

Category: **STUDENTS**

4/21/10

Number: **A-660**

Subject: PARENT ASSOCIATIONS AND THE SCHOOLS

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SUMMARY OF CHANGES

A-660 sets forth the governance structure of parent associations and presidents' councils to ensure the rights of parents are clearly established. This version of A-660, which contains revisions to the Regulation's organizational structure, supersedes A-660 issued on October 3, 2008. Changes in the 2008 version detailed below are organized as follows: Changes Pertaining to PAs, Changes Pertaining to PCs, and Changes Pertaining to the Financial Affairs of PAs and PCs, Changes Pertaining to Dispute Resolution and Grievance Process of PAs and PCs, and Changes to CPAC. Subtopics are addressed in alphabetical order.

CHANGES PERTAINING TO PAs*Ballots:*

Ballots must remain in the meeting room until the election meeting has been adjourned. (See Section I.G.1.d., page 8).

A ballot template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a ballot template is needed in a language that is not readily available, the principal must contact the DOE's Translation and Interpretation Unit. (See Section I.G.1.d., page 8).

Bylaws:

The regulation has been amended to include the following language: A two-thirds vote of the membership is required for approval to adopt the motion at that meeting without a bylaws committee being formed. (See Section I.H.1., page 11).

The following language was added to the regulation: in the absence of bylaws that conform to the election and fundraising requirements of this Regulation, PAs may not conduct any activities, including elections and fundraisers. (See Section I.H.1., page 11).

A bylaws template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a bylaws template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit. (See Section I.H.1., page 11).

The bylaws must specify the day and time when monthly meetings are to be held (e.g., last Tuesday of the month at 7:00 pm). Upon review of the bylaws or by motion of a member at any general membership meeting, the executive board must survey the parent members to determine whether the day and time should be changed. (See Section I.H.4.a., page 13).

Any PA member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with this regulation. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented. A two-thirds vote of the membership is required for approval. (See Section I.H.1., page 11).

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Certification:

At the time of certification, the executive board members may elect to permit OFEA to forward their personal phone number and/or email address to the appropriate president's council. (See Section I.G.1.f., page 9).

The principal is responsible for submitting PA Status Reports accessible through the Principals' Portal. (See Section V., page 34).

Cease to Function:

The PA ceases to function if, by June 30th of the forthcoming school year, it has not held elections or fails to elect officers in all three mandatory offices. (See Section I.C.1., page 3).

Citywide Council Selectors:

Selectors of the parent members of each CEC shall be the three mandatory PA officers from every school in the community school district in accordance with Chancellor's Regulation D-140. (See Section I.H.7., page 16).

Selectors of the parent members of each CCHS shall be the three mandatory PA officers from every high school in the borough in accordance with Chancellor's Regulation D-160. (See Section I.H.7., page 16).

Designee:

If the PA president is unable to attend PC meetings, the president must transfer all voting rights to a designee of her/his choosing. Designees must be approved by vote of the membership. The results of the vote must be recorded in the minutes of the meeting. (See Section II.B.1.a., page 17).

Elections:

The principal or her/his designee must verify each individual's eligibility to vote by confirming that the individual qualifies as a member of the PA. This verification must occur prior to the distribution of ballots. (See Section I.G.1.d., page 8).

To accommodate parents of incoming students, the bylaws may allow executive board positions other than the mandatory offices: president, recording secretary, and treasurer, to be elected in the fall. The bylaws must identify the reserved positions and the date and process of the election. (See Section I.G.2., page 9).

Eligibility:

School Supervisory Staff (principals, assistant principals, and supervisors) may not be members of the PA in the school in which they are employed. (See Section I.D.2., page 4).

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The proposed regulation has been revised to remove the restriction on DOE employees from serving as mandatory officers. However, school employees who are employed at the school which their children attend may not serve as members of the executive board or the nominating committee. The proposed regulation has been revised to remove the restriction on members of the Panel for Educational Policy, Community Education Councils, and the Citywide Council on Special Education, High Schools, and English Language Learners from serving on the executive board of any PA. The conflict of interest provisions have been revised to refer to the Panel for Educational Policy. (See Section I.E.3., page 4).

Facility:

PAs must be provided with a locked location for the storage of PA records. (See Section I.H.5.b., page 15).

Wherever possible, the principal should designate a room or space for PA use to conduct PA business. (See Section I.H.5.b., page 15).

Information:

The following language was added to the regulation: parent contact information must be only used for legitimate PA purposes and not for personal communication. (See Section I.H.2., page 11).

The PA may request the principal to present information relating to the school-based budget, including the Comprehensive Education Plan (CEP) and the view from the DOE's Galaxy budgeting Galaxy system available on the school's portal. (See Section I.H.2.a., page 12).

Meetings:

PA meetings must be non-exclusive and open to the general public. (See Section I.H.4.a., page 14).

Notice:

To establish a PA in a new school or to re-establish a PA, the principal may notify the parents by e-mail, but must also send notice by backpack or postal mail. (See Section I.A. and Section 1.B., page 3).

A meeting notice template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a meeting notice template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit. (See Section I.H.3., page 13).

The term school days means the days between and including Monday to Friday, not including days that the school is closed, holidays and weekends. When counting school days for the purposes of written notice, as applied to notice sent by backpack or email, count the day the notice is distributed as the first day. For written notice sent by postal mail, the day after the notice is mailed counts as the first day. (See Definitions Section, page 2).

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Officers' Contact Information:

The PA executive board must make available to the membership a list of elected PA officers. The list must include names and either a personal phone number or email address where parents may contact officers. The list may not include officers' home addresses.

The following language was omitted from the regulation: at the conclusion of a PA officer's term, the PA executive board must ensure that the officer's contact information is destroyed, unless the officer grants written permission to the PA to maintain the information. (See Section I.G.5., page 10).

Parental Relation:

The principal, when necessary, will determine whether an individual is a person in parental relation based on documentation presented at the school. (See Definitions Section, page 2).

Quorum:

The quorum for a general membership meeting must consist of representation by at least 8 PA members, including a minimum of 2 executive board members and 6 parent members. (See Section I.H.4., page 14).

Resignation:

Upon resignation of a co-officer, the PA members must vote to determine if the remaining co-officer may fill the unexpired term on her/his own or whether an expedited election must be conducted. (See Section I.G.3., page 9).

CHANGES PERTAINING TO PCs*Ballots:*

When there is more than one candidate for an office, written ballots must be used in the manner specified in Section I.G.1.d. When there is only one candidate for an office, the PC may follow the procedure outlined in Section I.G.1.e. (See Section II.D.1.f., page 18).

Bylaws:

A bylaws template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a bylaws template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit. (See Section II.E.1., page 20).

