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A History of Public School Governance in New York City

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Public debate should always be informed by a knowledge of history. To know where we are and where we are heading, it is important to know how we got to the present time. This is as true in education as it is in every other realm of public life.

The New York City public schools have an interesting and even fascinating history. Throughout the history of the nation's largest public school system, there has been a constant search by public officials for the right balance among different levels of political authority: the school, the local community, the central board, the borough presidents, the City Council, and the mayor. Over the years, the Legislature and City officials have sought to find that balance to insure both democratic participation by the public in its schools and efficient administration of the schools.

Those who do not know the history of school governance probably think that mayoral control is an aberration. This is not true. In fact, for most of the history of the school system, the mayor appointed every member of the central Board of Education. Mayoral control typically co-existed with some form of community authority, exercised through local boards that were appointed or elected.

For most of the public schools' history, the typical form of governance consisted of an independent central board appointed by the mayor and local boards appointed by the mayor, the central board, or other public officials. City officials who sought change in the schools' structure of governance always had to persuade the State Legislature in Albany, since the

city's public schools are organized by state law. Most legislative changes have been a response to the perception that power had become too decentralized or too centralized.

When did public education in New York City begin? One can choose different moments in time as their point of origin, depending on how one defines public education and whether one is looking at the experience of Manhattan (the original City of New York) or Brooklyn.

According to a cornerstone on a New York University building at the northeast corner of Waverley Place and Washington Square, the first public-school teachers were Adam Roelantsen and six others who taught in the schools of the Dutch Reformed Church. Roelantsen arrived in 1633 as New Amsterdam's first schoolmaster and a salaried employee of the West India Company. One history says that he took in washing to supplement his meager salary. Certainly he and the other teachers who followed him had very specific religious duties; they taught catechism, led the students in prayer, and conducted religious ceremonies in school. The church's schools were free, but they were not the foundation of public education because of their sectarian nature. While interesting as the first free schools, the Dutch Reformed Church's schools did not grow into what we now know as the public education system.¹

Another contender for the title of the first free public school might be the school opened in 1787 by the Manumission Society of New York for the children of slaves (renamed

the African Free School in 1794). The leaders of the Manumission Society included two of the nation's founding fathers, John Jay and Alexander Hamilton. But the African Free School was a charity school limited only to the children of slaves (who "have been or may be Liberated") and did not grow into a larger system of public education.²

In the same category with the African Free School is the school established for poor girls by the Female Association, a group of philanthropic women who belonged to the Society of Friends (Quakers). But this school too, like the African Free School, was a corporate charity school that did not grow into a larger system of education.

The schools usually considered by historians to be the precursors of free public education in Manhattan Island were established by the Free School Society, beginning in 1805. The Legislature granted a charter to the Society to open a free school to educate the children of the poor and allowed it to receive public funding, along with the city's religious schools. Currently, the city government recognizes the first school opened by the Free School Society as the first public school; there is a plaque in City Hall Park marking the site of the first school of the Free School Society as the city's first public school. But like the plaque at New York University, the one at City Hall Park is misleading. The Free School Society was managed by a private corporation, dominated by Quaker men, many of whom served on the board for more than 20 years. When the society's first free school opened, it was intended for poor children whose parents did not belong to any church and could not afford to send them

to a private school. Like the African Free School and the school of the Female Association, the schools of the Free School Society were privately-managed charity schools for poor children, not public schools open to all children. In 1825, the city's Common Council decided that sectarian schools would no longer receive public funding, and the Free School Society was left as the sole agency to provide tax-supported schooling. The following year, 1826, the Society changed its name to the Public School Society. It then opened its doors to all children, not just children of the poor. After its name change, the Society at first charged tuition but abandoned the fees when enrollment fell. In time, the fact that the Public School Society was managed by a private corporation, not by appointed or elected public officials, eventually undermined its legitimacy and led to the Society's demise.

