



Community Education Council 24

Public School 71

62-85 Forest Avenue, Room 110

Ridgewood, New York 11385

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www.CEC24.org

Resolution No. 194

Strengthening the Governance of the New York City School Construction Authority

Sponsor: Matthew J. Crescio, President, CEC 24

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 school construction and reducing corruption that existed when school construction was administered by the New York City Board of Education; 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; 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; and

WHEREAS, PBA Chapter 43-A, Article 8, Title 6 does not enumerate specific roles and responsibilities of SCA trustees, while such duties are explicitly defined for public authority boards statewide in PBA Chapter 43-A, Article 9, Title 2 and Title 8; and

WHEREAS, pursuant to PBA Chapter 43-A, Article 9, Title 2, members of public authority boards are required, among other duties, to: (a) execute direct oversight of the authority’s chief executive and 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; and (g) perform their duties in good faith and with the diligence, care, and skill of an ordinarily prudent person in like position, ultimately applying independent judgment in the best interest of the authority, its mission, and the public; and



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WHEREAS, additional statutory responsibilities of trustees include completion of state-approved training on legal, fiduciary, financial, and ethical obligations; establishment of audit, governance, and finance committees; and acquisition of skills necessary to competently discharge committee responsibilities; and

WHEREAS, the Board of Trustees is assigned internal control responsibilities “to provide reasonable assurance that the organization will achieve its objectives and mission” under PBA Chapter 43-A, Article 9, Title 8 § 2931, including the duty to establish and maintain a system of internal control and a program of internal control review designed to identify weaknesses, identify corrective actions, monitor implementation of corrective actions, and periodically assess the adequacy of ongoing internal controls; 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 authority’s stakeholders and their reasonable expectations, and measurements by which performance and achievement of goals may be evaluated; and

WHEREAS, review of the SCA’s mission statement and measurement report as published in the NYC Mayor’s Management Report indicates the absence of a 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 meeting minutes over the past fifteen (15) years consistently reflect routine approvals and receipt of reports without evidence of substantive engagement 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 demonstrating trends in delays, cost overruns, facility failures, or safety issues; (2) submission to the City Council of “Quarterly Status of Projects in Process” reports exceeding 2,000 pages with limited oversight value due to 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



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performance indicators; and (3) persistent criticism by members of Community and Citywide Education Councils regarding delays, poor execution, and non-responsiveness by SCA staff and executive leadership, as raised in monthly CCEC meetings and CCEC Presidents' meetings with the Chancellor;

NOW, THEREFORE, BE IT RESOLVED, that Community Education Council (CEC) 24 urges the New York State Legislature to amend PBA Chapter 43-A, Article 8, Title 6 § 1727 to:

1. Require the Mayor to appoint only trustees with 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 after the conclusion of their child's attendance; and
3. Add a new paragraph 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, that CEC 24 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 required annual training pursuant to PBA Chapter 43-A, Article 9, Title 2 § 2824(2), as administered by the New York State Authorities Budget Office; and
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, that CEC 24 calls upon the Chancellor, as Chair of the SCA Board of Trustees, to fulfill fiduciary responsibilities by:

1. Ensuring full implementation 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; and



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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; and

BE IT FURTHER RESOLVED, that CEC 24 requests that the SCA provide quarterly reports to CEC 24 on: (1) the status of each SCA-managed project located within NYC School District 24, including schedule, budget, scope changes, and any material risks; and (2) Reso-A allocations, expenditures, encumbrances, and remaining balances for District 24 schools, including the disposition and planned use of any unspent or leftover Reso-A funds from completed projects; and

BE IT FURTHER RESOLVED, that CEC 24 requests that whenever the SCA convenes a project kickoff meeting for any SCA-managed project located within NYC School District 24, the SCA shall invite and include: (1) a designated representative of Community Education Council 24 for true parent engagement; and (2) a designated representative of the District School Facilities (DSF) office, to ensure timely communication, coordination, and accountability from project initiation. DSF is a mandatory ask as they will maintain the project after completion they should have input and be able to voice concerns.

References:

i

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

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

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

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

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

vi Ibid.

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

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

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

x Niven, Paul R. 2002. *Balanced Scorecard Step by Step: Maximizing Performance*

