

Citywide Council on Special Education

Resolution #007 Changes of School Governance

The Citywide Council on Special Education (CCSE), was established by NYS Education Law 2590-B, 4 b (1-3) advise and comment on any educational or instructional policy involving the provision of services for students with disabilities; . . . and make recommendations, as appropriate, on how to improve the efficiency and delivery of such services.

WHEREAS, Chapter 91 of the Laws of 2002 (the Law) and Chapter 123 of 2003 established a centralized, mayoral control system of governance for the New York City School District, and in April of 2019 the legislature extended the provisions of mayoral control for three years, until June 30, 2022; and in the January 2022 preliminary State Budget Governor Hochul proposes an extension of mayoral control for an additional 4 years¹

WHEREAS, in accordance with the Law, the Citywide Council on Special Education is part of the Citywide and District Community Education Councils (CCECs) that are composed of parents and community members who have been elected or appointed to serve. The Citywide Education Councils are composed of parents of specific cohorts of students, representing NYC public school students and their families;

WHEREAS, the current construct of Mayoral Control limits or removes the powers inherent in the Community Education Councils

WHEREAS, within the New York State Education Law 2590 (b) states that the community and citywide councils shall have no executive or administrative powers or functions;

WHEREAS, the Panel for Education Policy, which does have the power to enact policy, continues to remain an almost entirely appointed council that some in the legislature have referred to as the Mayor's rubber stamp;^{2, 3, 4}

WHEREAS, with the exception of one Parent Member, all other members of the Panel for Education Policy are appointed by the Mayor and Borough Presidents, in conjunction with the City Council, and are not actually elected by the people that they represent;⁵

WHEREAS, with each new Mayor there has been disruption and upheaval of the public-school system

WHEREAS, after 20 years of Mayoral Control of NYC schools it is reasonable that an independent assessment of the effectiveness of mayoral control be conducted

WHEREAS, reviewing the effectiveness of Mayoral Control, will give stakeholders the necessary information to improve upon school governance that values the voices of parents, students, and community stakeholders.

WHEREAS, students with IEPs still graduate at a lesser rate of their comparable peers in general education

WHEREAS, only 16% of students with IEPS graduate with grade level proficiency in ELA and Math.

¹ <https://ny.chalkbeat.org/2022/1/18/22890294/ny-hochul-budget-2022-schools-increase-mayoral-control>

² https://comptroller.nyc.gov/wp-content/uploads/documents/NYC_NoMoreRubberStamp_v24_Jan2013.pdf

³ <https://ny.chalkbeat.org/2009/5/19/21085356/mayoral-control-critics-give-school-board-literal-rubber-stamps>

⁴ <https://www.educationviews.org/panel-for-education-policy-a-laugh-but-no-joke/>

⁵ <https://www.schools.nyc.gov/about-us/leadership/panel-for-education-policy>

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WHEREAS, Citywide and Community Education Councils are advocates for students and their parents, functioning as an advisory board, in that they frequently write resolutions, conference with Superintendents, Chancellor and various Department of Education officials, and the Special Education Office, learn about policy, curriculum, budgets and more, and give an inordinate amount of volunteer hours to support their communities;

WHEREAS, Citywide and Community Education Councils hold regular monthly accessible public meetings, consistently communicating with the public to keep community members informed of any challenges, ideas, and progress that the Council and Department of Education may have to share;

WHEREAS, Citywide and Community Education Councils provide the Department of Education with the on-the-ground knowledge of their community's resources and needs,

WHEREAS, a new, more democratic form of School Governance, will allow for greater parent voice, transparency and accountability:

THEREFORE, BE IT RESOLVED that the composition of the PEP shall be an odd number of members, as follows:

- 5 members who are current or former NYC public-school parents, appointed by the Borough Presidents
- 5 members who are appointed by the Mayor of the City of New York who have expertise in issues regarding the education of all children
- 5 members who are current public-school parent, elected by all the members of the Citywide and District Community Education Councils
- 1 member appointed by Public Advocate office
- 1 member appointed by the Citywide Council on High Schools
- 1 member appointed by the Citywide Council on Special Education
- 1 member appointed by the Citywide Council on English Language Learners

For a total 19 voting Panel for Education Policy members, who shall serve as a voice for all public-school stakeholders

BE IT RESOLVED that one non-voting appointee from the NYC comptroller's office be added to the Panel for Education Policy to encourage fiscal oversight and accountability;

BE IT RESOLVED that an appointed Panel for Education Policy member will be allowed to serve out their term on the Panel for Education Policy except in exigent circumstances.

BE IT RESOLVED that all Citywide and Community Educational Council members be allowed to vote for the parent representative(s) on the Panel for Education Policy;

BE IT RESOLVED that all appointments by the Mayor and Borough Presidents be reviewed by Citywide and Community Education Councils who will then have the opportunity to give feedback that will be added to the public record before finalizing any appointment to the PEP in order to encourage parent and community engagement and accountability in the appointment process.



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BE IT RESOLVED that a designated records access officer⁶ be assigned at the Department of Education, tasked with the responsibility of fulfilling timely data requests made by Citywide and Community Education Councils, able to articulate what data the Department of Education is at legal liberty to disclose, interpreting and presenting available data and accept input on further data to be collected and disseminated over time; thus increasing transparency for all

BE IT RESOLVED recurring data reports be generated and provided every 90 days (quarterly) and that data requests should be provided within 90 calendar days of request

AND, BE IT FURTHER RESOLVED, that the NYS Legislature create a cooperative task force made up of NYC public school parents, Citywide and Community Education Councils' members, local and statewide elected officials with knowledge of special education and English Language Learner systems, New York State Regents, and Panel for Education Policy members to conduct a comprehensive study on school governance in New York city, and submit recommendations on a transition plan for school governance in New York City that will increase parent voice, increase shared responsibility in school governance, add checks and balances for greater oversight and accountability, and increase structure consistency and sustainability in Citywide and Community Education Councils and educational policy.

[Handwritten Signature]

(Council Co- President's Signature)

1/15/2022

(Date)

Heather Daily

(Witness Signature)

01/20/2022

(Date)

[Handwritten Signature]

(Council Co- President's Signature)

1/25/2021

(Date)

Heather Daily

(Witness Signature)

01/20/2022

(Date)

⁶ Or other appropriate title