CFE A PROJECT OF ELC EDUCATION LAW CENTER

February 15, 2013

Courtenaye Jackson-Chase, Esq.
General Counsel
New York City Department of Education
52 Chambers Street Room 320
New York, NY 10007

Re: 2012-2013 Contract for Excellence

Dear Ms. Jackson-Chase:

We understand that the DOE has posted its proposed Contract for Excellence ("C4E") plan for 2012-2013 on its website. We are concerned, however, that the DOE is not complying with the hearing requirements of the Contract for Excellence law. N.Y. Education Law §211-d (4)(b) specifically provides that in New York City, a "public hearing shall be held within each county." This statute further provides that each community superintendent shall submit a community C4E, consistent with the City's, to the Community Education Council ("CEC") for comment at a public meeting.

The DOE indicates on its website that each CEC is responsible to schedule a meeting. However, the DOE provides no assurance, consistent with its supervisory responsibilities, that every CEC will conduct meetings in a timely manner.

Moreover, § 211-d(4)(c) explicitly requires a public hearing in each county, in addition to the CEC meetings. As of this date, no hearing appears to have been scheduled in any county.

Since the deadline for public comment is March 18, both the CEC meetings and county hearings must be scheduled forthwith. Therefore, we ask that you post dates for all hearings immediately, so as to afford the public appropriate notice of their opportunity to provide input on the C4E plan by the March 18 deadline.

Thank you for your attention to the matter, and I anticipate your prompt reply. If you have any questions or wish to discuss further, please do not hesitate to contact me.

Sincerely,

Wendy Lecker, Esq.
Senior Attorney, CFE Project
(203) 536-7567
wlecker@edlawcenter.org