



Howard Friedman
General Counsel

Joseph A. Baranello
Chief Privacy Officer,
Records Access Officer &
Executive Agency Counsel

Vallery Lomas
Central Records Access
Officer & Agency Attorney

Office of Legal Services
NYC Dept. of Education
52 Chambers Street
Room 308
New York, NY 10007

+1.212.374.6888 tel.
+1.212.374.5596 fax

June 24, 2017

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by August 21, 2017.

Sincerely,

Vallery Lomas /s/

Vallery Lomas
FOIL@schools.nyc.gov

VL/ma



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June 23, 2017

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by July 24, 2017.

Sincerely,

Vallery Lomas /s/

Vallery Lomas
FOIL@schools.nyc.gov

VL/ma

- Contrary to NYSED data, over the last three consecutive school years, none of the schools housed in the Percy E. Sutton Educational Complex—Eagle Academy for Young Men of Harlem, Knowledge and Power Prep Academy IV, and Mott Hall High School have provided access to a certified library media specialist.

Given these significant discrepancies, I request that your office:

1. Identify the specific source(s) of the library-media-specialist and library-media-center-related information upon which your office's FOIL response are based (e.g., principals' self-reporting, reports submitted by the district superintendent, and/or reports submitted by the NYC Department of Education);
2. Investigate violations of Commissioner's Regulations §91.1 and §91.2 in Community School District 5's secondary schools; and
3. Reply by May 26, 2017, with (a) the specific sources of the information upon which your 2015-2016 data is based and (b) the findings from your investigation.

Thank you for your prompt attention to this matter. I look forward to receiving your response.

Sincerely,



Diane Tinsley

1st Vice President

Community Education Council District 5

cc: Manhattan Regent Nan Mead



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"Our mission, in partnership with the community is to provide support and empower parents to become active leaders and participants in their children's education."

Sarah Canton
President

Diana Tinsley
1st Vice President

Salma Casanova
2nd Vice President

Jane Mayers
Recording Secretary

Pamela Stewart
Treasurer

Members
Quinn Fields
Ayisha Ibrahim
Hope Scott

Board Appointees
Sarah Canton
Pamela Stewart

Lisa Kinsey
Admin. Assistant

Gale Reeves
Superintendent

Carla Tenorio
Family Support
Coordinator

Ernest Clayton
Parent Leadership
Coordinator

May 5, 2017

MaryEllen Elia, Commissioner of Education
NYS Education Department – Room 111
Education Building
Albany, New York 12234

Dear Commissioner Elia,

Thank you for your 4/06/17 response to Community Education Council District 5's FOIL request regarding District 5 students' access to certified school library media specialists and library media centers (FL-EM-16/705).

I understand the information provided by your office pertains to District 5 schools during the 2015-2016 school year. Upon reviewing the spreadsheet that your office attached to the FOIL reply, I discovered substantial discrepancies between your office's data and the NYC Department of Education's data from the 2014-2015 and 2015-2016 school years (as well as the information that the members of Community Education Council District 5 have compiled on school visits during the 2015-2016 and 2016-2017 school years).

For example:

- Contrary to NYSED data, the Columbia Secondary School for Mathematics, Science and Engineering, which is co-located with elementary school P.S. 125 and KIPP STAR middle school, has not provided access to a certified library media specialist or a library media center, which as you know are required under Commissioner's Regulations §91.1 and §91.2, respectively, for at least three consecutive school years;
- Contrary to NYSED data, neither Renaissance Leadership Academy (which was omitted from your list) nor Urban Assembly Institute for New Technologies, which merged for the present school year to create Urban Assembly Academy for Future Leaders, offered access to a certified library media specialist during the past three school years; according to our data, the composite school likewise has failed to provide the required access to a certified library media specialist during the current school year; and



Howard Friedman
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New York, NY 10007

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+1.212.374.5596 fax

April 27, 2017

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092
District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by May 25, 2017.

Sincerely,

Vallery Lomas /s/

Vallery Lomas
FOIL@schools.nyc.gov

VL/ma

DISTRICT_CD	DISTRICT_NAME	INST_CD	SCHOOL_NAME	Library Media Center (LMC) 1=Yes 2=No 0=No Answer	Shared LMC 1=Yes 2=No 0=No Answer	Certified Library Media Specialist 1=Yes 2=No 0=No Answer	Certified LMC FTE
310500	New York City Geographic District # 5	310500010030	Ps 30 Hernandez/Hughes	1	1	1	4
310500	New York City Geographic District # 5	310500010036	Ps 36 Margaret Douglas	1	1	1	5
310500	New York City Geographic District # 5	310500010046	Ps 46 Arthur Tappan	1	1	1	1
310500	New York City Geographic District # 5	310500010092	Ps 92 Mary Mcleod Bethune	1	1	1	4
310500	New York City Geographic District # 5	310500010123	Ps 123 Mahalia Jackson	1	1	1	4
310500	New York City Geographic District # 5	310500010125	Ps 125 Ralph Bunche	1	1	1	5
310500	New York City Geographic District # 5	310500010129	Ps 129 John H Finley	1	1	1	5
310500	New York City Geographic District # 5	310500010133	Ps 133 Fred R Moore	1	1	1	4
310500	New York City Geographic District # 5	310500010154	Ps 154 Harriet Tubman	1	1	1	4
310500	New York City Geographic District # 5	310500010161	Ps 161 Pedro Albizu Campos	1	1	1	4
310500	New York City Geographic District # 5	310500010175	Ps 175 Henry H Garnet	1	1	1	4
310500	New York City Geographic District # 5	310500010194	Ps 194 Countee Cullen	1	1	1	4
310500	New York City Geographic District # 5	310500010197	Ps 197 John B Russwurm	1	1	1	5
310500	New York City Geographic District # 5	310500010200	Ps 200 James McCune Smith School (The)	1	1	1	4
310500	New York City Geographic District # 5	310500010286	Urban Assembly Academy For Future Leaders	1	1	1	4
310500	New York City Geographic District # 5	310500010302	Knowledge And Power Prep Academy Iv	2	2	1	4
310500	New York City Geographic District # 5	310500010318	Thurgood Marshall Academy Lower School	1	1	1	4
310500	New York City Geographic District # 5	310500010410	Urban Assembly Institute For New Technologies	0	0	0	0
310500	New York City Geographic District # 5	310500010514	New Design Middle School	1	1	1	4
310500	New York City Geographic District # 5	310500010517	Teachers College Community School	1	1	1	1
310500	New York City Geographic District # 5	310500011148	Eagle Academy For Young Men Of Harlem	1	1	1	1
310500	New York City Geographic District # 5	310500011157	Urban Assembly School For Global Commerce (The)	2	2	1	4
310500	New York City Geographic District # 5	310500011285	Harlem Renaissance High School	1	1	1	5
310500	New York City Geographic District # 5	310500011304	Mott Hall High School	1	1	1	4
310500	New York City Geographic District # 5	310500011362	Columbia Secondary School	2	2	1	4
310500	New York City Geographic District # 5	310500011367	Academy For Social Action-A College Board School	1	1	1	1
310500	New York City Geographic District # 5	310500011369	Urban Assembly For The Performing Arts	1	1	1	4
310500	New York City Geographic District # 5	310500011469	Choir Academy Of Harlem	2	2	1	1
310500	New York City Geographic District # 5	310500011499	Frederick Douglass Academy	1	1	1	4
310500	New York City Geographic District # 5	310500011670	Thurgood Marshall Academy For Learning & Social Change	0	0	0	0
310500	New York City Geographic District # 5	310500011685	Bread & Roses Integrated Arts High School	1	1	1	1
310500	New York City Geographic District # 5	310500011692	High School Math Science And Engineering At Ccny	1	1	1	1



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK
ALBANY, NY 12234

DIRECTOR OF EDUCATIONAL DATA AND RESEARCH
Information and Reporting Services

April 3, 2017

Diane Tinsley
1st Vice President - CEC D5
Community Education Council District 5
425 West 123rd Street - Room 205
New York, NY 10027

Dear Ms. Tinsley:

This letter is in response to your recent FOIL request New York City Geographical District #5 Library data for the most recent school year available (2015-16). Attached is a spreadsheet that indicates which schools have Library Media Centers (on premises or shared) whether the school has a Certified Library Media Specialist (LMS) and the number of FTEs for the LMS.

