

A NEW DAY FOR PARENTAL ENGAGEMENT

Reforming & Empowering
Community Education Councils



Manhattan Borough President
Scott M. Stringer
March 2009

About Manhattan Borough President Scott M. Stringer

Scott M. Stringer, a native New Yorker, was sworn in as Manhattan's 26th Borough President in January 2006. During his tenure, Borough President Stringer has led the way in addressing many of Manhattan's most pressing issues, including: increasing community input and response to development and planning projects across the borough; introducing comprehensive reform and empowerment measures to Manhattan's Community Boards; leading the fight to maintain and create new affordable housing units across the borough; empowering parents to better participate in the public school system; investigating and recommending policy action on the city's many transportation issues; and helping working families and small businesses access resources to become and remain self-sufficient. As Borough President, he has also released the following reports:

- **Uncalculated Risk: How Plans to Drill for Gas in Upstate New York Could Threaten New York City's Water System** (February 2009);
- **Food in the Public Interest: How New York City's Food Policy Holds the Key to Hunger, Health, Jobs and the Environment** (February 2009);
- **Saving the Moms & Pops: Ten Ways to Support Small Independent Retail Stores and Keep Manhattan Vibrant** (January 2009);
- **Illegal Street Vending: The Unique Case of Ground Zero** (October 2008);
- **Dangerous Neglect: Elevator Safety in New York City Housing Authority Buildings** (September 2008);
- **Still Crowded Out: School Construction Fails to Keep Up with Manhattan Building Boom, Updated Analysis** (September 2008);
- **Land Rich, Pocket Poor: Making the Most of New York City Housing Authority's (NYCHA) Unused Development Rights** (August 2008);
- **Senseless Subsidies: A Report on Tax Benefits Under the Industrial and Commercial Incentive Program** (May 2008);
- **Crowded Out: School Construction Fails to Keep Up with Manhattan Building Boom** (April 2008);
- **A Working Balance: Supporting New York City's Families through Paid Family Leave** (January 2008);
- **We Want You(th)! - Confronting Unregulated Military Recruitment in New York City Public Schools** (September 2007);
- **Hidden in Plain Sight: Sexual Harassment and Assault in the New York City Subway System** (July 2007);
- **No Vacancy: The Role of Underutilized Properties in Meeting Manhattan's Affordable Housing Needs** (April 2007);
- **No Way Out: An Analysis of The New York State Department of Health's Role in Preparing Nursing Homes for Emergencies** (December 2006);
- **Breaking Parole: An Analysis of The New York State Division of Parole's Caseload Management Guidelines** (December 2006);
- **The State of Repairs: An Examination of Elevator and Escalator Maintenance and Repairs in New York City's Subway System** (August 2006);
- **Thinking Outside the Box: An Analysis of Manhattan Gridlock and Spillback Enforcement** (July 2006); and
- **Parents Dismissed: An Analysis of Manhattan's Community Education Councils and the New York City Department of Education's Role in Engaging Parent Leaders** (June 2006).

Acknowledgements

The Borough President thanks all the staff of his office who helped develop and publish this report.

In particular, the Borough President thanks the following staff members for their work as the primary researchers and writers of this report: Dan Golub, Senior Policy Advisor, and Verena Arnabal, Policy Analyst, Education, Women and Families.

The Borough President also thanks the following staff members who worked on this report: Alaina Colon, Chief of Staff; Scott Schell, Policy Director; Cuong Nguyen, Deputy Chief of Staff; Sascha Puritz, Director of External Affairs; Dick Riley, Communications Director; Jason Welch, External Affairs Liaison; Anthony Borelli, Land Use Director; and Jennifer Hong, Urban Planner.

Executive Summary

In 2002, when the State Legislature and Governor George Pataki overhauled New York City's school governance law, they abolished Community School Boards, which had been responsible for giving parents and communities a voice in the school system for decades. To replace School Boards, the Legislature created Community Education Councils (CECs) in 2003 to "provide an opportunity for meaningful participation for both parents and the community." As the sunset date for the current school governance law approaches, it is time to consider how the parental input system has met these stated goals.

Since 2003, a significant consensus has emerged that the current system of parental input has not succeeded and is in need of structural repair. CECs have neither the independence nor the authority to perform their responsibilities, and parents lack the voice they deserve and were promised when CECs were created. A lack of parental engagement stands out as one of the foremost complaints lodged by opponents of the current system. And perhaps most tellingly, even the strongest proponents of the new system also acknowledge that the parental engagement process warrants significant improvement.

The relatively short, and relatively unhappy, history of Community Education Councils stands in stark contrast to the long-standing success of New York City's Community Boards, which have served for decades as well-established venues for community input. While there are many reasons for this, two structural differences between the two bodies are particularly salient.

