



Testimony of

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Before the  
Joint Legislative Forum on School Governance Reform

Regarding Proposed Legislation  
S.1406/A.792

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Good evening. My name is Moira Flavin and I am the Policy Associate for Early Childhood Education, Education, and Youth Services at Citizens' Committee for Children of New York (CCC). CCC is a 70-year-old privately supported, independent, multi-issue child advocacy organization dedicated to ensuring New York City's children are healthy, housed, educated and safe. I would like to thank Senator Montgomery, Senator Perkins, and Assemblyman Weprin for holding this joint legislative forum on school governance reform in New York City. CCC appreciates the opportunity to offer comments on mayoral control in New York City and on S.1406/A.792, legislation that proposes reforms to the current structure of mayoral control.

CCC has long supported mayoral control in New York City, and we continue to do so. While we support some of the proposals in S.1406/A.792 that are designed to diversify the membership of the Panel for Educational Policy (PEP), known as the Board of Education in State law, **CCC strongly opposes the provision that would give the PEP the ability to appoint the Chancellor of the city school district, as this would effectively obviate mayoral control.**

We feel strongly that the Mayor must continue to have the authority to appoint the Chancellor and terminate the Chancellor. The Chancellor needs to report to the Mayor so that the Mayor is ultimately accountable for the performance of his or her appointee.

CCC also believes efforts should be made to ensure that the New York City Department of Education is transparent in terms of budget and policy decisions, and that there are meaningful opportunities for parent and community input on matters before the PEP.

Currently, the Panel for Educational Policy is made up of thirteen voting members and three non-voting members (two students and the Chancellor). Under the current structure, each Borough President appoints one of the voting members from his or her respective borough, for a total of five. The other eight members are appointed by the Mayor. All eight must be New York City residents. Further, all of the Borough Presidents' appointees must be public school parents, as must two of the Mayor's appointees. It is important to note that PEP members do not currently have fixed terms, but serve at the will of the official who appointed them.

Examples of the PEP's current roles and responsibilities include: advising the Chancellor on matters of policy; approving standards, policies, and regulations proposed by the Chancellor; reviewing and approving collective bargaining agreements; reviewing and approving contracts over \$1 million; reviewing and approving the capital plan; and reviewing and approving all school closures or significant changes to school utilization.

As you know, S.1406/A.792 proposes to change the composition of the PEP. Specifically, instead of the Mayor having eight of the thirteen appointments, the Mayor would have four and the City Council would have four. The Borough Presidents would continue to appoint one member each, who would need to have a child in the New York City public school system. The City Council's four members would need to include a representative of a college or university; a member of a parent's organization; a member of a Parent's Educational Council, and an at-large member. The proposal would also require that the Mayor's four appointments to the PEP all be residents of New York City, and at least one of the four appointees would have to have a child in the NYC public school system.<sup>1</sup>

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<sup>1</sup> "Mayoral Control Information Sheet" received via email from the office of Senator Montgomery, 9/19/13.

CCC supports a PEP structure whereby the Mayor appoints a narrow minority of the members, and other elected officials (such as the City Council and the Borough Presidents) together appoint the majority of the members. We believe this structure ensures independence for the PEP and thus provides better checks and balances. As such, CCC supports the provisions of the legislation that require that nine of the thirteen PEP members be individuals appointed by a combination of the City Council (4) and the Borough Presidents (5).

CCC also supports the proposed requirement that appointees have a “vested interest and knowledge of the education system.”<sup>2</sup> In addition, we recommend that, in order to strengthen the PEP, this legislation also require that at least one member be someone with experience in teaching and/or school administration. Further, every effort should be made to reflect the diversity of New York City through appointments to the PEP.

CCC also recommends that a provision be added to the proposed legislation that would require fixed terms for PEP members. Fixed terms lasting three years or less would help to ensure PEP members are not vulnerable to undue influence from any one person or party and will be able to execute the duties of the role with integrity.

CCC urges State legislators to take action to require more transparency related to the Department of Education’s budget and policy decisions. Because New York City is considered a local school district under the auspices of the State Education Department, the New York City Department of Education (DOE) is not subject to the same auditing and oversight procedures as city agencies. Therefore, it is very difficult to access budget documents and determine the impact of budgetary changes. CCC feels strongly that the DOE’s budget be subject to oversight and that information be readily available to the public.

Currently, one of the strongest criticisms of the current structure of mayoral control in New York City is the lack of opportunities for meaningful parent and community engagement. CCC urges that any efforts at school governance reform include mechanisms through which parents and community members can weigh in on pressing issues before the Panel for Educational Policy.

In conclusion, CCC supports mayoral control. We therefore oppose the provision of S.1406/A.792 that would give the Panel for Educational Policy the ability to appoint the Chancellor of the New York City Department of Education. However, we support the provisions in the legislation that would change the composition of the PEP, as we feel it is important to have appointees designated by several entities. We are also supportive of efforts to promote transparency and greater parent and community input.

Thank you for the opportunity to testify.

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<sup>2</sup> Memo accompanying New York State Assembly Bill A.792.