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CLIPS

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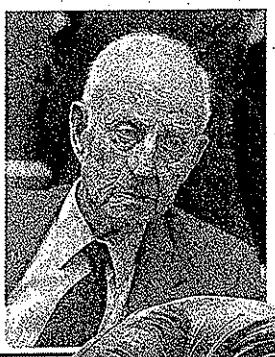
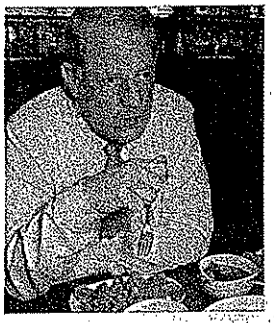
Two candidates emerge looking to topple Manhattan District Attorney **Robert Morgenthau**, below, (Page 4),





other Asian candidates look to follow **John Liu** (Page 16) and **Rep. Steve Israel**, above, digs in to his Power Lunch (Page 20).

What About Betsy?

Gotbaum ready to end her political career—unless Bloomberg White House bid makes her mayor

By Edward-Isaac Dovere

"Betsy, you're unstoppable!" The public advocate's young aide shouts upward, already most of a flight behind the 68-year-old woman bounding up the stairs of the Lucille Murray Day Care Center in the South Bronx. The Administration of Children's Services has announced plans to close the center mid-year because of a $600,000 bill to fix a leaky roof.

Gotbaum has just finished leading a press conference to protest the decision, complete with follow-up interviews in fluent Spanish. Now she wants to see the roof, but the elevator was taking too

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What About Betsy?

long to arrive.

Arriving at the top well ahead of the pack of reporters and parents, she is already being briefed on the condition of the roof tiles by the time most of them arrive.

She stands with her arms folded but no coat in the frigid air, shaking her head. The repairs to this roof should not cost $600,000, she decides. When she is told the landlord has offered to undertake the repairs himself, she shakes her head again.

"There's something else going on here," she announces, almost to herself.

She walks to one side and peers toward one edge, then circles back and peers at the other.

"There's something else going on here," she says again.

She turns around and heads back down the stairs, just as most of the photographers have caught their breaths and started shooting what would have likely made a strong photo-op.

A hidden policy decision, a bureaucratic error, an issue of oversight—Gotbaum is ready to accept many explanations for the closing of the center, but she feels she has learned enough about how city government functions to be confident that she has not yet heard the full story about the Children's Services' decision. In her minute-and-a-half speech during the press conference she led—enough to draw the cameras but put the spotlight on the parents and community activists—she called on Children's Services to reconsider, then said she would actually just call Children's Services Commissioner John Mattingly and ask him to reconsider. She was optimistic that this might get the center, one of the city's largest, reopened.

> **"For obvious reasons, I can't mount a campaign right now," Gotbaum said.**

Though this fight continues, Gotbaum, now halfway through her second term, speaks proudly about the victories she claims in fights like these over her six years as public advocate. It is the kind of record, she thinks—especially coupled with her history of winning twice citywide, being a prodigious fundraiser and spending 35 years in and out of city government—that would make her a very strong candidate for another citywide office next year.

Her interest in being mayor is sincere. The rumors of her weighing a comptroller bid are true. But she is resolved to almost certainly skip both. Betsy Gotbaum is ready to accept that 2009 looks like the end of her political career.

The question is not winning. She believes she could beat the expected Democratic fields for mayor and comptroller. But that does not matter. Based on a very different calculation, she is neither planning nor preparing to run for anything else.

"Right now," she said, "I'm not."

One of Gotbaum's great political assets, most agree, is her husband Victor, whose political advice and revered last name clearly helped her get elected to the city's second-highest office in 2001, then re-elected in 2005, despite a spirited primary. Though two decades have passed since he was at the helm of powerhouse union DC 37, he remains a well-known and beloved character to many New Yorkers, directly and indirectly influencing his wife's political appeal.

More than anyone else, Victor has been promoting his wife as a candidate for mayor, taking up the idea to her and everyone else he can. More than anyone else, though, she makes clear, Victor seems to have emerged as the single obstacle to her making the race.

"It's very hard," she said.

In and out of hospitals the past two years, Victor, now 86, suffers from a range of serious physical and mental problems which prevent him from being able to be left alone. With the Gotbaums living on her government salary and his pension—no small amount certainly, but hardly great riches—there is no around-the-clock care. She spends most nights at home with him.

Gotbaum is a woman with a reputation for frankness, just as likely to call Bloomberg sexist for not inviting her to more sporting events as she is to brag that the blue-striped Calvin Klein suit she is wearing only cost her $100 at Filene's Basement. But her discussion of Victor's health remains vague, referred to only as "my personal situation."

But absent this looming factor, she says, she would be a more active presence at civic events around the city, building up her profile, if only for the sake of gathering political capital for a future campaign.

"My problem goes back to the issue of most of the events are at night," she said. "I have to figure out with them how I run my personal life at the same time that I do these things."

Gone too is her taste for campaign fundraising, often cited as her greatest political asset. She has put together some money for her Fund for Public Advocacy non-profit and helped several charities and causes, but she expects the $163,000 in campaign donations she filed last July to mark a high point for her for the foreseeable future.

"At this point in my life, it's just hard for me to raise money for myself, for personal reasons, for a political campaign,"

A Formidable Candidate, If She Runs

If Betsy Gotbaum decides to run for anything—whether in an open race for mayor or comptroller, or for re-election as interim mayor—those who have campaigned with and against her agree that she could be a very formidable candidate, even with a late start.

Norman Siegel, whom Gotbaum beat twice for public advocate and is now seeking the office a third time, said her prospective opponents should be very careful not to dismiss her, noting that in 2001 and 2005 she proved a more appealing presence than he would have ever anticipated.

"In the debates, I didn't think she did very well. She very often had cards that she would read from and she would clutch on to them," Siegel recalled. "I always in my own world said if people need to read from cards, voters will pick that up. But voters did not."

That appeal, coupled with her last name, her ability to draw female voters and the ease with which she is able to raise massive amounts of money, could prove difficult to overcome again, Siegel warned.

"People underestimate her," he said.

If she runs for mayor, Gotbaum said she would root the campaign in the idea that moving to Gracie Mansion would be a natural next step for a woman with her extensive résumé of positions in and out of city government.

"Look at my career, starting with my first stint in city government with John Lindsay," she said. "Of course I'm ready. I think I could handle it extremely well."

She is also keeping the comptroller's race open as an option, citing her seat on one of the city pension boards as experience that could strengthen a campaign to be the city's bookkeeper. Her management skills could help her run the office. Her background studying agencies as public advocate could provide the foundation for overseeing audits, she believes. And her negotiating skills could help her sway the pension board trustees to her point of view. Plus, she said, at this point she knows city government better than almost anyone. She also points out the week she spent in Philadelphia in 2006, attending the Wharton School's Executive Education Program on Pension Fund and Investment Management.

Importantly, the campaign for comptroller, a lower profile office, would be significantly calmer than the mayor's race, she believes, which might allow her to balance a run with caring for her husband. But even that, she said, would create difficulties.

"It's the same situation, but a little less poignant," she said.

But she could be a formidable candidate for comptroller, said Hank Sheinkopf, her consultant for her two public advocate races.

"Being a person who has high citywide identification, good favorables—regardless of what the idiots say—means that she's immediately a candidate for anything," he said. "Should she make up her mind to do something, she would be very difficult to beat."

—EIRD

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So while she has no doubt that at this point, she could do just about any job in city government and insists that she would revel in all that another citywide campaign would entail, she says the prospect of having to campaign has made continuing her career in politics impossible.

"The most important reason is the *running*," she said, hitting both syllables and stretching the word out.

She wants to continue being involved and relevant. She wants to be mayor. But with the experience of running two citywide campaigns informing her decision, she has concluded that she will not run in 2009 to make that happen.

"For obvious reasons, I can't mount a campaign right now," she said.

Unless. Unless Kevin Sheekey's dreams come true and Michael Bloomberg runs for and wins the White House this fall. Then, come Jan. 20, 2009, Betsy Gotbaum will suddenly find herself mayor of New York. And her campaign to keep that job would start right away.

Forty years ago, Gotbaum was living in Recife, Brazil, under deep cover with the CIA, which trained her and her first husband in Portuguese and set up a life for them on the interior of the country. While her husband, the main agent, set up rural cooperatives through the Catholic priests, Gotbaum—code name: Kate Borgzinner—was responsible for typing documents and occasionally transporting cash in a false

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pocket of her purse.

"They needed somebody to help with the real work that was going on," Gotbaum recalled.

The experience in South America is long behind her, evident, if at all, in her taste for Tabasco sauce dribbled on the low cholesterol omelet she orders for a late breakfast at a Broadway diner. Still, she has enough experience in espionage and in politics to appreciate a good stealth campaign, like the one that Bloomberg is generally seen as at least flirting with for the presidency.

She has endorsed Hillary Clinton for president, and would have campaigned in New Hampshire for the senator if not, yet again, for her "personal reasons." But she admits her interest in seeing a Bloomberg for President campaign actually come together, and she says she and her staff have begun to examine exactly what that would mean.

"We're checking the charter to look at all those things. Of course we're looking at it," she said.

If catapulted into office, she said, the Gotbaum '09 campaign would get a very swift and certain kick start. She would run for re-election as mayor in the special election which would be set for 60 days later (March 20, were Bloomberg to vacate the mayoralty on Inauguration Day). And she would fight hard to hold onto the job.

"You don't look at your whole career which leads you to something like being mayor and you are handed it—of course I would run," she said. "Yes, I would have to do that."

If she is able to become mayor initially without having to campaign for the job, she is confident she would then be able to win the special election and the November 2009 election for a term of her own. Mayor Gotbaum for 60 days would soon become Mayor Gotbaum for nine months, she believes, then for another four years, and perhaps for another four years after that.

She knows she does not have much time to plan. But taking a cue from the man whose own supposed political ambitions may inadvertently make her mayor, Gotbaum says that the normal time frame for laying the groundwork for a campaign might get scrambled.

"Bloomberg has done this brilliantly. He's still a player, and everybody doesn't know what he's doing," she said.

Though she will probably not have raised much money before then—which, she acknowledges, is the main reason people do not generally consider her a likely candidate, despite her consistently high approval ratings—Gotbaum said she could easily put together a big enough war chest to get re-elected if she becomes the interim mayor.

"If I were in office for 60 days, yes, I could do it. I have no doubt about it," she said.

Alternatively, she might wade into the comptroller's race, but said she would not consider any other office, even if the Manhattan borough presidency were to open in 2009.

But even if next year marks the end of her time in politics, she plans to remain an active and influential force.

"No matter what happens, I am not going away. I'm going to be around to haunt everybody," she said, a smile creeping across her face. "I've worked too hard and it's been too great a career, and I've had a really fabulous time as public advocate."

Nonetheless, she has come to terms with her decisions, though she is reluctant to call anything final.

"These are all issues that can change," she said, looking ahead to the Super Tuesday presidential primaries that are expected to finalize the major party nominees and prove decisive in determining the fate of Bloomberg's presidential plans. "All this can change in February. February 5, isn't it?" [EI]

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Defending Her Record and Her Office

Perhaps in order to ensure that no one doubted his candidacy for mayor, perhaps because he was up against the more aggressive Mayor Rudolph Giuliani (R), perhaps because of his media-hungry disposition, Mark Green was in the news constantly throughout his two terms. He tangled with a wide range of New Yorkers in and out of government.

Not so for Betsy Gotbaum.

She thinks about her own experiences as parks commissioner for Mayor David Dinkins (D), when elected officials would call her with complaints about broken glass in the grass or problems with playgrounds. The calls most effective on her, she says, were from the people out to work with her instead of embarrass her. So when she calls commissioners and agency heads, she tries her best to appeal to them and collaborate.

Sometimes this works. Sometimes it does not.

The plan, she says, is to issue a report card sometime before the end of her term rating the various commissioners and agency heads on their responsiveness. Like the teacher she once was, she is hoping that getting the word out about the report card might spur some of the delinquents to clean up their acts ahead of time. The point is to make them be more responsive, not to embarrass them, she said. All she wants is for the commissioners to hear a simple message from her: "I am trying to make things better for New Yorkers. So respond to me!"

She and her staffers claim credit for many changes in the administration of city services over the last six years. Her record with the Administration of Children's Services is a perfect example, she said, noting the child fatality report issued last June which found a spike in 2005 mistakes the agency made in child fatality cases. Her numbers were all wrong, she was told. Two months later, the city Department of Investigation came to similar conclusions, prompting Children's Services to announce a plan to increase the number of former law enforcement officers who work on investigations with the protection staff from 25 to 125. Five months after another report from her office on high turnover among Children's Services attorneys, the agency had hired more attorneys and reduced attrition, and Bloomberg announced a $3.4-million increase to its legal services division. Another report on the dangers of adults rolling over and killing children with whom they are sharing a bed got Children's Services to launch a $1.5-million "Take Good Care of Your Baby" public education campaign, she said.

All of these results are important, she says, and all of them were achieved only by her quiet, behind-the-scenes wheedling and negotiating. She contrasts that to her acknowledged reputation for doing nothing and having no follow-up.

"It's amusing," she said.

What she sees as an overwhelmingly positive and effective record, she believes Bloomberg sees as largely a waste of time. The mayor, she believes, would rather see her office abolished entirely.

"I think that he's dismissive of it," she said. "I suppose he doesn't think that a lot of the things we do should be done."

Part of the trouble, she said, stems from a decision that predates their time in office. They were social friends in the years before they ran, and during the 2001 campaign, she said Bloomberg asked her to endorse him for mayor over Green, by then the Democratic nominee. Gotbaum declined. She says he then asked for her to make no endorsement in the race, but again Gotbaum declined, citing her Democratic allegiances.

"He has a tremendous thing about loyalty, and I think he felt that as his friend, I should have stayed neutral," she said. "I just couldn't do it."

The relationship was also hurt when media reports surfaced about information discussed in private meetings Bloomberg held with Gotbaum and Comptroller Bill Thompson (D) early in their terms. Bloomberg was annoyed by the confidentiality breach, and blamed Gotbaum for talking to reporters. She denies that she ever did.

These days, she has little contact with the mayor anymore. The meetings of the citywide officials are a thing of the past.

"I think he probably has them with the comptroller, 'cause he needs the comptroller," she says.

(In fact, Bloomberg does not have a set regular meeting time with Thompson anymore either, though Thompson's office notes that the two have no trouble accessing each other or communicating when either has something to discuss.)

Nor does she see Bloomberg socially anymore, which Gotbaum attributes to their mutual busyness, though she notes that Bloomberg's appearance at the shiva for her stepdaughter-in-law in October meant a great deal to her.

Bloomberg, who pushed for a 2002 charter change that would have stripped the office of much of its power, is not the only one who has been dismissive of the office. Calls to eliminate the position have continued to appear on editorial pages throughout her tenure, with Gotbaum herself or the inactivity of her office generally cited as the main rationale for abolition. "I'm very sensitive to the fact that people say it, and I just keep saying they're wrong," she says.

A perfect example, she says, is last February's controversy over the mid-year school bus re-routing, conceived of in consultation with a company called Alvarez & Marsal. Though the mayor dismissed her objections, Gotbaum helped lead the successful push to get the administration to reverse course on the decision.

"Should I have had 20 press conferences about that?" she asks rhetorically.

"Yes," her press secretary answers quickly.

Gotbaum considers this.

"It's not who I am. It's definitely not who I am. I'm not going to have more press conferences. I can't. I just can't do it," she says.

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"Yes," her press secretary answers quickly.

Gotbaum considers this.

"It's not who I am. It's definitely not who I am. I'm not going to have more press conferences. I can't. I just can't do it," she says.

Besides, she insists, she was more effective working behind the scenes on the issue than she would have been holding all those press conferences.

"What more was there to say except 'Get rid of Alvarez & Marsal?'" she says. "And I was pretty good at doing that."

Nonetheless, she does want to give the office more teeth, she says, perhaps through establishing a fixed budget outside of the mayor's control, perhaps through convincing the Legislature in Albany to give the public advocate some official oversight over education or creating an independent office of child advocate under its aegis. A change to the City Charter, she has decided, is unlikely.

Green has refrained from commenting on his su cessor, but he has no trouble expressing his frustr tion that talk of abolishing the office itself persist He says the time for debating about whether to hav the office should have ended after he took office in 1994.

"In the immediate eight years following, we had real world test of whether it should continue," Gree said. "If we look at the scores of laws and reforms, combination of William Buckley and Bill Clinto couldn't successfully argue against the actual reco we produced."

He laid claim to a long list of accomplishment including reducing police abuse and domestic vi lence, reforming the child welfare system, endin mob control of carting and increasing hospital safet New Yorkers got a pretty good deal for an offic which he calculates costs 38 cents per taxpaye Green said.

But though he will not challenge most Gotbaum's record, he did note that the past six yea have presented more of an opportunity than he ha in one area with Giuliani: good government reform He believes Gotbaum could have gotten mo reforms passed if only she had tried.

But no matter the complaints, he warned peopl not to judge the office just on the person hold ing it any given time.

