



## Roles and Responsibilities of Community and Citywide Education Councils

An overview of the education law and interaction between councils and parents

# What is a Council?

## Community District Education Councils

- District level advocacy and representation (primary grades)

## Citywide Councils

- Special Education
  - D 75
- High Schools

## OFEA

- Oversight- explanation and compliance with laws and regulations
- Support- assistance in achieving goals and trainings
- Does not manage day-to-day operations

# DEFINING THE COUNCIL'S ROLE

□ The Council has an obligation to:

- Consult with and communicate to parents
- Advocate on behalf of district schools
- Maximize local opportunities for parent involvement in public discussion about education

# Basics

	<b>Community District Education Councils</b>	<b>Citywide Council on Special Education</b>	<b>Citywide Council on High Schools</b>
<b>Applicable Laws and Regulations and Bylaws</b>	2590, FOIL, Open Meetings, General Construction , & Chancellor's Regulation D 140 & Bylaws	2590 , Chancellor's Regulation D 150 & Bylaws	Chancellor's Regulation D 160 & Bylaws
<b>Members &amp; Terms</b>	12 total: 9 selected parents, 2 BP appointees, 1 Student  2 year terms  Student term is length of senior year	12 total: 9 selected parents, 2 Pub. Advocate appointees, 1 Student  2 year terms  Student term is length of senior year	11 total: 10 selected parents. 1 student  2 year terms  Student term is length of senior year
<b>Powers and Duties</b>	Powers and Duties	Advisory	Advisory
<b>Selection &amp; Vacancies</b>	Vacancies filled by council within 60 days after consultation with Presidents' Council	Vacancies filled by council within 60 days after consultation with Presidents' Council	Vacancies filled by council within 60 days after consultation with Presidents' Council

