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Res. No. 337

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation requiring all New York City Community District Education Councils to adopt a set of bylaws and a code of conduct that includes disciplinary consequences for discriminatory actions and use of discriminatory language.

By the Public Advocate (Mr. Williams)

Whereas, In 2002, the New York State (NYS) legislature passed the School Governance Reform Act, which transitioned a decentralized school system of elected community school boards and an appointed central Board of Education, to one that operated solely under the mayor (Mayoral Control); and

Whereas, The law also replaced community school boards with "community district education councils," typically referred to as community education councils (CECs), which allow for parent and community engagement; and

Whereas, The City also has several citywide councils to address the needs of specific student populations, including the Citywide Council on High Schools, the Citywide Council on Special Education, the Citywide Council on English Language Learners, and the Citywide Council for District 75; and

Whereas, Each of the 32 community school districts (CSDs) in New York City has a CEC, which should be comprised of 12 members: 11 voting members (nine of whom must be parents of children attending a school or a pre-kindergarten program in the CSD, and two appointed by the borough president who must be residents or business owners in the CSD) and one non-voting member who is a high school senior residing in the CSD, appointed by the superintendent from among the elected student leadership; and

Whereas, CECs have no executive or administrative powers, but are charged with promoting student achievement and advising and commenting on educational policies, with certain responsibilities including:

holding monthly public meetings with the superintendent to provide parents and the community a forum to air their concerns; reviewing the CSD's educational programs and assessing their effect on student achievement; approving zoning lines as submitted by the superintendent; holding hearings on the CSD's annual capacity plans and prioritizing requests for capital improvements in schools of the CSD; participating in joint public hearings with the Department of Education (DOE) on school closings and co-locations; preparing an annual school district report card; submitting an annual evaluation of the superintendent to the chancellor of the DOE; and providing input on district concerns to the chancellor; and

Whereas, New York State education law section 2590-e provides for the removal from office of CEC members for various infractions including: willful or repeated failure to file required financial reports or other required disclosures and failure to comply with training and continuing education requirements; and

Whereas, Additionally, section 2590-d of New York State education law requires CECs to have by-laws and regulations to govern the conduct of the body's proceedings; and

Whereas, State law further specifies some minimum requirements that must be included in the bylaws, such as required level of communication with parent-teacher associations within the community district, and development of a process for community input in the annual superintendent evaluation; and

Whereas, State law does not currently require bylaws to include a code of conduct that includes disciplinary consequences for CEC members for discriminatory actions and use of discriminatory language; and

Whereas, In September 2019, a member of CEC 22 was accused of using an anti-Asian slur in an online forum; and

Whereas, Subsequently, some advocates called for removal of that CEC member; and Whereas, To do their work effectively, CECs must maintain strong relationships and trust with the communities they represent; and

Whereas, Having a written code of conduct or other protocol for removing or disciplining members in

such a situation would allow CECs to maintain respectful dialogue and help restore trust between the CEC and the community; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation requiring all New York City Community District Education Councils to adopt a set of bylaws and a code of conduct that includes disciplinary consequences for discriminatory actions and use of discriminatory language.

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