

PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Letitia James

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Public Advocate Letitia James and Class Size Matters Seek Transparency Regarding School Leadership Team Meetings

James: SLTs Critical To School Governance

(New York, NY)— On Wednesday, January 7, 2015, New York City Public Advocate Letitia James and *Class Size Matters* filed papers in New York County Supreme Court, requesting to intervene in a lawsuit to challenge the Department of Education’s (DOE) position that School Leadership Teams (SLTs) are not subject to *Open Meetings Law* because they have only *advisory powers*. The petition argues that SLT meetings *should* be subject to the Open Meetings Law (N.Y. Pub. Off. Law § 100).

Although the DOE regulations acknowledge that SLTs— comprised of parents and school staff, and including the PTA President, the UFT Chapter Leader, and the Principal— must abide by most of the provisions of the Open Meetings Law (including providing adequate public notice before any SLT meeting is held), the DOE currently does not require these meetings to be open.

SLTs are the primary vehicle for shared decision-making for each school; they have sole authority for establishing a school’s Comprehensive Educational Plan, which sets the goals and educational strategies for the coming school year. SLTs also help ensure that the school principal’s budget aligns with that plan.

The underlying lawsuit was filed by Michael P. Thomas, a retired teacher, who unsuccessfully attempted to attend a SLT meeting at a middle school located in Staten Island in April 2014. In an earlier case, another educator Francesco Portelos, was also stopped from attending his school’s SLT meeting. In that case, a Judge found that SLTs are not public bodies because they are only advisory.

“School Leadership Teams are more than advisory— they are critical to the school governance structure, though the Department of Education asserts that they are not subject to our State’s Open Meetings Law. I am proud to be joined by Class Size Matters in this legal effort to increase transparency in educational planning, and encourage participation in school governance through publicizing these vital meetings. Through these measures, we can increase parental input in important school decisions,” said **New York City Public Advocate Letitia James**.

“It is very disheartening to learn that the DOE is once again is trying to argue that parents, through their School Leadership Teams, have no real authority to make decisions for their children’s schools. We fought the DOE when Joel Klein tried to strip SLTs of their powers in 2008, and won. The Commissioner forced the Chancellor to rewrite the regulations to recognize the SLT’s power to create the school’s Comprehensive Education Plan, and this authority was clearly established in the 2010 state governance law. To undermine the legal status of SLTs once again is quite shocking,” said **Executive Director of Class Size Matters Leonie Haimson**.

“The public has the right to observe the decision-making process in our schools and to hear first-hand the issues affecting our children,” said **Michael P. Thomas**, plaintiff in the lawsuit.

“Community participation is critical to the success of New York City’s public schools—just as strong public schools are critical to the success of our communities. NYLPI is proud to help protect the public’s right to know about decisions made at School Leadership Team meetings, and to ensure that the Department of Education fully complies with New York’s open government laws,” said **Mark Ladov, staff attorney for New York Lawyers for the Public Interest**.

In the court proceedings, the Public Advocate is represented by attorney Laura D. Barbieri of Advocates for Justice; Class Size Matters is represented by Ms. Barbieri and Mark Ladov of NY Lawyers for Public Interest.

The Memorandum of Law is posted here: <http://tinyurl.com/ox8yubs>

The verified petition is here: <http://tinyurl.com/p66lweu>

Preliminary arguments in the Thomas case are expected to be heard by Judge Peter Moulton of the NY Supreme Court on Wednesday, January 14, 2015.

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