**Resolution # 97**

Pamela Stewart

President

Schadell Barnhill

Vice President

Gina Williams

Recording Secretary

Ayishah Irvin

Treasurer

Members

Fanta Brown

Anna Minsky

Brian Peters

Denise Randolph

Borough Appointee

Pamela Stewart

Student Member

Vacant

Lisa Kinsey

Admin. Assistant

 **Resolution for CEC5 Administrative Assistant**

 **Wednesday, March 22, 2023**

**WHEREAS**, New York State Education Law Section 2590-c (4) gives Community Education Council District 5 (CEC5) the authority to hire, supervise, evaluate and discharge a secretary, which has been classified by the New York City (NYC) Department of Education as an Administrative Assistant (AA); and

**WHEREAS**, New York City (NYC) DOE has in the past refused to provide Community Educations Councils, including CEC5, assistance in disciplining AAs whose performance was clearly unsatisfactory on the ground that CECs are solely responsible for supervising, evaluating, and discharging the AA under the law; and

**WHEREAS**, CEC5 has learned that New York City (NYC) DOE is currently negotiating with DC37 regarding representation of the AAs to the Community and Citywide Education Councils, including CEC5; and

**WHEREAS**, CEC5 has been excluded from the collective bargaining process regarding the terms and conditions of the AA’s employment, and seeks to file a related legal challenge; and

**WHEREAS**, [New York State Education Law Section 2590-e (9)](https://www.nysenate.gov/legislation/laws/EDN/2590-E) gives CEC5 the authority to retain counsel,

**THEREFORE, BE IT RESOLVED** that CEC5 retains Advocates for Justice as pro bono legal counsel; and

**BE IT FURTHER RESOLVED** that CEC5 will join the Article 78 petition; and

**BE IT FURTHER RESOLVED** that the members of CEC5 authorize President Pamela Stewart to represent CEC5 as a petitioner;

**BE IT FURTHER RESOLVED** that Community Education Council District 5 authorizes $1,000 for legal expenses associated with the aforementioned claim, including filing fees.

New York State Education Law Section 2590-e (9). <https://www.nysenate.gov/legislation/laws/EDN/2590-E>