"You cannot base the existence of an instit tion on its momentary leader—otherwise, you'll abo ish the mayoralty because of some clunkers I ca think of, or the presidency because of Bush," he said

By the end of her term, Gotbaum hopes to hav cleared away any of these questions, through th many personal stories of the individuals she and he office has helped and by providing studie of problems with Children's Services c other agencies, like the Department c Education, through projects like th Commission on School Governance.

Convened at the request of Assembl Education Committee Chair Cath Nolan (D-Queens), the 11-member, pr vately funded group Gotbaum leads i planning to make recommendations on how to twea the current city school system in time for next year' scheduled consideration of renewing mayoral con trol. From the testimony and academic papers th group has commissioned, Gotbaum is starting t determine how to recommend increasing paren involvement, which she says she heard has alread convinced 70 legislators to try to bring control back t Albany. Gotbaum supported Bloomberg's efforts t get control of the school system. With the recomman dations done right, she believes she can help keep the next mayor in control of the schools—even if she is not the next mayor herself. [EI]

—EIRI

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NEW YORK POST

CELEBS IN FOCUS WITH HIGH RESOLUTIONS

By DAN KADISON

January 1, 2008 -- Goodbye, smoking. No more nail biting. Weight be gone.

It's a new year, a clean start, time to craft a promise or pledge.

PHOTO GALLERY: Celeb Resolutions

The Post has gathered resolutions from some bold-faced New Yorkers, and the range of promises make for a fun and insightful list:

President Bush: "My resolution for the New Year is this: to work with Congress to keep our economy growing, to keep your tax burden low and to ensure that the money you send to Washington is spent wisely — or not at all."

Gov. Spitzer: "To lose 5 lbs."

Sen. Chuck Schumer (D-N.Y.): "Try this new fad that all the kids keep talking about, something called 'Sunday brunch'?"

Sen. Hillary Rodham Clinton (D-N.Y.) joked: "I resolve to continue home delivery of the New York Post, even though our dog Seamus is finally housebroken."

Mayor Bloomberg: "Helping the NYPD make our streets even safer. Helping our teachers and principals make our schools even better. And on a personal note, finding more time to run . . . on the treadmill in the morning."

Betsy Gotbaum, NYC Public Advocate: "I resolve not to borrow Mike Bloomberg's 2001 Lexus without permission."

Bill Scheft, writer, "Late Show with David Letterman": "Labor peace on Earth, good will and grace toward my fellow striking writers . . . Oh yeah, and once we get back to work, to stop stealing replacement ink cartridges from the supply closet."

Kirk Douglas, actor: "My 2008 resolution, as a man of 91, is to unite all parties — Democrats, Republicans, Independents — on the problems the younger generations will face so together they can find solutions . . . Let's face it, the world is a mess, but America is still a great country."

Sheldon Silver, Assembly Speaker (D-Manhattan): "To continue to try to get [state] Sen. Bruno to work with the governor and I on behalf of the people of State of New York."

Joseph Bruno, Senate Majority Leader (R-Rensselaer): "Peace, prosperity, goodwill and more Republican seats in the Senate."

The Epoch Times

Students Receiving 12 Standardized Tests Per Year

By Zach Krasinski

Epoch Times New York Staff

Jan 02, 2008

NEW YORK—Parents today probably remember when they were growing up and they had to face the ultra-mundane standardized test once a year or even just once every few years. The time-consuming and homogenizing process offered no pleasant interaction with their peers or teachers, just sterile little multiple-choice ovals to fill in.

Today, New York City public school students are being inundated with those same standardized tests, the majority of which are city mandated but not required by law, according to analysis by Public Advocate Betsy Gotbaum. Gotbaum's analysis found that in addition to a child's normal school load, third-graders are given approximately 12 tests per year—meaning that eight and nine year olds are preparing for and taking a standardized test nearly every three weeks. Eighth-graders, she found, take one approximately every four weeks.

All this standardized testing has parents concerned.

Chris Spinelli, a member of District 22's Community Education Council, said, "We understand the value of testing in today's era of accountability, but like any measure, it doesn't tell the whole story. High stakes tests and never ending test prep to ensure that students do well on these tests absorb a disproportionate part of the school year. We should focus on developing well rounded students with a complete education, not just creating a generation of professional test takers."

Gotbaum and concerned parents are urging the Department of Education to scale back their assessment tests and focus more time on teaching history, geography, the arts, and other subjects not covered by standardized tests.

Gotbaum said, "Our schools have turned into test prep factories. The DOE is trying to take credit for improving test scores, but all they are doing is teaching kids how to take tests. This doesn't make kids excited about learning, and it doesn't lead to good education. Excessive testing and teaching to the test is clearly failing to improve our children's education."

Only two of the 12 tests 3rd graders must take are required by the state; the rest are assessment tests used to prep students for the state tests. For example, in late January, third graders will take a city-required "predictive math test" to assess how they will do on the state math exam in March. The results of the assessment test are used to tailor interventions in an effort to increase a student's score on the state test.

The greatly expanded focus on testing over the past few years has had little effect on student progress, according to Gotbaum.

Last month, the National Assessment of Educational Progress, a Congressionally-authorized federal test, known as the "nation's report card," that acts as a check on states' and school district's claims of their own progress, found virtually no gains in New York City. Additionally, last week the state added 60 elementary and middle schools to the list of failing schools.

Chancellors Parent Advisory Council chairman William McDonald said, "The DOE shouldn't just focus on the testing, but rather on a well-rounded education, especially on the health aspects of our children's lives. Children across the city are facing an epidemic of diabetes and obesity. As we educate our children, we should also be giving them the tools they need to over come these challenges."

The numbers show that testing spikes for English language learners (ELL) or students in a dual language program. For instance, a third grade ELL student in a dual language program will take a test nearly every 10 days.

Rolando Bini, Director of Parents in Action, said, "It costs a great deal of money to develop these standardized high stakes tests. This money could better be spent on lowering class size, improving facilities and providing programs in music and art for a more well-rounded educational experience."

Queens Chronicle

01/03/2008

Pol: DOE Turns Schools Into 'Test Prep Factories'

by Colin Gustafson , Assistant Managing Editor

The city's public school children are up to their ears in standardized tests this year, most of which aren't even necessary for advancing to the next grade, the public advocate and parents asserted last week.

An analysis of the city Department of Education's testing schedule by Public Advocate Betsy Gotbaum revealed that students this school year must take up to a dozen standardized exams in addition to their regular load of tests and homework.

Third-graders, for instance, must take a city-mandated exam, on average, once every three weeks, the analysis found. Worst off are English language-learning students, who take tests nearly every 10 days under a dual language curriculum.

Only two of the tests most elementary students must take are required by the state's Education Department. The rest are used by the city to predict students' scores on standardized exams and help prepare them for the state tests, Gotbaum claims.

Noting that third-graders are already preparing to take another "predictive math test" later this month, critics are demanding that the DOE ease up on its "nonessential" testing requirements and allow teachers to focus on other topics, like physical education, history, sciences and the arts.

"These are (topics) that keep kids interested in coming to school," said Lorraine Bridges, a District 29 Community Education Council member, whose son attends a middle school in Southeast Queens.

"We're not opposed to assessments necessarily. Just, it's overkill when students have to go to class every day, and it's test, test, test. They're going to become test takers and not get excited about learning anymore."

But school officials contend that the periodic assessments are meant to be used as a "classroom tool" for educators to assess their students' academic progress, not simply to prepare them for yearly state exams.

The "no-stakes" tests, officials said, do not simulate the statewide exams, nor are they used to grade schools or determine staff promotions. Rather, the tests are part of a new online information system, announced by the mayor earlier this year, to allow teachers to pinpoint each students' shortcomings and track progress in reading and math throughout the academic calendar.

"Any educator could tell (Gotbaum) that knowing what your students have learned and where they have weaknesses is fundamental to teaching and learning," said city DOE spokesman Andrew Jacob.

He also noted that the math and English assessments are just one part of the city's new "core curriculum," which also includes components in science, the arts and, starting next year, social studies, as well.

Still, some parents say this battery of tests will only end up becoming a detriment to teachers and students. "First off, it's far too much (testing) for any student to get a well-rounded education," said Springfield Gardens dad William McDonald, president of the Chancellor's Parent Advisory Council.

"Secondly, how many tests does a teacher really need (in order) to see how well her kids are doing? They already know their progress from spending the entire day in the classroom with them."

Such fierce criticism comes amid education officials' increasing reliance on using standardized tests to measure progress — sometimes with decidedly mixed outcomes.

In November, for instance, the mayor announced the results of the city's first-ever school report cards, which gave administrators an A-through-F rating based largely on yearly improvements on state exams. This year, those report cards showed that Queens boasted not only the largest share of A-scoring schools in all of New York City but also the lowest portion of failing schools.

However, just a week later, a testing-based federal assessment concluded that city school children had, in fact, made almost no progress on federal math and reading exams since Bloomberg took control of the school system in 2002.

In another damning blow to the administration, state education officials released their own assessments last month showing that 61 city schools had been deemed failing, including several Queens sites that had gotten A's from the city.

"The DOE is trying to take credit for improving test scores," Gotbaum said in a statement, "but all they are doing is teaching kids how to take tests."

The New York Times

JAN 3, 2008

FRED R. CONRAD/THE NEW YORK TIMES

Yvonne Caballero, a teacher at the Lucille Murray Child Development Center for 34 years, with Gyashi, left, and Jacarigao.

City Cuts Bronx Center's Aid, Citing Misuse of Funds

By TIMOTHY WILLIAMS

A South Bronx day care center being investigated by the city for financial improprieties will lose its city financing next week and have to close, the fourth day care facility to be shuttered in the neighborhood in four years, officials said Wednesday.

The city's funds for the Lucille Murray Child Development Center are to cease Jan. 11 because of what city officials say has been widespread mismanagement, including hundreds of thousands of dollars in missing funds.

The city's Administration for Children's Services has decided against hiring another firm to supply children's services there because it says the building is in substandard condition and should not be used for day care any longer.

The city's public advocate, Betsy Gotbaum, who held a news conference Wednesday at the center in Mott Haven, said the parents and grandparents of the 150 children who come there each week will have a difficult time finding an alternative since there is a shortage of city-subsidized day care. "This is one of the most impoverished areas of New York City," Ms. Gotbaum said. "There is no place for these children to go. What will their parents do?"

In a statement released Wednesday, John B. Mattingly, the Children's Services commissioner, said each of the center's children would be placed elsewhere.

"Children's Services will not stand by and allow children to go to child care centers that fail to meet basic standards of integrity and care," Mr. Mattingly said in the statement. "Nor will we continue funding agencies that practice fraud.

"Children's Services made the necessary decision to end contracts with Lucille Murray Child Development Center after the city's Department of Investigation found that there has been serious misuse of scarce public funds, and board leadership failed to oversee program finances or to remove those involved in fraudulent activity."

The Department of Investigation declined Wednesday to give further details about the case or to identify anyone involved. In a statement, Diane Struzzi, a spokeswoman, said the agency had "found misconduct by senior personnel that resulted in financial improprieties." No arrests have been made.

Mr. Mattingly's statement also said the building was "in poor physical condition" and would "require an extensive physical upgrade at a very high cost to the city." Officials put the cost of repairs at about $650,000. The development center leases the space and is not responsible for its maintenance.

The center's officials referred requests for comment to the Administration for Children's Services, and the center's workers declined to comment about whether there was mismanagement.

Lovely Bowling, 70, who is caring for two of her grandchildren, a 13-year-old boy and a 6-year-old girl, said she would probably have to give up day care altogether once the center closes. "It will hurt a lot of parents," she said. "It will hurt a lot of grandparents."

Raglan George Jr., executive director of District Council 1707, the union that represents most of the workers at the center, said the Bloomberg administration had closed 16 day care centers in predominantly poor and minority neighborhoods in the city since 2004, including three others in Mott Haven.

Sheila Stainback, a spokeswoman for the child welfare agency, said the closings were unrelated. "Each of these decisions was arrived at carefully," she said.

Several parents said Wednesday that the earlier closings had forced them to transfer their children before, twice in some cases.

Samantha David, a single parent of a 6-year-old son and a 3-year-old daughter, said she depended on the center as a place for her children to take Head Start classes while she is at work.

"This is a very great school, and the kids are learning," she said.

The center has had financial problems since at least the early 1990s, the center's workers said.

Employees said their checks often bounced, and a clerk at a nearby check cashing center said it had started to refuse the center's checks for the same reason.

EL CAMPEON DE LOS HISPANOS

EL DIARIO

DESCUIDADOS

Centenares de niños podrían quedar sin cuidado infantil si cierra un centro de El Bronx — P3

JOSÉ A. RIVERA/EDLP

La ciudad podría clausurar el centro Lucille Murray tan pronto como el 11 de enero, denunciaron padres ayer.

Vecinos enfrentan cierre de guardería

JOSE ACOSTA/EDLP JAN 3

NUEVA YORK — Más de 253 niños y sus familias resultarán afectados si el próximo 11 de enero la Administración de Servicios para Niños, ACS, cierra el Centro de Cuidado Infantil Lucille Murray, uno de los más grandes Day Care Center en El Bronx, situado en el sector de mayor proporción de niños pobres de la ciudad de Nueva York.

Preocupados por esta situación, la defensora del pueblo, Betsy Gotbaum y otros líderes políticos y sindicales, así como un grupo de madres y trabajadores afectados, les hicieron un llamado ayer a la ACS, para que tomen acción inmediata encaminada a evitar el cierre del Lucille Murray Day Care Center, localizado en el 296 East de la calle 140, en la sección de Mott Haven.

Cristina Castillo será una de las más afectadas, ya que tiene un hijo en los programas de clases y es empleada del centro

"ACS es responsable por estos niños, sus padres y esta comunidad. De cerrar este centro, ACS está mostrando una indiferencia evidente hacia la gente que depende de sus servicios", dijo Gotbaum.

Por su parte, Raglan George, director ejecutivo del sindicato que protege a los servidores de centros de cuidado infantil en el District Council 1707, denunció que el Lucille Murray es el decimosexto centro de cuidado infantil cerrado en vecindarios de minorías desde enero de 2004.

"El Lucille Murray está situado en la sección de Mott Haven, de El Bronx, la cual tiene el mayor número de residentes pobres y de escuelas deficientes de la ciudad de Nueva York. En consonancia con la iniciativa del alcalde Michael Bloomberg de reducir las deficiencias en las escuelas, este centro necesita ser transferido a otra junta patrocinadora que lo mantenga operando, a fin de que siga proveyendo educación de calidad en su comunidad", dijo George.

JOSÉ A. RIVERA/EDLP

En la foto algunos de los niños que asisten al centro.

La madre hispana Cristina Castillo será una de las más afectadas, ya que aparte de tener un niño de 4 años en los programas de clases preescolares del centro, es también empleada del mismo, y por ello, si se produce el cierre, perderá su trabajo y los servicios que recibe su hijo. "A mí me afecta porque tengo que buscar otro trabajo y tengo que buscar un centro de cuidado infantil que me quede cerca, para poder recoger a mi hijo cuando salga de trabajar", dijo Castillo, revelando que ACS "sólo nos ha dicho que van a cerrar el centro y no se han reunido con nosotros para explicarnos las razones ni qué pasará con nuestro trabajo".

El Lucille Murray se convertirá en el cuarto centro de ACS en ser cerrado dentro del Council Distric 17 en El Bronx, y según Gotbaum, debido a que no hay suficientes centros ACS en el área para recibir a los niños del Lucille Murray, muchos padres tendrán que dejar a sus hijos con cuidadoras caseras o parar de trabajar.

Mediante un comunicado, ACS reveló que las razones de cierre se deben a mal manejo financiero del centro y a problemas estructurales del edificio que sirve de sede al mismo. Otra es la necesidad de reparar el techo del edificio de tres plantas que sirve de sede al centro, el cual, según pudimos contactar, tiene algunas losas despegadas.

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Queens Chronicle
Your Community Newspaper

Pol: DOE Turns Schools Into 'Test Prep Factories'

by Colin Gustafson
Assistant Managing Editor

The city's public school children are up to their ears in standardized tests this year, most of which aren't even necessary for advancing to the next grade, the public advocate and parents asserted last week.

An analysis of the city Department of Education's testing schedule by Public Advocate Betsy Gotbaum revealed that students this school year must take up to a dozen standardized exams in addition to their regular load of tests and homework.

Third-graders, for instance, must take a city-mandated exam, on average, once every three weeks, the analysis found. Worst off are English language-learning students, who take tests nearly every 10 days under a dual language curriculum.

Only two of the tests most elementary students must take are required by the state's Education Department. The rest are used by the city to predict students' scores on standardized exams and help prepare them for the state tests, Gotbaum claims.

Noting that third-graders are already preparing to take another "predictive math test" later this month, critics are demanding that the city Education Department ease up on its "nonessential" testing requirements and allow teachers to focus on other topics, like physical education, history, sciences and the arts.

"These are (topics) that keep kids interested in coming to school," said Lorraine Bridges, a District 29 Community Education Council member, whose son attends a middle school in Southeast Queens.

