

PROPOSED CDEC 26 JOINING IN RESOLUTION REGARDING ACTIONS OF THE DEPARTMENT OF EDUCATION

Whereas, the City School District of the City of New York and the Board of Education of the City School District of the City of New York, both a/k/a the New York City Department of Education (hereinafter “DOE”), are creatures of the State of New York established and controlled by New York State Education Law (“Education Law”), Part 52-A, §§ 2590 et seq.; and

Whereas, Community District Education Councils (“CDECs”) were established by Education Law § 2590-c, which states that “Each community district shall be governed by a community district education council” with such powers and duties established by Education Law § 2590-e and other relevant provisions of law; and

Whereas, the City-wide Council on Special Education (“CCSE”) was established by Education Law § 2590-b; and

Whereas, the Citywide Council on High Schools (“CCHS”) was established by Chancellor’s Regulation D-160; and

Whereas, the aforementioned CDECs, CCSE, and CCHS (collectively, “CECs”) together constitute an important elected parent voice regarding DOE policies as well as possessing specific powers and duties under multiple provisions of law; and

Whereas, the Mayor of the City of New York, the Chancellor of the DOE, and their subordinate agencies and offices have regularly and illegally disregarded and manipulated the mandated role of CDECs to be notified, consulted, and included in DOE decision-making,

Whereas, more specifically, the DOE is in breach of the mandate that CDEC's be consulted before new schools are sited, opened, and closed in our districts, as stated in New York State Education Law § 2590-h.

Whereas, the DOE is in breach of the mandate that CDEC's must approve any rezonings occur in the district, as stated in New York State Education Law § 2590-e, including eliminating a zoned school from a neighborhood altogether;

Whereas, the "straw vote" recently imposed by the Chancellor into the legal process for electing Members to the CDECs is lacking in transparency, impossible to validate, undemocratic, and an expensive waste of time;

Whereas, the banning of School leadership Team members from being eligible to serve on their CDECs is undemocratic, unacceptable, and would greatly diminish parental involvement at the school and district level;

Whereas ,CDECs recognize that the DOE is in non-compliance with its responsibility to serve the needs of special Education students, as mandated by state and Federal law, and extremely negligent in its duties to this large and vulnerable population;

RESOLVED, that CDEC 26 denounces the Mayor's and Chancellor's disregard for our legally constituted authority on behalf of New York City's over one million public school students, and

That DOE must consult with CDEC's before new schools are sited, opened, and closed in our districts, as stated in Education Law § 2590-h; and .

That the DOE immediately cease its unilateral actions to eliminate zoned schools from neighborhoods, unless and until the district CDEC approves of these decisions;

That as previously, all School leadership Team members be recognized as eligible to serve as CDEC members;

That the DOE appoint a visible supervisor with the authority and responsibility to maintain services for special education students and their families, to direct these families to the proper advocates, to communicate with principals, and to ensure that all facilities have the appropriate classrooms and support for these students;

That the DOE restores district superintendents to their proper and legally mandated role, and ensures that they spend the majority of their time within the district, offering support and supervision to the district's schools and help to parents when their children are being denied adequate education and/or services.