

Community District Education Council District 26

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MINUTES OF BUSINESS MEETING

Date: Thursday, March 26, 2009

Time: 7:00 P.M.

Location: MS 67, 51-60 Marathon Parkway, Little Neck, NY -Rm B44A

The meeting of the Community District Education Council of District 26 (CDEC26) was called to order by Jeannette Segal, Vice President at 7: pm in Room –B44A.

Roll Call: Jeannette Segal, Erik DePaula, Irene Cheung, Marie Pollicino, Patrick McShane & Dina Quondamatteo

Late - Rob Caloras & Dave Kerpen

Excused – Irene Fennell & Vincent Tabone

Present – Anita Saunders, Community Superintendent & Lori Butera, District Family Advocate

Business Meeting

A. Minutes - Motion to accept the minutes from the February 25th meeting as written was made by Patrick McShane and seconded by Marie Pollicino. Council voted unanimously to accept the minutes.

B. Treasurer's Report – Erik DePaula

Erik reported that April 8th is the deadline to add funds to the P-card. The money that is associated with General Supplies will be moved as follows: \$600 from General Supplies to Stipend, \$2,000 from General supplies to Advertising, the remaining General supplies funds will be moved to the P-Card. The P-card funds can be used up through June 26th.

C. President's Report –Rob Caloras

1. Retention policy – Rob spoke with Jennifer Bell Owen (Accountability Research) in regards to the retention rates. The Rand Corporation is compiling an independent evaluation/research paper on Social Promotion and Retention and what the impact may be. The research report will be distributed in August. Jennifer stated she would come out and discuss the outcome after information is put out.
2. Queens Ledger – article from the Dept. of Justice.
3. E-mail from Ewel Napier regarding resolution to the complaint.
4. CEC Election process (straw votes)

5. Website - It was brought to the CDEC26's attention that the website has not been updated in a few months (new members not added and monthly calendar showed wrong year 2007-2008 instead of 2008-2009 but correct meeting dates). We would like to see the minutes added to the website along with any resolutions the CDEC has passed. The resolutions will be archived in PDF format; the home page to be modified showing our next meeting date and agenda. Dave will be the liaison between the CDEC and the webmaster.
Council agreed unanimously that the minutes should be added. Hyperlink to the DOE homepage only. Resolutions to be put in chronological order. Links to be added: Class Size Matters – HUE – Time Out for Testing – Power to the Parents Org. and a link to the Gotham Gazette.

New Business

1. Dave Kerpen presented a proposal for the CDEC to open up a face book account advertising the CDEC. Dave will contact the DOE and ask what the regulations may be to promote the interest of the community through face book. Rob requested Dave print a hard copy so that it can be presented to the appropriate individuals at the DOE. Council feels this needs to be studied and researched more.
2. Erik DePaula read the resolution from the CDEC regarding the new SLT regulations the DOE has submitted. There were no changes to the resolution. Patrick made the motion to accept the resolution as written, Dina seconded the motion. Council voted unanimously in favor. The resolution will be distributed to the DLT, the Superintendent, all elected officials, DOE and etc. Anita requested that she be sent a copy before sending out. (See Attachment A)

Old Business

1. Update PTA liaison
 - a. Dina Quondamatteo assigned to: PS 46 & MS 74
 - b. Dave Kerpen assigned to: PS 94 & PS 266

Rob asked that they contact the PTA President or Parent coordinator to set up a meeting.

2. Letters will be sent to the Principals to set up school visits with the CDEC liaisons.
3. Erik stated no response regarding the CEC Selection process letter sent to the Justice Department.

Superintendents Report – Anita Saunders

- Welcome
- New Title 1 Eligibility Criteria – lowered to 40%-which includes free lunch and reduced lunch.

Principal can use

The Federal money that comes with Title 1 approximately is \$960 per student. The money in two different approaches:

- a. Target assistance: the money will be used for the Title 1 eligible students only.
- b. School-wide initiative: the money may be used across the whole school community. Can be used to hire a Title 1 teacher who will be pushing in & pulling out students, additional resources in the school and can hire additional guidance counselors. District 26 schools include: PS 18, 26, 31, 46, 115, 133, 159, 162, 173, 191, 213, PS/IS 178, MS 74, 158, 172, Bayside HS, Francis Lewis HS & Queens HS of Teaching

- CDEC Election Update
- School Awards:
APEC – Arline Thomas Urban Bird Literacy/ARTS Contest
PS 18 – 2nd & 3rd Place Art Awards
PS 46 – Several Winners
PS 98 – Nicole Schenone – 1st Place – Literacy----- 2-3rd Place Winners