You may appeal this response within 30 days by writing to: MaryEllen Elia, Commissioner of Education, NYS Education Department, Room 111, Education Building, Albany, New York 12234

Sincerely,

Rose LeRoy

Subject: RE: FOIL Request
From: "FOIL" <FOIL@nysed.gov>
Date: 4/6/17 11:23 am
To: "dtinsley@cec5.org" <dtinsley@cec5.org>

Dear Ms. Tinsley,

Please find the attached response to your FOIL request FL-EM-16/705.

Thank you,
Records Access Officer



Howard Friedman
General Counsel

Joseph A. Baranello
Chief Privacy Officer,
Records Access Officer &
Executive Agency Counsel

Vallery Lomas
Central Records Access
Officer & Agency Attorney

Office of Legal Services
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New York, NY 10007

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March 30, 2017

VIA EMAIL
Diane Tinsley
dtinsley@cec5.org

DOE# F12,297
OpenRecords# FOIL- 2016-040-00092
District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by April 27, 2017.

Sincerely,

Vallery Lomas /s/

Vallery Lomas
FOIL@schools.nyc.gov

VL/ma



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Joseph A. Baranello
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New York, NY 10007

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March 2, 2017

VIA EMAIL
Diane Tinsley
dtinsley@cec5.org

DOE# F12,297
OpenRecords# FOIL- 2016-040-00092
District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by March 30, 2017.

Sincerely,

Vallery Lomas /s/

Vallery Lomas
FOIL@schools.nyc.gov

VL/ma

certified mail, to the state and city elected officials listed below, between 2/17/17 and 2/23/17.

Senator Bill Perkins; Senator José M. Serrano;
Assembly Member Inez E. Dickens; Assembly Member
Erman D. Ferrell, Jr.; Assembly Member Daniel J.
Donnell; Assembly Member Robert J. Rodriguez

Council Member Mark Levine; Council Speaker Melissa
Mark-Viverito; Manhattan Borough President Gale A.
Frewer; Public Advocate Letitia James

The following officials were cc'd by email:
Governor Andrew M. Cuomo; Mayor Bill de Blasio;
State Commissioner of Education MaryEllen Elia;
Board of Regents Chancellor Betty Rosa;
NYC Schools Chancellor Carmen Fariña



Harlem Council of Elders
10 West 135th Street, Suite 11P
New York, NY 10037
info@harlemcouncilofelders.org

February 17, 2017

[Address Block]

Dear [Title and Name]:

I am writing on behalf of the *Honor Harlem Students' Legal Right to School Librarians Coalition* ("the Coalition") to request your direct involvement in addressing longstanding violations of the basic educational rights of close to 10,000 students in public secondary schools throughout Harlem, including schools located in your district.

Nearly two years ago, the Harlem Council of Elders, lead organizer of the Coalition, contacted the New York City Department of Education (NYC DOE) after finding, using NYC DOE data, that over 75% of Harlem secondary schools were violating New York State Education Commissioner's Regulation 91.2, which requires that all public secondary schools provide, at the bare minimum, access to a part-time certified school librarian in schools that enroll fewer than 700 students and one full-time librarian in schools that enroll 700 or more students. According to the NYC DOE's June 2016 data, posted on its website, 76% of Harlem secondary schools—across Districts 3, 4, 5, and 6—are still violating the law in this area. (In District 5, at least 86% are out of compliance.)

Despite the longstanding violations, the NYC DOE has yet to provide affected Harlem families or the broader Harlem community with even basic information about any plans to hire school library media specialists for Harlem secondary schools. Nor has it made any effort to help the public understand what, if any, progress has been made since September 2014, when the State Education Commissioner rejected the DOE's request to waive the requirement for NYC schools and instructed the DOE to comply with the law immediately.

For close to a year, Freedom of Information Law requests to the NYC DOE from Harlem parents serving on Community Education Councils have resulted only in repeated delays, despite the NYC DOE's direct and easy access to the necessary information. The State Education Department, which was notified of these violations in January 2016 and which, in November 2016, promised to respond to Community Education Council parents' state-level FOIL request by December 2016, remains silent.

While the overwhelming majority of Harlem's Black or Latino/a students, particularly those living in poverty, are denied the basic opportunity to fully develop their online and print research skills to prepare for college, and to connect with books that nurture their personal development, with expert support and instruction from library media specialists, DOE schools in NYC's Whiter and wealthier neighborhoods provide their children with the distinct privileges and advantages conferred by

functioning school library programs guided by the appropriate personnel. This discriminatory practice is shameful, illegal, and must end immediately.

Given the NYC DOE's years-long failure to comply with state law, we call upon you, our elected officials, to uphold the law and honor the educational rights of Harlem children by taking the following actions by March 31, 2017:

1. Compel the de Blasio Administration and the NYC DOE to make available, via its Office of School Library Services website:
 - a. Current school-by-school information about the availability of certified school librarians in secondary schools in Districts 3, 4, 5, and 6 (the attached spreadsheet, which we can also provide in an electronic format);
 - b. the NYC DOE's full plan, to which it alluded in its June 2015 letter to the Harlem Council of Elders, to provide certified school library media specialists and the related information-literacy-skills instruction in all Harlem secondary schools; and
2. Compel the New York State Education Department to:
 - a. enforce Commissioner's Regulation 91.2 in all NYC public secondary schools;
 - b. monitor the NYC DOE's compliance with that regulation and all other school-library-related regulations;
 - c. instruct the DOE to post on its website, at least in June and December of each year,
 - i. a complete and up-to-date list of all NYC secondary schools and their status regarding compliance with CR 91.2; and
 - ii. their plan, including a timeline, to comply with CR 91.2.

We kindly request your response to this letter at your earliest convenience. Thank you in advance for your prompt attention to the educational needs and rights of our children.

Sincerely,

Galen Kirkland, President, Harlem Council of Elders
(on behalf of the *Honor Harlem Students' Legal Right to School Librarians Campaign Coalition*)

Enclosures

cc: Governor Andrew M. Cuomo
Mayor Bill de Blasio
New York State Board of Regents Chancellor Betty A. Rosa
New York State Commissioner of Education Mary Ellen Elia
NYC Department of Education Chancellor Carmen Fariña

THE STRUGGLE FOR HARLEM STUDENTS' RIGHT TO SCHOOL LIBRARIANS

2013

May – NYC DOE testifies at a City Council hearing that over 50% of public middle and high schools are violating state law by not providing access to certified school librarians (also known as “school library media specialists”). DOE officials claim that the system lacks the necessary funding to provide librarians for all students.

August – The NYC DOE asks the state for a waiver—permission to disregard the law—regarding New York City students’ access to school librarians.

2014

September – The state commissioner of education rejects the DOE’s request and instructs it to follow the librarian-related law immediately.