Any PC member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with this regulation. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented. A two-thirds vote of the membership is required for approval. (See Section II.E.1., page 20).

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Cease to Function:

A PC ceases to function if it fails to hold elections by September 30th or fails to conduct business for 2 consecutive months. (See Section II.A., page 16).

Certification:

At the time of certification, the executive board members may elect to permit the CFEO to forward their personal phone number and/or email address to the appropriate education council. (See Section II.D.4., page 19).

OFEA is responsible for filing PC Status Reports and supporting documentation with the CFEO. (See Section V., page 34).

Citywide Council Selectors:

Each PC must select one parent of a student with an IEP from among its members to serve as a selector of CCSE members in accordance with Chancellor's Regulation D-150. (See Section II.E.7., page 23).

Each PC must select one parent of an ELL student from among its members to serve as a selector of CCELL members in accordance with Chancellor's Regulation D-170. (See Section II.E.7., page 23).

Elections:

PCs must notify OFEA and the superintendent of the date and time of their elections by June 1st. If by June 30th a PC has not held its election, OFEA will request a date and time for the annual election meeting to be held. The annual election must be scheduled for a date before September 30th. OFEA will provide the necessary assistance to ensure that the election is completed by September 30th. (See Section II.D., page 18).

Eligibility:

The term "permanent" was added in front of "designees". (See Section II.B.1, page 17).

Language pertaining to PA alternates to serve on the PC was amended as follows: the PA may approve an alternate to serve in the absence of the officially designated school representative. (See Section II.B.1, page 17).

The restriction on DOE employees serving as PA representatives to the PC has been clarified. DOE employees may not serve on the district PC in the district in which they are employed. DOE employees may not serve on the high school PC in the borough in which they are employed. (See Section II.B.2, page 17).

The proposed regulation removes the restriction on members of the Panel for Educational Policy, Community Education Councils, and the Citywide Councils on Special Education, High Schools, and English Language Learners from serving on the PC.

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All members of the PC at the time of the election are eligible to vote. Individuals who will begin their membership the following school year may not vote. (See Section II.D.1.e., page 18).

Constituent PA presidents or co-presidents who have been elected, and presidents' designees who have been selected to serve for the following school year may run for office. (See Section II.D.1.d., page 18).

Grievance Process:

Grievance Review Committees (GRCs) investigate and provide written responses to grievances filed by PAs within their respective district for elementary and middle schools, borough for high schools, and citywide for District 75. Each PC is responsible for the annual election of 3 parents from within their constituency to serve on the GRC. (See Section II.E.6., page 23).

Meetings:

PC meetings must be non-exclusive and open to the general public. (See Section II.E.3., page 21).

Notice:

PCs must send written notice to all current and incoming members informing them of the date and time of the election. The notice must indicate that nominations for all offices will be taken from the floor. The notice must be dated and distributed at least 10 school days before the meeting. Notices may be sent by email, postal mail, or fax. (See Section II.E.3.a., page 21).

Officers' Contact Information:

The following language was omitted from the regulation: at the conclusion of a PC officer's term, the PC executive board must ensure that the officer's contact information is destroyed, unless the officer grants written permission to the PC to maintain the information. (See Section II.D.4., page 19).

The PC must make available to the membership a list of elected PC officers. The list may include personal phone numbers and email addresses of officers who agree to have such information distributed, but may not include officers' home addresses. (See Section II.D.4., page 19).

President's Obligation:

As a mandatory member of the District Leadership Team (DLT), the PC president has the right to obtain the District's Comprehensive Education Plan (DCEP) and district or borough budget information. The PC president is responsible for disseminating these documents, as well as all other pertinent information discussed at DLT meetings, to the PC members. (See Section II.E.2.a., page 20).

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Superintendent's Obligation:

No later than September 30th of each year, the superintendent must provide the PC executive board with the district or borough safety plan, discipline code, and attendance plan. (See Section II.E.2.a., page 20).

CHANGES PERTAINING TO FINANCIAL AFFAIRS OF PAs AND PCs*Budget:*

The regulation has been revised in that the proposed PA budget does not need to be submitted to OFEA. (See Section III.A.2., page 24).

PA and PC executive boards must prepare a proposed budget each year to submit for approval by the membership no later than the June general meeting. The proposed PA budget must be submitted to the principal upon approval by the PA membership. The proposed PC budget must be submitted to OFEA upon approval by the PC membership. (See Section III.A.2., page 24).

Checks:

The regulation has been clarified to indicate that the PA treasurer may be a check signatory. (See Section III.B.1., page 25.)

PAs or PCs that wish to use an alternate form of checks (e.g., checks printed from financial software) must obtain permission from OFEA. (See Section III.B.1., page 24).

A PA or PC member may not sign a check if she/he has any direct or indirect interest in the expenditure. (See Section III.B.1., page 25).

The primary checking account must be used for all transactions, including deposits and withdrawals (e.g., if a PA or PC has a savings account, funds must be transferred from the checking account into the savings account.) Funds can only be withdrawn by transferring the funds from the savings account into the checking account. (See Section III.B.2., page 25).

Deposits:

If the deposit will not be made within 1 business day, the PA or PC must ensure that all funds are secured in a locked location on school or DOE premises (e.g., the school safe). The PA must obtain a written acknowledgement from the principal when PA funds are secured in the school, while the PC must obtain a written acknowledgement from the superintendent when PC funds are secured on DOE premises. These acknowledgements must include the dollar amount being secured. Under no circumstances may fundraiser proceeds be stored in a PA or PC member's place of work or residence. (See Section III.C.7.a., page 27).

Raffle Tickets:

The regulation has been revised to clarify the definition of permissible organizations that are authorized to conduct raffles according to the New York State General Municipal Law and the New York State Racing and Wagering Board regulations. (See Section III.C.2.c., page 26).

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The sale of raffle tickets to or by children is prohibited. Any sale of raffle tickets must be done in compliance with the provisions of the New York State General Municipal Law and applicable regulations of the New York State Racing and Wagering Board. The law and regulations prescribe the application and licensing requirements and the conditions under which a raffle may be conducted and the proceeds of a raffle may be used. (See Section III.C.2.c., page 26).

The regulation has been changed to add a provision regarding deposit of funds from raffles. (See Section III.C.7.a., page 27).

The regulation has been revised to require a principal's written consent only when the fundraising activity is held during school hours or on school property. PAs are no longer required to engage in joint planning with the principal. (See Section III.C.3., page 27).

Use of Funds:

The regulation has been revised to clarify the examples of supplemental staff that the parent association may hire. In addition, the term "supplemental teaching staff" was removed and replaced with the term "supplemental staff." (See Section III.D.4, and Section III.D.5., pages 29-30).

