



# Community District Education Council 26

## New York City Department of Education

Address: 61-15 Oceania Street, Bayside, NY 11364 Phone: (718) 631-6927 Fax: (718) 631-1347 E-mail: CEC26@schools.nyc.gov

<b>Albert Suhu</b> <i>President of the Council</i>	<b>Ribhi Alam</b> <i>First Vice- President</i>	<b>Sae-Jung Lee</b> <i>Second Vice President</i>	<b>David Rosenfeld</b> <i>Recording Secretary</i>	<b>Qian Kang</b> <i>Treasurer</i>
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### Resolution on Strengthening the Governance of the New York City School Construction Authority

**WHEREAS**, the New York City School Construction Authority (SCA) was established by the New York State Legislature in 1988 as a public benefit corporation for the express purpose of streamlining the construction of school facilities and reducing corruption that existed when school construction was administered by the New York City Board of Education<sup>i</sup>; and

**WHEREAS**, Education (EDN) CHAPTER 16, TITLE 2, ARTICLE 52-A SECTION 2590-P requires the SCA to annually present the facilities capital plan to each Community Education Council at a public hearing<sup>ii</sup>; and

**WHEREAS**, the SCA is governed by a Board of Trustees consisting of three members—the Chancellor of the New York City Department of Education (DOE) and two members appointed by the Mayor—pursuant to Public Authorities Law (PBA) Chapter 43-A, Article 8, Title 6, Section 1727<sup>iii</sup>; and

**WHEREAS**, PBA CHAPTER 43-A, ARTICLE 8, TITLE 6 does not enumerate the specific roles and responsibilities of SCA trustees, whereas such duties are explicitly defined in PBA CHAPTER 43-A, ARTICLE 9, TITLE 2 and 8, which govern boards of public authorities statewide<sup>iv</sup>; and

**WHEREAS**, pursuant to PBA CHAPTER 43-A, ARTICLE 9, TITLE 2, members of public authority boards are required to, among other duties:

- (a) “Execute direct oversight of the authority's chief executive and other management in the effective and ethical management of the authority;
- (b) Understand, review and monitor the implementation of fundamental financial and management controls and operational decisions of the authority;
- (g) Perform each of their duties as board members, including but not limited to those imposed by this section, in good faith and with that degree of diligence, care and skill which an ordinarily prudent person in like position would use under similar circumstances, and may take into consideration the views and policies of any elected official or body, or other person and ultimately apply independent judgment in the best interest of the authority, its mission and the public<sup>v</sup>; and

**WHEREAS**, additional statutory responsibilities of trustees include completion of state-approved training concerning legal, fiduciary, financial, and ethical obligations; the establishment of audit, governance, and finance committees; and the acquisition of skills necessary to competently discharge committee responsibilities<sup>vi</sup>; and

**WHEREAS**, the Board of Trustees are assigned internal control responsibilities, “to provide reasonable assurance that the organization will achieve its objectives and mission” per PBA CHAPTER 43-A, ARTICLE 9, TITLE 8 § 2931, and specifically to: “establish and maintain for the authority a system of internal control and a program of internal control review. The program of internal review shall be designed to identify internal control weaknesses, identify actions that are needed to correct these weaknesses, monitor the implementation of necessary corrective actions and periodically assess the adequacy of the authority's ongoing internal controls<sup>vii</sup>; and

**WHEREAS**, PBA CHAPTER 43-A, ARTICLE 9, TITLE 2 § 2824-A “Mission statement and measurement report” requires the SCA Board of Trustees to adopt and submit a mission statement that includes “a description of the stakeholders of the authority and their reasonable expectations from the authority, and a list of measurements by which performance of the authority and the achievement of its goals may be evaluated.”<sup>viii</sup>; and

**WHEREAS**, review of the SCA’s Mission statement and measurement report as published in the NYC Mayor’s Office of Operations Mayor’s Management Report<sup>ix</sup> (MMR) reveals the absence of any meaningful description of the SCA’s primary stakeholders—including students, parents, and school staff who occupy school facilities—and the absence of clear, outcome-based performance measures tied to stakeholder expectations; and

**WHEREAS**, analysis of fifty-four (54) SCA Board of Trustee meetings held between January 27, 2012 and September 18, 2025 shows an average meeting duration of approximately twenty-seven (27) minutes (see Exhibit A); and over the past fifteen (15) years, meeting minutes consistently reflect only the approval of prior minutes, approval of personal services contracts, and receipt of construction status reports, without evidence that the Board has substantively engaged in governance, oversight, or strategic review as required by law; and