"We're not opposed to assessments necessarily. Just, it's overkill when students have to go to class every day, and it's test, test, test. They're going to become test takers and not get excited about learning anymore."

But school officials contend that the periodic assessments are meant to be used as a "classroom tool" for educators to assess their students' academic progress, not simply to prepare them for yearly state exams.

> **"Any educator could tell (Gotbaum) that knowing what your students have learned ... is fundamental to teaching."**
>
> —Andrew Jacob, spokesman, city Department of Education, on the city's use of no-stakes testing

The "no-stakes" tests, officials said, do not simulate the statewide exams, nor are they used to grade schools or determine staff promotions. Rather, the tests are part of a new online information system, announced by the mayor earlier this year, to allow teachers to pinpoint each students' shortcomings and track progress in reading and math throughout the academic calendar.

"Any educator could tell (Gotbaum) that knowing what your students have learned and where they have weaknesses is fundamental to teaching and learning," said city DOE Spokesman Andrew Jacob.

He also noted that the math and English assessments are just one part of the city's new "core curriculum," which also includes components in science, the arts and, starting next year, social studies, as well.

Still, some parents say this battery of tests will only end up becoming a detriment to teachers and students. "First off, it's far too much (testing) for any student to get a well-rounded education," said Springfield Gardens dad William McDonald, president of the Chancellor's Parent Advisory Council.

"Secondly, how many tests does a teacher really need (in order) to see how well her kids are doing? They already know their progress from spending the entire day in the classroom with them."

Such fierce criticism comes amid education officials' increasing reliance on using standardized tests to measure progress — sometimes with decidedly mixed outcomes.

In November, for instance, the mayor announced the results of the city's first-ever school report cards, which gave administrators an A-through-F rating based largely on yearly improvements on state exams. This year, those report cards showed that Queens boasted not only the largest share of A-scoring schools in all of New York City but also the lowest portion of failing schools.

However, just a week later, a testing-based federal assessment concluded that city school children had, in fact, made almost no progress on federal math and reading exams since Bloomberg took control of the school system in 2002.

In another damning blow to the administration, state education officials released their own assessments last month showing that 61 city schools had been deemed failing, including several Queens sites that had gotten A's from the city.

"The DOE is trying to take credit for improving test scores," Gotbaum said in a statement, "but all they are doing is teaching kids how to take tests."

JAN 3, 2008

DAILY NEWS

Desperate for day care

JAN 3, 2008

Parents of 200 Bx. kids scramble with closing of center next Friday

BY CARRIE MELAGO
DAILY NEWS STAFF WRITER

THE CITY PLANS to close a troubled Bronx day care center next week, leaving parents of more than 200 children struggling to find a backup plan.

The Lucille Murray Child Development Center in Mott Haven will be shuttered Jan. 11 because of its prolonged financial woes and the building's crumbling roof, officials said.

Parents who use the 36-year-old, city-funded center say they have nowhere else to send their children — and are begging the city to bring in an outside agency to oversee the center.

"I can't find a place for her. I have no idea what I'm going to do," said paralegal Carmen Miranda, whose 4-year-old daughter attends the center, as does her 8-year-old son after school.

Several weeks ago, the city Administration for Children's Services told parents that they were terminating the center's contract, citing about $650,000 worth of repairs required to mend the E. 140th St. facility's roof.

City officials also pointed to long-running mismanagement of the center's finances, which sources said routinely causes teachers to be paid late.

Advocates say they don't believe parents should be held responsible for any impropriety by administrators. "There is no place for the children to go. What will their parents do?" asked Public Advocate Betsy Gotbaum.

The Administration for Children's Services defended its decision to close the center and promised to either transfer kids to other ACS centers or provide vouchers for private care.

Several parents said they had yet to find a new spot. Miranda said she has taken off three days to look for another center, and April Phillips, 26, said every center she contacted has been full.

"None of them have room," said Phillips, who has a 4-year-old daughter. "What are we supposed to do?"

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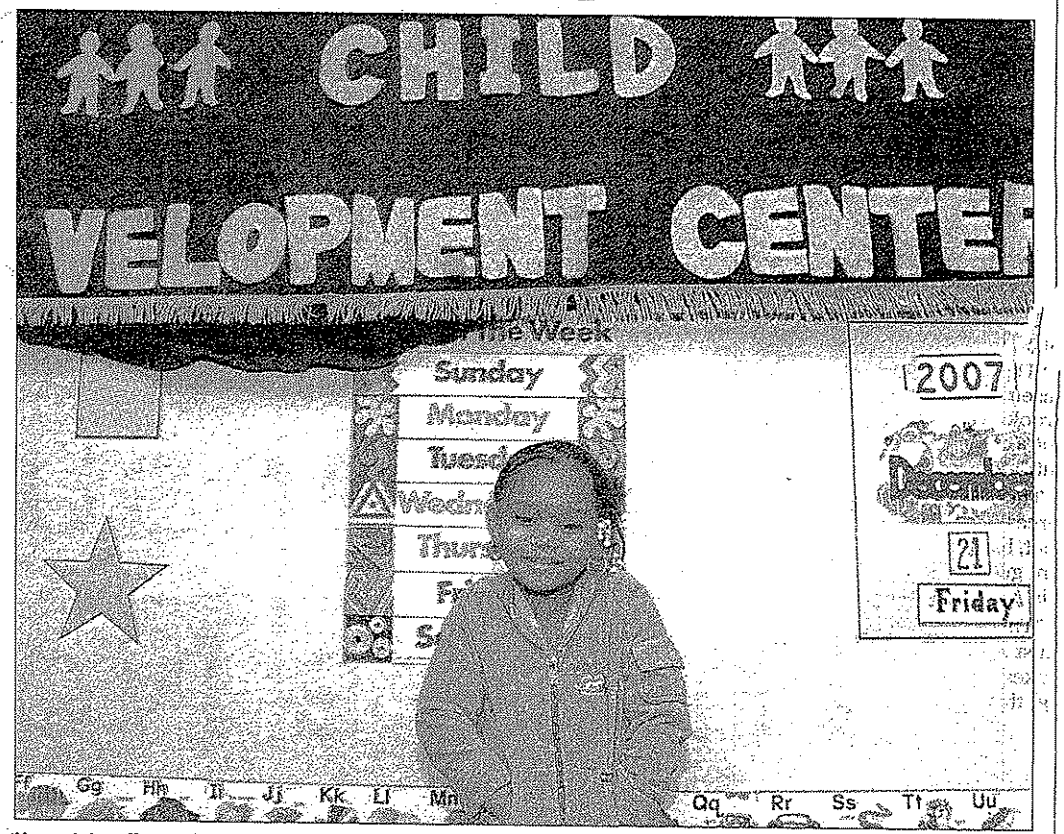

Honest Caroline, 4, is one of 200 children who will be without a place to go, at least temporarily, when Lucille Murray Child Development Center in Mott Haven closes next Friday. Photo by Howard Simmons/Daily News

DAILY NEWS

New year but same old problems as Bx. day care set to close

ONE MILLION revelers welcomed the new year at Times Square, a joyous ritual that has become famous all over the world. "There is no place like New York," a middle-aged woman from Spain told one of the Spanish-language TV channels, as wide-eyed as a teenybopper on a first date. "It is my first time here and I have had a wonderful time."

The visitor is, of course, right. No other place in the world compares with our diverse, vibrant city, and New Yorkers are well aware of it. Yet, for many city residents, the new year began the way the old year ended: In 2008 they face the same problems and obstacles as in 2007.

The parents of the more than 200 preschool and school-age children served by the Lucille Murray Child Development Center in Mott Haven, the Bronx, are a case in point.

The Administration for Children's Services is set to close Lucille Murray, one of the largest centers in the city, on Jan. 11. At a time when thousands of children are on waiting lists for a place in city-funded day care centers, it is an unfortunate decision.

At a press conference held yesterday at the center, District Council 1707, the union that represents Lucille Murray's workers; Public Advocate Betsy Gotbaum; other public officials, and parents called for a moratorium on closing city-funded day care centers, and for the ACS to reconsider its plan to close Lucille Murray.

"We must not allow city day centers providing educational and support services for young children to be closed," said District Council 1707 Executive Director Raglan George.

Certainly not one like Lucille Murray, whose location makes it invaluable for working parents. It is surrounded by five housing developments serving more than 6,000 households, and it is two blocks from Lincoln Hospital. For three decades, the center has been providing educational and support services for 253 children and their families in Mott Haven — the community district with the lowest median income and the highest proportion of children in poverty in New York City.

The ACS has said it is working with parents to find "alternate child care at the many contracted child care centers . . . in the surrounding community." But as those same parents point out, there are not enough openings to accommodate all the Lucille Murray children.

Nessa Coulibaly takes her 5-year-old to Lucille Murray every day. "This is very hard for me, I don't know what to do if it closes," she said. "If I can't go to work, how can I feed my kids?" It's a troubling question that many parents in the same predicament must be asking themselves.

This is what makes the ACS decision even more incomprehensible. Closing the center contradicts Mayor Bloomberg's announced commitment to reduce poverty and provide the support services families need to move out of it. Lucille Murray would be the fourth child center closed in City Council District 17 since 2004, and the 16th to be closed in the city under the Bloomberg administration.

> "We must not allow city day centers providing educational and support services for young children to be closed."

While more than 5,900 Mott Haven children are eligible for city-funded child care, more 400 child-care slots have been lost in this high-need community.

"To close the Lucille Murray center would severely increase the burdens on our community," said state Sen. José Serrano (D-Bronx). "The city must be mindful of this and reverse its decision."

There is still time for the ACS — and Bloomberg — to change their minds.

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JAN 3 2008

HOY NUEVA YORK www

» Cierre

Niños quedan sin guardería

ACS asegura que el centro ha cometido fraude administrativo

Alexandra Ochoa
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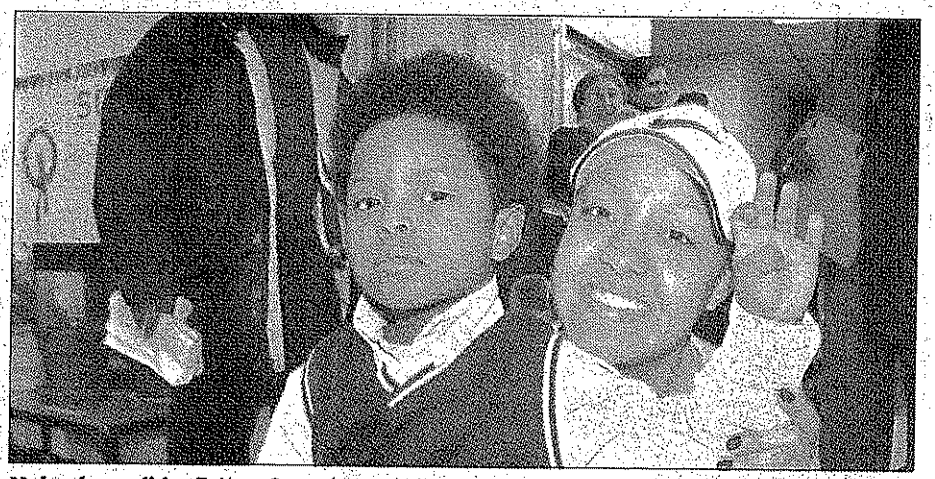
EL BRONX



» **La despedida.** Esther Guzmán y su hijo John, de 4 años, dicen adiós en la guardería Lucille Murray en El Bronx, la cual será cerrada el 11 de enero. (Foto: Alexandra Ochoa)

Una de las guarderías infantiles más grandes de Mott Haven, en El Bronx, cerrará el próximo 11 de enero según lo ha dispuesto la Agencia de Servicio Infantil (ACS).

Ayer un grupo de padres y trabajadores de la guardería Lucille Murray, junto con líderes comunitarios encabezados por la Defensora Pública, Betsy Gotbaum, hicieron un llamado para que la ACS dilate el cierre hasta junio para que las familias tengan tiempo de reubicar los niños.

Según los padres de familia, ACS no les ha ofrecido centros alternativos y las otras guarderías de la zona tienen el cupo completo. "No sé qué voy a hacer con mis hijos y tengo que trabajar para poderlos mantener", dijo Esther Guzmán, madre de dos. "La situación es muy grave porque somos pobres y este centro ha sido como un hogar, un apoyo para nosotros", agregó.

Lucille Murray le sirve a 253 niños de pre escolar en una de las zonas más pobres de El Bronx. El centro está rodeado de cinco proyectos de NYCHA que comprenden más de 6,000 viviendas.

Según Gotbaum y los administradores del centro lo único que está para reparar es el techo. Sin embargo, el dueño del edificio no lo ha hecho porque argumenta que ACS no le ha pagado la renta. "No entiendo por qué ACS quiere cerrar este lugar cuando puede sacar una beca de emergencia y arreglar el techo", dijo Gotbaum.

ACS dijo mediante comunicado que cerrará Lucille Murray por "mal manejo administrativo y fraude" y porque necesita extensas reparaciones que resultarían muy costosas para la Ciudad. Los padres entrevistados por el diario Hoy dijeron que la alegada mala administración ocurrió hace un año y que ACS despidió al director de entonces.

Además de Lucille Murray, ACS anunció la terminación de contrato a partir del 4 de enero con Children Liberation, en Manhattan, que le sirve a 88 niños, y que además es la única guardería subsidiada entre la calle 14 y Houston, desde la quinta y hasta la Avenida C.

"Yo creo que a ACS no le importa la gente trabajadora y sus hijos, quizás porque piensan que no somos valiosos para la comunidad", dijo Ernestina Díaz, madre de cuatro.

JAN 3, 2008

WNYC New York Public Radio

Bronx Families Fight for Childcare

Parents and elected officials want to stop the city from closing a daycare center in the Mott Haven section of the Bronx.

by WNYC Newsroom

NEW YORK, NY January 03, 2008 —REPORTER: Lucille Murray currently serves about 150 children and is slated to be closed next week.

The Administration for Children's Services says it found serious financial mismanagement and fraud at the center.

Elected officials and parents don't dispute that, but say the city should find another group to run the daycare.

Public Advocate Betsy Gotbaum says parents who use the center are worried.

GOTBAUM: They have jobs and they have a very difficult time commuting as it is and what are they going to do with their children when the center closes. They are either going to have to find alternative places which is very hard to do, or they are going to have to not work and nobody wants that.

REPORTER: ACS says there are 165 open daycare slots in the area where children can be transferred. Parents can also get vouchers to pay for private care.

The New York Sun

Could America's Mayor Return to City Hall?

BY GRACE RAUH - Staff Reporter of the Sun
January 3, 2008
URL: http://www.nysun.com/article/68831

If Mayor Giuliani loses his bid for the White House, he could always turn around and run for mayor of New York.

The city's term limit laws bar politicians from serving more than two consecutive terms in office, but wouldn't prohibit Mr. Giuliani from trying to win back his old office at City Hall.

The race to replace Mayor Bloomberg in 2009 already is shaping up, but could take place even sooner if Mr. Bloomberg wins the presidency or resigns to campaign full time. In the event of a vacancy, the public advocate, Betsy Gotbaum, would become mayor, and a special election would be held on the first Tuesday that falls at least 60 days later, barring a few exceptions.

Mr. Bloomberg denies that he will run for president, but speculation that he will jump into the race is rampant.

In either case, Mr. Giuliani could find himself perched at the top of the Republican mayoral field, which has been quiet thus far with the emergence of only one likely candidate, a businessman, John Catsimatidis. Police Commissioner Raymond Kelly is often mentioned as a potential Republican candidate, but has denied plans to run. Another potential Republican candidate is the chairman and former chief executive of Time Warner, Richard Parsons. But if Mr. Bloomberg won the presidency, it's likely that Mr. Parsons and Mr. Kelly would end up with jobs in Washington.

A political science professor at Fordham University who was a congressional fellow in Senator Clinton's office between 2004 and 2005, Costas Panagopoulos, said Mr. Giuliani should run for mayor if he loses his bid for the White House, and predicted he'd do well in the race. He said he is not affiliated with Mrs. Clinton's campaign.

Mr. Giuliani "seemed to have a passion for running the city of New York, and I suspect it might be something that is attractive to him and to voters in the city," Mr. Panagopoulos said. "He has a strong chance of winning."

He said it's possible Mr. Giuliani would suffer from the same difficulties known to encumber elected officials who run for reelection after mounting a losing presidential campaign.

He said his research has found that unsuccessful presidential candidates who also were members of Congress or governors came in about 7% points lower when running for reelection than they did before campaigning for president. He studied candidates from the late 1940s through the early 1990s.

"We haven't had lots of cases of former mayors running, so it's hard to know if that pattern holds," he said. "My sense is that there is some segment of the electorate that feels progressive ambition comes at the expense of loca interest."

The minority leader of the City Council, James Oddo, who is supporting Mr. Giuliani for president, said he'd want America's mayor back at City Hall, but said such a move is unlikely.

"I think being mayor of the city of New York is kind of like law school. It's painful when you go through it and you probably say to yourself, 'I never want to do that again.' But when you look back you say, 'I'm glad that I did it,'" he said.

