



info@parentcommission.org

www.parentcommission.org

General info: 718 . 812 . 6728

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

# Comparison of NYC School Governance Bills in the NYS Senate-June '09

Key Provisions	Education Through Partnership Act [Huntley/S5739]	Better Schools Act [Parker/S-5576]	Padavan/Silver bill [A-8903]
<b>Overall vision</b>	A new governance system based on Mayoral <i>partnership</i> that is inclusive of all stakeholders	Supports the concept of Mayoral control, disagrees with how the law is implemented	Mayoral control mostly unchanged
<b>Central Board Composition</b>  Note: central board is also referred in various proposals as "PEP" and "BoE." Wherever DoE is used, it refers to the central administration (Chancellor and his employees).	<ul style="list-style-type: none"> <li>• <b>Minority</b> Mayoral appointees</li> <li>• Return to Board of Education as name of the entity</li> <li>• <b>Fixed, staggered terms</b> (4 y)</li> <li>• 15 voting members</li> <li>• 6 parent representatives elected by members of the CECs roughly proportional to student population in each area; 1 seat reserved for a parent of a special education student</li> <li>• 3 appointed by Mayor               <ul style="list-style-type: none"> <li>• 1 appointed by Public Advocate</li> <li>• 1 appointed by City Council</li> </ul> </li> <li>• 4 selected by the Board – these members to fill a need for expertise in specific policy areas (eg. ELL, HS)</li> <li>• 1 non-voting member appointed by the City comptroller</li> <li>• Central board selects Chair</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Minority</b> Mayoral appointees</li> <li>• A narrow majority of City Council or other elected official appointees</li> <li>• <b>Fixed terms</b> (2y)</li> <li>• 17 voting members</li> <li>• 8 appointed by the Mayor</li> <li>• 1 appointed by each BP (5)</li> <li>• 1 appointed by city council</li> <li>• 1 appointed by the governor</li> <li>• 1 appointed by the Assembly Speaker</li> <li>• 1 appointed by the Senate President Pro tem</li> <li>• Central board selects Chair.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Majority</b> Mayoral appointees, eight in all, two of whom are public school parents.</li> <li>• 13 voting members</li> <li>• <b>No fixed terms</b></li> <li>• 1 parent appointed by each of five Borough Presidents, as now</li> <li>• Central board selects Chair.</li> </ul>
<b>Central Board Duties &amp; Powers</b>	<ul style="list-style-type: none"> <li>• Educational policies and the actions of the Bd. Of Ed and Chancellor fully subject to state and city law</li> <li>• Approve operating and capital budgets as well as all policy changes proposed by Chancellor, with two months notice, to allow for sufficient public input from CECS and others stakeholder groups</li> <li>• All contracts over \$500K to be approved by board</li> <li>• All consulting service contracts &gt;\$100K to be approved by board</li> <li>• Multiple contracts with one vendor subject to approval by board if sum &gt;\$100K</li> </ul>	<ul style="list-style-type: none"> <li>• Educational policies and actions of Chancellor and Board not subject to city law               <ul style="list-style-type: none"> <li>• Approve operating and capital budgets as well as all policy changes proposed by Chancellor</li> </ul> </li> <li>• Approval of large contracts</li> <li>• Open public process</li> <li>• All meetings public</li> <li>• Regular monthly meetings</li> <li>• All decisions by public roll call</li> <li>• Notice &amp; agenda widely circulated with translations</li> <li>• Translation at meetings</li> <li>• Solicit comments on all voting matters</li> </ul>	<ul style="list-style-type: none"> <li>• Educational policies and actions of Chancellor and Board not subject to city law</li> <li>• Approve operating, budget, capital budget, major policies and regulations proposed by Chancellor</li> <li>• Approve large contracts over \$1 million and no-bid contracts</li> <li>• Approve school closings, sitings, co-locations or other significant changes in school utilization</li> <li>• Approve all regulations proposed by Chancellor</li> <li>• Members can request additional items to be put on agenda</li> <li>• Agendas available ten days in advance</li> </ul>

