



June 21, 2009

To: Senator Shirley Huntley, Sponsor, S-5739

CC: Senators Adams, Montgomery and Young, Co-sponsors

From: Steve Bell, Patricia Connelly and Leonie Haimson
for the Parent Commission on School Governance

Re: **A comparison of senate bills concerning NYC school governance:**
Education Through Partnership Act [Huntley/S-5739]
Better Schools Act [Parker/S-5576]
Silver bill [A-8903] to be introduced “as is” by Sen. Padavan

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OVERALL VISION

The ***Education Through Partnership Act*** (Huntley bill) creates a new governance system based on Mayoral partnership and would include of all stakeholder groups. The ***Better Schools Act*** (Parker bill) supports the concept of Mayoral control but disagrees with its current implementation. The ***Padavan/Silver*** bill leaves Mayoral control mostly unchanged.

BOARD OF EDUCATION COMPOSITION

The **Huntley bill** creates an independent, knowledgeable, and responsive Board with six parent members chosen by the district Community Education Councils; five political appointees, including three by the Mayor, one by the City Council and one by the Public Advocate; and four members collectively chosen by the other Board members to fill in needed areas of expertise. All would have fixed, staggered terms of four years.

The **Parker bill** creates a Board with a narrow Mayoral minority and fixed terms. The Mayor need only convince one other member to agree with him, a relatively simple matter in light of the fact that some of the borough presidents’ representatives on the Board are expected to vote with the mayor, as they have consistently done in the past, no matter how inequitable or inadvisable the proposed policies or spending priorities. The bill also calls for members of the Board to be appointed by the Governor, the Assembly Speaker and the President pro tem of the State Senate. All would have terms of two years.

The **Silver/Padavan bill** leaves the current system of unilateral mayoral control mostly unchanged. The Mayor continues to appoint the majority of Board of Education members and may fire any of them at will. The fact that two of his appointees have to be parents would have little effect in ensuring actual checks and balances or parent voice in the running of NYC schools since these parent members may also be dismissed at any time at the will of the Mayor.

CHANCELLOR'S QUALIFICATIONS AND SELECTION

The **Huntley bill** requires that the Chancellor be an experienced educator; the other two bills do not. In the Huntley bill the Mayor appoints the Chancellor from three candidates nominated by the Board; the other two bills leave the selection of the Chancellor to the Mayor alone.

ADDITIONAL CHECKS & BALANCES AND ACCOUNTABILITY MEASURES

In the **Huntley bill** the Chancellor and the Department of Education are fully subject to all relevant city and state laws. This means, for example, that the cell phone legislation and Dignity for All Students Act that prohibits the bullying and harassment of students who are gay or ethnic/racial minorities, both city laws passed over the Mayor's veto, would be enforced. In the two other bills, the DOE remains free to ignore all city and state laws, unlike any other city agency.

The **Huntley bill** also creates three independent offices: an Ombudsperson to assist parents and community members in addressing problems that cannot be resolved at the school or district level; an Inspector General, answerable to the public, to investigate allegations of fraud, mismanagement and corruption; and an Independent Accountability Office, staffed with experts on education, to audit student performance and outcome data.

The other two bills give the Independent Budget Office (IBO) the authority to issue reports on student performance, as well as financial data, but do not establish the offices of an Ombudsperson or an Inspector General.

OTHER MAJOR DIFFERENCES AMONG BILLS

School Leadership Teams

In the **Huntley bill**, School Leadership Teams are re-empowered to develop Comprehensive Educational Plans and school-based budgets based on those plans, as originally envisioned in state law and as authorized by previous Chancellors, including Crew and Levy. In the other two bills, the principal only has to "consult" with the SLT as to school-based budgets – a significant narrowing of parent input, and the law's intent that no future Chancellor could overturn.

Community Education Councils

In the **Huntley bill**, all parents have the right to vote in Community Education Council elections. In the other two bills CECs members continue to be chosen only by PTA officers.

In the **Huntley bill**, CECs have the final authority to approve or disapprove the opening or closing of schools in their districts. In the other two bills the Chancellor and the Board alone

make the final decision, although public hearings must be held and the DOE must report a educational “impact” statement for each proposed closing, opening, etc.

In the **Huntley** and **Silver /Padavan bills** seats are reserved on every CEC for special education and ELL parents. The **Parker bill** does not change the composition, selection process, or the powers of CECs in any significant way.

Superintendents

In the **Huntley bill**, superintendents are restored to working in their districts at least 90% of the time, supporting parents and supervising schools. In the **Silver/Padavan bill** superintendents are assigned tasks “predominantly” in their districts; which is difficult to quantify, no less monitor and enforce.

PARENT SUPPORT, EDUCATION, ORGANIZATION, EMPOWERMENT

The **Huntley bill** establishes an independent and publicly funded Independent Parent Organization and Training Academy to provide assistance and training to parents, SLT and CEC members, and to provide a voice for parents at the citywide level. The **Parker bill** creates a parent and student training center under the aegis of the Public Advocate. The **Silver/Padavan bill** contains nothing to ensure more training or an institutionalized role for parents at every level of the school system.

CLARIFYING THE MISSION, GOALS, AND OPERATING PROCEDURES OF THE SCHOOL SYSTEM

The **Huntley bill** establishes a Commission, representative of all stakeholder groups and the diverse nature of our communities, to develop a consensus mission statement for the New York City public schools. This provision is absent from the other two bills.