



Joel I. Klein
Chancellor

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Testimony Chancellor Joel I. Klein

New York City Council
Committee on Education

Oversight Hearing
Mayoral Control of New York City Schools

June 4, 2009

Good afternoon, Chairman Jackson and members of the Committee on Education. Thank you for inviting me to testify today about Mayoral Control.

As you know, lawmakers in Albany are hard at work, reviewing the law that granted the Mayor control of the schools. We've been engaged in a productive discussion with State leaders, and I'm confident that they will do their best to create conditions that will allow our schools and our students to build on the success that they've realized in the past few years since the initial law was authorized in 2002.

You just heard Deputy Mayor Walcott testify about the importance of Mayoral Control as a governance structure for the public schools of New York City. I will spend my time before you discussing, first, some of the key strategies that Mayoral Control has allowed us to implement, and, second, the results that this governance structure has allowed us to achieve.

When we started working together almost seven years ago, many public schools in New York City were in a dismal state. They weren't safe. "Choice" was a foreign concept. Teachers were paid far too little. There was no standard curriculum, so students in one part of the City couldn't expect the same kind of education as their peers in other neighborhoods. Educators didn't have the tools they needed to keep track of their students' performance. Some schools were dramatically under-funded, and school leaders were stifled—denied decision-making power and the resources they needed to make good decisions for students.

The culture was one that valued compliance over clear-minded decision-making and accepted excuses and finger-pointing as substitutes for results. Not surprisingly, outcomes were stagnant. Far too many children were failing, yet they were being pushed from grade to grade, through the school system, perpetuating a pattern of failure. Not surprisingly, too many students were dropping out of school. The graduation rate was low, and it had hardly budged in almost twenty years.

Since the Mayor took accountability and responsibility for the City's public schools, we've fundamentally changed the system—and transformed our students' results.

Here's a quick recap of some of the changes of the past six years:

- Schools and families now have tools to help them understand student performance and school performance—like the Progress Reports, which grade all schools A-F, the Quality Reviews, and the Learning Environment Surveys. These give schools and families the information they need to make good decisions, address problems, and build on strengths. I'd like to ask our Parent Link Program Leader, Jennifer Saltzstein, to show you the newest tool we launched for parents because I think it is so powerful and also indicative of something that would have been unimaginable only a few years ago.
- Schools now have core curricula in reading, math, science, and social studies, and we've created "blueprints" to guide the teaching of the arts. We've also created guides—now available through Parent Link—to help families learn about what their children are learning at each grade. We cracked down on social promotion, so students weren't pushed through the system without learning the skills and knowledge they needed to succeed. And we've focused on instruction in our middle schools, where students struggle the most.
- Schools have more money and are funded more fairly. We cut more than \$350 million from the education bureaucracy and sent it to schools and classrooms and between new contributions from the State and the City, we've increased funding to schools by nearly 50%. We've created a new funding system in the City, so schools start on an even footing, with the same funds for the same student populations. And we have given school leaders and their communities—the people who know schools and students best—the

ability to make the key decisions about how these resources are spent through school-based budgeting. Obviously, this year is a difficult one for schools' budgets, but it doesn't negate the changes that have taken place over the course of the administration:

- We've brought significant school choice to our City, giving families good choices. By fall, we will have opened 335 new traditional public schools, as well as 84 public charter schools. There is strong demand for many of these schools because they are helping students achieve at much higher levels than the schools they replaced.
- We've worked to build leadership capacity in our system through the Leadership Academy and through more rigorous mentoring and support. Today, 227 graduates of the Leadership Academy are serving as New York City public school principals. Salaries are up almost 25% and principals are now eligible for \$50,000 bonuses if they succeed in the hardest jobs.
- We've also started investing more heavily in teachers. Salaries are up 43% and we have devoted more than \$2 billion to professional development for teachers. We've also reduced class size at all grades, and have created a plan to reduce it further, assuming the requisite funding is available.
- We're also working with the UFT to ensure that all of our students have great teachers. We ended bumping and involuntary placements of teachers so that principals can choose the teams they think are best for their schools and students. We've also worked with the UFT to create incentives that reward top teachers who take on tough jobs and teachers who help students make substantial academic progress.

Our experience over the past seven years in New York City demonstrates that mayoral control provides the necessary ability to make real changes in the largest school system in the country. The sorts of reforms we have implemented would not and could not have happened in the absence of such authority. By definition, such reforms are often controversial. You certainly don't have to agree with every program we've undertaken or policy we've implemented, but I think it's clear that to get the job done—and get it done right—we need real reforms, not the feel-good strategies that too often characterize school reform.

Our results show how far we've come, so let me give you the highlights:

- Significantly more students are succeeding in reading and math. When we started this work in 2002, only about half of our fourth graders were meeting learning standards. Today, 85% of our fourth graders are meeting or exceeding math standards and almost 70% are meeting or exceeding English standards. When we started in 2002, fewer than 30% of our eighth graders were meeting or exceeding standards in either math or English. Today, more than 70% are on target in math and nearly 60% are meeting or exceeding standards in reading.
- We have made substantial progress in narrowing the achievement gap. For our fourth graders, we have cut the achievement gap by about 60% in math since 2002 and by about one-third in English since 2002. Progress in narrowing the achievement gap in the eighth grade is less substantial, but it is still in the right direction and the trends in recent years are especially encouraging. So far, in math we've closed the eighth grade achievement gap by more than a third and in English we've closed it by more than 20%. And our English Language Learners and special education students are also closing their gaps.
- In every area, New York City's students' gains have outpaced gains in the rest of the State, where students are taking the same tests and not making remotely the same

progress. In 2002, our students were far below their peers throughout the State. Today, our elementary students are within striking distance of their peers statewide, especially in math, and our middle school students are moving progressively closer to their peers. I am attaching two charts from the recent math tests that show how dramatic these changes have been.

- Because students are better prepared all the way through school, more and more of our students are graduating from high school. Under the City methodology, which was in effect long before mayoral control, the four-year graduation rate has increased by more than 2 points a year after a decade of stagnation. Under the State's new methodology, in existence for the past three years, we've made the same, steady progress.
- More of our students are going to college, ready to succeed academically. Since 2002, the number of New York City public school graduates entering CUNY as first-time freshman has increased by 49% from about 16,000 in 2002 to about 24,000 in 2008. Despite the dramatic increase in the number of New York City public school graduates enrolling at CUNY, the percent of these students who need remedial intervention has declined from 58% in 2002 to 51% in 2008.

As the Deputy Mayor said, people are talking about what's happening here in New York City. And because of our steady progress in improving student achievement and reducing achievement gaps plaguing high-needs students, we won the country's most prestigious education award, the Broad Prize for Urban Education in 2007.

This conversation that we are having today is one of the most important conversations facing us as a City. There are things we've learned since 2002, things we could no doubt have done better with the benefit of hindsight. But we have a duty to make sure our City continues to have the tools it needs to further transform education for the benefit of our children. I thank you for your help and I look forward to working with you to continue helping our students and our schools succeed.

NYC ALMOST ELIMINATES GAP WITH REST OF STATE AT ALL PERFORMANCE LEVELS IN 4TH GRADE

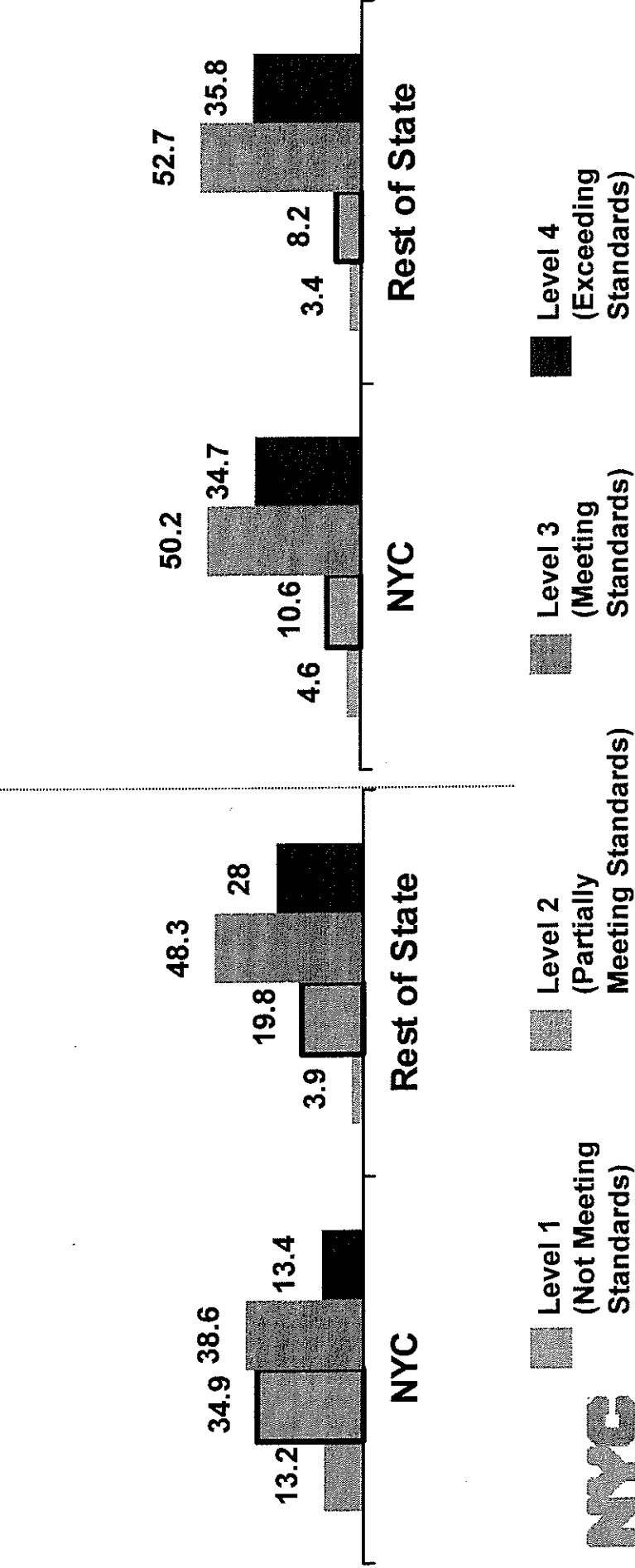
(NYC is 73% Black/ Hispanic, 84% low income; Rest of State is 23% Black/ Hispanic, 31% low income*)

Percent of 4th Grade Students Scoring at Each Performance Level

	Level 1	Level 2	Level 3	Level 4
2002 NYC-Rest of State Gap	9.3 pts.	15.1 pts.	9.7 pts.	14.6 pts.
2009 NYC-Rest of State Gap	1.2 pts.	2.4 pts.	2.5 pts.	1.1 pts.

2002

2009



* Percent of students in grades 3-8 that took the NY State mathematics test in 2008.

NYC SUBSTANTIALLY CLOSES GAP WITH REST OF STATE AT ALL PERFORMANCE LEVELS IN 8TH GRADE

(NYC is 73% Black/ Hispanic, 84% low income; Rest of State is 23% Black/ Hispanic, 31% low income*)

Percent of 8th Grade Students Scoring at Each Performance Level

	Level 1	Level 2	Level 3	Level 4
2002 NYC-Rest of State Gap	20.7 pts.	6.6 pts.	20.3 pts.	6.9 pts.
2009 NYC- Rest of State Gap	1.4 pts.	12.2 pts.	7.6 pts.	6.0 pts.

2002

2009



* Percent of students in grades 3-8 that took the NY State mathematics test in 2008.

LEGISLATIVE MEMO:

WE OPPOSE



Mayoral Control

In 2002 the New York State legislature gave control of the New York City School System to Mayor Bloomberg. Under Mayoral Control the NYC School System eliminated school boards, gave unilateral authority to the Chancellor, reorganized the school districts, restructured the lines of authority for Parental Involvement, expanded the operations of Charter Schools, created advisory councils with no real power, increased contracting out of services that DC37 members provided, excessively and intentionally bypassed the procurement provisions of the law by granting billions of dollars in no bid contracts, placed charter schools within public schools with little or no notification, reorganized the lines of authority within the Department of Education to the detriment of work outcomes, denied access to schools to elected officials and various other inexcusable actions. In June of this year this authority given under State Statute comes up for renewal.

DC 37 says no to this law being reauthorized. We want to restore Democracy and integrity to the system, we want to have a real system of parental power reinvigorated, we want the opportunity for all 1.1 million students to have the same and equal opportunity to achieve and succeed as a result of a quality education, we want independent checks and balances which verify Department of Education data of test scores, graduation rates, drop out rates, special education integration, curriculum and accessibility, real transparency and accountability and the implementation of oversight authority that regulates, informs and guides stakeholders.

5 Points: Reform of Mayoral Control

Mayoral Agency—The State Legislature must make the Board of Education and Department of Education a Mayoral agency. As a Non-Mayoral Agency Board of the Education/Department of Education has had an autonomy that has run amok to the detriment of our educational system.

Education Chancellor—The Chancellor of NYC Board of Education/Department of Education must be an education Chancellor with credentials of an educator.

Elected Community School Boards—The City of NY is the only place in the country that does not have elected community school boards. The restoration of Democracy must take place immediately. Appointment of members serves as rubber stamps and can not be independent. The election of community school board members must be part of any reauthorization.

Political Action and Legislation Department

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FOR THE RECORD

Independent Assessment and Evaluation of Educational Achievement and Testing Data—An independent entity must be created to review, analyze and compile reports annually as a snapshot of improvement, progress and needs assessment of the NYC School system.

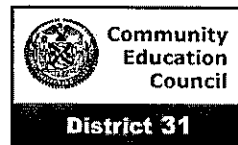
Create an independent and autonomous Office of Contracts—The establishment of an independent oversight office which reviews all request for proposals, contract provisions, bids, procurement, no bid contracts and contract extensions, renewals and establishment must be created. This office would be under the purview and authority of the NYC Comptroller's Office. **This action could be achieved by making the Procurement Policy Board (PPB) applicable to the Board of Education/Department of Education. As a state entity BOE/DOE is not subject to the provisions of the NYC Charter (Sec 311) that governs as a procurement policy for other city agencies. A change to the state law would clarify BOE/DOE coverage under the PPB rules and put them under the City Comptroller's Authority.**

On behalf of District Council 37's 125,000 members and 40,000 retirees, we are opposing the reauthorization of Mayoral Control.



Community Education Council 31

Department of Education of the City of New York



Donald Pagano
Recording Secretary

Frank Squicciarini
First Vice President

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Second Vice President

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Marianne H. Siewers
Diane Wellington

District 31 Community Superintendent:
Margaret Schultz

Student Member:
Joseph Maniscalco

FOR THE RECORD

June 3, 2009

The following resolution was presented to the public at the Community Education Council – District 31 Calendar Meeting held on June 1, 2009 at Public School 42 (R042), Staten Island, New York. A vote was held and the resolution passed unanimously *viva voce* by the CEC members present, as reflected in the Minutes.

RESOLUTION #54 – CEC 31 SUPPORTS THE CAMPAIGN FOR BETTER SCHOOLS' RECOMMENDATIONS FOR IMPROVING THE GOVERNANCE OF OUR SCHOOLS

WHEREAS, mayoral control *in its present form* has allowed the implementation of major educational reforms and policies without meaningful public debate; and

WHEREAS, under mayoral control *in its present form*, the chancellor and the Department of Education have alienated parents, youth and communities from important decisions that affect the quality of education students receive; and

WHEREAS, under mayoral control *in its present form* the chancellor and the Department of Education have ignored and circumvented the remaining rights of parents and youth in the system; and

WHEREAS, under mayoral control *in its present form*, the chancellor and the Department of Education have closed failing schools without meaningful public engagement and in some cases in violation of state law requiring Community Education Council approval; and

WHEREAS, under mayoral control *in its present form*, the chancellor and the Department of Education have opened new regular public schools and charter schools inside existing schools without meaningful engagement with the CEC or the parents, students, staff and administration of the existing school; and

WHEREAS, mayoral control *in its present form* has failed to facilitate significant overall academic improvement in the New York City school system; and

WHEREAS, reforms enabled by mayoral control *in its present form* have led to poorer outcomes for immigrant students learning English; and

WHEREAS, reforms initiated as a result of mayoral control *in its present form* have failed to reduce the racial achievement gap in test scores and graduation rates; and

WHEREAS, mayoral control *in its present form* has led to the control and manipulation of information about the school system including school finances, contracting, student achievement, school performance, school safety, and parent involvement; and

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WHEREAS, mayoral control *in its present form* has led to a significant increase in no-bid contracts for educational goods and services; **therefore be it**

RESOLVED, that CEC 31 supports the *Campaign for Better Schools'* recommendations for improving the governance of our schools, including:

- 1) Strengthening the Panel for Education Policy by reducing the number of mayoral appointees, establishing fixed terms for PEP members, and requiring community representation on the PEP, and
- 2) Retaining the PEP's approval over major, system-wide educational policies and reforms, and empowering the PEP to approve the annual operating budget for New York City schools and the five year capital plan, and
- 3) Creating transparency by empowering the Independent Budget Office to provide objective analyses of DOE's finances, school performance, student achievement, student safety and shared decision making, and giving the New York City Comptroller the legal authority to perform audits and financial oversight of the Department of Education, and
- 4) Restoring Community Superintendents' responsibility to supervise principals and oversee schools in their districts, and empowering them to address issues of common concern to parents such as school choice, discipline, language access, special needs and shared decision making, and
- 5) Establishing a public process for the opening, closing, and re-siting of any school in a community school district, including charter schools, that includes notice to the proper Community or High School Education Council by the DOE one year in advance of any such action; an impact study and needs assessment prepared by the DOE detailing the necessity for the proposed action; a public hearing held by the Education Council(s); a vote of approval or disapproval by the Education Council(s); an opportunity to appeal to the PEP, by either the Dept. of Education or one member of the PEP; and a final decision, of approval or disapproval, by the PEP.
- 6) Establishing publicly funded, independent training and support for parents and high school students involved in shared decision making.

Motion presented by F. Squicciarini; 2nd by T. Barone-Franciosa

APPROVED unanimously by roll call vote: 7 – 0 (7 Yes; 0 No) (*Absent for vote: Lei; Weile; Wellington*)

PASSED and ADOPTED this 1st Day of June, 2009.

/s/ Kathy Baldassano

Kathy Baldassano

Administrative Assistant to CEC 31



NYCLU

NEW YORK CIVIL LIBERTIES UNION

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FOR THE RECORD

TESTIMONY OF THE NEW YORK CIVIL LIBERTIES UNION

before

THE NEW YORK CITY EDUCATION COMMITTEE

June 4, 2009

Council Member Jackson and members of City Council: the New York Civil Liberties Union respectfully submits the following testimony regarding our recommendations for Mayoral Control of New York City schools.

The NYCLU does not take a position on the continuance of mayoral control of public schools in New York City in that our recommendations apply regardless of who appoints a majority of the Panel for Educational Policy and/or the Chancellor. We submit this testimony to articulate our concerns with certain aspects of the current system, with the admonishment that they are not unique to mayoral control. The issues we emphasize—transparency, accountability, and public involvement—are basic democratic ideals applicable to any form of school governance. Our recommendations are as follows:

1. Clearly delineate the position of the DOE within the existing structure of city government.

The DOE cannot continue to operate as its own autonomous agency, even if mayoral control is extended. The DOE takes the position that it is not a “city agency” and is therefore not bound by laws that govern the conduct of city agencies. This allows the DOE to escape laws governing the authority of the Independent Budget Office, the legislative authority of the City Council and the investigatory powers of the public advocate and comptroller. The State Legislature must clarify that the DOE is a city agency subject to the City Administrative Procedures Act and other laws that provide for agency transparency and oversight. Moreover, the State Legislature must clarify that the City Council has jurisdiction over non-curriculum education matters, such as school safety and military recruitment policies.

2. Increase public oversight by an empowered board of education.

While the NYCLU does not take a position on whether to extend the mayor’s authority to appoint the chancellor and a majority of the Panel for Educational Policy (PEP), it is in the interest of students, parents and educators to have an empowered panel that debates education policy matters. We recommend that the State Legislature put in place mechanisms to ensure meaningful debate and decision-making regardless of whether mayoral control is renewed. The Education Law should be strengthened to pose an affirmative obligation on the chancellor to submit for PEP approval all new citywide policies and practices that are related to educational achievement and student

performance. The chancellor must be prohibited from executing such policies and practices without PEP approval. The authority to appoint members to the PEP should be distributed among all citywide elected officials, who like the mayor have a stake in education matters, and to the city's legislative body. Priority should be given to appointing members with a background in education and to individuals who attended a New York City public school or who have children in the city's public education system. In order to avoid undue influence on panel members and to encourage thoughtful debate on the PEP, panel members should serve fixed terms, and while the mayor may continue to have sole appointing authority over the schools chancellor who will continue to act as the chief executor of education policies, the PEP should vote for its own chair who will be provided with a stipend and staff.

3. Strengthen the parental voice in policymaking.

The Community District Education Councils (CECs) and citywide councils must be given responsibilities and authority that ensure parental involvement in the setting of school education policies. The CECs' and citywide councils' authority should be expanded to include approval of district school safety plans, the opening and closing of schools and other district-specific policies.

4. Bring school safety practices in line with education policy.

The NYPD plays a unique and expansive role in the city's education system. At the same time that the number of police personnel in the schools has increased to a whopping 5,200 agents, the ability of educators to oversee school safety and student discipline has

decreased. Principals complain that they are unable to control the conduct of School Safety Agents and are limited in their ability to strike the right balance between school security and a supportive educational environment. Therefore, NYPD personnel who work in schools must be subject to oversight by educators who have an expertise in maintaining a nurturing school environment. The New York State Education Department and the DOE must be granted clear authority to investigate and oversee all school safety practices, including the activities of NYPD personnel in city schools.

5. Institute practices to allow for public engagement in the decision-making process.

The DOE must abide by basic requirements of open government in the policymaking process. All Chancellor's Regulations must be subject to a public comment period. The PEP must also open its policymaking and adjudication process to the public, and ensure that the public is welcomed at its meetings and informed of its activities.

6. Mandate transparency of data.

The DOE must end its practice of withholding from the public raw data on student performance, student safety and the education budget, and the DOE must meet its statutory obligation to provide the public with access to records. In order to allow for an independent assessment of the DOE's data, the Independent Budget Office must be provided with statutory authority to report on the DOE's performance, as it does on other city agencies.

7. Create a DOE inspector general.

In order to promote the integrity and effectiveness of the DOE, the State Legislature should create an Office of Inspector General within the DOE to conduct independent audits and investigations into DOE practices. The inspector general will investigate systemic problems that impact the educational environment and will not be responsible for investigating individual acts of fraud and corruption by employees (the responsibility of the special commissioner of investigations). The duration of the appointment of the inspector general should be fixed and last longer than the mayor's term.

8. Allow the law to sunset again in seven years.

The debate over the appropriate school governance structure for New York City has led to passionate discussions among policymakers and the public and a renewed interest in city schools and the people who run them. The State Legislature should ensure that whichever system it chooses for New York City, such a system expires in seven years, thus allowing for a continuous public debate.

FOR THE RECORD



TESTIMONY OF

WILLIAM C. THOMPSON, Jr.