PS 94 – Faith Huang – 1st Place – Art
 PS 115 – 12 Winners
 PS 133 – 9 Winners
 PS 159 – Wei Wu – 1st Place Winner
 PS 162 – Several Winners
 PS 173 – 9 Winners
 PS 205 – Michelle Lee - 1st Place – Art
 PS 221 – Kenneth Chee – 1st Place – Art & Several Other Winners

PS 18 – Long Island Chess Tournament – Grade 4 Students - 2nd Place
 PS 46 – Ballroom Dancing – Gold Medal Queens Quarter Finals
 PS 94 – Udalls Cove Preservation Committee -Maggie Capozzoli-Cavota – 1st Place
 PS 98 – NYC Art Teacher Association Ecofest Poster Competition – 2 Honorable Mentions, Art Work on display at Apple Bank for Savings, NYC Ninth Annual Aurora Gareiss Award for Wetlands Conservation – 1st Place – 4 Winners
 PS 115 – Justin Varghese – 1st Place Spelling Bee Winner – SCORE
 PS 133 – Ballroom Dancing Citywide Finals for June
 PS 205 – Jonathan Lee – Semi-Finalist PS Art 2009 Studio in a School Grant – Kids Growing Food – Cornell University Grant
 PS 173 – Jessalyn Li – Traffic Safety 2009-2010 Calendar
 2nd Grade Martin Luther King’s Fine Art and Essay Contest Work – Displayed in State House in Albany
 Xui Mei Yang – Self Portrait Semi-Finalist PS Art 2009
 PS 178 – Silver Medal Dancing Classrooms Ballroom Dance Quarter Finals
 Middle School Rugby Team – 3rd Place – CHAMPS Silver Cup Rugby Tournament
 Middle School Chorus Performed at Lincoln Center
 PS 188 – National Endowment of Humanities – Teacher, Tina Bui – 4 Weeks Summer Seminar in Berlin and Leipzig, Germany – 1 of 15 American Teachers
 MS 67 – Long Island Philharmonic 23rd Annual Young Artist Competition Award – Ji Eun Lee – Winner
 PS Art 2009 – 3 Finalists
 MS 74 – Lincoln Essay Contest – 1st Place Winner
 State Math Counts Competition – Team Event – 3rd Place
 District Volleyball Championship - 1st Place
 MS 158 – Mr. Holland’s Opus Foundation – Music Teacher, Ms. Schechter – 1 Grant for \$10,000 worth of instruments
 Math Counts Competition
 Art Award
 PS Art 2009 – 2 Finalists
 Green Grow Expo & Arts Connection – 8 Finalists
 Ecofest Poster Contest – 16 out of 30 Awards – Grades 6 & 7
 MS 216 – NYC Science Olympiad – 1st Place
 Queens Robotics – 1st Place
 Dr. Martin Luther King – Mathematics Competition, Grade 7 – 1st Place
 Student Art Work – PS Art 2009; Doodle 4 Google
 NYS Underwater Robotics Program – 1 of 5 schools in state
 Removed from SRAP List – Now School in good standing
 NY1 News Principal Interview

Lori Butera – District Family Advocate

1. CEC Selection Process - Emma from the Grassroots Initiative has informed Lori that we have another candidate for the CDEC. Her application was mistakenly accepted as a D75 parent and has now been identified as D26 parent. That brings the total of candidates to 17.
2. Grants – Workshop with President Council and Parent Coordinators regarding opportunities and how to write a grant. Five different grants presented.

3. SLT – Will be having SLT training sessions toward the end of the year which is mandatory. Two sessions scheduled: April 7th at PS 178-3:30 p.m. & April 21st-MS 74-5 p.m. Tentative date for April 22nd at PS 186-7 p.m.
4. Parade – will be at Forest Park on June 6th.
5. Family Literacy on April 1 at PS 173 (8:30 a.m.-11 a.m.) – Nurturing the Early School-Aged Child (Pre-K to 2nd grade).

Rob made a motion to adjourn the meeting and Patrick seconded. Council voted unanimously to adjourn.

Meeting adjourned at 9:15 p.m.

Respectfully submitted by Marian Mason, Administrative Assistant, CDEC 26.