Public education truly begins in New York City with the establishment of the New York City Board of Education in 1842. The Legislature created the Board of Education specifically to resolve a bitter conflict between the Public School Society and the Roman Catholic leadership of the city. The Catholics, led by Bishop John Hughes, considered the Public School Society to be a Protestant public school system and sought equivalent public funding for Catholic schools.

Governor William Seward led the effort to replace the highly esteemed and incorruptible Public School Society as the leading agency of free education in the city on the grounds that its powers were “not derived from the community whose children are educated.”

He urged the Legislature to grant to the people of New York “...what I am sure the people of no other part of the state would, upon any consideration, relinquish—the education of their children.”³

On April 11, 1842, the Legislature established the Board of Education in the City of New York. The central board was composed of 34 people--two Commissioners of Common Schools for each of 17 wards, chosen at a special election; also to be elected in each ward were two inspectors and five trustees to oversee the public schools. Each ward was to be treated as a separate town under state law. Thomas Boese, the first historian of the New York public school system, wrote that the new organization seemed “incoherent, with as many independent boards as there were wards in the city—a complex machinery of trustees, inspectors, and commissioners from all classes of society...with the central Board of Education virtually dependent upon the dictum of the local ones, with officers of every grade without experience, it would seem a wonder that the new system had not died at its very birth.” Its peculiar advantage, wrote Boese, was that “It was based on a DIRECT and IMMEDIATE APPEAL TO THE PEOPLE.” [sic]⁴

The Legislature allowed the schools of the Public School Society to co-exist with the new ward school system managed by the elected Board of Education and the ward trustees. However, by 1853, the Public School Society agreed to turn over its schools to the Board of Education, which henceforward was the sole agency responsible for overseeing free, tax-

supported education for the city's children.

Thus, starting in 1842, the public schools of New York City [Manhattan] were governed by an elected central board of education and by elected local trustees (ward boards, which we would now call local community boards). Because each ward was treated as a separate school district, the ward trustees controlled jobs and contracts for the schools in their districts at a time when there was no civil service system and no unions. Thus, the trustees were free to hire anyone they wanted as teachers, and critics alleged that they tended to favor sisters, cousins, and aunts. The ward trustees had more power over the schools than the central board. By 1848, because of low participation in special elections, the school board elections were merged with the general elections.

Unlike Manhattan, the neighboring city of Brooklyn never had public schools run by a private corporation. Instead, it had a strong tradition of local control, known as the "local committee tradition." The town of Brooklyn was incorporated as a city in 1834. The following year, the Legislature determined that the Common Council of Brooklyn should appoint three trustees to manage each public school, and each school was treated as a separate district. In 1843, the Legislature created a Board of Education for the city of Brooklyn, composed of representatives from each school district. But the central Board of Education never had the power of the local committees, which controlled hiring and promotion of teachers, repairs, and other matters concerning each school. Again, with no civil service

protections and no union, teachers served at the whim of local trustees.

Over the next half-century, the size of the central Board of Education in Brooklyn fluctuated—from 28 to 33—and the power to appoint members of the central board shifted from the Common Council to the Mayor (in 1882). But what did not change was that each school continued to be run by a school committee of three persons. Defenders of the local committee system said that it kept the schools close to the people. Reformers, however, despised the local committee system, claiming that it was controlled by Democratic bosses and that jobs were bought and sold, but it remained intact until 1902, when the whole city school system was reorganized.

Meanwhile, back in the City of New York, the elected Board of Education and elected local school boards continued to manage the public schools until the 1860s. In 1864, the Legislature reduced the size of the Board of Education from 44 members, elected by wards, to 21, elected by districts. The trustees continued to be elected in each ward and retained the power to appoint teachers and janitors; for the first time, their choices for principals had to be submitted for the approval of the central board. The mayor gained power to nominate the inspectors of schools for each district, subject to confirmation by the Board of Education. This was the first instance where the mayor was permitted by law to select school officials, albeit subject to the central board's approval.

That legislation, however, was trivial compared to the changes that lay ahead for the

Board of Education in the next few years. Reformers and civic leaders kept up a steady din of criticism of the public schools and the men who ran them. Reformers complained about corruption, extravagance, and inefficiency, about the ties between ward trustees and Tammany politicians, and about the character and morals of the men who were elected as ward trustees and members of the Board of Education. Critics of the system derided the trustees as saloon-keepers and illiterates.