The regulation has been revised to hold that the Chancellor may permit PAs and PCs to raise funds for humanitarian causes, on a case-by-case basis. (See Section III.C., page 25).

The proposed regulation has been revised with respect to the use of funds remaining after an expenditure of funds that were raised for a particular purpose. (See Section III.D.5.a, page 30).

CHANGES PERTAINING TO DISPUTE RESOLUTION AND GRIEVANCE PROCESS OF PAs AND PCs

Grievance Process:

When a PA member alleges a violation of this Regulation or the bylaws, and the matter cannot be resolved internally, the PA member or the PA president may request assistance in writing from the appropriate PC. The PC may mediate PA disputes, but may not render binding decisions. (See Section VI.A.1., page 35).

Grievances must be submitted online at <http://schools.nyc.gov/parentleadership>. PA grievances will be reviewed by the appropriate Grievance Review Committee (GRC). PC grievances will be reviewed by the CFEO. Any member may file a grievance online for assignment to the appropriate GRC or the CFEO. (See Section VI, page 35-38).

GRCs investigate and provide written responses to grievances filed by PAs within their respective district for elementary and middle schools, borough for high schools, and citywide for District 75. (See Section VI, page 35).



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Appeals of Step One Grievance decisions must be submitted online at <http://schools.nyc.gov/parentleadership>. (See Section VI.B.3.b., page 38).

CHANGES PERTAINING TO CPAC

Provisions pertaining to CPAC have been included in the Regulation. (See Section II.F., pages 23-24).

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ABSTRACT

This regulation requires that each school has a parent association (PA) or parent-teacher association (PTA). It supersedes Chancellor's Regulation A-660 issued 10/03/08.

This regulation also requires each of the 32 community school districts to have a presidents' council (PC). There must be a separate PC for high schools in each borough and for citywide special education schools (District 75).

This regulation sets forth the basic rights and responsibilities for PAs and PCs.

INTRODUCTION

The Chancellor recognizes that parent leadership is the cornerstone of the public schools. PAs¹ and PCs are autonomous and self-governing. School officials' oversight of PAs and PCs is limited to what is necessary to implement and enforce laws, policies, rules, and regulations, and to protect the rights of students, parents, and staff.

DEFINITIONS

The following definitions apply for purposes of this regulation and other applicable regulations:

1. A Parent Association (PA) is an organization of the parents of students in a New York City public school created and established by the parents' vote. A PA encourages the meaningful participation of its members. A PA adopts bylaws, elects officers, and holds regular meetings.
2. A Parent-Teacher Association (PTA) is established when the parent members of a PA vote to amend their bylaws to extend membership to staff. In addition to teachers, a PTA may include other categories of staff.
3. A Presidents' Council (PC) is an organization of PA presidents or designated parent members within a given jurisdiction. Each community school district is required to have only one PC to represent both elementary and middle schools. Each borough is required to have one PC to represent its high schools. There must also be one PC to represent citywide special education schools (District 75).
4. A school is a self-contained autonomous organization of students under the leadership of a principal. A school has its own staff and uses its own budget to provide a full instructional program.
5. The term district applies to the 32 community school districts and District 75.

¹ In this Regulation, the term PA refers to both parent associations and parent-teacher associations.

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6. Bylaws refer to the governing document that establishes the PA or PC and outlines the rules that must be followed. The executive board and the parent members cannot suspend the bylaws.
7. The term office refers to an elected position on the executive board of a PA or PC. The mandatory offices are the following: president, recording secretary, and treasurer. PAs and PCs may create additional offices consistent with their bylaws.
8. The term parent, for purposes of this regulation, means the student's parent or guardian, or any person in a parental or custodial relationship to the student, or the student. The definition of parent includes: birth or adoption parent, step-parent, legally appointed guardian, foster parent, and "person in parental relation" to a child currently attending a school.
9. The term person in parental relation refers to a person who has assumed the care of a child because the child's parents or guardians are not available, whether due to, among other things, death, imprisonment, mental illness, living outside the state, or abandonment of the child. Any determinations about who constitutes a person in parental relation must be based on the individual circumstances surrounding guardianship and custodial care of the particular child. A person who may provide temporary care (e.g., babysitting) for a child does not qualify as a person in parental relation under this regulation. The principal, when necessary, will determine whether an individual is a person in parental relation based on documentation presented at the school.
10. The term school days means the days between and including Monday to Friday, not including days that the school is closed, holidays and weekends. When counting school days for the purposes of written notice, as applied to notice sent by backpack or email, count the day the notice is distributed as the first day. For written notice sent by postal mail, the day after the notice is mailed counts as the first day.

I. **PARENT ASSOCIATIONS**

PAs are representative of all parents within their schools, including parents of children receiving special education services, children who are English Language Learners, children eligible for Title I, and children participating in gifted and talented or magnet programs. PAs must have bylaws to establish a formal structure (see Section I.H.1.), and must solicit participation and support from the parent community. PAs must comply with all laws, policies, rules and regulations in a way that respects the rights of students, parents and staff.

Every public school must establish a PA. There must be only one officially recognized PA in each school. When more than one school is located in a single building, each school is required to establish a PA. A school comprised of multiple "small learning communities," "houses," or "academies" reporting to a single principal may establish only one PA.

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A. Establishment of PAs in New Schools

The principal is responsible for establishing the school's PA. The principal must notify the parents of the need to establish a PA in writing by backpack or postal mail, and schedule an initial meeting of the general membership. The principal may notify the parents by e-mail, but must also send notice by backpack or postal mail. The principal must provide 10 school days written notice of the meeting and the meeting must be held no later than September 30th. At least 8 parents must be present at the meeting for a PA to be established. The principal must contact OFEA and the appropriate PC to help conduct the meeting.

B. Re-Establishment of PAs

If the PA has ceased to function for any of the reasons listed in Section I.C., the principal must take action to re-establish it. The principal must notify the parents of the need to re-establish a functioning PA in writing by backpack or postal mail, and schedule a meeting of the parents no more than 14 school days after the PA has ceased to function. The principal may notify the parents by e-mail, but must also send notice by backpack or postal mail. The principal must provide 10 school days written notice of the meeting. At this meeting, an expedited election must be conducted (see Section I.G.4.). Prior to the expedited election the principal must provide OFEA with a copy of the PA bylaws, including any amendments. At least 8 parents must be present at the meeting for a PA to be re-established. The principal must contact OFEA and the appropriate PC to help conduct the meeting.

C. Reasons PAs Cease to Function:**1. Failure to Elect Mandatory Officers**

The PA ceases to function if, by June 30th of the forthcoming school year, it has not held elections or fails to elect officers in all three mandatory offices: president, recording secretary, and treasurer.