2015

April – The Harlem Council of Elders, using data from the NYC DOE’s website, finds that over 75% of secondary schools in Harlem, most of them serving very high percentages of students of color and those living in poverty, do not provide access to school librarians, far exceeding the citywide average. (In Community School District 5, led by Superintendent Gale Reeves and encompassing most Central Harlem schools, 16 out of 17 secondary schools—almost 95%—are found to be violating the law.)

June – The NYC DOE acknowledges in a letter that the Elders’ findings are correct and claims that it has already begun implementing a plan to recruit more librarians and comply with the law.

September – The Harlem Council of Elders offers the NYC DOE its support in ensuring that all Harlem students have access to school librarians, and asks the DOE to share its plan to address the problem. The Elders also ask whether the data show that students in some communities—in Harlem, for example—are disproportionately affected by the lack of librarians. The DOE does not respond.

2016

January – After multiple attempts to communicate with the NYC DOE, the Harlem Council of Elders goes public with its findings and launches a petition calling upon city and state officials to follow the law and honor students’ rights.

April – The *Honor Harlem Students’ Legal Right to School Librarians Coalition*, an intergenerational, grassroots group of concerned community-based organizations, led by the Harlem Council of Elders, launches a campaign to raise awareness about this injustice and collect petition signatures. Over three months, representatives of the Harlem Council of Elders; Community Education Council 5 (an official body of elected and appointed parent leaders, plus a student representative); Teachers College, Columbia University’s Black Student Network and the Coalition of Latino/a Scholars; and Total Equity Now gather hundreds of petition signatures outside of affected Harlem schools and distribute information about students’ right to librarians to over 1,000 students, parents, educators, and other community members.

The parent leaders of Community Education Council 5 (CEC 5), having been denied library-staffing information by the District 5 Superintendent, file a Freedom of Information Law request with the NYC DOE for an update on Central Harlem students' access to school librarians. The DOE commits to responding in May.

June – NYC DOE refuses to provide information about the availability of school librarians in District 5, claiming that it would require more than “reasonable effort” to find out how many librarians it employs in the district’s 16 secondary schools. It closes the FOIL appeal.

July – CEC5 files a Freedom of Information Law appeal, reminding the NYC DOE that, only a year before, it had verified the Harlem Council of Elders’ findings (based on DOE data) about the availability of librarians in District 5 and other Harlem districts.

August – The NYC DOE responds to say that it is reopening the search for information about access to school librarians in District 5.

September – The NYC DOE responds to say that it needs more time to figure out how many District 5 schools have librarians.

Representatives of the *Honor Harlem Students’ Legal Right to School Librarians Coalition* sit down with District 5 Superintendent Gale Reeves to discuss this issue. She initially attempts to persuade the delegation that certified school librarians are no longer necessary, but ultimately promises to research the availability of librarians in District 5 schools. (However, she tells the delegation that she will not share her findings with the parent leaders of CEC 5 or with any other members of the Coalition.)

October – The NYC DOE again claims that it needs more time to figure out how many schools in District 5 have librarians.

November – CEC 5, realizing that the NYC DOE is either unable or unwilling to provide District 5 parents with this basic educational information, files a Freedom of Information law request with the New York State Education Department and attaches the growing stack of correspondence with the NYC DOE.

The State Education Department responds with a commitment to respond by December 7. (As of today, it has not responded.)

December – The NYC DOE yet again claims that it needs more time to find out how many librarians are in District 5 secondary schools. It promises to respond by January 3, 2017. Once again, it fails to follow through.

2017

February – The lack of transparency and government accountability for such an important and straightforward issue of educational justice continues to undermine community confidence in New York City’s and New York State’s ability to provide *all* public-school students even a basic education.

LIBRARY STAFFING IN HARLEM SECONDARY SCHOOLS

(Data from NYC Department of Education, June 15, 2016; extracted primarily from Manhattan "Directory of Member Schools," available at <http://nycedoc.org/schools>)

1	High School Math Science and Engineering AT Convent	Vacant	Vacant	242 CONVENT AVE	10024
2	ANNE K. ELLIS AND PETER P. P. ACADEMY IV	Vacant	Vacant	W EDGE COMBE AVE	10026
3	MOTT HALL HIGH SCHOOL	Vacant	Vacant	W EDGE COMBE AVE	10026
4	NEW DESIGN MIDDLE SCHOOL	Vacant	Vacant	323 W 139TH ST	10027
5	PETER A. P. HIGH SCHOOL	Vacant	Vacant	35 E 139TH ST	10027
6	URBAN ASSEMBLY MIDDLE SCHOOL FOR FUTURE LEADERS	Vacant	Vacant	308 W 139TH ST	10027
7	URBAN ASSEMBLY MIDDLE SCHOOL FOR GLOBAL COMMERCIAL LEADERS	Vacant	Vacant	308 W 139TH ST	10027
8	URBAN ASSEMBLY MIDDLE SCHOOL FOR THE PERFORMING ARTS	Vacant	Vacant	308 W 139TH ST	10027
9	MOTT HALL SCHOOL (THE)	Vacant	Vacant	11111 CONVENT AVE	10027



Howard Friedman
General Counsel

Joseph A. Baranello
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Records Access Officer &
Executive Agency Counsel

Vallery Lomas
Central Records Access
Officer & Agency Attorney

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+1.212.374.5596 fax

January 13, 2017

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by February 1, 2017.

Sincerely,

Joseph A. Baranello /s/

Vallery Lomas
FOIL@schools.nyc.gov

JAB/nb



Howard Friedman
General Counsel

Joseph A. Baranello
Chief Privacy Officer,
Records Access Officer &
Executive Agency Counsel

Office of Legal Services
NYC Dept. of Education
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New York, NY 10007

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December 2, 2016

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by January 3, 2017.

Sincerely,

Vallery Lomas /s/

Vallery Lomas
FOIL@schools.nyc.gov

JAB/ma

----- Original Message -----
Subject: RE: HPRM: FOIL Request
From: "FOIL" <FOIL@nyred.gov>
Date: 11/7/16 12:23 pm
To: "tinsley@cedf.org" <tinsley@cedf.org>

Dear Ms. Tinsley:

This is to acknowledge receipt of your Freedom of Information Law (FOIL) request for State Education Department (SED) records regarding District 5 libraries. The reference number for this request is PL-EM-16/705. Please be advised that you will hear further from the Department by approximately December 7, 2016 as to whether your request will be granted or denied in whole or in part.

SED charges the statutory permitted fee of \$.25 per page for duplication of records requested under FOIL (Public Officers Law §87(1)(b)(ii)). There is no provision in law or regulation requiring the waiver of this fee. Payment must be made to the NYS Education Department by check or money order. Do not send any payment until you are notified that your request is granted and informed of the charge for your request. If your request is for electronic records and your request is granted, the records will be provided to you in that format.

If your request is granted one of the following will happen:

- 1.If your request can be filled immediately, and the total duplication fee is under \$25.00, staff will forward the requested records to you with a statement of what you owe for the duplication fee. Or:
- 2.If the total duplication fee for your request is \$25.00 or more (100 pages), you will be advised of the page count and duplication fee owed in advance of duplicating the records. Upon receipt of payment, staff will duplicate and mail the requested records. Or:
- 3.If it will take time to locate and/or duplicate the records you have requested, you will be given a date by which you will be told the page count and duplication fee for your request.

Regards,
Records Access Officer



☐ (212) 769-7500 ext. 234 ☐ www.CECS.org ☐ 425 West 123rd Street, 2nd Floor, New York, NY 10027 ☐

"Our mission, in partnership with the community is to provide support and empower parents to become active leaders and participants in their children's education."