**WHEREAS**, the lack of effective board governance and oversight has contributed to deficient operational outcomes, including but not limited to:

1. The absence of consolidated, high-level performance metrics presented to the Board that demonstrate trends in project delays, cost overruns, facility failures, or safety issues;
2. The submission to the City Council of “Quarterly Status of Projects in Process” reports exceeding 2,000 pages, which provide limited oversight value due to the omission of industry standard Earned Value Management (EVM) metrics such as cost variance, schedule variance, Cost Performance Index (CPI), Schedule Performance Index (SPI), composite cost-schedule indices, and weighted performance indicators;
3. Persistent and widespread criticism by members of Community and Citywide Education Councils citywide regarding construction delays, poor project execution, and non-responsiveness by SCA staff and executive leadership, as raised in monthly CCEC meetings and CCEC Presidents’ meetings with the Chancellor; and

**THEREFORE, BE IT RESOLVED**, Community Education Council (CEC) 26 urges the New York State legislature to amend PBA CHAPTER 43-A, ARTICLE 8, TITLE 6 § 1727 as follows:

1. Require the Mayor to appoint only trustees who possess demonstrated experience in governance and strategic management;
2. Amend paragraph two (2) to increase the number of trustees from three (3) to five (5), and require that the two additional mayoral appointees be parents or guardians of children currently attending New York City public schools, with eligibility to continue serving for no more than two (2) years following the conclusion of their child’s attendance;
3. Add a new paragraph explicitly stating that the qualifications, duties, and responsibilities of SCA trustees are governed by PBA CHAPTER 43-A, ARTICLE 9 TITLE 2 and TITLE 8; and

**BE IT FURTHER RESOLVED**, CEC 26 urges the DOE General Counsel to:

1. Brief and advise all newly appointed Chancellors regarding their statutory governance and oversight responsibilities as Chair of the SCA Board of Trustees;
2. Ensure that all SCA trustees complete the required annual training pursuant to PBA CHAPTER 43-A, ARTICLE 9 TITLE 2 SECTION 2824(2), as administered by the New York State Authorities Budget Office: <https://abo.ny.gov/board-member-training> ;
3. Regularly review SCA Board of Trustee meeting minutes and advise the Chancellor of any observed failures to fulfill governance responsibilities as prescribed by law; and

**BE IT FURTHER RESOLVED**, CEC 26 adjures the Chancellor, as Chair of the SCA Board of Trustees, to fulfill fiduciary responsibilities by:

1. Ensuring full implementation and operationalization of the public authority governance accountability framework set forth in PBA CHAPTER 43-A, ARTICLE 9 TITLE 2;
2. Directing SCA executive management to revise the authority’s mission statement to explicitly incorporate the expectations of its primary stakeholders—students, parents, and school staff;
3. Requiring that performance goals and metrics published in the Mayor’s Management Report be Specific, Measurable, Achievable, Relevant, and Time-Bound (SMART), and clearly aligned with the SCA’s strategic objectives and stakeholder expectations;
4. Adopting a proven performance management framework, such as the Kaplan and Norton Balanced Scorecard, and cascading strategic goals throughout the SCA’s organizational structure to measurably improve accountability and stakeholder satisfaction. <sup>x</sup>

*During the CEC 26 meeting held on February 12, 2026, the resolution was reviewed and unanimously approved by all members in attendance.*

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<sup>i</sup> <https://www.nytimes.com/1988/12/15/nyregion/pact-reported-on-new-school-agency.html>

<sup>ii</sup> <https://www.nysenate.gov/legislation/laws/EDN/2590-P>

<sup>iii</sup> <https://www.nysenate.gov/legislation/laws/PBA/1727>

<sup>iv</sup> <https://www.nysenate.gov/legislation/laws/PBA/A9T2>

<sup>v</sup> <https://www.nysenate.gov/legislation/laws/PBA/2824>

<sup>vi</sup> Ibid.

<sup>vii</sup> <https://www.nysenate.gov/legislation/laws/PBA/2931>

<sup>viii</sup> <https://www.nysenate.gov/legislation/laws/PBA/2824-A>

<sup>ix</sup> <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2025/sca.pdf>

<sup>x</sup> Niven, Paul R. 2002. *Balanced Scorecard Step by Step: Maximizing Performance and Maintaining Results*. New York: John Wiley & Sons, Inc.