Mr. Oddo predicted Mr. Giuliani would win easily if he ran again for mayor, despite a perception among some, he said, that the former mayor couldn't run for dogcatcher.

A Quinnipiac University poll from August indicates New Yorkers aren't clamoring for Mr. Giuliani to return to his old post. They'd rather see Mr. Bloomberg stay in office for a third term.

When respondents were asked who they would like to see elected mayor in 2009, 3% said Mr. Giuliani and 21% said Mr. Bloomberg. Mr. Giuliani came in ahead of other potential mayoral candidates: the Speaker of the City Council, Christine Quinn, and Mr. Kelly, who were each named by 1% of those polled.

In October 2001, 79% of New Yorkers surveyed in a Quinnipiac poll said they approved of Mr. Giuliani, a boost from his 50% approval rating before the terrorist attacks on New York on September 11, 2001.

A professor at Cooper Union who is a historian of Mr. Giuliani's administration, Fred Siegel, predicted that if the former mayor lost his presidential campaign, he'd be more inclined to launch another White House bid in 2012 before setting his sights on City Hall.

"He's an international player. I don't think he has any interest in worrying about sewage in Queens," said Mr. Siegel, who supported Mr. Giuliani when he ran for mayor in 1993 and 1997 and is the author of "The Prince of the City," a book about Mr. Giuliani.

He said the former mayor would be a divisive figure in a mayoral election, in part because he'd be returning to govern a city he has derided on the campaign trail as an unruly metropolis he had to tame.

"It's just so far off the map," he said. "I can't imagine."

NEW YORK POST 25 CENTS
LATE CITY FINAL

MIKE'S HOT SEAT

By DAVID SEIFMAN

January 6, 2008 -- AMERICAN politics would be shaken to the core if Mayor Bloomberg decided to run for president as an independent and won. So would the next race for mayor.

As the mayor heads to Oklahoma for a conference tomorrow with like-minded politicians eager to push a non-partisan agenda - perhaps in partnership with an independent presidential candidate such as himself - at least one New York official appears to be preparing for a potential Bloomberg run.

Public Advocate Betsy Gotbaum - who, under the City Charter, would take over temporarily if the mayor steps down - declined to say if she's started planning for a transition.

But sources said her staff has already been sent copies of the City Charter chapter that deals with succession.

After 60 days Gotbaum would have to call a special election, which would be non-partisan.

Veteran election lawyer Henry Berger said candidates would need to round up 7,500 signatures on nominating petitions, a low bar likely to set off a stampede for the ballot.

"Every time you have an open City Council seat, you get six or seven candidates," said Berger. "Imagine a vacant mayor's seat."

Even more intriguing is that there's no runoff in the special election like there is in citywide primaries, in which the minimum margin for victory is 40 percent.

"If you had a seven-way race you could win with 16 percent," said Berger.

The winner of the special election, presumably held in March 2009, would immediately have to prepare for petition gathering in June, the primary in September and the general election in November.

None of this can make Bloomberg happy.

He's repeatedly expressed concern about the fate of his initiatives once he's out of office. And the mayor's no fan of Gotbaum, who'd serve as interim mayor for two months and would be hard-pressed not to go after the full-time job in the event of a vacancy.

Josh Sirefman, who served as interim president of the city's Economic Development Corp. until December 2006, may be in hot water for making a presentation on behalf of his new employer, Brookfield Properties, last month.

Ethics rules prohibit city officials from appearing before a government agency for a year after they leave, if they worked on the project under discussion.

That would certainly apply to Sirefman, who was involved in the Hudson Yards development while at EDC and was promoting Brookfield's bid for the properties before a city-MTA committee.

"We have been in contact with the Conflicts of Interest Board. We are following their advice," said Brookfield spokeswoman Melissa Coley, declining to elaborate.

CITY LIMITS

City Limits WEEKLY
Week of: January 7, 2008
Number: 621

DAY CARE REALIGNMENTS SPARK CITYWIDE CONCERN

Employees, parents and advocates dispute city rationales for some public day care center closings. >

By Tram Whitehurst

The imminent closure of two city-funded day care centers is sparking fierce resistance among parents, employees and advocates, who say the Administration for Children's Services (ACS) should not be removing affordable child care options from low-income communities in need of such services.

The facilities set to close—Lucille Murray Child Development Center in the Mott Haven section of the Bronx and Children's Liberation Day Care Center in Manhattan's East Village—will join a total of 15 other ACS centers that have shut down since 2004, according to an analysis of the ACS Contracted Child Care Program Directory by District Council 1707, a union representing many childcare workers.

"We must not allow city day centers providing educational and support services for young children to be closed," DC 1707 executive director Raglan George Jr. said in a statement last week.

City-funded day care centers are shut down for various reasons, from financial mismanagement and disrepair, the reason ACS says it's closing Lucille Murray – to building renovation and conversion, which is what's happening at Children's Liberation. But according to the union's research, the most common reason for closing was "under-enrollment," when centers are not operating at full capacity. A total of nine centers did not serve enough children to meet their ACS-contracted targets, and were therefore not financially or programmatically feasible.

ACS spokeswoman Sheila Stainback says her agency does not close centers for under-enrollment alone, however, and there are often other factors at play. "If a program cannot attain full enrollment, possible outcomes can include a reduction of slots and budget, or conversion of slots to serve younger age groups," Stainback said.

Under-enrolled centers that were shut down are among the most expensive facilities to maintain, as they operated under direct leases between the city and landlord, says child care policy consultant Suzanne Reisman. Not only do direct lease centers traditionally allocate more space per child than centers leased by day care organizations themselves, but their cost per square foot is also significantly higher. "These [closings] aren't rash decisions made just to save $2," Reisman said.

It hasn't been a hasty decision at Children's Liberation – determining the center's fate has taken years. It's a unique case in that the center is part of a complicated struggle over the future of its building, the P.S. 122 community and arts center on First Avenue and East 9th Street. But it's similar to others in that Children's Liberation's closure would seem to leave a void in local services. According to Paul Wilson, parent of a child at the center and a member of the sponsoring board of directors, if the program closes this summer as planned, there will be no publicly-funded child care centers in a sizable swath of Manhattan (14th Street south to Houston Street, Fifth Avenue east to Avenue C).

ACS welcomes Children's Liberation moving to a new location, Wilson said, "But where are we going to get 7,300 square feet and a play yard for $5,500 a month? That's renovated and ready to move into? Anyway, this is our rightful home." There is one aspect of the center that ACS would like to duplicate, according to Stainback – the leasing structure of having the day care center, not ACS, contract with the landlord.

Some advocates remain puzzled by the low enrollment figures claimed by ACS. They point out that the agency itself acknowledges only serving less than one-third of the estimated 275,000 children under 6 from low-income families. "The reality is that in every district there are always going to be pockets of poverty," says Sandy Socolar, senior policy analyst at DC 1707. While centers are closing, there remain a large number of children who could benefit from their services, which are offered on a sliding scale related to the family's income.

Just look at the situation in Mott Haven, advocates say. When Lucille Murray closes this Friday, it will become the fourth ACS day care center to shut down in that neighborhood in as many years. The previous three closings had to do with under-enrollment, which ACS said was a result of changing demographics. Yet Mott Haven has the lowest median household income and highest poverty rate in the city, according to NYU's Furman Center. A DC 1707 analysis estimated that 5,900 Mott Haven children under age 6 are income-eligible for ACS child care.

But after Friday, the neighborhood will have lost more than 400 pre-school slots due to day care center closings. The apparent disparity between need and supply has led public advocate Betsy Gotbaum to call for a moratorium on closing city-funded day care centers.

So how can there be under-enrollment at day care centers in areas like Mott Haven, where there is clearly a need for affordable child care? ACS maintains that the shortage is mostly the result of fewer income-eligible children and the abundance of other preschool and day care services in some neighborhoods. But analysts argue that under-enrollment is a more complex issue with many contributing factors.

In an Oct. 2007 report, the Federation of Protestant Welfare Agencies (FPWA) explored some of these factors and concluded that under-enrollment does not always signify a lack of need, as ACS had argued – but it can point to a lack of information and outreach. "Center vacancies do not automatically mean that the City's obligation to families in that community has been fulfilled," the report noted. Rather, under-enrollment is often the result of administrative burdens at ACS and a shifting child care landscape in the city as a whole.

In his job as director of the Morris L. Eisenstein Learning Center in East New York, Edward Hawkins says he's noticed ACS paying a lot more attention to enrollment numbers. "They're really looking closely at attendance now, making decisions without talking to employees and unions," Hawkins said. He claimed his program, which is part of the United Community Center, usually has 99 percent enrollment. But when it recently dipped to 90 percent, "I had to go meet with 10 people at ACS."

ACS has acknowledged some of the barriers to enrollment and says it is addressing them with its "Full Enrollment Initiative," the goal of which is to open more access points to families applying for child care. Day care providers are now encouraged to determine families' eligibility on-site, and ACS is working to simplify enrollment and recertification procedures. As a result of these and other efforts, ACS has filled more than 1,000 day care slots since Dec. 2005, according to Stainback.

And because many children now use services offered at public schools—such as kindergarten and after-school care—rather than attend a day care center, ACS is offering new programs of its own to attract more children. For example, Stainback said ACS is looking to "age down" certain locations by serving infants and toddlers, and is starting to provide universal pre-kindergarten services at some centers.

Fatima Goldman, executive director of FPWA, sees this as a worthy effort with many challenges ahead. "Child care programs face many barriers in taking on the care of younger children, including refitting classrooms, training staff, and acquiring age-appropriate equipment," Goldman said. "Providers will need facilities funding and technical assistance in order to successfully implement the programmatic changes associated with 'aging down.'"

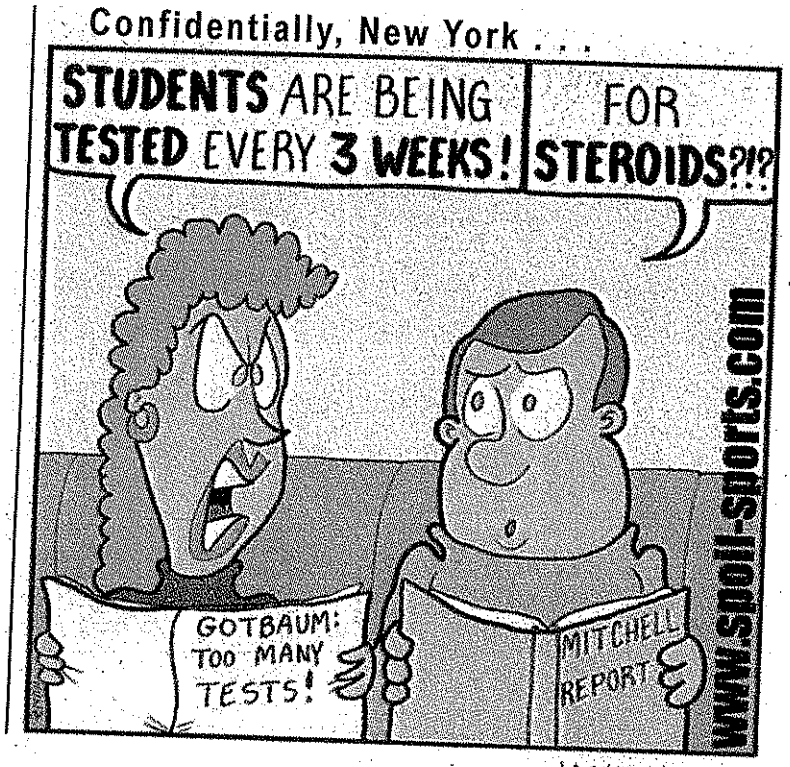
In the meantime, ACS will refer children attending the two centers scheduled to be shut down to other providers. In a statement regarding the upcoming Mott Haven closing, commissioner John Mattingly said, "All of the children who attended Lucille Murray DCC will be transferred to other ACS-contracted programs in the general community, or their parents will be issued vouchers to find private child care." Some families have already made the switch. For example, according to a staffer at the ACS-funded Pamela C. Torres Day Care Center in Mott Haven, two children from the Lucille Murray center recently enrolled at Torres and another 10 families have visited the site.

Others will likely have to rely on a large network of private care providers located throughout the South Bronx. "The change will be uncomfortable for the kids," said City Councilwoman Maria del Carmen Arroyo, who represents Mott Haven and surrounding neighborhoods. "But the centers do excellent work and have the capacity," she said of private programs.

One possible alternative is Ready, Set, Grow!, a private day care provider only a couple of blocks from the Lucille Murray center. Director Nurita Love was not aware of the upcoming closure, but said her center has five open spaces, and will have many more when a new branch opens later this month.

- Tram Whitehurst

Queens Tribune



JAN 7, 2008

The New York Times

Poll: Some Would Draft Bloomberg, for Governor

By Sewell Chan
January 9, 2008, 12:25 pm

How's this for uncertainty? A majority of New York City voters — 52 percent — think Mayor Michael R. Bloomberg would make a good president, and a nearly equal proportion believe it is likely that he will run, but only 16 percent would actually like him to do so, according to Quinnipiac University poll results released today.

But perhaps because of dissatisfaction with Gov. Eliot Spitzer, whose poll numbers have plummeted, New York City voters would be far more enthusiastic if Mr. Bloomberg were to run for governor in 2010.

Seventy percent of voters in the survey said the mayor would make a good governor, and 47 percent percent would like him to run.

By a margin of 47 percent to 32 percent, the voters surveyed said that speculation that Mr. Bloomberg will run for president is good for the city. A slight majority, 51 percent, said it was "very likely" or "somewhat likely" he will run, while 45 percent said it was "not too likely" or "not likely at all."

A total of 34 percent of New York City voters say they "definitely" or "probably" would vote for Mr. Bloomberg if he ran for president as an independent candidate, with 58 percent saying "probably not" or "definitely not."

"His New York neighbors think Mayor Bloomberg would make a good president," said Maurice Carroll, director of the Quinnipiac University Polling Institute. "In far larger numbers, they think he'd make a good governor. So watch out, Governor Spitzer. Almost half of them would like Bloomberg to aim for Albany instead of the White House. Historical note: A couple of 20th-century New York governors have become president. No New York City mayor has."

Mr. Carroll did not mention another historical phenomenon. No mayor of New York City has gone on to higher office — any higher office — since Mayor John T. Hoffman was elected governor in 1868. So if Mr. Bloomberg is going to try to defy historical precedent, why shouldn't he shoot for the moon?

Some other interesting findings from the new poll: 73 percent of respondents approved of the mayor's job performance; 61 percent agreed he had a "moral obligation" to serve out his four-year mayoral term; and 60 percent approved of the job Police Commissioner Raymond W. Kelly is doing, up from 55 percent in a November poll. Other approval ratings included 48 percent each for City Comptroller William C. Thompson Jr. and City Council Speaker Christine C. Quinn, 44 percent for Public Advocate Betsy Gotbaum and 40 percent for Schools Chancellor Joel I. Klein. (A much higher percentage of voters, 37 percent, viewed Mr. Klein negatively than viewed the other leaders negatively.)

The poll, conducted from Jan. 3 to 7, involved 1,162 New York City registered voters and had a margin of sampling error of plus or minus 3 percentage points.

The New York Times

January 10, 2008, 3:48 pm

The Gotbaum Factor, or Nonfactor, in 2009

By Jonathan P. Hicks

While the city's elections won't heat up for another year, a number of politicians have already made clear their plans to run for citywide office. Some may not have held press conferences with formal announcements. But either their actions or their public statements have made their intentions clear.

All except Betsy Gotbaum, the city's public advocate.

Ms. Gotbaum was first elected to the city's No. 2 position in 2001 and was re-elected in 2005. She has made it clear that she remains interested in public office but has offered few specifics beyond that. She is registered with the New York City Campaign Finance Board, but has not been particularly active in fund raising. Nonetheless, officials who know her say she is interested in running for citywide office.

In recent months, Ms. Gotbaum has been immersed in a family situation. In September, her stepdaughter, Carol A. Gotbaum, died in a police holding cell at a Phoenix airport. An autopsy later revealed that she was accidentally strangled and that intoxication from alcohol and prescription medication played a role in her death. The death of Ms. Gotbaum's stepdaughter-in-law drew national attention, in part because of questions of how she was handled by the police in Arizona.

Betsy Gotbaum (Photo: Uli Seit for The New York Times)

In an interview on Wednesday, Ms. Gotbaum said she felt no pressure to make a decision on her political plans any sooner than the summer.

"I have been around for a long time and I've had 35 years of working for the city," she said. "I have no plans of going anywhere — I'm not going away. I think I'll probably have to make a decision by the summer."

When asked whether she would run for mayor or another office, she said she had not yet focused on that. However, she seemed to indicate that she would also consider running for comptroller, despite the fact that many of her fellow Democratic leaders had suggested that she would not be interested in any position other than mayor.

"In fact, I'm very interested in what the comptroller does," she said. "Looking into the city's finances interests me a great deal. And I'm also interested in the audit function of the comptroller's office and the management of the pension fund. I like it a lot."

No matter if she becomes a candidate for mayor or comptroller, Ms. Gotbaum would face crowded and competitive races for the Democratic nomination in either case. Either race would also necessitate her stepping up her fund-raising activity.