Samuel Canton
President

Diane Timley
1st Vice President

Salima Casanova
2nd Vice President

Janet Mayers
Recording Secretary

Pamela Stewart
Treasurer

Members
Quinta Fields
Ayisha Irvin
Hope Scott

Borough Appointees
Samuel Canton
Pamela Stewart

Usha Kinsey
Admin. Assistant

Gale Reeves
Superintendent

Carla Yanorio
Family Support
Coordinator

Ernest Clayton
Parent Leadership
Coordinator

November 4, 2016

Records Access Officer
NYS Education Department
89 Washington Avenue
Room 121 EB
Albany, NY 12234
Email: FOIL@nysed.gov

Re: Freedom of Information Law Request for Records

Dear Records Access Officer:

Under the provisions of the New York Freedom of Information Law, Article 6 of the Public Officers Law, I hereby request a copy of records pertaining to (or containing the following): How many middle and high schools in District 5 have certified librarians and functioning libraries?

This original request was made to NYC Department of Education in a FOIL on April 20, 2016 and since then I have received one delay notice after another and finally a denial which I appealed. I won the appeal and the Central Records Access Officer (CRAO) was ordered by Mr. Howard Friedman, General Counsel, to re-open the request and make additional inquiries. I was informed by the CRAO that I would have information on this FOIL by September 2nd, October 3rd and then November 1st. It is November 4th and I haven't heard anything from the CRAO. Unacceptable!

I am filing this FOIL with the New York State Education Department because of the travesty that has been allow to continue by the NYC Department of Education on the children of District 5 in Harlem. This is a blatant disregard for state law and an injustice in the education equity of the children of this community.

This crime was originally brought to my attention by the Harlem Council of Elders who has been on the forefront of this issue for years. These are matriarchs and patriarchs of this community who understand the importance of a well-rounded education. An education that gives student the tools needed to compete in this ever changing society.



- 2 -

Attached you will find copies of the paper trail regarding this issue. If you require anything else please feel free to contact me.

As you know, the Freedom of Information Law requires that an agency respond to a request within five business days of receipt of a request. Therefore, I would appreciate a response as soon as possible and look forward to hearing from you shortly.

If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed.

Sincerely,

Diane Tinsley
1st Vice President

Enclosures (14)



Howard Friedman
General Counsel

Joseph A. Baranello
Central Records Access
Officer & Agency Attorney

Office of Legal Services
NYC Dept. of Education
52 Chambers Street
Room 308
New York, NY 10007

+1.212.374.6888 tel.
+1.212.374.5596 fax

October 3, 2016

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by November 1, 2016.

Sincerely,

Joseph A. Baranello /s/

Joseph A. Baranello
FOIL@schools.nyc.gov

JAB/vl



Howard Friedman
General Counsel

Joseph A. Baranello
Central Records Access
Officer & Agency Attorney

Office of Legal Services
NYC Dept. of Education
52 Chambers Street
Room 308
New York, NY 10007

+1.212.374.6888 tel.
+1.212.374.5596 fax

September 2, 2016

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries

Dear Ms. Tinsley:

This letter concerns the above-referenced Freedom of Information Law (FOIL) request. Pursuant to section VI.B of Chancellor's Regulation D-110, due to the volume and complexity of requests we receive and process, and to determine whether any records or portions thereof will be subject to redactions permitted under Public Officers Law §87(2), additional time is required to respond substantively to your request. Accordingly, a response is currently anticipated by October 3, 2016.

Sincerely,

Joseph A. Baranello /s/

Joseph A. Baranello
FOIL@schools.nyc.gov

JAB/vl



Charity Guerra
General Counsel

Joseph A. Baranello
Central Records Access
Officer & Agency Attorney

Office of Legal Services
NYC Dept. of Education
52 Chambers Street
Room 308
New York, NY 10007

+1.212.374.6888 tel.
+1.212.374.5596 fax

August 9, 2016

VIA EMAIL

Diane Tinsley
dtinsley@cec5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092
District 5 Libraries

Dear Ms. Tinsley:

Pursuant to the appeal determination of Howard Friedman, General Counsel of the New York City Department of Education, the Freedom of Information Law (FOIL) request referenced above has been re-calendared in order to conduct another search for responsive records. We anticipate providing you with a response by September 2, 2016.

In addition, if responsive records are located and identified for release, you will be notified of the cost of reproduction. At that time, please make your check or money order payable to the New York City Department of Education and include the FOIL reference number on the instrument of payment. Please be advised that Public Officers Law § 87(1)(b)(iii) permits the DOE to charge a fee of 25¢ per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record in accordance with Public Officers Law § 87(1)(c).

Sincerely,

Joseph A. Baranello /s/

Joseph A. Baranello
FOIL@schools.nyc.gov

JAB/nb

----- Original Message -----

Subject: Public Records Request FOIL-2016-040-00026: FOIL Request Denied

From: openrecords@records.nyc.gov

Date: 7/22/16 11:48 am

To: amster@nyc.gov

Your request under the Freedom of Information Law (FOIL) cannot be processed because it does not provide enough information to identify the records you would like to receive.

You can view the request and take any necessary action at the following webpage: <https://a650-openrecords.nyc.gov/request/FOIL-2016-040-00026>.

You can always choose to [unfollow this request](#) if you don't want to receive more emails about it.



July 18, 2016

Sanayi Canton
President

Diane Tinsley
1st Vice President

Pamela Stewart
2nd Vice President

Salima Cassanova
Recording Secretary

Danielle Sullivan
Treasurer

Coleman Brown
Member

Quintin Fields
Member

Ayishah Irvin
Member

Janet Mayers
Member

Hope Scott
Member

Lisa Kinsey
*Administrative
Assistant*

Gale Reeves
Superintendent

Mr. Howard Friedman
General Counsel
c/o Office of Legal Services
New York City Department of Education
52 Chambers Street - Room 308
New York, NY 10007

Re: Appeal of FOIL Request Denial
DOE# F12,297
Open Records# FOIL - 2016-040-00092

Dear Mr. Friedman:

I, Diane Tinsley, 1st Vice President of the Community Education Council of District 5, hereby appeal the denial of FOIL - 2016-040-00092 - dated June 23, 2016.

This inquiry is to obtain the most current information regarding the existence of Certified Librarians serving as library media specialist in middle and high schools located in Manhattan's Community School District 5. In order to obtain this information, the New York City Department of Education can make the reasonable effort of sending an email to the principals of the 17 secondary schools in District 5.

The denial of the request for this information is predicated on the idea that the only way of obtaining the requested information is by extracting data from computer storage systems. This premise is clearly false and unacceptable as a barrier to the disclosure of information important to the determination of whether students attending the subject public schools are being denied their educational rights.

It is also important to note that the Department of Education verified, in a letter to the Harlem Council of Elders dated June 11, 2015, the spring 2015 findings of certified- librarian vacancies in Harlem, including District 5. Attached are copies of the related correspondence, including a list of the 15 out of 16 secondary schools in District 5 that, at the time, did not provide access to certified librarians.

It seems to me that the New York City Department of Education would want to keep close track of these schools and this situation to ensure compliance and justice are achieved for these students. I am certain Mayor de Blasio, Chancellor Fariña, and many others, would be embarrassed and shocked to know that cooperation with the Community Education Council of District 5 and parents of public school students is being denied on such illogical, indefensible grounds.



I hereby request that the New York City Department of Education contact the principals of the subject 17 public schools as soon as possible to obtain the requested information, and that the information be relayed to the Community Education Council 5 no later than Monday, August 1, 2016.

Samay Cantor
President

Thank you for your attention to this matter.

