



## COMMUNITY DISTRICT EDUCATION COUNCIL 30

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### Resolution # 132

#### Regarding Fiscal Year 2020-2024 Capital Plan Funding for School Accessibility Projects

Whereas, the Americans with Disabilities Act (ADA) became federal law in 1990; and

Whereas, the ADA states: "No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity;" and

Whereas, in December 2015, following an investigation of New York City Department of Education (DOE) elementary schools, the United States Department of Justice (DOJ) found that the DOE was not compliant with the ADA, had an "abysmally low percentage" of accessible elementary schools, and needed to develop a "system-wide remediation plan to address the lack of accessibility;" and

Whereas, the DOE has approximately 1,800 schools in 1,300 buildings in 32 geographic districts; and

Whereas, 28 years since the passage of the ADA and three years since the DOJ findings, DOE data show that only one out of every five city schools is fully accessible to students, parents, staff, and other community members with physical disabilities; and

Whereas, students with physical disabilities find themselves cut off from the majority of DOE schools because of architectural barriers and are, instead, forced to travel significant distances and make academic and curricular compromises to attend schools they can physically access; and

Whereas, the accessibility varies dramatically by district with District 2 having more than 25 accessible buildings and District 16 having no accessible buildings as of July 2018; and

Whereas, only 31% of schools in Community School District 30 are fully accessible; and

Whereas, the Fiscal Year 2015-2019 DOE Capital Plan included only \$100 million to improve school accessibility, reflecting less than one percent of the total funding in the DOE Capital Plan; and

Whereas, in the city budget adopted in June 2018, Mayor de Blasio and the City Council added \$150 million over three years for school accessibility, recognizing the need to increase the accessibility of New York City public schools; and

Whereas, this funding will provide \$50 million per year for Fiscal Years 2019, 2020, and 2021; and

Whereas, it is estimated that the City will need an additional \$750 million (for a total of \$850 million) over the next five-year period to bring a minimum of one-third of schools in each district of the City to full accessibility; and

Whereas, the City's goals for inclusion and diversity must include providing students with physical disabilities the same opportunities as their nondisabled peers and creating a school system where all are welcomed and included;

Therefore, Be It Resolved, that Community District Education Council 30 calls upon the New York City Department of Education to include \$850 million in the 2020-2024 Capital Plan to fund accessibility projects with the goal of making at least one-third of New York City public schools in each district accessible.

**VOTED AND UNANIMOUSLY APPROVED: October 15, 2018**