



## **POLICY POSITION IN SUPPORT OF CONTINUED MAYORAL CONTROL OF NEW YORK CITY PUBLIC SCHOOLS 2017**

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**Citizens Union reaffirms its support for mayoral control of New York City schools and calls for a permanent extension along with other reforms it has long supported even if all in Albany are talking about temporary extension with strings attached as the session is about to end.**

Citizens Union believes that the decision by the state of New York in 2002, 2009, and again in 2015 and 2016 to assign to the mayor of the City of New York direct responsibility and control for the city's educational system remains sound policy as it has overall improved the system for most, but not all students. This centralized approach has brought mayoral responsibility and support for education to a level not seen under the old system, and ushered in important and needed accountability that rests with the mayor, who is directly elected by New York City voters. As a consequence of this support, mayoral control has brought welcomed change and needed stability, direction, funding, and progress to the education of the city's 1.1 million public school students.

Citizens Union believes that the fully implemented policy change from 2002 and positive experience now warrants permanent extension to allow New York City lasting responsibility for educating its students. The state legislature's planned and continued role in reauthorizing mayoral control undercuts the city's desire for, and Citizens Union's interest in, greater home rule. Though education policy is set primarily at the state level by the Board of Regents and state funding is provided by the governor and legislature, it gives us concern that legislators from across the state have a significant role in determining the specific governance structure and administration of New York City's public school system. We are further concerned that the renewal of mayoral control has become a political football that has been tied to other issues such as lifting the caps on charter schools, and allowed for political jockeying.

Given these political consequences and policy considerations, Citizens Unions supports the permanent extension of mayoral control to minimize the ability for future consideration of the law to be utilized for political purposes rather than to the benefit of the city's school children.

**Citizens Union reiterates its support for reforms to strengthen mayoral control to ensure it is even more accountable, transparent, participatory and effective.** Our reform proposals, as first issued in 2009,<sup>1</sup> are summarized as follows.

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<sup>1</sup> Citizens Union. "IMPROVING MAYORAL CONTROL: Strengthening Accountability, Transparency and Parental Participation in Public Education," June 2009. Available at:

[http://www.citizensunion.org/www/cu/site/hosting/Reports/CU\\_Report\\_Improving\\_Mayoral\\_Control\\_of\\_Schools\\_061209.pdf](http://www.citizensunion.org/www/cu/site/hosting/Reports/CU_Report_Improving_Mayoral_Control_of_Schools_061209.pdf)

**a. Governance**

i. **The Chancellor should continue to be appointed by the mayor** and serve as an *ex-officio* member of the Panel on Educational Policy (PEP). Changes should be made, however, to:

1. require greater transparency of the reasons why waivers are granted by the state education commissioner should candidates for chancellor not have the requisite educational background; and
2. eliminate the chancellor's ability to determine the Department of Education's procurement policy; the DOE should follow the Procurement Policy Board's rules, as is required of other city agencies.

ii. **The Panel on Educational Policies (PEP) should continue**, with the mayor appointing a majority of members who serve at his or her pleasure, including two mayoral appointees who are parents, with the chair selected by the PEP among the mayoral appointees. Changes made in 2009 to require more public notice of PEP activities should be retained. Further changes should be made, however, to:

1. require 90-day public notice prior to the mayor's removal of PEP members;
2. reduce the PEP to eleven members, with the mayor appointing six, and the five borough presidents appointing one member each;
3. appointees should represent the diversity of the city and its students, for example racial or ethnic, as well as parents of special education and English Language Learner (ELL) students;
4. give PEP responsibility for reviewing and approving all regulations made by the chancellor regarding school leadership teams (SLT) and the community education councils (CEC) to ensure their state-mandated roles are protected; and
5. PEP should have a minimal, but separate, full-time staff with responsibility to prepare policy briefings regarding proposals under its consideration.

**b. Transparency and Accountability** – The city's Independent Budget Office (IBO) and New York City Comptroller should continue to have oversight powers regarding the Department of Education (DoE), with full access to data regarding student and agency performance, as well as budgetary information, as provided in 2009. The City Comptroller should also retain oversight of DoE contracts.

i. **Greater transparency should be provided, however, regarding the Fund for Public Schools (Fund)**. The Fund has raised significant and unprecedented private funds for the DoE and also receives city funds to fulfill its mission. Though Citizens Union philosophically supports private-public partnerships, we have concerns about the lack of transparency in education funding from the Fund. Citizens Union recommends enhanced transparency about the funding relationship between the DoE and the Fund.

- c. **Access and Participation** – Changes made in 2009 to ensure greater parental access to, and participation in, existing education governance bodies should be retained regarding the Community Education Councils (CECs), School Leadership Teams (SLTs) and Community/District Superintendents. Further changes should also be made to:
- i. **Clarify the roles and responsibilities of the CECs and SLTs;**
  - ii. **Provide meaningful training for CECs and SLTs** to encourage parental participation and a clearer understanding of their responsibilities in these bodies, Specifically, the State Education Commissioner should develop minimum trainings and continuing education standards; and
  - iii. **Create a redress mechanism for parent representatives** in education governance bodies who believe that their statutory authority has been ignored or circumvented in the education decision-making process.

These bodies should also be individually empowered in the following ways:

#### **Community Education Councils (CECs)**

1. **CECs should continue to be empowered** in their current role overseeing the Comprehensive Education Plan for the district and preparing district report cards. Changes made in 2009 to require greater diversity regarding the representation of parents should be retained. **There should be, however, a more formal and detailed advisory process** as recommended by former Manhattan Borough President Scott Stringer and supported by Citizens Union in 2009 – a Uniform Parental Engagement Procedure (UPEP), which:
  - a. Outlines specific timelines for CEC review and input into educational decisions already afforded them, such as school closings, openings, and placement in existing schools; budgetary matters; district zoning changes; and general education practices;
  - b. Requires any proposal that needs CEC approval to be submitted to the CEC for a ninety-day review, public hearing, and decision period;
  - c. Requires any proposal that needs CEC consultation to be submitted to CECs for a sixty-day review and consultation period; and
  - d. Mandates that CEC input be submitted to the chancellor and must be responded to in any final decision.
2. **The borough presidents should become responsible for training and provide dedicated staff to support CECs**, similar to the training and support currently being provided for community boards by the borough presidents' offices. The borough presidents should also be responsible for developing curricula, publicizing opportunities and encouraging high participation on CECs.

#### **School Leadership Teams (SLTs)**

- **SLT members should represent the diversity of the city and its students**, for example racial or ethnic, as well as parents of special education and ELL students.

#### **Community/District Superintendents**

- While changes were made in 2009 to provide that superintendents are *predominantly* assigned to tasks within their own districts, **it should be further clarified that community/district superintendents return to being *solely* responsible for overseeing schools within their particular community school district**, rather than overseeing schools in other jurisdictions. This would provide a single point of contact for issues of concern to the district and a clearer path of accountability.