School reformers launched a drive in 1867 to abolish the entire system of governance and to replace the elected boards with a paid commission, appointed by the governor. Their hope was to turn control over to an independent, nonpartisan “Metropolitan Board of Education.” The New York Evening Post, affiliated with the Democratic Party, opposed the state takeover, saying that it “would remove even the modicum of interest now felt by the people in regard to the education of their children, by placing the control where the people have nothing at all to do with the schools.” The Post proposed that the school system be turned into a department of the city government, run by a commissioner appointed by the mayor. Anti-Tammany forces, however, were unwilling to turn the school system over to the mayor to do as he wished. Lacking any strong popular support or organizational backing, the bill that proposed a state agency to run the schools failed. Tammany Hall was relieved; on the eve of its complete takeover of city politics, it did not want any municipal agencies turned over to the state.⁵

William Marcy Tweed was quite familiar with the school system. Boss Tweed was elected to the city's Board of Education in 1855. He held many other elected positions, the most significant being a member of the city's Board of Supervisors, which controlled the finances of various city departments. In 1863, he was selected as Grand Sachem of the Tammany Society, also known as Tammany Hall, which was the Democratic Party's political machine. And the following year, he was chosen by the seventh ward school board to fill a vacancy as a ward trustee. In 1868, he was elected to the State Senate, where he took charge of legislation that was important to Tammany Hall. In the same year, Tammany managed to elect the Governor, the Mayor, and the City Comptroller.

The stage was set for the "reform" of the public school system. In March 1869, Tweed introduced legislation to dismiss the elected Board of Education and to replace it with an interim board of twelve, appointed by the Mayor. The legislation promised that within the next eighteen months, an election would be held to choose a new board. Most of the daily newspapers opposed the plan. The New York Times warned that the scheme would allow the Tammany organization to dominate the schools, use them for patronage, and compel teachers and other employees to contribute to Tammany Hall's candidates. The legislature passed the bill on April 30, 1869.⁶

Tammany's hand-picked Mayor, A. Oakey Hall, promptly announced his dozen appointees. The new Board compliantly awarded contracts to firms connected to the Tweed

Ring; it eliminated all textbooks published by Harper Brothers, because of attacks on Tweed in Harper's Weekly by the caricaturist Thomas Nast. In the spring of 1871, to avoid the promised election of a new Board of Education, Tweed introduced a proposal in the Legislature to abolish the Board of Education and convert it into a department of the city government. His proposal passed.

For the first time, complete control of the public schools was centralized in the mayor, who had the power to appoint all school officials, including ward trustees and inspectors. The popular election of ward trustees was eliminated. Under the new act, they would be appointed by the mayor for a five-year term.

The Tweed Ring's corruption—its use of its political power to loot the city treasury, award contracts for personal gain, inflate bills, and line the pockets of its friends-- was exposed in the fall of 1871 and the empire built by Boss Tweed soon was disassembled.

In 1873, the Legislature passed a law re-establishing an independent Board of Education, along the lines of the district system of 1864. But the new school system had one major difference from the past: No school official would be chosen by election. Nor were school officials permitted to hold any other public office. The new Board of Education contained 21 members, appointed by the mayor. The Board had the power to appoint five trustees in each ward. The mayor appointed three inspectors in each of the city's seven districts. The local trustees had full power to appoint teachers and janitors; their choices for

principal were subject to the approval of the central board. The local trustees were more powerful than the central board as they not only hired teachers, but selected sites for new buildings, and awarded contracts for fuel, books, and other supplies. The job of the district inspectors was to oversee the work of the ward trustees; they countersigned all bills and payrolls, and their approval was necessary to remove a teacher. The single greatest power of the restored central board was to select local trustees.

