

The New York State Senate Public Hearing

Testimony: Gary Shevell

11/20/19

Good afternoon, my name is Gary Shevell and I am the Assistant Principal of P.S. 116, the Mary Lindley Murray School, an elementary school which serves Pre-K through 5th grade students located in the Murray Hill neighborhood right here in Manhattan. I am also the parent of 2nd grade and 5th grade students who attend P.S. 116. I come before you today to share with you my experiences and personal opinion regarding early voting, as P.S. 116 was selected as an early voting site and hosted early voting this past election. Firstly, I would like to thank the members of this committee for affording me the opportunity to speak about my experiences. Secondly, please note that although my testimony is what I personally observed and experienced while a DOE employee, I am testifying in my own personal capacity and I do not represent the New York City Department of Education or its views.

My role and duties as Assistant Principal are varied and complex, but in a nutshell, I work hand-in-hand with the Principal, Ms. Jane Hsu, in helping to bring the vision and mission of P.S. 116 to life on a day-to-day basis. Part of these responsibilities include two aspects directly related to early voting. First and foremost, I am the Building Response Team Leader, the person responsible for ensuring that the school's safety protocols are strictly adhered to whenever their use is warranted to ensure the safety and well-being of our roughly 500 students. This includes, but is not limited to, emergency responses, such as: the missing child protocol, procedures for evacuation, shelter-in, and lockdown (both soft and hard). With the committee's permission, I would like to address the impact early voting had on these critical school procedures in the hopes that the committee will determine that, while early voting is a critical step towards making our democracy more open and democratic, it should not come at the expense of the safety and well-being of our most vulnerable and youngest constituents.

During the weeks leading up to and during early voting, Ms. Hsu and I were acutely aware that any activation of any of the DOE Standard Response Protocols would impact early voting, specifically voter access to the building and gymnasium. For example, in the case of a missing child, the school is required to initiate a soft lockdown and the school must secure all exit doors to the building, including doors that voters would need to access the polling site. This would clearly have an impact on anyone coming to vote at the time and one could argue, become a barrier to voting access. Because of this awareness, Ms Hsu, on multiple occasions sought clarification from DOE and BOE officials regarding the school's ability to prevent voter access to the building should the need arise. As a matter of public concern, I would like to relay to you that, at no point, did anyone respond in writing to this simple and specific request. The school was left hanging on the most important issue surrounding early voting as it seemed no one would even acknowledge or dare attempt to respond to the idea that the school's authority to activate any necessary emergency protocol supersedes the immediate needs of voters.

Even more troubling, access of historically repressed populations to voting is well documented and the laws in place to protect their right to vote and their ease of access to voting in this day and age are critical. However, the safety and well-being of our children should not be the price to pay. Currently, as it has been told to me, please correct me if I am mistaken, anyone can simply state they are present to vote, and have access to the voting facility. They are not required to present any identification. As you might imagine, and as a matter of public concern, this simple and clear fact put chills down the spine of every constituent at P.S. 116: parents, teachers, and yes, even children. P.S 116 is not a barrier-free building, and given its physical

layout, the only way voters with a disability can gain access to the polling site, which took place in our gymnasium, was to walk through our school playground, enter the building, walk down the 1st floor hallway, past a Pre-K classroom, to the elevator. The elevator would take them down to the basement where they would have to walk through our school cafeteria to finally enter the gymnasium. It was only there where they would see an actual NYPD officer. As a matter of public concern, this is important to note, given the reality that registered pedophiles and sex offenders have the right to vote. While legally registered pedophiles and sex offenders are not allowed to enter schools until 7:00pm, there is no one vetting anyone prior to entering the building. It is not until they reach the gymnasium and voting booths themselves where they are met by Board of Election poll workers. The NYPD officer assigned to the school sat at a desk in the gymnasium far removed from the actual entrance to the school yard, to the building, and our students. Parents and visitors at every New York City public school are required to show photo identification before signing in, and are then given a visitor's pass, which they must keep visible at all times. But, anyone who merely states they are present to vote are provided free access. After school shootings such as Sandy Hook, Parkland, Columbine, and the sad list that goes on and on, the decision to use public schools, upending everything the school has in place to keep students safe and secure is simply dumbfounding to me, given what I know and am responsible for. Surely, there are other options available.

Regardless, we did our due diligence and began to plan. With the safety of our students in mind, the changes in programming had to be made. Since minimizing any voter access to children became our number 1 priority, obviously, the gymnasium would not be available. Additionally, with voters accessing the school via the playground, the playground became off-limits to our students, as well. All physical education classes were held in classrooms, as was recess. Anyone with any experience with young children will surely vouch for the fact that opportunities for movement and physical activity and play are critical, not only to physical development, but to the brain. It resets and recharges the brain, reduces stress, and helps students sustain focus during learning periods. Since voters would need to traverse the cafeteria to access the polling booths, lunch was moved out of the cafeteria and upstairs away from voter access. The cafeteria was a ghost town. Dismissal procedures were completely reorganized and rethought since dismissal typically occurs in the playground. Classes were assigned line-up spots outside the building on East 33rd Street.

I do not wish to go into the hours of time, planning, and manpower necessary to make all of this happen, suffice to say that it was a monumental task and the people involved in making all of these things happen worked tirelessly, and should receive public acknowledgement for their efforts.

To add insult to injury, after the dismissal procedures were put in place and communicated to families, the Board of Elections, without notice, completely disregarded the signage posted for student dismissal and installed a large electric generator blocking access to several line-up spots. We had to scramble to make adjustments and notify families. In my personal opinion, and a matter of public concern, this moment epitomized for us the stance the Board of Elections was taking, which was evident from the onset: We do not care and are disinterested on the impact early voting is having on anyone. This was a real slap in the face to everything the school had done to try and accommodate the needs of the Board of Elections.

I fully appreciate the importance of early voting and how difficult it must be for the Board of

Elections to determine sites to be used that satisfy their requirements. However, I urge you to consider the negative impact early voting has on elementary schools and their children. Students, particularly our youngest, should have the right to access the play and physical activity they need to thrive and learn. They deserve consistent routines and a safe and secure learning environment. With the prospect of early voting occurring 4 times a school year, this is not possible. Yes to early voting...no to using public elementary schools as polling sites.

Before I close, I would like to reiterate that my testimony is what I personally observed and experienced as a DOE employee, and I am testifying in my own personal capacity and I do not represent the New York City Department of Education or its views.

Thank you for your time.