As of the last filing, in July, Ms. Gotbaum had raised just $164,000. By comparison, Councilwoman Melinda R. Katz, a candidate for comptroller, has raised $1.3 million. And another candidate for comptroller, Councilman David I. Weprin, has raised $1.2 million, as of July.

And the disparity is even more pronounced when her fund-raising figures are compared with those of mayoral candidates. United States Representative Anthony D. Weiner, a mayoral candidate, has raised $2 million as of the last filing. And Comptroller William C. Thompson Jr. has raised $3.1 million for his campaign for mayor in 2009.

"You can't rule her out because she's won more citywide Democratic primaries than any other elected official at the moment," said Evan Stavisky, a consultant who works largely with Democratic candidates.

"But in these times, a basic level of financial viability is required to run for citywide office," Mr. Stavisky said. "And beyond the finances, candidates for 2009 are already lining up labor and other institutional support. The calendar is beginning to run down and 2009 will be upon us before we know it."

Ms. Gotbaum seems unconcerned about her fund-raising totals. "I've run twice citywide, and raising money had never been a problem for me. And I wouldn't expect that it will be."

As evidence of her fundraising might, Ms. Gotbaum said that she has raised more than $500,000 for a non-profit foundation she created — the Fund for Public Advocacy — that is aimed at "making government more accessible and open to New Yorkers."

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Poll: Bloomberg for gov?

by joshua rhett miller / metro new york
JAN 10, 2008

MANHATTAN. A majority of city voters believe Mayor Michael Bloomberg has a "moral obligation" to serve out his full term at City Hall, although most believe he'd make a good president some day, according to a poll released yesterday.

Sixty-one percent of 1,162 city voters polled between Jan. 3 and Monday said Bloomberg is morally obligated to finish his second mayoral term, the Quinnipiac University poll found. But an even larger majority — 70 percent — said Bloomberg would make a good governor and 47 percent would like him to run, compared to 16 percent who would like him to run for president.

Fifty-one percent of voters said it's "very likely" or "somewhat likely" that Bloomberg will run for president, compared to 45 percent who said it's "not too likely" or "not likely at all." If he did launch an independent bid for the White House, 34 percent said they "definitely" or "probably" would vote for Bloomberg, while 58 percent said "probably not" or "definitely not."

"Almost half of them would like Bloomberg to aim for Albany instead of the White House," said Maurice Carroll, director of the Quinnipiac University Polling Institute.

The poll, which had a margin of error of plus or minus 3 percentage points, also found that 60 percent of city voters approve of the job NYPD Commissioner Raymond Kelly is doing, up from 55 percent in November. Other approval ratings included 48 percent each for City Comptroller William Thompson Jr. and City Council Speaker Christine C. Quinn, 44 percent for Public Advocate Betsy Gotbaum and 40 percent for Schools Chancellor Joel Klein.

The New York Sun

Poll: Few in City Want Bloomberg White House

BY GRACE RAUH - Staff Reporter of the Sun
January 10, 2008
URL: http://www.nysun.com/article/69233

A majority of New York City voters say Mayor Bloomberg would make a good president, though few want to him to make a bid, according to a Quinnipiac University poll released yesterday.

Some 52% of respondents said Mr. Bloomberg would make a good president, while only 16% said they would like him to run.

The director of the Quinnipiac University Polling Institute, Maurice Carroll, said he doesn't think Mr. Bloomberg has decided yet whether to run for president.

"I know that what he is doing and what his people are doing is a perfect preliminary, if he decides to run," he said. "I would guess that that decision will not even be addressed until February 6," the day after more than 20 states hold presidential primaries.

Mr. Bloomberg's latest approval rating stands at 73%, and a majority of voters, 61%, said the mayor has a "moral obligation" to serve out his four-year term as mayor.

If Mr. Bloomberg does run for president as an independent, 34% of city voters said they will definitely or probably vote for him, with 58% saying they are unlikely to support him at the polls.

A greater proportion of voters back a Bloomberg run for governor. Some 70% said Mr. Bloomberg would make a good governor, and 47% said they would like him to run, according to the poll.

Mr. Bloomberg said yesterday he is not a candidate for president or governor.

Other findings from the poll: 60% of voters approve of Raymond Kelly's job performance as police commissioner, up from 55% in November. The speaker of the City Council, Christine Quinn, and Comptroller William Thompson Jr. each have an approval rating of 48%. Public Advocate Betsy Gotbaum has a 44% approval rating, and the schools chancellor, Joel Klein, has a 40% approval rating.

The poll surveyed 1,162 city voters between January 3 and January 7.

NY1 News

Weather: Showers/T-Storms, High:56

Top News • NY1 Living

Friday Marks Two Year Anniversary Of Death Of Nixzmary Brown

January 10, 2008

Friday marks two years since the death of Nixzmary Brown, which rocked the city's child abuse prevention system.

Local politicians are still calling for major changes in the system.

The seven year-old girl was beaten to death back in January of 2006.

Jury selection is now underway for her stepfather Cesar Rodriguez in Brooklyn. Nixzmary's mother also faces charges related to her daughter's death, but that trial will take place after the Rodriguez trial.

Meanwhile, Councilmember Bill de Blasio and Public Advocate Betsy Gotbaum are pushing to increase the number of judges serving the family court system by 50 percent. This after the number of reported abuse cases in the city spiked from more than 50,000 in 2005 to nearly 65,000 last year.

Administration for Childrens Services Commissioner John Mattingly says the Brown death has changed the way abuse cases are viewed.

"What we are doing now is paying much more attention to what this young child's life is like in this home," he said. "And if we can help her family, we must. We should. We will. But we can't lose sight of the fact, of her need for adult support and help."

Local politicians are also pushing "Nixzmary's Law," which would sentence parents or guardians to life without parole if they are convicted of murdering a child under 14 years old.

The New York Sun

Charter Schools To Sue Comptroller

BY ELIZABETH GREEN - Staff Reporter of the Sun
January 10, 2008
URL: http://www.nysun.com/article/69305

Thirteen city charter schools are suing the state comptroller, Thomas DiNapoli, pushing back against what appears to be a campaign by Mr. DiNapoli against the city Education Department.

Mr. DiNapoli this week told the department he is launching an audit of its practice of awarding no-bid contracts, financial arrangements that are made outside of the normal competitive bidding process. The contracts have risen substantially in number since Mayor Bloomberg took control of the city schools in 2002.

The state comptroller's office has also been ramping up its oversight of charter schools authorized by the Department of Education, seeking to audit not only their finances — as Mr. DiNapoli does for schools across the state — but also their academic performance.

Charter schools are public schools that operate outside most ordinary regulations.

The audits, initiated last summer, have been halted after a group of 13 of the schools filed a lawsuit against the comptroller, charging that Mr. DiNapoli's inquiries were out of his legal bounds.

"He wanted to start going into all the schools and asking for non-financial information," the policy director at the New York Charter Schools Association, Peter Murphy, said. "It's just more regulatory creep that we believe is completely unwarranted."

The association and a city center that assists and advocates for charter schools, the New York City Center for Charter School Excellence, are financing the schools' legal push and are parties to the lawsuit.

Mr. DiNapoli's office has defended its audits. In a letter to the charter school group last fall, a lawyer in the comptroller's office, Albert Brooks, said auditors want to look at whether charter schools have met their self-designed targets for test performance, and to examine the schools' processes for admitting students.

Charter schools admit students through random lotteries but are often criticized for "creaming" the best students from conventional public schools.

Mr. Brooks said the two areas "have clear fiscal implications for the public as well as the governmental entities that fund the charter schools."

Mr. DiNapoli's targeting of charter schools authorized by the Department of Education follows an audit by his office, released in September, of the department's oversight of charter schools, which Mr. DiNapoli portrayed as lax.

City school officials said they had already corrected many of the noted flaws by the time his audit was published.

A spokesman for the education department, David Cantor, declined to comment on the lawsuit against Mr. DiNapoli. The department is not a party to the suit.

Mr. Cantor also had no comment on a second audit now being begun by Mr. DiNapoli's office on the department's no-bid contracts.

The city's public advocate, Betsy Gotbaum, suggested the comptroller perform the audit, a spokesman for Mr. DiNapoli said.

Ms. Gotbaum has joined several elected officials in criticizing the contracts, which have awarded more than $270 million to outside consultants since 2002.

Mr. DiNapoli is a Democrat who was elevated to the statewide comptroller post by his colleagues in the state Assembly after the elected comptroller, Alan Hevesi, pleaded guilty to a felony of defrauding the government in connection with his use of a state driver to accompany his wife.

Public Advocate lauches Web site aimed at improving school governance

by Staten Island Advance

Thursday January 10, 2008, 1:20 PM

Public Advocate Betsy Gotbaum announced today that the Commission on School Governance is launching a new Web site today with the goal of creating a resource for the public on issues pertaining to school governance.

"The expert reports on the Web site provide the public with in-depth and original analysis on a range of topics pertaining to school governance," Gotbaum said. "More importantly, though, the write-in feature gives everyone the opportunity to say what they think and to be heard."

The site, located at www.pubadvocate.nyc.gov/advocacy/schools will contain content on members on the panel and will provide residents with a way to make suggestions to the panel on improvements that can be made.

The goal of the site is to act as an independent study on the topic of school governance in preparation for the expiration of the current school governance law, which ends in 2009. Information that is collected and compiled on the site will be used in a presentation to the state legislature.

"This Web site is an essential tool in our mission to hear from and engage with a wide range of New Yorkers on this topic," Commission Chair Steve Aiello said. "We've been asked by the leadership of the state legislature to produce a report that is inclusive and that's exactly what we are doing."

Staten Island Advance

Staten Island Advance

STUDENTS ARE AWASH IN WAVE OF STATE TESTS

The 'assessment season' begins across borough, as cities question policy

Thursday, January 10, 2008

By PETER N. SPENCER
STATEN ISLAND ADVANCE

STATEN ISLAND, N.Y. -- It wasn't only the wonderful spring-like weather that put 8-year-old Justin Rexach in a cheerful mood yesterday afternoon.

Bounding from the doorway of PS 35 in Sunnyside as classes ended, the third-grader from Silver Lake said he was happy to be done with two days of statewide tests that ultimately will determine whether he will move on to fourth grade, or spend a good chunk of his summer preparing for the test all over again.

"We pretty much go to summer school or we're let back if we don't do well," Justin said.

The hectic "assessment season" kicked off this week with public schools across the borough administering English Language Arts (ELA) tests to more than 10,000 third-grade through fifth-grade students. Their sixth-grade through eighth-grade counterparts will take the same exams next week, and high school students will take state Regents exams at the end of the month.

The stakes are high for students -- particularly for third-, fifth- and seventh-graders, who will earn promotions based on their scores -- and for schools that have repeatedly failed to meet state standards over the years.

Public Advocate Betsy Gotbaum is among a slew of critics who believe the tests have turned schools into "testing factories," where teachers focus on the tests at the expense of subjects not covered by the exams. By the time the academic year is completed, city third-graders will have taken 12 tests, including nine city assessment tests, while fourth-graders and eighth-graders will have taken six, according to an analysis by Gotbaum.

Andrew Jacob, a spokesman for the Education Department, contended the tests are an important tool to evaluate the progress of students' reading and math skills -- skills which should be taught and incorporated into an everyday curriculum.

"Test preparation is not something we want schools to do at all. The most effective test preparation is engaging and effective teaching," Jacob claimed.

But for several months, test preparation is exactly what area schools have been doing. Educators and some parents interviewed by The Advance said the emphasis on the exams has put undue stress on students and teachers alike.

"At their young age, I think it's a bit much," said Rodney Rexach, Justin's father. He said his wife, Jocelyn, has spent three to four hours every day after school preparing their son for the important test.

DAILY NEWS

Educrats' $38M sweet tech deal

Controller probes as dept. weighs record no-bid contract

THE CITY EDUCATION department is considering awarding the largest no-bid contract in its history to a technology firm that would collect $38.5 million.

EXCLUSIVE

BY ERIN EINHORN
DAILY NEWS STAFF WRITER

The move — benefiting a Jacksonville, Fla., company called Future Technology Associates — comes as state Controller Thomas DiNapoli launches an audit into city educrats' widespread use of no-bid contracts, which are awarded without soliciting bids or proposals from other firms that could do the work.

"Unlike every other government entity, the Department of Education has no fiscal oversight and very little accountability," said Public Advocate Betsy Gotbaum, whose office requested DiNapoli's audit.

DiNapoli hasn't determined the scope of his audit, a spokeswoman said, but state auditors will look at contracts that could include a $15.8 million 2006 contract with Alvarez & Marsal, the consultants who recommended last year's disastrous school bus reorganization.

DiNapoli would also look at the contract with Future Technology Associates, if it is awarded.

An announcement posted on the Web site of the Department's contracting office said two contracts — one for $26.7 million and another for $11.8 million — were considered in a closed-door meeting on Jan. 3.

Both contracts would merge city and school data systems, with the larger of the two merging budget systems and the smaller merging payroll systems.

Schools contracts director David Ross said he had doubts about the cost estimates and other features of the proposals and postponed action on them.

Though the proposals would have extended smaller existing contracts, Ross said he would look to find ways to award the contracts using a competitive process.

The decision to postpone the matter was unrelated to the DiNapoli audit, he said.

The posted proposal showed that the two contracts would have had a start date of six months ago — July 2007 — but Ross said that was an error and that Future Technology's current contract has not expired.

The firm was hired with an estimated $7.5 million, three-year no-bid contract in 2005 after it broke away from a firm called Tier Technologies that helped build the computer system but charged a higher rate, Ross said.

Records show that the city paid $750,000 to Tier at the time to buy Future Technology consultants out of their contracts with Tier.

eeinhorn@nydailynews.com

JAN 11, 2008

The New York Times

January 12, 2008

State to Audit No-Bid Award of City's School Contracts

By JENNIFER MEDINA

The state comptroller, Thomas P. DiNapoli, is opening an audit of the City Education Department's increasing practice of awarding contracts without competitive bidding. In the past five years such contracts have totaled $315 million.

To keep down costs, competitive bidding is normally required of city agencies. But although the Education Department is controlled by Mayor Michael R. Bloomberg, it is by law a state-authorized entity free from some of the more stringent city financial regulations.

School officials have said that awarding contracts without bidding gives them more flexibility and allows them to get better and faster results, but the city has been fiercely criticized for a rapid rise in no-bid contracts since Schools Chancellor Joel I. Klein came into office.

In 2002, when the school system was still controlled by the Board of Education, 32 contracts totaling $11.9 million were awarded without bidding. In 2003, after Mr. Klein took over, the number nearly doubled and totaled more than $56 million. They reached a high of $121 million in 2006, then dropped again last year to $62 million, according to the city's public advocate, Betsy Gotbaum, who has been a critic of the practice. She pressed the state for the audit last fall.

"This is about transparency and accountability," Ms. Gotbaum said. "Why are they awarding so many contracts without any other consideration? It may all be perfectly legitimate and fine, but we don't know why."

In a letter sent to Mr. Klein on Tuesday, the comptroller's office said it would begin the audit on Jan. 21. Audits typically take between six months and a year. The audit was reported in The Daily News on Friday.

Most city education contracts are still competitively bid, but some of those that were not have been particularly well publicized.

The city came under tough criticism in 2006 over a $15.8 million deal with Alvarez & Marsal, a consulting firm that was hired to restructure the schools' financial operations and cut as much as $200 million from the city's more than $15 billion budget. The consulting firm also restructured several school bus routes to save money, but the plan infuriated parents when it took effect last January.

Some of the consultants charged as much as $450 an hour for their work, and were able to bill as much as $500 a day for such expenses as transportation and housing.

NY1 News

Weather: Passing Showers. High: 49

Top News • NY1 Living

Mayoral Contenders Already Raking In Campaign Cash

January 15, 2008

The political world may be focused on the presidential race, but in New York City, there's another contest brewing – the 2009 mayoral race. NY1's Rita Nissan filed the following report on the City Hall hopefuls and their fundraising numbers.

The battle for endorsements and voters attention hasn't begun yet, but the money fight among the Democrats in the 2009 mayoral race is in full swing.

City Comptroller Bill Thompson has the most to show for his efforts, with $4.2 million raised so far – a million of which he has gathered in the past six months. Thompson has $3.6 million on hand.

Not too far behind is Congressman Anthony Weiner. Weiner, who ran for mayor in 2005, raised $3.6 million, $1.5 million in the past six months, the most of any candidate in the past filing period. He has $3.4 million on hand.

City Council Speaker Christine Quinn hasn't declared her candidacy, but she has been stumping for cash. Her total is $2.5 million, $1.1 million in the past six months. She has $2.3 million on hand.

Councilman Tony Avella says he's in the mayoral race. He has $150,000 on hand.

Public Advocate Betsy Gotbaum is weighing a run. She has $60,000 on hand.

Brooklyn Borough President Marty Markowitz, a possible contender, has $540,000 on hand.

While fundraising is essential, the bigger challenge for the candidates is watching their spending. Because they accept public matching funds, they're all limited to $6.2 million in the primary. As a result, the advantage will likely go to whoever manages their money the wisest.

