



May 12, 2020

Dear Senator Liu and Assembly Member Benedetto,

Last term, changes were made to State Law in direct response to a private advocacy group called the Education Council Consortium (“ECC”). Conversations with Albany legislators revealed that many labored under the misconception that the ECC was a “super CEC” when in fact it is a **private advocacy group** that receives direct material support from the NYC Department of Education in the form of meeting space, regular private meetings with the Chancellor, his Deputy Chancellors, and other senior staff, and access to new Community Education Council (“CEC”) and Citywide Council members during the DOE new member orientation. This access misleads new CEC and Citywide members into believing that the ECC has an official role and is part of the CEC and Citywide Council organizational structure.

The ECC is a private advocacy organization and NOT a CEC or Citywide Council. The ECC does NOT represent the CECs or Citywide Councils, and does NOT have any State or City-sanctioned role in the governance of NYC public schools. This is a crucial and time-sensitive matter because the ECC continues to submit new resolutions to the State for consideration this session taking advantage of this confusion.

CECs and Citywide Councils are established by Article 52-A of NYS Education Law and subject to Open Meetings Law. Any parent is welcome to attend any CEC or Citywide Council meeting, listen to the discussion among council members charged with representing their interests, and give testimony during the public comment portion of the meeting. All CEC and Citywide Council resolutions must be placed on a public, noticed agenda, so that members of the public are aware of pending actions, discussions, and votes.

In contrast, the ECC does not permit public school parents who are simply members of the general public to attend its meetings. In fact, those public school parents who try to attend the ECC meetings are removed. The ECC went so far as to seek an advisory opinion from the Committee on Open Government (“COG”) to affirm that Open Meetings Law does not apply to their organization, which constitutes an acknowledgement by itself that it is NOT a public body.

On January 29, 2020, the Committee for Open Government agreed with the ECC and opined: “In our opinion, the Consortium [ECC] **does not constitute a public body** as it does not require a quorum in order to perform its functions and **it does not perform a governmental function for the New York City Department of Education.**”

State legislators must be aware that the ECC is not a public body given the deception that occurred in the 2019 legislative session. During that session, the ECC wrote a resolution asking your committees to change State law by removing term limits for Borough President Appointees

to CECs. State law was changed in direct response to the ECC request. This ECC resolution that sought to remove term limits for CEC appointees came shortly after New York City residents voted nearly 2 to 1 to impose term limits on community boards. New York City has always voted in favor of term limits when given the option to do so in a public election.

Furthermore, the co-chair of the ECC is a Borough President Appointee who would have no longer been eligible for re-appointment due to term limits but for this requested change, or have been eligible to run for election since the appointee would no longer be a public school parent. The change in State Education Law achieved by the ECC now permits this appointee to remain on the CEC indefinitely. This apparent self-dealing by the ECC is hard to ignore and undermines the legitimacy of the CECs and Citywide Councils.

Actual public school parents deserve to have a seat at the table regarding their children's education. The public school parents who serve on CECs and Citywide Councils expect our legislators to differentiate between CECs and Citywide Councils and private advocacy groups.

We firmly believe there is a role for advocacy groups like the ECC and PLACE NYC. However such groups must be required to be transparent about its representation and objectives. In contrast to the ECC, PLACE NYC, whose members include parent leaders who hold elected CEC, SLT, and PTA positions in our public school system, is clear and transparent about its representation.

We thank you for your prompt attention to this matter and look forward to your response.

Sincerely,
Yiatin Chu and Lucas Liu, Co-Presidents
PLACE NYC (Parent Leaders for Accelerated Curriculum and Education NYC)
<https://placenyc.org>