

**SECOND DECLARATION OF VITO LABELLA**

I, VITO LABELLA, declare as follows:

1. The facts set forth in this declaration are based on my knowledge and, if called as a witness, I can competently testify to their truthfulness under oath. As to those matters that reflect a matter of opinion, they reflect my personal opinion and judgment on the matter.
2. I am the president of the Christa McAuliffe Intermediate School PTO, Inc (the PTO). The Christa McAuliffe Intermediate School (IS 187) is a public middle school located at 1171 65<sup>th</sup> Street, Brooklyn, New York, 11219. The PTO's bylaws were approved at a meeting on June 12, 2018, which was a necessary step in transitioning from a PTA to a PTO. I refer to the organization as a PTO for the purposes of this declaration, although it was originally a PTA.
3. Under the PTO's bylaws, each parent with a child currently on the register of IS 187 is automatically a member of the PTO. The majority of the PTO's members are Asian American.
4. The PTO was formed in part to influence legislative and administrative proposals to alter admissions to New York City's specialized high schools. PTO members stand to be among the most affected by any policy change because of the success of IS 187 students in the admissions process.
5. On June 1, 2018, I first heard about the impending announcement of Mayor de Blasio and Chancellor Carranza's plans to overhaul specialized high school admissions procedures. This included the proposal to expand the Discovery program to 20 percent of the seats at each specialized high school by 2020 while excluding students at many schools,



- including IS 187, from the program. It also included the plan to eventually abolish the Specialized High School Admissions Test (SHSAT) through state legislation
6. In my capacity as president of the PTO, I immediately began to plan the PTO's response. This involved dozens of hours of discussions with PTO members, coordinating with outside groups (including CACAGNY), and attempting to ascertain the precise effect of the proposed changes on IS 187 students. I also spent dozens of hours preparing and rehearsing speeches to give in public to support the PTO's position in the public and in front of legislators and city officials.
  7. In addition to filing this lawsuit, the PTO (through me and other members) has actively sought to persuade New York City officials and New York state legislators that the changes would have an adverse effect on Asian-American students, and particularly poor Asian-American students attending schools like IS 187.
  8. The PTO and its members have participated in several public demonstrations aimed at shifting public opinion against the admissions changes. Our executive board has spent hundreds of hours helping to organize these demonstrations.
  9. In my capacity as president of the PTO, I have given speeches at various Community Education Council (CEC) meetings explaining the PTO's position that the expansion of the Discovery program and eventual proposal to end the SHSAT would adversely affect Asian-American students generally and IS 187 students in particular.
  10. On June 5, 2018, several PTO members attended a rally in opposition to the specialized high school admissions changes. The event was covered in the New York Times at the following link: <https://www.nytimes.com/2018/06/05/nyregion/carranza-specialized-schools-admission-asians.html>.



11. On June 6, 2018, I appeared in my capacity as PTO president at an event with Brooklyn borough president Eric Adams. The event was hosted by the Coalition of Asian-Americans for Civil Rights at Park Asia, 6521 8<sup>th</sup> Avenue in Brooklyn. I told Mr. Adams that the plan to set aside 20 percent of the seats at each specialized high school for the Discovery program would hurt 200 kids each year in our Brooklyn-based District 20, where IS 187 is located. On behalf of our students, I urged Mr. Adams to talk to Mayor de Blasio about at least opening up some Manhattan schools previously geographically restricted so that our children would have other options. The video of this exchange is on the PTO's YouTube channel at <https://youtu.be/W5UIWk4M8Fo>.
12. On June 7, 2018, I spoke in my capacity as PTO president at an emergency town hall meeting hosted by the District 20 Community Education Council (CEC). I told those in attendance that the expansion of the Discovery program represented a significant threat to District 20 children, many of whom would have few options if they were unable to gain admission into a specialized high school because of the new criteria. I urged attendees to push for an additional specialized or screened high school that would serve Brooklyn children. The video of this speech is located at the following link:  
<https://www.youtube.com/watch?v=KhsmbwnHI48&feature=youtu.be>.
13. On June 12, 2018, I addressed PTO members at IS 187 about how the Discovery expansion would affect IS 187 students. I explained to the members that I was proposing to open up second-tier screened high schools in Manhattan to Brooklyn students and urging politicians to open more specialized high schools. I also urged members to get to know their local politicians and let them know how important this issue is to them. The portion of the talk about the Discovery program is at this link:

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<https://www.youtube.com/watch?v=tYSTU1CRSoM&feature=youtu.be>. The meeting highlights are at this link: <https://www.youtube.com/watch?v=9kvISem003g/>.

