



City of Detroit
CITY COUNCIL

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COUNCIL MEMBER

Statement on Vote Re: Mayoral Control of DPS Ballot Proposal
By Councilman Kenneth V. Cockrel, Jr.
July 29, 2010

Today the Detroit City Council voted on the question of whether or not to place a ballot question before the voters asking whether or not the Mayor should be given control of the day to day management of the Detroit Public Schools.

The days leading up to today's vote saw Council host three marathon public hearings during which proponents and opponents of this proposal testified with great passion and fervor. This was without a doubt the most controversial issue I've ever seen Council vote on in my 13 years of service to the citizens of Detroit. It was also the most difficult vote I've had to cast during that time.

As a parent of five children who will attend Detroit public schools this September I can easily say that while I believe our public school system is often unfairly maligned I am also not happy with the status quo. The system is unquestionably broken and in dire need of fixing.

However, I do not believe that the flawed approach used to bring this matter before City Council puts us on the right path to salvation. For this reason, I had no choice but to join with a majority of Council members in voting against this proposal.

My concerns were the following:

First, the proponents of the ballot initiative never presented credible evidence that there is truly widespread support for their approach. Though much was made of alleged 30,000 signatures of registered voters in support of placing this question on the ballot that claim has not been verified. This is because those signatures were never validated and never will be because the proponents did not present them to the City Clerk with proper ballot language in a timely fashion.

Secondly, it's questionable as to whether or not City Council even has the legal authority to place this question on the ballot. There is case law, specifically Southeastern Michigan Fair Budget Coalition V. Killeen (1986) where the Michigan Court of Appeals ruled that city officials lack the power to place advisory questions on the ballot if those questions do not pertain to matters outside their own local authority.



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Though subsequent changes in Detroit’s City Charter may be interpreted to allow for the Detroit City Council to act in this case this is questionable – not certain. The probability of a lawsuit here is high. As a Councilmember, I have a fiduciary responsibility to the City of Detroit that includes seeking to avoid costly litigation directed at our cash-strapped city.

Lastly, and this is my greatest concern, the proponents of this ballot question failed to provide the City Council with either workable ballot language and most importantly a plan for Mayoral control. The last is critical. If voters approve Mayoral control there must then be a plan for implementing it.

It is true that this vote would be advisory, meaning that it would ultimately fall to the Michigan State Legislature to craft the plan for how Mayoral control would work. But I am not comfortable with entrusting this responsibility to them without at least providing them with a more detailed roadmap for change.

If Mayor Bing was truly serious about Mayoral control he should have (A) come out publicly in support of it months ago and laid out reasons why it’s needed and how it will work and (B) engaged Council, community leaders, pastors, school officials, and everyday people in a proactive dialog aimed at putting ballot language with a detailed plan for school reform before the voters.

A reform plan for the public school system will potentially affect generations of Detroit schoolchildren. It should therefore be well-thought and ready to implement. It should not be rushed over a period of two weeks and encapsulated solely in a two-page City Council resolution. I simply was not comfortable with rushing to make a decision that will affect not only thousands of my constituents’ children but also my own.

Despite my vote I will say this: I firmly believe that the fate of our city and the fate of our school system are linked. One will not rise without the other.

Today’s vote should not mark the end of the debate. Instead, I hope that all parties can now begin to discuss and plan a rational strategy for moving both forward.

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