First, compared to Community Boards, the CECs' authority is undermined by their lack of independence. CECs depend entirely upon the Department of Education for their training, support, and resources. Even assuming the best of intentions, it is unreasonable to expect a City agency to effectively promote independent criticism of its own proposals. In contrast, Community Boards, which are responsible for representing the views of the community to the City's executive branch, are not dependent upon that same branch of government for their training, resources, and support. Instead, an independently elected executive official – the Borough President – is responsible for training and supporting the Boards.

Second, compared to Community Boards, CECs have been unable to define their role in educational decision-making because they lack a procedural roadmap for influencing policy decisions, or a timeline for providing input. State law requires CEC approval or consultation on various decisions, but provides no clear guidance on how this process should occur. In contrast, the City Charter, and related laws and rules, provide Community Boards with clearly delineated processes of consultation and review on various decisions – most notably, the Uniform Land Use Review Procedure (ULURP). ULURP, and processes like it, gives Boards enough time to solicit public input and hold public hearings, empowers them to show leadership on difficult decisions, and grants them an official status in the process which they then use to represent the community even on issues not subject to formal public review.

Whether or not the Mayor and Chancellor continue to make the final decisions regarding the school system, they must not control the process through which parents provide input on those decisions.

In fact, only by empowering parents to provide truly independent input will the Department of Education be able to command broad support for its initiatives and its direction. Therefore, Community Education Councils should be reformed and empowered by modeling them after New York City Community Boards in two important respects:

1. Make CECs more independent from the Department of Education.

- Responsibility for training and supporting CECs should be given to the City's five Borough Presidents. Borough Presidents are well-positioned to play this role because they are independently elected executive officials with sufficient distance from the City's Executive Branch; they have similar experience and infrastructure supporting their borough's Community Boards; they already play a role appointing members of the CECs; and they can support CECs cost-effectively and with minimal additional overhead.
- Borough Presidents should provide dedicated staff to ensure that CEC members are trained in their duties and have the resources to perform them. They should also be responsible for publicizing opportunities to serve on CECs, encouraging high participation in CEC elections, and recruiting good candidates to serve in appointed CEC roles.
- Borough Presidents should chair a Borough Education Council (BEC), modeled after the Borough Board, which brings together the Chairs of each borough's Community Boards. The BEC would be composed of the presidents of each borough's CECs and the City Councilmembers representing each borough. The BEC would allow parent leaders to convene on borough-wide issues, issue opinions on issues affecting more than one school district, and engage in regular and public dialogue with officials from the Department of Education.
- Borough Presidents should promote strong ties between CECs and Community Boards by bringing them together under the same government umbrella and encouraging their collaboration and communication on land use, capital planning, and other issues.

2. Establish a formal process for CEC review and input into educational decisions – the Uniform Parental Engagement Procedure (UPEP).

- A Uniform Parental Engagement Procedure (UPEP), modeled after the Uniform Land Use Review Procedure defined in the City Charter, should be established in state law, with specific timelines for CEC review and input into educational decisions. Generally, CECs should be given a review timeline that is sufficient to conduct a public hearing, solicit input, refer an issue to a committee for deliberation, and issue a formal decision.
- Proposals requiring CEC approval, such as changes to zoning district lines, should be submitted to CECs for a 90-day review, public hearing, and decision period.
- Proposals requiring CEC consultation, such as proposals to create, eliminate, or relocate new schools within a District, should be submitted to CECs for a 60-day review and consultation period. Any input the CEC provides regarding the action must be submitted to the Chancellor and responded to in any final decision.
- Broader educational policy decisions requiring approval of the Panel for Educational Policy (PEP) should first be referred to all Borough Education Councils for a 45-day review period.

Any comments must be included in the materials submitted to and voted on by PEP members and must be addressed in the PEP's resolution on the issue.

- CECs should be given the responsibility, and the necessary resources, to serve as the primary vehicle for soliciting parental input into educational decisions affecting a School District and providing a point of contact with the District Superintendent.

Housing CECs outside of the City's executive branch would eliminate a structural conflict and provide CECs with the autonomy to speak effectively for parents. Responsibility for promoting, supporting, and recruiting CEC members would be vested in a government entity with a strong incentive to promote the CECs' strength and independence, rather than in a governmental entity with an inherent structural inclination to minimize their role. Because UPEP would provide a regular stream of proposals and applications for CECs and the public to review on regular timelines, it will encourage CECs, like Community Boards, to "learn by doing" and establish a formal status in the process. That status will make them recognized representatives of community opinion even on issues not necessarily being formally presented for review.

Under a system that reforms and empowers CECs, DOE will be able to focus on developing proposals and listening to community opinion, rather than trying to run the community input process itself. And the City's ultimate decisions will gain legitimacy by having undergone a community input process that is widely viewed as authentic and independent. Finally, the City could realize significant cost savings by giving authority for supporting CECs to the Borough Presidents, who already have infrastructure in place supporting Community Boards that could be adapted to support CECs with minimal overhead.

Building a successful education system depends upon the creation of a successful model of parental input. And creating that model requires fixing the structural flaws that afflict the current system. For the benefit of the City's schoolchildren and the City's future, Community Education Councils must be reformed and empowered to provide the voice that public school parents need and deserve.

