



Public Advocate for the City of New York

The Public Advocate: Solving Everyday Problems

Annual Report 2003 – 2004

Office of the Public Advocate
Betsy Gotbaum
1 Centre Street, 15 Fl.
New York, NY 10007

www.pubadvocate.nyc.gov

Message from the Public Advocate

October, 2004

Dear Friend:

This annual report summarizes my activities during the last fiscal year. It is a record of helping working families, seniors, and children, of making sure that City government works for them. In fiscal year 2004, my Ombudsman Services Unit resolved the complaints for -- people. These New Yorkers had difficulty navigating the complicated and reorganized public education system, accessing public benefits such as food stamps, and securing decent living conditions. Not only were their problems solved, their concerns inspired reports that focused on the most important issues facing City residents.

When I took office in 2002, I pledged to focus on five main areas: hunger, housing, child welfare, education, and women's issues. These areas are still my focus today. I am pleased to say that New York City is thriving, but there is room for improvement. As long as senior citizens are going hungry, as long as children with special needs are not receiving the education they deserve and women are vulnerable to abuse, my office will have significant work to do.

I spend much of my time on the job in neighborhoods throughout the five boroughs, talking to members of the community, to business and home owners, to church-goers and nursing home residents, school principals and police officers. I listen to what they tell me, analyze data from my Ombudsman Services Unit, and, along with my staff, decide on a course of action. That course of action may involve issuing reports and informational guides, proposing legislation, or calling on the Bloomberg administration to make changes to its procedures. Whether I act publicly or behind the scenes, my single goal is always to improve the lives of my constituents, the people of New York.

In the pages that follow, you will find information on my accomplishments in relation to not only the five areas I mentioned above but a broad cross-section of issues that matter to New Yorkers. I encourage you to think of this data as more than just statistics. Each number represents an individual whom the Office of the Public Advocate was able to assist. The daily work of resolving problems eventually adds up to a better New York for everyone. I fully expect that the best is yet to come.

Betsy Gotbaum, Public Advocate

A Year in Review

Based on complaints from, and conversations with constituents about city-related concerns, Public Advocate Betsy Gotbaum has conducted investigations, called for reforms in the way government functions, and spoken out when her constituents asked. Following are some of the issues that Gotbaum focused on during the 2004 fiscal year. She also spoke out in support of additional services for women with AIDS, civil unions for same sex couples, fairer wages for city workers, the dangers of buying drugs on line, and unfair transit fare hikes and poor bus service for City residents, among many other issues.

On Education: Mayor's School Reforms need

Since the announcement of the largest reforms to our city schools in the last 30 years, Public Advocate Betsy Gotbaum has been closely monitoring schools to ensure that all students, parents, teachers, and school administrators are well served by our educational system.

Starting in August, Gotbaum toured schools and Learning Support Centers throughout New York City and listened to the concerns of parents and teachers. Across the board, Gotbaum has found confusion caused by the changes introduced by Mayor Bloomberg and Chancellor Klein.

At the end of the school year, Public Advocate Gotbaum gave Mayor Bloomberg and Chancellor Klein a C- overall for their first year in charge of the public school system but failing grades for their handling of the overcrowding crisis and their relationship with parents, teachers, and principals.

Gotbaum finds Department of Education not Helping Parents: Gotbaum Steps in to fill the void

A survey conducted by the Office of the Public Advocate released before the start of school found staff at the City's new Learning Support Centers, which are meant to serve as a walk-in resource for parents, unable to answer simple questions.

Gotbaum found that parents had difficulty obtaining information on how to sign up their children for free tutoring to which they are entitled under the federal No Child Left Behind Act.

Public Advocate Helps Students and Parents

Public Advocate Gotbaum has taken steps to help parents make sense of the newly restructured system. To help parents get the answers they need, she published a guide entitled Educators Helping Parents, which explains the ins and outs of the new system. Gotbaum has already distributed 125,000 guides to parents and educators across the city. Additionally, Gotbaum established a helpline to field calls from parents with school-related questions. Since the start of school, the Public Advocate's office has helped hundreds of parents and students.