In the Board of Education's annual report for 1878, the law of 1873 was described as follows:

The controlling principle in this return to the former system was to remove the schools from political supervision. The erection of the Board of Education into a department of the City government brought it necessarily into so close a contact with the influences almost inseparable from the municipal administration, that it could not fail, sooner or later, to become an instrument of partisan aggrandizement and power...it became an exaggeration of conservatism to place the whole organization in the hands of a single individual.⁷

This system of governance, adopted in 1873, was mayoral control, inasmuch as the mayor appointed the central board and the inspectors, and the central board appointed the local trustees. This balance survived for another quarter century, until a new reform movement arose in the mid-1890s.

This school reform movement objected to the powers of the local trustees. Its leaders wanted a centralized school system in which most power was vested in experts in pedagogy.

Reformers complained that the local trustees were too political and lacked the competence to run the schools in their ward; the defenders of the existing system included teachers as well as trustees and inspectors.

The reform movement was successful. In 1896, the state legislature passed a law eliminating the trustees and preserving the inspectors. It also created a powerful Board of Superintendents, which consisted of the City Superintendent of Schools and his deputies. This latter body was empowered to manage the schools and to select principals and teachers, subject to the approval of the Board of Education. The Board of Education, consisting of twelve members, was authorized to divide the city into not less than 15 inspection districts. The mayor would appoint five inspectors for each district, who were responsible for visiting the schools and reporting on their condition and efficiency of their teachers.

With the consolidation of Greater New York in 1898, the Boards of Education in New York [Manhattan] and Brooklyn ceased to exist. The former became the School Board for the Boroughs of Manhattan and the Bronx, and the latter became the School Board for the Borough of Brooklyn. The members of these boards were allowed to serve out their terms; after they departed, the mayor appointed new members to replace them. In January 1898, the mayor of the newly consolidated New York City appointed school boards for Richmond and Queens, each with nine members. Each school board selected delegates to serve on a new central board, which consisted of eleven members from Manhattan and the Bronx, six from

Brooklyn, and one each from the two remaining boroughs. The total on the central board was 19. A Board of Examiners was created to establish qualifications for teachers and other employees and to issue licenses to qualified applicants. The Board of Examiners was hailed as the cornerstone of the merit system, because applicants for jobs as teachers or supervisors were required to pass tests to prove their competence (seventy years later, however, it came under legal challenge by civil rights groups, because of disparate pass rates for different racial groups on its tests and was eventually abolished).

For four years, the city had four borough school boards, each responsible for its own schools. The City Charter permitted Brooklyn to preserve its “local committee” system, in which each school was managed by a committee of three. The central board was responsible for financial affairs; for site selection and construction; for examination of teachers; for purchasing and distribution of supplies. The City Superintendent had the right to visit any school but not to interfere with its operation. There were frequent conflicts between the central board, which was Manhattan-dominated, and the borough boards (especially Brooklyn). Critics complained about a lack of uniformity in educational matters, with each borough establishing its own course of study. There were complaints too about duplication of labor and the difficulty of fixing responsibility and accountability.

The first City Superintendent was William Henry Maxwell, who had risen through the Brooklyn system to become the Superintendent of Brooklyn schools. Because of his intimate

knowledge of the deeply politicized Brooklyn system, he worked to remove all partisan influences from the public schools. After he was elected Superintendent for the entire city of New York in 1898, he served for twenty years and was a national leader in education. Throughout his career as head of the New York City system, he staunchly opposed political interference in the running of the schools.

By 1901, the growing volume of criticism of the borough system convinced the Legislature to abolish the borough boards and establish a single Board of Education for the entire city school system. This board consisted of 46 members, all appointed by the mayor. Twenty-two were from Manhattan (two less than a majority, so that Manhattan could no longer control the entire city system); 14 were from Brooklyn; four from the Bronx; four from Queens; and two from Staten Island. The Board of Education was directed to divide the city into 46 local school districts, corresponding to the number of members on the Board of Education. The City Charter provided that each local school district would have a local school board of seven members-- five appointed by the borough president, one member of the central board chosen by the president of that board, and the district superintendent assigned to the district by the City Superintendent.

