



April 16, 2024

**VIA EMAIL**

Tajh Sutton, President  
Community Education Council for District 14 (“CEC 14” or “Council”)  
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Dear Ms. Sutton:

As a community education council president, you are expected to support the Council’s performance of its powers and duties as set forth in the New York Education Law, and its compliance with applicable laws, rules, regulations, and directives. Under CEC 14’s bylaws, you are the Chief Executive Officer of the Council, and your responsibilities include representing the Council in interactions with New York City Public Schools (“NYCPS”) and at official functions, and presiding at CEC 14 meetings.

On January 31, 2024, the Executive Director and Deputy Executive Director of the Office of Family and Community Engagement (“FACE”) conducted a conciliation meeting with you and other CEC 14 members on my behalf to discuss CEC 14’s failure to comply with my order dated December 18, 2023, which was based on the Council’s non-compliance with the Open Meetings Law (“OML”) through its holding of fully remote meetings. As stated in my December 18 order, CEC 14 had been provided repeated guidance about OML requirements between June and December 2023, and such requirements were also explained in detail in both the order as well as at the January 31 meeting.

After that meeting, I outlined certain steps for the Council to take towards ensuring its meetings would be held in compliance with the OML, and appointed trustees to the Council for the purpose of assisting the Council in its efforts to comply with the OML. FACE staff also reached out to the Council numerous times in February and March to assist and provide support regarding CEC 14 meetings.

In spite of these actions, CEC 14 has still not held a meeting in compliance with the OML since June 2023. In addition to not holding OML-compliant meetings, CEC 14 has now failed to conduct its monthly public meeting for two consecutive months (February and March 2024). The failure to hold these meetings constitutes a violation of Education Law § 2590-e(14), which

requires community education councils to “hold public meetings at least every month with the superintendent during which the public may speak so that parents and the community have a voice and a public forum to air their concerns.” By not holding meetings, the Council is failing to perform other required duties, such as reviewing and providing comment on the proposed fair student formula as part of the school-based budget process as required by Chancellor’s Regulation B-801 and in accordance with Education Law § 2590-r.

Moreover, the manner in which the Council has held its meetings between November 2023 and January 2024 has resulted in numerous complaints about exclusion and removal of participants, raising concerns about whether such meetings have truly been open to the general public as required by the OML, or have truly provided a public forum as required by the Education Law. Community education councils are required under Education Law § 2590-e to both receive input from their parent and district community and provide input to the Chancellor on matters of concern to the district. Based on complaints received by NYCPS from numerous parents (echoed in two separate legal proceedings recently filed against the Council), it appears that the Council under your leadership and direction is only selectively representing the district’s parent community, blocking attendance and participation at its meetings on questionable grounds, and not responding to or addressing parent concerns. This is further reflected in minutes from the Council’s own meetings, which describe parents feeling unheard by the Council and expressing displeasure with the Council, as well as a text message from you referring to “individuals we reconfigured this [CEC 14] meeting to disempower.”

Finally, I am also informed that CEC 14 has failed to fill its vacancies for more than 60 days, in violation of Education Law § 2590-c and Chancellor’s Regulation D-140, in spite of having candidates for such vacancies.

In sum, CEC 14 is failing to effectively perform its required duties, and failing to effectively conduct business. As President and the Chief Executive Officer of CEC 14, you have a heightened responsibility for ensuring that the Council can effectively function and perform its legal duties, and you are explicitly responsible for presiding at CEC 14 meetings. Rather than ensuring that the Council fulfill its statutorily required functions or comply with applicable laws, you have resisted efforts needed to bring the Council into compliance with legal requirements and rejected supports offered by NYCPS staff.

In addition, you have inappropriately involved yourself in a personnel matter at the Brooklyn Arbor Elementary School (14K414, “Brooklyn Arbor”). Under Education Law § 2590-l(2-a), a community education council member may be removed upon a finding that the member intentionally or knowingly interfered with or was involved in the assignment of employees other than as specifically authorized in the Education Law. Such a finding permanently disqualifies that member from working with NYCPS, or any NYCPS district or school, and from membership on any community education council or the citywide board (i.e., the Panel for Educational Policy).

Other than providing for councils to be consulted prior to the selection of parent coordinators, the Education Law does not authorize community education councils to be involved in school-level personnel matters. Nonetheless, you have sought to interfere with a personnel matter involving an employee at Brooklyn Arbor.

As a threshold matter, because of the confidential nature of personnel information, the reasons for discipline taken with respect to any employee are generally not publicly disclosed or discussed as a matter of course. Consistent with this, the Brooklyn Arbor principal specifically advised you that she was unable to discuss confidential personnel matters with you.

Nonetheless, you raised the personnel matter and made it a topic of discussion at the January 24, 2024 CEC 14 meeting; wrote numerous times to the Brooklyn Arbor administration regarding disciplinary actions taken with respect to the employee and seeking meetings with the administration about such actions; gathered signatures on a “sign-on letter” that contained a number of false assertions about the personnel matter, and sent such letter to me, the Brooklyn Arbor principal, the District 14 superintendent, the employee’s union, and elected officials, requesting for it to be added to the employee’s personnel file. You then organized protests at Brooklyn Arbor on March 7 and 8, passing out flyers—including to students—that contained a QR code linking to the attached document. The document asks Arbor parents/community members to “write an email ASAP to the administration” regarding the employee, and includes an email template and suggests that parents seek a meeting with the principal and copy various officials on their communication.

Numerous Brooklyn Arbor parents complained about the protests, calling them, for example, “divisive,” “irresponsible,” “extremely upsetting,” and “a shameful and cynical use of our kids and school community.” Moreover, parents specifically expressed concern for their children’s safety at Brooklyn Arbor as a result of the protests, noting that the protests caused their children to feel fearful.

Your actions and involvement with respect to the Brooklyn Arbor personnel issue are highly inappropriate, have no connection to your responsibilities as a CEC member, and do not serve the interests of Brooklyn Arbor, the Council, or the District 14 community. Our number one priority is our students’ safety and wellbeing, and your actions led parents to question their children’s safety at an NYCPS school. Moreover, your involvement with the Brooklyn Arbor personnel issue runs afoul of Education Law § 2590-1(2-a).

Accordingly, pursuant to my authority under Section 2590-1 of the Education Law, I am ordering that you cease further improper conduct, and am directing you to appear at 52 Chambers Street, New York, NY, for a conciliation meeting to discuss this matter. A member of my staff will contact you regarding the date and time of such conciliation.

IT IS SO ORDERED.



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David C. Banks  
Chancellor

cc: Kenita Lloyd  
Cristina Melendez