New York City Comptroller

Before the

**NEW YORK CITY COUNCIL
Committee on Education**

**Re-Authorization of Mayoral Control
of the
New York City School System**

June 4, 2009

WILLIAM C. THOMPSON, JR.
NEW YORK CITY COMPTROLLER

TESTIMONY BEFORE THE EDUCATION COMMITTEE
OF THE NEW YORK CITY COUNCIL
REGARDING RE-AUTHORIZATION OF MAYORAL CONTROL
OF THE NEW YORK CITY SCHOOL SYSTEM

NEW YORK CITY COUNCIL
CITY HALL
THURSDAY, JUNE 4, 2009

Good afternoon, Chairman Jackson and honorable members of the Education Committee. I appreciate this opportunity to testify regarding Mayoral Control of the New York City Schools.

This is a subject of great concern to me, not only as a New Yorker and a product of the New York City public schools, but as a former President of the Board of Education. Throughout my tenure at the board I aggressively pursued accountability in our public education system, beginning with a series of reforms in 1996.

At that time lines of authority were blurred, there was little accountability for educational failure, and local boards were mired in corruption. We felt that if the Chancellor was to be held accountable for educational performance, then he or she must be given clearer authority.

What did we do? We stripped individual school boards of the responsibility for day to day operations of schools and gave that power to superintendents. The Chancellor in turn was given a more direct role in the selection of individual superintendents and gained the authority to intervene in schools that were failing as well as to transfer or remove principals.

We mandated School Leadership Teams, or SLTs, in every school – made up equally of parents and school staff – that injected more accountability at the school level.

In short, we laid the groundwork for a more accountable management of our public school system that helped clear a path towards mayoral control....But in doing so we prioritized two things that are currently missing from the current administration's approach – transparency and parental involvement.

With its top-down approach, the current administration has sought to avoid debate and public scrutiny, while fundamental decisions regarding education reform have been made by executives with very little education background. It is time to put the "public" back in public education.

As we look ahead to the sunset of mayoral control we should reauthorize the law, but we must strengthen it and do a better job of enforcing its existing provisions.

Toward that end, I am today calling for greater accountability by the DOE in four critical areas:

- First, we must aggressively work to ensure that parents are given a meaningful way to participate in the school governance process.
- Second, we must create an independent auditing body to assess student achievement, from test scores to graduation rates.
- Third, we must reform the contracting process to require that the DOE is subject to the same procurement rules as other City agencies.
- And fourth, we must reorganize the Panel for Education Policy to make it more inclusive and responsive to the needs of our many stakeholders.

Let's start with parents.

Parents are essential stakeholders in our public education system. There is no group more invested in the success of our students. Yet too often in our city recently, our parents have been told to sit quietly on the sidelines as others make the critical decisions about their children's education.

My staff recently explored the nature and quality of parental involvement in Community Education Councils, or CECs and in School Leadership Teams.

In discussions with officers of 24 of the city's 32 CECs, we found that at least 10 different provisions of the Education Law governing Community Education Councils are currently not being followed by the city's Department of Education.

Most significantly, CECs are not consulted by Tweed before the opening, closing or reconfiguration of schools in their districts.

At the same time, CECs have been largely unable to evaluate the Superintendents *in* their districts because the Superintendents have been reassigned to spend up to 90 percent their time working to improve achievement in schools *outside* of the district.

CEC officers we spoke to believe their influence has steadily diminished ever since the first group was elected. In fact, the councils have at times needed to resort to court action to maintain parental powers codified in state law, such as

their authority to approve proposed changes in school attendance zones, which is a key CEC power.

As many of you know, a recent District 2 CEC lawsuit states that DOE created zones for the two new schools now under construction in lower Manhattan without seeking CEC approval or even consulting the CEC -- a disturbing illustration of DOE's disregard for CECs.

Likewise in the case of School Leadership Teams, many schools across the city do not have functioning SLTs. Many others are dominated by principals unwilling to engage the leadership team on fundamental matters such as the school's budget and comprehensive educational plan.

Education Law requires principals to solicit SLT input when writing the school-based budget but this frequently does not occur.

DOE hostility to an independent and meaningful role for SLTs was made clear when in 2007 a revised Chancellor's Regulation was issued that gave principals final authority over the Comprehensive Educational Plan, even though the law says that the SLT "develops" the CEP. Last December, State Education Commissioner Mills struck down this portion of the revised regulation.

While parents have struggled to play a meaningful role in these bodies, the increased time spent by superintendents out of their home districts has left them unavailable to assist parents.

Understaffing at the Office of Family Engagement and Advocacy has stymied its ability to fill the gap. There are at most only three Family Advocates per district. Some districts have only one. Because they report to Tweed rather than the district superintendent, their ability to resolve parent concerns is limited.

To clarify and strengthen the role and authority of parents serving on CECs, SLTs and in PA's, I recently made several recommendations, including:

- 1) We should require district superintendents to work primarily in their home districts, as the State Legislature intended and a State court has ordered.
- 2) We should amend the State law to help ensure that principals collaborate fully with School Leadership Teams in preparing a comprehensive education plan and assure SLT input into the school-based budget.
- 3) We should amend the law to ensure that CECs are notified and have ample time to advise and be consulted before significant actions are taken that affect a district school.
- 4) We should put superintendents in charge of District Family Advocates.

Implementing these recommendations would go a long way toward giving parents the kind of role in the development and implementation of education policy that they deserve and to which they are largely entitled under current law.

The need for greater accountability in the governance of our schools extends beyond parent involvement to both academic achievement and the DOE's fiscal operations.

While Tweed has trumpeted gains in test scores and city graduation rates, concerns over data manipulation have arisen.

For the four years between 2003 and 2007, National Assessment of Educational Progress tests – long considered the best measure of student success – showed no significant gains overall for black, white, Hispanic, Asian or lower-income students in our city.

At the same time, SAT scores, which measure the preparedness of our most motivated, college-bound students, reached their lowest point in the past year since 2003.

That is why I support the creation of an independent body to audit test scores and graduation rates....If the public is to trust the city's claims of gains, we must remove both the incentive and the opportunity to manipulate results.

This goes to the heart of the educational mission to give our young people the skills they need – and the city needs – to compete in the new century.

The DOE's budget nearly doubled – from \$12.5 billion to \$21 billion – since the mayoral control law was passed. A failure of improved achievement to align with increased resources threatens not only our students' future, but the very future of our city.

Our city's future is likewise dependent upon following a transparent accounting process. In my capacity as Comptroller I have called attention to multiple instances in which the Department of Education has sought to avoid fair and open competition in the awarding of city contracts.

Under the tenure of this Department of Education, the use of no-bid contracts has soared out of proportion. Today, I urge the Council to speak with one voice and demand that the State require the DOE to adhere to the same procurement rules as all other city agencies.

Finally, the need for greater checks and balances must be reflected in the governing body at the heart of our education system. To investigate options to ensure such accountability, my staff and I reviewed systems of mayoral control in other cities. We were impressed most by the models Boston and Cleveland.

Based on their experience and success, I recently proposed that we replace the current Panel for Education Policy, or PEP, with a 9-member school board drawn from a pool of nominees that is derived with input from a broad cross-section of New Yorkers committed to our students' educational success.

The board would serve fixed, two-year terms. It would be responsible for all matters of policy and serve as an appeal board for certain actions of the Chancellor.

To choose the members of such a board, I proposed the creation of a 19-member nominating committee, consisting of: 5 members appointed by the mayor; 1 member appointed by each of the five borough presidents; 4 parent members chosen by the Chancellor's Parent Advisory Council; 1 teacher member selected by the UFT; 1 principal chosen by the Council of School Supervisors and Administrators; a college or university president selected by the State Education Commissioner; a member from the business community appointed by a business entity selected by the Mayor; and an education school faculty member selected by the college or university president member.

This committee would nominate three candidates for each of the nine positions on the board – to be chosen by the mayor. At least 4 of the 9 must have a professional background in education, finance or business management.

The Mayor would continue to appoint the Chancellor. The Mayor and the Schools Chancellor would also continue to exercise broad authority to direct policy, with the difference that – unlike in the current system – voices representing students, parents and individuals with a wide range of education expertise would have a means to be heard.

It is my understanding that much of this proposal to reform the PEP is reflected in New York State Assembly member Jim Brennan's bill A.8551.

In conclusion, what I and so many others are suggesting is not an end to mayoral control, but a commitment to making it more transparent, more accountable, and more parent-friendly.

As we consider renewal of the law, we must re-dedicate ourselves to the goal that every child entering the New York City school system is given the best opportunity to walk out of high school prepared for college and ready to take his or her place in the new economy of the 21st century.

That is an assignment that we must not, we cannot, and -- with your help -- we *will not*, fail. Thank you very much.



Mayoral Control

Putting Parents First

A report by

Councilman Domenic M. Recchia, Jr.

and

Assemblyman Alec Brook-Krasny

Mayor Bloomberg campaigned on the pledge to improve the school system, and part of that plan asked the state Legislature to pass a law granting mayoral control, which would put the onus of school and student achievement on one person: The mayor of the City of New York.

This year, the state Legislature is tasked with re-approving mayoral control. There has been a lot of reflection and discussion on what Mayor Bloomberg and Schools Chancellor Joel Klein have accomplished during the past several years. There has also been a lot of debate about changes that should or should not be made to the system.

It is our opinion that mayoral control has led to a number of successes in the public school system, and we support its continuation – but there is still room for improvement, and it starts by giving parents a voice in the process.

Instead of getting quick answers and resolutions to their problems, parents often end up in a maze of bureaucracy. Many of them quickly grow frustrated with a system that they often find impenetrable.

Study after study has shown that parental involvement improves student performance. In 2005, the Harvard Family Research Project published a meta-analysis – a combination of relevant existing studies – that verified the relation between parental involvement and improved students achievement. We know how important it is, and we should be doing everything we can to encourage it. Instead, our offices field countless phone calls from parents complaining of a confusing, unresponsive system that makes it harder for them to participate or get answers. That does not encourage involvement.

We should be doing everything we can to ensure that parents are engaged and treated with respect. Over the course of the mayoral control debate, many suggestions and proposals have been made, and mostly have a top-down focus. Our focus is from the bottom-up, because we feel that by better engaging parents, our improvements will be even greater.

Our proposal is not meant to address the entire system, but to offer suggestions that could contribute to the debate and streamline the process, providing parents with a more direct access point, as well as empower the Community Education Councils and Community Superintendents.

Community Education Councils

As described by the Department of Education:

There are 32 Community Education Councils (CECs) in New York City. Each CEC represents a Community School District that includes public elementary, intermediate, and junior high schools. Additionally, there are two Citywide Education Councils that represent the interests of high school and special education parents. All Community and Citywide Education Council members are selected for two-year terms by

the Parent Associations or Parent Teacher Associations (PA/PTAs) of the schools in their district.

Each CEC has 12 members, including nine parents selected by the district's PA/PTAs, two members appointed by the Borough President, and one student member selected by the Community Superintendent. On the Citywide Council for Special Education, the two appointments are made by the Public Advocate.

CECs hold monthly public meetings, and contribute to shaping educational policy in their districts. While different CECs may have different priorities, they share the same set of responsibilities established by state law and implemented through regulations of the Chancellor. These responsibilities include: approving school zoning lines, holding hearings on the capital plan, evaluating community superintendents, and providing input on other important policy issues.

Our proposal:

We propose consolidating the membership of each Community Education Council to nine members. Two members would be appointed by the Borough President, and one of them would have to be a parent. Seven of those should be elected from the community, and they do not all have to be parents. There are plenty of people who are engaged in their community and should be allowed to make the case that they have the ideas and passion to help improve their local schools.

We also propose that the Community Education Council play a more direct role in picking the Community Superintendent. Currently, the Community Superintendent is picked by the Chancellor.

Instead, the Chancellor should publish a list of up to 20 people, from which the Community Education Council would choose five candidates and conduct interviews with each one. They would then send the Chancellor up to three names, from which the Chancellor would pick the Superintendent for that district.

This would give parents and education advocates a stronger voice in picking the Community Superintendent. It would also make the Community Superintendent more accountable to the Community Education Council, the parents and the community.

Community Superintendents

As described by the Department of Education:

In schools that serve students in kindergarten through grade eight, a Community Superintendent oversees and supports the schools in each school district. He or she performs statutory duties for each school, including appointing principals in district schools, acting as rating officer for principals in the district, approving teacher tenure decisions, and approving school budgets. The Superintendent also communicates

regularly with all parent associations in the district and serves as a liaison to the Community Education Councils (CECs).

For high schools (including most K-12 schools), the High School Superintendent oversees and supports schools as assigned by the Chancellor. High School Superintendents perform statutory duties for schools, including appointing principals, approving teacher tenure decisions, and acting as rating officer for principals. These Superintendents also serve as liaisons to the citywide High School Education Council.

In addition, all community superintendents supervise District Family Advocates and borough directors. These employees co-report to the Chief Family Engagement Officer and are responsible for helping families find answers.

Community Superintendent oversees and supports the schools in each school district. He or she performs statutory duties for each school, including appointing principals in district schools, acting as rating officer for principals in the district, approving teacher tenure decisions, and approving school budgets. The Superintendent also communicates regularly with all parent associations in the district and serves as a liaison to the Community Education Councils (CECs).

For high schools (including most K-12 schools), the High School Superintendent oversees and supports schools as assigned by the Chancellor. High School Superintendents perform statutory duties for schools, including appointing principals, approving teacher tenure decisions, and acting as rating officer for principals. These Superintendents also serve as liaisons to the citywide High School Education Council.

Our proposal:

Currently, Community Superintendents can cover schools outside of their districts, sometimes in different boroughs. Some of them spend more time in their cars than they do in the schools. We would require that there be one superintendent for each school district, and they would oversee schools only in his or her own district. Also, Community Superintendents would also oversee the high schools in his or her district, as opposed to creating additional superintendent spots.

In order to empower superintendents, we would require a district office be set up, with a staff of 10 people. Two of those staffers would be secretaries, and of the remaining general staff, at least one would be dedicated to special education needs. Currently, district offices may or may not be open when parents need them, and we need to provide them with adequate staffing and funding so that they are available.

By boosting the strength of the district offices, this would also allow us to dissolve the positions of Network Leader and Family Advocate, which cover responsibilities similar to Community Superintendents and could be absorbed into that position, thereby eliminating another layer of bureaucracy and further consolidating the system.

Panel for Education Policy

As described by the Department of Education:

The thirteen member body designated as the Board of Education in section 2590-g of the Education Law shall be known as the Panel for Educational Policy. The Panel for Educational Policy is a part of the governance structure responsible for the City School District of the City of New York, subject to the laws of the State of New York and the regulations of the State Department of Education. Other parts of the structure include the Chancellor, superintendents, community school boards, principals, and school leadership teams. Together this structure shall be designated as the Department of Education of the City of New York.

The members of the Panel for Educational Policy are appointed according to law as follows: one member is appointed by each Borough President, eight members, including the Chancellor who serves as chairperson, are appointed by the Mayor. All members serve at the pleasure of the official who appointed them. A vacancy in the Panel for Educational Policy shall, by law, be filled by appointment by the appropriate Borough President or the Mayor.

Our proposal:

We believe that the Panel for Education Policy requires one change. The mayor should maintain a majority of the appointments, but everyone appointed to the board should serve a set term of two years. This would maintain some independence for board members without completely impeding on the voice of the mayor. Therefore, they could only be removed through retirement or through cause.

Closing

We believe this is a wide and complicated debate, and we also believe that it's a debate worth having. It is our opinion that mayoral control has been successful, and it's one that must continue, but this is an opportunity to step back, evaluate what we have achieved, and look for ways we can improve. We respectfully submit these suggestions, to be considered as we approach a solution that will maintain the integrity and strength our students needs, while providing them with the tools to compete in a global economy.

Domenic M. Recchia Jr. is the Council Member for the 47th District. He previously served as vice-president and president of the former Community School Board 21.

Alec Brook-Krasny is the Assembly Member for the 46th District. He is a former business owner and the first Russian-American elected to the Assembly.

Thank you to the Education Committee and Councilmember Robert Jackson for holding this important hearing on Mayoral Control in New York City Schools.

As numerous news accounts have indicated, the State Legislature is nearing a decision on the school governance law. Having spent many hours with legislators in Albany and in New York City, I am impressed by the thoughtfulness and level of attention they have paid to the matter.

The Commission on School Governance, which I convened in 2007 at the request of the leadership in State Legislature to independently assess school governance in New York City, has helped to shape the dialogue on this important issue. This past March, the Brookings Institute Press published a book, When Mayors Take Charge: School Governance in the City. This book takes an in-depth look at mayoral control in New York City and has received national attention.

Just to reiterate, the Commission's report recommends, and I believe, that we should maintain mayoral control, but the law must be amended to ensure greater public accountability and meaningful input from parents and the community.

By and large, I am pleased that many of the recommendations of the Commission have been incorporated into proposed legislation and are being publicly discussed in Albany.

Although there are some points on which the legislators agree, there are also many points of contention that deserve serious debate. For example, some disagree on how the Panel for Education Policy (PEP) should be configured.

Although we propose that the mayor maintain the majority of appointments to the PEP, it is our hope that Albany will change the law to establish fixed terms for its members, and make the chancellor an ex-officio member to ensure greater public accountability.

One point on which many of the lawmakers I've met with seem to agree is that we need to have more oversight and transparency with regards to the finances of the Department of Education (DOE). The DOE has a nearly 18 billion dollar budget – larger than the GDP of many countries – and it is absurd that there is no clear oversight of their finances. That is why we propose that the DOE be subject to the same procurement oversight as every other city agency.

There is also a need to subject data produced by the DOE to independent oversight and analysis. We believe the Independent Budget Office should serve as an outside evaluator to monitor and assess this data, including test scores and graduation rates.

We have also proposed a process for increasing parental participation. This process mirrors the Contracts for Excellence process, established by the State Legislature, in which parents and the community provide oversight of expenditures related to the Campaign for Fiscal Equity.

We know there are several different proposals in Albany, which would create a more meaningful process for parental participation and I believe they all have merit. Some of these bills seek to ensure that the Office of the Public Advocate has oversight authority over the DOE - I strongly support this component. I also whole-heartedly endorse the proposal of a "Parent Academy" put forth by the Campaign for Better Schools. Such an entity where parents can receive training, attend workshops, and receive help from independent advocates, would serve as an essential complement to any process that Albany enacts.



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Testimony of Ronnie Lowenstein
Director, New York City Independent Budget Office
To the New York City Council Committee on Education
Oversight Hearing on Mayoral Control of New York City Schools

June 4, 2009

Thank you Chairperson Jackson and members of the Committee. My name is Ronnie Lowenstein, and I am director of the New York City Independent Budget Office. I appreciate the opportunity to speak to the Committee today.

The pending renewal of the school governance legislation raises a number of important issues regarding the control and oversight of the city's schools. IBO has previously testified that renewal of the legislation should include the closing of loopholes that allow the education department to escape the City Comptroller's review of contracts and the full authority of the city's procurement rules. Today, I think it is important that I focus my remarks on a matter much closer to home: school governance and the Independent Budget Office.

Over the months of public discussion on renewal of the school governance legislation, an expanded role for IBO has been mentioned with increasing frequency. This expanded role and the responsibility to report on student outcomes and other performance and fiscal data has been mentioned in task force reports, including from this Council's working group and from the Public Advocate, in bills recently introduced in Albany, and in statements by several legislative leaders. We are, to say the least, flattered.

We believe that the public officials, policy experts, parents, and others who have suggested an expanded role for IBO have done so because they recognize the objective and transparent way we approach our work. This approach includes making sure that the assumptions we make and the methodologies we use in our work are clearly spelled out. Simply put, we believe it is our job to be the "honest broker" when it comes to presenting the numbers.

If it is decided that IBO should take on the kind of expanded responsibilities some have suggested, it is essential that it be done in a way that maintains the standards that enable us to be the honest broker. This would involve several key elements.

IBO needs sufficient access to education department data in order to do the kind of thorough and impartial analysis that is expected of us. The access must be timely and in the form necessary for IBO to meet its responsibilities. This would confirm that the education department is subject to the same rules as other city agencies for providing IBO with data, statistics, and fiscal information. Confirming the

education department's obligation to provide requested information would also assist the City Council's oversight of the schools as well as that of the Comptroller, Public Advocate, and others.

IBO also needs adequate resources for fulfilling this expanded role. At least two of the bills introduced in Albany (A. 08553 and S.05576) provide a viable framework. Both of these bills lay out the kinds of additional products and increased analytic work that would be required of IBO and increases our funding accordingly.

Just as important is the way in which any increased resources are provided. Under the City Charter, IBO currently receives no less than 10 percent of the annual appropriations made to the Mayor's budget office. This annual appropriation—a guaranteed budget line as it is sometimes described—has been an essential factor in our ability to produce our work in an independent, nonpartisan manner. If our funding was contingent upon who we did or did not please in a given year, then it is likely that there would not be the same trust in our numbers that has led me to sit here today.

If city and state policymakers determine that IBO should take on the expanded role that some like this Committee's working group are suggesting, we are prepared to undertake that responsibility. We know that this responsibility comes with high expectations for accuracy, analytic integrity, and objectivity. IBO will need the access to information, the necessary resources, and the continued protection of its independent standing to meet those expectations.

Thank you and I will be glad to answer your questions.



FOR THE RECORD

**THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN**

SCOTT M. STRINGER
BOROUGH PRESIDENT

**Testimony by
Manhattan Borough President Scott M. Stringer**

**New York City Council Committee on Education
Oversight Hearing on Mayoral Control
Thursday, June 4, 2009**

Good morning Chairperson Jackson and members of the Committee on Education. Thank you for the opportunity to testify today at the oversight hearing on Mayoral Control of the city's schools.

As an Assembly Member in 2002, I voted to give the Mayor responsibility for the City's public schools. I wanted accountability for educational results, and I believe that the new system has helped lead to many improvements in our schools. But our schools also need strong parental input, which is why the Legislature created 32 Community Education Councils (CECs), panels of parent leaders, who were to provide parents' perspectives in the new system.

Unfortunately, after seven years, it is clear that parents' voices have gone unheard. Just ask the CEC members we surveyed in 2006, 92% of whom had not been trained on one or more of their state-mandated functions. Parents, elected officials, advocates and even the strongest proponents of Mayoral control agree that parental engagement must be reformed.

CECs have not succeeded in empowering parents for two primary reasons. First, CECs depend entirely upon the Department of Education (DOE) for their training, support, and resources. This creates an inevitable conflict of interest, because DOE can't be expected to effectively promote independent criticism of its own proposals. And second, while State law requires CEC approval or consultation on various decisions, it provides no clear guidance on how this process should occur.

In contrast to CECs, New York City's 51 Community Boards have served for decades as well-established venues for community input and have specific and well-defined advisory roles in land use decisions, roles that enable their input to be considered and at times to improve planned projects. Developers have learned that local board members, who know and understand the issues of the people who live in their communities, have something to add to this process. Community Boards also have Borough Presidents to train and support them. And the City Charter gives Community Boards clear processes of consultation on various decisions – such as the Uniform Land Use Review Procedure (ULURP). That same model can and should be employed by the city's 32 Community Education Councils.