The local school boards had no power to appoint teachers. Their primary responsibility was to inspect the schools in their district and report on their condition and progress to the central board. They also had the authority to report on the need for additional schools and to

recommend sites for new schools.

The City Charter expanded the powers of the City Superintendent. He became the chief executive of the school system and the head of a powerful Board of Superintendents. All educational decisions were placed in the hands of the Board of Superintendents. They set the rules for graduation and promotion; they established the qualifications for teachers; they recommended textbooks and courses of study; they determined the syllabuses for various subjects taught in school.

In the reorganization of 1902, the professional educators took charge of education, the central board made policy decisions, and the local boards inspected the schools in their district.

Mayor Seth Low—a former mayor of Brooklyn and president of Columbia University—appointed the new board in January 1902. This board elected an executive committee of 15 with power to award contracts and make decisions on behalf of the whole board. Under the brilliant educational leadership of City Superintendent William H. Maxwell, the New York City Board of Education embarked on a remarkable era of reform, innovation, and expansion. The most pressing need of the public schools, because of heavy immigration from Europe, was to increase the number of seats. In the first three years after the establishment of the new system, new buildings and additions were constructed, adding 100,000 new seats. Several new high schools were opened, including Stuyvesant in Manhattan, Morris in the Bronx,

Erasmus Hall in Brooklyn, Bryant in Queens, and Curtis in Staten Island. The number of kindergarten classes, vacation schools, evening schools, summer schools, recreation centers, and playgrounds rapidly grew, as did lecture programs for adults (which reached over one million adults each year).

In 1917, at the urging of Mayor John Purroy Mitchel, the Legislature reduced the size of the Board of Education from 46 to 7. Mayor Mitchel believed that the Board was too large to be efficient, and he also had plans to reorganize the curriculum of the schools. His proposal to reduce the board size was defeated in the Legislature in 1915 and 1916, but passed in 1917. That year, however, Mitchel faced Tammany candidate John Hylan in the general election. Hylan claimed that Mitchel planned to turn the public schools over to the Rockefeller Foundation, which represented the interests of an arrogant upper-class clique. Hylan won a smashing victory. In 1918, he selected the new seven-member Board of Education, abolished Mitchel's educational reforms, and launched a major building program to reduce overcrowding. Hylan's ambitious school construction initiative added nearly half a million seats during the 1920s.⁸

Nearly four decades passed without another significant change in governance.

In 1961, state investigators uncovered a major scandal in the bureaucracy, involving payoffs and bribes to mid-level officials overseeing the school construction program. Governor Nelson Rockefeller called the Legislature into special session; it removed the

Board of Education and directed Mayor Robert Wagner to choose a new nine-member board drawn from nominations made by a screening panel of civic and educational leaders. The legislature also urged a strengthening of local school boards; henceforth, they would be appointed by the Board of Education, not the borough presidents. The new nine-member board consisted of prominent citizens and was usually divided equally among Catholics, Protestants, and Jews--by custom, not by law.

This system of governance—a central Board of Education appointed by the mayor and local school boards appointed by the central board—lasted until 1969. Beginning in 1966, angry protesters in minority communities—dissatisfied with the quality of education in their schools-- demanded racial integration or community control. The Board of Education authorized the creation of three small demonstration districts to test the concepts of decentralization and community control. Asserting control, the Ocean Hill-Brownsville district dismissed a group of teachers in the spring of 1968, triggering a series of lengthy teachers' strikes which paralyzed the school system that fall.

Faced with an explosive social climate in the city and a variety of plans to decentralize the schools, the Legislature reorganized the school system in 1969. The new law sharply reduced the power of the mayor in the selection of the Board of Education. It replaced the existing Board of Education with a paid, five-member interim board, one member appointed by each borough president. This board was supposed to be replaced a year later by an elected

board (one member elected from each borough), along with two members appointed by the mayor. However, the election never took place because of a court ruling that the election would give equal representation to boroughs of vastly different populations. So the board consisted of seven members—five appointed by the borough presidents and two appointed by the mayor.