"How much you've spent tells us how much you really have left to get up on the airwaves," said political consultant Hank Sheinkopf. "Campaign finance regulations in New York are the roughest and best in the nation. You are limited to what you can spend; the less you have, the less competitive you are going to be."

This competition will clearly be well-financed and is only just beginning.

- Rita Nissan

The New York Times

Mayoral Candidates Vie For '09 Fund-Raising Lead

By JONATHAN P. HICKS

William C. Thompson Jr., the New York City comptroller, has raised the most money so far in the quest for the Democratic nomination for mayor in 2009, but United States Representative Anthony D. Weiner raised the most in the past six months, according to numbers their campaigns provided on Monday.

During that period, Mr. Thompson raised slightly more than $1 million, bringing the amount he has raised for the mayoral campaign to $4.2 million. Mr. Thompson's campaign aides said that he would report having $3.6 million on hand.

Representative Weiner, who represents parts of Brooklyn and Queens, will report having raised $1.6 million for the six-month period that ended on Friday. That brings the total he has raised for the mayoral campaign to $3.7 million, with $3.4 million in the bank.

Running for the city's top job 'requires millions of dollars.'

In a statement, Mr. Weiner said that his campaign had accepted no contributions from political action committees. Mr. Weiner ran for mayor in 2005, placing a close second to the Democratic nominee, Fernando Ferrer, the former Bronx borough president.

Christine C. Quinn, the City Council speaker and a potential candidate for mayor, is expected to report having raised $1.1 million in the six-month period, her campaign aides said. That takes her total fund-raising for the 2009 race to about $2.4 million. She will report having about $2.3 million in the bank.

Another mayoral aspirant, City Councilman Tony Avella, a Queens Democrat, reported that he raised $77,000 in the six-month period, making his total $180,000. He reported that he had about $150,000 in cash on hand.

The mayoral candidates were among dozens of candidates who spent Monday in a flurry of last-minute scrambling to put together their fund-raising figures. The New York City Campaign Finance Board requires candidates for city offices to file their six-month fund-raising totals by midnight on Tuesday.

Most candidates for citywide, borough and City Council offices participate in the city's campaign finance program because it provides one of the nation's most generous formulas for matching contributions with public funds. Under the program, the city will match most individual contributions up to $175 by a ratio of 6 to 1. For a $175 contribution, the city will add another $1,050.

While the campaign finance program is considered attractive by candidates, New York City's political aspirants are nonetheless competing in what is also considered the most expensive media market in the country.

"Running for mayor is an expensive proposition," said Evan Stavisky, a political consultant who works with Democratic candidates. "It requires millions of dollars to be spent on television ads, direct mail and print ads in a variety of languages in every nook and cranny of a city with more than eight million people."

Although the fund-raising has remained furious, the complete list of mayoral candidates is still not clear. Just a month ago, the Bronx borough president, Adolfo Carrión Jr., announced that he would not run for mayor, as he had planned for nearly a year. Instead, he said he would run for city comptroller.

At the same time, a number of prominent Democratic officials say that the Brooklyn borough president, Marty Markowitz, and Betsy Gotbaum, the public advocate, are interested in running for mayor.

In an interview on Monday, Mr. Markowitz said: "I haven't ruled it out. That's for sure." He added that he would make a decision about running for mayor within the next few months.

Ms. Gotbaum said that she was interested in remaining in public office and that she was also considering running for comptroller. But she said recently that it was not likely that she would make a decision on her political future until summer.

JAN 15, 2008

The New York Sun

Rise in C-Sections Is Stirring Worry

BY E.B. SOLOMONT - Staff Reporter of the Sun
January 16, 2008
URL: http://www.nysun.com/article/69571

The rate of babies delivered by cesarean section in New York City increased to 30.6%, in 2006, up from 29.7% in 2005, in a trend that some politicians, doctors, and women's health advocates say is cause for concern.

The citywide increase reflects a national upward trend in the number of cesarean deliveries in recent years. Last month, the Centers for Disease Control and Prevention reported that the national cesarean rate in 2006 reached a record high, 31.1%, according to its preliminary birth data for that year.

"There is alarming concern throughout the country that there are too many cesarean sections," said Public Advocate Betsy Gotbaum, who in 2006 released a report based on 2005 data detailing individual hospitals' cesarean section rates. "It's additional cost and it's additional risk," Ms. Gotbaum said, adding, "I hate to impart motives on hospitals and doctors ... I can just tell you the numbers speak for themselves."

"It's clearly been rising," the head of obstetrics at Brooklyn's Lutheran Medical Center, Dr. Iffath Hoskins, said. "On a day-to-day basis, there will be three or four cesareans on at a given time," she said, estimating that one in three deliveries at Lutheran results in a cesarean.

A sampling by The New York Sun of New York City hospitals shows there are still disparities in cesarean rates among individual hospitals. At St. Luke's-Roosevelt Hospital, the rate in 2006 was 26%, up from 25% in 2005. At NYU Medical Center, the rate was 31% in 2006, down from 32% the year before.

NewYork-Presbyterian Hospital reported a 35.4% cesarean rate in 2007 for its three campuses, down from 37.1% in 2005.

North Central Bronx Hospital had one of the lowest cesarean section rates, nearly 20%, in 2007, up from 17.3% in 2005. In large part, the relatively low rate is a result of the hospital's reliance on midwives and the medical staff's preference for vaginal deliveries, the hospital said. "If there are any complications with the baby, a cesarean section is performed without hesitation," the hospital's director of midwifery, Susan Papera, stressed.

To some, cesarean sections are a revenue stream for hospitals.

According to the most recent costs available from the group Childbirth Connection, the average charge for a cesarean section delivery in a hospital is $12,578. The charge for a vaginal delivery is $6,724.

"It's more costly for the hospital because you need anesthesia, you need more nursing, the patient stays extra days," Dr. Hoskins, said. "It's far more labor intensive and financially expensive if a woman has a cesarean."

Individual doctors said they are not making more money when they perform cesarean sections. "If anything, I want to get paid more for a normal delivery. It takes much longer. For me, it's much more stressful to attend labor than to do a cesarean section," the director of labor and delivery at NewYork-Presbyterian Hospital/Weill Cornell Medical Center, Dr. Amos Grunebaum, said.

The overall increase in cesareans has also been triggered by the changing perception of cesareans among women.

"There's such a relaxed attitude about induction and c-sections that it's not considered risky anymore," the president of the group Choices in Childbirth, Elan McAllister, said.

She said women were getting a message from their peers and from their doctors that vaginal delivery is dangerous, while cesareans are more civilized. "A lot of women today are career women who are used to being in control, so the idea of being able to micromanage their birth is appealing," she said.

Some doctors warned that such an attitude and the simultaneous rise in cesarean rates presented a health risk for women.

"It's concerning because there are a number of risks to having a cesarean delivery. You're having surgery," a fellow of the New York chapter of the American College of Obstetricians and Gynecologists, Dr. Ashlesha Dayal, said.

Some say it's not the women choosing caesarians but doctors aiming to avoid complicated childbirths and possible malpractice lawsuits.
"Obstetricians fear malpractice litigation," the acting chairman of obstetrics at North Central Bronx Hospital, Dr. Wayne Cohen, said.

Even as the number of cesarean sections is up, some women's groups are promoting "natural" childbirth as an alternative. Last week, a documentary directed by Abby Epstein and produced by former talk show host Ricki Lake called "The Business of Being Born" opened at the IFC Center.

The executive director of Friends of the Birth Center, the group behind a proposal to open a new $7 million birthing center in Manhattan, is Rebecca Benghiat. So far, the group, whose plan is still in its nascent stages, has secured a 7,000 square foot space on West 30th Street. "Even if you don't know what the rate should be, you know what's going on is too high. People's sense is that it's not right," Ms. Benghiat said.

Looking forward, the rising cesarean rates may also create a shortage of facility space.

The average length of stay after a cesarean section is double that of a vaginal delivery. "It's creating capacity issues," said Thomas Guglielmo, the director of a New York-based healthcare consulting firm, Tefen USA. Mr. Guglielmo said hospitals are spending millions on expansion projects.

Montefiore Medical Center in the Bronx recently updated the obstetrics and gynecology facilities on its Weiler campus, and NewYork-Presbyterian is planning to upgrade some of its obstetrics units in the near future to include more single rooms and more amenities.

The New York Sun

Bloomberg Calls for Review of City Charter

BY Staff Reporter of the Sun
January 17, 2008
URL: http://www.nysun.com/article/69735

Mayor Bloomberg plans to create a commission to review the City Charter, a document that lays out the procedures for succession in the event that a mayor exits office before the end of his term.

The initiative, to be forwarded in the mayor's State of the City speech in Queens this afternoon, could widen speculation over whether Mr. Bloomberg plans to make a bid for the White House.

According to the City Charter, in the event of a vacancy in the mayor's office, the public advocate, Betsy Gotbaum, would become mayor, and a special election would be held on the first Tuesday that falls at least 60 days later.

In his prepared remarks, the mayor noted that the charter hasn't been reviewed since Mayor Koch appointed a commission 20 years ago.

"Since then, a lot has changed, and we've come to see redundancies, antiquated regulations, and areas for cost savings," he said. "It's time to apply those lessons in order to make government more open, accountable, and efficient — not just this year, but permanently."

An aide to the mayor said today the plan to review the charter is part of a wider administration effort to extend transparency and innovation in government.

Mr. Bloomberg has repeatedly denied harboring plans to run for the presidency.

While touting the financial strength of the city, Mr. Bloomberg said 2008 is likely to be "difficult." A preliminary budget for 2009 to be presented next week will contain cuts in spending and depend on support from state government and city unions, he said.

"We've been through tough times before and come out stronger because we came together to make this city better for everyone," the mayor said.

Defying earlier expectations, the mayor proposed extending both the 7% property tax cut he instituted last year, and a $400 property tax rebate for homeowners.

Adopting the tax cut, he said, "will depend on a variety of factors unknown today — from the health of our economy to the continued help we get from our partners in state government to the outlook for future years after our Administration has come to an end."

Mr. Bloomberg took occasion at the outset of his speech to reaffirm his pro-immigrant stance, taking a swipe at "those politicians who, all of a sudden, have embraced xenophobia."

Immigrants make America great, the mayor said. "This is New York City," he said, referring to several immigrants sharing the stage. "This is freedom. This is compassion, and democracy, and opportunity."

The mayor also proposed creating an online database of government information. The database will provide data on city agencies normally available in the Mayor's Management Report.

One mayoral aide described the database as a "Bloomberg terminal for government," a reference to the workstations created by the financial news firm founded by the billionaire mayor in 2001, Bloomberg LP.

Mr. Bloomberg is delivering his remarks today at the indoor pool and rink complex at Flushing Meadows-Corona Park.

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Dateline : Thursday, January 17, 2008

Nixzmary's Ghost Still Haunts Family Court System

By Phil Guie

Roughly two years after the Nixzmary Brown tragedy, public officials gathered at City Hall to lament a family court system that still falls short of children's needs.

"You can't talk about child welfare without looking at Family Court," said Councilman Bill de Blasio, who represents parts of Brooklyn.

Standing alongside Public Advocate Betsy Gotbaum, fellow councilman John Liu, and members of child advocacy groups, de Blasio said the shortage of judges in New York City Family Court has caused backlogs and put children at risk.

The press conference, which took place this past Thursday, coincided with the two-year anniversary of the death of Nixzmary Brown, who was badly abused by her stepfather. Her ordeal triggered a public outcry against child abuse, and raised questions as to whether the Administration of Children's Services (ACS) could have acted quicker to help the seven-year-old girl.

In the years since, the number of abuse and neglect filings to the ACS Child Protective Division have gone up dramatically, from 5,059 in 2005 to 12,472 in 2006, and up to 12,695 in 2007.

In addition, the state passed permanency legislation in 2005, which doubled the appearances of those working in the court system in order to move children through the foster case bureaucracy faster.

However, the new law didn't allocate additional resources, meaning family court judges have had to juggle more cases - as many as 35 to 40 in a single day, and up to 2,200 per year compared to roughly 1,400 in 2005. "It's absolutely unsupportable," said de Blasio, adding no matter how often Albany hears about the problem, "nothing changes."

"Despite the staggering increase in filings of abuse and neglect cases in NYC Family Court, the number of judges in the city has remained stagnant," de Blasio said. "We are simply not doing enough to make sure that the Family Court is not overloaded and that no child is in danger because of a slow, backed-up system."

The increased workload, combined with delays that can push a case back four to six months, results in families who wait years for the court to decide whether they reunite. Liu, who served as a judge for a day in NYC Family Court, spoke about one six-year-old who has not seen his mother since the age of two, when he was placed in foster care.

Now the court is weighing whether the child is better off remaining with his foster parents.

"The delays and dysfunction of family court are affecting our kids," said Liu, who represents Flushing. "This atrocity cannot be allowed to continue."

Currently, there are 47 judges who serve in NYC Family Court, a number Public Advocate Gotbaum said has not changed since 1991. Along with hiring additional adjudicators, she urged elected officials to give them a raise.

"Everyone in the court system is working hard, but we have got to get Albany to solve this problem because it's the children who suffer," she said.

De Blasio, who hosted a committee meeting on child welfare and the demands on family court following the press conference, estimated it would cost roughly $1 million annually to hire another judge.

But he said the relief to the rest of the system would be worth the cost.

"The anniversary of the tragic death of Nixzmary Brown should be a saddening reminder to all of us that a failing system can literally mean the life or death of a child," de Blasio said. "If we really believe in our children, we must get more funding from our city."

The Chief
Civil Service LEADER
THE CIVIL EMPLOYEES' WEEKLY

Skeptical of Reasons: Union Rips Day-Care Closing

By MEREDITH KOLODNER
January 18, 2008
THE CHIEF

The Lucille Murray day-care center shut its doors Jan. 11 after 35 years of operation, but union and city officials say the fight is not over - vowing to file lawsuits and hold City Council hearings to unlock the mystery as to why the Bloomberg administration closed it.

The Chief-Leader/Michel Friang

CLOSING ITS DOORS: District Council 1707 Executive Director Raglan George Jr. (with microphone) joined Lucille Murray staff members, parents and clergy at a protest Jan. 11 on the day-care center's final day. 'Closing day-care centers is now a strategy for budget savings,' said Mr. George.

"I spoke to the [Administration for Children's Services] Commissioner and didn't get a satisfactory answer," said Public Advocate Betsy Gotbaum. "It doesn't seem that major repairs are needed."

ACS's Rationale

ACS officials have said that they are closing the center because it needs $650,000 in structural improvements and due to prior financial mismanagement.

Critics of the decision have argued that in the past when a sponsoring board has misappropriated funds, ACS has found another board to take over the center's management.

Ms. Gotbaum noted that while the roof needs patching, the landlord had agreed to pay for half the cost and the two rooms affected by the roof leak were not currently being used. She questioned whether the $650,000 figure was accurate. ACS officials will not disclose what repairs warrant that sum.

The building has passed recent Department of Buildings and Department of Health inspections, with the only outstanding violations related to the building's elevator.

Members of District Council 1707 who work at the center and parents of the children who attend it held a tearful rally Jan. 11 in a last-ditch effort to keep the center open. "Lucille Murray is the 16th child-care center to be closed in minority neighborhoods of need since January 2005 and the fourth center to be shut down in the South Bronx," said DC 1707 Executive Director Raglan George Jr. "Mayor Bloomberg has committed his last two years in office to helping people move out of poverty and providing the support services needed to do that. Closing Lucille Murray is totally at odds with that commitment."

The union is helping parents to find an attorney to take legal action to force the city to re-open the center. "We believe that the city acted improperly, and this will come out in the lawsuit," said Neal Tepel, the executive assistant to Mr. George.

Councilman Bill de Blasio is looking to schedule a hearing to get a fuller explanation as to why the center was closed and, more generally, to look into the protocols used for closing centers. "We want to make sure no day-care center is closed without being 100-percent sure that it has to be," said Mr. De Blasio's spokeswoman, Jean Weinberg.

Ms. Gotbaum said that ACS Commissioner John B. Mattingly told her Jan. 4 that he would meet with her to explain the reasons for the center's closure, but was told last week by his office that he would not be available until Jan. 18.

DAILY NEWS

Annie Leibovitz's iPhone drama

Monday, January 21st 2008, 4:00 AM

Isn't it nice that you can lose your iPhone in a New York City cab and somebody will return it?

Of course, it's less nice when that somebody realizes you're **Annie Leibovitz**'s assistant and downloads all your contacts before giving it back.

I understand a random sampling of them have already been drunk-dialed.

The names include (deep breath): **Laura** and **Jenna Bush**, **Jerry Seinfeld**, **Anna Wintour**, Apple CEO **Steve Jobs**, **David Bowie**, **Clive Davis**, **Rosanne Cash**, **Philip Glass**, **Padma Lakshmi**, **Nan Goldin**, **Mikhail Baryshnikov**, **Michael Madsen**, **Maureen Dowd**, **Marc Anthony**, **Louise Bourgeois**, **Lance Armstrong**, **Julie Taymor**, **Joan Baez**, **Jann Wenner**, **Jamaica Kincaid**, **Isabelle Huppert**, **Gus Van Sant**, **Diane von Furstenberg**, **David Bailey**, **Cindy Sherman**, **Christiane Amanpour**, **Calvin Klein**, **Robert Hughes**, **Betsy Gotbaum**, **Steven Meisel**, **Stella McCartney** and Knopf boss **Sonny Mehta**.

