Jerry T. Jordan, President
Testimony in Favor of Bill No. 210685
Presented before Licenses and Inspections Committee
November 5, 2021

Testimony Attachments:

1. Letter from PFT President Jerry Jordan to Dr. Hite, 10/15/21
2. Letter from Dr. Hite to PFT President Jerry Jordan, 10/20/21
3. Fund Our Facilities Letter to Dr. Hite, 11/2/21
Via Electronic Transmission

October 15, 2021

Dear Dr. Hite:

I am writing to outline a number of persistent and urgent facilities issues that need immediate attention. These are conditions that we have repeatedly shared with District officials. Throughout this communication, I provide a host of examples of ongoing issues at a number of schools. These issues are not stand alone issues, and in fact are representative of concerns we are seeing District-wide. I provide them as examples to demonstrate the scope of our concerns as well as specific instances where the District’s process of addressing these urgent issues is failing. All photos are directly from our Healthy Schools Tracker App, to which the District has direct access and has made multiple commitments regarding responses.

Before providing specific situations, I want to lay out the overarching concerns I have:

First, it remains unacceptable that Jerry Roseman does not have regular access to buildings. In a meeting with members of your team on September 20, 2021, I raised concerns regarding the removal of Jerry Roseman from Frankford High School. Larisa Shambaugh informed me that she would provide the District's proposed protocols for Mr. Roseman’s access to buildings. I have not yet received the proposal, and wish to be clear that I will object to any proposal that does not allow him similar access as he has had for close to forty years.

Second, the response time to submissions on the Healthy Schools App is unacceptable. As you will see in several examples below, problems that we have deemed Immediate (needing response within 24 hours) or Urgent (needing response within 3 days) are left to languish sometimes for years. This is absolutely disgraceful. Further, with your commitment to the community that the District would put “eyes” on suspected damaged asbestos within 24 hours of reporting, it is especially confounding to me the amount of time that these conditions are allowed to persist. There are, as of 10/14/21, twenty-three (23) schools with more than ten (10) outstanding problems. Many of these problems are marked as immediate, urgent, or important. A full list of those schools, and incomplete problems is attached.

Third, the District refuses to implement protocols that have either been in practice for years or protocols that have been agreed upon, or protocols that we have outlined that are best practices. Attached to this letter are six such documents: the lead paint and plaster procedures and lead clean-up protocols; the asbestos best practices; the jointly developed asbestos assessment policies; our summary of the mold remediation procedures based on previously implemented practices; and the Healthy Schools App

Attachment 1
protocols. At this current juncture, zero of these documents are being implemented with fidelity, and students and staff are more vulnerable to toxins as a result.

These issues encompass an ongoing litany of concerns I have with the District’s approach to the facilities crisis. I recognize the ongoing funding needs--and that is exactly why this Union has taken the leading role in advocating for funding at every level of government in any form possible to address these concerns. However, as you will note in a number of the examples below, poor planning and execution have exacerbated problems.

I hope the information below will serve as instructive examples of the work that needs to take place and the urgent course corrections that must be implemented.

School Examples and Courses of Action

Richard Wright School

Over the course of several years, staff at Richard Wright have submitted dozens of concerns regarding broken asbestos floor tiles, and often report back that despite the District’s marking the issues “complete” on the Healthy Schools App, the tiles are in fact not fixed.

The tiles at Wright must be addressed using the jointly developed PFT-SDP asbestos assessment protocol document, attached for your reference. A number of the submissions on the App would fall under categories in need of swift remediation--certainly not allowed to persist for years. Below you will find a particularly concerning situation in room 203.
The photo pictures removed asbestos tiles, leaving behind asbestos mastic. The mastic, now damaged by water intrusion from a faulty HVAC unit, presents a particular danger. This problem was first submitted in May of 2019, with notes from District officials (via the App) that work orders have been in place since 2018. Now, the water damage has increased the environmental hazard from the asbestos significantly. This is a problem that could have been relatively straightforward to address, but unfortunately was not, and now presents a much more significant concern. Room 203 is but one example at Richard Wright of incomplete work to address damaged asbestos tiles.