The 1969 law empowered the interim board to divide the city into 30-33 school districts of roughly equal numbers of pupils. It provided for election of community school boards by proportional representation. It granted substantial power to community boards to control the education in elementary and junior high schools in their districts; high schools remained under the control of the central administration. The community boards had the power to select their superintendent as well as to approve or veto the superintendent's choice of principals. (In 1996, after numerous complaints about the local boards, the Legislature removed the local boards' power to appoint and remove community superintendents and gave it to the chancellor).

The 1969 law directed the Board of Education to appoint a chancellor with broad powers, including the power to suspend or remove a community school board for failing to comply with the law, rules or regulations of the city board. It reduced the authority of the Board of Examiners, permitting the lowest 45 percent of schools to hire teachers who had passed an alternate examination; the role of the Examiners was whittled away by court

rulings against it, and the Board was finally abolished by the Legislature in 1990.

Decentralization had its supporters and its critics. On one hand, it satisfied some of those who demanded greater involvement of parents and community members. Participation in school board elections was persistently low, averaging around 10% or less of eligible voters, and critics charged that—because of the low turnout and lack of voter information--the boards were easily captured by organized groups.

Over the years of decentralization, criticism of that system of governance escalated. From time to time, a community school board became embroiled in political or financial scandal, with board members accused of various forms of corruption, such as selling jobs, taking kickbacks for contracts, and using their budgets for patronage to friends and relatives. Across the city, achievement varied widely, from relatively affluent and successful districts like District 26 in Queens and District 2 in Manhattan, to districts at the other extreme where poverty and low student achievement were typical. Graduation rates differed strikingly by race and ethnicity, and employers in the city regularly complained about the poor skills of high school graduates.

The Board of Education was frequently attacked by critics for its seeming lethargy and lack of focus. Its seven members were appointed by six different elected officials, and it appeared to be incapable of forging a clear agenda for improving the school system. In the thirty-two years of decentralization, the city's mayors had a dualistic view of the Board of

Education. On the one hand, some complained about their inability to take control of the Board; on the other, the problems caused by poverty and demography seemed so intractable that mayors may have been glad to be insulated from responsibility for them. It should be noted that the mayor was never powerless during decentralization; in addition to having two votes on the seven-member board and the ability to coax allies to vote with him on the choice of a new chancellor or some other important issue, the mayor controlled the Board's purse strings through the city budget. At no time was the mayor a powerless bystander.

Nonetheless, the sense of frustration grew keenly during the mayoralty of Rudy Giuliani, who frequently excoriated the bureaucrats at the Board and even recommended that its headquarters at 110 Livingston Street in Brooklyn should be "blown up" or sold. He wanted to regain the power to appoint every Board member, but the Democratic-controlled Legislature was not about to cede power to this Republican mayor.⁹

The next mayor, elected in 2001, was Michael Bloomberg, who promised in his campaign to take control of the public schools and to be accountable for improving them. After his election, Mayor Bloomberg persuaded the Legislature to reconstruct the governance of the city school system. Legislation passed in 2002 abolished the Board of Education, along with the elected local community school boards. The law turned the school system into the New York City Department of Education, an arm of city government. The Legislature granted the mayor unfettered power to name the chancellor, who reported solely to him, and

the chancellor appointed all other officials.

The statute created a Panel on Educational Policy, consisting of eight members appointed by the mayor (including the chancellor), five appointed by the borough presidents, and two non-voting students. This panel, however, is in no way equivalent to the old central board, as its members serve at the pleasure of the mayor and the borough presidents who appoint them. On the only occasion when a majority of its members planned to vote in opposition to the mayor's wishes, three were removed on the day of the vote-- two by the mayor and one by a borough president. (At issue was a controversial mayoral plan to "end social promotion," which passed easily after the three members were replaced.) Unlike the Board of Education, the Panel on Educational Policy is not an independent decision-making body. By the statute, the Panel is not permitted to exercise any executive powers or to perform any executive or administrative functions.

