 5 via Zoom of which 1 was dedicated to Special Education concerns, 2 in person meetings.
 - 5,634 attendees via Zoom and approximately 50 attendees in person
- Monthly YCPTA's meetings from September to January 2021 including 2 Let's Chat with the Superintendent via Zoom of which 1 was in Spanish.
 - 347 attendees
- 65 YPS Parent Academy workshops over the summer offered in English and several in Spanish covering technology, grade level expectations for students and parents and bilingual education.

- 7 YPS Parent Academy workshops over the summer in English and Spanish covering the how to's of the District's instructional platforms at the Nepperhan Community Center and Yonkers Riverfront Library.
- 4 YPS Parent Technology workshops via Zoom from November to January offered in English, Spanish and Arabic covering the how to's of the District's instructional platforms.
- 5 Special Education Parent workshops from October through January and an additional 6 scheduled through June.
- 3 YPS Parent Academy workshop covering Benchmark Advanced and Adelante District reading programs.
- *Tech Check* - Tech Support for Remote Learners is in-person hardware technical assistance in English and Spanish at the Board of Education 4 days a week, and support is also available through email.
- School administrators and teachers routinely host Teams and Zoom meetings with their parents.
- District communications, whether verbal or written, are routinely disseminated in English and Spanish.
- Key communications are available on the District website and social media platforms, which are easily accessible on a smart phone or digital device.
- Community stakeholders have supported the District since May 2020 in the development of the July School Reopening Plan and continue helping as noted below:
 - Tech Community Network offers the use of digital devices and connectivity at Nepperhan Community Center, Yonkers Partners in Education, Westchester Jewish Community Services Center and the Yonkers Public Libraries.
 - Feeding Westchester disseminates food at District school sites in high need areas, which augments the District's Grab N Go meals that provided 417,496 breakfasts and 516,277 lunches since March 2020 during instructional days and holidays.
 - Eye on Education performs vision screening for students and eye glasses at no cost to the families.

E. Disparities based on qualified teachers vs. substitutes.

The District recognizes that there are conditions due to the pandemic, which may compromise underlying health conditions for a number of our professional's ability to provide in school instruction. On August 12, 2020, we disseminated *ADA Accommodation - Procedure for seeking reasonable work accommodations for a qualified disability*. Concurrently, we engaged in a proactive campaign to identify quality substitutes to support learning.

Once again, the District refutes your allegation that “a substantial number of qualified and certified teachers are not providing services to children, replaced by less qualified substitute teachers... every effort should be made to employ their skills virtually...”

- According to the City of Yonkers Human Resources Department, less than 3% of Yonkers teachers are on leave related to underlying conditions. If a teacher has selected to take a leave of absence, that is a personal decision. Therefore, substitute teachers must provide instruction.
- For teachers who received ADA accommodations and provide remote instruction, the District must employ a substitute teacher to supervise the students in school during Hybrid Instruction.
- For teachers who are quarantined due to COVID-19 related conditions and are permitted to work from home to provide remote instruction, the District must employ a substitute teacher to supervise the students in school.

- For teachers who are absent, the District must employ a substitute teacher to supervise the students in school.

In closing, if you or Yonkers Parents Seeking Solutions (YPSS) are aware of specific parent or teacher situations, examples or data please share them with me. My team and I will address them.

Sincerely,



Dr. Edwin M. Quezada

EMQ/md

C: President Rev. Steve Lopez, Vice President Rosalba Corrado Del Vecchio and Trustees,
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Andrea Stewart-Cousins, Senate Majority Leader New York State
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President Mike Khader and Members of the Yonkers City Council
Carmen Goodstein, President, Yonkers Council of PTAs
Yonkers Parents Seeking Solutions