Richard Wright Course of Action: The tile work at Richard Wright must be immediately addressed, and damaged asbestos must be addressed according to the asbestos best practices. Particular attention must be paid to the water damaged mastic in room 203.

Furness High School

Through our Healthy Schools Tracker App, we have received ninety-nine (99) submissions from Furness, with sixty-four (64) problems unresolved. Further, of those 99 submissions, thirty (30) have been marked as “urgent” or “immediate.” These conditions include lead, asbestos, water damage, and unsanitary conditions.

It is unconscionable that, despite ongoing efforts to remediate these toxic hazards, the students and staff have been left without appropriate solutions to the massive issues in their buildings. From the lead dust particles to possible asbestos, the impacts of these conditions are very serious.

We have toured Furness multiple times, shared our concerns repeatedly, and yet the issues persist. It is absolutely imperative that a full and thorough joint PFT-SDP assessment take place and that a true plan for remediation is implemented swiftly.
Below are several examples of absolutely disgraceful conditions and their current status:

**Left: Room 317**
Submitted: May 15, 2019  
Last District Update: August 19, 2019  
Source under investigation, will have an update by Friday 8/23/19

**Right: Room 330**
Submitted: April 30, 2021  
Last District Update: June 9, 2021  
All paint and plaster issues are currently being checked by maintenance personnel on the best way to address this situation

**Left: IMC/Library**
Submitted: April 30, 2021  
Last District Update: June 9, 2021  
All paint and plaster issues are currently being checked by maintenance personnel on the best way to address this situation

**Right: Room 106**
Submitted: Repeatedly over the course of years  
First report 9/4/2019  
Last submission from April 2021, with note: Twice fixed, paint flakes and turns into dust when the window is open.  
Last District Update-1: September 27, 2019: Work order created for Painters  
Last District Update-2: June 9, 2021: All paint and plaster issues are currently being checked by maintenance personnel on the best way to address this situation
The U School

Conditions in this building are absolutely disgraceful, and the District’s recent public claim of having no record of any concerns in the building is reprehensible. Through our Healthy Schools Tracker App, we have received, and in turn submitted to the District, forty (40) submissions. Of those submissions, twenty (20) have been marked as “urgent” or “immediate,” and yet have been allowed to languish by the District for, in some cases, more than three (3) years.

The conditions in this building present concerns including asbestos, lead, mold, and other respiratory hazards. Despite the persistent reporting of these issues, and repeated follow up by the PFT, very little has been done to address these issues in any sort of comprehensive manner. The approach, which appears to be currently employed, of plastering over damage is wholly insufficient. The damage pictured in the App submissions is indicative of incredibly long term deterioration that has been allowed to persist without systemic remediation. The damage pictured includes several emergency situations, including exposed and damaged asbestos, flaking lead paint, particulate matter coating floors and windowsills, and moisture damage.

Much of the water damage might be attributable to roofing system deficiency and deterioration (FCI is 89.73% = extremely deteriorated) and/or possible other sources. The school was inspected in August of 2015 - 6+ years ago, without underlying repair and improvement.

A number of more recent submissions of issues at the U School were marked on October 13, 2021 as having work orders created for plasterers and electricians: Plasterers and the electricians are here at the U school also looking into the job and repairing it.

The work will be critical, but it cannot be done as one-off jobs. A joint review and remediation plan is imperative. Without truly addressing the source of the issues (likely the deteriorated roof), any work completed will not be sustained.