2. Failure to Hold an Expedited Election

If the PA has failed to hold a timely expedited election to fill vacancies in one or more mandatory offices, the PA has ceased to function.

3. Failure to Conduct Business

If the PA has failed to conduct PA business for 2 consecutive months, the principal shall notify PA officers in writing of their duty to take necessary action and advise them that they have 14 school days to comply. If the PA fails to conduct business after 14 school days, the principal must contact OFEA and the appropriate PC to help re-establish the PA.

4. Resignation by Two Mandatory Officers

If two of the three mandatory offices become vacant due to resignations, the PA has ceased to function. The principal must notify the appropriate

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superintendent and OFEA and follow the procedure outlined in Section I.G.3. to hold expedited elections for all three mandatory offices.

D. PA Membership Eligibility**1. Establishing Parent Eligibility**

A parent of a student on a school's register, as defined in this Regulation, is automatically a member of the PA. A parent with children who attend different schools is a member of the respective schools' PAs. A parent may not designate another individual to serve in her/his place as a member of the PA. Denial of membership can be grieved following the procedures in Section VI.B.

PAs may not extend membership to individuals who are not otherwise qualified for membership such as honorary members, student members, former members, or former officers.

2. Establishing Staff Eligibility

PAs may vote to amend their bylaws and include school staff in their organizations. PAs that vote to include school staff become PTAs. Likewise, PTAs may vote to revert back to PAs. Only parent members may vote to change the organization's structure.

In addition to teachers, PAs may amend their bylaws to extend membership to other categories of staff (e.g., paraprofessionals, school aides, school secretaries, and food service workers). School Supervisory Staff (principals, assistant principals, and supervisors) may not be members of the PA in the school in which they are employed.

E. PA Membership Participation**1. Voting**

Every parent member has the right to vote at all PA meetings. If the organization becomes a PTA, voting rights are extended to eligible staff members. Voting by proxy or absentee ballots is not permitted.

2. Dues

While the PA may choose to solicit dues, the payment of dues cannot be a condition for participation or membership.

3. Restrictions

School Employees - School employees who are employed at the school which their children attend may not serve as members of the executive board or the nominating committee of their school's PA. This restriction only applies to employees paid from any DOE funding source (e.g., tax levy, reimbursable, community-based organization contract, gift, grant, etc.). Individuals whose employment is located at the school, but who are paid by a non-DOE funding source for a program that is not part of the regular school day are exempted from this restriction.

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4. Conflicts of Interest

PA members must be careful to avoid acting in circumstances in which their personal interests conflict with their interests as PA members.

- a) Decision Making - PA decisions must be made by participation and vote of only those members of the association who do not have a conflict of interest.
- b) Business Dealings – PA members who have any direct or indirect interest in any business transaction, any financial interest, any business dealing with the school, the community school district, the Panel for Educational Policy (“PEP”), a Community Education Council (“CEC”), Citywide Council on Special Education (“CCSE”), Citywide Council on High Schools (“CCHS”), Citywide Council on English Language Learners (“CCELL”) or the DOE, including a contract, must refrain from participation in any decision relating to that matter. Such interest, whether direct or indirect, must be disclosed to the membership and placed in the minutes of the meeting at which the disclosure was made. Members who have a conflict of interest must refrain from participation in any decision relating to that matter.
- c) Education Council Membership - PA members who are also PEP, CEC, CCSE, CCHS or CCELL members and have participated in any way in a vote at the school about an issue that has been escalated to the PEP, CEC, CCSE, CCHS or CCELL are deemed to have a conflict of interest and may not participate in the related PEP or council discussions.
- d) Membership in Organizations - PAs may join any relevant national, state, or city organizations, provided that the organization’s policies or bylaws do not conflict with laws, DOE policies, rules, and regulations.

F. Nomination of PA Officers**1. Establishing a Nominating Committee**

A PA must establish a nominating committee to conduct spring elections. If a nominating committee cannot be formed, the PA must proceed with an expedited election, as provided for in Section I.G.4. The procedures for establishing a nominating committee and its responsibilities must be outlined in the bylaws.

The nominating committee members must be selected by vote of the membership. No person who is running for office may serve as a member of the nominating committee. Staff may not participate on the nominating committee regardless of membership status.

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2. Nominating Committee Responsibilities

- a) Soliciting Candidates – The nominating committee must solicit recommendations for candidates in ways that maximize member participation. Written notices soliciting recommendations must be distributed to the entire membership.
- b) Determining Candidate Eligibility – The nominating committee must determine candidate eligibility in consultation with the school principal or her/his designee. Parent members are eligible to run for any office, provided that: (1) they have not been prohibited from serving on a PA executive board by the Chancellor, Chancellor's designee, or the Chief Family Engagement Officer (CFEO); (2) they are not excluded by a term limit provision present in the bylaws and; (3) they meet the criteria for PA membership in Section I.D.1. Parent members with one child graduating and another child entering the school may only run for a non-mandatory office during spring elections. The principal must certify to the membership that the candidates being considered are eligible to run for office.
- c) Conducting a Nomination Meeting

Written Notice – The nominating committee must send written notice to the PA membership indicating when and where nominations will be held. The notice must be dated and distributed at least 10 school days before the nomination meeting. Notice may be sent by e-mail, but the nominating committee must also send notice by backpack or postal mail.

Meeting Times – Meetings should be scheduled to ensure that members have the opportunity to fully participate in the process (e.g., begin at 6:00 pm and end at 8:00 pm).

Nominations from the Floor – All members, including staff where applicable, must have the opportunity to make nominations from the floor before the closing of nominations. Members may nominate themselves or another eligible member.

G. Election of PA Officers

To ensure that the PA is the voice of all parents in the school, annual elections must be held in an inclusive manner, providing opportunity for the full and fair participation of all members. The PA may seek assistance in conducting an election from OFEA and the appropriate PC. The school's parent coordinator may only assist with parent outreach. Requests for assistance may be made by executive board members after consultation with the PA membership.

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1. Conducting an Election Meeting

Elections must be held in the spring of every school year to ensure there will be a PA in place during the summer and for the opening of school in the fall. PA Officers are elected to serve a one-year term beginning July 1st and ending June 30th. Annual elections must be completed between the third Wednesday in May and the third Friday in June.

a) Written Notice – The nominating committee must send written notice to all PA members informing them of the date and time of the election meeting. The notice must be dated and distributed at least 10 school days before the election meeting. Notice may be sent by e-mail, but the nominating committee must also send notice by backpack or postal mail. If nominations have been closed, the notice may include the names of the candidates listed alphabetically by last name.

b) Principal Notification – The principal should be notified of the date and time of the annual PA election by April 1st of each school year. If the principal is not notified by May 1st, she/he must request a scheduled date and time for the election meeting from all PA executive board members. If the PA executive board members fail to respond within 7 school days, the principal must notify all parents and convene a meeting in May to form a nominating committee and schedule elections.

c) Candidate Rights

Addressing Membership – During the election meeting, candidates must be provided with an opportunity to address the membership prior to voting. If a candidate is not able to be present, another person may read the candidate's statement. The PA bylaws may include a process for the distribution of candidate statements prior to the elections, but after nominations have been closed. This process may include the hosting of candidate forums. All candidates must be given an equal opportunity to participate.