And that's not all! While the culprit intended merely to copy the database, his software updated the whole iPhone, merging both sets of contacts.

The assistant, clearly an upstanding fellow, keeps notes of things like who is "nice," who is Christian. But the gay blade who found the phone compiles somewhat more personal information about his friends. So nestled among the celebrities on the assistant's phone are now contacts for people with names like "F— Face" and "Joey," who is "into hung bb [bareback] tops." Let's hope he doesn't call Joey by mistake while trying the reach the First Lady!

HOY NUEVA YORK www

» Educación

Rezagan alumnas en NY

Informe revela desventajas en las escuelas técnicas de la Ciudad

Hoy Nueva York
NUEVA YORK

Asegurando que los días en los que los muchachos se preparaban para ser ingenieros y las mujeres solo para ser amas de casa pasaron a la historia, la defensora pública Betsy Gotbaum presentó ayer un informe que muestra desventajas injustas para que las estudiantes accedan al sistema de educación técnica de la ciudad.

"La carreras técnicas en las escuelas secundarias están dejando rezagadas a las mujeres especialmente en programas que preparan a los muchachos para obtener trabajos mejor pagos", dijo Gotbaum.

» **Contra los estereotipos.** La defensora pública, Betsy Gotbaum, ayer al presentar el estudio. (Foto: Cortesía).

El estudio mostró que solo las mujeres son el 41 por ciento de la población escolar en 18 escuelas técnicas de la ciudad , un diez por ciento por debajo del total de las muchachas en el resto de escuelas de Nueva York.

Incluso en cinco de las seis escuelas técnicas con mejor promedio de diversidad de género los hombres resultan más favorecidos, incluyendo programas de industrias exitosas como la aviación y el mantenimiento automotriz.

Por ello critican al Departamento de Educación y sugieren que es importante que el Departamento de Educación le ofrezca a todos los estudiantes de escuela media información suficiente sobre estas escuelas y realice un trabajo fuerte contra los estereotipos.

"El gran reto que enfrentan las mujeres en la industria de la construcción es romper el concreto que todavía les niega su papel completo en el terreno", dijo, Sandra Wilkin presidenta del Concejo de Mujeres Constructoras.

Francoise Jacobsohn, del Proyecto para la Igualdad en el Trabajo, dijo Que es urgente que en las escuelas se vincule a las niñas a clases de trabajos no tradicionales que en el futuro les ofrecen mejores salarios.

JAN 21, 2008

» ESTUDIANTES

- En escuelas técnicas de Nueva York el 59% son hombres y el 41% mujeres.
- Escuela de industria automotriz: 95% son hombres y solo el 5% mujeres.
- La Escuela de Aviación: 85% de hombres y el 15% mujeres.
- Escuela de Tránsito y Tecnología: 80% hombres y el 20% mujeres.

The Village Since 1933

Volume 77 / Number 33 Jan. 16 - 22, 2008

In need of Advocacy

Community members fighting a proposed sanitation facility on Spring St. in Hudson Square have reached out to the city's public advocate and borough president in their quest to forestall the project that has raised local residents' ire.

Richard Barrett of the Community Sanitation Steering Committee sent a letter to Public Advocate Betsy Gotbaum's Office last week asking for her involvement, because, as the letter states, the city's failure to properly inform the affected communities of the project constitutes "a derogation of public rights that requires [her] involvement."

"Central to the issue is D.S.N.Y.'s insistence that the expanded garage and other facilities are 'local' versus 'regional,'" the letter continues, "thereby limiting the area of analysis under Fair Share to 400 feet rather than the requisite half-mile radius and preempting the appropriate dialogue, review and consultation."

Barrett also said he was heartened by his recent discussion with Borough President Scott Stringer, who the committee also hopes to enlist in the fight. Next on the list? Council Speaker Christine Quinn, Barrett acknowledged, but only after the ULURP review process begins.

NY1 News

Weather: Passing Showers. High: 49

Top News • NY1 Living

Advocacy Group Protests Preparatory Tests

January 22, 2008

Mayor Michael Bloomberg says city school kids need to take tests as preparation for later grades and for better teaching, but that's not what some parents who gathered at City Hall Tuesday believe. NY1 Education reporter Michael Meenan filed the following report.

Jane Hirschmann of a group called Time Out From Testing was just one of several who confronted Mayor Michael Bloomberg at a press conference Tuesday organized by the mayor and Public Advocate Betsey Gotbaum. Just last month, Hirschmann chased the school official in charge of testing after he left a City Council hearing.

Hirschmann thinks city kids take too many tests, which she says stresses out young kids and winds up teaching them nothing.

"We'd like to speak to you about what's happening to our fourth graders," said Hirschmann. "They're taking seven tests in the last two weeks. That's every other day. Are you aware? Can you help us with this?"

"I'm sure the teachers can use the information to see how they can improve education," responded Bloomberg.

The Department of Education says the reason some fourth grades are taking reading practice tests this week so that teachers can teach better. These practice tests come just a week after the real state reading tests for every third through eighth grader. That test is one of the two that determines if kids get promoted or left back.

The DOE says this week's diagnostics are a state requirement, not for credit, but to "ensure the reliability of tests in future years. It's important that New York City be represented in the testing to ensure that the questions don't have any cultural bias."

The DOE also says that between now and January 30, city kids are taking a math diagnostic test, but the whole time spent testing is less than a day, not seven as Hirschmann says.

But one Manhattan Parent Teacher Association president said she's leading some parents at P.S. 116 on a boycott of the practice test this week.

"I'm hoping by the end of this week we have a 100 percent participation and the test won't happen," said PTA President Laurie Posimato.

What about the public advocate? It was her press conference but she was nowhere to be found when Bloomberg showed up. Her office says she had a scheduling conflict and needed to leave.

The next big test for city kids is the math exam given to third through eight graders in March.

- Michael Meenan

The New York Times

January 23, 2008

LETTER

What New Yorkers Think

To the Editor:

I applaud Mayor Michael R. Bloomberg for moving forward with the Citizen Satisfaction Survey, a project that my office initiated nearly two years ago. In his State of the City address, Mayor Bloomberg described it as a "massive" joint effort that will elicit feedback from 100,000 New Yorkers.

Such a survey, which several other cities already have in place, is an effective tool in assessing what in city government doesn't work, from the citizens' point of view. Once we know the root causes of citizen dissatisfaction, we'll look for workable solutions.

My goal as public advocate has been to improve access to city services. Toward that end, a survey of this type is a significant step forward. It will lead to better government, and we look forward to working with the mayor's office in bringing it to fruition.

I also commend the mayor for announcing what he called "the mother of all accountability tools," or online Citywide Performance Reporting. The mayor is right when he says, "Good government is about transparency and accountability." This, too, is an excellent move, and an important one.

Betsy Gotbaum
Public Advocate
New York, Jan. 18, 2008

HOY NUEVA YORK

HOY NUEVA YORK | MIÉRCOLES 23 de enero de 2008

» Educación

Rechazan volumen de exámanes

Padres alegan que el método no incentiva a los niños

Igor González
igor.gonzalez@hoynyc.com

MANHATTAN

» **No más pruebas.** Bestsy Gotbaum, Defensora Pública y un grupo de padres, ayer en la Alcaldía. (Foto: Igor González)

Un grupos de padres y miembros de la organización Time Out From Testing, acompañados por la Defensora Pública, Betsy Gotbaum, protestaron ayer en las escalinatas de la Alcaldía contra la periodicidad de exámanes a los que están siendo sometidos niños de cuarto grado.

"Nuestros niños de cuarto grado acaban de terminar tres días de exámenes locales y estatales; ahora a estos mismos niños se les está pidiendo que pasen dos días más respondiendo preguntas para los exámenes del próximo año, en beneficio de las compañías que producen estos exámenes", dijo Jane Hirschmann, directora de Time Out From Testing.

Los manifestantes alegaron que durante los últimos 15 días sus hijos han pasado siete rindiendo exámenes.

"No estoy en contra de los exámenes, pero estos estudiantes acaban de culminar las pruebas del dominio de las artes del inglés (ELA) y ahora le piden responder pruebas de campo. Enseñarle a los niños a llenar pruebas no conduce a una educación redondeada", dijo Gotbaum.

El alcalde, que justo pasó, se limitó a responder que estaba seguro que las pruebas son una herramienta fundamental del aprendizaje.

The New York Times

January 23, 2008

Bloomberg Aide's Schedule Is Revealed, Up to a Point

By DIANE CARDWELL

As Mayor Michael R. Bloomberg continues to dance around a presidential run, news media interest in the maneuverings of his chief political deputy, Kevin Sheekey, has intensified. Yet city officials have been slow to peel back the curtain on just how he spends his time.

On Tuesday, Bloomberg officials finally came through on a request made last October by The New York Times under the state's Freedom of Information Law for Mr. Sheekey's schedule through that date. But the documents released run only through June 2007 — around the time that Mr. Bloomberg renounced his Republican affiliation and became an independent, and the speculation about his presidential prospects reached a fever pitch.

Stu Loeser, Mr. Bloomberg's press secretary, blamed "limited resources" available to fulfill a "large volume of requests" for the delay in releasing the material. Several news organizations have asked to see Mr. Sheekey's schedule for similar time periods, and the administration releases the requested documents all at once to all organizations that have asked for them, Mr. Loeser said. The schedules from July to October are not ready for release yet, he said. And city officials also noted that certain information related to personal or security issues was redacted, as allowed by law.

The heavily edited schedules, which include several days last March for which all appointments have been obscured, indicate that Mr. Sheekey, whose formal title is deputy mayor for government affairs, spends much of his time fulfilling that role. There were the meetings with elected officials at City Hall, in Albany and in Washington; the lunches at Odeon with the likes of Betsy Gotbaum, the public advocate, and Adolfo Carrión Jr., the Bronx borough president; and the sit-downs with assorted bureaucrats, lobbyists and policy analysts.

But the schedules, which run from the beginning of Mr. Bloomberg's second term in January 2006 through July 1, 2007, also show flashes of Mr. Sheekey's other role, the deputy mayor for running for president. There are the trips across the country and overseas that helped raise Mr. Bloomberg's global profile.

There was the breakfast at Balthazar with a reporter from Time shortly before the mayor appeared on its cover with Gov. Arnold Schwarzenegger of California as a "new action hero" of nonpartisan politics. There was even a coffee meeting, in October 2006, with Gerald Rafshoon of Unity08, the political reform movement, who is now trying to draft Mr. Bloomberg to run.

The schedules also show that Mr. Bloomberg himself has been engaged in the idea of a run at the White House, at least theatrically: In April, Mr. Sheekey's schedule notes a meeting with the mayor to review the script for his response to the annual political roast by the press corps, which last year ended with Mr. Bloomberg deciding to run for president.

The year before, however, Mr. Sheekey appeared to be much more engaged with the show, attending several rehearsals with the mayor, who worked very hard to prepare for the performance, aides said.

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Gotbaum: DOE Wasting Millions On Excessive Testing

Despite warnings about excessive testing, Public Advocate Betsy Gotbaum says the city Department of Education continues to spend $335 million on experimental testing systems which should be used to hire more teachers and open new pre-kindergarten classes.

Other criticism of DOE testing policies came from Assemblymember Mark Weprin (D- Little Neck), who said the DOE should be using the $335 million to hire 6,364 teachers or create 25,969 new pre-k seats or 167,500 new afterschool spaces.

"As the father of two public school students, I see students being taught canned test-prep drills- not basic reading and math skills," Weprin said. "There's too much time spent testing and not enough time spent learning."

Gotbaum based her opposition to the testing policies on a review of DOE contracts which, she said, shows millions of dollars spent on grading spreadsheets and duplicative testing systems.

The review pointed out the following expenditures by DOE:

•More than $13 million on the Grow Network, a testing system that was supposed to track test scores, but was used only briefly by the DOE before being replaced by a larger, more expensive system.

•More than $40 million spent on Children's First Inquiry Teams, made up of multiple levels of "bureaucratic" positions, some of which evaluate principals' performance and analyze test scores.

•More than $2 million spent on graphic spreadsheets, which simply display the test scores for individual schools.

Gotbaum stated: "The choice is clear: the DOE can either continue turning our schools into test-prep factories, or invest in programs proven to create strong schools. Parents and educators are for standards, but they are against excessive testing at the expense of education programs like art, history and geography."

Gotbaum cited a statement released by the North Carolina Blue Ribbon Commission on Testing- "There is too much time spent on testing"- and said that several exams should be eliminated or no longer counted in the state's testing program.

Earlier this month, Gotbaum released an analysis showing that most third graders in New York City take, on average, one standardized test every three weeks.- **John Toscano**

JAN 23, 2008

THE WEST SIDE SPIRIT

Run, Betsy Run

Gotbaum's experience makes the perfect mayoral resume

Always too much to talk about and urge you to act, write and call about—but just don't be silent. It gives me strength to keep on working on some seemingly impossible dreams.

Like civic activist Ellie Sankey's reporting that the "for rent" sign on the beloved, displaced Discount Value store on First between 79th and 80th now reads, "Call the landlord at 917-913-4414." She hears the rent is reduced and believes. "It's not an impossible dream for our store to come back!"

Nor is the noon Jan. 24 New York City Transit Riders Council meeting at 347 Madison Ave. going to ignore city bus conditions if the concerned attend or at least air their laments to 212-878-7087. This bus-covering columnist may speak from the floor, but she is not on the meeting's panel of news repoiters who only know subways. So bus grievances, like the articulated buses' oppressively loud climate control systems, as well as buses' ear-piercing kneeling step bells are not overcome.

A Betsy Gotbaum mayor might be more sensitive about overall transit needs and noise pollution, including illegal horn honking and the foremost complaint to 311: noisy neighbors. This now Public Advocate would have more power to overcome all of the above, including the saving of neighborhood stores and affordable eateries.

She is uniquely aware of what now keeps her from mounting an election campaign, says this paper's Jan. 17 cover story, "What About Betsy?" Gotbaum explains that being the primary care-giver to her 86-year-old husband, legendary labor leader Victor Gotbaum, she'd be unable to attend the frequent night meetings a campaign requires. Like half of those 85 and older, her husband sadly suffers from physical and mental declines. And like the majority whose stories are not told, around-the-clock-care is not in the Gotbaum budget.

Don't we need leaders who know this experience?

Incidentally, veteran political pundit and activist George Spitz sent me a *Daily News* piece in part about Mayor Bloomberg's TV interview on the *Retirement Living Today TV* show. When Judy Woodruff notes that the mayor's mother, Charlotte, at age 99, exercises every day, son Mike verbally shrugs, "Why shouldn't she? But she doesn't drive anymore, thank you very much, and that's good for society."

Charlotte Bloomberg's condition is highly atypical, as is the family's ability to provide unlimited preventive and needed treatment.

Lamentably typical in our society is how often only one person is willing or able to give the care an ailing family member needs. Also too little challenged is how families are often geographically and/or emotionally separated. The limited nuclear family life style prevails even in "love one another" religious creed circles.

Indeed, the housing and home foreclosure crisis might not have occurred if homes were more often shared. Sure, a lot of "get along" learning of communication skills and guidelines for sharing close quarters are essential, and some will have none of it, but, generally, isn't it a very possible and positive solution—not merely a dream?

Gotbaum is likely especially sensitive to the health care industry's growing dilemma where aides are often poorly educated, trained and paid, and some have criminal records. We suspect she's already asking about the reported delay in the establishment of Attorney General Andrew Cuomo's "Operation Home Alone," a nationwide registry of health aides' names, work history and criminal backgrounds.

The Gotbaum family also knows the terrible tragedy of alcohol dependence, which factored into the death of daughter-in-law Carol Anne. A Mayor Gotbaum might do at least as much to combat the myriad dangers of alcohol abuse as Bloomberg has given the comparatively minor smoking kind.

How can you help? Well, ask 311 to connect you with Gotbaum's office—maybe urge her to run—or state your concerns, whatever they are, often and loud there, elsewhere and to me.

Bette Dewing can be reached at dewingbetter@aol.com or Box 20334, Cherokee station, New York, N.Y., 10021.

JAN 24, 2008

COURIER LIFE PUBLICATIONS

01/24/2008

Mayoral control slipping - Unrest could set the stage for DOE shake up

By Michèle De Meglio

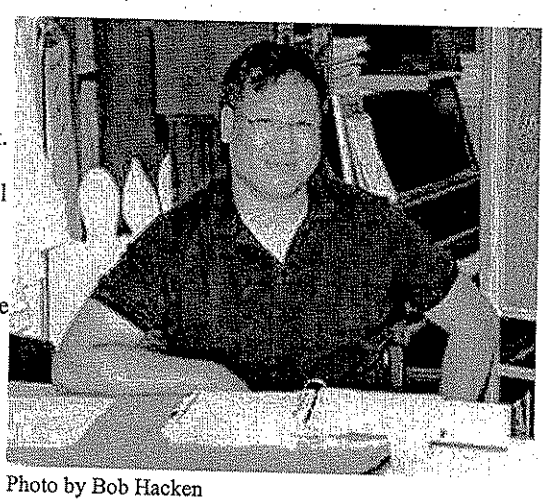

Photo by Bob Hacken

Parents are tired of having decisions about their children's schools made for them and not by them.