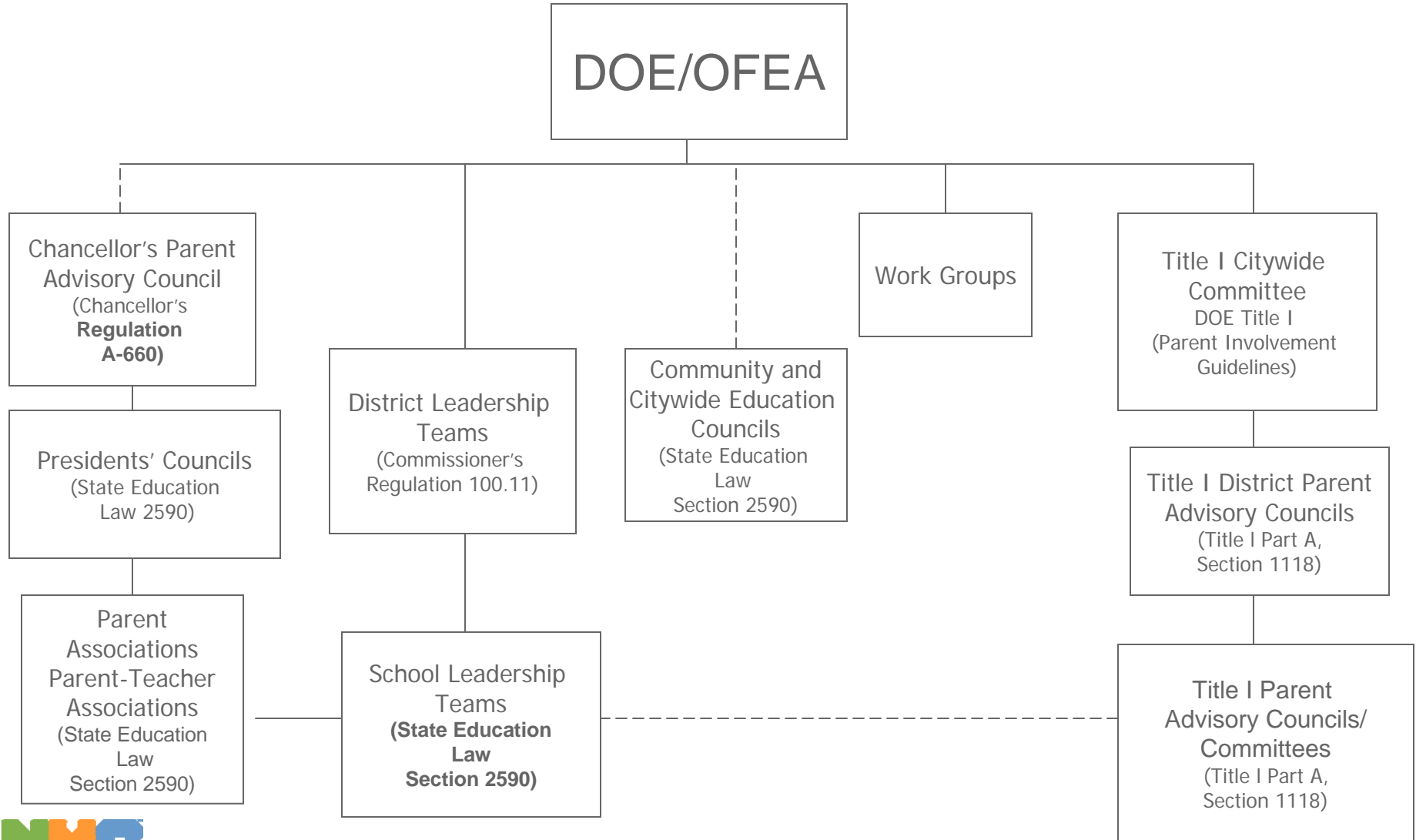
# COUNCIL MEMBERS

- Members of the CECs, CCSE and CCHS serve as volunteers. They are not paid a salary, but receive limited reimbursement for expenses.
- Members of CECs are selected from their community school districts.
- Members of the CCSE and the CCHS come from the entire city and must travel to attend their council meetings.
- CECs are considered public bodies in New York State and must take an oath of office prior to assuming their council seat.
- The CECs and the CCSE were authorized in the Education Law, the CCHS was created by Chancellor's Regulation D-160.

# HISTORY/LAWS THAT APPLY

- How were councils established?
  - > By a revision of Education Law Section 2590 originally passed in 1969 to create community school boards
- How do they fit into the New York City Public School System?
  - > State Laws authorize and define
  - > Chancellor's Regulations implement
  - > Bylaws describe council management process and actions to be taken by members
  - > Parliamentary Procedures provide guidelines for operations not included in the bylaws

# NYC Parent Involvement Structures at a Glance



# POWERS AND DUTIES OF CECs

(Education Law Section 2590-e.)

Promote the achievement of educational standards and objectives relating to the instruction of students

Annual Financial Disclosure Filing

Participate in training and continuing education programs

Prepare a district report card

Retain counsel if the council or a member is a defendant or respondent

Approve zoning lines as submitted by the superintendent

Hold meetings at least every month with the superintendent to discuss the current state of the schools in the district

Review the district's educational programs and assess their effect on student achievement

Hold public meetings at least once a month with the superintendent where the public may speak

Submit an annual evaluation of the superintendent to the chancellor

Hold public hearings on the district's annual capacity plan and submit a plan to the chancellor

Provide input to the chancellor and the city board on district concerns

Liaison to School Leadership Teams

# WHOLE NUMBER

The General Construction Law of New York State requires that a public body in New York State have a quorum and majority that is a majority of the whole number of the council; whole number meaning the number of positions if all were filled.

The whole number of the board for CECs is eleven (11). This represents the whole number of voting council positions authorized by the law.

With eleven (11) as the whole number of the board, a quorum and majority are always six (6) members.

A meeting with fewer than six (6) members is not an official meeting and no action can be taken.

A vote of six (6) members in favor is required to pass a resolution.

A vote of six (6) members opposed is required to defeat a resolution.

N.B. A supermajority (2/3) or unanimous vote is never permitted except where specifically directed in the law.

# PUBLIC OFFICERS LAW

## Freedom of Information Law (FOIL)

All final documents of a public body are subject to FOIL (except that minutes in draft form must be available upon request two weeks after a meeting.)

Councils may direct that requests for agendas, minutes, proposals, reports, etc., be submitted in writing.

Councils may not require that persons provide a reason for the request.

Requests for public information are not brought to a council for a vote. Routine requests should be handled by the Administrative Assistant. If there is a question about whether requested material should be released the AA should contact the FOIL Officer in the Office of Legal Services.

## OPEN MEETINGS LAW

“It is essential to the maintenance of a democratic society that the public business be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy.”

## OPEN MEETINGS LAW, CONTINUED

- All council meetings are public – the business/working sessions, the calendar meetings and committee meetings.
- Notice of at least 72 hours must be given for regularly scheduled meetings.
- The public must receive notice of all regularly scheduled meetings, all special meetings, and all committee meetings.
- Minutes of a council meeting must be available within two weeks of the date of the meeting even if they are still in draft form, and should be clearly marked DRAFT.

**Absentee ballots, secret ballots, proxy voting, e-mail and telephone polls, and phone conferencing are not permitted**

# OPEN MEETINGS LAW, continued

## Executive Session

An executive session is a portion of a council meeting that is not open to the public. It may take place only after a majority vote of the total membership of the council during either business or calendar meeting. The motion or resolution to call an executive session must be specific about the matter being discussed.