As part of his effort to remake public education, Mayor Bloomberg sold the Board of Education's headquarters at 110 Livingston Street in Brooklyn to a real estate developer and moved the headquarters of the new Department of Education to the Tweed Courthouse, adjacent to City Hall in Manhattan. In one of those delightful ironies of history, the new Department of Education settled into an elegant building erected by the all-powerful Tweed Ring at the height of its power. Whereas the previous Board of Education was popularly referred to as "110," with reference to its physical location, the shorthand name for the new

Department of Education is simply “Tweed.” In another of history’s ironies, the new Department was relocated to a building constructed by an administration that had also turned the independent Board of Education into a municipal department.

With the elimination of the central Board of Education as the governing agency, there is no longer any deliberative public body that holds open hearings about important decisions affecting policy or budget before they are final. Instead, the chancellor makes decisions with his staff and advisors and then tells the Panel on Educational Policy what has already been decided.

The Department of Education has attempted in a number of ways to compensate for the absence of any meaningful parental or community involvement by appointing a Chief Family Engagement Officer; by convening meetings of Community Education Councils; and by hiring parent coordinators for every school. But none of these efforts appears to have changed the perception of parent activists that they do not have a seat at the table when decisions are made; they are informed, but not consulted about decisions that affect the well-being of their children.

The current system of governance must be judged in the light of history. Has it effectively met the historic challenge of insuring both democratic participation by the public in the schools and efficient administration of the schools? Much has been written elsewhere about specific policies enacted during the past five years such as small schools, social

promotion, and charter schools, and about student outcomes such as test scores and graduation rates. These issues have been debated in the press. However, they are not the subject of this paper.

What seems unquestionable is that the current system provides extremely limited opportunities for democratic participation in school governance, moreso than at any time in the public schools' history. The elimination of all public boards—both central and local—has left the public with no forum in which to question policies before they are adopted. It may be that democratic participation sometimes gets in the way of fast decision-making, but our constitutional form of government was designed to guarantee that the public and its representatives would be involved in the decision-making process, even at the cost of slowing it down. The absence of any form of checks and balances is a dubious proposition, whether applied to a public or a privately-managed institution.

In addition, it would be inadvisable to ignore the clear lessons of history that schools must be insulated, to the greatest extent possible, from the partisan battles, the patronage-seeking, the favoritism, and ambitions of parties and politicians. Even if such insulation is difficult, it is still a worthy ideal to strive for.

As one surveys the history of public education in New York City, it seems safe to say that the public schools are not the same as the Sanitation Department or the Police Department or the Consumer Affairs Department. The public schools have a unique

responsibility for children and thus an unusual responsibility to involve the parents of these children in reviewing and discussing decisions about the education of their education. This responsibility requires a greater degree of public engagement than is customary or necessary in other city agencies.

The questions facing the Legislature in 2009, then, will be the same questions that have confronted the Legislature since the early years of the nineteenth century. What is the right balance among the different levels of government? Which decisions should be made at the school, the local community, or the citywide agency? How should power over school decisions be divided among different political authorities? What is the best way to involve parents and local communities while still maintaining effective administration and equality of educational opportunity across the city schools? What governmental arrangements are likeliest to involve the citizenry in democratic discussion focused on the well-being and education of the rising generation?

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- 1 A. Emerson Palmer, The New York Public School (New York: Macmillan, 1905), p. 3.
 - 2 Palmer, p. 13.
 - 3 Palmer, pp. 104-105; William O. Bourne, History of the Public School Society (New York: William Wood & Co., 1870), pp. 498-500.
 - 4 Thomas Boese, Public Education in the City of New York (New York: Harper Brothers, 1869), p. 69.

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- 5 Diane Ravitch, The Great School Wars: New York City, 1805-1973 (New York: Basic Books, 1974), p. 90.
 - 6 Ravitch, pp. 88-99, describes the period in which the Tweed Ring took control of the New York City public schools.
 - 7 Palmer, p. 164.
 - 8 Ravitch, p. 223.
 - 9 Eric Lipton and Abby Goodnough, “Guiliani Leads New Effort to Take Control of the Schools,” *The New York Times*,” December 7, 2000.