



EDUCATION COUNCIL CONSORTIUM

www.ecc-nyc.org

Issues Brief for Legislators

March 2024

This Brief covers the following areas:

1. **Mayoral control**
2. **State Education Funding**
3. **Charter School Accountability**
4. **Amend the Open Meetings Law**
5. **Citywide Leadership Team**

1. Mayoral control

First and foremost, we demand the Governor to take Mayoral control out of the budget. To include it in the budget, ahead of the release of the Commissioner's report on Mayoral control, makes a mockery out of the public hearings.

After more than 20 years and 3 Mayors, parents and students of NYC public schools need a new school governance system. We propose that the State legislature take on a gradual, phased approach to transition from the current system of Mayoral control to a new system to be created by rightsholders. Specifically we recommend the following:

- Enact a law that establishes a commission during the 2024 Session, with the commission to be convened by December 31, 2024
- Task the commission to develop a new governance system by June 30, 2026, with implementation beginning in the 2026-2027 school year, with the transition complete by June 30, 2030
- The commission must have the following representation:
 - Parents of students in NYC non-charter public schools
 - Students in NYC non-charter public schools
 - Teachers in NYC non-charter public schools
 - School leaders in NYC non-charter public schools
 - Academic researchers with expertise in public education policy and education history
 - Representatives from community based or non-governmental organizations serving immigrant families, economically disadvantaged families, unhoused families, LGBTQ children, children with disabilities, children and foster care and families with limited English proficiency
- The commission must be required to release a regular progress report to the public throughout its deliberation process

The task of developing a new school governance system cannot be left up to a handful of policy makers and academics: those of us on the ground, living the consequences of mayoral control, must be involved to ensure all ideas are carefully and thoroughly examined from multiple perspectives.

While we engage in the collaborative process of developing the new governance system, below are some of our top level recommendations for short term amendments:

- Make Mayoral appointees on the PEP the minority by reducing the number to 9 members while keeping the

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Borough Presidents' appointees and CEC elected members the same [§2590-B(1)]

- Require contracts above \$5 Million be approved by the Comptroller as well as the PEP
- Explicitly include phase out or closure of zoned schools as changes in zoning that requires approval by Community Education Councils (§2590-E.11)
- Explicitly require approval by Community Education Councils on proposals to change school utilization (co-locations, phase out, closures of any school) [§2590-E.21]
- Reform the 2025 CCEC elections (§2590-C)
 - Permit endorsement
 - Prohibit half votes: all votes must be whole votes
 - More precisely define "parents" with voting rights [§2590-C(2)]
 - Move the elections to the Board of Election. If not feasible, require elections remain with central DOE and prohibit delegation to District offices

2. State education funding

The end of the federal COVID funding is threatening many programs and critical positions that have significantly helped our most vulnerable students and mitigated the impact of the pandemic. The programs at risk include:

- 3K,
- preschool special education,
- Summer Rising,
- Expansion of community schools,
- Sensory Exploration,
- Education and Discovery (SEED),
- Restorative justice,
- literacy instruction & dyslexia programming,
- translation & interpretation services, and
- Student Success Centers.

Positions at risk are social workers, school psychologists, family workers, nurses, shelter-based coordinators, and bilingual staff.

We ask the state legislators to allocate funds to continue these programs and positions, so that we can continue to support students and families most impacted by the pandemic.

3. Charter School Accountability

There were more than a dozen bills in both houses calling for charter school accountability and transparency in the last session. We applaud and support these efforts, and urge the legislature to create a comprehensive system of accountability and transparency for charter schools. The current charter school system does not allow anyone other than the charter authorizers to review enrollment and school performance. The lack of transparency makes a mockery out of the public hearing process required for charter renewal and amendments.

Furthermore, the State must take every opportunity to push forward equity in the arena of **transitional aid**. The traditional public schools of New York City support over 900,000 students, and the State must not pinch away at the City's budget to fund state-authorized charters.

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We also call for the **elimination of the rent requirement** that New York City must uphold for charter schools—an arrangement that exists nowhere else in the United States. A recent data dive on the part of City Council discovered that numerous charter franchises are being housed in private buildings owned by the charters' foundations and operators, themselves. Charter franchises like Zeta, Success, & KIPP are listed as landlords for their own schools—this is clearly a flag for corruption, paid for out of the budget that funds New York City Schools, and must stop.

4. Amend the Open Meetings Law

The Open Meetings Law (OML) as amended did not make it easier for parents to attend School Leadership Team (SLT) or Citywide and Community Education Council (CCEC) meetings. SLTs and CCECs hold their meetings in NYC public school buildings, which are not equipped to host hybrid meetings. In addition, they lack IT staff who can assist with running hybrid meetings. For parents, it is imperative that these meetings be offered virtually with the ability to actively participate virtually (not passively observing).

We request that an exemption be made for SLTs and CCECs to meet fully virtually, without any in-person component. To address concerns of open government groups, we suggest that the annual meetings of these bodies be held in person or a certain minimum number of in-person meetings per year be set.

We do NOT support a virtual only meeting option for the PEP. The PEP members should meet in person and conduct a hybrid meeting in each of the five boroughs. They must be seen and heard by the public in the virtual space, and the public must be given the right to speak—be they attending virtually or in person.

5. Citywide Leadership Team

The ECC, along with the Chancellor's Parent Advisory Council, **strongly oppose** [A1799/S2967](#) establishing the Citywide Leadership Team in New York City. The bill amends the City's Administrative Code, not the education law, to create a duplicative school governance body. Our Memorandum of Opposition is [here](#).

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