I. Introduction

Academic research demonstrates that higher student achievement outcomes are correlated with parental involvement.¹ This is as true in the case of individual students as it is in the case of entire school systems. Engaged parents and guardians promote educational attainment, and an engaged citizenry promotes civic well-being.

When the State of New York reformed New York City's school system in 2002, few disputed that the largest school system in the United States was one in need of dramatic reform. Since the City's school system was reorganized, the debate over student achievement, accountability, and efficiency continues, but those who have most closely watched our public school system over the last few years largely agree on one point – today, parents do not have a strong enough voice in the City's educational debates and decisions, both locally and city-wide.

While there are many important school governance issues that the Legislature must confront and resolve as the sunset date for the current law approaches, this report focuses solely on one critical aspect – the process of parental and community engagement. The report provides a brief background and history of the issue, summarizes the prevailing assessment of parental engagement since 2003, provides a structural analysis that compares the current parental input system with the more successful model of New York City's Community Boards, and concludes by proposing detailed recommendations for State legislation that would reform and empower Community Education Councils to be the effective voices of the City's public school parent community.

II. Background

In the 1960s, New York City's educational system was de-centralized in response to parental and community discontent with a school system viewed as too centrally controlled and out of touch with parent and community needs and concerns. Those reforms created 32 Community School Boards, which initially had substantial decision-making powers over personnel, budgetary, and instructional matters. Over time, however, changes in legislation curtailed many of these powers, and scandals undermined the reputations of certain School Boards. As a result, the public increasingly perceived these bodies as ineffective and highly politicized.

In 2002, the New York State Legislature passed, and Governor George Pataki signed into law, legislation overhauling the City's school governance structure. Community School Boards, which had been responsible for giving parents and communities a voice in the school system for decades, were abolished.

While the Legislature's reforms focused on providing greater Mayoral control of school governance, it was also the explicit goal of the Legislature in that same act to "create a process to encourage real parental and community involvement." Toward that end, the 2002 law authorized the creation of a

¹ See, for example, Jeynes, William H. "Parental Involvement and Student Achievement: A Meta-Analysis." December 2005. Harvard Family Research Project, Harvard Graduate School of Education. <http://www.hfrp.org/publications-resources/browse-our-publications/parental-involvement-and-student-achievement-a-meta-analysis>

Task Force on Community School District Governance Reform and charged that Task Force with the responsibility to “develop a proposal and make recommendations regarding the community school boards and their powers and duties.”²

The Task Force conducted a series of public hearings and meetings from December 2002 to February 2003 and issued recommendations to the Legislature on February 15. The Task Force recommended the creation of Community Education Councils (CECs) to replace Community School Boards, as well as a Citywide Council on Special Education (CCSE). In their final report, the Task Force stated:³

It is the hope and the belief of the Task Force that if enacted into law and implemented, these recommendations will foster an environment for meaningful parental and community representation and input at the local community school District level and within their component schools. It is furthermore the belief of the Task Force that meaningful engagement of parents and the community is ultimately necessary for an overall system of school governance to be successful.

In June 2003, the State Legislature passed legislation, signed into law by Governor Pataki the following month, which created CECs and the CCSE. Pursuant to the law, each CEC is composed of nine parent members elected by the Parent Association/Parent-Teacher Association (PA/PTA) officers of schools within the school district, two community members appointed by the respective Borough President, and one non-voting high school senior. The CCSE is composed of nine parent members, two members appointed by the Public Advocate, and one non-voting high school senior.⁴ All education council members are volunteers.

The Legislature granted CECs a number of formal responsibilities, including: the power to measure, track, and evaluate the academic and financial performance of school districts; the power to evaluate supervisors and superintendents; the authority to comment on the capital and educational plans for school; and the authority to approve changes to school district zoning. When the DOE formally announced the CEC creation process, Schools Chancellor Joel Klein noted that the new entities represented a change to “a parent-based focus.”⁵

CECs were established with the clear expectation that they would, in the words of the Legislature in the bill that created them, “provide an opportunity for meaningful participation for both parents and the community.”⁶ As the sunset date for the current school governance law approaches, it is appropriate for members of the Legislature to consider the extent to which the current model of parental input has met the goals they set out for it.

² Assembly Bill 11627 of 2002. Bill memo, “Purpose and General Idea of Bill.”

³ Final Report of the Task Force on Community School District Governance Reform. February 15, 2003. <http://assembly.state.ny.us/comm/NYCSchGov/20030219/>

⁴ Hereafter, for the purposes of brevity, this report refers only to CECs and not to the Citywide Council on Special Education and the Citywide Council on High Schools. Much, if not all, of the analysis provided, however, should be understood to apply equally to the City-wide Councils. See footnote 25.

⁵ Gootman, Elissa. “Schedule Set for Replacing School Boards,” *New York Times*, 15 January 2004, Section B, p. 2.