We can and we must insist on accountability in the schools, but the system works best when public school parents are at the table. Community Education Councils must be reformed and empowered to be the voice that public school parents and school communities need and deserve. That is why I have proposed a two-part plan to reform and empower Community Education Councils:

1. Make CECs more independent from the Department of Education, by giving the five Borough Presidents responsibility for supporting them, as they currently do for Community Boards. This would ensure CECs are fully trained, staffed and supported to carryout their state mandated responsibilities.
2. Establish a Uniform Parental Engagement Procedure (UPEP) in State law, with specific timelines for review, hearings, and input into educational decisions such as school opening and zoning changes. Similar to ULURP, having a specific procedure would guarantee community input before DOE proposal are put into place and allow CEC to issue advisory resolutions. This is a procedure that currently does not exist and there has been disagreement on what it means to be consulted. Having a spelled out procedure would eliminate this uncertainty and would guarantee CEC input before policy changes are allowed to proceed.

I believe this is the strongest proposal on improving parental engagement because it builds on existing structures that have proven to be effective. Borough Presidents are in a unique position in city government to provide the training and support CECs need to be effective. We already have a preexisting relationship with CECs by appointing two members to each CEC in our borough. We also have the staff and office capacity to absorb the additional work without necessarily acquiring additional resources, possibly saving the city as much as \$5 million annually.

Legislation to implement this plan has been introduced in Albany by State Senator Daniel Squadron (S. 3912) and Assembly Member Jeffrey Dinowitz (A. 7507-a). The legislation currently has 18 co-sponsors between the two houses and is rapidly gaining more. In addition, numerous Community Boards and CECs have passed resolutions in support.

We don't have to sacrifice community input to get accountability. In fact, only by empowering parents to provide truly independent input will mayoral control of the public schools receive broad support for its initiatives and its direction. This plan would result in less tension, and disagreement between the community and DOE on the Department's planning and implementation changes, create a more efficient process that establishes clear expectations for parents and provide a definite conclusion to the process. Mayoral control works best when parents are at the table. By reforming and empowering CECs, we can bring the parents back into the process, where they belong.

Testimony
Before the Education Committee
New York City Council
Renewal of Mayoral Control
of the New York City
Public Schools System

Joseph Mugivan
Advocate for School
Indoor Air Quality
j.mugivan@att.net

June 3, 2009

Honored Members of the Education Committee:

As an advocate for the health of the children in our schools relating to school indoor air quality, I am particularly concerned with the protocols relating to the recent out break of “flu like” symptoms in the schools in Queens.

When the private high school, St. Francis Prep experienced these events, the Federal Center for Disease Control issued a detailed report relating to the symptoms of the students at St. Francis Prep. This has not happened with the schools that were closed in New York City and are now being reopened.

In both St. Francis Prep and the Queens schools there is no indication that independent testing for vapor intrusion was performed which would rule out the toxic spill sites and tank failures that exist near St. Francis Prep and the many closed schools in Queens. It is important to do testing to determine if noxious fumes are related to underlying symptoms of teachers and children who develop this disease

Regarding the reference to “flu like” symptoms, it must be noted that exposure to environmental toxins also include flu like symptoms, which could create the “underlying conditions” that were expressed by the New York City Health Department.

It was noted by the CDC that 48% of the sick students at St. Francis Prep experienced "shortness of breath". This is not a flu symptom but a cardiovascular event which occurs upon exposure to toxic substances which can enter the school under certain environmental, weather and geological conditions and may have existed in the borough of Queens this past month of April.

I was a teacher in PS 16 in Corona, Queens in 1999 and experienced such an event when all of my kids were sick and an ambulance called. The school was located on a toxic generator and spill site.

In 2003, at PS7 in Queens, a similar event occurred. The current administration's Department of Investigation has ignored my whistleblower complaint filed by the Council Speaker back in November 2008. I believe that such issues are unable to be addressed under mayoral control because there is only one line of authority and it is top down. The Queens Supreme court has deemed my grievance about vapor intrusion in my school, the case which begins in September, as "meritorious"

There is no evidence of testing indicating that the closed schools in Queens are safe at this time or that the underlying health issues have been addressed. I am attaching a remediation to the problem of addressing underlying health issues of children in the Public Schools and the final report of symptoms from the Center for Disease Control for St. Francis Prep. The same report of symptoms should be submitted and published for all of the closed public schools before children return to the buildings. These decisions are too important to leave to a solitary mayor seeking re election.

A Proposal for a School Children's Health Initiative

To Avert a Serious Threat to Health or Safety. We may use and disclose health information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

The HIPPA Law

New York City now has the capability to examine the health records of the children and teachers of the City of New York. Swine Flu has been categorized as a Level Five Pandemic and the schools in Queens have been closed accordingly.

Elected officials have the opportunity to appoint an independent commission which would be affiliated with a major health organization specializing in pediatric pathologies such as respiratory disease, diabetes and toxic exposures, which are imposing an ever increasing medical and social cost to society. One such organization to consider is The Center for Children's Health and the Environment at the Mount Sinai School of Medicine.

The study would examine the underlying medical conditions of all children in the Borough of Queens since such conditions have been linked to recent deaths by "Swine Flu" according to the New York City Health Department.

Below are some recommendations that could be considered:

Data can be gathered relating to various pathologies and correlated to geographical locations and individual schools and communities.

"Independent" hygienists would test all schools for air quality relating to ventilation and local environmental toxins and submit recommendations.

Laws can be established that would impose a tax on economic benefits to purchasing beverages with corn syrup in larger units than 12 fluid ounces.

Additional Food Stamps would be made available to families whose children receive free lunches in schools and can only be used to purchase fresh fruits and vegetables. This would encourage green markets in these neighborhoods.

School construction and leasing would require adequate recreation space and gymnasiums.

The result of this commission would create a health "landscape" for urban children, limit health costs in the future and address the "achievement gap".

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April 30, 2009 / 58(Dispatch);1-3

Swine-Origin Influenza A (H1N1) Virus Infections in a School --- New York City, April 2009

On April 24, 2009, CDC reported eight confirmed cases of swine-origin influenza A (H1N1) virus (S-OIV) infection in Texas and California (*1*). The strain identified in U.S. patients was confirmed by CDC as genetically similar to viruses subsequently isolated from patients in Mexico (*1*). Since April 24, the number of cases in the United States* and elsewhere† has continued to rise. As of April 28, approximately half (45) of all U.S. cases of S-OIV infection had been confirmed among students and staff members at a New York City (NYC) high school. This report describes the initial outbreak investigation by the NYC Department of Health and Mental Hygiene (DOHMH) and provides preliminary details about 44 of the 45 patients (the remaining patient resides outside of NYC and was not included in the analysis). The preliminary findings from this investigation indicate that symptoms in these patients appear to be similar to those of seasonal influenza. DOHMH will continue monitoring for changes in the epidemiology and/or clinical severity of S-OIV infection.

Epidemiologic and Laboratory Investigations

On April 23, DOHMH was notified of approximately 100 cases of mild (uncomplicated) respiratory illness among students at an NYC school (high school A) with 2,686 students and 228 staff members. During April 23--24, a total of 222 students visited the school nursing office and left school because of illness. Given initial reports on April 24 of what was later determined to be a large S-OIV outbreak in Mexico, DOHMH decided to rapidly mobilize staff members to go to high school A to collect nasopharyngeal swabs from any symptomatic students. On April 24 (a Friday), DOHMH staff members collected nasopharyngeal swabs from five newly symptomatic students identified by the school nurse and four newly symptomatic students identified at a nearby physician's office. A decision was made over the weekend not to open the school on Monday. Because of suspicion that the respiratory disease cases might be caused by S-OIV, beginning April 24, DOHMH attempted to contact the remaining 213 students reported by the nursing office to have left school because of respiratory illness. Some of the most recently symptomatic at the time of telephone contact were advised to visit a specified emergency department for nasopharyngeal swab collection. DOHMH also provided nasopharyngeal test kits to selected physicians' offices in the vicinity of high school A for collection of specimens from symptomatic staff members or students. On April 26, seven of the nine specimens collected on April 24 by DOHMH were identified by CDC as S-OIV. During April 26--28, 37 (88%) of 42 specimens collected in the emergency department and local physicians' offices tested positive at CDC for S-OIV, bringing the total number of confirmed cases to 44.

DOHMH conducted telephone interviews with the 44 patients with confirmed S-OIV on April 27. Median age of the patients was 15 years (range: 14--21 years). All were students, with the exception of one student teacher aged 21 years. Thirty-one (70%) of the 44 were female. Thirty (68%) were non-Hispanic white; seven (16%) were Hispanic; two (5%) were non-Hispanic black; and five (11%) were of other races. Four patients reported travel outside NYC within the United States in the week before symptom onset, and an additional patient traveled to Aruba in the 7 days before symptom onset. None of the 44 patients reported recent travel to California, Texas, or Mexico.

Illness onset dates ranged from April 20 to April 24; 10 (23%) of the patients had illness onset on April 22, and 28 (64%) had illness onset on April 23 (Figure). The most frequently reported symptoms were cough (in 43 patients [98%]), subjective fever (42 [96%]), fatigue (39 [89%]), headache (36 [82%]), sore throat (36 [82%]), runny nose (36 [82%]), chills (35 [80%]), and muscle aches (35 [80%]). Nausea (24 [55%]), stomach ache (22 [50%]), diarrhea (21 [48%]), shortness of breath (21 [48%]), and joint pain (20 [46%]) were less frequently reported but still common. Among 35 patients who reported a maximum temperature, the mean was 102.2°F (39.0°C) (range: 99.0--104.0°F [37.2--40.0°C]). In total, 42 (95%) patients reported subjective fever plus cough and/or sore throat, meeting the CDC definition for influenza-like illness (ILI) (2). At the time of interview on April 27, 37 patients (84%) reported that their symptoms were stable or improving, three (7%) reported worsening symptoms (two of whom later reported improvement), and four (9%) reported complete resolution of symptoms. Only one reported having been hospitalized for syncope and released after overnight observation.

Enhanced Surveillance

On April 26, DOHMH launched enhanced surveillance for self-reported ILI among all students, staff members, and family members of persons at high school A via an online survey. Students and staff members were recruited via e-mail messages with a link to the survey, followed by daily reminder e-mails. Active surveillance at the school was impractical because a decision was made by DOHMH and the school principal not to reopen the school for the start of the new school week, April 27. Complete data from this ongoing survey are not yet available, but preliminary results indicate widespread influenza-like symptoms, with hundreds of students and many staff members reporting symptoms that met the case definition for ILI. Several students participating in the on-line survey (none of whom had confirmed S-OIV) reported travel to Mexico during the week before April 20; an undetermined number were symptomatic at the time of survey participation.

DOHMH also initiated active surveillance for severe, hospitalized febrile respiratory ILI among NYC residents, and this surveillance is currently ongoing. On April 26, DOHMH staff members began contacting all 61 NYC hospitals with medical and/or pediatric intensive care units by telephone on a daily basis to identify possible severe cases of S-OIV, defined by the presence of fever $\geq 100.4^{\circ}\text{F}$ ($\geq 38^{\circ}\text{C}$) and at least one of the following: acute respiratory distress syndrome, pneumonia, or respiratory distress. DOHMH physicians review all possible cases; nasopharyngeal swabs are recommended for cases with no identified etiology. Specimens are tested for influenza A at the NYC Public Health Laboratory, and isolates that cannot be subtyped are sent to CDC for further characterization. Active surveillance identified one to two cases of severe hospitalized ILI per day for which further testing was recommended. Results of the testing are not yet available.

Enhanced passive surveillance also is ongoing. Doctors are asked via daily reminders on the Health Alert Network to report any hospitalized patients with fever and unexplained pneumonia or respiratory distress to DOHMH. All case reports are reviewed by DOHMH physicians, who contact providers reporting cases of severe illness consistent with possible swine influenza and arrange nasopharyngeal testing if warranted. In addition, DOHMH conducts syndromic surveillance for the

Testimony
of
The United Federation of Teachers

before the

New York City Council
Education Committee

on

New York City Public School Governance

June 4, 2009

Good afternoon. My name is Michael Mulgrew and I am the Chief Operating Officer and Vice President for Career and Technical Education for the United Federation of Teachers (UFT). On behalf of my members, I want to thank you, Chairman Robert Jackson, and the distinguished members of your committee for this opportunity to share our views on the school governance law that allows for mayoral control of New York City's public schools.

For many months now, all of us who have a stake in our city's public education – and frankly, who among us does not – have publicly and privately debated school governance as the law's sunset approaches. This policy decision impacts the lives of over 1 million school children, their families and teachers, and it has spurred supporters and critics alike to draw hard lines in the sand.

A decision on how this law will go forward is probably just weeks away, and I believe we must all remind ourselves that the politics of conflict aren't going to get us to where we need to be, which is ensuring a school governance model that supports schools and educators and, most important, creates safe, high-quality learning environments that help children prepare for college and for life. Randi Weingarten, our president, strongly believes that public education at its best is the great equalizer, the great opportunity-maker, and that is why we must first and foremost be focused on our educational mission and improving outcomes for children. That is precisely the approach we would like to take as we frame this discussion on mayoral control.

The sunset of the school governance law has given us a wonderful opportunity to re-examine the current structure and to improve and strengthen the model. Many proposals have been made on how to do that, and the UFT's position is very simple: The governor and the state legislature should reauthorize the school governance law with modifications. We believe the Mayor should still appoint the Chancellor, control the budget, and drive policy, but we also believe that the system needs more checks and balances, transparency and accountability. Think of this modified law as Mayoral Control 2.0.

The initial version of the mayoral control law – we can call that 1.0 – in many respects was a welcome change for many, and was made possible partly by the UFT's support.

Progress has been made in many ways under this law. More than anything, it brought cohesion, stability and resources to our schools.

We do not under any circumstances want to return to the days when schools were unstable and under-funded. That sentiment is particularly timely considering the current situation that we are in with the city budget. Schools stand to lose over \$400 million, which amounts to more than a quarter-million dollars on average per school. That means that many of the academic intervention programs, tutoring programs and after school programs that have led to higher test scores will be eliminated. Additionally, class size, which is already rising across all grades, will rise even more, compromising our children's educations.

The stories are already coming in from all over the five boroughs. In Manhattan at MS 104, a District 2 school, cuts threaten to eliminate after school programs including: sports; art; music; drama; computers and more. Equally devastating, this middle school could see classes grow from the low 20's to over 30 students in a classroom, which could reverse the momentum they're seeing on student achievement, including English Language Arts (ELA) and Math scores. Bronx students attending Urban Assembly – a middle and high school in District 9, are facing a double blow – after-school tutoring, much of it targeting English Language Learners and its Saturday Academy, which provides essential supplemental learning, will be cut. Our teachers at Boys and Girls High School in Brooklyn's District 16 fear major cuts to their tutoring and P.M. School, the very programs that make it possible for students lacking sufficient credits to graduate on time. Moreover as a School placed Under Registration Review (SURR), these services are not a luxury – they are necessary to get the grades up. In Queens, where some elementary schools are facing class size increases that threaten quality learning, District 2's P.S. 154 could suffer so much more. Teachers there report that cluster programs, Academic Intervention Services (AIS) and English Language Learners programs that provide the targeted learning experiences for P.S. 154's entire student population could be scaled back or eliminated. Without these core programs and services, these kids will slide backwards – and they will not simply be “left behind” – they will be sorely neglected. Slashed programs could also severely impact Staten Island's District 31, including P.S. 44, a Title I school, where at-risk services could be eliminated.

We can't afford to let these stories become a reality. Our schools are moving in the right direction and we need the city to restore as much education funding as possible, so we don't lose this momentum. Working together with our representatives in Washington, we were able to secure federal stimulus dollars to help stabilize our schools. Working together with our representatives in Albany, we were able to secure new revenues that offset looming cuts. It is now time that we all work together here on the city level to minimize these cuts. These are difficult times economically, but we need to invest, not divest, because children do not get a second chance.

Luckily, the sunset of the governance law means we *do* have a second chance at improving mayoral control; and there are reasons why that is necessary. Again, mayoral control brought cohesion, stability and resources to our schools. What we need to add to that formula are checks and balances, transparency and accountability – both top to bottom & bottom to top. The lack of transparency and accountability has led to troubling controversies, and when issues reached a boiling point, educators, parents and communities were forced to protest in the streets or take legal action because they had nowhere to go with their complaints.

There are different ways to bring about the positive change that we describe. For example, as we have engaged in this governance dialogue, the UFT has recommended enhancing the make-up of the central Panel for Education Policy (PEP) by altering the appointees, thereby creating a more inclusive structure that allows more voices to be heard.

We have also advocated for other strategies that could be pursued independently of whether or not the PEP's make-up is changed. For instance, giving PEP members fixed terms would allow them make decisions without fear of being arbitrarily removed. The Chancellor could be made an ex-officio member, paving the way for the Panel to choose its own chair. The Panel could also hold hearings on the expense and capital budgets, and make policy proposals public in advance of panel meetings, complete with a list of pros and cons about the issues themselves.

Beyond making changes to the PEP, other steps can be taken to improve the law as well. Specifically to improve the transparency of student achievement data and spending, we recommend that the legislature create independent access to and review of fiscal and performance data. Enacting this measure would immediately reinforce credibility and go a long way toward ensuring integrity in data collection and analysis. The public's trust in the numbers is crucial to their confidence in the system as a whole, but right now, the city uses different metrics from the state and federal education departments to assess schools, leading to confusion over exactly how they are doing.

We have also recommended that the state legislature re-empower School Leadership teams, District Leadership Teams and Community Education Councils so they are able to carry out all of their responsibilities under state law. Parents must have a role in decisions affecting their children and have their grievances addressed. District superintendents, who for a long time served as an important link between their communities and the central Department of Education, should also be re-empowered to oversee the schools in their districts, improve parental access and provide schools with localized support.

Beyond these modifications, we recommend that the legislature also strengthen oversight and enforcement mechanisms, to ensure that the Department of Education (DoE) follows the letter -- and the spirit -- of the law.

There is no one perfect system. Over the final few weeks of the state legislative session, I truly hope that everyone can dial down the polemics, get past the politics of conflict, and work together to find smart ways to improve the current system in a way that looks forward, not backward. The state legislature now has the opportunity to create strong, supportive processes and structures that help schools improve outcomes for kids - the true promise of what mayoral control can be. Ultimately, I think that if people's voices are heard; if people collaborate; if the system is transparent and everyone is accountable, then we are on the right track. Thank you.

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TESTIMONY

VERONICA MONTGOMERY-COSTA

PRESIDENT, LOCAL 372

NEW YORK CITY BOARD OF EDUCATION EMPLOYEES

AND

DISTRICT COUNCIL 37

INTERNATIONAL VICE PRESIDENT

AMERICAN FEDERATION OF STATE,

COUNTY AND MUNICIPAL EMPLOYEES

AFLCIO

CITY COUNCIL EDUCATION COMMITTEE

PUBLIC HEARING ON

SCHOOL GOVERNANCE

JUNE 4, 2009

TESTIMONY SUBMITTED BY

VERONICA MONTGOMERY-COSTA

PRESIDENT - LOCAL 372 AND DC 37, AFSCME, AFL-CIO

JUNE 4, 2009

Chairman Jackson and Committee Members:

Local 372 has stated our position on School Governance countless times before this committee, since there is no DOE problem that we have identified without pointing the finger of blame on sole mayoral control.

We cannot believe that our state legislators wrote and enacted into law the New York City Education Reform Accountability Act of 2002, with the intent of creating a means for fiscal and administrative abuse.

We cannot believe that lawmakers intended to enable public funds to be squandered away, because this "Accountability Act" provides no ladder of accountability and no regulation of the actions of the individual having sole governance.

When this law was passed, the mayor took the ball and ran with it, making up the rules as he went along.

I testify before you today, after eight years of this reign of error. I speak for 26,000 school employees, who wake up every morning, not knowing if they will be one of the 2,600 Local 372 members to be laid off. Whether the shoe drops now or three months from now, none of

these workers, and none of their 11,000 fellow city workers, deserve to lose the ability to support their families, just because the Mayor went on a \$9.2 billion spending spree making outside contractors richer.

Parent and community input was the first victim of this law. Thus, the first line of accountability was obliterated. Quasi advisory councils or teams, assembled and manipulated by the Mayor, the Chancellor or their associates, did and said only what they were told.

Think back. When there was a Central Board of Education, most New Yorkers knew them by name and by deed. They, in turn, knew the parents, community and children they served. They published and distributed the budget for public review. They hosted meetings, public hearings and special events. They attended local school functions, spoke at graduations and corresponded with concerned parents and community members. They had the freedom to be photographed and interviewed in the news media. They were visible advocates for their school community families.

Now, I ask you. What is CPAC (Chancellor's Parent Advisory Council)? Who are its members? What are their positions on education issues? What do they know about what's going on in the neighborhood schools? Whom do they represent?

We have not yet seen an acceptable proposal out of Albany for changing this law to include public input. We do believe that any parent or community representatives on a central or local level should be elected — not selected and appointed by the Mayor or the Chancellor.

The failure of the law to establish clear constraints on contract procurement wiped out the second line of accountability. Thus, the public has been involuntarily bankrolling outside corporations with taxpayer dollars. Citywide, the cost of outsourcing has grown this year to \$9.2 billion.

Audits of FY 2005-2008 by the City and State Comptrollers, tallied the cost of DOE no-bid contracts at \$6.2 billion. Of those \$4.3 billion could have been bid competitively. Audits showed 59% of the no-bid contracts. Of the contracts approved by the DOE Committee on Contracts, 59% had start dates prior to the meetings at which they were approved. A \$16.5 million contract was approved on June 1, 2006 - 25 days prior to the date it was required to be listed in the City Record.

Local 372 has in the past and continues to support changing the State Education Law to make the DOE subject to Procurement Policy Board (PPB) rules and to the full authority of the City Comptroller under the City Charter and existing laws in reviewing and registering contracts.

None of these fiscal and administrative abuses would go unchecked, if there was open and truthful public awareness. None of the threatened layoffs would be necessary, if transparency and appropriate constraints were mandated by law. ■

TESTIMONY

Oversight – Mayoral Control of New York City Schools

Presented to:

New York City Council, Committee on Education
Hon. Robert Jackson, Chair

Thursday, June 4th, 2009



The Council of School Supervisors & Administrators
(CSA)

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Good afternoon, Chairman Jackson and distinguished members of the New York City Council's Education Committee. My name is Ernest Logan, and I am the President of the Council of School Supervisors and Administrators (CSA).

Thank you for this opportunity to present testimony on behalf of the Principals, Assistant Principals, Supervisors, and Education Administrators who work for the New York City Department of Education. I applaud you for recognizing the critical importance of quality school leadership in our public schools and thank each of you for your continued advocacy and support for public education.

SUMMARY

At the start, I would like to state CSA's support for the continuation of the current fundamental governance structure, a system based on mayoral control of New York City schools. But we also think that there is a strong need for checks and balances so schools work better for children, families and communities.

While we believe the structure of the education policy panel should largely remain intact, we would like to see representation expanded to include the New York City Council. We also support returning "real power" to district superintendents; more parental involvement in the Community District Education Councils; greater oversight of school performance and budget data; and extending the school governance law for another six years.