Several of the older problems from U School are pictured below and exemplify the building-wide issues that should have triggered an immediate and joint assessment and remediation plan years ago.
Course of action for The U School and Furness High School: The examples at both The U School and Furness High School are emblematic of the urgent need for the implementation of joint inspections with the Federation and the District, along with the implementation of our agreed upon and past practices for asbestos, lead, and mold remediation. A comprehensive and jointly developed remediation plan must be implemented for both buildings. Those documents are included for your reference.
**Baldi Middle School:** The ongoing mold issue at Baldi is particularly concerning, and we believe that it is likely present at a number of schools throughout the District. Despite recent repeated and thorough communications from the PFT to the District regarding our concerns at Baldi and elsewhere, and our proposed joint course of action, we have received no response other than minimal information via the App. Jerry Roseman has written a number of times to ensure that the previously in place mold protocols, including a joint assessment and plan for remediation, would be implemented, and he has been ignored. Those protocols are attached, and should be implemented.

The situation at Baldi is very serious and requires the isolation of areas that have not yet been remediated. An extensive joint inspection must occur. Despite District App reports that a walkthrough took place on September 23, 2021 and that a remediation plan is in place, we have zero understanding of the scale, scope, or source of the problem.

As such, we cannot trust that the remediation plan is comprehensive and will actually address the scope of the issue. Time and again, we have seen issues reoccur because of refusal to implement a plan addressing the underlying sources of issues. At Baldi, and all other schools facing similar issues, we must know whether the mold growth is due to deterioration of insulation, lack of insulation, or another cause. And this cannot be based on an assessment of one area over a damaged ceiling tile. Without a comprehensive remediation plan, this problem will persist.
Ben Franklin Elementary School: We are equally concerned about recent reports of unremediated mold at Ben Franklin Elementary School. I draw your attention to a report received on October 8, 2021 of an urgent and persistent problem in Room 113, where the submitter noted: The air conditioner system has not worked since school started. I have had extreme water drainage from the ceiling, requiring multiple buckets that have gotten filled to the top and overflowed. Drenched Ceiling tiles have fallen down.

The member notes that despite repeated clean-ups, the problem persists. There are a number of other mold concerns submitted at the school. This issue, pictured above, represents mold, asbestos, and lead concerns and rings alarms about possible school-wide contamination.

Course of Action for Baldi, Franklin Elementary: As with Baldi Middle School, as with Frankford High School, as with Gompers Elementary School, and as with any location where mold is suspected or present, it is incumbent upon the District to engage in a good-faith partnership with the PFT to jointly assess and plan for remediation.

Overall concerns:

Again, I am reiterating our call to address the concerns outlined at the start of this letter, including but not limited to the following:

- Immediate access to buildings for Jerry Roseman and members of his team
- Addressing the chronic lapses in responses and remediation plans on the Healthy Schools Tracker App
- Utilizing, with fidelity, the policies and procedures outlined in the attached documents: asbestos best practices, jointly developed asbestos assessment procedures, mold remediation procedures, and the paint and plaster protocols, and Healthy Schools Tracker App protocols
• Implementing the recommended course of action outlined above for specific schools and situations, while noting that these situations exemplify district-wide concerns, and similar courses of action must take place anywhere problems are identified.

The issues I have outlined here have real, documented impacts on the health and safety of our students and staff.

Our team remains committed to ensuring that each and every student and staff member in our District has access to safe, healthy schools in which to learn. The issues I have outlined above are critical.

I want to highlight, as well, that in each of these schools, and in many others, a robust, coordinated and collaborative inspection, assessment and solution development process involving District managers and PFT, must immediately be put in place to effectively address environmental hazards and facility condition deficiencies.

It is deeply disturbing that our repeated efforts to work towards what should be this collective goal are ignored or rebuked. The protocols and practices outlined in the attached documents must be followed. While we continue our efforts to bring much needed resources to the District, the District must work on these desperately needed shifts in operational practices in order to keep our children and staff safe.

Sincerely,

Jerry T. Jordan

Attachments
October 20, 2021

Via E-mail: [redacted]
Jerry T. Jordan, President
Philadelphia Federation of Teachers
1816 Chestnut Street
Philadelphia, PA 19103

Dear Mr. Jordan:

I am writing in response to your October 15 communication to address your concerns about the process of addressing environmental issues and to challenge your implication that the School District of Philadelphia is lacking urgency in addressing the most pressing concerns in our buildings.