Diane Tinsley
1st Vice President

Sincerely,

Pamela Stewart
2nd Vice President

Diane Tinsley
1st Vice President

Salima Casanova
Recording Secretary

Enclosures (5)

Danielle Sullivan
Treasurer

cc: Bill de Blasio, Mayor of New York City
Carmen Fariña, Chancellor of New York City Schools

Coleman Brown
Member

Quintin Fields
Member

Ayishah Irvin
Member

Janet Mayers
Member

Hope Scott
Member

Lisa Kinsey
Administrative Assistant

Gale Reeves
Superintendent

Charity Guerra
Acting General Counsel

Joseph A. Baranello
Central Records Access
Officer & Agency Attorney

Office of Legal Services
NYC Dept. of Education
52 Chambers Street
Room 308
New York, NY 10007

+1.212.374.8888 tel.
+1.212.374.8886 fax

June 23, 2016

VIA EMAIL
Diane Tinsley
dtinsley@ceec5.org

DOE# F12,297
OpenRecords# FOIL- 2016-040-00092
District 5 Libraries

Dear Ms. Tinsley:

This letter is in final response to the above-referenced Freedom of Information Law (FOIL) request. Access is denied to the requested records for the following reasons:

A compilation of the requested data does not currently exist, and responding to your request would involve more than a simple extraction of data from a single computer storage system. Rather, it would require matching records across multiple computer storage systems, and would require extensive programming and other compilation that would require more than reasonable effort. Pursuant to Public Officers Law FOIL §89(3)(a), FOIL does not obligate a public agency such as the DOE to match data across computer storage systems in order to respond to a FOIL request, nor does it require more than "reasonable effort" in order to respond to a request for data. As such, your request is denied.

This concludes the FOIL Unit's response and your request will be marked as "closed" in the Unit's database as of the date of this letter.

Any person denied access to a record may appeal the decision in writing within thirty days. Please state a specific ground for appeal and include copies of the initial request and the denial. Appeals should be sent to: Charity Guerra, Acting General Counsel, c/o Office of Legal Services, New York City Department of Education, 52 Chambers Street – Room 308, NY, NY 10007, FOIL@schools.nyc.gov.

Sincerely,


Joseph A. Baranello
FOIL@schools.nyc.gov

JAB/sa

----- Original Message -----

Subject: Public Records Request FOIL-2016-040-00092: FOIL Time Extension Requested

From: openrecords@records.nyc.gov

Date: 5/25/16 2:20 pm

To: dtinsley@cec5.org

We are still in the process of searching for the documents you requested under the Freedom of Information Law (FOIL). You can expect a response on or about 2016-06-23.

You can view the request and take any necessary action at the following webpage: <https://a260-openrecords.nyc.gov/request/FOIL-2016-040-00092>.

You can always choose to [unfollow this request](#) if you don't want to receive more emails about it.



Charly Guerra
Acting General Counsel

Joseph A. Baranello
Central Records Access
Officer & Agency Attorney

Office of Legal Services
NYC Dept. of Education
52 Chambers Street
Room 308
New York, NY 10007

+1.212.374.6888 tel.
+1.212.374.6886 fax

April 27, 2016

VIA EMAIL

Diane Tinsley
dtinslev@ccoc5.org

DOE# F12,297

OpenRecords# FOIL- 2016-040-00092

District 5 Libraries


Dear Ms. Tinsley:

On April 20, 2016, the Office of Legal Services of the NYC Department of Education (DOE) received your Freedom of Information Law (FOIL) request (sent on April 20, 2016) through the OpenRecords portal, which assigned it an OpenRecords reference number of **FOIL-2016-040-00092**. The DOE has assigned it a reference number of **F12,297**. Please include both reference numbers on all subsequent correspondence.

A search for responsive records will be conducted. We anticipate providing you with a response by May 25, 2016.

In addition, if responsive records are located and identified for release, you will be notified of the cost of reproduction. At that time, please make your check or money order payable to the New York City Department of Education and include the FOIL reference number on the instrument of payment. Please be advised that Public Officers Law § 87(1)(b)(iii) permits the DOE to charge a fee of 25¢ per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record in accordance with Public Officers Law § 87(1)(c).

Sincerely,



Joseph A. Baranello
FOIL@schools.nyc.gov

JAB/ma



FOIL-2016-040-00092

Title: Schools in District 5 without functioning libraries

Request: The Community Education Council of District 5 is compiling data for its annual report and based on a complaint we received from the Harlem Council of Elders regarding the violation of middle and high school students NYS rights as it pertains to them having functioning libraries and certified librarians in their schools. We need to know how many middle and high schools in district 5 have libraries and certified librarians.

Title Privacy:

☒ Public ☐ Private

Show Requester Contact Information▼

Requester's Name:

Diane Tinsley

Requester's Email:

dtinsley@cec5.org (mailto:dtinsley@cec5.org)

Requester's Phone Number:

21276975002053

Requester's Fax Number:

2127697619

Requester's Street Address (line 1):

425 West 123rd Street

Requester's Street Address (line 2):

Room 205

F12,297

Requester's City:

New York

Requester's State:

NY

Requester's Zipcode:

10027

[Acknowledge Request](#) [Deny Request](#)

Response

No responses have been uploaded yet

due soon

Assigned Agency

Department of Education

Assigned User

Department of Education (<mailto:foil@schools.nyc.gov>)

Helpers

Received: 2016-04-20

Acknowledgement Due: 2016-04-27

Directory of City Agencies (<https://www1.nyc.gov/nyc-resources/agencies.page>)

Contact NYC Government (<https://www1.nyc.gov/home/contact-us.page>)

City Employees (<https://a127-ess.nyc.gov>)

Notify NYC (<https://a858-nycnotify.nyc.gov/notifynyc/>)

CityStore (<https://a856-citystore.nyc.gov/>)

F12,297

Stay Connected (<https://www1.nyc.gov/connect/social-media.page>)

NYC Mobile Apps (<https://www1.nyc.gov/connect/applications.page>)

Maps (<https://www1.nyc.gov/nyc-resources/nyc-maps.page>)

Resident Toolkit (<https://www1.nyc.gov/nyc-resources/resident-toolkit.page>)

Search

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(<https://www1.nyc.gov/home/terms-of-use.page>).

Date: 04/27/2016 [06:23:45 AM MDT]
From: Harlem Council of Elders <info@harlemcouncilofelders.org>
To: rhasenyager@schools.nyc.gov
Cc: mdodes2@schools.nyc.gov, lellis3@schools.nyc.gov, enaylor@schools.nyc.gov, lsmith9@schools.nyc.gov, mjacobs7@schools.nyc.gov
Subject: Re: Richard Hasenyager – Meeting and Information–Update Request re: School Librarians in Harlem

Dear Mr. Hasenyager:

The Harlem Council of Elders is still interested in speaking with you and/or members of your team regarding your office's efforts to ensure that all Harlem secondary schools provide access to certified school librarians by the 2016-2017 school year. We would also like to bring you up to speed on the petitioning that our growing coalition has been facilitating in front of selected Harlem secondary-school buildings in order to inform students, parents, educators, and other community members about students' right to school librarians and the absence of librarians in a large majority of Harlem secondary schools.

Finally, as stated in our March 16th email below, we want to ensure that the librarian-vacancy data we extracted from your website (and that we are sharing with the public) is completely current. In addition to the alleged Central Park East High School discrepancy, the superintendent of District 5 (where all but one or two secondary schools have been without school librarians for several years) mentioned at a Community Board 9 education committee meeting on April 13th that Frederick Douglass Academy, which, according to your vacancy list, does not have a school librarian, *does* have a certified librarian who is providing the required services and instruction. If that is accurate, 87.5% of secondary schools in District 5 (14 out of 16) are violating students' right to certified librarians, down from 93.75% (15 out of 16).