14. On June 13, 2018, several PTO members attended a District 15 Town Hall meeting with Chancellor Carranza to protest the recently announced admissions changes. The event was held at P.S. 24, located at 427 38th Street in Brooklyn. It was covered in local media at this link: <https://brooklynreporter.com/2018/06/tensions-rise-town-hall-sunset-controversial-shsat-plan/>.
15. On June 15, 2018, in my capacity as PTO president, I co-organized the Children's March over the Brooklyn Bridge to protest changes to the specialized high school admissions process. In my remarks to the crowd, I focused on promoting policies that would expand availability of a specialized high school education. My short speech can be found on the PTO's YouTube channel here: <https://www.youtube.com/watch?v=-N4t6xrUI8I&feature=youtu.be>.
16. On July 31, 2018, several PTO members attended a rally at City Hall to protest the changes to the specialized high school admissions process.
17. On September 5, 2018, I sent a letter to PTO members outlining the issues facing the IS 187 community. I emphasized that IS 187 is the top middle school in New York and that we needed continued parent support to keep it that way. The main issue I identified was the changes to specialized high school admissions, which would directly affect members. I urged our PTO members to use their free speech rights to make their voices heard and let the Mayor and Chancellor know there would be a political price to pay for manipulating specialized high school admissions. I also asked members to attend a rally at Foley Square on September 9 that would be hosted by an unaffiliated organization. The



letter is here:

<https://www.facebook.com/ChristaMcAuliffeIntermediateSchoolPTO/photos/pcb.2110603312522904/2110603212522914/?type=3&theater>.

18. On September 9, 2018, in my capacity as PTO president, I helped organize a rally at Foley Square to protest the changes to the specialized high school admissions process. The rally was co-sponsored by Plaintiff Chinese American Citizens Alliance of Greater New York (CACAGNY). Some footage of this event was captured here:

<https://www.youtube.com/watch?v=Eoxl43epwqw&feature=youtu.be>.

19. On September 18, 2018, at the regularly scheduled PTO meeting, I addressed PTO members regarding the PTO's plan of action on the specialized high school admissions changes. I told members that as president, I would continue to represent their interests at CEC meetings and in meetings with politicians. The announcement of this meeting was posted on the PTO's Facebook page here:

<https://www.facebook.com/ChristaMcAuliffeIntermediateSchoolPTO/posts/211619411863049>.

20. On September 25, 2018, in my capacity as PTO president, I met with New York State Assemblywoman Latrice Walker (an alumna of Brooklyn Tech) and New York State Senator Jamaal Bailey (an alumnus of Bronx Science). I relayed to these legislators the concerns of IS 187 parents regarding the specialized high schools and gifted education in general. The meeting was documented on the PTO's Facebook page here:

<https://www.facebook.com/ChristaMcAuliffeIntermediateSchoolPTO/photos/a.2004956523087584/2120123188237583/?type=3&theater>.