Members of District 21's Community Education Council vented their frustrations to Public Advocate Betsy Gotbaum at the CEC's meeting last week.

They say that since Mayor Michael Bloomberg assumed control over the school system, the city Department of Education routinely implements new policies, procedures and programs without asking parents for input.

"The CECs virtually have no power," said Yoketing Eng, the council's first vice president.

"We have the power to talk to whoever comes and sits down and we have the power to listen to frustrations when people come to talk," he continued, "but when it comes down to it, the CEC really can't do anything."

Advertisement

"Decisions are being made in our district without parents," agreed Marcel Newton, the former president of District 21's CEC.

Eng cited the recent revamping of admissions procedures for gifted and talented programs as evidence that the DOE is not letting parents play a role in decision making.

"A lot of parents felt there was no input from any of the parent representatives. We're told this is how it's going to be done. We will provide forums for you to vent but that's it," he asserted.

Although parents question whether DOE reps truly consider their comments at public forums, the department insists that the meetings are a sincere attempt to better involve the public in the school system.

Of the DOE's decision making, Gotbaum said, "One of the things that bothers me the most is the lack of participation" from the public.

Gotbaum said she organized a commission examining the effectiveness of mayoral control, and based on her findings will make a recommendation to the state legislature about whether or not mayoral control should be renewed after it sunsets in 2009.

"I believe we have a real opportunity with this commission," Gotbaum said.

"We are hoping to have public hearings in the spring," she continued, "to get more input [from the public]."

Recent Reports

Females at Tech High Schools

01/28/08

Females are falling behind at the city's Career and Technical Education high schools, according to a new report from Public Advocate Betsy Gotbaum. At 18 of the high schools, females comprised only 41 percent of the student population, and several schools favored male enrollment, according to the report. Schools that had greater female populations lacked advanced placement classes, including in math and science. Addressing these gender inequalities, Gotbaum said, is important now because the administration wants to expand the program.

The New York Sun

Mayor's Control of Schools Could Be Curtailed

BY ELIZABETH GREEN - Staff Reporter of the Sun
January 28, 2008
URL: http://www.nysun.com/article/70310

Critics sharpening their cases against Mayor Bloomberg's handling of the public schools could have a chance to curtail his power as soon as this year.

The law granting the mayor control of the public schools does not sunset until Mr. Bloomberg leaves office in 2009. But some lawmakers in Albany are saying they might begin revising the law one year ahead of schedule.

"The talk is that we want to do something this year," Assemblyman Alan Maisel, a Democrat of Brooklyn, said. "Why wait for the last minute?"

Mr. Maisel said he is introducing a bill that would be the first in a series to check Mr. Bloomberg's power over the schools. He said he does not want to see an end to mayoral control over the schools, but he would like to limit the mayor's power.

The first bill he is introducing would require the Department of Education to hold a public hearing 90 days before shutting down a school. Other revisions would give more power to parents, superintendents, and the City Council in overseeing the Department of Education's budget, interviewing principal candidates, and reviewing policy decisions.

Elected officials, the teachers union, and mayoral candidates also are voicing support for adding "checks and balances" to curtail mayoral control of the public schools, according to transcripts of testimony given to a state commission that is studying the mayor's control of schools.

The New York Sun obtained transcripts of 10 people's testimony to the commission, which is being operated by the office of the city's public advocate, Betsy Gotbaum. Many of those who testified argued that the mayor's power has become authoritarian and should be curtailed.

The head of the United Federation of Teachers, Randi Weingarten, said her goal is to ensure "meaningful institutional involvement or meaningful institutionalized involvement" for "parents, community figures, and indeed the union."

"Education is the community's investment in its own future, and school governance needs to derive from the community's commonly set policies and goals," she said.

The vice chancellor of the Board of Regents, Merryl Tisch, said the mayor's "absolute authority" should be limited. She proposed creating an oversight committee modeled after the Board of Regents or a company's board of trustees that would oversee the Department of Education's budget and policies.

The city comptroller, William Thompson, a former Board of Education president and a 2009 mayoral candidate, said he does not oppose mayoral control — "I may be in a shrinking group of those who support it," he said. But he said the law must be rewritten to require more fiscal transparency and more involvement from parents.

Opposition to mayoral control may be even stronger in Albany. "There are probably 70 legislators from my latest information who want to get rid of mayoral control, or they're talking that way," a person at one commission hearing is recorded as saying.

The remark was made during testimony by Kathryn Wylde, the president and CEO of the Partnership for New York City, a coalition of business groups. But the transcript does not make clear who specifically was speaking.

In her testimony, Ms. Wylde said she sympathizes with some criticisms of the Bloomberg administration, including the idea that communication should be improved and that the results of the mayor's policies need stronger analysis.

But she said overall mayoral control has been a "quantum leap forward" for New York City, inspiring a historic involvement in schools by the business community and preventing a middle-class exodus to the suburbs. She said opening up the law to Albany's intervention could lead to dire results — including a return to the old system of authority diffused across community school boards.

"That's a horrifying prospect," Ms. Wylde said. "And I would venture to say that if that happened, it would trigger a mass exodus of corporations from New York City."

The chairwoman of the Assembly's education committee, Catherine Nolan, a Democrat of Queens, said last week that she does not know when a reauthorization of the mayoral control law will be considered.

the village VOICE

Thompson Uses NYC Pensions to Push For LGBT Worker Protections

Posted by Julie Bolcer at 1:56 PM, January 30, 2008

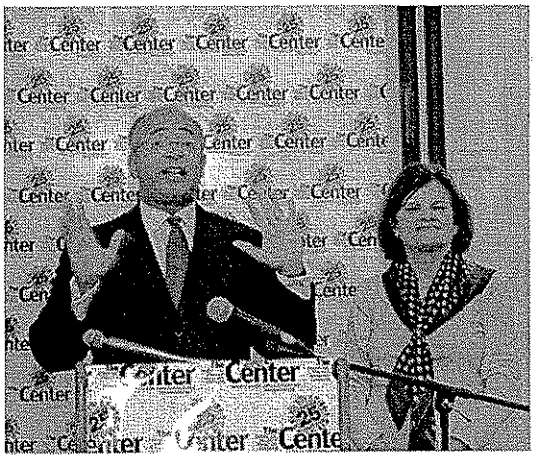

Photo by Marla Maritzer

Long aggressive in the use of shareholder resolutions to pressure corporations to assume socially responsible stances, the New York City Pension Funds took an unprecedented step toward workplace equality for lesbian, gay bisexual and transgender employees on Tuesday. Comptroller William C. Thompson, Jr. and the five Pension Funds announced their proposals for 24 of America's largest companies to adopt policies that bar discrimination based on sexual orientation and gender identity. That number is nearly double the amount of resolutions filed on the issue in the previous proxy season.

"Today's historic effort is the latest step in our longstanding commitment to ensuring that corporations live up to the fundamental ideals of equality, fairness and opportunity," said Thompson during a press conference at the Lesbian, Gay Bisexual and Transgender Community Center in the West Village, where he was joined by Public Advocate Betsey Gotbaum and Melissa Sklarz, a transgender rights activist and leader of the Equality Project.

One of the largest public pension funds in the United States, serving more than 600,00 active and retired city employees, the New York City Pension Funds currently have more than $110 billion in holdings, including 30 million shares worth nearly $2.2 billion in the companies announced on Tuesday. As Comptroller, Thompson acts as investment advisor and manager to the funds, which includes pensions for cops, firefighters, teachers, and other city workers.

All of the 24 corporations named by Thompson and the pension funds are within the Fortune 1000, and many, notably the oil behemoth Exxon Mobil, challenged this year for the eighth time in a row, are within the Fortune 500. The companies are headquartered predominantly in the South and Midwest, in 14 different states, none of which has yet passed a law explicitly to protect workers on the basis of both sexual orientation and gender identity. Currently, 20 states and the District of Columbia prohibit discrimination on the basis of sexual orientation, and of those, only 12 states and the District of Columbia extend the protections to include gender identity. There is no federal law to protect LGBT employees from discrimination in the workplace.

"The marketplaces are much closer to reality than our elected officials," said Daryl Herrschaft, director of the Workplace Project at the Human Rights Campaign, a leading national LGBT organization, when asked to comment on the strategy of urging corporations to adopt more progressive practices than mandated by law in most areas. "They acknowledge that the work force is much more diverse than elected officials seem willing to recognize," he said.

Since the New York City Pension Funds began to file shareholder resolutions calling for workplace protections over a decade ago, according to the Comptroller's Office, nearly 100 corporations have received appeals, and 50 have changed their policies as a result. Among the more recent high-profile victories was Toys R Us, based in Wayne, New Jersey. The company announced in 2005 that it would clarify its policies to bar discrimination based on gender identity, after three transgender women were attacked by employees wielding baseball bats at the Bay Ridge, Brooklyn store in December 2000.

Some critics have charged that the aggressive use of public pension funds to change corporate policy, whether it be on LGBT rights, global warming or support for terrorism, may be inappropriate, even politicized. Thompson and proponents say the practice is simply a better business model that increases profits for companies, protects employees and ultimately benefits the retirees who rely on the pension funds later in life.

"I think it is, in so many ways, looking to improve the companies we hold shares in," said Thompson after the press conference on Tuesday, citing the city's previous uses of shareholder resolutions to protest apartheid in South Africa, and anti-Catholic employment discrimination in Northern Ireland. "Some of it is historical and traditional in nature," he added, "but a lot of it is just good business sense."

DiversityInc
Diversity and the Bottom Line

NYC Goes After ExxonMobil & Other Companies Over Anti-Gay Bias

JAN 20, 2008

By Daryl Hannah

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Progress to eliminate discrimination based on orientation in the workplace suffered a major setback after the Employment Non-Discrimination Act (ENDA) stalled in the Senate late last year. And gender identity already had been moved out of the bill to give it a greater chance of approval. However, the New York City LGBT community and the city's comptroller's office are taking matters into their own hands.

Yesterday, New York City Comptroller William Thompson Jr., The LGBT Community Center and the New York City Pension Funds called on more than two dozen of America's largest companies to ban discrimination based on orientation and gender identity. Who is the biggest offender? ExxonMobil, which eliminated domestic-partner benefits for same-sex partners when the two companies merged in 1999.

"We must work together to make sure that corporate America embraces acceptance and affords all employees the same protections, regardless of their sexual orientation or gender identity," Thompson said at a news conference held at The Lesbian, Gay, Bisexual and Transgender Community Center in Manhattan.

The resolution, filed on behalf of the New York City Employee's Retirement System, New York City Police Pension Fund, New York City Fire Department Pension Fund, New York City Teacher's Retirement System and the New York City Board of Education Retirement System, demands that orientation and gender identity be protected in the workplace. "Equal treatment in the workplace is a right, not a privilege, and no one should face discrimination based on sexual orientation or gender identity," said New York City public advocate Betsy Gotbaum.

The new resolution builds on the 10-year effort by the Pension Funds to encourage companies to adopt antidiscrimination policies. According to the Human Rights Campaign, 439 Fortune 500 companies now ban discrimination based on orientation and 152 ban discrimination based on gender identity. The 2007 DiversityInc Top 50 Companies for Diversity® all ban discrimination based on orientation and 76 percent ban discrimination based on gender identity.

Oil giant ExxonMobil has refused to accept the Pension Funds' request.

"We must remain steadfast in our efforts to bring about change and urge ExxonMobil to establish equal rights in the workplace," Thompson said. "While it's heartening that a number of shareholders agree that ExxonMobil must take steps to provide equal protections for all employees, it is extremely troubling and downright unacceptable that ExxonMobil has strongly resisted the call."

Currently, the five Pension Funds has more than $110 billion in holdings and 30 million shares valuing nearly $2.2 billion in the companies.

Here is the complete list of companies:
HCC Insurance Holdings of Houston, Texas
Timken Co., Canton, Ohio
ExxonMobil Corp., Irving, Texas
AK Steel Corp., Middletown, Ohio
Fidelity National Financial, of Jacksonville, Fla.
Brink's Company Richmond, Va.
Liberty Global, Englewood, Colo.
Lyondell Chemical Co., Houston, Texas
Eastman Chemical Co.n Kingsport, Tenn.
Tesoro Corp., San Antonio, Texas
Apache Corp., Houston, Texas
Murphy Oil Corp., El Dorado, Ark.
Kelly Services, Troy, Mich.
EchoStar Communications Corp., Englewood, Colo.
Huntsman Corp., Salt Lake City, Utah
Marshall & Ilsley Corp., Milwaukee, Wis.
Frontier Oil Corp., Houston, Texas
Borg Warner, Auburn Hills, Mich.
Anadarko Petroleum Corp., The Woodlands, Texas
Synovus Financial Corp., Columbus, Ga.
Erie Indemnity Co. (Erie Insurance), Erie, Pa.
SPX Corp., Charlotte, N.C.
American Financial Group, Cincinnati, Ohio
Leggett & Pratt, Carthage, Mo.

Gay City

Thompson Presses LGBT Shareholder Drive

By AMELIA LAING
01/31/2008

In a January 29 press conference at the LGBT Community Center, New York City Comptroller William C. Thompson Jr. announced that the five New York City municipal pension and retirement funds have filed shareholder resolutions with 24 companies, pressing them to adopt written policies barring discrimination based on sexual orientation and gender identity.

City Comptroller William C. Thompson, Jr., is joined by Public Advocate Betsy Gotbaum in announcing 24 new shareholder resolutions target gay-unfriendly companies.

Most of the 24 targets are in the Fortune 500 and all are in the Fortune 1000. The number of shareholder resolutions is almost double that of the last proxy season.

"A company can't reach its full potential if it fails to protect its workforce," said Thompson. "Employees cannot innovate and excel in an environment that does not explicitly outlaw all forms of discrimination."

Thompson's announcement is the latest development in a long-standing push by the New York City comptroller's office - one frequently advanced by the state comptroller's office as well - to press corporate America for more responsible workplace and marketplace behavior regarding LGBT employees and consumers.

After the California public employees retirement fund, New York State and New York City oversee the largest government-controlled investment funds. Currently, Thompson is the leader of a board of trustees that manages more than $110 billion dollars in assets.

According to the comptroller's office, 50 companies have in recent years adopted the policies sought through the shareholder resolutions; some as soon as the initiative is undertaken, others only after one or more proxy votes demonstrate growing support for workplace fairness policies.

Already seven of the 24 companies targeted this year have moved to change their practices, and those resolutions have been withdrawn from shareholder consideration.

Joining Thompson for the announcement was Public Advocate Betsy Gotbaum, who is also a pension fund trustee.

"Equal treatment in the workplace is a right, not a privilege," she said, adding that corporate America "should set a standard, must set a standard."

The shareholder action comes as prospects for passage of the Employment Non-Discrimination Act (ENDA) in the Senate, after approval in the House last fall, remain uncertain. Some observers believe that Republicans opposed to the measure may be able to muster the 40 votes to sustain a filibuster, blocking passage. Even if the measure were to pass, it would almost certainly be vetoed by President George W. Bush.

And, after much controversy, the version of ENDA that cleared the House did not include the protections based on gender identity and expression that Thompson's resolutions demand.

Melissa Sklarz, national co-chair of the Equality Project, a non-profit group that is a leading force in the shareholder movement pressing for LGBT workplace equality and good corporate behavior on LGBT issues in advertising and other marketplace conduct, also spoke.

"LGBT equality must go to the workplace," Sklarz said. "LGBT discrimination is bad for business."

The speakers focused particular ire on ExxonMobil, a company that has resisted implementing a formal LGBT equality policy since it rejected the old Mobil policy when the two oil giants merged in 1999. Ranking second on the Fortune 500, the company is the only one of the top 75 corporations in America without a policy barring sexual orientation discrimination. The Human Rights Campaign's Corporate Equality Index rated it a zero, and this year marks the city pension funds' eighth effort to force a change at the company.

"ExxonMobil should be ashamed of itself," Thompson said. "Exxon argues that the measure is unnecessary, that it is committed to equality in other ways. These excuses are simply unacceptable."

Asked whether his office is in trench warfare with ExxonMobil, the comptroller said instead he would characterize the company's posture as "a brick wall." Thompson's office continues talking with ExxonMobil on a variety of issues of concern, but an aide to the comptroller agreed that sexual orientation and gender identity nondiscrimination remains a non-starter.

Despite ExxonMobil's defiance, Thompson is optimistic, citing increasing support from shareholders. According to the comptroller's website, support for the resolution has grown from 29.4 percent in 2005 to 37.7 percent last year.

Gotbaum predicted that continued pressure will help ExxonMobil "see the folly of what they're doing."

"We're not going to go away," Thompson said. "There's a better chance that ExxonMobil will go away before we do."

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