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<b>Central Board</b> <i>Duties &amp; Powers (cont'd)</i>	<ul style="list-style-type: none"> <li>Private funding of programs &gt;\$100K subject to approval by board</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Votes on budgets, policies, regulations, and school closings must be announced at least 45 days in advance, or if revised, 15 days in advance so there is sufficient public comment before approval</li> <li>Adopt policy proposed by chancellor that promotes diversity in workforce</li> </ul>
<b>Chancellor</b> <i>Duties &amp; Powers</i>	<ul style="list-style-type: none"> <li>Appointed by Mayor from three candidates nominated by central board.</li> <li>Ex officio member of Central board</li> <li>Must be an educator, with at least two years experience as teacher and principal</li> <li>No waivers allowed</li> <li>Fixed term in alignment with the Mayoral term</li> <li>To propose policies, budgets and regulations</li> <li>Selects superintendents, after consultation with CECs, DLTs</li> <li>Administers the school system as a whole</li> </ul>	<ul style="list-style-type: none"> <li>Appointed by Mayor</li> <li>Ex officio member of Central board</li> <li>Responsible for proposing the DOE operating budget, 5-year capital plan, procurement contracts, and educational policy changes.</li> <li>No educational experience necessary</li> </ul>	<ul style="list-style-type: none"> <li>Appointed by Mayor</li> <li>Ex officio member of Central board</li> <li>As before, contract can exceed by two years the appointing Mayor's term of office</li> <li>No change in necessary qualifications</li> <li>Develops procurement policy on no-bid contracts and provide plan to enhance ability of minority and women-owned businesses to compete for contracts</li> <li>Holds meeting in each school district over course of two years</li> <li>Conducts annual survey of parents, teachers, and school personnel to evaluate performance of the board and the chancellor</li> <li>Selects superintendents in "consultation" with CECs</li> </ul>
<b>Accountability &amp; Transparency</b>	<p>Create new offices to enhance transparency and accountability</p> <ul style="list-style-type: none"> <li><b>Independent Accountability Office</b> for producing regular reports on educational outcomes with full access to data</li> <li><b>Inspector General</b> to investigate and report to the public any case of malfeasance, corruption, or mismanagement</li> <li><b>Ombudsperson</b> to address and resolve parental complaints &amp; to provide central board &amp; Chancellor recommendations on how services, policies or procedures should be improved</li> <li>Board of Education and Chancellor subject to entire city charter and all city law – as well as state law, including as regards educational standards and policies.</li> </ul>	<ul style="list-style-type: none"> <li>NYC Independent Budget Office (IBO) to report on DOE finances and student progress and given full access to all necessary records to do its job.</li> <li>NYC Comptroller with authority to audit the DOE.</li> </ul>	<ul style="list-style-type: none"> <li>Independent Budget Office authorized to issue reports on student performance, enrollment, and delivery of services to ELL and students on disabilities.</li> <li>City Comptroller to conduct programmatic and financial audits</li> <li>Contracts can be rejected by comptroller unless Mayor overrules</li> <li>PTA meetings open to the public</li> </ul>