ATTACHMENT
" A "



Community District Education Council 26

61-15 Oceania Street, Bayside, NY 11364

Tel: 718- 631-6927, Fax: 718-631-1347, Email: cec26@schools.nyc.gov

Robert Caloras <i>President of the Council</i>	Jeannette Segal <i>First Vice President</i>	Irene Fennell <i>Second Vice President</i>	Marie Pollicino <i>Recording Secretary</i>	Erik DePaula <i>Treasurer</i>
Council Members: Irene Cheung Dave Kerpen Patrick McShane Dina Quondamatteo Vincent Tabone				Anita Saunders <i>Community Superintendent</i> <i>District 26</i>
				Website: www.cdec26.org

RESOLUTION OF COMMUNITY DISTRICT EDUCATION COUNCIL 26
WITH REGARD TO THE MARCH 2009 PROPOSED AMENDMENT OF CHANCELLOR'S
REGULATION A-655

WHEREAS, the Chancellor of the New York City Department of Education (the "Chancellor"), in December 2007, amended Chancellor's Regulation A-655 (adopted on December 4, 2007) and such amendment revoked the power of School Leadership Teams ("SLTs") to "develop an annual school comprehensive educational plan ("CEP") that is aligned with the school based budget."

WHEREAS, a parent, of a child attending a New York City public school, named Marie Pollicino filed an appeal to the New York State Commissioner of Education (the "Commissioner"), under Section 310 of the New York State Education Law, challenging this change, as well as other changes made by the amended regulation, and challenging the manner in which the changes were made as being in violation of New York State Education Law Sections 2590(h)(15)(b), 2590(h)(15)(b-1), and 2590-r(n) and Section 100.11(b) of the Regulations of the Commissioner.

WHEREAS, Community District Education Council 26 ("CDEC26"), the United Federation of Teachers (the "UFT"), and an SLT member named Melvin L. Meer made motions to intervene in the appeal and permission to intervene was granted to these parties by the Commissioner, with the appeal then being titled, Appeal of MARIE POLLICINO, COMMUNITY DISTRICT EDUCATION COUNCIL 26, UNITED FEDERATION OF TEACHERS and MELVIN L. MEER from action of the New York City Department of Education and Joel I. Klein, Chancellor, regarding issuance of a Chancellor's regulation ("Pollicino v Klein").

WHEREAS, the Commissioner ruled, in his decision in the Pollicino v Klein matter, that section of the amended Chancellor's Regulation A-655 that "gives principals final decision making authority over the CEP . . . must be revised" as it violated New York State Education Law Section 2590(h)(15)(b-1) by stripping the SLT of its "basic, statutorily mandated authority and allow[ing] the principal to make the final determination on the CEP, thus allowing the principal to override the judgment of an SLT."

WHEREAS, the Commissioner, in his decision in the Pollicino v Klein matter, also ordered the New York City Department of Education ("NYC DOE") and the Chancellor to "revise the language of Chancellor's Regulation A-655, the New York City Department of Education's Plan for the Participation

of Parents, Teachers and Administrators in School-Based Planning and Shared Decision-Making (the “Plan”), in accordance with this decision.”

WHEREAS, the Chancellor, as a result of the decision in the Pollicino v Klein matter, has once again amended Regulation A-655 as of March 4, 2009 (the “March 2009 A-655”) and has requested that all Community District Superintendents 1) review the proposed revisions, 2) meet with their District Leadership Teams (“DLTs”) to discuss and receive comments on the revisions and seek the DLT’s endorsement of the proposed revisions, and 3) approve or disapprove the amended regulation.

WHEREAS, the March 2009 A-655 states 1) “it is recommended that SLTs use consensus-based decision process as their primary means of making decisions,” 2) “when a team has made every effort to resolve an issue and members cannot reach agreement, the team should seek assistance from designated OFEA district engagement staff . . . or OFEA borough engagement staff . . .,” 3) “if the designated OFEA staff is unable to resolve such issues to the satisfaction of team members, team members may send a written request for assistance to the DLT,” and 4) “if the SLT, after receiving assistance from OFEA staff and the DLT, still cannot reach agreement on the CEP, then the principal will make the final determination.”

WHEREAS, the word “Consensus” is commonly defined to mean a unanimous agreement among the members of a group on a particular issue, a “consensus-based decision making process,” as called for by the March 2009 A-655 effectively allows a single member of an SLT to prevent a decision from being reached.

WHEREAS, a school’s principal is a mandatory member of a school’s SLT and the March 2009 A-655 does not even require a principal to deal with the SLT on a “good faith” basis or accept or consider the advice of designated OFEA staff or the DLT on a “good faith” basis, the March 2009 A-655, in effect, would allow a school principal to prevent an agreement by the SLT on a school’s CEP, to ignore the advice of the designated OFEA staff and the DLT and, finally, to exercise his or her power to “make the final determination” on the CEP, completely undermining the SLT’s “statutorily mandated authority.”

WHEREAS, the Chancellor, if he believes that the Commissioner’s decision in the Pollicino v Klein matter allows for a regulation that gives the principal the power to make a final determination on a CEP only in cases where the SLT does not reach consensus, is mistaken, as the decision simply rejected the Chancellor’s argument, that the December 2007 Amended A-655 only gave principals the final say when the SLT failed to reach consensus, and did not rule that a regulation that gave the principal the final determination on the CEP under these limited circumstances would, in fact, be legal.