Gotbaum Identifies Massive Overcrowding Plaguing Schools

On her school visits, Public Advocate Gotbaum found massive overcrowding, particularly in city high schools. She charged that the Department of Education (DOE) should have been better prepared since it received numerous warnings from her office and from advocates throughout the city. Two reports released by Gotbaum's office last year forecasted overcrowding increases citywide. Gotbaum continued to visit schools throughout the year to listen to the concerns of parents and teachers, and she continued to exert pressure on the DOE to fulfill their responsibilities to New York City parents and children.

Gotbaum Identifies Major Backlogs in Special Education

In February 2004, Public advocate Gotbaum called on the Department of Education to reform their reforms to the special education system. Earlier in the school year, the DOE fired 969 special education evaluators and dumped all their work on to school psychologists, who were not sufficiently trained or able to manage the additional workload. As a result there was a backlog of tens-of-thousands of children awaiting special education evaluations and 14,000 students did not receive the special education services.

After Gotbaum identified the problem and supported her assertions, through a survey of teachers and school psychologists, that the DOE created this backlog, the DOE admitted to the problem and promised to address the problems.

Other Initiatives

Gotbaum also released the following reports related to education:

All Work and No Play: A Survey of Physical Education Classes in NYC Schools

All Work and No Play blew the whistle on the Department of Education (DOE) for depriving New York City public school kids of their right to gym classes. The Office of the Public Advocate found that out of 100 NYC public elementary schools surveyed, 14 schools did not even have a gym teacher, while 20 of the schools either had no gym classes at all or had them infrequently.

Waiting For Your Call: A Survey of DOE Parent Coordinators

Public Advocate Betsy Gotbaum released the results of a survey of the Department of Education (DOE)'s new school-based parent coordinators. The purpose of the random telephone survey was to determine the availability of parent coordinators after school hours when parents are likely to call, as well as their ability to answer questions. Of the 103 parent coordinators surveyed across the five boroughs, two-thirds were unreachable after hours, and over half did not return calls.

On City Agencies: Services Fall Short for Many New Yorkers

Since coming into office, Public Advocate Betsy Gotbaum has focused her attentions on the way city agencies serve New Yorkers. During the 2004, Gotbaum addressed many issues of concern to New Yorkers, including the child welfare system and hunger.

Putting Kids First

In fiscal year 2004, the Office of the Public Advocate ran the Child Welfare Project (CWP), which advocated for New York City's children and families in the child welfare system. Thousands of problems had been reported to the Child Welfare Hotline over the course of its existence.

Annual Child Fatality Review

Every year, CWP analyzed child fatality reports, as well as the complaints made to the Help Line, to identify ways of ensuring the safety of children in foster care and promoting improvements in casework and service delivery.

The Public Advocate's 2004 annual report on child fatalities analyzed the City's own records of fatalities that occurred in the City's child welfare system. According to the report, more than one in three children who die during or after an investigation by the Administration for Children's Services (ACS) die for reasons that could have been prevented.

Child Welfare and the City's Shelter System

Office of the Public Advocate to investigated the welfare of children living in shelters after several reporter incidence of child fatalities. In all, since 2000, 33 children have died while living in, or registered at, a City shelter. These deaths represent a disproportionate share of all child fatalities in New York City. The Public Advocate believes that some of these deaths may have resulted from a lack of coordination between ACS , the primary agency responsible for child welfare, and the Department of Homeless Services (DHS).

Gotbaum made several recommendations for better coordination and information sharing between the agencies, which ACS and DHS have agreed to adopt.

Before It's Too Late: Adolescent Relationship Abuse in NYC

Although public awareness of domestic violence as a serious social problem has increased dramatically in the last twenty-five years, there is still a common misperception that domestic violence occurs only in the adult population. Yet recent studies have revealed that an alarming number of young people are victimized by violence in dating relationships.

In 2004, Public Advocate Betsy Gotbaum released a report that showed that nearly one-in-five teenage girls is a victim of dating violence, and that teenage girls were more likely to be in an abusive relationship than females in older age groups. Gotbaum recommended several measures the city can take in an effort to reduce the incidences of abuse.