Before I explain our positions, let me first discuss our beliefs about school governance and mayoral control.

PHILOSOPHY ON MAYORAL CONTROL

Our platform on school governance comes from our core beliefs about education. A free public education is a right of all citizens, a right which New York State must uphold, with the support and cooperation of local governments and municipalities. We need to make sure that the right to education flourishes in our state and our city. Since New York City taxpayers do not have the right to vote on their school budgets and District Boards no longer exist, it is critical that the governance structure encourages public interest and participation in other ways.

A system of Mayoral control of schools does not guarantee public interest and participation in our education system. No governance structure does. Therefore, it is our responsibility to come up with laws that ensure that the "public" is sufficiently involved in public schools.

Mayors will come and go, each with their own leadership style, strategies, and citywide priorities. Mayors and their strategies change. Each mayor will have his or her own style, tactics and political interests. Mayors can also be limited by electoral concerns, as well as competition for their time and attention and their lack of educational experience and

knowledge. School systems need continuity and pedagogical expertise as well as good management practices.

We support the notion of mayoral control, not because of a special allegiance to the current mayor. Rather, we have observed greater continuity of leadership in our schools than we have in the past. Over time, this continuity has allowed pedagogy to flourish and student achievement to gradually improve, particularly in English Language Arts, and Mathematics.

We firmly believe that the discussion about school governance should not be centered on our current mayor and chancellor, but instead should focus on creating a governance structure that can be successful under any administration. That said, let's now look at how we got to our current governance system.

CURRENT STATE OF SCHOOLS

In 2002, the State Legislature granted direct control over New York City schools to the Mayor, in order to remedy the then-current inefficiencies and mismanagement of the governance of the city school system under the old Board of Education. An unintended result of this legislative action was a decrease in parental and community input and a system in which decision-making lost needed transparency and some checks and balances. Although mayoral control has ended the warring between the school system and City Hall, the new system has not produced the intended transparency, efficiency or inclusiveness that was anticipated.

The governance law that grants operational control of the New York City public schools to the Mayor expires at the end of June. We think the State Legislature has an historic opportunity to amend this law in order to ensure greater access for parents and communities in the New York City school system.

KEY ISSUES ON SCHOOL GOVERNANCE

I will now detail the specific amendments that we are seeking in the school governance law:

1. The Panel for Educational Policy

- The Panel for Educational Policy (PEP) must be redesigned to expand representation. CSA proposes a board of thirteen members, with seven members appointed by the Mayor, one by each Borough President, and one by the City Council. PEP members should be appointed to fixed terms.

This composition would continue to allow the Mayor to appoint a majority of members, but the City Council would also have a direct role and representation. This would allow the Council to voice its opinion and gather information that in the past has not been forthcoming. Fixed terms would allow board members to make decisions based on what

they each believe is in the best interest of our children, without fear that they will be fired because of their opinions. This measure would increase transparency and participation in the decision-making process, resulting in better education policy decisions for our children.

2. Community School Districts and their Superintendents

- The Chancellor or Panel must assign to community superintendents duties that are limited to the district to which the superintendent is appointed.
- The office of the community superintendent must be located in that district, open to the public and sufficiently staffed and funded to support schools and assist parents, and to enable the superintendent to perform his or her statutory duties.
- Community superintendents must be appointed to fixed terms of two years.
- Superintendents may not delegate their power and duty to appoint or reject Principal candidates.
- The duties of a community superintendent to evaluate and support their Principals should be clearly defined.

Our schools are an integral part of our communities, but parents have seen a marked decrease in access due to a shift from district-based to larger, more remote and impersonal offices. Often these offices are not centered in the community. This is largely due to the fact that the current governance structure has inadvertently empowered the Chancellor to weaken community superintendents and their district offices. It is essential that community superintendents work in their districts, in order to support the schools and communities that they know best.

Additionally, under the current structure, reporting and support lines in schools are complicated and blurred. Principals do not know to whom they should turn for help on specific issues and under the new organization, schools actually are charged money to “purchase” the support they need. It makes sense that the person who is responsible for evaluating a Principal should be the person a Principal can go to for support, resources, and guidance.

Furthermore, in the current structure, Principals have become burdened by new administrative responsibilities that were once handled by the staff in the district community school offices. Consequently, in order to fulfill these new administrative reporting requirements, Principals spend more time looking at the data than in classrooms observing and supporting instruction. Community superintendents and their staff in district community school offices should play a greater role in assisting Principals in responding to requests to complete school data paperwork.

3. Parental Participation in the Opening and Closing of Schools

- The DOE should give reasonable notice of a planned closure or opening of a school, and submit an impact study to the Community District Education

Councils (CDECs) on the opening and closing of schools, including the addition of new schools and charter schools to existing buildings. The CDEC must hold a public hearing and issue an advisory recommendation to the Chancellor regarding the proposed action. Prior to taking action, the Chancellor should be required to respond to the CDEC's recommendations in a public forum.

CDECs should advise and give approval on any new charter school in their community school district. Charter schools are not right for every community, and the community needs a way to express its needs and preferences. CDECs should also be empowered to hold meetings in their community if and when the Chancellor or the Panel is considering closing down schools.

4. Transparency

- The legislature should establish an independent school-performance data and budget office, or empower the Independent Budget Office to gather, analyze, and provide comprehensive and timely information to the school system and the public regarding enrollment, attendance, test scores, graduation rates, dropout rates, pupil-teacher ratios, and ALL DOE budgets - centrally, in districts, and in schools.

This independent office should track trends and patterns in the performance of the City's schools and offer recommendations to the DOE and public officials based on the data collected. We support a clarification in the law to grant the New York City Comptroller the legal authority to audit all DOE budgets and contracts.

Some observers of the current administration have accused the DOE of manipulating data and obstructing data requests. An independent office would serve as a clearinghouse for data and school budget information, ensuring its reliability and timeliness. The office would help to restore credibility and accountability to the school system. If the DOE is truly controlled by the Mayor, then the City Comptroller should have specific authority to audit all DOE budgets and contracts.

5. Sunset Provision

- The state law's "sunset" provision must be extended, with a sunset every six years.

Six years from now, legislators should again take a look at what has worked and what has not and make a decision about the future of public education.

CONCLUSION

These are our suggestions. They are based upon our deep concern for establishing a system that provides the best possible education for all. We feel a strong sense of urgency

about these suggestions, since the school governance law may not be reconsidered for several years.

As we said before, we support the basic structure of school governance today. As a positive outcome of the current school governance system with mayoral control, school leaders in New York City public schools have gained the freedom and flexibility that has enabled them to significantly improve student educational achievements. In large part, this is the result of Principals' having greater control over such core school responsibilities as curriculum, instruction, budgets, staffing, and scheduling. Notably, each Principal today controls about 85 percent of his or her budget, which means that they have the opportunity to exercise leadership in ways Principals couldn't before.

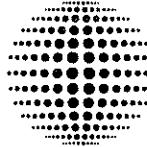
As school leaders, Principals today provide the vision, structure, leadership and support that makes learning more likely and teaching more rigorous. They need to maintain this autonomy and accountability, and gain much needed support from local community superintendents. Superintendents offer crucial counsel and material assistance to Principals and give parents and communities another person to go to with questions and problems that affect their children's education.

CSA applauds the Council's Education Committee for understanding the importance of public input on these important issues, by inviting our testimony at today's hearing. We are grateful for the opportunity to speak today, and would be pleased to provide whatever additional information you may require on our proposals or these important issues.

Respectfully submitted,

Ernest Logan
President, CSA

FOR THE RECORD



Partnership for New York City

TESTIMONY SUBMITTED TO THE NEW YORK CITY COUNCIL
COMMITTEE ON EDUCATION

**RENEWAL OF MAYORAL CONTROL OF NEW YORK CITY'S PUBLIC
SCHOOLS**

THURSDAY, JUNE 4, 2009

**KATHRYN WYLDE
PRESIDENT & CEO**

PARTNERSHIP FOR NEW YORK CITY

The Partnership for New York City represents the city's business leadership and its largest private sector employers. The Partnership works together with government, labor and the non-profit sector to promote economic growth and job creation in New York.

An outstanding public education system that prepares young New Yorkers for jobs in the global economy is a top priority of our members. We have been a long-term partner in development and implementation of school governance reform and have actively supported corporate investment in the schools, improved school leadership, enhanced compensation for teachers and principals, and industry collaboration in career and technical education.

Since mayoral control was enacted in 2002, it has restored confidence in the education system. We all recall what conditions were like prior to Mayoral Control:

- The quality of public education in the city had deteriorated to the point where high school graduates often lacked the skills for employment in even entry-level jobs.
- Education debates focused on politics and ways to get children out of the system - such as vouchers and aid to private schools.

- There was little attention to student performance, which slipped miserably over the previous forty years.
- The widely known, distressed conditions of the education system made it difficult for business to recruit or retain employees with children.
- Any family that could afford it, headed to private schools or the suburbs. The schools were identified as the primary reason for middle class flight from the city.

Today, conditions are very much better. The business community is actually excited about the progress and has shown it by contributing more than ever through philanthropy, school partnerships and support for innovative initiatives in support of the schools. Taxpayers are enthusiastic about how their significant investment in the schools seems to be finally paying off.

In 2001, the Partnership participated on the task force that helped the Legislature develop the mayoral control statute and on the commission that proposed the statute to reverse school decentralization. For the most part, we believe that Mayoral Control has achieved the goals that were set forth by those panels: the school system has achieved greater top to bottom accountability than was every possible under the Board of Education and decentralization. The system is regularly measuring and reporting performance of students, schools, teachers, principals and programs. It is attracting talented and highly credentialed individuals to teaching and leadership positions throughout the system, including to the most challenging schools.

The intense public discussion that has taken place as we have debated reauthorization of mayoral control has led most New Yorkers to conclude that the school governance system that was enacted in 2002 is essentially sound. Certainly that is the position of the business community. By all important measures, the schools are in far better shape today than in the previous three and a half decades.

Of course, it is not perfect. The Panel for Educational Policy has not been as effective a forum as we had hoped for open public discussion of major policy changes. School Districts and their superintendents have not filled their expected role as liaison with parents and the community and in oversight and support of principals and other school professionals. The Community Education Councils are not uniformly engaging parents and the community in support of the mission of their schools and have had less input into zoning, school closings and other key decisions that affect the districts than we had contemplated.

On the other hand, we do not agree with those who suggest that the Panel for Educational Policy should have greater independence and authority. This panel

was never intended to be a board that could overturn decisions of the mayor or chancellor. It was meant provide a forum for public discussion of important policy issues. Its role in this regard can be enhanced by formalizing the public hearing process, in order to insure greater transparency and broader participation in these policy discussions. Changing the composition, terms or authority of the PEP, on the other hand, would contradict the most fundamental principle of mayoral control and would put us back in the era of fractured accountability.

Similarly, the Community Education Council at the district level was intended to provide a forum for discussion of local issues for the purpose of public communication and feedback. The CEC should not be involved in hiring decisions nor should it be in a position to override school or district management. That, again, would result in the kind of chaos and distractions that the city experienced under decentralization - where the focus of the attention was on everything **but** the children and their performance.

There are some solid proposals for amending the current law to strengthen the governance structure at the district and borough levels. These proposals, aimed at improved communication with and responsiveness to parents and communities, through an enhanced role for district superintendents, are consistent with mayoral control and could help the system function more effectively. Foremost among them is the opportunity for CEC's to have information and input into school openings, closings and zoning decisions. But these decisions ultimately belong to management.

There is also a clear rationale for treating the Department of Education in the same manner as other city agencies when it comes to comptroller audits, budget oversight and procurement. These could all be accomplished without undermining mayoral accountability.

Finally, there is certainly a need for an effective parent grievance procedure, probably tied into the district superintendent's office. We understand that parents are seeking a role in the system - not primarily at the macro policy level - but with respect to decisions that affect their own children and schools. This is not strictly a governance issue, but a matter of good management.

So there are some amendments that would further improve the governance system, and it seems consensus is building in support of some good ideas. But my closing plea echoes the credo of the medical community: first, do no harm! We have a good governance system in place that can be made better without disrupting the progress that we all recognize is underway.

What does it take to reverse a bad decision?

Reading scores up 20 percent! Math scores up 15 percent! And they're still closing Middle School 399!

To Members of the City Council:

On Thursday, May 21, I testified before the New York State Senate Committee on NYC School Governance chaired by senators Suzi Oppenheimer and Pedro Espada held at Bronx Community College. At that hearing I said that one of the most frustrating things about mayoral control was the absence of an appeals process for decisions to close schools. There is no recourse, no review, no reflection - no reconsideration whatsoever.

Parents, teachers, students, community organizations and elected officials have all called on the chancellor to reconsider his decision to close MS 399 - all to no avail! They include the District 10 Community Education Council, Community Council 6, the New York State Regent, Dr. Betty Rosa; New York City Councilwoman Maria Baez, Jesse Mojica from the Bronx Borough President's Office, New York State Assemblyman Nelson Castro and United Federation of Teachers President Randi Weingarten.

And it hasn't been for lack of trying to get their attention. Public demonstrations were held on December 17 and again on February 12. The District 10 CEC went on record in calling for a review of the decision on February 12. Parents, teachers and principals from the elementary "feeder" schools expressed their concerns to representatives of the DOE's Office of Portfolio Review on January 5 and again with its director, John White, on March 13 where he was presented with petitions containing more than 1,000 signatures calling for the school to remain open. It was brought to the attention of deputy mayor Dennis Wolcott at a public forum at Monroe College on April 29. Randi Weingarten raised it to Joel Klein at the May 9 UFT Spring Conference and UFT Vice President Michael Mulgrew brought up the issue to Chancellor Klein again at another public forum at Baruch College on May 11.

Up until now we have been arguing the MS 399 should not be closed because the DOE failed to take into account many other factors besides test scores that clearly indicated that the school had made progress. **But by the DOE's own standards MS 399 clearly improved! A 20 percent increase in reading scores and a 15 percent increase in math would by any objective assessment demonstrate measurable, sustainable progress!** **What does it take to have a review?**

What are the consequences of this decision?

We are losing our Science Lab! In justifying their decision DOE officials like to remind us that "It's all about the children . . ." and yet an examination of the consequences of their decisions would call into question the wisdom of their actions. The DOE made the decision to phase in two new schools **before** even knowing if the building could adequately house three separate schools. As a consequence of its decision, in order to

make room for the new schools, the new science lab will be closed after spending hundreds of thousands of dollars to open it. It's only been open for four years.

How does this help our children?

We will be losing our ELL Academy. Thirty-six percent of our students are English language learners of which nearly 20 percent are "limited English proficient." With the inclusion of two new "schools" in one building there simply isn't enough space. Furthermore, according to the DOE's own website, students who require bi-lingual services are being encouraged to enroll at the new middle school now being formed at Walton High School known as the International School for Liberal Arts (aka "la ISLA"). This school is located more than a mile away from the locally zoned middle school. **How does this help our children?**

We are losing our music program. - The building houses an amphitheater on the fifth floor. Our music teacher, an eleven year veteran, is being "excessed" not because he's a "bad teacher," but because between all three schools, none can afford both music and art. One of the new schools, the East Fordham Academy for the Arts, is supposed to be a performing arts school! A performing arts school without music? **How does that help our children?**

ACCOUNTABILITY WORKS BOTH WAYS!

The decision to close Middle School 399 was a bad decision. Given the increase in both ELA and math scores the decision to close the school is at least worthy of review.

*** We are once again calling on Chancellor Joel Klein to reconsider the decision to close our school.**

*** We are calling on the news media to hold the Bloomberg Administration accountable for its decision to close our school and all schools that are scheduled to be closed.**

*** We are calling on the New York State Legislature to take this opportunity to enact a school governance law that provides meaningful oversight of the DOE, an appeals process for schools that are scheduled to be closed and consultation with community education councils before any schools are closed.**

Vincent C. Wojsnis, Teacher, UFT Chapter Leader, MS 399

Testimony to the New York City Council Education Committee
June 4, 2009

Good afternoon, my name is Louis Corti and I am a Math teacher at MS399 in the Bronx. I've come here to appeal to you on behalf of our students to address the issue of mayoral control of the schools. I acknowledge the success of the Chancellor and the Mayor in raising the Math and Literacy scores throughout the city, and for the most part I appreciate the role of a manager to manage. Effective management requires accountability, and using these scores as a general barometer of the academic achievement of a school should not be used as the primary rationale to close or phase out a school.

A school is not just a building where we assemble children and pour in knowledge so we can measure their capacity and record it in a ledger to tally their level of success or failure. Our school is a true community, to many of us, staff and students alike, it is closer to a large family, with all the inherent supports, resources, advisors and trust that a family develops, nurtures and passes on to it's members. For "our kids", (remember, they are all "our kids") MS399 is a safe and secure environment where they can sort out their issues and develop relationships with someone who may be one of the few stable adults in their lives. We, the staff at MS399, may be the big sister, aunt, uncle, or even grandpa that can reach that child and help guide them to be what we ultimately want them to be....good students, good citizens, good parents, responsible adults. I'd like to read a short quote from a novelist, William Kent Krueger:

"...if you lived in a place long enough, you understood it as a living thing. You knew it had consciousness and conscience. You could hear it breathing. You felt its love and its anger and its despair, and you cared."

At MS399, we care about our students. We feel that our job as teachers, administrators, counselors and support staff is to provide that caring to all our children for those hours they are our responsibility, and often beyond those hours, because we care. Our school should not be measured by scores and test results alone. On December 8th, when we were informed about the decision to "phase-out" MS399, our principal challenged us to keep on doing

what we were doing and demonstrate that we could still do all the great things that we do and raise our scores, since that is how we were to be judged. We did what we do every day, and we raised our scores dramatically. Our Math and Literacy numbers exceeded the city averages substantially. We knew we could do it, and we did. Whatever ultimate decision is handed down regarding the fate of MS399, we will celebrate our student's success with a day of recognition of their hard work and enduring spirit. You are all welcome to join our family celebration next Friday, June 12th.

I have come to teaching late in life, and have found it to be the most satisfying and rewarding career I have had. The New York City Teaching Fellows recruited me (and many others at MS399) and their promise that helping children grow was worth considering as a career option. They were right. The MS399 "family" creates the environment that builds on that promise. Our teacher retention rate is significant. Our Student Council may be the largest in the Bronx. Our community is improving because we are in it.

The Mayor has asked the public and the State Legislature to let him continue to build on his success and we ask Mayor Bloomberg and Chancellor Klein for the same consideration. Let the MS399 family continue to improve and maintain the growing success is shaping the lives of "our kids". We are not just a school, or a building, or a statistical level of performance. We are all of those things, but we are also a family and a community. A family or a community should not be "phased-out" under the guise of accountability.

Thank You for your time and attention.

Louis Corti
lcorti@schools.nyc.gov

FOR THE RECORD

NYC Council Hearings Mayoral Control 6-4-09

Good Afternoon, I would first like to thank our Chairman Mr. Robert Jackson and the Council education Committee on their tireless work over the years on behalf of the children who have been underserved by both, the NYC / BD of Education and the NYC Dept. of Education.

My name is William McDonald. I am the past chairman of the Chancellors Parent Advisory Council (CPAC). I served the 08 / 09 school year. My Testimony today will be from the Parents perspective.

Over the last two years parent involvement has suffered a sharp decline. Since the Dept. of Education created centralized parent control there has been a steady decline in parent involvement. I attended 4 out of the 5 NYS Assembly Hearings held around the city in every borough and there is one thing that is clear. Under this present form of Mayoral Control the parents and students of New York City are being underserved.

Two years ago the NYC DOE created the Office of Family Engagement and Advocacy (OFEA). Some call it the centralized office of parent control. This office is responsible for responding to 311, Parent complaints, PTA and CEC training etc etc etc. I am sorry to say that they have failed in all of the above. There has been a drastic decline in training over the last two years. The DOE is continuously pitting parent against parent. The bottom line is as far as parent involvement is concerned, Mayoral Control has failed. I believe that when you complain about a problem you should have a solution. My solution as to Mayoral Control as to the parent piece is as follows:

The Office of Family Engagement and Advocacy should be totally reorganized.

All district Superintendents should be put back in their districts and given back their perspective staff so they can carry out the duties and be accountable to the parents and community of that district. Every district should have 2 parent support officers whose primary job is dealing with parent and community concerns in that district. These parent support officers and the district superintendents should be able to enter any school in their district without having to receive permission from the principal. These parent support officers should be required to hold monthly Training sessions for PTAs, SLTs and CECs. It should be their responsibility to ensure that they are up and running and performing their duties properly.

Also the role of the District Leadership Teams should be expanded where they can assist in supporting the SLTs and receiving district complaints. Each District Leadership Team should have a Mediation Team that supports and assists the PTAs, SLTs and CECs when and where ever possible. The Citywide Leadership Teams should be brought back to meet at least quarterly where they can network and share best practices.

The bottom line is Mayoral Control will only work when you have True Parent and Community participation. The New York City Department of Education is one of the most unwelcoming agencies in the city and that has to change. We are in hard times right now and the only way that we will get through it in regards to Education is if there is a True Partnership of Parents, Students and community formed and working together. Our children, our City, our Nation and our future depend on it.

**Thank You
William H. McDonald
Past Chairman, CPAC**

FOR THE RECORD

Testimony of Dr. David S. Seeley, Professor Emeritus, City University of NY New York City Council Hearing On Mayoral School Control, June 4, 2009

The New York City public school system is the General Motors of urban education. It has been bankrupt for years, but, like General Motors, it has apparently not been aware of its real condition. Unlike General Motors, it has not had to make a profit, so it has been able to survive, and still survives today, despite being obsolete and unable to fulfill its mission for decades.

New Yorkers might take comfort that virtually every other city in the country is in a similar situation. But comfort is not what we should feel about this situation. It is one of our country's most shameful failings that absolutely must be changed for America to prosper in the 21st century. Furthermore it is important for New Yorkers to realize that New York is behind other cities in facing this challenge.

There have been tremendous changes in American society over the last century. The most crucial of these is the greatly escalated levels and breadth of educational success required by both individuals and society to survive and prosper. In order to produce these new much higher levels of success, our school systems, basically designed in the 19th and early 20th century for a very different society, have needed fundamental changes that for the most part have not even been recognized, let alone implemented. America's urban school systems have in effect been obsolete at least since World War II.

What has been NYC's response to this challenge? Throughout my four decades of dealing with education reform in New York City, the main response of our political elite has been what I call a "Man on a White Horse" solution: "Our schools are failing: Let's get a new chancellor." Or now: "We'll turn education over to the mayor, and he'll fix it for us." The political leaders of the city have never stood still long enough to find out why our schools keep failing, despite hundreds of "reforms" and millions of dollars of supposed improvements.

I have been preaching for years that education lessons cannot be drawn from corporate experience unless they are adjusted for the crucial differences between private businesses and public education systems—most particularly education's requirement for the productive engagement of non-employees in producing their "product" of learning, namely students, their families, and communities. But now that cataclysmic corporate bankruptcies are upon us, they can actually be quite instructive for education reform, since troubled corporations often try the "Man on the White Horse" solution two or three times before it becomes clear—too late—that more serious change is what was needed. Sometimes changing CEOs can indeed save a corporation, but for organizations like General Motors that need deep changes in their basic strategies and culture, shifting CEOs will work only if they tackle the changes their organizations have been avoiding. And that is exactly the situation of our trouble urban school systems.

