



Community District Education Council 26

New York City Department of Education

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Resolution on Mitigating the Effects of Vacancies in Community and Citywide Education Councils

WHEREAS, Community and Citywide Education Councils (CCECs) were established in 2002 by the New York State Legislature through Chapter 91 of the Laws of 2002, codified in Education Law §2590-C, creating parent-led advisory and oversight bodies within the New York City public school governance systemⁱ; and

WHEREAS, NYS Education (EDN) CHAPTER 16, TITLE 2, ARTICLE 52-A, SECTION 2590ⁱⁱ treats CCECs as “Public bodies” under the NYS Open Meetings Law (Public Officers Law, Article 7, §§ 100–111); and

WHEREAS, the Open Meetings Law (OML) requires quorum in a public body to conduct public businessⁱⁱⁱ; and

WHEREAS, quorum is defined by default in NYS General Construction Law § 41, requiring actions to be approved by an affirmative vote of a majority of the *total membership* ("whole number"), regardless of any vacancies^{iv}; and

WHEREAS, a Community Education Council (CEC) consists of 12 members, but include restrictions on the qualifications of five of its members (42% of the total), one of which must be a parent of a student who is an English language learner within the preceding two years, one must be filled by a parent of a student with an individualized education program, one must be a parent of a District 75 (D75) student, and two borough president (BP) appointees^v; and

WHEREAS, the population of each restricted subgroup of eligible candidates (ELL, IEP, D75, BP appointees) is very limited compared to the general pool of candidates and therefore much more difficult to fill such council seats; and

WHEREAS, even with extensive recruitment campaigns, the election results for D75, ELL, IEP members confirmed the difficulty to register candidates with such constraints; and

WHEREAS, borough president appointees are often seated well after the term has started because candidates don’t express interest and submit applications until they have received a losing outcome in the CCEC elections; and

WHEREAS, the current vacancy rates^{vi} across the 32 CECs (as of December 2025) are D75 - 25%, IEP - 6%, ELL - 34%, BP -11% seats (See Appendix 1), which does not include persistent vacancies in the seven unrestricted CEC parent seats occurring in several CECs in which their communities have historically expressed little interest in serving as volunteer CEC members; and

WHEREAS, the default quorum requirement based on total defined membership, without accounting for vacancies, has caused severe operational challenges such as public meetings being cancelled or key agenda items being tabled; and

WHEREAS, a severe example of the paralysis caused by the strict quorum requirement is the inability of a CCEC to approve a preliminary CCEC budget and is therefore unable to incur obligations and expend funds to conduct daily operations; and

WHEREAS, a very harmful result is that D75 families, non-English-speaking communities, and low-income districts are disproportionately affected by the dysfunction in CCECs caused by the highly restrictive quorum requirement; and

WHEREAS, quorum rules different than that specified in General Construction Law § 41 can be authorized by a legislative exception written in the specific statute governing that body, clearly expressing the intent that GCL § 41 does not apply; and

WHEREAS, an example of such a legislative exception can be found in the explicit quorum requirements for the MTA in Public Authorities Law CHAPTER 43-A, TITLE 11, ARTICLE 5, SECTION 1263 Metropolitan transportation authority, paragraph 3.(a): “A majority of the whole number of members of the authority then in office shall constitute a quorum for the transaction of any business or the exercise of any power of the authority.”^{vii}; and

THEREFORE, BE IT RESOLVED, Community Education Council (CEC) 26 urges the New York State legislature to amend Education (EDN) CHAPTER 16, TITLE 2, ARTICLE 52-A, SECTION 2590 to provide CCECs an exception to General Construction Law § 41 by explicitly defining quorum based on the number of seated (in office) members.

During the CEC 26 meeting held on December 11, 2025 the resolution was reviewed and unanimously approved by all members in attendance.

ⁱ <https://nyassembly.gov/leg/?bn=A.11627&term=2001>

ⁱⁱ <https://www.nysenate.gov/legislation/laws/EDN/A52-A>

ⁱⁱⁱ <https://opengovernment.ny.gov/open-meetings-law>

^{iv} <https://www.nysenate.gov/legislation/laws/GCN/41>

^v <https://www.nysenate.gov/legislation/laws/EDN/2590-C>

^{vi} <https://www.schools.nyc.gov/get-involved/families/education-councils/community-education-councils>

^{vii} <https://www.nysenate.gov/legislation/laws/PBA/1263>

Appendix 1 – Seated Members on CECs

District	D75 rep	IEP	ELL	BP
1	1	1		2
2	1	1	1	2
3		1	1	2
4	1	1	1	2
5	1	1	1	2
6	1	1	1	2
7		1		2
8	1	1		2
9	1	1	1	2
10	1	1		2
11	1	1	1	1
12	1	1	1	2
13	1		1	2
14		1	1	1
15		1	1	1
16	1	1		2
17	1	1	1	2
18	1	1		1
19	1	1		2
20	1	1	1	2
21	1	1		1
22	1	1		2
23	1	1		2
24	1	1	1	1
25		1	1	2
26		1	1	1
27			1	2
28	1	1	1	2
29	1	1		2
30	1	1	1	2
31	1	1	1	2
32		1	1	2
Total	24	30	21	57
Percent filled	75%	94%	66%	89%