If the PA bylaws permit the distribution of candidate statements, all statements must be appropriate. Inappropriate material includes material that is disparaging, defamatory, obscene or is disruptive to the educational process.

Presence for Vote – A candidate for office need not be present at the time of the election to be eligible to run. A candidate must make every effort to advise the nominating committee that she/he cannot attend the election.

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Campaigning – No materials in support of a candidate or slate of candidates may be distributed or posted on school premises or on the school's website by any candidate, supporter, or PA. Any individual who violates this provision jeopardizes the candidate's eligibility to be elected to office. Candidates who violate this provision will be subject to disqualification and deemed ineligible for office for that election year and prohibited from serving on any PA or PC executive board, school or district leadership team, school or district Title I Parent Advisory Council and CEC, CCSE, CCHS, or CCELL.

- d) Contested Offices – When there is more than one nominated candidate for any office, the procedures outlined in this section must be followed.

Determining Voter Eligibility – All members of the PA at the time of the election are eligible to vote. Individuals who will begin their membership the following school year may not vote. The principal or her/his designee must verify each individual's eligibility to vote by confirming that the individual qualifies as a member of the PA. This verification must occur prior to the distribution of ballots. No one can vote on behalf of another member. Absentee ballots are prohibited.

Written Ballots – Written ballots are required for all contested offices. Candidates must be listed on ballots in alphabetical order by last name for each office. Candidates running for co-offices must be listed together and voted for as a team.

Native Language Instructions – Where possible, ballots should contain instructions in the languages spoken by parents other than English, as appropriate. A ballot template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a ballot template is needed in a language that is not readily available, the principal must contact the DOE's Translation and Interpretation Unit.

Counting Ballots – Ballots must remain in the meeting room until the election meeting has been adjourned. Ballots must be counted immediately following the conclusion of voting and in the presence of any members and observers.

Retention of Ballots – Ballots must not be removed from the school. The PA must retain ballots on school premises for 6 months following the date of the election or until the determination of any grievance filed concerning the election, whichever is later.

- e) Uncontested Offices – If there is only one candidate for an office, a member must make a motion for the recording secretary to cast one vote to elect the candidate for office. A vote of the membership is required for approval of the motion. The result of the motion must be recorded in the minutes.

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- f) Certification of Elections – The principal or her/his designee must certify that the nomination and election process was conducted in accordance with this regulation and the bylaws. The parent coordinator cannot be the principal's designee.

The principal must ensure that the incoming officers of the PA complete the PA/PTA Election Certification Form available at <http://schools.nyc.gov/parentleadership>. At the time of certification, the executive board members may elect to permit OFEA to forward their personal phone number and/or email address to the appropriate president's council. The principal must sign the completed certification form and forward it to OFEA within 5 school days of the election.

2. Reserving Offices for Fall Elections

To accommodate parents of incoming students, the bylaws may allow executive board positions other than the mandatory offices: president, recording secretary, and treasurer, to be elected in the fall. The bylaws must identify the reserved positions and the date and process of the election.

3. Filling Officer Vacancies

The PA must notify the principal in writing of any vacancy within 5 school days and whether the vacancy will be filled by succession or expedited election. The principal must make a written report to OFEA within 5 school days. OFEA will provide written notice of the vacancy to the appropriate PC within 5 school days. The PA may request assistance from OFEA and the appropriate PC. Once the vacancy has been filled, an updated PA/PTA Election Certification Form must be filed with the principal and OFEA.

- a) Officer Vacancies Occurring Before the Start of the School Year - If a PA has one or more officer vacancies prior to the start of the school year that are not a result of resignations, the remaining executive board members must conduct an expedited election to fill all officer vacancies by October 15th.
- b) Officer Vacancies Occurring After the Start of the School Year - PA bylaws must contain a provision for filling officer vacancies that occur after the start of the school year by succession. The bylaws must also indicate the ranking of officers for succession purposes. PA officers may choose to retain their position and not succeed to a vacant office.

Upon resignation of a co-officer, the PA members must vote to determine if the remaining co-officer may fill the unexpired term on her/his own or whether an expedited election must be conducted.

If a mandatory office cannot be filled by succession, the PA must follow the expedited election process outlined in Section I.G.4.

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4. Expedited Elections

Expedited Elections are required when a PA has failed to conduct a valid annual election or was unable to fill an officer vacancy by succession.

- a) Written Notice – Written notice must be sent informing all members of the date and time of the expedited elections. The notice must indicate that nominations for all offices will be taken from the floor. The notice must be dated and distributed at least 10 school days before the meeting. Notices may be sent by email, but must also be sent by backpack or postal mail.

- b) Conducting Expedited Elections

Nominations – A nominating committee is not formed when an expedited election is conducted. All nominations are taken from the floor during the election meeting.

Voting - When there is more than one candidate for an office written ballots must be used in the manner specified in Section I.G.1.d. When there is only one candidate for an office, the PA may follow the procedure outlined in Section I.G.1.e.

5. Officers' Contact Information

The PA executive board must make available to the membership a list of elected PA officers. The list must include names and either a personal phone number or email address where parents may contact officers. The list may not include officers' home addresses. A means of contacting the PA (e.g., the DOE issued PA email address² or the PA's telephone extension at the school) must also be provided. The list must be updated regularly and be available in the principal's office and at every PA meeting. The list must also be posted on parent bulletin boards, distributed to parents at the beginning of the school year and made available upon request by any PA member.

6. Election Grievances

A PA member who believes that an election was conducted in a manner that violates the law or a provision in the PA bylaws or this Regulation may file an expedited grievance through the procedure set forth in Section VI.B.4.

² To activate or reset the DOE issued PA email address, a member of the PA executive board should contact the DOE Help Desk at (718) 935-5100.

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H. PA Rights and Responsibilities

To foster strong and effective parent representation in every school, PA members must be treated fairly by the PA executive board and school officials, without fear of penalty or retaliation.

Self-determination must be the rule and not the exception when it comes to the governance of PAs. PAs are responsible for their own actions and for the conduct of their own affairs. They are not to be run by the principal or other school officials. Members have the right to file a grievance for the enforcement of the rights enumerated below.