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<b>Parents Role in School Governance</b> <i>School Leadership Team (SLT)</i>	<ul style="list-style-type: none"> <li>• Shall include 8 to 16 parent and staff members including school's principal</li> <li>• To develop Comprehensive Education Plan <u>and</u> school-based budget in alignment with CEP, as under previous Chancellors and as originally envisioned in state law</li> <li>• Perform annual space assessment</li> <li>• Recommended to attend IPO training</li> </ul>	<ul style="list-style-type: none"> <li>• To develop school's Comprehensive Education Plan</li> <li>• Principals to "consult" the SLT on developing school based budget in alignment with CEP</li> <li>• Principals to hold public meetings to report on finances, student performance and CEP benchmarks</li> <li>• =</li> </ul>	<ul style="list-style-type: none"> <li>• To be "consulted" regarding principal selection</li> <li>• To develop Comprehensive Education Plan through consensus</li> <li>• To be "consulted" by principal on developing school based budget in alignment with CEP</li> <li>• Can bring disputes on school-based budgets, if they believe non-aligned with CEPS, to Superintendent</li> </ul>
<b>Parents Role in School Governance</b> <i>Principal Selection &amp; Evaluation</i>	<p>Reverse changes to C-30 so that parents and staff receive all applications, interview and make recommendations for candidates for principal</p> <p>Expand learning environment survey to include principal evaluation</p>	<p>Parents, HS students &amp; others to interview and make recommendations for candidates for principal</p>	<p>Superintendent to "consult" SLTs before selecting principals</p>
<b>Parents Role in School Governance</b> <i>Organization &amp; Training</i>	<p>Establish an <b>Independent Parent Organization (IPO)</b> and an ancillary <b>Independent Parent Academy (IPA)</b> – run by parents for parents – with a dedicated source of funding and staff to facilitate responsible parental participation at the school, district &amp; citywide levels of the school system.</p>	<p>Create a <b>Center for Parent and Student Service and Empowerment</b> under the Public Advocate charged with outreach, training and support for parents and students.</p>	
<b>Community School Districts and Superintendents</b>	<ul style="list-style-type: none"> <li>• Restore Community School Districts as meaningful entities;</li> <li>• Restore the role of Superintendents by requiring they spend at least 90% of their time supervising the schools in their districts</li> <li>• Superintendents appointed by Chancellor in consultation with CECs, PCs and DLTs</li> <li>• Responsible for school supervision and administrative oversight of their district's schools</li> <li>• Authority to review District Comprehensive Education Plan; capital plans; Enrollment, Capacity and Utilization report; class size report.</li> <li>• Assign 6-12 and high schools to their respective geographical districts</li> </ul>	<ul style="list-style-type: none"> <li>• Superintendents appointed by Chancellor in "consultation" with CECs, PCs and DLTs</li> <li>• Superintendents empowered to 1) supervise and evaluate principals of the schools within their districts, 2) address issues of school choice, student discipline, language access, special education, and shared decision making within the schools of their districts.</li> </ul>	<ul style="list-style-type: none"> <li>• Superintendents to be assigned tasks "predominantly" in their districts with "sufficient" staff</li> <li>• Reports to parents on two open forums each year, to review achievement, prioritize areas for improvement, and receive comments and concerns</li> <li>• Appoints principals and APs in a process that "promotes" parental and staff involvement, according to a regulation promulgated by the chancellor</li> <li>• Supervises the performance of principals</li> <li>• Approves school-based budgets after certifying their alignment with schools' CEP, and responds in writing to any disputes of SLT concerning lack of alignment</li> <li>• Establishes a process for an SLT</li> </ul>