21. On October 16, 2018, at the regularly scheduled PTO meeting, I once again discussed with the members our ongoing efforts to counteract the changes to the specialized high school admissions process.
22. On October 17, 2018, in my capacity as PTO president, I attended the District 20 CEC meeting along with many PTO members. The meeting took place at IS 201 (Dyker Heights Middle School), located at 8010 12th Avenue in Brooklyn. The Department of Education presented its plans to expand Discovery and eventually abolish the SHSAT. During the comment period, I spoke to the CEC and the crowd and urged District 20 parents to hold the Mayor politically accountable for changes to the specialized high school admissions process designed to discriminate against Asian-American children. That night, the CEC approved a resolution critical of the Mayor and Chancellor's plans. My speech is available here: <https://youtu.be/o-3Q8mI6PAQ> (beginning at 15:55).
23. On December 3, 2018, I attended the District 2 CEC meeting wherein the Department of Education presented its specialized high school plans to District 2 parents. The meeting took place at the Clinton School, located at 10 East 15<sup>th</sup> Street in Manhattan. I explained to the CEC and the parents in attendance the effect the Discovery changes would likely have on Asian-American students. I also informed them that the PTO would be taking action with state legislators by attempting to persuade them to support a bill removing the specialized high schools from Mayoral control. I urged all attendees interested in learning more about our efforts to email me at my PTO email address. My remarks are available here: [https://www.youtube.com/watch?v=gkq\\_AMgl7bU&feature=youtu.be](https://www.youtube.com/watch?v=gkq_AMgl7bU&feature=youtu.be).
24. On January 15, 2019, the PTO hosted State Senator Andrew Gounardes, who represents the district that includes IS 187. Senator Gounardes discussed his opposition to the plans

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to overhaul specialized high school admissions and his proposal to build a new specialized high school in South Brooklyn to accommodate the large number of qualified students in the area. Senator Gourandes also stated that the Senate would exercise its oversight power over Mayor de Blasio, up to and including removing Mayoral control over the specialized high schools. He emphatically promised to oppose the repeal of Hecht-Calandra. His speech to the PTO is available here:

<https://www.youtube.com/watch?v=c0dfmqmOhSw&feature=youtu.be>.

25. On January 23, 2019, in my capacity as PTO president, I met with New York City Councilman Mark Treyger. Councilman Treyger made it known that he opposes the Mayor's changes to specialized high school admissions policies and that he supports expanding Gifted and Talented programs throughout the city. He offered praise for IS 187 and said that every district in New York City should have a school like ours. The meeting was documented on the PTO's Facebook page:

<https://www.facebook.com/ChristaMcAuliffeIntermediateSchoolPTO/photos/a.2004956523087584/2186585428258025/?type=3&theater>.

26. On January 24, 2019, several PTO members (including me) attended a town hall meeting with Mayor de Blasio and Chancellor Carranza wherein the Mayor and Chancellor defended their plans for the specialized high schools. The meeting was held at Boys and Girls High School, located at 1700 Fulton Street in Brooklyn. The town hall is available here: <https://www.youtube.com/watch?v=ICIAzV5UPnM&feature=youtu.be>.

27. On January 25, 2019, in my capacity as PTO president, I met with State Assemblywoman Nicole Malliotakis. In conjunction with CACAGNY, we held a press conference outside IS 187 with Assemblywoman Malliotakis and IS 187 parents. The Assemblywoman

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pledged to support expanded Gifted and Talented programs and stronger K-8 education to give all students a better opportunity to pass the SHSAT. She opposed efforts to change admissions standards that would hurt IS 187 students. The press conference was documented here on the PTO's Facebook page:

<https://www.facebook.com/ChristaMcAuliffeIntermediateSchoolPTO/posts/2188547158061852>.

28. Through these actions, the PTO has expended significant energy and resources in an attempt to counteract the challenged changes to specialized high school admissions. I have represented our parents in front of officials and lawmakers in all levels of government. The PTO has consistently made the case that the proposed changes would disproportionately hurt IS 187 students. We have also proposed several alternative policies, including creating more specialized high schools, opening access to additional screened high schools in Manhattan, and expanding Gifted and Talented programs. Further, we have lobbied the legislature in Albany not only to stop the repeal of Hecht-Calandra, but to remove the specialized high schools from Mayoral control.
29. If no changes to the specialized high school admissions process had been proposed, the PTO could have spent the significant time that went into countering these policies on other issues important to the parents and students of IS 187.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 08 day of February 2019, at 1245 hours at 7711 Ridge Blvd Brooklyn NY 11209

  
VITO LABELLA