WHEREAS, the members of CDEC 26, as well as the attorney that represented CDEC 26 in the Pollicino v Klein matter, believe that the March 2009 A-655 violates New York State Education Law Sections 2590(h)(15)(b), 2590(h)(15)(b-1), and 2590-r(n) and the decision of the Commissioner in the Pollicino v Klein matter.

WHEREAS, it appears that certain language in the Commissioner’s Regulation Section 100.11(b) has recently been changed from “In the City School District of the City of New York, *each board of education* of each community school district . . . shall develop a plan . . .” to “In the City School District of the City of New York, *the superintendent* of each community school district . . . shall develop a plan . . .” and it is not apparent to the members of CDEC 26 when or why this change was made or whether the Chancellor or the NYC DOE requested this change or had any involvement whatsoever in this revision.

THEREFORE BE IT RESOLVED THAT, Community District Education Council 26:

1. Hereby strongly urges the Chancellor and the NYC DOE to immediately withdraw the March 2009 A-655 and provide the Community District Superintendents with an alternative A-655 which complies with New York State Education Law Sections 2590(h)(15)(b), 2590(h)(15)(b-1), and 2590-r(n) and the decision of the Commissioner in the Pollicino v Klein matter.

BE IT FURTHER RESOLVED THAT, if the Chancellor and the NYC DOE do not immediately withdraw the March 2009 A-655, Community District Education Council 26:

1. Hereby strongly urges the District Leadership Team for Community School District 26, as well as every other DLT in the City of New York, a) to advise their respective Community Superintendents that they object to the March 2009 A-655 because it violates New York State Education Law Sections 2590(h)(15)(b), 2590(h)(15)(b-1), and 2590-r(n) and the decision of the Commissioner in the Pollicino v Klein matter and, b) to refuse to endorse the revised regulation.

2. Hereby strongly urges Community School District 26 Superintendent Anita Saunders, as well as every other Community District Superintendent in the City of New York, to disapprove the March 2009 A-655 because it violates New York State Education Law Sections 2590(h)(15)(b), 2590(h)(15)(b-1), and 2590-r(n) and the decision of the Commissioner in the Pollicino v Klein matter.

BE IT FURTHER RESOLVED THAT, if the Chancellor and the NYC DOE do not immediately withdraw the March 2009 A-655, Community District Education Council 26:

1. Reserves its rights to file litigation, to file another appeal to the New York State Commissioner of Education, or to seek any other legal remedies available to the Council to challenge the legality of the March 2009 A-655 and to stay its application.

BE IT FURTHER RESOLVED THAT, Community District Education Council 26:

1. Hereby requests that the Commissioner advise CDEC 26 as to when and why Commissioner's Regulation 100.11(b) was amended as set forth above and advise CDEC 26 whether such changes were made at the request of the Chancellor or the NYC DOE or whether the Chancellor or the NYC DOE had any involvement whatsoever with the changes in question.

2. Hereby requests that the Chancellor or the NYC DOE advise CDEC 26 as to whether the Chancellor or the NYC DOE requested the changes set forth above or whether the Chancellor or the NYC DOE had any involvement whatsoever with the changes in question.

3. Hereby requests that our local (District 26) elected representatives in the New York State Legislature and the New York City Council assist CDEC 26 in determining when and why Commissioner's Regulation 100.11(b) was amended as set forth above and whether such changes were made at the request of the Chancellor or the NYC DOE or whether the Chancellor or the NYC DOE had any involvement whatsoever with the changes in question.

4. Hereby authorizes the president of CDEC 26 to contact the Commissioner, the Chancellor, the NYC DOE and our local elected officials for the purpose of making the inquiries listed above (the president of CDEC 26 may, at his discretion, delegate this authority to the appropriate person or persons).

NOW THEREFORE BE IT RESOLVED THAT, Community District Education Council 26 strongly condemns the Chancellor and the NYC DOE for their continuing disregard of the laws of the State of New York, for their continuing disregard of the principles of parental involvement and shared decision-making and for their continuing disrespect of all parents of New York City public school children.

Council Member - Robert Caloras, Esq., President of the Council
Council Member - Jeannette Segal, First Vice President
Council Member - Irene Fennell, Second Vice President
Council Member - Marie Pollicino, Recording Secretary
Council Member - Erik DePaula, Esq., Treasurer
Council Member - Irene Cheung, Borough President's Appointee
Council Member - David Kerpen
Council Member - Patrick McShane
Council Member - Dina Quondamatteo
Council Member - Vincent Tabone, Esq.

Adopted by the CDEC of DISTRICT 26 this 26th day of March 2009.