Executive sessions are permitted only for the following reasons:

1. matters which will imperil the public safety if disclosed
2. any matter which may disclose the identity of a law enforcement agent or informer
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed
4. discussions involving proposed, pending or current litigation
5. collective negotiations under the Civil Service Law
6. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation
7. the preparation, grading or administration of exams
8. the proposed acquisition, sale or exchange of securities, but only when the publicity would substantially affect the value of these

All council members may attend executive sessions, and the council shall decide what other persons shall be invited.

Executive Session may not be used to discuss council member issues.

# VACANCIES

Section 2590-c 6 (a): “in addition to the conditions enumerated in the public officers law creating a vacancy, a member of a community district education council who refuses or neglects to attend three meetings of such council of which he or she is duly notified, without rendering in writing a good and valid excuse therefore vacates his or her office by refusal to serve. Each absence and any written excuse rendered shall be included within the official written minutes of such meeting. After the third unexcused absence the community council shall declare a vacancy to the chancellor.”

This action requires a vote at a calendar meeting to declare the seat vacant.

Vacancies must be filled within sixty days after consultation with the presidents’ council and other educational groups within the district.

# REPORTING

Section 2590-c 7 (a):

“Each community council shall prepare and submit to the city board a performance report every month. The information provided shall include community council members’ attendance records; participation in community council committees and other council activities; visits to schools; and voting record on major issues before the community council.”

# MANDATE

- Section 2590 e. 7. (1) Community district education council members shall participate in training to acquaint them with the powers, functions and duties of community council members, as well as the powers of other governing and administering authorities that affect education including the powers of the commissioner, city board, chancellor and community superintendents.
- (2) Each community district council member shall be required to participate in continuing education programs on an annual basis.....

# CONSULTATION

Education Law 2590 –d 2. requires that each community education council adopt bylaws that shall include the requirement that: “...there shall be a parents’ association or a parent-teachers’ association in each school under its jurisdiction;” and that... “...the council, the community superintendent and the principal of each school shall have regular communication with all parents’ associations and parent-teachers’ associations within the community district and meet with their elected officers at least quarterly during the school year, to the

## Consultation, continued

end that such associations are provided with full factual information pertaining to matters of pupil achievement, including but not limited to: annual reading scores, comparison of the achievement of pupils in comparable grades and schools, as well as the record of achievement of the same children as they progress through the school; provided, however, that such record and scores shall not be disclosed in a manner which will identify individual pupils.”

## Consultation, continued

The law also states that: “...community councils develop and implement a process consistent with procedures which shall be developed by the chancellor for community input in connection with the annual evaluation of the district superintendent...”

# Chancellor's Regulations

Several Chancellor's Regulation help to define and clarify the role of the CECs:

## A-185 Zoning Lines for Elementary Schools

This Regulation explain the process for amending the zoning lines of a school where eligibility to attend is based only on residence within a specific geographic area

## A-655 School and District Leadership Teams

Community Education Councils by law act as liaisons to SLTs of the schools in their districts, and the CCSE and CCHS perform similar functions for schools they represent

## A-660 Parent Associations and the Schools

This Regulation defines the process for grievances against PA/PTAs/PC or their officers filed with CECs.

# BYLAWS

- Bylaws are the enabling document that establishes an organization and provides the framework within which it operates.
- They are the rules adopted by the organization for the conduct of business and for taking action.
- They describe how a board functions, and include the procedural rules that are so important they can never be suspended, and cannot be changed without prior notice to members.

# BYLAWS

Each CEC must have its own and they must include:

- There shall be a PA/PTA in every school within the district
- The council, community superintendent and the principal of each school shall have regular communication with all PAs/PTAs within the district and meet with their elected officers at least quarterly during the school year.
- Develop a process consistent with Chancellor's procedures for community input in connection with the annual evaluation of the superintendent.
- All meetings of the council are subject to the Open Meetings Law.

# COMMUNICATION

How does the council communicate?

Is the message clear and is it getting to parents?

What is the council's method for distributing information?

Does your council assign members as liaisons to specific schools?

Do these liaisons maintain ongoing contact with members of each school community?

Do council members visit schools?

Do they report back to the council?

# ADVOCACY

- 1) Have your council members learned how to navigate the school system?
- 2) Do members bring educational issues to the business meeting?
- 3) How do council members advocate for students and parents?

Should the council's advocacy be limited to educational advocacy, or extended to social, health, emotional and economic advocacy as well?

# PARENT INVOLVEMENT

- Do council members work to identify programs in your community that would assist parents in meeting the needs of their children?
- What is their protocol for following up on parent concerns raised at their meetings or brought to the council's attention?
- Are you holding quarterly meetings with parent association representatives? Is the agenda jointly planned?
- Are you working collaboratively with the School Leadership Teams in your district and schools?

# BOUNDARIES

When working with parents the councils should:

Collaborate – not regulate

Inform – not evade.

Ask – not assume.

Include – not exclude.

Advise – not direct.