1. Establishing PA Bylaws

PAs must adopt a set of bylaws by a vote of the parent members. Bylaws should be amended as needed. All bylaws must conform to the requirements of this regulation and to the minimum requirements set forth in the OFEA PA/PTA Bylaws Template available at <http://schools.nyc.gov/parentleadership>. Any PA member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with this regulation. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented. A two-thirds vote of the membership is required for approval to adopt the motion at that meeting without a bylaws committee being formed.

PAs must review their bylaws every three years and upon revision of this Regulation. In the absence of bylaws that conform to the election and fundraising requirements of this Regulation, PAs may not conduct any activities, including elections and fundraisers. *Robert's Rules of Order – Newly Revised* may serve as a reference to assist with interpreting PA bylaws.

The PA must give the principal a copy of its bylaws and related amendments. The principal will ensure that the bylaws and amendments are available in her/his office and are filed with OFEA. The PA must make a copy of its bylaws and related amendments available at every meeting and to members upon reasonable request. Wherever possible, bylaws should be made available in the languages parents speak other than English. A bylaws template is available in the languages covered by Chancellor's Regulations A-663 at <http://schools.nyc.gov/parentleadership>. If a bylaws template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit.

2. Accessing Information and Consulting with School Officials

It is the intention of this Regulation that, whenever possible, principals consult parents at each stage of planning initiatives for the school. Regular communication between school officials and PAs is essential for

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PAs to achieve their goals. PAs must receive information in a manner that allows them to be heard on matters that affect their schools except in emergency situations for which immediate action is required.

- a) Information – PAs have the right to receive full and factual information relating to student achievement and the school operation from the principal. No later than September 30th of each year, the principal must provide the PA executive board with the school safety plan, discipline code, and attendance plan. No later than October 15th of each year, the principal must provide the PA executive board with a written report of all school fundraising activities, including income and expenditures, for each month of the previous year, as well as all anticipated fundraising income for each month of the current school year.

The PA may request the principal to present information relating to the school-based budget, including the Comprehensive Educational Plan (CEP) and the view of the budget from the DOE's Galaxy budgeting system available on the school's portal. The PA president is responsible for the ongoing dissemination of information discussed at SLT meetings to the PA members.

Upon request, the principal will provide the PA executive board with full and factual information pertaining to procedures and timetables for student testing and student achievement, as well as copies of the Chancellor's Regulations.

PAs denied any of the above information may submit their complaints to the CFEO.

- b) Consultation

PA Consultation with the Principal - Principals must meet at least quarterly with their PA executive board. PAs are encouraged to satisfy this requirement by inviting their principals to attend all or part of their regular executive board meetings.

PA Consultation with the Superintendent and CEC - Each superintendent and CEC is required to meet at least quarterly with the officers of the PAs within their jurisdiction.

PA Consultation in Buildings with More than One School – The executive boards of all PAs in a building may hold joint meetings, as needed. The PA executive boards have the right to consult with the schools' principals on building issues, including matters affecting student health and welfare.

3. Posting and Distributing PA Literature

PAs may request assistance from principals to facilitate a mailing to parents. Under the Family Educational Rights and Privacy Act (FERPA), the school may not give the PA the names, addresses, or any other

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contact information of students or parents without the parents' written consent. All parent contact information must only be used for legitimate PA purposes and not for personal communication.

PAs have the right to post printed material in the school at places designated by the principal. Materials for posting or distribution may include printed literature such as special editions, bulletins, flyers, notices, posters, and buttons. PAs have the right to post meeting notices on the school's website. PAs may also submit a request to principals to post additional information, such as the organization's bylaws, flyers, and bulletins, on the school's website.

PAs are expected to exercise reasonable judgment when it comes to the appropriateness of material posted in schools, displayed on the schools' websites, or placed in students' hands. All materials to be posted and distributed must be shown to the principal and the principal must render a decision no more than 24 hours after receiving the material to be posted or distributed. The principal is responsible for reviewing materials only to ensure that unsuitable or inappropriate material is not posted or distributed. Unsuitable or inappropriate material includes material that is defamatory, obscene or age inappropriate, or is disruptive to the educational process. Principals may not approve or disapprove, censor or edit the content of PA meeting notices or other material to be distributed. The principal's name and signature must not be affixed to PA material.

A meeting notice template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a meeting notice template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit.

4. Holding PA Meetings

- a) General Membership Meetings – PAs must hold at least 9 monthly meetings per school year of the general membership.

Timing of Meetings - The bylaws must specify the day and time when monthly meetings are to be held (e.g., last Tuesday of the month at 7:00 pm). Upon review of the bylaws or by motion of a member at any general membership meeting, the executive board must survey the parent members to determine whether the day and time should be changed.

Notice – The notice of the meeting must be sent 10 school days prior to the date of the meeting. Notice may be sent by backpack or postal mail. The PA executive board may notify parents by e-mail, but must also send notice by backpack or postal mail. The PA must submit notices to the principal as outlined in Section I.H.3.

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Location of Meetings - All PA meetings must be held in the PAs home school.

Conducting Meetings – Unless otherwise indicated in this Regulation or the PA’s bylaws, meetings must proceed according to *Robert’s Rules of Order – Newly Revised*.

Quorum – The quorum for a general membership meeting must consist of representation by at least 8 PA members, including a minimum of 2 executive board members and 6 parent members. In the absence of a quorum, a PA cannot authorize the expenditure of funds or vote on any business, but may have non-binding discussions. The PA executive board is required to seek assistance from OFEA and the appropriate PC to improve meeting attendance when the PA’s attempts at outreach do not yield a quorum at a general membership meeting.

Attendance and Participation - PA meetings must be non-exclusive and open to the general public in accordance with NYS Education Law. PA members may attend and participate in all general membership meetings. In addition, individuals who are not members of the PA may attend general membership meetings as observers, but may only participate in discussions with the approval of the executive board.

Minutes – Minutes must be recorded at all general membership meetings. A draft of the minutes must be distributed at the next scheduled meeting for review and approval by the general membership. The PA bylaws may provide further guidance as to permissible recording procedures and equipment.

- b) Executive Board Meetings – Executive board meetings must be open to all PA members. The membership must be provided with written notice at least 10 school days prior to the meeting date. Individuals who are not parents of students in the school may only attend executive board meetings with the approval of the executive board. The PA bylaws must indicate the day and time of executive board meetings and the quorum required to conduct business at an executive board meeting.
- c) Special Membership Meetings – The bylaws may specify the process by which a special membership meeting may be convened. Special membership meetings must only be held to address a matter of importance that cannot be postponed until the next general membership meeting.