If you would, please reply to this email by this Friday, April 29.

Thank you again,

The Harlem Council of Elders

On 2016-03-16 20:12, Harlem Council of Elders wrote:

Good evening, Mr. Hasenyager:

We understand that your office has been following our campaign to ensure all Harlem secondary-school students their rightful access to certified school librarians (and the required information-literacy-skill instruction) by the 2016-2017 school year. The OLS Twitter account's retweet of our post about our related online petition suggested that there might be room for collaboration between our organizations toward addressing the absence of librarians in dozens of Harlem middle and high schools.

Representatives of our school-librarians-campaign committee would like to meet with you in the near future to discuss our project, your office's present efforts with and on behalf of the affected Harlem secondary schools, and ways that we might work together. Could you send us your availability for a 30-45 minute meeting, there at your office or somewhere here in Harlem, over the next two weeks?

We also want to ensure that the librarian-vacancy information we pulled from your website

reflects your office's current understanding of school-librarian vacancies across Districts 3, 4, 5, and 6. (The principal of the Central Park East High School, Bennet Lieberman, emailed us a couple of weeks ago to protest our inclusion of his school in our spreadsheet of schools not providing the necessary access to certified school librarians. According to him, his school has employed a certified librarian for several years now and that individual provides school-library services in a well-equipped library. We informed him that our information was pulled directly from the NYC DOE OLS website, and promised we would reach out to your office for the latest list of librarian vacancies in Manhattan/Harlem schools.)

Can you send us a list of the current vacancies (and continue to do so, say, once a month)? Please see the attached spreadsheet.

Thank you,

Harlem Council of Elders

www.harlemcouncilofelders.org

www.twitter.com/HarlemElders

www.facebook.com/HarlemCouncilofElders

Sign our petition to honor Harlem students' right to school librarians: chn.ge/1JvRnaB

The Harlem Council of Elders fosters scholastic achievement among Harlem's youth, and mutual understanding among Harlem's youth, senior citizens, and community leaders.

From: "Harlem Council of Elders" <info@harlemcouncilofelders.org>
Subject: Richard Hasenyager - Meeting and Information-Update Request re: School Librarians in Harlem
Date: Wed, March 16, 2016 7:12 pm
To: rhasenyager@schools.nyc.gov

Good evening, Mr. Hasenyager:

We understand that your office has been following our campaign to ensure all Harlem secondary-school students their rightful access to certified school librarians (and the required information-literacy-skill instruction) by the 2016-2017 school year. The OLS Twitter account's retweet of our post about our related online petition suggested that there might be room for collaboration between our organizations toward addressing the absence of librarians in dozens of Harlem middle and high schools.

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Thank you,

Harlem Council of Elders

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www.twitter.com/HarlemElders

www.facebook.com/HarlemCouncilofElders

Sign our petition to honor Harlem students' right to school librarians: chn.ge/1JvRnaB

The Harlem Council of Elders fosters scholastic achievement among Harlem's youth, and mutual understanding among Harlem's youth, senior citizens, and community leaders.



HARLEM (/WWW.DNAINFO.COM/NEW-YORK/MANHATTAN/HARLEM)

Education (/www.dnainfo.com/new-york/topics/education)

77 Percent of Harlem Secondary Schools Don't Have Librarians, Group Says

By Gustavo Solis (/www.dnainfo.com/new-york/about-us/our-team/editorial-team/gustavo-solis) | January 26, 2016 3:58pm

🐦 @journogoose (<http://twitter.com/journogoose>)



The Harlem Council of Elders say 77 percent of local middle and high schools don't have a certified librarian on staff. In many of the schools, students don't have ac

▲ View Full Caption

DNAinfo/Gustavo Solis

HARLEM — Almost 80 percent of middle and high schools in the neighborhood are violating state regulations by not having a certified librarian on staff, a local group charges.

The Harlem Council of Elders (<http://harlemcouncilofelders.org/>), a local nonprofit that promotes educational initiatives in the neighborhood, used publicly available information (http://nycdoe.libguides.com/ld.php?content_id=8447408) to find out that 27 out of 35 schools between 110th and 155th streets don't employ certified librarians.

“We were shocked and realized that it was imperative for us to respond to motivate the state and city government to take action to correct this,” said Galen Kirkland, president of the Harlem Council of Elders.

Many of the 27 schools seem to be violating state regulations requiring secondary schools with a certain number of students to employ a certified librarian

(http://www.p12.nysed.gov/technology/library/documents/91.2Employmentofaschoollibrarymediaspecialist_1.pdf), he added.

In 2013 hearing, the city's DOE said that about 50 percent of schools don't have a certified librarian. They credited the low number to a combination of lack of funding and low applicant pool to fill librarian positions at public schools. (<http://file:///Users/gsolis/Downloads/Hearing%20Transcript.pdf>)

Last year, the city's DOE began actively recruiting certified librarians with information sessions and collaborating with colleges to recruit graduates. Almost 100 teachers have attended the sessions so far, according to the DOE.

The Council of Elders believe this gap — 50 percent citywide versus 77 percent in Harlem — “highlights a systematic failure to monitor and address racial and socioeconomic disparities in access to basic education opportunities.”

“We knew that as soon as the larger community and those responsible for providing educational services realized the magnitude of this injustice they would immediately be able to focus on it and remedy it,” Kirkland said.

On Wednesday, Jan. 20, the group posted a petition online asking city and state officials to have required levels of certified librarians in all Harlem schools by the 2016-2017 school year.

The petition has 59 signatures (<http://www.change.org/p/governor-andrew-cuomo-new-york-state-commissioner-of-education-maryellen-elias-new-york-state-board-of-regents-chancellor-merryl-tisch-new-york-state-senator-bill-perkins-new-york-state-senator-honor-harlem-students-right-to-school-librarians>) as of Tuesday afternoon.

Their report focused specifically on whether schools had a certified librarian on staff, not if they had a physical library space. They did come across one school that had converted their library to a dance room, and plan to look into the issue in the future, the Kirkland added.

The Council of Elders has not heard a response from state or city officials regarding their online petition.

Gov. Andrew Cuomo (<https://www.dnainfo.com/new-york/people/andrew-cuomo>) and the New York State Department of Education (<http://www.nysed.gov/>) did not respond to questions about the petition.

A certified librarian was recently hired at one of the 27 schools — Hamilton Grange Middle School (<http://schools.nyc.gov/SchoolPortals/o6/M2o9/default.htm>)— and co-located schools who may not have their own librarian have access of another school's librarian, according to the city's DOE.

"We have worked to increase student literacy from pre-k to 12th grade, including through doubling middle-school after-school programs and our new NYC Reads 365 (<http://schools.nyc.gov/academics/nycreads365>) initiative, and we will continue to work with schools, families, and community stakeholders to strengthen our students'

reading skills,” said spokesman Will Mantell.

Even if co-located schools have access to another school’s librarian, it does not change the fact that there are schools without certified librarians, Kirkland said.



