



Community District Education Council 26

New York City Department of Education

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<i>Council Members:</i>				Danielle Giunta
Norman Cohn	Taeho Hwang	Athena Gavros	Community Superintendent	
Jennifer Catherall	Dilip Nath		District 26	
Sulinda Hong				

Resolution to Amend New York State Education Law to Permit Community Education Councils and School Leadership Teams to Conduct Meetings In-Person or Virtually

WHEREAS, New York State Education Law §2590-D requires Community Education Councils (CEC) and §2590-H requires School Leadership Teams (SLT) to hold at least one public meeting per month, consistent with the Open Meetings Law, where parents and the community voice concerns and engage in public discussions¹; and

WHEREAS, New York State Education Law §2590-B is silent on the requirement for the city-wide councils on special education, English language learners, and high schools to hold public meetings consistent with the Open Meetings Law, but states, “The city board shall consider appropriate public accommodations when selecting a venue so as to maximize participation by parents and the community.”; and

WHEREAS, since Governor Cuomo issued Executive Order 220.1 on March 12, 2020, suspending the Open Meetings Law (Article 7 of the Public Officers Law) due to the COVID-19 pandemic, CEC 26 and SLTs have experienced a dramatic increase in parents’ and the community’s participation in meetings held virtually²; and

WHEREAS Governor Hochul has continued to extend Executive Order 11 for 30 days at a time, but CECs and SLTs will be required to hold in-person meetings when the Executive Order is no longer extended³; and

WHEREAS, under the current Open Meetings Law, public bodies may allow their members to attend meetings via videoconferencing, but with the stipulation that the sites from which members attend virtually must be open to the public, thereby preventing such members from attending meetings from their places of business or homes, and reducing the participation of parents who are primary caregivers of young children; and

WHEREAS, many schools in New York City are not compliant with New York State Public Buildings Law Article 4-A Construction of Public Buildings to Provide Access and Use By the Physically Handicapped, hence reducing participation by those who are disabled⁴; and

WHEREAS, in emergency situations, such as occurrences of inclement weather or unforeseen damage to a planned meeting location, CECs and SLTs would not have the authority under existing state law to shift to a virtual meeting platform, thereby preventing such bodies from executing their duties; and

WHEREAS, for over two years, CECs and SLTs have operated effectively and fulfilled all required duties while meeting in virtual settings, without the need to comply with the Open Meetings Law; and

¹ <https://www.nysenate.gov/legislation/laws/EDN/2590>

² https://bfsa.ny.gov/Executive_Order_202.1.pdf

³ <https://www.governor.ny.gov/executiveorders>

⁴ <https://www.nysenate.gov/legislation/laws/PBB/A4-A>

THEREFORE, BE IT RESOLVED, that CEC 26 strongly urges the New York State Legislature to amend Education Law §2590 by removing the requirement for CEC and SLT meetings to be consistent with the Open Meetings Law, so as to grant CECs and SLTs the authority to engage the community by determining the appropriate venue for its public meetings, whether it be in-person, hybrid, or virtual.

Community Education Council District 26 approved this resolution at the April 13, 2022 monthly meeting by unanimous vote. Members Present: Norman Cohn, Dilip Nath, Todd Friedman, Adriana Aviles, Albert Suhu, Dennis Chan, Sulinda Hong, Taeho Hwang, Jennifer Catherall and Cassandra Louie.