



COMMUNITY EDUCATION COUNCIL 32

797 Bushwick Avenue, Brooklyn, NY 11221 (Rm 319) Phone: 718-574-1203 E-mail: cec32@schools.nyc.gov

July 11, 2019

Richard A. Carranza
Chancellor
NYC Department of Education
Tweed Courthouse
52 Chambers Street
New York, NY 10007

Oxiris Barbot, MD
Commissioner
NYC Department of Health
and Mental Hygiene
42-09 28th Street
Long Island City, NY 11101

Dear Chancellor Carranza and Commissioner Barbot,

The Community Education Council for District 32 is gravely concerned by the findings of an investigation conducted by WNYC and Gothamist published on June 24th, 2019 that found high levels of lead-paint contamination in four NYC elementary schools, one in a first-grade classroom from a peeling radiator in Brooklyn¹. In Bushwick, Brooklyn, we have experienced the presence of high levels of lead in water fixtures in many of our district's school buildings, even after remediation was implemented. There is clearly a gap in the city's lead poisoning protection laws and we are calling for change.

District 32 schools are struggling with high levels of lead in the water. During the 2018-2019 school year, many of the District 32 schools that were re-tested revealed new instances of elevated lead levels. In many cases, these reports came shortly after follow-up letters had been sent to parents stating that the NYC DOE had "successfully completed remediation work". We are concerned that the remediation efforts are not being completed with the due diligence to ensure our students have adequate access to safe drinking water. Lead poisoning and contamination is reaching a crisis level and the following are specific examples of where this has occurred:

- In December 2016 at P.S. 376, every potential source for drinking water or preparing food was tested and 9 out of 99 samples showed elevated lead levels. In January 2017, the school reported that 16 of 122 samples showed elevated lead levels. In April 2017, the DOE re-tested after remediation and all samples came back clean. In November 2018, however, 19 out of 122 samples showed elevated lead levels (the highest was 469 ppb). The elevated levels of lead were found in bubblers and in classroom faucets.²
- In December 2016 at P.S. 106, every potential source for drinking water or preparing food was tested and 5 out of 62 samples showed elevated lead levels. In April 2018, June 2018, and August 2018, the DOE re-tested after remediation and all samples came back clean. In March 2019, however, 9 out of 55 samples showed elevated lead levels (the highest was 1860 ppb, which came from a cold-water faucet that was permanently removed). The elevated levels of lead were found in bubblers and in classroom faucets.³

¹ Werth, Cristopher. (2019, June 24). WNYC Finds High Levels Of Lead-Paint Contamination In four NYC Public Schools. *Gothamist*. Retrieved from https://gothamist.com/2019/06/24/nyc_lead_paint_schools_doe.php

² Rose, Elizabeth A. (2018). Letter to Families and Staff. 10 December 2018.

³ Rose, Elizabeth A. (2019). Letter to Families and Staff. 29 April 2019.



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- In December 2016 at I.S. 383, every potential source for drinking water or preparing food was tested and 42 out of 149 samples showed elevated lead levels. In January and April 2018, the DOE re-tested after remediation and all samples came back clean. In November 2018, however, 19 out of 122 samples taken showed elevated lead levels once again (469 ppb the highest). The elevated levels of lead were found in bubblers and in classroom faucets.⁴

To put it plainly, levels of lead got higher after remediation.

We are particularly concerned about a specific omission from the FY2020-2024 proposed Capital Plan. The following paragraph, on page 49/50 under Mandated Programs / Lead Abatement in the FY2015-2019 Capital Plan, is no longer included in the upcoming proposed budget:

"In addition, the DOE continues testing schools for the presence of lead in drinking water and performs remediation when necessary. The water in every New York City public school was tested for lead in 2016. The vast majority of test results showed satisfactory lead levels. Drinking or cooking outlets that exceeded the action level for lead were immediately taken out of service, remediated, and not placed back into service until the outlet re-tested below the action level."⁵

In the FY2015-2019 Capital Plan, the School Construction Authority had funds allocated to the removal of lead from the water in our schools as a mandated program. The Capital Plan for the FY2020-2024 failed to allocate money for this purpose. In reality, issues with lead in the water were supposed to be fixed by 2018, but they have not - and they will not be until the pipes are changed.