We expect - and indeed our students, families and staff deserve – that we will be held to account for how to use our extremely limited resources to maintain hundreds of schools and buildings, dozens of which are more than 100 years old. We take reports of potential hazards seriously.

However, raising vague claims, creating duplicative work streams, and demanding the District conform to standards beyond regulatory and contractual specifications is not helpful to achieving safer schools nor to providing an accurate depiction of the effort being made.

Let me be clear: the health and safety of students and staff is unequivocally our top priority.

To address specific areas raised in your communication:

We prioritize responding to reports of alleged conditions that could cause immediate and substantial harm to students and staff. Coordination with a third-party’s calendar would cause delay to the District’s response to a potential health and safety concern. You seek to hold us accountable for not moving fast enough, yet when we act without deferring to Mr. Roseman’s schedule, we are accused of bad faith. We must first act in the best interests of the students and staff, then turn to communicating the details of what we have found and what will be done.

The PFT’s environmental consultant, like other third parties, does not have the authority to explore our buildings without coordination with the District. Mr. Roseman did not alert District staff ahead of his arrival at Frankford High School, and he was denied entry by the principal. However, Mr. Roseman has since been allowed into District buildings when he has coordinated the timing with the District. While Mr. Roseman is not a PFT employee, a licensed building inspector or an AHERA Project Designer, he is allowed to do joint walk-throughs when the District tours a site with contractors and conduct side-by-side testing after remediation of asbestos. Mr. Roseman must continue to coordinate in advance with District staff regarding access to District buildings. The District is developing specific protocols to guide this process.
I would also like to address the points you made regarding the Healthy Schools App. The Healthy Schools App is not the District’s database for managing reports of facilities issues. Reporting through that platform creates additional delay in the process of addressing the issues reported because we understand that the PFT vets the reports submitted to the App before providing the information to the District. If PFT wants to encourage timely reporting and remediation of such issues, they should recommend their members contact Building Engineers at the schools to address identified issues and to enter work orders in the District’s MOJO system, as appropriate. PFT could then use the Healthy Schools App to maintain their own records to track the District’s progress.

However, since PFT has been unwilling to do this, and because the District takes reports of potential hazards seriously, the District has agreed to accept reports from the Healthy Schools App. The District has assigned a person in our Facilities department to track these reports, confirm they are being incorporated into the District’s MOJO system, and report back on progress.

Although the PFT assigns priorities and timelines for response to issues reported through the App, the PFT has no way of knowing whether those issues are, in fact, the most urgent priorities across all of the District’s facilities. That is the determination of the District.

To briefly address the specific schools, you cited:

- Wright: The District has determined what it believes to be the underlying source of the leak and is working to address the issue.
- Furness: The District will be able to address the vast majority of work orders through a paint and plaster project, which is scheduled for board approval this month.
- U School Room 305: The concrete repair has been completed and the roofing repairs above the area will be completed this evening. Plaster paint repair will start tomorrow, October 21. Students do not have access to this space.
- Baldi: The mold, as you know, already has been addressed. Work has begun regarding the insulation and is in progress.
- Franklin Elementary: This is in review; PFT indicated this issue occurred on October 8, 2021, but the District was made aware of this issue on October 15, 2021.

We all are working toward the same goal: achieving and maintaining a safe and welcoming environment for all students and staff in all of our buildings. We appreciate your partnership to move forward on a constructive basis to help us achieve regulatory standards, not compel us to conform to outside mandates that can exacerbate the disparities or challenges we already experience in our District.

Please feel free to reach out to discuss.

Sincerely,

William R. Hite, Jr., Ed.D.

WRH/dpw

c: Alicia Prince, Chief of Staff
Reggie McNeil, Chief Operating Officer
November 2, 2021

Via electronic transmission

Dear Dr. Hite,

As members of the Fund our Facilities Coalition, we remain deeply committed to the fight for healthy and safe school facilities. Our Coalition came together in 2019 to identify real, workable solutions to the District’s ongoing facilities crisis. We have relentlessly advocated for funding from every level of government, and we will continue to do so. Our advocacy has yielded millions of dollars in increased funding for facilities remediation, and we have much work ahead in securing the urgently needed funding to address the ongoing crisis of lead, asbestos, mold, and other environmental hazards.