Ending Hunger in New York City

During fiscal year 2003, Public Advocate Betsy Gotbaum identified that ½ of all New Yorkers who qualify for food stamps – some 800,000 people – do not get them. In 2004, Gotbaum both continued her investigation into reasons behind why so few access food

stamps and she promoted the program along with a coalition of organizations. Her efforts to make food stamps more easy to access reached 100,000 people.

Locked Out: NYC Working Families Unlawfully Denied Access to Food Stamps

Public Advocate Betsy Gotbaum released a report detailing the Human Resources Administration (HRA)'s failure to make the food stamps application process accessible to working people. Investigators from the Public Advocate's office found that some centers with extended hours locked their doors one hour early, and some centers refused working people federally mandated application options.

As a result of the Public Advocate's efforts, HRA now posts and maintains extended office hours.

New York City Hunger Hotline: Service Leaves Callers Empty Handed

An investigation by the Office of the Public Advocate determined that the New York City Hunger Hotline, which the Human Resources Administration (HRA) took over from City Harvest and automated in April 2003, provides inaccurate and insufficient information much of the time. Gotbaum recommended that the city again staff the hotline with live operators so that hungry New Yorkers can be better served.

Human Resource Administration Shortchanges New Yorkers and Leaves Them Out in the Cold

Public Advocate Identifies Billions of Dollars in Unclaimed State and Federal Aid

Public Advocate Betsy Gotbaum released a report indicating that New Yorkers are eligible for an estimated 2.3 billion dollars in state and federal aid to help pay for food, utilities, prescription drugs, and health care. According to Gotbaum, much of the money goes unclaimed because the City agencies do not do a good enough job of making New Yorkers aware of the programs or of dispelling the stigma attached to government aid.

Out in the Cold: New Yorkers Miss Out on Heating Assistance

According to a Public Advocate report, a minimum of 607,000 households are eligible for Home Energy Assistance Program (HEAP) assistance. Of these, the City's Human Resources Administration (HRA) fails to reach 237,000 at a loss of \$11.9 million to low-income families in the five boroughs.

Another report issued by the Public Advocate found that while New York City is home to 62 percent of the State's low-income population, but because of an unfair policy, it receives only 18 percent of its HEAP funding.

Helping Seniors

Meals on Wheels Cuts Threaten Seniors

Public Advocate Betsy Gotbaum is concerned that the city's Meals on Wheels program may be in jeopardy. For years, Meals on Wheels served as a trusted and dependable food-delivery service for homebound seniors. Under the guise of cost savings for the City, the Meals on Wheels program in the Bronx was severely cut. The proposed are part of a pilot-program in the Bronx, but Gotbaum believes the remaining boroughs could be next.

Gotbaum strongly advocated against the cuts. In response to opposition, the City agreed to scale back the amount of their cuts, but Gotbaum remains concerned about the well-being of the seniors who count on these meals.

Gotbaum Finds One-Third of Senior Centers Unprepared to Protect Seniors from Summer Heat

According to a report released by Public Advocate Betsy Gotbaum, as many as one-third of the City's senior centers do not have sufficient air conditioning. Of the 60 senior centers surveyed 10 centers had non-functioning air conditioners, seven centers had inadequate air conditioners, and one center had no air conditioners.

The sweltering heat and humidity characteristic of New York City summers forces many people who cannot afford air conditioning to seek relief at local centers in order to avoid heat-related illnesses that could ultimately lead to death. In 1999, 38 New Yorkers died from heat exposure; more than two-thirds were over the age of 55.

Gotbaum called on the Department of Aging to provide funding for air conditioners at senior centers.

Gotbaum Finds Senior Centers Don't Have Back-Up Power in Case of Emergency

The office of the Public Advocate conducted the survey of City senior centers to determine what problems and difficulties they faced during the blackout of August 2003. Public Advocate Betsy Gotbaum released the results of an investigation indicating that 87% of the City senior centers surveyed (65 out of 75) do not have the back-up generators they need to maintain power in case of emergency.

Gotbaum Called on the Department for the Aging to Provide emergency back-up generators at all senior centers; Make emergency supplies available at all senior centers; Develop emergency evacuation plans for senior centers; Undertake regular maintenance of emergency back-up generators at senior centers.