Although the Division of School Facilities has been working closely with the CEC32 since January 2019, concerns regarding lead in our schools and the financial commitment to ameliorate this problem, remain. Therefore, we ask that you allocate or request the necessary funding from the state to change the piping in our school buildings and add this as a mandated program and a priority in the Capital Plan for FY2020-2024.

The Community Education Council for District 32 would also like to take this letter as an opportunity to express our agreement with the recent letter sent to you by our Congressional representative Nydia Velazquez and eleven other members of New York City's Congressional delegation, in response to news media reports of "substantial levels of lead contamination from deteriorating paint."⁷ Like our members of Congress, we also ask "your agencies to immediately begin a collaborative response effort to identify the scope of current lead issues" in NYC schools.

⁴ Rose, Elizabeth A. (2018). Letter to Families and Staff. 6 December 2018.

⁵ FY2015-2019 Five-Year Capital Plan. (Proposed February 2018). School Construction Authority. Retrieved from <http://www.nycsca.org/Community/Capital-Plan-Reports-Data#Capital-Plan-67>

⁶ FY2020-2024 Five-Year Capital Plan. (Proposed February 2019). School Construction Authority. Retrieved from <http://www.nycsca.org/Community/Capital-Plan-Reports-Data#Capital-Plan-67>

⁷ Velázquez, Nydia M., Serrano, José E., Espaillat, Adriano, Engel, Eliot L., Clarke, Yvette D., Rose, Max, ... Nadler, Jerrold. (2019). Letter to Chancellor Carranza and Commissioner Barbot. 27 June 2019.



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We also want to point out that 3-K was recently expanded to our district, increasing the number of students using our facilities who are under the age of 6 years old⁸. Please do not hesitate to put forward a robust plan for ensuring the safety of our students.

We join our representatives, including Assemblywoman Maritza Dávila who has been advocating for this cause, and the overall parent community in this call for action to create a safe and flourishing environment for our children, and urge you to prioritize the remediation in and elimination of lead from our schools.

CC:

The Honorable Governor Andrew M. Cuomo

The Honorable Mayor Bill de Blasio

New York City Comptroller Scott M. Stringer

Brooklyn Borough President Eric L. Adams

New York State Senate Majority Leader Andrea Stewart-Cousins

New York State Assembly Speaker Carl E. Heastie

Education Committee Chair, New York State Senator Shelley Mayer

Education Committee Chair, New York State Assembly Member Michael Benedetto

New York State Senator Julia Salazar

Member of the United States Congress Nydia Velázquez

Member of the United States Congress José E. Serrano

Member of the United States Congress Adriano Espaillat

Member of the United States Congress Eliot L. Engel

Member of the United States Congress Yvette D. Clarke

Member of the United States Congress Max Rose

Member of the United States Congress Gregory W. Meeks

Member of the United States Congress Carolyn B. Maloney

Member of the United States Congress Grace Meng

Member of the United States Congress Alexandria Ocasio-Cortez

Member of the United States Congress Hakeem S. Jeffries

Member of the United States Congress Jerrold Nadler

Member of Assembly Maritza Dávila

Member of Assembly Erik M. Dilán

⁸ The City of New York Office of the Mayor. (2019, May 30). *MAYOR DE BLASIO AND CHANCELLOR CARRANZA ANNOUNCE OVER 9,500 FAMILIES RECEIVING 3-K FOR ALL OFFERS* [Press Release]. Retrieved from <https://www1.nyc.gov/office-of-the-mayor/news/270-19/mayor-de-blasio-chancellor-carranza-over-9-500-families-receiving-3-k-all-offers>



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New York City Council Member Antonio Reynoso

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Education Council Consortium

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