Unfortunately, for at least a half century, New York City's education CEO's have been avoiding the changes that are needed to respond to the changes that have been taking place in American society. Mayor Bloomberg claims that he and his chancellor are different, and are the ones who once again should be trusted to fix our education system. But this is what needs really careful examination, instead of just accusations, slogans, and public relations spin.

The only scholarly study of Mayor Bloomberg's *Mayoral Control of the New York City Schools* that has been undertaken is David Roger's new book of that title (Springer, 2009). No one should consider themselves competent to decide what to do at this point about mayoral control without reading this book—or at least learning its main conclusions.

Professor Rogers's main field of expertise is corporate organization. As a professor at NYU's school of business he has been particularly interested in the change strategies employed when large corporations become dysfunctional. He has now applied the considerable body of knowledge in that field to analyze Mayor Bloomberg's efforts to change New York City's education system. He gives the mayor credit for being willing to tackling this formidable challenge and making some positive changes, but his analysis reveals very serious shortcomings in his strategies thus far—most particularly by not having developed a credible vision of the changes needed to make our system really successful—a shared vision that can mobilize the widespread support and collaboration needed for that success. On the contrary he concludes that the main strategy has been a narrow and outdated corporate model that worked in the mayor's own unusual corporation, but has alienated a large portion of the most crucial participants in successful education—teachers, students, their families, and their communities.

A one page summary of the relevant message of this important book, has been attached to this testimony. Since the book is hard to obtain and many people will not take the time to read it, a collection of some excerpts is being prepared that anyone seriously interested in this issue should review before reaching any conclusions about what is needed. It will be available shortly on the website: iCOPE.org.

I will only summarize my own conclusion: Since the legislature doesn't have enough time to consider this issue in the depth required, whatever amendments it makes in mayoral control will not be enough to bring about the changes that are required to produce a successful system of public education in New York City. The legislature therefore must provide for undertaking these changes through establishing a system redesign commission either in the governance legislation it passes, or as soon as possible after that legislation is passed. It is ultimately the responsibility of the state legislature to ensure an adequate public education system for the city, and just adjusting its governance structure yet again most assuredly will not meet this responsibility.

General Motors is now embarked on a too-long-delayed effort to radically restructure itself, which may or may not succeed. New York City does not have an option to continue with a failing education system. Time has more than run out. Every New Yorker must now press for making the fundamental shifts in concept and practice that are required for a successful system until this challenge is finally met.

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Governance Changes Alone Will Not Solve the Problems of New York City Schools

As the New York political community contemplates renewal or amendment of mayoral control of New York City's public schools, it must decide what more needs to be done to bring about the fundamental changes needed to move NYC education beyond the unacceptably low levels of achievement that have persisted through so many past reforms. There is growing consensus that in order to be successful in today's society urban education systems require:

- A shared coherent vision regarding how the system will operate differently so as to achieve the levels of success now needed, that can't be achieved by continuing with a system that was never designed to produce these levels of success in the past.
- Much higher expectations among all who are engaged in the education of students, including students themselves, parents, educators, and community supports and resources.
- Transforming schools into community learning centers that can symbolize the commitment of the entire community to higher levels of education.
- School flexibility to adapt curricula, teaching methods, and relationships to the specific needs of urban students.
- Replacing a "top-down" bureaucratic management model with school autonomy and a collaborative/team/partnership approach to meet the needs and gain the full engagement of educators, students, their families and their communities.
- Creating synergies between schools and other social service agencies to meet students' needs, and assist their families and teachers.

David Rogers, Emeritus Professor of Management and Sociology at NYU has provided a deep analysis of these issues in his new book: *Mayoral Control of the New York City Schools* (Springer, 2009). This is the only scholarly study of NYC's mayoral control, and no one can responsibly address this issue without at least knowing what his study concludes. Reading the book itself will provide a fuller understanding of why New York City is behind other large cities in recognizing the importance of the above changes for successful urban education.

Although Rogers credits NYC's mayoral control with bringing some positive reforms, his conclusions with regard to the above deep system changes are that mayoral control has largely been a story of missed opportunities, particularly in its alienation of so many parents, teachers, and community forces, all whom must be part of the collaborative efforts needed for the successful education of the city's children. Changing this is by far the most important educational issue facing the city.

Testimony of Lisa Donlan, President of CDEC One
Before the City Council Committee on Education Hearing on Mayoral Control
June 4, 2009

My name is Lisa Donlan and I am the president of the CDEC in District One, located on the LES/E. Village of Manhattan, where I have served for the last 4 years as an elected parent representative.

From my seat in the front lines of parent involvement in my community schools I have been able to assess the effectiveness of the current governance system and its consequences for my and other communities.

You doubtlessly recall that advocates for mayoral control of the schools portrayed district offices and community school boards as dysfunctional, corrupt, patronage mills which were unaccountable, incompetent, squandering public dollars on contracts for cronies. Mayoral control, we were promised, would put an end to corruption, introducing accountability, transparency and technocratic competence.

Some district offices and community school boards may have deserved some of this criticism; many, however, deserved none of it. Rather than working to improve the systemic failures of local control under a centralized authority and Board, the new DOE destroyed all school boards and closed all the district offices. The ensuing, frequently-changing, confusing centralized procedures have resulted in less than effective decision-making, a total disengagement by parents, and many policies and procedures that have harmed more that they have helped our children and schools.

The DoE's ballooning no-bid, unvetted, and often unsuccessful vendor contracts (school bus routes, for ex) have grown from \$700,000 to more than \$400million, making any problems or abuse connected with the prior contracting methodology pale by comparison.

The Parent Commission refuses to buy into the false dichotomy between retaining dictatorial mayoral control or reverting to the allegedly "unfixable" system of the past.

Our Vision is for a third way; a balancing of the best of centralization and local decision-making based on the restoration of democratic procedures in a government and community partnership.

We envision Community School Districts, together with Community District Education Councils, as the basic unit of school governance, with adequate and appropriate resources (both financial and human) to;

- 1) nurture parental and community involvement,
- 2) make decisions on educational priorities, zoning and enrollment,
- 3) oversee schools 4) facilitate improvement of teaching and learning.

To ensure a more meaningful role for Community School Districts we recommend the following steps:

- CDECs must provide input to the Board of Education (now called the Panel on Education Policy) before policy decisions are made. BoE borough president appointee members should be obligated to report input from all CDECs, in consultation with Presidents Councils, in their borough before any vote on major budget decisions and policy initiatives, allowing ample time

for public hearings (60 days for each CDEC/PC) on all policy and budget issues brought to a vote before the BoE.

- Ensure that the CDECs have the full authority under the law to approve school siting, selection, restructuring, expansion, and reconfiguration of schools, as well as the closing, opening and relocating of all traditional public and charter schools in their districts.
- Restore Community School Districts as meaningful entities, and reinstate the rightful responsibilities and authority of District Superintendents. In particular, Superintendents will be required to spend at least 90% of their time within their own districts, supporting and improving instruction in their community schools and helping to address parental problems and concerns. In consultation with CDECs and District Presidents Councils, they will help develop the annual capital plan, the district's class size reduction plan, the Contract for Excellence spending, and the District Comprehensive Education plan.
- Establish a central role for CDECs in selecting and evaluating the Superintendent. The CDEC will nominate three candidates in consultation with Presidents Councils, from which the Chancellor will choose one.
- Foster a meaningful partnership between CDECs and Community Boards. CDECs and Community boards can and should work closely together on issues related to zoning, city budgets, development and school overcrowding. CDECs should also be closely involved in developing the capital plan and be consulted and involved at every step of the process
- Reform the CDEC election process and composition. Every parent in the district will have a vote, with the possibility of extending this right to all registered voters. Each CDEC will consist of 11 voting members, including one Borough President appointee, 9 members elected by parents, and 1 community resident appointed by the CDEC itself. Though any community resident can run for any of these seats, at least one seat should be reserved for a high school parent; 1 seat for a parent of a child with an IEP, and 1 seat for a parent of an English Language Learner. One seat will be open (but not reserved) for a parent of a charter school student. There will be 2 non-voting high school students elected by their peers from district high schools.
- Assign high schools and 6-12 schools to their respective geographical districts to provide additional opportunity besides the Citywide Council for High Schools for high school parents to have input in policies and planning.
- Expand the Citywide Council on Special Education (CCSE) to represent not just District 75 students and parents, but all children who receive a continuum of services mandated by an IEP (Individualized Education Program).
- Reserve a seat for a parent of a special education student on each of the Community District Education Councils and the Citywide Council on High Schools, to serve as liaison to and provide crucial frontline input to the CCSE. As mentioned above, a seat on the Board of Education should also be set aside for such a parent, to be elected by the special education members of CDECs, the CCHS and the CCSE.



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My name is Vern Ballard; I am a father of two daughters: one two years old and the other two months. I am a member of Manhattan's Community Board 9 in west Harlem. I am also a member of the Parent Commission because I believe we need a constitutional education system with independent checks and balances and authentic civic engagement. This is the kind of system I want to spend the better part of two decades shepherding my daughters through; for how better to learn the value of civic engagement than through our public schools?

I was schooled in one of the worst schools in central Pennsylvania and yet I've thrived in part because I had a series of phenomenal teachers and my father was encouraged to be an engaged parent. As a new father, I expect to be included in shaping my daughter's education. I'm here to testify on the parental input component of our proposal.

Ironically, under Mayoral Control, the mayor and chancellor refuse to be accountable to city and state law; refuse to cooperate with independent audits of finances or test scores; and routinely undermine decisions of the judiciary. Indeed, their ambivalence towards their own policies is such that five times in seven years they have arbitrarily implemented contradictory reorganization plans.

Maybe, as they suggest, this has been one harmonic eight-year master plan. More likely their critics are right and these five reorganizations and their marginal improvements demonstrate continued failure. Without independent auditing and open civic engagement, how can we know?

We do know that Mayoral authoritarian control is a failed experiment. In spite of the mayor's heralding of improved test scores, under the Klein/ Bloomberg stewardship 50% of students who should become high school graduates either are discharged or drop out. Every year, of those who do graduate and enroll in CUNY's community colleges, 75% require remediation, suggesting they are receiving deficient educations. As a result, too many parents feel alienated and bamboozled, teachers are demoralized, administrators are frustrated and elected officials are baffled. Personally, as a parent I am more concerned that my girls and their school chums around the neighborhood are able to do calculus when they enter college than whether they ticked up a few notches on a high stakes remedial math test. As a parent, rather than testing I expect more emphasis on classroom curriculum development for students and teachers; more parent training to raise awareness, standards and expectations at home.

In the past, the mayor appointed board members, who in turn appointed an educator as chancellor. The mayor then respected the judgment of the board and the independence of the

chancellor. This mayor, however, has total power and imposes his will arbitrarily. He does not have to convince a single person that his ideas are right. Given this imperial power, the mayor and his chancellor have pursued policies that are highly destructive. In other cities, charter schools must find their own space, but this administration has been taking space from our public community schools--which are already overcrowded--and giving it to charter schools.

On paper and by state law parent participation in school-based planning and shared decision-making are institutionalized in School Leadership Teams (SLTs). This acknowledges a simple truth: successful schools need supportive parents. The fundamental purpose of each SLT is to give the local school community the ability to participate in determining the school's overall education vision, its goals and priorities, the strategies that would be used to achieve this vision, and the alignment of fiscal and material resources to accomplish its goals. These plans and strategies should be articulated in the school's Comprehensive Educational Plan (CEP).

However, in December 2007, after five years of control, the chancellor entirely stripped parents of their rightful, shared role in helping to develop the CEP and the school-based budget, by giving the final decision-making authority over these plans to the principal alone.

Although New York State Commissioner of Education Richard P. Mills found in December of 2008 that the process by which the Chancellor eviscerated the authority of SLT's was illegitimate, and that the resulting language violated the State Education Law, no new regulation has yet been proposed by the Chancellor.¹ When the State legislation that originally established SLTs sunsets in June, along with mayoral control, it must be replaced with a plan that re-empowers parents by acknowledging our legitimate authority, along with that of principals and district superintendents to be involved in decision-making at the school level. This is why we are urging that as part of the changes in governance: The role of School Leadership Teams in creating the Comprehensive Educational Plan should be clarified in law, as well as the right to develop a school-based budget and staffing plan aligned with the CEP.

The role of parents to be involved in selecting their school's principal should be ensured, by reinstating the earlier C-30 process --in which a committee of staff and parents select candidates for principal and submit them to the district superintendent for his or her final approval. As the administration has silenced our voices, there is a critical need to ensure vigorous parental input is never again muted at the school, district or citywide levels. As we've summarized here today, our proposals would ensure that parents would have a meaningful partnership at the school, district and city-wide levels.

Requiring the Board of Education to hold more public hearings will not lead to any more accountability or any more parent input into decision-making. Public hearings are meaningless to this mayor and this chancellor. If the mayor continues to control the board, these hearings will continue to be purely ritualistic, with no meaningful impact on our schools. How can they when, as you yourself noted, the mayor and chancellor have completely eviscerated school districts? Indeed he has empowered the chancellor by crippling the PEP, superintendents, district leadership teams, and district community education councils. Similarly, at the school level principals have been promoted by disempowering school leadership teams (including parent

¹ Decision by Richard P. Mills, Commissioner, New York State Department of Education, on appeal by Marie Pollicino, Community District #26, UFT and Melvyn L. Meer vs. Action of the New York City Department of Education and Chancellor Joel Klein (December. 31, 2008).

coordinators). Such imperious governance sacrifices the reciprocal benefits of meaningful community engagement, often resulting in avoidable conflicts and misguided strategy.

For example, the mayor's favoritism towards charter schools is undermining our neighborhood public schools, which are the anchors of their communities. Apparently the chancellor's policy is site first ask questions later. For example, in Harlem, as is widely reported Eva Moskowitz's Harlem Success Academy has been scrimmaging with traditional, zoned schools PS 123, PS 149, PS 811. But it also plays out quietly between traditional schools. The Hamilton Heights School (PS 368) is currently housed in two sites: grades K through 3 in Saint Catherine's, grades 4 and 5 are in PS 28. Early this year DOE without legally required CEC consultation or any hearings for parents or the community announced that its 4th and 5th grade would be re-sited to PS 153, seven blocks away. The expected results: logistical strains on parents, students and staff, but the inevitable overcrowding threatens to strip art, music and science programs. Fortunately these plans have been put on hold; I suspect election year politicking.

The mayor and chancellor have revealed that they intend to reserve 100,000 seats for charter school students over the next four years, even though they intend to create only 25,000 new seats in total in their five-year capital plan. Mathematically, logistically and financially this arbitrary objective makes no sense. Charter schools are allowed to cap class size, while the administration is permitting class sizes in the regular public schools to grow. Further, by taking away a huge amount of resources and space from our community district schools (including closing scores of them) it divisively pits experimental charter schools against established, traditional schools. Meanwhile, the many millions that the legislature appropriated for New York City to reduce class size has been diverted to other uses, despite your express directions, and already Chancellor Klein has announced that class sizes in our community district schools are likely to increase even more next year.

Again, we need a coherent constitutional system of school governance, founded on civic and democratic principles, bound by independent checks and balances. Like any well-functioning government, it should be a robust, reliable and resilient partnership. Its purpose should be providing all our children (from special education through gifted and talented) with at least a dozen years of access to excellence, regardless of special needs, cyclical fads and political circumstances and personalities.

As our full plan articulates, deviating from mayoral authoritarian control is not a reversion to chaos and disorder (as some will no doubt suggest), it is an evolution to something better. Without the imperial system of mayoral control, where does the buck stop? How would order be maintained? Under the Parent Commission's proposed governance structure, unlike the previous decentralized system and current mayoral control regime local and centralized boards hold appropriate and reasonable authority. The Education Through Partnership Act brings much needed institutional checks and balances that assure accountability at the school, community and central level. Credible proposals by the mayor, the chancellor, the board, and parents would be augmented by such a system; arbitrary choices would be challenged, as they should be.

We hope that you will work with us to engage your peers in the state legislature to rescind mayoral control provisions and replace it with a constitutional partnership.

Thank you for your attention.

Vernon Ballard

TESTIMONY OF RICHARD BARR TO THE NEW YORK CITY COUNCIL CONCERNING
MAYORAL CONTROL OF THE PUBLIC SCHOOL SYSTEM, JUNE 4, 2009

GOOD AFTERNOON AND THANK YOU FOR TAKING MY TESTIMONY. MY NAME IS RICHARD BARR AND I'VE BEEN AN ACTIVE PARENT IN THE PUBLIC SCHOOL SYSTEM SINCE THE OLDER OF MY TWO CHILDREN ENTERED KINDERGARTEN IN 1993. 16 YEARS DOWN AND TWO TO GO.

AS A STAKEHOLDER AND OBSERVER, I WANT TO HIGHLIGHT SOME OF THE WAYS IN WHICH WE'VE BEEN POORLY SERVED BOTH BY THE STATE AND BY THE MAYOR'S SIDE OF CITY GOVERNMENT AND ASK THE COUNCIL TO DO WHAT IT CAN TO SEEK A BETTER SYSTEM OF GOVERNANCE.

NO ONE KNOWS BETTER THAN YOU, CHAIRMAN JACKSON, WHAT A DISGRACEFUL BATTLE THE STATE FOUGHT TO AVOID ITS RESPONSIBILITIES TO OUR SCHOOL KIDS WHICH YOUR LAWSUIT SOUGHT TO FORCE THEM TO ASSUME. GOVERNOR PATAKI AND HIS TWO ATTORNEYS GENERAL, REPUBLICAN VACCO AND DEMOCRAT SPITZER, TRIED EVERY EXCUSE IN THE BOOK, INCLUDING THE "8TH GRADE IS ENOUGH" DEFENSE.

NO ONE KNOWS BETTER THAN YOU WHAT A POOR ALLY THE MAYOR'S OFFICE WAS TO CFE IN THIS ENDEAVOR. WHEN MAYOR BLOOMBERG'S LAWYER, MICHAEL CARDOZO SAID IN COURT "IF THE CITY HAS TO PAY EVEN ONE NICKEL TOWARD THIS SETTLEMENT, THEN NO THANKS", THE LOOK OF DISGUST ON YOUR FACE, AND ON THOSE OF YOUR LAWYERS, JUSTICE DEGRASSE, AND ALL OF US CFE SUPPORTERS IN THE COURTROOM WAS PALPABLE. PEOPLE WANTED TO THROW UP.

TO THE STATE'S CREDIT, IT DID TAKE STEPS TO BEGIN FUNDING THE SETTLEMENT AFTER IT FINALLY LOST THE SUIT. BUT TO THE CITY'S SHAME, THE MAYOR AND HIS CHANCELLOR HAVE FOUGHT TO USE THE FUNDS NOT FOR THE PURPOSES THEY WERE INTENDED FOR, TO IMPROVE AND ENRICH THE CHILDREN'S EDUCATION, BUT FOR EVERY CRAZY SCHEME THAT THEIR TEAM OF LAWYERS, MANAGEMENT CONSULTANTS, CORPORATE CEOS AND VISITING BILLIONAIRES HAVE COME UP WITH, ANYONE BUT A PROFESSIONAL EDUCATOR. AND PREFERABLY THROUGH NO-BID CONTRACTS AND VIA PROCESSES THAT ELUDE REVIEW AND APPROVAL BY COUNCIL, CITY AND STATE COMPTROLLERS, LOCAL DISTRICTS, AND CENTRAL BOARD.

THE GOVERNANCE LAW THAT THE STATE PASSED 7 YEARS AGO OBVIOUSLY HAD NO TEETH IN IT WITH WHICH TO PREVENT THE MAYOR AND CHANCELLOR FROM DISREGARDING IT, AS THEY HAVE IN ABOLISHING FUNCTIONING DISTRICTS, AND CHANGING THE NAME OF THE BOARD OF ED. AND OF ITS GOVERNING BOARD, WHICH DOES NOT GOVERN ANYTHING ANYMORE.

THIS MAYOR WAS GIVEN CONTROL IN PART BECAUSE HE WAS SEEN AS BEING LESS INTEMPERATE THAN HIS PREDECESSOR, WHO WANTED TO BLOW UP 110 LIVINGSTON STREET. IN FACT HE'S PROVEN TO BE NO LESS DICTATORIAL AND IS STEADILY SHOWING HIMSELF TO BE JUST AS INTEMPERATE, ONLY WITH A DIFFERENT STYLE. WHO KNOWS WHAT MAY HAPPEN IF AN EVEN MORE DISASTROUS MAYOR

BARR 2

CHANCELLOR DUO EMERGE IN THE FUTURE AND THERE'S NO CHECKS ON THEIR DECISION-MAKING POWER, AS THERE ~~AS~~ ^{ARE} NONE NOW.

PROPOSALS ARE AFOOT TO GREATLY IMPROVE OUR SYSTEM OF GOVERNANCE GOING FORWARD, AND ALLOW FOR TRUE PARTICIPATION IN THE DECISION-MAKING BY STAKEHOLDERS AND OTHER BRANCHES OF GOVERNMENT. I'VE WORKED WITH THE PARENT COMMISSION ON SCHOOL GOVERNANCE OVER THIS LAST YEAR AND BELIEVE THAT ITS PROPOSALS FOR CHANGE ARE THE MOST FAR-REACHING AND SIGNIFICANT. I URGE THE COUNCIL TO CONSIDER ~~ADOPTING THEM~~ ^{ADVOCATING FOR}, OR AS MANY AS YOU SEE FIT, AND ASK THE STATE TO ADOPT THEM. MAYBE YOU'VE GOT ADDITIONAL GOOD IDEAS NOT NOW ON THE TABLE AS WELL.

BUT PLEASE, AS FORCEFULLY AS YOU CAN, DEMAND FROM ~~THEM~~ ^{ALBANY} THE KIND OF HOME RULE FOR THIS CITY THAT IT OUGHT TO HAVE OVER ITS EDUCATION SYSTEM, ONE THAT IS IN KEEPING WITH A DEMOCRACY, NOT A DICTATORSHIP.

THANK YOU VERY MUCH.

CAMPAIGN 4 BETTER SCHOOLS

New York City Council Hearing on School Governance

Thursday, June 4, 2009

City Hall

Testimony of Carol Boyd, Parent Leader

New York City Coalition for Educational Justice

Good afternoon Chairman and members of the NYC Council. I am Carol Boyd, a Parent Leader of the Bronx based New Settlement Apartments' Parent Action Committee, a member of both the NYC Coalition for Educational Justice (CEJ) and the Campaign for Better Schools. I am here today to encourage you to support the Better Schools Act, a bill in Albany which has been introduced by Senator Kevin Parker and Assemblyman Carl Heastie. I encourage all of you voice your support for this legislation not just on behalf of my two public school children but for ALL NYC school students and their families. The Better Schools Act, if passed into law, would strengthen mayoral control in ways that would not only dramatically improve our schools but also the futures of our children.

Opponents of this bill would falsely have you believe that any modification to the existing structure of school governance in NYC would create a system that is weakened and bureaucratic. However, in actuality enactment of this bill would create a system that is strengthened and DEMOCRATIC, for in a democracy, there is no place for one man rule or monarchy.