⁶ Assembly Bill 9113 of 2003. Bill Memo, “Purpose or General Idea of Bill.”

III. Assessment of Parental Engagement Since 2003

Since 2003, a significant consensus has emerged among parents, educators, advocates, experts, and other observers that the current system of parental input has not succeeded and is in need of structural repair.

In August 2007, State Assembly Education Committee Chair Catherine Nolan requested that New York City Public Advocate Betsy Gotbaum convene a Commission on School Governance to study school governance under the new law and make a detailed report to the Legislature. After receiving extensive input from public forums and hearings, stakeholder meetings, and commissioned academic reports, the Commission concluded that, while Mayoral control had reaped benefits and should be renewed, “parents and community representatives are frustrated with the absence of effective institutional channels through which they can have a meaningful voice in policy, express their concerns about existing practices, or acquire information about their schools,” and that “[t]he elimination of community school district offices has created confusion and frustration among parents who have relied on them over the years as a place to get assistance and information about matters that concern the education of their children.”⁷

The need to significantly empower parents and communities has also been noted and recognized by other governmental and civic organizations that have investigated the issue. One of the six main recommendations of the New York City Council Working Group on School Governance is to “strengthen community level parent engagement structures” and, specifically, to strengthen CECs.⁸ Timothy G. Kremer, Executive Director of the New York State School Boards Association, has written that “[w]hatever your views on Chancellor Joel I. Klein and the changes taking root in the New York City school system, there seems to be a significant number of parents who feel disenfranchised from the schools.”⁹

Advocates and stakeholders who criticize the current school governance structure have made the lack of parental engagement one of the central elements of their concern. The Campaign for Better Schools, a coalition of more than two dozen parent, youth, community-based and education advocacy organizations, believes the current school governance structure has “led to parents, students and communities being shut out of important decisions that affect the quality of education students receive.”¹⁰ The United Federation of Teachers’ School Governance Task Force concluded that “decisions with major implications for the lives of children and families are being made with little if any public discussion or consultation,” and that “[d]emocratic participation is lacking, probably more so than at any previous time in the 165-year history of the city school system.”¹¹ And the Parent Commission on School Governance maintains that there is “a critical need to ensure more vigorous parent input at the school and citywide levels.”¹²

⁷ Final Report of the Commission on School Governance. Volume I: Findings and Recommendations. September 2008. <http://www.pubadvocate.nyc.gov/advocacy/schools/documents/FinalCommissiononSchoolGovernanceReportVolumeI.pdf>

⁸ “Summary of New York City Council Mayoral Working Control Working Group Recommendations.” February 2009. <http://drop.io/2owsgkz>

⁹ Kremer, Timothy G. Letter to the Editor, *New York Times*. March 12, 2009.

¹⁰ Campaign for Better Schools. “Recommendations to the New York State Legislature on Governance of the New York City School District.”

¹¹ The United Federation of Teachers. “Ensuring an Effective School Governance Framework: The United Federation of Teachers School Governance Report & Recommendations.” http://www.uft.org/news/issues/reports/governance_report.pdf

¹² Parent Commission on School Governance. “Recommendations on School Governance.” March 2009. http://www.parentcommission.org/parent_commission_Final_Report.pdf

But perhaps most tellingly, even the strongest supporters of the current school governance system acknowledge that the parental input process requires serious improvement. Geoffrey Canada, Chairman of Learn-NY, an organization advocating for the renewal of mayoral control, has written that:

The Department of Education has not done nearly enough to engage parents. Parents should have more notice before major decisions, like school closings or the cell phone ban, are made. And they should be given forums to voice their opinions - not merely free-for-all complaint sessions, but substantive discussions that are taken seriously.¹³

And Schools Chancellor Joel Klein, in testimony to the New York State Assembly Education Committee stated:

[W]hile I believe we've made strides with community and family engagement over the course of this administration, I also know that we can and must do a better job. Ours is a complex education system to navigate and we can and we must help our families navigate it better. We also need to give families in communities more information in a more timely fashion so we can do a better job of getting their input. Working together with you and learning from our collective experience over the past several years, I'm confident that we can build a better process, we can do better in terms of parent engagement and parent involvement.¹⁴

Although very few things unite supporters of mayoral control and its strongest critics, both sides seem to have reached consensus that the process of parental input must be reformed.

The widespread dissatisfaction with the current system stems from the sense that while Community Education Councils exist in law as the voice of a District's parent community, they have not been empowered to adequately perform this role in practice. *Parents Dismissed*, a 2006 survey by the Manhattan Borough President's Office, sheds light on this situation with evidence taken directly from the parents who serve on CECs. According to State law, DOE is responsible for training and supporting CEC members in the performance of their duties, but this survey of 68 percent of Manhattan CEC members demonstrated that CEC members were not being supported in their efforts and were not successfully performing the roles assigned by State law.¹⁵ For example:

- Although CECs are responsible for preparing an annual School District Report Card, 61 percent of respondents indicated either they did not know what a School District Report Card was, or that their council played no role in developing one in the previous academic year.