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			member to dispute principal's decision <ul style="list-style-type: none"> <li>• Provide assistance and direct support to parents</li> </ul>
<b>Community Education Councils</b> <i>Duties &amp; Powers</i>	<ul style="list-style-type: none"> <li>• Make decisions on enrollment, school, planning, evaluation, parent and pupil support, and opportunities for community input</li> <li>• Make recommendations to Chancellor on superintendent appointment</li> <li>• Actively participate in developing the Capital Plan</li> <li>• Foster meaningful partnerships with Community Boards, especially in zoning, development and budgeting</li> <li>• Improve process for developing the District Comprehensive Education Plan</li> <li>• Receive training from the Independent Parent Academy</li> </ul>	Any proposed school, including charter school, closings, restructuring, re-siting or insertions must include: <ul style="list-style-type: none"> <li>• Public notice to CEC, CCSE, CCHS</li> <li>• An educational Impact study, specifying the proposal's impact on ELL and special education students as well as the closing of the achievement gap</li> <li>• Public hearing held by the CEC/CCSE/CCHS</li> <li>• Vote of approval by CEC/CCSE/CCHS</li> <li>• Chancellor can overrule their vote, in which case they can appeal to central board</li> <li>• Final decision by central board in public session</li> </ul>	School openings, closings, phase-outs, grade configuration & "significant changes in school utilization" including co-location of schools must be preceded by: <ul style="list-style-type: none"> <li>• Chancellor's six month advance notice and impact study</li> <li>• A joint hearing within 30-45 days with the affected CEC and SLT</li> <li>• Final vote by PEP</li> </ul>
<b>Community District Education Councils:</b> <i>Composition</i>	<ul style="list-style-type: none"> <li>• Parents do not have to first resign PA position to run</li> <li>• 13 members (2 non-voting high school students)</li> <li>• 9 representatives elected by district parents, with seats reserved for:               <ul style="list-style-type: none"> <li>• 1 high school parent</li> <li>• 1 IEP parent</li> <li>• 1 ELL representative</li> </ul> </li> <li>• 1 community member appointed by BP</li> <li>• 1 community member appointed by CDEC</li> <li>• The Citywide Council on High Schools and the Citywide Council on Special Education to remain</li> <li>• Every registered voter and every parent of a child in public school is eligible to vote</li> </ul>	No change	<ul style="list-style-type: none"> <li>• Parents do not have to resign PA position to run</li> <li>• PA/PTA officer running for a CEC position may not vote. PA/PTA will elect a member to vote.</li> <li>• 12 members (1 non-voting high school student)</li> <li>• 9 representatives, elected by PTA officers, with seats reserved for:               <ul style="list-style-type: none"> <li>• 1 IEP parent</li> <li>• 1 ELL representative</li> </ul> </li> <li>• Parents of students who attended public school in preceding two years eligible</li> <li>• 2 members appointed by BP, as now</li> <li>• Citywide Council on High Schools and Citywide Council on Special Education to remain</li> <li>• Creation of new Citywide Council on English language learners</li> <li>• Only PA/PTA officers vote</li> </ul>
<b>Special Provisions:</b> <i>Special Education (IEP students), English Language Learners (ELL students), High Schools</i>	<ul style="list-style-type: none"> <li>• Sets aside one seat on the Board of Education for a parent of an IEP student</li> <li>• Mandates that a deputy chancellor be appointed whose sole job is to oversee special ed &amp; related services for entire school system</li> </ul>	No special provisions for special education	<ul style="list-style-type: none"> <li>• Reauthorizes the Citywide Council on Special Education on which any parent of a student with an IEP may serve.</li> <li>• Sets aside one seat each on every CDEC for a parent of a special education student and an English Language Learner</li> </ul>

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<b>Special Provisions:</b> <i>Special Education (IEP), English Language Learners (ELL), High Schools (cont'd)</i>	<ul style="list-style-type: none"> <li>• Reauthorizes the Citywide Council on Special Education (CCSE), with the following changes: <ul style="list-style-type: none"> <li>• 11 voting members: 10 parent representatives elected by parents borough-wide (two from each) and 1 member appointed by Public Advocate</li> <li>• 2 nonvoting members: 1 high school student nominated by schools and students and selected by CCSE; 1 “at-large” member from community with special expertise selected by CCSE</li> <li>• Guarantees that the CCSE represents all parents of IEP students, regardless of placement, throughout the school system</li> <li>• Sets aside one seat each on every CDEC for a parent of an IEP student, ELL student and High School student</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• Establishes a citywide council for the first time under state ed law for ELL parents and High School parents</li> </ul>
<b>Special Provisions:</b> <i>Constitution Commission composed of all stakeholders</i>	<p>Recognizing the need for a robust and durable school system with clearly articulated goals and standards to ensure all students with access to a sound and equitable education:</p> <ul style="list-style-type: none"> <li>• The Governor and Legislature will establish an independent commission to draft a constitution that defines the mission, core principles, goals and a policy framework for public primary and secondary education</li> <li>• Commission members should be selected to reflect the diverse composition of the public schools and its stakeholders</li> <li>• Enact the constitution developed by consensus as the basis for school governance</li> </ul>		
<b>Sunset clause</b>	5 years, unless legislature enacts changes to law based on recommendations of the Constitution Commission.		6 years