

# Twenty years of Mayoral Control in NYC: A Failed Reform



Class Size Matters

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# School Boards, a.k.a., Boards of Education

- 1826 – MA created first system of having separate school boards elected directly by voters. Over time, this spread to the rest of nation, to ensure that local residents would have a direct voice in governance of their public schools.
- Vast majority of school districts in United States (>95%) have directly elected school boards, separate from other governmental agencies to insulate education as much as possible from politics & horse-trading.
- More than 700 school districts in NYS have elected school boards, in charge of appointing a Superintendent and approving policies and spending priorities
- Only two districts in NY state do NOT have elected school board: Yonkers and NYC
- For many years, NYC Board of Education composed of 5 borough president appointees & 2 mayoral appointees; plus 32 Community School Boards with influence over district school policies and hiring

# 2002: Bloomberg wins Mayoral control from Legislature

- Mayoral control established with expansive and unilateral power devolving to person only, with no local checks and balances
  - to be renewed or lapse in 6 years.
- Mayor appoints 8 members to central board (now dubbed Panel for Education Policy by Bloomberg) and 5 by Borough Presidents .
- Mayor also given power to appoint Chancellor.
  - Bloomberg appoints Joel Klein, an anti-trust attorney with little education experience.
- Community school boards dissolved; Community Education Councils created, with only advisory authority, except for power to approve changes in school attendance zones.

# Bloomberg and Klein: disruptive policies

- March 2004; Bloomberg dismissed 2 appointees on PEP & persuaded SI Borough President to fire his, because they opposed holding back 3<sup>rd</sup> grade students based on state test scores alone (policy later extended to grades 4<sup>th</sup>-8<sup>th</sup>).
- Klein instituted many confusing reorganizations of system, & disempowered District Superintendents via cuts to their budgets and staff.
  - He also tries to eliminate all SLT authority.
- DOE spends \$85M on ARIS, a system to collect test scores and other student data; Aris later ditched as useless.
- School grading system established, based primarily on student test scores; also later ditched as unreliable.
- During Bloomberg administration, PEP approved closure of more than 160 schools, with hundreds of new small schools and charter schools put in their place and number of co-located schools doubled.

# Intense debate over renewing Mayoral control 2008-2009

- Opposition to extending Mayoral control grows, as stakeholders feel shut out of system & many Bloomberg/Klein policies deeply unpopular .
- Bloomberg, along with billionaires Eli Broad, Bill Gates and others, fund a multi-million campaign to lobby Legislature & run ads to retain Mayoral control unchanged.
- In August 2009, mayoral control re-instated for another six years, with minor changes
- PEP given approval power over contracts of more than \$1 million
- Educational Impact Statement and local hearings required before co-locations, school closures or other major changes in school utilization
- Yet PEP continues to act as a rubberstamp and approve all contracts, no matter how wasteful or corrupt, and to close and co-locate schools whenever proposed by administration

# From 2009 to 2018, Mayoral control renewed every 1-3 years with lots of horse trading

- **2014**- De Blasio makes deal w/ Gov. Cuomo to help fund PreK in exchange for DOE requirement to provide space for all new and expanding charters in public schools or pay for their rent– only district in state or nation with this onerous responsibility
- **2017**-DeBlasio negotiates deal with a key Legislator to keep mayoral control in return for slowing down DOE investigation into adequacy of education provided by ultra-orthodox Yeshivas; also agrees to increase # charter schools & speed up their rental payments
- **2018** –De Blasio pushes out one of his own PEP appointees for voting against him on several school closures, after promising during his campaign never to do so.

# June 2022 – Mayoral control tweaked & extended for 2 more years

- PEP expanded from 15 to 23 members;
  - 13 appointed by Mayor; 5 by Borough Presidents, and 5 from each borough, selected by CEC Presidents.
- NYC Comptroller added as non-voting member
- Mayoral control linked to a bill passed by Legislature requiring NYC to lower class size to much lower levels in all grades, to be phased in over 5 years.
- Legislature asked State Ed to hold hearings & prepare report with comprehensive review and assessment of the effectiveness of mayoral control of NYC schools.

# Debate over mayoral control resumes as system to be amended or renewed in June 2024

- Mayor Adams unpopular among many parents and teachers because of his repeated budget cuts to school.
- State Ed Dept. holds well-attended borough hearings where ~ 95 % of speakers oppose continuation of current system as it shuts out constituent voices & has enabled budget cuts, class size increases, wasteful spending & other top-down policies, with PEP acting as a rubberstamp.
- [State Ed Report released April 9](#), recommends change in composition of PEP to give Mayor less overwhelming dominance & to create a Commission to propose a more thorough reform of the governance system.



# Many myths propounded by Adams administration & its supporters in favor of Mayoral control, including;

## Myth 1: *mayoral control leads to more accountability*

- Yet each Mayor is elected only once every four years, and voters make their choices on many issues in addition to education.
- When Bloomberg asked what parents should do if they disagreed on how he ran the schools, he said “*They can boo me at parades.*”
- Often, Mayors go back on campaign promises.
  - Example: Bloomberg promised to lower class size in K-3 when he ran for Mayor, and yet by end of his time in office, class sizes in these grades had risen to highest levels in 15 years.
- Three different comptroller audits revealed that DOE during Bloomberg years had misused state funds meant for class size reduction.