Part of the work we continue to do as a coalition is to also identify process-based issues that need to be addressed. We work closely with the Philadelphia Federation of Teachers, the founders of the Coalition, and we have found that the information that we receive from the PFT regarding facilities to be honest, detailed, and logical. Unfortunately, with the District’s refusal to engage in a good-faith partnership with the PFT in order to address the facilities crisis, far too much effort has been put into just securing the basic information about the infrastructure needs of our schools.

We are particularly discouraged by the District’s ongoing refusal to partner with PFTHW’s Director of Environmental Science Jerry Roseman in coordinating school visits and evaluations along with providing the appropriate data. Further, we are discouraged that the District continues to refuse to implement protocols that have been in place for years (some of which were jointly developed by the District and Union). We also understand that the Union has put forth additional proposals around issues such as asbestos best practices, and the District has declined to adopt these protocols.

The PFT has provided a series of recommendations regarding overall practices, and has also provided a series of recommendations and in depth reports with regards to specific schools. The fact that these recommendations have not only gone unheeded, but in fact have often gone ignored, is simply
 unacceptable. We found the October 20th response you provided to the PFT’s October 15th letter to be wholly inadequate. The issues they raised were not addressed substantively, and in fact some of the responses were either false or misleading.

- For example, while you note that the District conforms to "standards beyond regulatory and contractual specifications,” this is at the very least misleading — the District is not even following its own internal standards, nor do they follow the practices that have been in place for decades.

- Additionally, it is disingenuous to claim that the District makes a substantive attempt to coordinate any environmental assessment scheduling with the Union when in fact the District does not even notify the Union any longer about when they are planning to visit a school or where they are going. The attempt to blame the lack of shared information on a scheduling issue is offensive.

- In addition, we are compelled to respond to your comments about Jerry Roseman’s qualifications to do this work. Just for context and comparative purpose, neither the OEMS Director, Stephen Link, nor the OEMS Environmental Compliance Manager, Kevin Meldrum, nor the OEMS Environmental Compliance Manager, Gaeton Tavella, is listed on the City of Philadelphia Air Management Services, Asbestos Control Division’s 2021-2022 list of Certified Asbestos Project Investigators or the 2021-2022 list of Certified Asbestos Project Inspectors. Additionally, none of the 3 OEMS managers appear on the State of PA list of certified “Asbestos Project Designers.”

- There are other factual inaccuracies, too. For example, the problem referenced at Ben Franklin Elementary was reported at 5:30 PM on a Friday, October 8 and was accepted by the Union on Monday morning. From that point on, 9:57 AM on October 11, the District had access.

In addition, the PFT raised specific examples of extremely hazardous conditions in schools as exemplary of a District-wide crisis. **The responses to these specific scenarios provided little substance as to how the urgent hazards will be addressed.**

In a subsequent visit to Richard Wright following the issues raised in the letter, the PFT provided the District with a detailed feedback report regarding urgent action items, including rooms that should be immediately unoccupied. To our knowledge, no response has been received, and the rooms remain occupied.

We are thrilled that Furness appears to be on the brink of some progress towards remediation. But we have been raising concerns about Furness for years. And we are still left with students learning, and staff working, in absolutely unconscionable conditions. **We need specifics about the remediation plan for the school, and we need an accelerated timeline and action plan that is clear and publicly available.**
The issues at the U School, too, have been reported for years. It is absolutely unacceptable that the District stated in the media that the District was unaware of any issues at the school until a partial ceiling collapse. This is untrue and disturbing.

We share the PFT’s unanswered questions regarding Baldi Middle School, Frankford High School, Masterman, Heston, and many other buildings.