C4BS is by no means trying to reinvent the wheel. In fact we wholeheartedly support mayoral control as a mechanism to provide accountability for our schools. We do not desire to return to the "old system" of cronyism and corrupt School Boards, but we cannot continue under the current one either. The real question here is under the present legislation to whom (if anyone) are our schools accountable?

Passing the Better Schools Act would ensure that school governance in NYC provides:

Checks and Balances – Presently, the Board of Education, now called the Panel for Education Policy (PEP) is structured to give the balance of power to the mayor; in 2004 when several PEP members disagreed with the rash implementation of a 3rd grade retention policy, prior to voting, they were removed and immediately replaced by the mayor in an off with their heads fashion, democracy or monarchy?

Transparency – City agencies in NY are under the direct purview of the mayor and are subject to review by an independent authority. If the DoE is under the direct purview of the mayor should it not also be subject to the same review policy? Enactment of the Better Schools Act would ensure that there is **transparency** by giving the Independent Budget Office the authority to collect and report on school achievement data and finances.

Public Participation - One of the most frustrating experiences for parents and students alike throughout the last six years of mayoral control has been that under the guise of school reform our local schools have undergone a myriad of changes without benefit of any parental or community input. Just last year a "new" 8th grade retention policy was put in place without any public input and without any real plan to provide support for these students. By the DoE's own estimation, nearly 14,000 students would be in jeopardy of retention as a result of this policy. Recognizing that implementation of this policy would severely harm and not help our children (particularly those students in historically low performing school districts like district 9 where I and many other CEJ parents live) hundreds of CEJ parents took to the streets in vehement protest, but as usual our voices went unheard. Now, we're being told by the DoE that as a result of recent test score data, 90% of these students miraculously saw improvement and the number of students currently facing retention is now 1,400. Despite the highly touted

rise in reading scores, a careful examination of DoE data found that at 32% of middle schools in NYC, 8th graders are currently reading below grade level. As we say at C4BS, ***"DON'T BELIEVE THE HYPE!"*** The Better Schools Act, makes sure that **parents and the community** can have a role in important decisions affecting our children and their schools. Further, it will enable parents to know as well as clearly understand what is going on in the education of their children without being besieged by misleading high priced, media blitzes pasted all over mass transit vehicles.

I ask that you listen carefully to the testimonies of my fellow panel members and, that when all is said and done that you as members of the NYC Council and as our *elected* representatives join with us in opposing one-man rule of our schools by supporting the Better Schools Act.

Thank you.



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**Testimony of
DAWN PHILIP
on behalf of
NEW YORK LAWYERS FOR THE PUBLIC INTEREST
before the
NEW YORK CITY COUNCIL
Oversight Hearing on
MAYORAL CONTROL OF NYC PUBLIC SCHOOLS
June 4, 2009**

Good afternoon. Thank you for the opportunity to provide testimony today. My name is Dawn Philip, and I am a staff attorney with New York Lawyers for the Public Interest (NYLPI). NYLPI is a nonprofit civil rights law firm formed in 1976 to address the unmet legal needs of New Yorkers. In 1991, NYLPI formed its Environmental Justice & Community Development Project to represent communities facing disproportionate environmental burdens. I represent community groups concerned about local schools on contaminated properties within New York City.

I'd like to focus my comments today on the leasing of contaminated facilities for use as school sites by the School Construction Authority and the effect of mayoral control on this issue. As part of its effort to reduce overcrowding in classrooms around the City, the SCA, in addition to creating seats through new construction, also leases existing facilities to turn them into schools. Some of these leased facilities will almost certainly be sited on contaminated properties, as has happened in the past. Siting schools on contaminated properties is risky business; exposure to toxic chemicals can lead to behavioral problems, learning disabilities, decreased I.Q. for children, and has been linked to certain cancers.

To build a new school, state law requires the SCA to submit a site plan to the local community board, give the City Council an opportunity to review the site plan, and undergo environmental review¹, all of which give communities notice and an opportunity to participate (two things the Bloomberg Administration does not seem fond of). Unfortunately, the SCA administers its leasing program as if it is not subject to the same

¹ Public Authorities Law §§ 1730-1733.

requirements as new construction.² Under the current scheme for leasing, even where there is known contamination, there may be insufficient environmental review of proposed lease sites and no opportunity for the community and Council to weigh-in.

We believe communities should have a right to know about leased facilities proposed nearby, and that the Council should be able to weigh in on those siting decisions. It is arbitrary and unjustified to have less stringent review for contaminated school sites simply because a school is leased instead of newly constructed on city-owned property. Failure to conduct sufficient environmental review, given the history of placing children on contaminated school properties without the most protective measures in place, is reckless.

State legislation is needed to amend the Public Authorities Law (PAL) to clarify expressly that leased facilities are subject to the same community participation and political and environmental review processes applied to new school construction. City Council passed a resolution in support of this effort but the bill has yet to become state law. It's been introduced in both the state Senate and Assembly and we are hopeful it will pass this session and be signed by the governor. Over 30 of New York City and New York State's top environmental justice groups, healthy schools advocates, and environmental organizations support this legislation.³

For a variety of reasons, in the past two sessions, Mayoral opposition to this bill has been almost single-handedly responsible for stopping this widely-supported legislation from becoming law. The idea of mayoral control over NYC public schools brought with it a promise of greater accountability and transparency. Unfortunately, with respect to the School Construction Authority, mayoral control has resulted in less accountability and

² The Appellate Division, in *Park South-Tenants Corp. v. Board of Education of the City of New York*, 208 A.D.2d 394 (1994), held that the School Construction Authority's (SCA) leasing program was not subject to the community participation and political approval processes codified in the Public Authorities Law (PAL). PAL § 1731. Upon information and belief, the SCA also interprets this decision as exempting their leasing program from environmental review requirements – a position with no basis in the law. Using this precedent to avoid accountability, the SCA places children at risk, because toxic chemicals pose a danger whether found in a leased facility or uncovered during new construction.

³ The following organizations support A.8838: Asian American Legal Defense and Education Fund (AALDEF) • Bronx Committee for Toxic Free Schools • Bronx Health REACH • Center for Health, Environment & Justice (CHEJ) • Chancellor's Parent Advisory Council • Chinese Progressive Association • Class Size Matters • Coalition for Asian American Children and Families • Community District Education Council 26 • Concerned Residents Organization • Environmental Advocates of New York • Environmental Defense • Healthy Schools Network • Hillcrest Citizens for Neighborhood Preservation • Hillcrest Estates Civic Association • Institute for Health and the Environment at SUNY Albany • Institute for Urban Family Health • Make the Road by Walking • Natural Resources Defense Council (NRDC) • New York City Environmental Justice Alliance (NYCEJA) • New York Immigration Coalition • New York Lawyers for the Public Interest (NYLPI) • New York League of Conservation Voters (NYLCV) • New York Public Interest Research Group (NYPIRG) • Northwest Bronx Community & Clergy Coalition • Nos Quedamos/We Stay • Puerto Rican Legal Defense and Education Fund (PRLDEF) • Sierra Club • Sustainable South Bronx • United Federation of Teachers (UFT) • United Puerto Rican Organization of Sunset Park (UPROSE) • WE ACT for Environmental Justice • Wellness in the Schools.

little transparency. The mayoral control legislation restructured the SCA in some important ways. It changed the make-up of the board to include the chancellor and two trustees appointed by the mayor, removing the president of the board of education and the governor's appointee positions. This has resulted in a SCA that is much more accountable to the mayor and unfortunately, much less accountable to the public.

The problems associated with this lack of accountability have come up in another important area of our healthy schools work. For more than a year the SCA and the DOE have been aware of the serious and well-documented risks to children's health posed by illegal levels of PCB contamination in the window and door caulking in NYC schools. Last April Council Members Gennaro, Jackson, and Gioia convened a Council hearing on this public health threat; the Council later passed a resolution calling on school authorities to test schools that might be contaminated. Similar state legislation is now pending, and a Bronx mother has filed a notice of intent to sue over the severely contaminated caulk at her children's school. Despite the scientifically established risk, the SCA has chosen to respond by dismissing these concerns. No systematic testing regime is in place or planned and the SCA has not disclosed the identity of those schools where they have identified illegal levels of PCB contamination. Proponents of mayoral control argue that centralized authority permits a more efficient and effective response to crises. Our experience with the PCBs issue fails to support this view.

The point here is a basic one: as a public authority, the SCA should be accountable to the public in way it has not been with respect to PCB's and contaminated school sites. Mayoral control should never come at the expense of community participation, transparency, and our children's health.

Thank you for the opportunity to testify.

Observations on Mayoral Control Results

Martin Krongold
1st Vice President
Citywide Council on High Schools

1. Test results on closing the achievement gap with the rest of the state are prolonged and irrefutable. This is real progress.
2. Score inflation is highly likely.
3. Closing the achievement gap is very slow and this year's success is a welcome aberration.
4. High School graduation rates may or may not be improving depending on how data is analyzed. This is an open question.

Mayoral control is a good thing in terms of accountability because it puts more of the system and its resources on notice that achievement via knowledge attainment and graduation should be the foci of the system, and there should be less emphasis on ANY board, PEP, union, district, superintendent OR Tweed decisions.

The CCHS has reported suggestions to the Assembly Committee on Education that include:

1. Comptroller review of DOE contracts;
2. Allowing a separate analytical arm apart from the DOE with subpoena power to review data;
3. Issuing separate DOE reports annually on special education and English Language Learners.

Finally, keep superintendent authority away from the system to the extent possible. Empower another arm of DOE to accept central parent complaints. Superintendents are typically approved directly or tacitly by public officials who don't have the best interests of students in mind.

Thank you.



June 4, 2009

Leonie Haimson, Executive Director, Class Size Matters
**Testimony on school governance before the NYC Council
Education Committee**

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118 Sullivan Street • Suite 3R
New York, New York 10012

Thank you for holding these very important hearings. Class Size Matters is a founding member of the Parent Commission on School Governance and Mayoral Control. The Parent Commission invited all NYC parents to be a part of our process, and many parent leaders from throughout the city participated. We developed what we think are the most thorough and thoughtful set of recommendations to reform the current governance system, which would strengthen the parent voice at the school, district and citywide levels, and provide much needed accountability, transparency and checks and balances..

Our proposals are in this report – and have now been introduced into legislation, called the “**Education Through Partnership Act**” in the Assembly as A8550 and in the Senate as S5739. Our primary sponsors are AM O’Donnell of Manhattan and Senator Huntley of Queens, and many other legislators have signed on as co-sponsors.

Our proposals have also been endorsed by many Community Education Councils and Community Boards citywide, including the CECs from Districts 1, 2, 6, 11, and 17; and CBs 1,3, and 12 .

We cannot emphasize enough how important we believe it is for there to be significant changes to the current one-man rule over our public schools.

The mayor is making radical changes to our schools that we believe soon will be irreversible, and which will undermine the continuation of our system of community public schools as they currently exist.

- 1- Only two of the top twenty executives at Tweed are educators. His decisions are instead influenced by a small group of billionaires, including Eli Broad, Bill Gates, Rupert Murdoch, and Mort Zuckerman, none of whom have had children in the public schools.
- 2- Chancellor Klein has announced that he has no intention of reducing class size, and if he has his way, he would shrink the teaching force by 30 percent. Rather than obeying legislative and judicial mandates to *construct* additional classrooms to reduce class size, he has peremptorily begun to *replace* community schools with hundreds of charter schools.
- 3- The administration intends to reserve 100,000 seats for charter school students over the next four years, while proposing only 25,000 seats in the next five year capital plan. This will entail closing scores of neighborhood public schools and sending their existing student population elsewhere, to make way for more charter school students.

- 4- Both the mayor and the chancellor have repeatedly expressed disdain for the concerns of public school parents, and have methodically stripped their institutional and individual rights to have a voice in how their children are educated.

Never in history has any mayor wielded such unlimited power, without any checks or balances, and never before has any mayor revealed such contempt for the views and priorities of parents and educators. In the current system, the mayor does not have to convince a single person that his ideas are right. Instead of the current system of dictatorial mayoral control, we strongly urge the following:

- The policies and actions of the board and the chancellor should be fully subject to both state and city law;
- Members of the board must have fixed terms so the mayor cannot fire his appointees at will; and there should be a minority of mayoral appointees;
- Community education councils must be fully empowered, so they have the final say about the closing or opening of schools, including charters, in their districts.

In addition, we propose:

- putting a plurality of elected parents on the board of education;
- creating three independent offices to ensure accountability and transparency;
- reforming the CEC election process so that all parents have a vote;
- mandating that superintendents spend at least 90% of their time in their districts;
- requiring that School Leadership Teams have the authority to develop comprehensive education plans and school based budgets, as in past administrations;
- creating an Independent Parent Organization, with a dedicated source of public funding; and
- reserving seats for special education parents on the Board of Education and Community Education Councils, as well as creating an office of Deputy Chancellor, who would be in charge of ensuring that children with special needs receive their mandated services.

Finally, we propose that a commission of stakeholders be appointed to develop a constitution that will define the principles and goals of the NYC public schools.

The administration is imposing a series of interlinked policies that have the systematic effect of undermining the continued strength and vitality of our community public schools. From allowing our regular public schools to suffer from increased overcrowding and larger classes, making preK students reapply to their elementary schools for Kindergarten, putting hundreds of Kindergarten students on wait lists for next fall, and saying they will deal with overcrowding by sending elementary grade students to schools in other districts, while giving increased space to charter schools in our neighborhood school buildings and allowing these schools to cap class sizes at lower levels, all of these policies are intended to weaken the connection of communities and their local elected officials to their neighborhood public schools.

Once this has occurred, it will be far easier for them to accomplish their ultimate goal, which, we believe, is to privatize the system.

Unless with your help, our elected representatives in Albany seize this historic moment to stand up for parents, and insist that no mayor should be able to exercise unchecked power over our schools, we fear that we may well witness the abandonment of New York City's commitment to the very idea of public education and the equitable and quality education that is our children's right under the law. Thank you for the chance to speak to you today.



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Reform NYC School Governance Now!

Pass the “Education Through Partnership Act”

The “**Education Through Partnership Act**” (A8550 and S5739) will ensure that parents are full partners with educators, administrators, and elected officials in the education of their children through strengthening parent representation and voice in decision-making at the school, district, and city-wide levels, providing enhanced mechanisms for accountability and transparency, and making educational policy-making and contracting subject to city law.

1. Full parent representation on the Board of Education will provide shared decision-making and necessary checks and balances.

- ❖ A plurality (six) of parent leaders on a reconstituted Board of Education -- each elected by CEC members to represent roughly equal nos. of students -- five political appointees, (three by the mayor), and four members appointed collectively by board to fill in gaps in expertise and to build consensus and partnership.
- ❖ The Board members with 4 year fixed terms and only removed for cause.
- ❖ The Chancellor must be an educator (no waivers allowed) and appointed by the Mayor from list of three candidates chosen by Board -- again to strengthen partnership and consensus.
- ❖ The Board to vote on all education policy issues, the budget and Capital Plan and all contracts over \$500,000; for consulting services and private donations, over \$100,000.

2. Accountability and transparency strengthened.

- ❖ All actions and decisions of the Board and the Chancellor, including policies, budget and contracts fully subject to state and city law.
- ❖ Three independent offices established to ensure transparency and accountability: An Independent Accountability Office, to vet student outcome data, an independent Inspector General, answerable to the public, to investigate allegations of corruption, mismanagement, and malfeasance, and an Ombudsperson, to respond to parental complaints.

- ❖ City Comptroller and the IBO afforded ability to access all fiscal data and an audit committee of the Board established, according to state law, with access to internal audits and to produce annual reports on spending.

3. Districts and Community Education Councils reinvigorated.

- ❖ Superintendents required to devote at least 90% of their time in their districts, overseeing schools and supporting parents in their districts.
- ❖ High schools restored to their geographical districts.
- ❖ Community Education Councils elected by all parents, with seats reserved for an ELL parent, a special education parent and a High school parent.
- ❖ CECs afforded the right to approve changes in zoning, as well as to approve the closing or opening of any new school – including charter schools --within their district.

4. Parent voice strengthened both at the school and citywide levels.

- ❖ School Leadership Teams restored to their previous authority to develop comprehensive education plans and school-based budgets based on those plan.
- ❖ The C-30 principal selection process restored in which school-based committees receive all applications and select candidates for the final approval of superintendent.
- ❖ An independent parent organization created with a dedicated source of funding to provide training to parents, SLT, and CEC members, and provide a voice for parents at the citywide level.

5. Special education improved .

- ❖ Seats for special education parents reserved on Board of Education and on each CEC.
- ❖ A Deputy Chancellor position created, with ultimate responsibility for ensuring that all special education children receive their mandated services

6. Establishment of a broad-based Citizen's commission to forge a consensus document that will define the mission, goals and principles of the city's public schools.

NYC CITY COUNCIL EDUCATION COMMITTEE

MAYORAL CONTROL ON SCHOOL GOVERNANCE, JUNE 4, 2009

EDUCATION THROUGH PARTNERSHIP

TESTIMONY SUBMITTED BY: ANNETTE EVANS, 4 WSV, NY, NY 10012

Problems with Mayoral Control

1. Why would a democratic body vote for an undemocratic policy, such as mayoral control?
2. The overcrowding and waitlisting of our local community and Citywide public schools is a symptom of mayoral control. The lack of school seats is a result of poor planning, poor management, and poor prioritization on behalf of the mayor, chancellor and DOE, even though community and parent leaders have repeatedly warned that residential development without proper infrastructure would burden our already crowded schools.

FOLLOW THE MONEY

With the lack of oversight of one-man mayoral control, there has been:

- 1) the Mayor's refusal to divulge the budget to either the city or state comptroller, telling the state comptroller that it's a city agency and the city comptroller that it's a state agency. Therefore, not reporting to or subjected to either.
- 2) \$324 million dollars awarded in no-bid contracts, that one of the bidders complained the winning bid was three times higher than all the other bids. The Mayor has ignored the Public Advocate's call for an audit of the DOE's no-bid contracts.
- 3) the \$80 million dollars ARIS computer system that a computer professional said should only have cost about \$50,000.
- 4) \$10+ million dollars squandered on outside consultants, like Alvarez & Marcel, to help cut school expenses. Their "savings" came from cutting janitorial services and bus routes in January, leaving five and six year old children standing out in the cold or taking up to three trains/buses to go to school, while consultants billed the DOE for 1/4 mile cab rides.
- 5) paying \$10 million for the continuation of the Leadership Academy after private donors stopped funding it, even though the majority of 228 principals graduating from the Academy were not as successful as the principals who worked their way up through the school system.

6) the swelling the ranks of DOE bureaucratic positions, while other vital in-class programs are cut. For example, the PR office increased from 1-3 under Mayor Guiliani to 23 positions at six-figure salaries under Mayor Bloomberg, an increased Legal staff spends much of its time denying services to special education children. Only cutting three bureaucratic positions would stave off the impending \$500,000 budget cut , (after a series of previous cuts) to Lab Middle/High School that serves over 1,000 children.

7) monies squandered on unscientific, unnecessary, unreliable and non-predictive testing. Administrators have been caught changing answers on tests, so their schools are not punished, underfunded or shut down due to bad results. Meanwhile, although the mayor and chancellor crow about increased city and state test scores, the national test scores, a more objective and independent measurement of achievement, remain flat.

8) skewing and misrepresenting the results of data gathered from testing to graduation and dropout rates, in an effort to prove that mayoral control and it's policies work when in fact they do not. Data is frequently not recorded or even destroyed, if and especially when the results are detrimental to their version of the truth.

9) several major organizational restructurings that instead of streamlining and adding more transparency and accountability, served to cause chaos and confusion.

10) the placement of charter schools in pre-existing and already crowded schools without review or approval by parent leadership bodies (CECs) and over the objections of parents and communities. And what happens when the corporate sponsors of charter schools pull out or want to dictate a certain pedagogy?

11) because the Mayor selects the Chancellor, the Chancellor serves at the behest of the Mayor and is not an advocate for the children.

So much for one-man checks and balances, accountability, transparency and democratic decision-making. The irony is that our public schools could be fully funded, provide proper services AND cost the taxpayer LESS.

The most deeply troubling problem is that mayoral control gives the mayor and chancellor carte blanche to destroy and privatize public schools and undermines the 200 year tradition of free and democratic schools in our country.

The Education Through Partnership Act does not return us to the old Board of Education, but rather, restores much of what the law intended and which mayoral control has aborted, and moves forward with a partnership of stakeholders and the mayor.

That is why we ask for your support the Parent Commission recommendations contained in the Education Through Partnership Act. Thank you.



ADVOCATES FOR CHILDREN

Helping children succeed in school

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Testimony to be delivered to the New York City Council Education Committee

Re: Mayoral Control of the City Schools

**By Kim Sweet, Advocates for Children of New York
June 4, 2009**

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Mala Thakur
Lysa Vanible

Executive Director
Kim Sweet


Deputy Director
Matthew Lenaghan

Good afternoon. Thank you for this opportunity to speak with you today about mayoral control.

My name is Kim Sweet, and I am the Executive Director of Advocates for Children of New York. For more than 37 years, Advocates for Children has helped New York City's parents navigate the sprawling public education system and make their voices heard. We work every year with thousands of parents from throughout the City, which gives us a unique vantage point for observing how changes in school governance affect families on the ground.

I am here today as a proud member of the Campaign for Better Schools, which brought together low-income communities of color concerned with their lack of voice in the current governance system.

In developing our proposal, the diverse communities that make up the Campaign came to agreement relatively quickly on two basic points:

- 
- (i) We did not want to go back to the system of governance that was in place before 2002.
 - (ii) We felt that the current system places too much power and information in the control of one individual, the mayor, with the result it's very hard for communities to influence important decisions or to get the information they need to hold the mayor accountable.

A central piece of the Campaign for Better Schools proposal is that we need checks and balances at the very top of the system. Right now, the Panel for Education Policy is nothing more than a rubber stamp, controlled completely by the Mayor. If a mayor (whether this mayor or a subsequent mayor) wants to adopt unwise policies, or wasteful contracts, there is no way to stop him.

So, the Campaign's recommendation is that the mayor should retain complete power to hire and fire the Chancellor, which preserves his overall control over the city schools.

But the composition of the Panel on Education Policy would change so that a narrow majority of members would be appointed by the City Council, with a minority appointed by the Mayor. And the Panel's members would serve for fixed terms of 3 years or less to avoid purges of members who disagree with whoever appointed them. The Chancellor would remain on the Panel, but would no longer be a voting member.



These changes would open the door to robust and productive public debate about the education policies that affect our city's children. But they would not remove so much power from the mayor as to produce gridlock and thwart reform.

The Campaign for Better Schools is also proposing significant changes with regard to transparency of information and parental participation. My colleagues on the panel will explain those points in more detail.

Thank you for this opportunity to speak to you today. I would be happy to answer any questions you may have.