¹³ Canada, Geoffrey. "Accountability = achievement, says top children's advocate." Op-ed, *New York Daily News*. November 23, 2008.

¹⁴ Transcript, Assembly Standing Committee on Education, "Public Hearing on Governance of the New York City School District." February 6, 2009.

¹⁵ Stringer, Manhattan Borough President Scott M. "Parents Dismissed: An Analysis of Manhattan's Community Education Councils and the New York City Department of Education's Role in Engaging Parent Leaders." June 2006. <http://www.mbpo.org/uploads/PARENTS%20DISMISSED.pdf>

- Although CECs are required to meet at a minimum of once a month with the community superintendent to discuss the progress made toward the implementation of the District Comprehensive Education Plan (DCEP), 29 percent of respondents did not know what a DCEP was.
- Although each CEC is required to hold an annual public hearing on the Five-Year Capital Plan and to submit its comments and recommendations, 37 percent of respondents stated that either their council did not hold a public hearing on the Amended Five-Year Capital Plan during the 2005-2006 school year or they were unsure whether their council held such a public forum.
- Although the law gives CECs authority over the approval of zoning district lines, 18 percent of respondents said they were unsure what truly constituted a zoning change in their district.
- Although CECs are required to maintain ongoing communication and collaboration with PA/PTA officers and School Leadership Teams (SLTs), 50 percent of respondents stated that DOE had not provided them with contact information for all active PAs, PTAs, and SLTs in their districts. Additionally, 37 percent of respondents reported that their councils meet less than quarterly with the PA/PTA officers in their school districts.

It is both a cause and a symptom of this disempowerment that the Councils have struggled to fully constitute themselves. There are currently 66 vacancies on the CECs and Citywide Councils.¹⁶

The current school governance system provides potentially useful avenues for community and parental input. Unfortunately, there appears to be a clear consensus that this potential has not been actualized during the short history of Community Education Councils.

IV. Structural Analysis: Community Education Councils vs. Community Boards

There are many reasons why the current parental engagement process has not succeeded, but it makes sense for the Legislature to focus on the issues that are structural in nature. And for purposes of analysis, it is useful to examine the CEC structure with reference to a more successful model for community input – New York City’s Community Boards.

The City’s Community Boards are far from perfect. However, they have served for decades as well-established venues for community input into various city processes. While they actually have less direct formal power than CECs, they have more successfully established themselves within the life of the City as independent voices for local neighborhoods, and as vehicles for distilling general community sentiment into concrete, workable recommendations. City agencies orient significant portions of their decision-making processes around seeking Community Board consultation and input. While their opinions are advisory, hard-working Boards have strategically used their role in the process to set the terms of debate and achieve meaningful, significant results. The fact that Community Boards play a significant role in the process does not change the fact that decisions are

¹⁶ Roberts, Sam. “Parent Voting for School Councils Is Moving Online.” *New York Times*. March 15, 2009.

ultimately made by the City's elected branches of government. Ultimately, the Board's role strengthens the City's decision-making processes by building trust in the process and focusing City agencies on clearly articulated community needs and priorities.

Why have Community Boards enjoyed general success providing community input, while CECs have not? Two structural reasons stand out.

1. In contrast to Community Boards, the CECs' authority is undermined by a lack of independence.

Community Education Councils

Community Education Councils depend upon the Department of Education for their training and support, pursuant to section 2590-e(7) of the State Education Law. No other government entity is directly available to CECs to support their activities. This creates an inevitable conflict, or at least the appearance of a conflict, between the agency responsible for making policy decisions, and the panels responsible for providing independent input into those decisions.

Under the current school governance system, DOE is in a position unlike that of its fellow Mayoral agencies – it is expected not only to propose and enact policy initiatives, but also to manage the process through which those proposals may be criticized and opposed. This is a structural defect in the current law that inevitably leads to conflict and mistrust. Even assuming the best of intentions, it is unreasonable to expect a City agency to be sufficiently motivated to effectively promote independent criticism of its own proposals. Giving DOE the sole responsibility for supporting CECs invites the suspicion on the part of parents that the parental input process is tainted by the Administration's incentive to minimize criticism. To be effective, review and input processes require institutional checks and balances by autonomous entities.

Community Boards

The City Charter requires that Community Boards, among other responsibilities, “consider the needs of the district,” and “consult, assist and advise” agencies and legislative bodies with respect to matters “relating to the welfare of the district and its residents.”¹⁷ In this role, they are often in the position of having to provide independent input into, and even strong criticism of, policies or proposals initiated by the City's Mayoral Administration.

Given the Boards' need to provide independent input into the proposals of the City's Executive Branch, the City Charter wisely does not make that same branch of government the sole support for the Boards' activities. While the Administration has some responsibilities to support Community Boards, the City Charter assigns Borough Presidents the responsibility to “[p]rovide training and technical assistance to the members of community boards within the borough.”¹⁸

This arrangement properly positions the Boards and the Administration as autonomous from one another. City agencies are required to consult with Community Boards and to submit proposals to them for their review and input. The agencies, however, are not responsible for the Boards

¹⁷ Sections 2800(1) and 2800(2) of the New York City Charter.

