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TESTIMONY BEFORE THE EDUCATION COMMITTEE  
OF THE NEW YORK CITY COUNCIL  
REGARDING RE-AUTHORIZATION OF MAYORAL CONTROL  
OF THE NEW YORK CITY SCHOOL SYSTEM

NEW YORK CITY COUNCIL  
CITY HALL  
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Good afternoon, Chairman Jackson and honorable members of the Education Committee. I appreciate this opportunity to testify regarding Mayoral Control of the New York City Schools.

This is a subject of great concern to me, not only as a New Yorker and a product of the New York City public schools, but as a former President of the Board of Education. Throughout my tenure at the board I aggressively pursued accountability in our public education system, beginning with a series of reforms in 1996.

At that time lines of authority were blurred, there was little accountability for educational failure, and local boards were mired in corruption. We felt that if the Chancellor was to be held accountable for educational performance, then he or she must be given clearer authority.

What did we do? We stripped individual school boards of the responsibility for day to day operations of schools and gave that power to superintendents. The Chancellor in turn was given a more direct role in the selection of individual superintendents and gained the authority to intervene in schools that were failing as well as to transfer or remove principals.

We mandated School Leadership Teams, or SLTs, in every school – made up equally of parents and school staff – that injected more accountability at the school level.

In short, we laid the groundwork for a more accountable management of our public school system that helped clear a path towards mayoral control....But in doing so we prioritized two things that are currently missing from the current administration's approach – transparency and parental involvement.

With its top-down approach, the current administration has sought to avoid debate and public scrutiny, while fundamental decisions regarding education reform have been made by executives with very little education background. It is time to put the "public" back in public education.

As we look ahead to the sunset of mayoral control we should reauthorize the law, but we must strengthen it and do a better job of enforcing its existing provisions.

Toward that end, I am today calling for greater accountability by the DOE in four critical areas:

- First, we must aggressively work to ensure that parents are given a meaningful way to participate in the school governance process.
- Second, we must create an independent auditing body to assess student achievement, from test scores to graduation rates.
- Third, we must reform the contracting process to require that the DOE is subject to the same procurement rules as other City agencies.
- And fourth, we must reorganize the Panel for Education Policy to make it more inclusive and responsive to the needs of our many stakeholders.

Let's start with parents.

Parents are essential stakeholders in our public education system. There is no group more invested in the success of our students. Yet too often in our city recently, our parents have been told to sit quietly on the sidelines as others make the critical decisions about their children's education.

My staff recently explored the nature and quality of parental involvement in Community Education Councils, or CECs and in School Leadership Teams.

In discussions with officers of 24 of the city's 32 CECs, we found that at least 10 different provisions of the Education Law governing Community Education Councils are currently not being followed by the city's Department of Education.

Most significantly, CECs are not consulted by Tweed before the opening, closing or reconfiguration of schools in their districts.

At the same time, CECs have been largely unable to evaluate the Superintendents *in* their districts because the Superintendents have been reassigned to spend up to 90 percent their time working to improve achievement in schools *outside* of the district.

CEC officers we spoke to believe their influence has steadily diminished ever since the first group was elected. In fact, the councils have at times needed to resort to court action to maintain parental powers codified in state law, such as

their authority to approve proposed changes in school attendance zones, which is a key CEC power.

As many of you know, a recent District 2 CEC lawsuit states that DOE created zones for the two new schools now under construction in lower Manhattan without seeking CEC approval or even consulting the CEC -- a disturbing illustration of DOE's disregard for CECs.

Likewise in the case of School Leadership Teams, many schools across the city do not have functioning SLTs. Many others are dominated by principals unwilling to engage the leadership team on fundamental matters such as the school's budget and comprehensive educational plan.

Education Law requires principals to solicit SLT input when writing the school-based budget but this frequently does not occur.

DOE hostility to an independent and meaningful role for SLTs was made clear when in 2007 a revised Chancellor's Regulation was issued that gave principals final authority over the Comprehensive Educational Plan, even though the law says that the SLT "develops" the CEP. Last December, State Education Commissioner Mills struck down this portion of the revised regulation.

While parents have struggled to play a meaningful role in these bodies, the increased time spent by superintendents out of their home districts has left them unavailable to assist parents.