We reiterate the PFT’s demands in their October letter:

- Immediate access to buildings for Jerry Roseman and members of his team
- Addressing the chronic lapses in responses and remediation plans on the Healthy Schools Tracker App
- Utilizing, with fidelity, the policies and procedures outlined in the attached documents: asbestos best practices, jointly developed asbestos assessment procedures, mold remediation procedures, paint and plaster protocols, and Healthy Schools Tracker App protocols
- Implementing the recommended course of action outlined above for specific schools and situations, while noting that these situations exemplify district-wide concerns, and similar courses of action must take place anywhere problems are identified.

We are deeply concerned about the ongoing lack of transparency and accountability related to the facilities crisis. If it were not for the work of the PFT, many of these issues would remain hidden from the general public.

Our coalition will continue to advocate for the urgently needed funding to provide our students and staff with the schools they so richly need and deserve. We will also continue to draw attention to the extraordinary process-based problems we observe, and we call on you to implement the protocols provided by the PFT. Our Coalition is committed to this work, and we are committed to doing all we can to advocate for the healthy and safe schools our children and staff deserve.

We would be happy to meet with you to further discuss.

Sincerely,

The Undersigned Members and Supporters of the Fund Our Facilities Coalition
Damon Allen
Damon Allen, SEIU Local 668

Rick Bloomingdale
Rick Bloomingdale, President, Pennsylvania AFL-CIO

Donna Bullock, State Representative, HD195

Kendra Brooks, Councilmember at Large

Morgan Cephas, State Representative, HD192

Thelma Clements
Thelma Clements, APRI Philadelphia Chapter

Patrick J. Eiding, President, Philadelphia Council AFL-CIO

Elizabeth Fiedler, State Representative, HD184

Nicole Fuller, Executive Director, PhilaPOSH

Jamie Gauthier, Councilmember, 3rd District

Katherine Gilmore Richardson, Councilmember at Large

Derek S. Green, Councilmember at Large

Helen Gym, Councilmember at Large

Mary Isaacson, State Representative, HD175

Arthur Haywood
Arthur Haywood, State Senator, SD4
Joseph C. Hohenstein, State Representative, HD177

Vincent Hughes, State Senator, SD7

Jerry T. Jordan, President, Philadelphia Federation of Teachers

John Kane
John Kane, State Senator, SD9

Tim Kearney, State Senator, SD26

Malcolm Kenyatta, State Representative, HD181

Stephen Kinsey, State Representative, HD201

Rick Krajewski, State Representative, HD188

Larry Krasner
Larry Krasner, District Attorney, Philadelphia

Leanne Krueger, State Representative, HD161

Maureen May
President, Pennsylvania Association of Staff Nurses and Allied Professionals

Ashley McBride, Executive Director, For Our Future PA Action Fund

Leader Joanna McClinton, State Representative, HD191, Minority Leader

Jennifer O’Mara, State Representative, HD165

Cherelle Parker, Council Member, 9th District, Majority Leader
Darisha Parker  
Darisha Parker, State Representative, HD198

Rebecca Rhynhart, City Controller, Philadelphia

Chris Rabb  
Chris Rabb, State Representative, HD200

Eric Rosso  
Eric Rosso, Executive Director, PA Spotlight

Bishop Dwayne Royster, Executive Director, POWER

Nikal Saval, State Senator, SD1

Brian Sims, State Representative, HD181

Frank Snyder  
Frank Snyder, Secretary-Treasurer, Pennsylvania AFL-CIO

Natalie Sowinski, Working Families Partnership

Arthur G. Steinberg, President, AFT Pennsylvania

Sharif Street  
Sharif Street, State Senator, SD3

Mark Squilla, Councilmember, 1st District

Christine M. Tartaglione, State Senator, SD2

Isaiah Thomas, Councilmember at Large

Tom Tosti  
Tom Tosti, Director, AFSCME District Council 88

Randi Weingarten  
Randi Weingarten, President, American Federation of Teachers

Mike Zabel  
Mike Zabel, State Representative, HD163