5. Using School Facilities

- a) Building Use - PAs are entitled to free use of school buildings, including school safety or security coverage, for 110 hours per

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year outside of school hours. These hours apply 12 months a year and are not transferable. Unused hours may be rolled over from one month to the next, but expire at the end of the school year. If there is more than one PA in the building, each PA is entitled to the full 110 hours per year. The PA is responsible for obtaining permits to use the school building outside of school hours. These permits establish the time and place of meetings. The PA should request necessary permits from the custodian.

- b) Secured PA Record Storage - PAs must be provided with a locked location for the storage of PA records. Wherever possible, the principal should designate a room or space for PA use.
- c) Internet Access - The school must provide the PA with internet access, if available.
- d) PA Postal Mail - PAs have the right to receive mail at the school. School office staff must identify a secure location for PA mail to be stored.
- e) Sponsorship - PAs may allot a portion of their allocated 110 hours of building use to other organizations, such as community organizations, in accordance with their bylaws and Chancellor's Regulation D-180. The organizations' presence must be tied to the goals of the PA and not for the organizations' exclusive use.
- f) Admission Fees – PAs may charge admission fees or receive donations, contributions or collections for programs or activities they sponsor in school facilities during non-instructional hours in accordance with their bylaws and Chancellor's Regulation D-180.
- g) Candidate Forums – PAs are prohibited from holding candidate forums for any political or community-based organization. (See Chancellor's Regulation D-130). PAs may hold candidate forums only for the election of their officers.

6. Maintaining and Transferring PA Records

All PA Records must be maintained for 6 years. Outgoing executive board members must ensure that records are transferred to the newly elected executive board members, including all parent contact information obtained during their term of office. Outgoing executive board members may not retain copies of PA records, including parent contact information. Transfers must occur on school premises, in the presence of the principal the next practicable day after the election.

Recording Secretary - Prior to the conclusion of a PA recording secretary's term, she/he must make the necessary arrangements to provide the PA's bylaws, meeting notices, agendas, and minutes from

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both general membership and executive board meetings to the newly elected recording secretary.

Treasurer – Prior to the conclusion of a PA treasurer’s term, she/he must make the necessary arrangements to provide all financial records, as well as information on the method of record keeping used by the PA.

7. Citywide Council Selectors

CECs – Selectors of the parent members of each CEC shall be the three mandatory PA officers from every school in the community school district. Presidents and officers of PAs who are candidates in the selection process shall not be eligible to cast votes in the selection process. The PA shall select a member to vote in the place of each such president or officer for the purposes of the selection process. (See Chancellor’s Regulation D-140).

CCHS – Selectors of the parent members of each CCHS shall be the three mandatory PA officers from every high school in the borough. Presidents and officers of PAs who are candidates in the selection process shall not be eligible to cast votes in the selection process. The PA shall select a member to vote in the place of each such president or officer for the purposes of the selection process. (See Chancellor’s Regulation D-160).

8. Participating on SLTs

PAs must elect parent representatives to serve on the school’s SLT. PAs have the right to have their representatives participate as full members of the team. (See Chancellor’s Regulation A-655).

9. PA Fundraising

PAs are permitted to conduct fundraisers. See Section III.C. for more detailed information regarding fundraising and other financial affairs.

II. PRESIDENTS’ COUNCILS

Presidents’ Councils are independent parent leadership organizations that empower parents on a district, borough, or citywide level. PCs must comply with all laws, policies, rules and regulations in a way that respects the rights of students, parents and staff.

A. Establishment and Re-Establishment of PCs

OFEA is responsible for establishing and ensuring the continuation of PCs in all community school districts for elementary and middle schools, boroughs for high schools, and citywide for District 75 schools. A PC must be re-established if it has ceased to function. A PC has ceased to function if it fails to hold elections by September 30th or fails to conduct business for 2 consecutive months. OFEA must notify the constituent PA presidents by email, postal mail or fax, of the need to hold a meeting to re-establish a PC. The notice of the meeting must be sent 10 school days prior to the date of the meeting and the meeting must be held no later than 14 school days after the PC has ceased to function.

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B. PC Membership Eligibility

PCs representing community school districts must include one representative from each PA in the district. PCs representing borough high schools must include one representative from each high school in the borough. The PC representing citywide special education must include one representative from each District 75 school. Schools that include middle and high school grades (e.g. grades 6-12) are entitled to send representatives to both their district and borough PCs.³ PCs must notify newly established PAs of their membership in the council and send notice of the next PC meeting.

1. PA Representatives Eligible for PC Membership

- a) Permanent Designees - The PA representatives eligible for PC membership are the PA president, co-president, or a parent member designated by the president. If the PA president is unable to attend PC meetings, the president must transfer all voting rights to a designee of her/his choosing. Designees must be approved by vote of the membership. The results of the vote must be recorded in the minutes of the meeting.
- b) Co-Presidents - Only one co-president may serve as a PC member. Co-presidents must decide who will serve as the PC member and inform the PA membership.
- c) Alternates - The PA may approve an alternate to serve in the absence of the officially designated school representative. The alternate's role and duties will be defined in the PC bylaws.

2. PC Membership Restrictions

DOE employees may not serve on the district PC in the district in which they are employed. DOE employees may not serve on the high school PC in the borough in which they are employed.

C. PC Membership Participation**1. Dues**

While PCs may choose to solicit membership dues, the payment of dues cannot be a condition for participation or membership.

2. Conflicts of Interest

The conflicts of interest provisions established for PAs in Section I.E.4. apply equally to PCs.

³ The PA President is entitled to be the representative to the borough or district PC, depending on her/his child's grade. PAs of schools with both middle and high school grades must ensure that their representative to the district PC is a parent of a child in a middle school grade and their representative to the borough PC is a parent of a child in a high school grade.

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D. Nomination and Election of PC Officers

PCs must hold a single meeting to nominate and elect officers. Officers are elected to serve a one-year term beginning July 1st and ending June 30th. PCs may seek assistance in conducting their elections from OFEA. PC elections may not be scheduled prior to the third Friday in June to allow constituent PAs an opportunity to elect their officers and to determine their PC representatives. PC elections should be held by June 30th, but no later than September 30th. If elections are not held by September 30th, the PC has ceased to function and the re-establishment procedures outlined in Section II.A. apply.