Understaffing at the Office of Family Engagement and Advocacy has stymied its ability to fill the gap. There are at most only three Family Advocates per district. Some districts have only one. Because they report to Tweed rather than the district superintendent, their ability to resolve parent concerns is limited.

To clarify and strengthen the role and authority of parents serving on CECs, SLTs and in PA's, I recently made several recommendations, including:

- 1) We should require district superintendents to work primarily in their home districts, as the State Legislature intended and a State court has ordered.
- 2) We should amend the State law to help ensure that principals collaborate fully with School Leadership Teams in preparing a comprehensive education plan and assure SLT input into the school-based budget.
- 3) We should amend the law to ensure that CECs are notified and have ample time to advise and be consulted before significant actions are taken that affect a district school.
- 4) We should put superintendents in charge of District Family Advocates.

Implementing these recommendations would go a long way toward giving parents the kind of role in the development and implementation of education policy that they deserve and to which they are largely entitled under current law.

The need for greater accountability in the governance of our schools extends beyond parent involvement to both academic achievement and the DOE's fiscal operations.

While Tweed has trumpeted gains in test scores and city graduation rates, concerns over data manipulation have arisen.

For the four years between 2003 and 2007, National Assessment of Educational Progress tests – long considered the best measure of student success – showed no significant gains overall for black, white, Hispanic, Asian or lower-income students in our city.

At the same time, SAT scores, which measure the preparedness of our most motivated, college-bound students, reached their lowest point in the past year since 2003.

That is why I support the creation of an independent body to audit test scores and graduation rates....If the public is to trust the city's claims of gains, we must remove both the incentive and the opportunity to manipulate results.

This goes to the heart of the educational mission to give our young people the skills they need – and the city needs – to compete in the new century.

The DOE's budget nearly doubled – from \$12.5 billion to \$21 billion – since the mayoral control law was passed. A failure of improved achievement to align with increased resources threatens not only our students' future, but the very future of our city.

Our city's future is likewise dependent upon following a transparent accounting process. In my capacity as Comptroller I have called attention to multiple instances in which the Department of Education has sought to avoid fair and open competition in the awarding of city contracts.

Under the tenure of this Department of Education, the use of no-bid contracts has soared out of proportion. Today, I urge the Council to speak with one voice and demand that the State require the DOE to adhere to the same procurement rules as all other city agencies.

Finally, the need for greater checks and balances must be reflected in the governing body at the heart of our education system. To investigate options to ensure such accountability, my staff and I reviewed systems of mayoral control in other cities. We were impressed most by the models Boston and Cleveland.

Based on their experience and success, I recently proposed that we replace the current Panel for Education Policy, or PEP, with a 9-member school board drawn from a pool of nominees that is derived with input from a broad cross-section of New Yorkers committed to our students' educational success.

The board would serve fixed, two-year terms. It would be responsible for all matters of policy and serve as an appeal board for certain actions of the Chancellor.

To choose the members of such a board, I proposed the creation of a 19-member nominating committee, consisting of: 5 members appointed by the mayor; 1 member appointed by each of the five borough presidents; 4 parent members chosen by the Chancellor's Parent Advisory Council; 1 teacher member selected by the UFT; 1 principal chosen by the Council of School Supervisors and Administrators; a college or university president selected by the State Education Commissioner; a member from the business community appointed by a business entity selected by the Mayor; and an education school faculty member selected by the college or university president member.

This committee would nominate three candidates for each of the nine positions on the board – to be chosen by the mayor. At least 4 of the 9 must have a professional background in education, finance or business management.

The Mayor would continue to appoint the Chancellor. The Mayor and the Schools Chancellor would also continue to exercise broad authority to direct policy, with the difference that – unlike in the current system – voices representing students, parents and individuals with a wide range of education expertise would have a means to be heard.

It is my understanding that much of this proposal to reform the PEP is reflected in New York State Assembly member Jim Brennan's bill A.8551.

In conclusion, what I and so many others are suggesting is not an end to mayoral control, but a commitment to making it more transparent, more accountable, and more parent-friendly.

As we consider renewal of the law, we must re-dedicate ourselves to the goal that every child entering the New York City school system is given the best opportunity to walk out of high school prepared for college and ready to take his or her place in the new economy of the 21<sup>st</sup> century.

That is an assignment that we must not, we cannot, and -- with your help -- we *will not*, fail. Thank you very much.