Subject **Harlem Secondary School Principals: Students' Right to Certified Library Media Specialists**

From Harlem Council of Elders <info@harlemcouncilofelders.org>
<blieberman2@schools.nyc.gov>, <dbaiz@schools.nyc.gov>,
<DSugrim2@schools.nyc.gov>, <Jsulliv3@schools.nyc.gov>,
To <GQuesad@schools.nyc.gov>, <FPurice@schools.nyc.gov>,
<Inelson7@schools.nyc.gov>, <Bbradley3@schools.nyc.gov>,
<Lgenao3@schools.nyc.gov>, <glennel8@schools.nyc.gov> 23
more...
<mramire4@schools.nyc.gov>, <greeves@schools.nyc.gov>,
Cc <aestrel3@schools.nyc.gov>, <ialtsch@schools.nyc.gov>,
<lrobinson5@schools.nyc.gov>, <dconyer@schools.nyc.gov>,
<fwalsh@schools.nyc.gov>

Date 2015-11-18 23:45

-
- Harlem Council of Elders_Letter to Harlem MS HS Principals re Librarians_11.18.15.pdf (77 KB)
 - Harlem Secondary School Librarians_11.18.15.pdf (202 KB)

HARLEM COUNCIL OF ELDERS, INC.

10 WEST 135th STREET, SUITE 11P

NEW YORK, NEW YORK 10037

November 18, 2015

Dear Harlem Secondary School Principals:

The Harlem Council of Elders (HCE) has nurtured public-school students in Harlem for twenty years by providing special-guest speakers for classrooms, sponsoring guided historical tours of Harlem, facilitating school-assembly programs, promoting reading, and sharing guidance on how to obtain dignity and fulfillment in one's career and personal life.

Because of our concern for and investment in Harlem's young people, our recent finding that, as of early 2015, over 75% of secondary schools in Harlem^[1]—28 out of 36 district (non-charter^[2]) schools, spanning Community School Districts 3, 4, 5, and 6—do not provide access to certified school library media specialists, a clear violation of students' educational rights under New York State law. (Please find attached a spreadsheet detailing our findings, which were validated earlier this year by the NYC Department of Education.) That shocking figure greatly exceeds the roughly 50% NYC average that NYC DOE officials cited in a New York City Council hearing on May 6, 2013.^[3]

With such low average rates of literacy and college readiness among students in Harlem, contrasted with the enormous academic potential of Harlem's young people, HCE has resolved to do everything possible to guarantee Harlem students their lawful right to appropriate school-library staff, instruction, and resources.

In September, we sent a follow-up letter to the NYC DOE requesting answers to the questions below and are eagerly awaiting a response.

1. Are the budgets of NYC schools, including the librarian-less Harlem schools identified in our research, sufficient to comply with all state mandates and constitutional obligations, including the requirement that all secondary schools provide access to certified school librarians?
2. What steps has the NYC DOE taken to ensure that all secondary-school principals understand their obligation to provide access to librarians, and to support the principals'

efforts to fulfill that obligation?

3. What recruitment efforts has the NYC DOE made since May 2013 toward hiring a sufficient number of school librarians to comply with state mandates?
4. Does access to certified school librarians in Manhattan secondary schools vary by community school district—i.e., are students in some districts less likely to have certified librarians on staff? If so, which districts are home to greater percentages of secondary schools presently without certified librarians?
5. How can the Harlem Council of Elders and other interested organizations support the NYC DOE's efforts to ensure students adequate access to certified librarians in all secondary schools in Harlem? (We would welcome the opportunity to meet with you at your earliest convenience in order to devise a joint strategy.)

As we await an official response from the DOE, we welcome any information or suggestions that you might offer, ideally by November 25.

HCE believes in the awesome power of school libraries and school librarians to instill in young people a love of reading as well the information-literacy skills that students need in order to succeed in college, the work force, and other post-secondary endeavors. We also believe that schools and school districts must follow New York's laws governing the provision of basic educational services.

We hope you will consider our organization an ally in those vital pursuits.

Sincerely,

The Harlem Council of Elders

cc: Superintendent Ilene Altschul, Community School District 3

Superintendent Alexandra Estrella, Community School District 4

Superintendent Gail Reeves, Community School District 5

Superintendent Manuel Ramirez, Community School District 6

Superintendent Fred Walsh, Manhattan High Schools (District 3, CUNY/Urban Assembly)

Superintendent Donald Conyers, Manhattan High Schools (Districts 4, 5, 6)

Superintendent LaShawn Robinson, Transfer High Schools

[1] The commonly accepted geographical borders of Harlem are 110th Street on the west side, 96th Street on the east side, and 155th Street in the north.

[2] We were unable to locate comparable data for charter schools in Harlem, but are interested in their numbers as well.

[3] For a transcript of the hearing, see <http://on.nyc.gov/1K4VVOW>.

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Harlem Council of Elders
www.harlemcouncilofelders.org

The Harlem Council of Elders fosters scholastic achievement among Harlem's youth, and mutual understanding among Harlem's youth, senior citizens, and community leaders.

**HARLEM COUNCIL OF ELDERS, INC.
10 WEST 135TH STREET, SUITE 11P
NEW YORK, NEW YORK 10037**

Ms. Carmen Fariña
Chancellor
New York City Department of Education
52 Chambers Street
New York, NY 10007

September 23, 2015

Dear Chancellor Fariña:

Thank you and your team for your letter dated June 11, 2015, in response to our April 20, 2015, query—attached here for your reference—to verify the list of secondary schools in Harlem not providing access to certified school librarians.¹

Your letter identified the “lack of certified librarians on the job market” as the reason why Harlem schools are unable to honor the affected students’ right to school librarians. However, in a New York City Council Education Committee hearing on May 6, 2013, senior NYC Department of Education officials testified that the primary obstacle to providing all students with access to librarians was financial—stemming from inadequate school budgets and, thus, principals having to choose between hiring librarians and hiring other essential personnel.²

With such low average rates of literacy and college readiness among students in our community, the Harlem Council of Elders will do everything humanly possible to guarantee our young people their lawful right to appropriate school-library staff, instruction, and resources.

To that end, the HCE requests the following additional information from the NYC DOE:

1. Are the budgets of NYC schools, including the librarian-less Harlem schools identified in our research, sufficient to comply with all state mandates and constitutional obligations, including the requirement that all secondary schools provide access to certified school librarians?
2. What steps has the NYC DOE taken to ensure that all secondary-school principals understand their obligation to provide access to librarians, and to support the principals’ efforts to fulfill that obligation?
3. What recruitment efforts has the NYC DOE made since May 2013 toward hiring a sufficient number of school librarians to comply with state mandates?

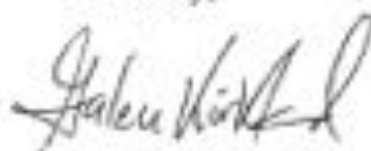
¹ 75% of those schools in the Harlem portions of Districts 3, 4, 5, and 6

² For a transcript of the hearing, see <http://on.nyc.gov/1K4VV0w>.

4. Does access to certified school librarians in Manhattan secondary schools vary by community school district—i.e., are students in some districts less likely to have certified librarians on staff? If so, which districts are home to greater percentages of secondary schools presently without certified librarians?
5. How can the Harlem Council of Elders and other interested organizations support the NYC DOE's efforts to ensure students adequate access to certified librarians in all secondary schools in Harlem? (We would welcome the opportunity to meet with you at your earliest convenience in order to devise a joint strategy.)

Please respond by October 7, 2015. Thank you in advance.

Sincerely,



Galen Kirkland, Esq.
President
The Harlem Council of Elders

Enclosure

cc: Richard Hasenyager, NYC DOE Office of Library Services
Members of the New York City Panel for Educational Policy

Carmen Fariña
Chancellor

June 11, 2015

Chancellor's Strategic
Response Group

62 Chambers Street
Room 215
New York, NY 10007

Mr. Galen Kirkland
President
Harlem Council of Elders, Inc.
10 West 135 Street, Suite #11P
New York, NY 10037

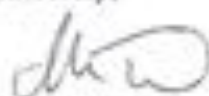
Dear Mr. Kirkland:

Thank you for your letter to the Chancellor regarding School Library Media Specialists in upper Manhattan. We appreciate you sharing your concerns with us, and apologize for the delayed response.