¹⁸ Section 82(12) of the New York City Charter.

themselves, and Mayoral agencies are not substantially involved in regulating or overseeing Board training or internal processes. If Community Boards need support to review a proposal by a City agency, they are not in the position of having to request help from the same government entity initiating the proposal. And because they have recourse to another elected official, Boards can feel confident that the Administration cannot minimize their role or disempower them from providing effective input. By vesting the responsibility for supporting Community Boards in an elected executive official who is not the Mayor, the Charter gives Boards the best of both worlds – the necessary independence from the Administration and the necessary support from an elected official who can effectively advocate for the Boards’ interests.

2. In contrast to Community Boards, CECs have been unable to define their role in educational decision-making because they lack a procedural roadmap for influencing policy decisions, or a timeline for providing input.

Community Education Councils

The State Education law requires DOE to seek CEC approval or consultation on various decisions. For example, section 2590-e(11) of the State Education law requires CECs to approve zoning lines, and section 2590-h(2) requires CEC consultation before certain schools and programs in a District are expanded or reduced. However, the law provides no clear guidance – and certainly no specific timelines – for how this consultation must occur.

Without specific timelines for review described in the law, DOE is given the freedom to determine what does and does not require consultation, and what does and does not qualify as consultation. All too often, parents and community leaders disagree with the DOE’s determinations on both fronts. By indicating a process of parental approval and input, but failing to provide specific timelines and processes, the current governance structure leads to confusion and disagreement over whether DOE has performed the necessary consultation and creates too much potential for DOE to avoid seeking significant input and public scrutiny.

Community Boards

In contrast, the City Charter, and related laws and rules, gives Community Boards clearly delineated processes of consultation and review on various decisions – the most well-known of which is probably the City’s Uniform Land Use Review Procedure (ULURP). ULURP, and processes like it, give Boards enough time to solicit public input and hold hearings, empowers the Boards to show leadership on difficult decisions, and grants them an official status in the process which they then use to play a significant role representing the community even on issues not subject to formal public review. The following are just a couple examples of these processes:

- Section 197-c of the Charter, ULURP, gives Community Boards a 60-day review period to consider, hold a hearing on, and issue recommendations regarding a number of land use and development proposals. The Board’s official position is then formally submitted as part of the application reviewed by the Borough President, City Planning Commission, and City Council.

- Section 668 of the Charter gives Community Boards a 60-day period to review applications to the Board of Standards and Appeals (BSA) for variances and special permits. Any opinion expressed by the Board is filed with the BSA.
- Title 28, Section 6-03 of the Rules of the City of New York give Community Boards an optional 45-day period to review and comment on housing developments applying for 421-a tax exemptions.

These formal review processes, with various timelines depending on the proposal, provide a meaningful opportunity for Community Boards to review and deliberate on policy decisions. They also establish a public process through which the general public is notified of proposals and invited to provide input. Because these processes provide a regular stream of applications and proposals requiring review, Community Boards “learn by doing” and develop a level of expertise and a formal status in the process that makes them significant shapers of community opinion even on issues not necessarily being formally presented for review. And specific timelines for review and input provide clear legal guidance and minimum expectations for how City agencies must consult with the Boards.

V. Recommendations: Reforming & Empowering Community Educational Councils

Building a successful education system depends upon the creation of a successful model of parental input. And creating that model requires fixing the structural flaws that afflict the current system. Therefore, Community Education Councils should be reformed and empowered by modeling them after New York City Community Boards in two important respects.

1. Give CECs independence from the Department of Education

Training, Support, and Promotion

State law should be amended to give responsibility for training and supporting Community Education Councils to the City’s five Borough Presidents. CECs, like Community Boards, should have an independently elected official supporting their work who has a structural incentive to promote them and no inherent inclination to minimize their input.

Borough Presidents are well-positioned to play this role because they are independently elected executive officials with sufficient distance from the City’s Executive Branch, they have similar experience and infrastructure supporting their borough’s Community Boards, they already play a role appointing members of the CEC, and they can accommodate support services for CECs cost-effectively and with minimal additional overhead. The Borough President’s role in the City’s education policy has significant historical precedent, since they currently appoint members to the Panel for Education Policy, and previously to the Board of Education.

Just as the City Charter requires Borough Presidents to “establish and maintain a planning office to assist the borough president in providing technical assistance to the community boards within

the borough,”¹⁹ state law should also give Borough Presidents the responsibility and the resources to provide educational staff to liaise with CECs, ensuring that they are fully trained in their duties and have the necessary support to perform them. Most Borough Presidents have educational policy staff and Community Affairs/Community Board staff who could start to meet this need.

Borough Presidents should also be responsible for publicizing opportunities to serve on CECs, encouraging high participation in CEC elections, and recruiting good candidates to serve in appointed CEC roles.