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*Testimony of Deycy Avitia, Coordinator of Education Advocacy at
The New York Immigration Coalition, for the NYC Council Hearing on Mayoral Control*

June 4, 2009

Good afternoon. Chairman Jackson and distinguished members of the City Council Education Committee. My name is Deycy Avitia and I am the Coordinator of Education Advocacy for the New York Immigration Coalition, an umbrella policy and advocacy organization with over 200 member groups throughout New York State that fight for justice and opportunity for the newest New Yorkers. I am also here as a member of the Campaign for Better Schools, a coalition of groups that have injected the voice of the biggest stakeholders in the Mayoral Control debate—the City’s public school parents and students.

From the start, we have prioritized three areas of reform in the school governance law:

- Creating checks and balances by empowering the Panel for Education Policy;
- Increased financial and data transparency through the Independent Budget Office;
- Strengthening public participation with meaningful channels for parents and students to be involved and have an impact in our schools. I will focus my testimony on this last point.

I’m sure most of you would agree, based on inquiries you receive from your constituents, that parents are lost and confused and feel more disempowered than ever before. Whether its last minute bus route changes in the middle of winter, parents finding out in the news that their school is being closed, or the current response to H1N1 virus, critical information is often not available when individuals need it most.

There is wide consensus that current avenues for parent involvement within the Department of Education (DOE) have not been sufficient. There are structures (such as Parent Associations, School Leadership Teams, and Community Education Councils) that because of their familiarity and close contact with parents could help inform and help parents become more involved. However, these bodies have not been given sufficient training to ensure that they fully understand their role and can navigate the complicated system to advocate for their communities. The DOE has been neither responsive nor accountable for providing adequate parent and student leaders with the resources and support they need.

For this reason, we are proposing the creation of an Independent source for information and training for parents and students, housed at the Public Advocate’s office. Independent outreach & training on how to effectively participate at every level from PTAs to District Leadership Teams is essential to making these structures for parent and student participation meaningful.

Another component to our proposal that would increase parents and students’ ability to navigate the school system is strengthening the role of the District Superintendents. Actually, the current powers granted to district superintendents under law are adequate, but it is important that district superintendents are empowered to do their jobs. Clearly, one chancellor cannot supervise

more than 1,400 schools and help millions of students and parents by himself. Parents need a place to go in their local community where they can get their problems solved.

Lastly, parents should not have to hear about school closing in the news. We are proposing a educational impact statement that addresses how the closing or insertion of a school will impact the achievement gap, the education of English language learners, overcrowding and access to neighborhood schools. Currently, schools are opened and closed, and communities do not have information about what it will mean for their schools.

Taken together, these reforms can begin to seriously address the widest and most accepted criticism of the current system- the overt dismissal that parents and students can be partners in our schools. We look forward to working with the City Council and our State Legislators to ensure parents and students have the tools they need to navigate the system and take on leadership roles in their schools.

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NYC CITY COUNCIL EDUCATION COMMITTEE

MAYORAL CONTROL ON SCHOOL GOVERNANCE, JUNE 4, 2009

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6) the swelling the ranks of DOE bureaucratic positions, while other vital in-class programs are cut. For example, the PR office increased from 1-3 under Mayor Giuliani to 23 positions at six-figure salaries under Mayor Bloomberg, an increased Legal staff spends much of its time denying services to special education children. Only cutting three bureaucratic positions would stave off the impending \$500,000 budget cut , (after a series of previous cuts) to Lab Middle/High School that serves over 1,000 children.

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8) skewing and misrepresenting the results of data gathered from testing to graduation and dropout rates, in an effort to prove that mayoral control and it's policies work when in fact they do not. Data is frequently not recorded or even destroyed, if and especially when the results are detrimental to their version of the truth.

9) several major organizational restructurings that instead of streamlining and adding more transparency and accountability, served to cause chaos and confusion.

10) the placement of charter schools in pre-existing and already crowded schools without review or approval by parent leadership bodies (CECs) and over the objections of parents and communities. And what happens when the corporate sponsors of charter schools pull out or want to dictate a certain pedagogy?

11) because the Mayor selects the Chancellor, the Chancellor serves at the behest of the Mayor and is not an advocate for the children.

So much for one-man checks and balances, accountability, transparency and democratic decision-making. The irony is that our public schools could be fully funded, provide proper services AND cost the taxpayer LESS.

The most deeply troubling problem is that mayoral control gives the mayor and chancellor carte blanche to destroy and privatize public schools and undermines the 200 year tradition of free and democratic schools in our country.

The Education Through Partnership Act does not return us to the old Board of Education, but rather, restores much of what the law intended and which mayoral control has aborted, and moves forward with a partnership of stakeholders and the mayor.

That is why we ask for your support the Parent Commission recommendations contained in the Education Through Partnership Act. Thank you.

Parent Testimony
City Council Committee on Education
Hearings, Mayoral Control
Thursday, June 4, 2009

The following parents will be delivering oral and/or written testimony on Mayoral Control. I also append the District 2 CEC's resolution #22 on school governance, passed on May 14, 2009.

More parents would like to speak out on Mayoral Control, but we are focusing our efforts on lobbying our legislators in Albany. We encourage councilmembers to review parent testimony before the New York State Assembly Hearings by the Standing Committee on Education on Governance of the New York City School District, January 29, 2009 (Queens), February 6, 2009 (Manhattan), and March 20, 2009 (Brooklyn), <http://assembly.state.ny.us/mem/?ad=037> and to pass a resolution supporting a governance law that addresses parents' serious concerns.

Henry Sidel
Kids Shut Out
hsidel@jotosake.com

Annette Evans
The Lab School/Stuyvesant High School
asevans88@yahoo.com

Ann Kjellberg
P.S. 41
kjellzer@pipeline.com

Andy Lachman
Parent Leaders of the Upper East Side
akl16@nyc.rr.com

Eric Zerof
P.S. 41
ericzerof@gmail.com

**Henry Sidel
Kids Shut Out,
An advocacy group representing waitlisted families from PS 3 and 41**

I have been involved with public school issues since December, 2008, when I attended my first CEC District 2 meeting as a school representative from my son's nursery school. During this meeting, I learned about the severe overcrowding problem in your district and the trials and travails of the parents in lower Manhattan. Four months after this CEC meeting, my son was waitlisted for public school in the West Village (for PS 3 and PS 41). He was one of 92 children. I have lived in New York City my entire life, since 1968, and here I was with my son waitlisted for public school in New York. That is unacceptable. Although there are many people to blame, there is no one more to blame than Mayor Bloomberg. There is no system or process to blame more than Mayoral Control.

Mayor Bloomberg took control of the DOE when he took office but gave the DOE complete and total autonomy. He gave Joel Klein complete freedom without any accountability and the results have been terrible. Since I have become involved in this issue, I have met parents, teachers, administrators, principals, elected officials and public advocates from all over the city. Everyone I meet is dissatisfied. The shared experience of the DOE is that they are dismissive, arrogant, unresponsive, uncooperative, secretive and incompetent. The current capital plan was for \$14 Billion and yet what has it produced? Anything other than anger and discontent? Find me a satisfied stakeholder in NYC. Where did the money go? When were the annual reviews? Where is the independent accounting?

I run a business. I am responsible to shareholders, suppliers, distributors, customers, employees, the federal, state and city government, and my community. I have to be in compliance, report to and satisfy everyone. And yet the DOE doesn't have to report to or satisfy anyone, except the Mayor, and they are one and the same. This has produced gross incompetence and extreme arrogance. The DOE is totally out of control and the only way to rein them in is by changing the governance system. No organization should be allowed to run so far afield with so little control in any community. The fact that this organization controls and spends billions of taxpayer dollars makes it even more reprehensible.

You have turned your back on the parents of your districts by not actively petitioning for an end to Mayoral Control. The least you can do is support the Education Through Partnership bill and push for it. I know it in the West Village and parents are starting to know it all over the city. Get with the program. End Mayoral Control and push the bill that's in Albany now!

Sincerely,
Henry Sidel
10 Bethune Street, Apt 5B
New York, New York 10014
646-209-3526
hsidel@jotosake.com

NYC CITY COUNCIL EDUCATION COMMITTEE
MAYORAL CONTROL ON SCHOOL GOVERNANCE, JUNE 4, 2009
EDUCATION THROUGH PARTNERSHIP

TESTIMONY SUBMITTED BY: ANNETTE EVANS, 4 WSV, NY, NY 10012

Problems with Mayoral Control

1. Why would a democratic body vote for an undemocratic policy, such as mayoral control?
2. The overcrowding and waitlisting of our local community and Citywide public schools is a symptom of mayoral control. The lack of school seats is a result of poor planning, poor management, and poor prioritization on behalf of the mayor, chancellor and DOE, even though community and parent leaders have repeatedly warned that residential development without proper infrastructure would burden our already crowded schools.

FOLLOW THE MONEY

With the lack of oversight of one-man mayoral control, there has been:

- 1) the Mayor's refusal to divulge the budget to either the city or state comptroller, telling the state comptroller that it's a city agency and the city comptroller that it's a state agency. Therefore, not reporting to or subjected to either.
- 2) \$324 million dollars awarded in no-bid contracts, that one of the bidders complained the winning bid was three times higher than all the other bids. The Mayor has ignored the Public Advocate's call for an audit of the DOE's no-bid contracts.
- 3) the \$80 million dollars ARIS computer system that a computer professional said should only have cost about \$50,000.
- 4) \$10+ million dollars squandered on outside consultants, like Alvarez & Marcel, to help cut school expenses. Their "savings" came from cutting janitorial services and bus routes in January, leaving five and six year old children standing out in the cold or taking up to three trains/buses to go to school, while consultants billed the DOE for 1/4 mile cab rides.
- 5) paying \$10 million for the continuation of the Leadership Academy after private donors stopped funding it, even though the majority of 228 principals graduating from the Academy were not as successful as the principals who worked their way up through the school system.
- 6) the swelling the ranks of DOE bureaucratic positions, while other vital in-class

programs are cut. For example, the PR office increased from 1-3 under Mayor Guiliani to 23 positions at six-figure salaries under Mayor Bloomberg, an increased Legal staff spends much of its time denying services to special education children. Only cutting three bureaucratic positions would stave off the impending \$500,000 budget cut , (after a series of previous cuts) to Lab Middle/High School that serves over 1,000 children.

7) monies squandered on unscientific, unnecessary, unreliable and non-predictive testing. Administrators have been caught changing answers on tests, so their schools are not punished, underfunded or shut down due to bad results. Meanwhile, although the mayor and chancellor crow about increased city and state test scores, the national test scores, a more objective and independent measurement of achievement, remain flat.

8) skewing and misrepresenting the results of data gathered from testing to graduation and dropout rates, in an effort to prove that mayoral control and it's policies work when in fact they do not. Data is frequently not recorded or even destroyed, if and especially when the results are detrimental to their version of the truth.

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11) because the Mayor selects the Chancellor, the Chancellor serves at the behest of the Mayor and is not an advocate for the children.

So much for one-man checks and balances, accountability, transparency and democratic decision-making. The irony is that our public schools could be fully funded, provide proper services AND cost the taxpayer LESS.

The most deeply troubling problem is that mayoral control gives the mayor and chancellor carte blanche to destroy and privatize public schools and undermines the 200 year tradition of free and democratic schools in our country.

The Education Through Partnership Act does not return us to the old Board of Education, but rather, restores much of what the law intended and which mayoral control has aborted, and moves forward with a partnership of stakeholders and the mayor.

That is why we ask for your support the Parent Commission recommendations contained in the Education Through Partnership Act. Thank you.

Ann Kjellberg
Testimony
City Council Hearing on Mayoral Control
March 3, 2008
Resubmitted, June 4, 2009

Oral testimony:

My name is Ann Kjellberg. I am a parent at P. S. 41 and a founding member of a group called the Public School Political Action Committee, a consortium of political action committees from different PTAs working together to address issues of common concern. Lately we have been very active in trying to push for school construction in our neighborhood, which has seen, and will continue to see, extensive development but is not slated to receive any new seats under the current capital plan. We had little success working with the DOE on this issue, so we have begun working with our local community board, and pressing developers and city and state agencies and other groups to help us identify potential sites for schools. Many of the people we talk to say, why are you talking to us? Isn't it the responsibility of the DOE and the School Construction Authority to recognize trends in population and respond accordingly? Aren't they taking in taxes from these swelling neighborhoods to pay for new schools? Maybe so, but we aren't seeing the seats, and we have seen no cooperation with representatives of our community pressing the case. We have been amazed, after working with the DOE on school construction and overcrowding, at how responsive our community board and our elected officials are. We have not been accustomed to working with genuinely democratic institutions.

Other signs of the DOE's unresponsiveness to democratic pressures have emerged in our work. Many of us have questioned the large contracts awarded without competitive bidding or public review, which the DOE argues it is entitled to under state law; we've also questioned the growing bureaucracy and lavish salaries of the DOE itself. We have challenged the expanding regime of standardized testing, which has never been fully explained to parents or justified as part of a considered curriculum. Its implementation is also open to question. Tests designed to measure overall school performance are being used to retard student advancement; data that require years of comparison to be statistically meaningful are used right away; errors in the construction and grading of the tests are rife. Schools are closed on account of test results that were announced as provisional.

We also questioned the DOE's fair student funding initiative, under which highly functioning schools were granted budget increases they hadn't asked for, and failing schools were given no new resources to tackle their problems, and the successive reorganizations, which have gutted our schools' institutional supports without creating functioning alternatives. We were confused that the DOE's Contracts For Excellence did so little to fulfill the state's requirements, particularly for class size reduction, in return for Campaign for Fiscal Equity funding.

We have also been distressed by the careful dismantling of the citizen's role in the school system. The PEP, the CECs, SLTs, and other mechanisms for citizen involvement in the public schools have all been stripped of their institutional meaning and reduced to empty showpieces.

We feel that, had the DOE been structured as a genuinely democratic institution, it would not be so deaf to the concerns of its constituents, and some of its more misguided policies would have been checked. We call on the state legislature to give us a school bureaucracy that balances executive and legislative authority more effectively.

Written submission:

Any functional democratic governing body needs a balance between executive and legislative powers, and this is precisely what our education system has lacked—previously, on the executive side of the equation, and now, in a case of the cure being as bad as the disease, on the legislative. It is plain that in a moment of exhaustion New York City relinquished its democratic rights and responsibilities toward the education of its children and allowed them to be placed in the hands of a single person. This person magnified the error by turning their exercise over, purposefully, to a deputy who had both a constitutional antipathy toward civil governance and no prior experience of education. The public's occasional willingness to ignore the failure of this approach is a measure of its desire for easy cures.

The people of New York should not allow this state of affairs to continue. That many of its victims are the most vulnerable, and invisible, members of our society—our poor children—should not diminish our obligation to reclaim our fundamental responsibility for their care and the transmission to them of our culture.

Some defenders of mayoral control argue that it should not be blamed for the individual failures of this administration—but any investment of dictatorial powers invites abuse. If a society surrenders itself to a dictator and is not tyrannized, that's good luck, not good judgment.

The most visible and reprehensible expression of the imbalance of powers in our current educational system is the freedom the DOE enjoys from city and state laws governing transparency in contracting and competitive bidding. In the midst of serious need, millions of dollars have been farmed out to contractors of dubious utility with no public process or oversight whatsoever. For reasons that are mysterious to me, these have gone largely unchallenged by the press or other branches of government. We await a serious analysis of whether the millions spent on ARIS, the so-called “accountability initiative,” Alvarez and Marsal, Future Technology Associates (?), (others?) and so on—not to mention the administration of the DOE itself—produced tangible gains for New York City students. Meanwhile, half of New York's failing schools did not receive any new funding under the DOE's distribution of the Campaign for Fiscal Equity settlement. And now our schools are receiving budget cuts averaging \$70,000, and the seats we need to give all our students the decent learning environment promised by the Campaign for Fiscal Equity decision go unbuilt, while the mayor returns \$1.25 billion from the city budget in taxes.

I would like to list some other notable failures of the current administration, which might have been challenged by a more democratic process.

- Three reorganizations: generations of knowledge and human capital have been squandered in three pointless and gimmicky reorganizations that left our schools in disarray, without guidance and support at a time when two-thirds (?) of its principals are new on the job. Our district superintendents are now obliged to spend 90 percent of their time outside their districts, advising on “accountability” measures, with work they

formerly did for our schools reassigned to hastily assembled new organizations with neither the human connections nor the experience to advise school administrators effectively. Parents have been deprived of any real recourse when they have a dispute with the administration of their school.

- Fair student funding: This measure supposedly equalized the funding mechanism for our schools, but in such a way that highly functioning schools were granted increases they hadn't asked for, and failing schools were given no new resources to tackle their problems—and may even be deprived of funds down the line—to make our system more “equal.” This may be equality in some literalist, mathematical sense, but it is not creating equal conditions for the children of our city.

- Accountability: There has been a vast increase in the testing of our students, far ahead of the infrastructure for creating and analyzing the tests and their results. Consequently, tests designed to measure overall school performance are being used to retard student advancement; data that require years of comparison to be statistically meaningful are used right away; errors in the construction and grading of the tests are rife. Schools are closed on account of test results that were announced as provisional. Under multiple incentives and coercions from the DOE, curricula have been steered away from the arts, science, social science, social development, and physical education, toward testable fields. Schools, teachers, administrators, and students have been stigmatized because their methods do not yield testable results. Vast amounts of administrative time have been commandeered. And much student and teacher time has been wasted, at best. All because the DOE seeks the easy political victory of improved test scores.

We should look at the tangible results of these vast upheavals. According to the most reliable national tests, NYC student performance remains essentially flat. Meanwhile teacher attrition is up 80 percent since 2001 in spite of salary increases, and, as I've said, principals have fled the stressful and straightened new working conditions, leaving two-thirds (?) of our schools under inexperienced leadership—at a time when principals have vastly expanded responsibilities. There is much anecdotal evidence that our schools have lost character, creativity, and innovative flexibility under the drive to march in lock-step with the department. Class sizes are unchanged throughout the city, growing in those parts of the city that are seeing new development and population growth, in spite of infusions of state cash supposedly aimed at creating smaller classes and improved educational opportunities for students—but our DOE rejects in practice the observation that it theoretically accepts in principal in accepting the state money—that smaller classes create a better learning environment for children.

One shouldn't use the term “dictator” lightly, but certain resemblance between our own situation and the familiar modern dictatorships present themselves. First, there is the enthusiasm for “rational,” highly structured and centralized cures to social ills and contempt for the variegation of daily human experience. So recently we had a healthy skepticism for social blueprints and utopian solutions, but suddenly again we see self-appointed experts forcing cookie-cutter theories on a messy human reality in the name of bogus “science.” Then there is the oft-noted intolerance for dissent, the euphemistic language (“assessment,” “accountability,” “empowerment”), the heraldic call for *speed*, the bureaucracy frozen by fear of reprisal and retribution, the cosmetic assembling of powerless citizens into meaningless committees. Now, oddly, it is the champions of market solutions to social ills who sing this formerly anti-capitalist song.

The office of Schools Chancellor of the City of New York must be made more responsive to democratic pressures, and more subject to checks and balances. Surely the creation of such an office, with enough executive authority to lead effectively, is not beyond our powers. Whether it is checked by a school board, or expanded power of the City Council or another body, is for the policy experts to judge. Do we want to be responsible for a continuation of the current disastrous education policies? Or do we want—the other alternative--to oversee years of reversals on the part of one unaccountable functionary after another, in the sway of this or that political fad? Neither option seems likely to nourish what is richest and best in our schools, which must be our first priority.

Eric Zerof
P.S. 41

I urge you to end “Mayoral Control”. It is anti-democratic. It is simply Un-American.

First, this system of school governance shouldn't be called “Mayoral Control” at all. The Mayor is not actually in control and this lack of control stems directly from the un-democratic features. This lack of democracy robs the system of the necessary feedback to correct errors and instead creates incentives to compound them.

1. One example that shows how by destroying democracy in the governance of our schools that the Mayor has abdicated his control is the current overcrowding crisis in many neighborhoods in Manhattan.

Over the last 10 years with the encouragement of the Mayor fifty thousand new large apartments have been built in middle class areas of Manhattan like Battery Park, Greenwich Village, Chelsea, the Upper West Side, and the Upper East Side. The availability of this housing has encouraged fifty thousand families with young children to stay in Manhattan.

But the Department of Education has provided almost no new schools for these families. Is this error by malfeasance? Or is this an error by design? I cannot tell you.

We do know that local School Boards (now renamed “Community Education Councils”) have repeatedly, over many years, provided testimony and resolutions to the Department of Education warning of the failures of the Capital Planning process. The evidence has been presented to the City Council's Education Committee.

All I can tell you is that, apparently, the Department of Education, without any oversight has simply ignored this data. And so the Department of Education, or the Chancellor, or the Mayor has simply ignored the duly constituted local school boards.

This boom paid the city billions of tax dollars. But precisely because of this undemocratic system, those tax dollars were not invested where the parents assumed they would have been invested, if Mayoral Control had led to rule by some philosopher-king.

They let one zone in Manhattan sit without any neighborhood elementary school for nearly 10 years!! And then when they finally announced a plan to re-open the school they blamed the Giuliani administration, eight years departed from this building, for their failure to deal with this.

2. A second example of how undemocratic and out of control local school management has become is how its advocates trumpet the success of the charter schools and small schools created. They point to rising test scores at the Charter School level.

What they don't tell you about is the undemocratic way these Charter Schools are run. Even though they have almost completely taken away the power of the Local School Boards (the C.E.C.s) they deny parents of Charter School children the right to sit on these Boards!

They don't tell you the undemocratic way these schools are created. They don't mention that less than five percent of NYC Public School children are enrolled in these schools. They don't tell you that admission is obviously segregated against special education students and ELL students, since the percentages of these children enrolled in charter schools is so much lower than the percentages of these children enrolled in neighborhood schools in the immediate vicinity.

And they don't tell you that now 4 of the local C.E.C.s are suing their own Department of Education because when the DOE does open charter schools they often create space for their favored model by administratively and capriciously and arbitrarily, without any right of appeal, deeming some neighborhood schools as "failures" and simply expelling those children from their neighborhood schools forcing them into even more overcrowded conditions in the surrounding neighborhoods.

And they don't tell you that the tests by which they measure their so-called success are acknowledged by national experts as just so much George W. Bush inspired baloney. Or that Buffalo without Mayor Control has also seen improvement on these scores because NCLB inspired "teaching to the test" hypocrisy doesn't need mayoral control.

A really democratic system would allow for local communities to try and create charter schools if they wanted them; but this Department of Education has simply hijacked the power of local communities as represented by their local school boards and forced charter schools on local areas whether they want them or not.

3. There are many other examples of how Mayoral Control is undemocratic. And how this lack of democracy robs the system of the necessary feedback to correct errors and instead creates incentives to compound them.

The Department refuses outside examination of their claims to have increased graduation rates. The Department refuses outside examination of school utilization figures. The Department has failed to conduct an audit of their own bad demographic planning. The Department has failed to provide a real class size reduction plan, as mandated by the C4E lawsuit and funded by the state to lower class size to the norms in upstate New York.

The Department and its advocates state that they want "Parents to have a voice". Well that is baloney. We already have a voice. They don't listen.

We want a vote that matters. We want real elected school boards with real authority over our communities.

It is sad that this city, the first capital of this Republic now subjects 1 million children and their parents to a monopolistic and authoritarian and arbitrary system of governance more reminiscent of some Bad Old European autocracy than anything fought for by OUR guys at Yorktown or Gettysburg or Omaha Beach.

