



Legislation Text

File #: Res 1353-2012, **Version:** *

Res. No.1353

Resolution calling upon the New York State Legislature to amend the State Education Law, to change from mayoral control to municipal control of the New York City public school system.

By Council Members Reyna, Dickens, Cabrera, Fidler, Jackson, James, Lander, Mendez, Rose, Williams, Wills and Mark-Viverito

Whereas, In 2002, the New York State Legislature amended the State Education Law to establish mayoral control over the New York City school district; and

Whereas, Under mayoral control, the two most significant changes were replacement of the independent, seven member central Board of Education with a 13 member body, now called the Panel for Educational Policy (PEP), a majority of whom are appointed by the mayor, and granting the mayor the power to directly appoint the chancellor, who now serves at the pleasure of the mayor; and

Whereas, In 2009, the State Legislature renewed mayoral control of New York City schools with some minor modifications; and

Whereas, While the State Legislature gave the mayor broad power over the public school system, it left the City Council with limited power over the Department of Education (DOE); and

Whereas, The State Legislature retains legislative authority over the New York City public school system; and

Whereas, Education is one of the most important local government functions, as New York City has more than 1 million students, over 1700 public schools, and an education budget of \$24 billion which makes DOE the largest entity funded in the City budget; and

Whereas, The New York City Charter gives the City Council the power to adopt local laws, oversight

authority over the operation and performance of City agencies and sole responsibility for approving the City's budget; and

Whereas, The City Council formed a Working Group on Mayoral Control and School Governance (Working Group) in July 2007 to develop recommendations for the State Legislature and the Governor to consider before the mayoral control legislation was due to sunset on June 30, 2009; and

Whereas, The Council's Working Group released a report with recommendations for changes to school governance in June 2009; and

Whereas, The primary recommendation of the Working Group was that New York City public schools should run under a system of municipal control, with the DOE functioning like most other City agencies; and

Whereas, The Working Group proposed amendments to state law that would give the City Council greater legislative, oversight and budgeting power and the Comptroller greater auditing power over the DOE and the School Construction Authority (SCA); and

Whereas, Key recommendations of the Working Group included a proposal to amend state law to expand the New York City Council's ability to legislate over issues relating to pupil transportation, procurement, school safety, capital planning and school siting (based upon consultation with the local community bodies); and

Whereas, The Working Group also proposed to amend state law to clarify that the DOE would be subject to all provisions of the City's contracting law and the rules of the City's Procurement Policy Board; and

Whereas, Further, the Working Group proposed that the mayor continue to be allowed to select the chancellor but recommended that the City Council be required to hold a public hearing and vote on any request to waive any requirements outlined by city or state law for the position of chancellor; and

Whereas, Establishing a system of municipal control for the New York City public school system would provide greater checks and balances and transparency; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to

amend the State Education Law, to change from mayoral control to municipal control of the New York City public school system.

LS# 3413
JA
5/24/12
5:30 pm