Borough Education Council

Borough Presidents should chair a Borough Education Council (BEC), analogous to the Borough Board. The BEC would be composed of the presidents of each borough’s CECs and the city councilmembers representing each borough. The BEC would provide a public forum for parent leaders to convene on borough-wide issues, issue opinions on issues affecting more than one school district, and dialogue directly and regularly with DOE officials.

Collaboration with Community Boards

As recommended by the Parent Commission on School Governance, a restructured school governance system should “foster a meaningful partnership between [CECs] and Community Boards,” who “can and should work closely together on issues related to zoning, city budgets, development and school overcrowding.”²⁰ Borough Presidents are uniquely positioned to play a role bringing together Community Boards and CECs because of their role appointing members to both bodies.

2. Give CECs a formal process for public review and input into educational decisions – the Uniform Parental Engagement Procedure (UPEP).

While supporting Mayoral control, the Commission on School Governance recommended that a “process should be developed to assure that [CECs] have meaningful input into decisions that concern the budget, general education practices, and the opening and closing of schools within their districts.”²¹ The Campaign for Better Schools has echoed that call, recommending a process “that ensures community input before schools are closed, new schools are created, and new schools are placed inside existing schools.”²²

To accomplish these objectives, and to establish a workable standard process for parental input, state law should establish Uniform Parental Engagement Procedure (UPEP), modeled after the City Charter, with specific timelines for CEC review and input. Generally, CECs should be given a review timeline that is sufficient to conduct a public hearing, solicit input from the public (especially directly affected SLTs and PTAs), refer an issue to a committee for deliberation, and issue a formal decision.

¹⁹ Section 82(9) of the City Charter.

²⁰ Parent Commission on School Governance, <http://www.parentcommission.org/Local.html>

²¹ Commission on School Governance report.

²² Campaign for Better Schools statement.

CEC Approval

Proposals requiring CEC approval, such as changes to zoning district lines, should be submitted to CECs for a 90-day review, public hearing and decision period.

CEC Consultation on District Proposals

Proposals requiring CEC consultation – for example, proposals to create, eliminate, or relocate new schools within a District – should be submitted to CECs for a 60-day review and consultation period. CECs would have sufficient time to provide notice to affected school leadership teams and relevant stakeholders and to hold a public hearing to hear from the public. If the CECs provide input for the Chancellor’s consideration, their comments must be submitted to the Chancellor and officially responded to in any final decision, just as the Community Board’s recommendations on ULURP applications are formally submitted as part of the application to the City Planning Commission and are typically addressed and responded to in the Commission’s final resolution.

Input on Educational Policy Decisions

Broader educational policy decisions requiring approval of the PEP, as well as the five-year capital plan, should first be referred to all Borough Education Councils for a 45-day review period. Any comments must be included in the materials submitted to and voted on by PEP members and must be addressed in the PEP’s resolution on the issue.

CEC Responsibility for Soliciting Public Input

With enhanced input comes significant responsibility. Community Boards are required by the Charter to “conduct substantial public outreach, including identifying the organizations active in the community district”²³ and are responsible for notifying the public of ULURP applications when they are referred to the Boards for review.²⁴ Similarly, CECs should be given the responsibility, and the necessary resources, to serve as the primary vehicle for soliciting parental input into educational decisions affecting a School District, and should serve as the point of contact with the District Superintendent. The UPEP procedure should empower CECs to adequately inform their constituent school leadership teams and parent communities about pending proposals, and to distill broader community sentiment into an organized, structured opinion.²⁵

²³ Section 2800(21) of the City Charter.

²⁴ Section 197-c(e)(1) of the City Charter.

²⁵ As discussed in footnote 4, while this report generally discusses Community Education Councils, much of its analysis applies to the Citywide Council on High Schools and the Citywide Council on Special Education. Similarly, at least one of the report’s two major policy recommendations – instituting a Uniform Parental Engagement Procedure – could similarly be adopted for proposals directly impacting public high schools and special education services. If the two Councils remain City-wide in scope, it may not be a workable solution for Borough Presidents to provide training and support to them. However, if either of the Councils are broken up into borough-specific Councils (as the United Federation of Teachers has recommended for the High School Council), Borough Presidents would be well-positioned to also support them in the same way that they would support the CECs.

Benefits of Reform

The benefits of reforming and empowering CECs would be significant and varied.

Parental Engagement and Structural Reform

Giving parents an empowered voice in the school system enhances citizen participation in government, supports parents' commitment to the City, and improves the quality of decisions by ensuring that real-world impacts are considered and incorporated.

Housing CECs outside of the City's executive branch will eliminate a structural conflict with the Mayoral Administration and empower CECs with the autonomy to speak effectively for parents. Responsibility for promoting, supporting, and recruiting CEC members would be housed in a government entity with a strong incentive to promote the CECs' strength and independence, rather than in a governmental entity with an inherent structural inclination to minimize their role.