THE BEST REASON YOU CAN TAKE A STAND AGAINST MAYORAL CONTROL IS BECAUSE YOU ARE THE ONLY BODY IN THIS CITY THAT CAN TAKE SUCH A STAND. THE PEOPLE WHO ELECTED YOU HAVE QUITE CLEARLY HAVE BEEN ABUSED BY THIS PROCESS.

RESOLUTION #22
ON SCHOOL GOVERNANCE IN SUPPORT OF
THE PROPOSAL FROM THE PARENT COMMISSION

Whereas Mayoral control was based in large part on a promise of greater accountability, yet there is less accountability than before, with many state and city laws that the New York City Department of Education routinely violates, and there is a glaring lack of transparency, with the Mayor and Chancellor acting as if they are accountable to no one other than themselves;

Whereas the voices of parents, community members and other stakeholder groups have been consistently shut out;

Whereas there is need for enhanced checks and balances, to ensure that educational decisions, policies, and outcomes are improved:

Whereas the roles and responsibilities of the Community School Districts have been undermined, and instead of Superintendents supporting the schools in their districts, and responding to parent needs, they have been mandated to spend at least 90% of their time coaching schools outside their districts on test scores;

Whereas the input of Community Education Councils has been ignored on a wide range of educational issues, and there has been little or no consultation when it comes to the opening and closing of schools in their districts;

Whereas the administration has attempted to eviscerate the authority of School leadership teams, consisting of half parents, half staff, to develop Comprehensive Education Plans and school-based budgets;

Whereas the New York City public school system is the largest provider of special education and related services in the nation, serving nearly 181,000 children, and yet there is an incoherent management structure, with more than 18 distinct entities in addition to District 75 within DOE, each reporting to a different supervisor and each responsible for providing a different aspect of special education;

Whereas, there is insufficient representation of parents of children with disabilities on the Panel on Education Policy and Citywide Education Councils;

Whereas, the repeated reorganizations under mayoral control have led to longer delays for initial evaluations and the provision of special services as well as extremely low rates of achievement and lower graduation rates for children with disabilities than in any other part of the state;

Whereas, through a variety of governance structures and chancellors over the last 40 years, little has changed for the majority of students, who are primarily low-income children of color, and there should be an explicit statement of what education is intended to accomplish, that would codify in law a shared mission with core principles, primary goals, and a policy framework that should be respected and upheld by whomever is governing the system;

Be it resolved, that [your organization name here] endorses the principles, goals, and proposals of the Parent Commission, to create a governance system distinguished by an educational partnership between the Mayor, the Chancellor, and parents, who together would endeavor strive toward consensus in the effort to improve our schools;

Be it resolved that we support the establishment of a more independent and responsive Board of Education, with the majority made up of parents elected by Community Education Councils, three members appointed by the Mayor, one by the City Council and one by the Public Advocate; and four additional members chosen collaboratively by the Board itself, to fill a need for expertise in specific policy areas;

Be it resolved that the Chancellor should be chosen by the Mayor from three candidates selected by the Board, in a similar collaborative process, and that the Chancellor should be required to be an educator with at least three years experience as both a teacher and a principal, with no waivers allowed;

Be it resolved that like all other governmental agencies, the policies of the Board of Education, the Chancellor and the central administration should be fully subject to state and city law;

Be it resolved that three new independent oversight agencies should be established to enhance transparency when it comes to educational outcomes, respond to allegations of mismanagement and corruption, and respond to parental complaints, including an Independent Accountability office, an Inspector General, and an Ombudsperson;

Be it resolved that the Community School Districts should be restored as meaningful entities, with the rightful responsibilities and authority of District Superintendents reinstated, so that they spend at least 90% of their time with schools within their own districts, supporting and improving instruction and helping to address parental problems and concerns.

Be it resolved that high schools and 6-12 schools should be assigned to their respective geographical districts, and that CDECs should include high school representatives, to provide additional opportunity besides the Citywide Council for High Schools for parents to have input in these decisions;

Be it resolved that the CDEC election process and composition should be reformed, with every parent guaranteed a vote, and one seat on the CDEC reserved for a parent of a high school student; one seat for a parent of a child with an IEP, and one seat for a parent of an English Language Learner;

Be it resolved that CDECs should have the full authority under the law to approve school siting, selection, restructuring, expansion, and reconfiguration of schools, as well as the closing, opening and relocating of all traditional public and charter schools in their communities.

Be it resolved that CDECs should have a central role in selecting and evaluating the Superintendent, by nominating three candidates for this job in consultation with Presidents Councils, from which the Chancellor will choose one.

Be it resolved that a meaningful partnership between CDECs and Community Boards should be fostered, to work closely together on issues related to zoning, city budgets, development and school overcrowding.

Be it resolved that School Leadership Teams should have their authority restored to develop an annual school Comprehensive Educational Plan (CEP), including identifying annual goals and objectives, **and** to approve a school-based budget and staffing plan aligned with this plan;

Be it resolved that School Leadership Teams should have the added responsibility to perform an annual space assessment of their schools, the results of which will be available to the public online, to improve the flawed capacity estimates included in the DOE's "Blue Book";

Be it resolved that a school-based committee of parents and staff will participate in the selection of the principal, similar to the earlier C-30 process, whereby three candidates are submitted by parents to the district superintendent for final approval;

Be it resolved that an Independent Parent Organization (IPO) and an ancillary Independent Parent Academy, should be established, with a dedicated source of state funding, to strengthen the parent voice at the school, district and citywide levels;

Be it resolved that the role of the Citywide Council on Special Education (CCSE) should be expanded to represent not just District 75 students and parents, but all children who receive a continuum of services mandated by an IEP (Individualized Education Program).

Be it resolved that a seat for a parent of a special education student should be reserved on each of the Community District Education Councils and the Citywide Council on High Schools, to serve as liaison to and provide crucial frontline input to the CCSE.

Be it resolved that a "cabinet-level" position (i.e., Deputy Chancellor) be established, charged with fulfilling and protecting the right to a "free, appropriate public education," as defined by the Individuals with Disabilities Education Act (IDEA) for all students with special needs.

Be it resolved that all these reforms should be adopted into law by the Legislature before the current governance system sunsets;

Be it resolved that an independent Commission should be convened to draft a Constitution to define the mission, core principles, goals, and policy framework for New York City public schools, whose members will be chosen in a fully transparent manner to reflect the diversity of all our communities and to give all stakeholders (parents, students, teachers, administrators, community members) not only a seat at the table but equal power in the process;

Be it resolved that once this Constitution is approved, all state and city education laws and regulations should be based upon it;

Be it further resolved that we [the name of your organization here] urge the Governor and the State Legislature to adopt the reforms of the Parent Commission as cited above, with the expectation that these changes will lead to fundamental improvements both in the governance system and in the quality of the education our children receive.

Adopted and Approved by CECD2 on May 14, 2009



NYCLU

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TESTIMONY OF THE NEW YORK CIVIL LIBERTIES UNION

before

THE NEW YORK CITY EDUCATION COMMITTEE

June 4, 2009

Council Member Jackson and members of City Council: the New York Civil Liberties Union respectfully submits the following testimony regarding our recommendations for Mayoral Control of New York City schools.

The NYCLU does not take a position on the continuance of mayoral control of public schools in New York City in that our recommendations apply regardless of who appoints a majority of the Panel for Educational Policy and/or the Chancellor. We submit this testimony to articulate our concerns with certain aspects of the current system, with the admonishment that they are not unique to mayoral control. The issues we emphasize—transparency, accountability, and public involvement—are basic democratic ideals applicable to any form of school governance. Our recommendations are as follows:

1. Clearly delineate the position of the DOE within the existing structure of city government.

The DOE cannot continue to operate as its own autonomous agency, even if mayoral control is extended. The DOE takes the position that it is not a “city agency” and is therefore not bound by laws that govern the conduct of city agencies. This allows the DOE to escape laws governing the authority of the Independent Budget Office, the legislative authority of the City Council and the investigatory powers of the public advocate and comptroller. The State Legislature must clarify that the DOE is a city agency subject to the City Administrative Procedures Act and other laws that provide for agency transparency and oversight. Moreover, the State Legislature must clarify that the City Council has jurisdiction over non-curriculum education matters, such as school safety and military recruitment policies.

2. Increase public oversight by an empowered board of education.

While the NYCLU does not take a position on whether to extend the mayor’s authority to appoint the chancellor and a majority of the Panel for Educational Policy (PEP), it is in the interest of students, parents and educators to have an empowered panel that debates education policy matters. We recommend that the State Legislature put in place mechanisms to ensure meaningful debate and decision-making regardless of whether mayoral control is renewed. The Education Law should be strengthened to pose an affirmative obligation on the chancellor to submit for PEP approval all new citywide policies and practices that are related to educational achievement and student

performance. The chancellor must be prohibited from executing such policies and practices without PEP approval. The authority to appoint members to the PEP should be distributed among all citywide elected officials, who like the mayor have a stake in education matters, and to the city's legislative body. Priority should be given to appointing members with a background in education and to individuals who attended a New York City public school or who have children in the city's public education system. In order to avoid undue influence on panel members and to encourage thoughtful debate on the PEP, panel members should serve fixed terms, and while the mayor may continue to have sole appointing authority over the schools chancellor who will continue to act as the chief executor of education policies, the PEP should vote for its own chair who will be provided with a stipend and staff.

3. Strengthen the parental voice in policymaking.

The Community District Education Councils(CECs) and citywide councils must be given responsibilities and authority that ensure parental involvement in the setting of school education policies. The CECs' and citywide councils' authority should be expanded to include approval of district school safety plans, the opening and closing of schools and other district-specific policies.

4. Bring school safety practices in line with education policy.

The NYPD plays a unique and expansive role in the city's education system. At the same time that the number of police personnel in the schools has increased to a whopping 5,200 agents, the ability of educators to oversee school safety and student discipline has

decreased. Principals complain that they are unable to control the conduct of School Safety Agents and are limited in their ability to strike the right balance between school security and a supportive educational environment. Therefore, NYPD personnel who work in schools must be subject to oversight by educators who have an expertise in maintaining a nurturing school environment. The New York State Education Department and the DOE must be granted clear authority to investigate and oversee all school safety practices, including the activities of NYPD personnel in city schools.

5. Institute practices to allow for public engagement in the decision-making process.

The DOE must abide by basic requirements of open government in the policymaking process. All Chancellor's Regulations must be subject to a public comment period. The PEP must also open its policymaking and adjudication process to the public, and ensure that the public is welcomed at its meetings and informed of its activities.

6. Mandate transparency of data.

The DOE must end its practice of withholding from the public raw data on student performance, student safety and the education budget, and the DOE must meet its statutory obligation to provide the public with access to records. In order to allow for an independent assessment of the DOE's data, the Independent Budget Office must be provided with statutory authority to report on the DOE's performance, as it does on other city agencies.

7. Create a DOE inspector general.

In order to promote the integrity and effectiveness of the DOE, the State Legislature should create an Office of Inspector General within the DOE to conduct independent audits and investigations into DOE practices. The inspector general will investigate systemic problems that impact the educational environment and will not be responsible for investigating individual acts of fraud and corruption by employees (the responsibility of the special commissioner of investigations). The duration of the appointment of the inspector general should be fixed and last longer than the mayor's term.

8. Allow the law to sunset again in seven years.

The debate over the appropriate school governance structure for New York City has led to passionate discussions among policymakers and the public and a renewed interest in city schools and the people who run them. The State Legislature should ensure that whichever system it chooses for New York City, such a system expires in seven years, thus allowing for a continuous public debate.



The Public Advocate for the City of New York
Betsy Gotbaum
Public Advocate

There is also a need to subject data produced by the DOE to independent oversight and analysis. We believe the Independent Budget Office should serve as an outside evaluator to monitor and assess this data, including test scores and graduation rates.

We have also proposed a process for increasing parental participation. This process mirrors the Contracts for Excellence process, established by the State Legislature, in which parents and the community provide oversight of expenditures related to the Campaign for Fiscal Equity.

We know there are several different proposals in Albany, which would create a more meaningful process for parental participation and I believe they all have merit. Some of these bills seek to ensure that the Office of the Public Advocate has oversight authority over the DOE - I strongly support this component. I also whole-heartedly endorse the proposal of a "Parent Academy" put forth by the Campaign for Better Schools. Such an entity where parents can receive training, attend workshops, and receive help from independent advocates, would serve as an essential complement to any process that Albany enacts.

###

About: Betsy Gotbaum was elected Public Advocate in 2001, re-elected in 2005. She is the second highest-ranking citywide elected official, and only the third woman to be elected to citywide office in New York City history. Since being elected Public Advocate, Betsy Gotbaum has helped solve the problems of thousands of New Yorkers and advocated tirelessly on behalf of New York's most vulnerable populations.



The Public Advocate for the City of New York

Betsy Gotbaum

Public Advocate

****FOR IMMEDIATE RELEASE****

June 4, 2009

Contact: Gia Storms

(212) 669-4813; (917) 626-6757

PA Gotbaum Delivers Testimony for Education Hearing on Mayoral Control of New York City Schools

Thank you to the Education Committee and Councilmember Robert Jackson for holding this important hearing on Mayoral Control in New York City Schools.

As numerous news accounts have indicated, the State Legislature is nearing a decision on the school governance law. Having spent many hours with legislators in Albany and in New York City, I am impressed by the thoughtfulness and level of attention they have paid to the matter.

The Commission on School Governance, which I convened in 2007 at the request of the leadership in State Legislature to independently assess school governance in New York City, has helped to shape the dialogue on this important issue. This past March, the Brookings Institute Press published a book, When Mayors Take Charge: School Governance in the City. This book takes an in-depth look at mayoral control in New York City and has received national attention.

Just to reiterate, the Commission's report recommends, and I believe, that we should maintain mayoral control, but the law must be amended to ensure greater public accountability and meaningful input from parents and the community.

By and large, I am pleased that many of the recommendations of the Commission have been incorporated into proposed legislation and are being publicly discussed in Albany.

Although there are some points on which the legislators agree, there are also many points of contention that deserve serious debate. For example, some disagree on how the Panel for Education Policy (PEP) should be configured.

Although we propose that the mayor maintain the majority of appointments to the PEP, it is our hope that Albany will change the law to establish fixed terms for its members, and make the chancellor an ex-officio member to ensure greater public accountability.

One point on which many of the lawmakers I've met with seem to agree is that we need to have more oversight and transparency with regards to the finances of the Department of Education (DOE). The DOE has a nearly 18 billion dollar budget -- larger than the GDP of many countries -- and it is absurd that there is no clear oversight of their finances. That is why we propose that the DOE be subject to the same procurement oversight as every other city agency.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:00 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Ernest Logan (PLEASE PRINT)

Address: _____

I represent: CSA

Address: 16 Court St. Brooklyn

Education **THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:09 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

NA

Date: _____

Name: Michael Mulgrew (PLEASE PRINT) *Chief operating*

Address: 52 Bway *offices*

I represent: UFT *UFT*

Address: 52 Bway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:29 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

Name: VINCENT WIGISNIS (PLEASE PRINT)

Address: 34 Bullet Hole Rd Carrol NY

I represent: MS 399

Address: 120 E 184 St Box 10468

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:30 pm

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: June 4, 2009

(PLEASE PRINT)

Name: LOUIS CARTI

Address: 70 Massitua Rd, Yonkers, NY 10710

I represent: M3399x

Address: 120 E 184th St, Bronx NY 10468

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:46 pm

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Roger G. Hartley

Address: 1038 Anderson Ave

I represent: Teacher/DOE ^{Employee} ~~illegally terminated~~

Address: 1038 Anderson Ave Bk, NY 10452

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:47 PM

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID SEELEY

Address: 66 HARVARD AVE. SI 10301

I represent: Prof Emeritus CUNY

Address: 365 Fifth Ave

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:49 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Kathryn Wyde, President + CEO (PLEASE PRINT)

Address: _____

I represent: Partnership for NYC

Address: Battery Park Pl. NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:50 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Phyllis Anderson (PLEASE PRINT)

Address: 318 Greene Avenue

I represent: Teachers

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:56 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

Name: Santos Crespo (PLEASE PRINT)

Address: 125 Barclay Street NY NY 10007

I represent: Vice-President, L372, DC37

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1:58 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sister Paulette Lomonaco

Address: 305 7th Ave NY NY 10001

I represent: LEARN NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:00 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lisa Donlan

Address: D-1 CEC President

I represent: Parent Commission on Mayoral

Address: Control + School Governance

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:00 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Leonie Haimson

Address: §

I represent: Parent Commission on Mayoral Control +

Address: School Governance and Class Size Matters

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:00 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

Name: SUSAN Crawford (PLEASE PRINT)

Address: 501 W. 110th

I represent: Parent Commission on Mayor's Control

Address: The Right to Read & School Governance

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:00 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

Name: Vern Ballard (PLEASE PRINT)

Address: District 5 & CB-9

I represent: Parent Commission on Mayor's Control

Address: & School Governance

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:05 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: N/A

Name: William McDona (PLEASE PRINT)

Address: past Chairman

I represent: CPAC

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:06 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition *N/A*

Date: *June 4, 2009*

(PLEASE PRINT)

Name: *April Humphrey*
Address: *11 Park Place Suite 814 NYC NY 10007*
I represent: *Campaign for Better Schools*
Address: *Same*

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10 pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: *6/4/09*

(PLEASE PRINT)

Name: *Eileen Ramos*
Address: *661 Caldwell Ave.*
I represent: *M.S. 344*
Address: *120E 184 St Bronx NY 10468*

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10 PM

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: *6-4-09*

(PLEASE PRINT)

Name: *Catherine Alvarez*
Address: *2397 Grand Ave.*
I represent: *Middle School 399*
Address: *120E 184 St. Bronx NY 10468*

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Rosmari Tajada

Address: 176 Grand Concourse

I represent: MS 399

Address: 120 E 184th Bronx NY 10468

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Stephanie Hernandez

Address: 3474 Davidson Ave

I represent: MS 399

Address: 120 E 184

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Panki Boopa

Address: 862 Dimetted

I represent: MS 399

Address: 120 E. 184

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Josmary Reyes

Address: 38 W 182nd Grand Ave.

I represent: MS 30A

Address: 170 East 184st

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Ambar Guerrero

Address: 2357 Davidson

I represent: MS 39A

Address: 170 E 184st

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:10pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6-4-09

(PLEASE PRINT)

Name: Jennifer Buras

Address: 2397 Grand Ave.

I represent: MS 39A

Address: 170 East 184st

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

2:15pm

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: HENRY SIDEL (PLEASE PRINT)

Address: 10 Bethune ST #513

I represent: PS KIDS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Dawn Philip (PLEASE PRINT)

Address: _____

I represent: New York Lawyers for the Public Interest

Address: 151 W. 30th St. NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

Name: DEPUTY MAYOR DENNIS M. WACCOTT (PLEASE PRINT)

Address: CITY HALL

I represent: OFFICE OF THE MAYOR

Address: CITY HALL

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 06/04/09

(PLEASE PRINT)
Name: Jennifer Saltzstein

Address: 52 Chambers St

I represent: DOE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 06/04/09

(PLEASE PRINT)
Name: Joel Klein, Chancellor

Address: 52 Chambers

I represent: DOE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)
Name: Recto Floyd

Address: South Shore High School, Brooklyn

I represent: Global Kids

Address: 137 E 25th St, NY, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

n/a Date: _____

(PLEASE PRINT)

Name: ~~Howard~~ ~~Carose~~ Lindsay Tejada

Address: Fordham Road

I represent: Global Kids / Fordham H.S. of

Address: 137 E 25th St. Ave. the Arts
NY 10010

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

n/a Date: 6/4/09

(PLEASE PRINT)

Name: Laura Jones

Address: Fordham Road

I represent: Global Kids / Fordham High School of

Address: 137 E. 25th St. the Arts

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

n/a Date: _____

(PLEASE PRINT)

Name: Amaha Bibi

Address: Queens

I represent: Long Island City High School

Address: Global Kids, 137 E. 25th St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

Name: Leonie Gammson, Lisa Ponder, Vera (PLEASE PRINT)

Address: Ballant & Susan Crawford

I represent: Parent Commission

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6-4-2009

Name: ~~ABDI~~ ABIODUN BELLO (PLEASE PRINT)

Address: 22 LOCUST ST BKLYN NY 11206

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6-4-09

Name: Sylvia Tyler (PLEASE PRINT)

Address: 1580 Amsterdam Ave

I represent: West Harlem Independent Dem Club

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Martin Kronold

Address: 292 Martin Ave. ST. NY 10314

I represent: Citywide Council on High Schools

Address: Tweed Bldg.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Original Control Res. No. _____

in favor in opposition

Date: 6-4-2009

(PLEASE PRINT)

Name: Betsy Gottbaum - Public Advocate

Address: 1 Centre St

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Darcy Avitia

Address: _____

I represent: Campaign for Better Schools - Fund

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Manhattan Borough President

Address: Scott Stringer

I represent: 1 Centre Street

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: William Thompson Jr

Address: NYC Comptroller

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09
AS stated in written resolution of CEC 31

(PLEASE PRINT)

Name: PETEL J. CALANDRELLA

Address: 715 Ocean Terrace, SI, NY 10304

I represent: Community Education Council 31

Address: 715 Ocean Terrace, SI, NY 10301

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Andy Lachman

Address: 1175 York Ave 6K

I represent: Parent Leaders of OPPER East Side

Address: Schools

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Carol Boyd

Address: _____

I represent: Coalition for Educational Justice

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Kim Sweet

Address: _____

I represent: Campaign for Better School

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Luis O. Reyes

Address: 230 Central Park West, NY 10024

I represent: myself

Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Joseph Mugivan

Address: _____

I represent: Advocate for School Indoor Air Quality

Address: 231 Manorhaven Blvd Port Washington NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

(PLEASE PRINT)

Name: Ronnie Lowenstein

Address: _____

I represent: NYC Independent Budget Office

Address: 110 William St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: RICHARD BARR (PLEASE PRINT)

Address: 203 W 86 ST NYC 10014

I represent: PUBLIC PARTNERSHIP

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Ann Kjellberg (PLEASE PRINT)

Address: 107 BARK NYC 10014

I represent: PS PAC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Irene Kaufman (PLEASE PRINT)

Address: 40 PERRY NYC 10014

I represent: PS PAC

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Sascha Puritz (PLEASE PRINT)

Address: 2 Centre

I represent: Manhattan Borough President

Address: Scott Swings

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: REBECCA LANDIELS (PLEASE PRINT)

Address: 299 W 12th St.

I represent: PRESIDENT QCD 2

Address: 333 Seventh Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/4/09

Mayoral
Control

Name: Annette Evans (PLEASE PRINT)

Address: 4 WSV NY, NY 10012

I represent: parent/taxpayer

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)
Name: John R Scott
Address: 370 GREENWICH ST
I represent: CE D 2
Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 6/4/09

(PLEASE PRINT)
Name: Kaitlin Brown
Address: 564 Amsterdam Ave NY, NY 10024
I represent: Advocates for Children
Address: 151 W. 30th St 5th Fl NY, NY 10011

Please complete this card and return to the Sergeant-at-Arms