# Mayoral control means more accountability (Part II)

- During his campaign, De Blasio promised to lower class sizes in ALL grades, but once elected, also reneged on that promise
- Currently, Adams is resisting compliance with 2022 class size state law as mentioned by many at recent Mayoral control hearings.
- DOE under Mayoral control continues to violate many laws, regarding special ed services, bilingual services, and student privacy, among others.
- With expansion of charters, costing \$3 billion in DOE funds, more & more students educated in schools with **less accountability**, run by private corporate boards and little public oversight

## **Myth #2: *Mayoral control means less financial waste & fraud***

- Community School Boards had authority over spending & hiring eliminated in 1996, 6 years before Mayoral control established, and few if any examples of corruption after that date
- Many examples of even larger scale corruption under Mayoral control: DOE consultant Ross Lanham stole more than \$3.6M from 2002-2008. After his indictment, FCC excluded NYC from \$100 million of E-rate funds as a result.
- From 2007-2011, a DOE official colluded with a consulting company which overcharged by \$74 million. PEP rubberstamped contract despite series of Daily News articles pointing out fraud and waste.
- In 2015, DOE proposed a \$1.1B contract with internet wiring company, renewable to \$2B over 9 years, though same company involved in Lanham scandal. After media reported on this, DOE renegotiated contract to \$650M overnight & PEP rubberstamped it.
- Contract subsequently cancelled by City Hall & rebid at savings of more than \$627 million compared to initial price.
- In 2021, Eric Goldstein, head of DOE School Support Services, renewed a million-dollar contract for chicken nuggets in return for a bribe though the product contained bone and metal pieces posing serious choking hazard.

## **Myth #3: *Test scores have improved under Mayoral control***

- Mayor & Chancellor have repeatedly has made this claim about 2023 increase in state test scores, though NYSED explicitly pointed out that “results from 2022 and 2023 are not comparable” since tests and scoring have changed.
- Bloomberg also took credit for NYC rise in state scores 2002-2008, and yet they were not replicated in national exams (NAEPs); and in 2010 found to be result of rampant test score inflation.
- Similar pattern during de Blasio years; proclaimed great improvements despite NAEP scores flat or declining.
- Graduation rates did increase during Bloomberg administration, but similar phenomenon was seen in school districts nationwide.

## **Myth #4: *Mayoral control is a more efficient system.***

- **When Mayors in charge of schools, they are often distracted and slow to decide.**
- Example: De Blasio waited too long to close the schools in March 2020 after both LA and San Francisco had done so with far fewer cases
  - March 12, 2023: 36 NY infectious disease experts sent a letter, urging him to close all schools immediately
  - De Blasio finally did so on March 15, after massive pressure from public health officials, business community, and teachers threatening a wildcat strike
  - Tom Frieden, former head of NYC Health Dept and CDC wrote that if NYC had adopted stronger safety measures a week or two earlier, including closing schools, eventual death rate might have been reduced by 50%- 80%.
  - When schools re-opened, DOE spent millions on largely ineffective, non-HEPA air purifiers
- De Blasio waited more than 2 years to accept advice of his School Diversity Advisory Group to eliminate gifted classes, involving testing of 4-yr olds & leading to more segregation.
- He finally decided to do so in October 2021, so late in his second term that when Adams took office in Jan. 2022, he easily reversed this decision.

# Many large urban districts are moving away from Mayoral control

- Detroit in 2017 and Newark in 2020 re-instituted elected school boards
- In both cases, general acknowledgement that school governance has improved.
- Chicago also moving towards an elected school board after nearly 30 years of mayoral control, with the first round of elections to take place this fall .
- Widespread recognition that Mayoral control less accountable, less transparent and far less democratic than other governance systems.

# UFT proposal to amend Mayoral control

- Replace 3 mayoral appointees on PEP with appointees from Council Speaker, NYC Comptroller and Public Advocate;
- PEP should select 3 candidates for Chancellor for Mayor to select one, with 2-year term;
- Strengthen Maintenance of Effort Law, to ensure DOE budgets not cut unless city experiences revenue decline;
- CEC to screen candidates for District Superintendents and forward names to Chancellor
- Allow CECs to approve school co-locations and closures
- SLTs to put forward list of principals to which one must be selected

# Education Counsel Consortium proposal

- [ECC is a parent led group including many CEC and former CEC members]
  - Legislature should create a Commission to develop a new governance system by June 30, 2026, with phase-into begin in the 2026-2027 school year, with the transition complete on June 30, 2030.
  - Reduce the number of PEP members so that Mayor has 9 or fewer, keeping 5 Borough President appointees and 5 CEC-elected members.
  - Require contracts above \$5 Million be approved by the NYC Comptroller as well as the PEP.
  - Explicitly require CEC approvals for any school closures or other changes in school utilization include phase out or closure of zoned schools.



# Other possible options to reform current system and provide real checks and balances

- Allow City Council to make law when it comes to education policy; DOE only city agency not subject to city law.
- Alter PEP composition to 6 members appointed by Mayor, 6 members elected by parents directly, and 3 appointed by the City Council; City Comptroller, and Public Advocate
- Install an Inspector General appointed by State Legislature to strengthen transparency and checks on corruption
- Ombudsperson to address and resolve parental complaints and provide recommendations to the Board and Chancellor on how services, policies, or procedures should be improved.

# How you can help

- Send a message to your legislators by [clicking here](#) or at <https://tinyurl.com/endmayoralcontrol> asking them to amend Mayoral control by changing the composition of the PEP and form a Commission to consider more fundamental changes to the system, like an elected school board
- Subscribe to our email list for updates & other actions you can take on mayoral control at [CLASSSIZEMATTERS.ORG/SUBSCRIBE](https://classsizematters.org/subscribe)
- Questions? Email us at: [info@classsizematters.org](mailto:info@classsizematters.org)