UPEP, the Borough Education Council, and increased collaboration with Community Boards will all give parents considered input into important decisions affecting their families, and will enhance the formal status of CECs as the recognized voice of a District's parent community. From this newly elevated position, the CECs will be recognized and empowered to effectively advocate for their community – even on issues not subject to formal review, just as Community Boards typically do on general issues affecting their neighborhood. By reviewing applications regularly, and being put in the position of having to solicit public input and adopt a formal recommendation, CECs will further develop their expertise and will have the authority to show leadership on difficult decisions.

Accountability

DOE often struggles to find the best way to engage a large parent population encompassing thousands of school communities throughout the City. In a reformed system, the lines of communication and consultation will be more clearly drawn. As long as the law is followed, DOE will be able to depend upon empowered CECs as the primary channel for disseminating information and soliciting community input into general issues and specific proposals. DOE will be able to focus on developing proposals and listening to community opinion regarding those proposals, rather than trying to run the community input process itself.

Community Boards' advisory role in the development process does not detract from the fact that the City ultimately wields significant authority over the City's development policies. In fact, Community Board input only enhances the planning process by ensuring that community concerns are heard and addressed in an organized, structured manner – leading to better outcomes in the long run. In the same way, an empowered CEC process will not harm the City's ability to achieve results in educational policy. On the contrary, a meaningful, structured process of parental consultation increases the likelihood that those proposals will benefit from considered parental review and meaningful community input. And whatever the City's ultimate decisions are, those decisions will gain legitimacy for having undergone a community input process that is widely viewed as authentic and independent.

Cost Savings

The Mayor's Office for Family Engagement (OFEA), which is responsible for serving as the government liaison to CECs, has an annual budget of \$5.8 million, plus the salaries of parent coordinators which fall under school budgets.²⁶ The Borough Presidents can provide the same level of oversight and management support at a lower operating cost given the existing internal structures in place to work with Community Boards. Borough Presidents have liaison and community affairs departments responsible for providing direct support to community members. Incorporating CEC oversight and support within these already existing units is a straightforward addition to liaison responsibilities and would require minimal changes in staff hiring. This would also create the potential to reduce costs at OFEA associated with providing community liaisons and pursuing parental engagement initiatives.

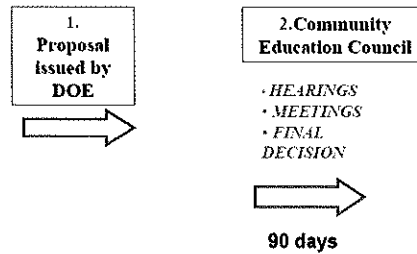
Conclusion

Whether or not the Mayor and Chancellor continue to make the final decisions regarding the City's educational policies, they must not control the process through which parents provide input into those decisions. In fact, only by empowering truly independent input from parents will the Department of Education be able to command broad support for its initiatives and its direction. For the benefit of the City's schoolchildren and the City's future, Community Education Councils must be reformed and empowered to provide the voice that public school parents need and deserve.

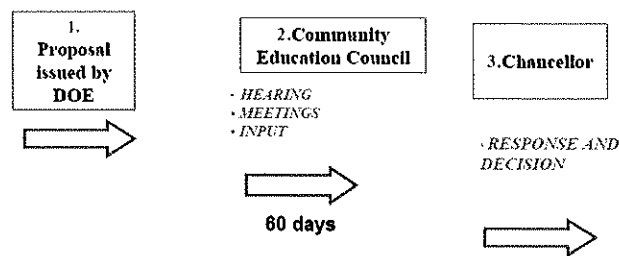
²⁶ Executive Budget of the City of New York. Unit of appropriation 453/454 for central administration, budget code 7215 for the Office of Parent Engagement.

Appendix: Diagram of Potential UPEP Procedures

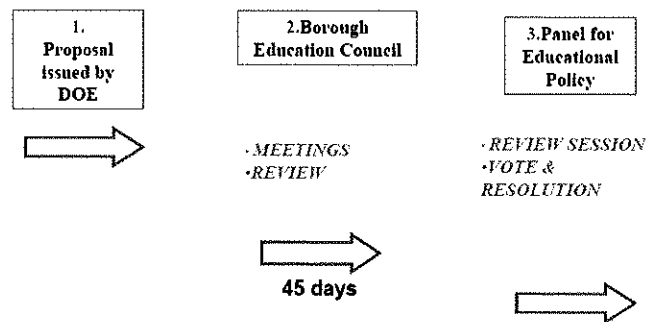
Uniform Parental Engagement Procedure *Zoning District Changes*



Uniform Parental Engagement Procedure *Input on School Openings, Closings, Relocations, etc.*



Uniform Parental Engagement Procedure *Educational Policy Decisions*





SCOTT M. STRINGER
MANHATTAN BOROUGH PRESIDENT

Municipal Building One Centre Street, 19th Floor New York, NY 10007
Tel: 212-669-8300 fax: 212-669-4306
www.mbpo.org