**Exhibit A – Dates and Durations of SCA Board of Trustee Meetings**

<b>Date</b>	<b>Call to Order Time</b>	<b>Adjournment Time</b>	<b>Duration (minutes)</b>
18-Sep-25	10:21:00 AM	10:56:00 AM	0:35
14-Aug-25	10:04:00 AM	10:53:00 AM	0:49
23-Jan-25	9:54:00 AM	10:20:00 AM	0:26
15-Nov-24	10:06:00 AM	10:24:00 AM	0:18
16-Oct-24	3:46:00 AM	4:14:00 AM	0:28
7-Jun-24	1:45:00 AM	2:27:00 AM	0:42
22-Mar-24	10:01:00 AM	10:36:00 AM	0:35
26-Jan-24	11:48:00 AM	12:18:00 PM	0:30
17-Nov-23	10:10:00 AM	10:58:00 AM	0:48
22-Sep-23	11:16:00 AM	11:37:00 AM	0:21
18-Jul-23	10:16:00 AM	10:36:00 AM	0:20
3-Feb-23	10:06:00 AM	11:17:00 AM	0:40
8-Dec-22	10:37:00 AM	11:17:00 AM	0:17
16-Sep-22	10:12:00 AM	10:29:00 AM	0:25
20-May-22	8:42:00 AM	9:07:00 AM	0:22
18-Mar-22	8:35:00 AM	8:57:00 AM	0:33
21-Jan-22	8:32:00 AM	9:05:00 AM	0:13
19-Nov-21	8:40:00 AM	8:53:00 AM	0:36
17-Sep-21	8:29:00 AM	9:05:00 AM	0:44
30-Apr-21	10:02:00 AM	10:46:00 AM	0:48
24-Jan-20	10:03:00 AM	10:51:00 AM	0:13
15-Nov-19	8:39:00 AM	8:52:00 AM	0:52
13-Sep-19	8:34:00 AM	9:26:00 AM	0:34
17-May-19	8:30:00 AM	9:04:00 AM	0:27
25-Jan-19	8:33:00 AM	9:00:00 AM	0:26
14-Dec-18	8:36:00 AM	9:02:00 AM	0:25
11-May-18	8:41:00 AM	9:06:00 AM	0:25
23-Mar-18	8:37:00 AM	9:02:00 AM	0:17
15-Dec-17	8:36:00 AM	8:53:00 AM	0:21
12-May-17	8:49:00 AM	9:10:00 AM	0:43
24-Mar-17	8:41:00 AM	9:24:00 AM	0:36
18-Nov-16	8:38:00 AM	9:14:00 AM	0:53
16-Sep-16	8:33:00 AM	9:26:00 AM	0:28
13-May-16	8:37:00 AM	9:05:00 AM	0:20
11-Mar-16	8:44:00 AM	9:04:00 AM	0:18
22-Jan-16	8:36:00 AM	8:54:00 AM	0:20
20-Nov-15	8:52:00 AM	9:12:00 AM	0:47
18-Sep-15	8:36:00 AM	9:23:00 AM	0:33
24-Apr-15	8:34:00 AM	9:07:00 AM	0:14
14-Nov-14	8:37:00 AM	8:51:00 AM	0:09
19-Sep-14	8:37:00 AM	8:46:00 AM	0:18
16-May-14	8:37:00 AM	8:55:00 AM	0:22
14-Mar-14	8:33:00 AM	8:55:00 AM	0:14
17-Jan-14	8:46:00 AM	9:00:00 AM	0:23
22-Nov-13	8:46:00 AM	9:09:00 AM	0:14
20-Sep-13	8:46:00 AM	9:00:00 AM	0:16
17-May-13	8:55:00 AM	9:11:00 AM	0:21
15-Mar-13	8:37:00 AM	8:58:00 AM	0:23
18-Jan-13	8:46:00 AM	9:09:00 AM	0:23
14-Sep-12	8:37:00 AM	9:00:00 AM	0:09
8-Jun-12	8:46:00 AM	8:55:00 AM	0:12
16-Mar-12	8:41:00 AM	8:53:00 AM	0:23
27-Jan-12	8:46:00 AM	9:09:00 AM	0:09

**AVERAGE DURATION: 0:27**