Upon receipt of your letter, I contacted appropriate staff members within the Office of Library Services (OLS) for information. OLS staff members have informed me that according to their directory of school library programs, the staffing levels indicated in your letter are correct. I have been further informed that the shortage of librarians placed in schools is due to a lack of certified librarians in the job market. With that said, over the past two years, OLS personnel have been actively working to resolve the staffing shortage. In that respect, they have developed a recruiting strategy, which includes identifying, interviewing, and recommending certified librarians to principals and recruiting teachers to earn the appropriate certifications.

I hope this information has been helpful. Thank you again for writing to the Chancellor.

Sincerely,



Ilana Rudolf
Communications Associate

**HARLEM COUNCIL OF ELDERS, INC.
10 WEST 135TH STREET, SUITE 11P
NEW YORK, NEW YORK 10037**

Ms. Carmen Farida
Chancellor
New York City Department of Education
52 Chambers Street
New York, NY 10007

April 20, 2015

Dear Chancellor Farida:

The Harlem Council of Elders (HCE) has nurtured public-school students in Harlem for twenty years by providing special-guest speakers for classrooms, sponsoring guided historical tours of Harlem, and facilitating school-assembly programs, promoting reading, and sharing guidance on how to obtain dignity and fulfillment in one's career and personal life.

At a May, 6, 2013, New York City Council hearing, the NYC Department of Education's Office of Library Services confirmed that roughly 50% of public secondary schools in New York City do not provide their students with access to certified library media specialists, a clear violation of children's educational rights under New York State law.

Zeroing in on the availability of school librarians in secondary schools here in Harlem, HCE discovered that the lack of certified librarians in our community appears to exceed the citywide average by a significant margin, meaning that thousands of middle- and high-school students in our community are being denied their educational rights.

According to our research (current as of January 2015), 28 out of 36 district (non-charter¹) secondary schools in Harlem²—over 75%—spanning Community School Districts 3, 4, 5, and 6, do not provide access to professional school librarians. Please find attached a spreadsheet detailing our findings.

With such low average rates of literacy among students in our community, contrasted with the enormous academic potential of Harlem's young people, HCE has resolved to thoroughly examine, and engage the broader Harlem community in rectifying, this grave injustice.

To that end, the HCE requests the following information from the NYC DOE:

1. Recognizing that some of the secondary schools we included in our tally may have hired or lost librarians between January and April, we request your assistance in confirming the accuracy of the information in our spreadsheet.

¹ We were unable to locate comparable data for charter schools in Harlem, but are still pursuing those numbers.

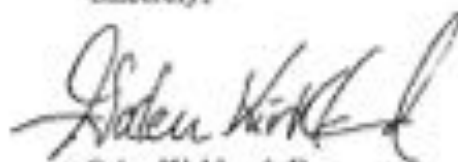
² The commonly accepted geographical borders of Harlem are 110th Street on the west side, 96th Street on the east side, and 155th Street in the north.

2. As the 2014-2015 school year comes to a close and families and schools in Harlem begin planning for the coming academic year, we would like to know the NYC DOE's plans for remedying this issue in any Harlem schools that presently do not offer their students adequate and appropriate access to certified library media specialists.

Like you and your Office of Library Services colleagues, we believe in the awesome power of school libraries and school librarians to instill in young people a love of reading as well the information-literacy skills they will need in order to succeed in life. We hope you will consider the Harlem Council of Elders an ally in guaranteeing students in our community their lawful right to school-library staff, instruction, and resources.

Please respond by Monday, May 4, 2015. Thank you in advance.

Sincerely,



Galen Kirkland, Esq.
President
The Harlem Council of Elders

cc: Richard Hasenyager, NYC DOE Office of Library Services
Members of the New York City Panel for Educational Policy

DISTRICT SCHOOLS NAME

1	PHILIP JACKSON
2	CENTRAL PARK EAST HIGH SCHOOL
3	GLOBAL TECHNOLOGY INSTITUTE
4	HEALTH CARE SCHOOL (THE)
5	COASTAL SCHOOL FOR SOCIAL CHANGE
6	EMERSON PREPARATORY ACADEMY
7	GLOBAL MICHIGAN SECONDARY SCHOOL
8	GLOBAL MICHIGAN FOR WITH AND SCIENCE
9	SCIENCE SCHOOL OF THE ARTS
10	ARTS INNOVATION HIGH SCHOOL FOR ARTS & ACADEMICS
11	CHURCH ACADEMY OF HARTLEY
12	UPPER ACADEMY SCHOOL FOR GLOBAL COMMUNITIES
13	HARLEM RENAISSANCE HIGH SCHOOL
14	HIGH SCHOOL MATH SCIENCE AND ENGINEERING AT LEVY
15	PRELIMINARY DOUGLAS ACADEMY
16	COLUMBIA SECONDARY SCHOOL
17	ACADEMY FOR SOCIAL ACTION COLLEGE BOUND SCHOOL
18	THE RENAISSANCE LEARNING ACADEMY
19	UPPER ACADEMY INSTITUTE FOR NEW TECHNOLOGIES
20	LEARN ACADEMY FOR THE FUTURE OF ARTS
21	PS 79 HIGH SCHOOL
22	EAGLE ACADEMY FOR YOUNG MEN OF HARLEM
23	BROAD & ROOSE ACADEMY FOR THE FUTURE OF ARTS
24	MULTI-PHASE HIGH SCHOOL
25	ACADEMY FOR YOUNG MEN OF HARLEM
26	NEW DESIGN ACADEMY
27	HARLEM ACADEMY FOR THE FUTURE OF ARTS
28	MULTI-PHASE HIGH SCHOOL
29	PRELIMINARY DOUGLAS ACADEMY
30	EMERSON PREPARATORY ACADEMY
31	COASTAL SCHOOL FOR SOCIAL CHANGE
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54	PRELIMINARY DOUGLAS ACADEMY
55	EMERSON PREPARATORY ACADEMY
56	COASTAL SCHOOL FOR SOCIAL CHANGE
57	GLOBAL MICHIGAN SECONDARY SCHOOL
58	GLOBAL MICHIGAN FOR WITH AND SCIENCE
59	SCIENCE SCHOOL OF THE ARTS
60	ARTS INNOVATION HIGH SCHOOL FOR ARTS & ACADEMICS
61	CHURCH ACADEMY OF HARTLEY
62	UPPER ACADEMY SCHOOL FOR GLOBAL COMMUNITIES
63	HARLEM RENAISSANCE HIGH SCHOOL
64	HIGH SCHOOL MATH SCIENCE AND ENGINEERING AT LEVY
65	PRELIMINARY DOUGLAS ACADEMY
66	COLUMBIA SECONDARY SCHOOL
67	ACADEMY FOR SOCIAL ACTION COLLEGE BOUND SCHOOL
68	THE RENAISSANCE LEARNING ACADEMY
69	UPPER ACADEMY INSTITUTE FOR NEW TECHNOLOGIES
70	LEARN ACADEMY FOR THE FUTURE OF ARTS

SCHOOL NAME	ADDRESS	CITY	STATE ZIP	SCHOOL TYPE	PRINCIPAL LAST
1	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
2	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
3	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
4	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
5	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
6	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
7	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
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13	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
14	1015 MONROE AVE	NEW YORK	10014	HS	JOHN
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