1. Conducting a Nomination and Election Meeting

- a) Written Notice – PCs must send written notice to all current and incoming members informing them of the date and time of the election. The notice must indicate that nominations for all offices will be taken from the floor. The notice must be dated and distributed at least 10 school days before the meeting. Notices may be sent by email, postal mail, or fax.
- b) OFEA and Superintendent Notification of PC Elections – PCs must notify OFEA and the superintendent of the date and time of their elections by June 1st. If by June 30th a PC has not held its election, OFEA will request a date and time for the annual election meeting to be held. The annual election must be scheduled for a date before September 30th. OFEA will provide the necessary assistance to ensure that the election is completed by September 30th.
- c) Nominations from the Floor – Nominations for all offices will be taken from the floor.
- d) Determining Candidate Eligibility – Constituent PA presidents or co-presidents who have been elected, and presidents' designees who have been selected, to serve for the following school year may run for office.
- e) Determining Voter Eligibility – All members of the PC at the time of the election are eligible to vote. Individuals who will begin their membership the following school year may not vote.
- f) Voting - When there is more than one candidate for an office, written ballots must be used in the manner specified in Section I.G.1.d. When there is only one candidate for an office, the PC may follow the procedure outlined in Section I.G.1.e.

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- g) Candidate Statements – PC bylaws must provide the mechanism by which the PC will distribute candidate statements and allow for candidates to address the membership. All candidates must be provided with an equal opportunity to disseminate their statements.

2. Certification of PC Elections

The appropriate superintendent must certify that the nomination and election process was conducted in accordance with this Regulation and the bylaws. A Presidents' Council Election Certification Form is available at <http://schools.nyc.gov/parentleadership>.

The PC Election Certification Form must be completed by the elected officers and signed by the appropriate superintendent. The superintendent must forward a copy to the CFEO. At the time of certification, the executive board members may elect to permit the CFEO to forward their personal phone number and/or email address to the appropriate education council.

3. Filling Vacancies

PC bylaws must contain a provision for filling officer vacancies.

4. Officers' Contact Information

The PC must make available to the membership a list of elected PC officers. The list may include personal phone numbers and email addresses of officers who agree to have such information distributed, but may not include officers' home addresses. A means of contacting the PC (e.g., the DOE issued email address) must also be provided. The list must be updated regularly and be available in the superintendent's office and at every PC meeting.

5. Election Grievances

A PC member who believes that an election was conducted in a manner that violates the law or a provision in the PC bylaws or this Regulation may file an expedited grievance through the procedure set forth in Section VI.B.4.

E. PC Rights and Responsibilities

As a vital source of parental involvement on the district and borough level, PC members must be treated fairly by the PC executive board and school officials, without fear of penalty or retaliation. PCs must operate free from interference or supervision by CECs, CCSE, CCHS, CCELL, community and high school superintendents and other school officials.

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1. Establishing PC Bylaws

PCs must adopt a set of bylaws by a vote of the membership. Bylaws should be amended to reflect the evolving needs of the district or borough community. All bylaws must conform to the requirements of this regulation and to the minimum requirements set forth in the OFEA PC Bylaws Template available at <http://schools.nyc.gov/parentleadership>. Any PC member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with this regulation. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented. A two-thirds vote of the membership is required for approval.

PCs must review their bylaws every three years and upon revision of this Regulation. In the absence of bylaws that conform to the requirements of this Regulation, PCs may not conduct any activities, including elections and fundraisers. *Robert's Rules of Order – Newly Revised* may serve as a reference to assist with interpreting bylaws.

PCs must give the superintendent a copy of their bylaws and related amendments. PCs must make a copy of their bylaws and related amendments available at every meeting and to members upon reasonable request. Wherever possible, bylaws should be made available in the languages parents speak other than English. A bylaws template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/parentleadership>. If a bylaws template is needed in a language that is not readily available, the superintendent must contact the Translation and Interpretation Unit.

2. Accessing Information and Consulting with School Officials

Regular communication between school officials and PCs is essential for PCs to achieve its goals. PCs must receive information in a manner that allows them to be heard on matters that affect the district or borough, except in emergency situations for which immediate action is required.

- a) Information - PCs have the right to receive full and factual information relating to student achievement and the school operation from the superintendent. No later than September 30th of each year, the superintendent must provide the PC executive board with the district or borough safety plan, discipline code, and attendance plan.

As a mandatory member of the District Leadership Team (DLT), the PC president has the right to obtain the district's Comprehensive Educational Plan (DCEP) and district or borough budget information. The PC president is responsible for disseminating these documents, as well as all other pertinent information discussed at DLT meetings, to the PC members.

Upon request, OFEA will provide the PC executive board with full and factual information pertaining to procedures and timetables for

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student testing and student achievement, as well as copies of the Chancellor's Regulations.

b) Consultation

PC Consultation with the Superintendent and CEC – PC consultation with the superintendent and CEC is achieved through the quarterly meetings held with PA officers described in Section I.H.2.b.

3. Holding PC Meetings

a) General Membership Meetings – PCs must hold at least 9 monthly meetings per school year of the general membership.

Timing of Meetings - The bylaws must specify the day and time when monthly meetings are to be held (e.g., last Tuesday of the month at 7:00 pm).

Notice – The notice of the meeting must be sent 10 school days prior to the date of the meeting. Notice may be sent by email, postal mail, or fax.

Location of Meetings - All PC meetings must be held in a school, Integrated Service Center, or district office within the PC's district or borough.

Conducting Meetings – Unless otherwise indicated in this Regulation or the PC's bylaws, meetings must proceed according to Robert's Rules of Order – Newly Revised.

Quorum – The quorum for a general membership PC meeting must be specified in the bylaws. In the absence of a quorum, a PC cannot authorize the expenditure of funds or vote on any business, but may have non-binding discussions. The PC executive board is required to seek assistance from OFEA to improve meeting attendance when the PC's attempts at outreach do not yield a quorum at a general membership meeting.

Attendance and Participation - PC meetings must be non-exclusive and open to the general public. PC members may attend and participate in all general membership meetings. In addition, individuals who are not members of the PC may attend general membership meetings as observers, but may only participate in discussions with the approval of the executive board.

Minutes – Minutes must be recorded at all general membership meetings. A draft of the minutes must be distributed at the next scheduled meeting for review and approval by the general membership. The PC bylaws may provide further guidance as to permissible recording procedures and equipment.

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- b) Executive Board Meetings – Executive board meetings must be open to all PC members. The membership must be provided with written notice at least 10 school days prior to the meeting date. Individuals who are not members of the PC may only attend executive board meetings with the approval of the executive board. The PC bylaws must indicate the day and time of executive board meetings and the quorum required to conduct business at an executive board meeting.
- c) Special Membership Meetings – The bylaws may specify the process by which a special membership meeting may be convened. Special membership meetings must only be held to address a matter of importance that cannot be postponed until the next general membership meeting.

4. Using School Facilities

PCs must be allocated space in the district, borough, or central office, as appropriate. PCs must be provided with reasonable access to typing, duplicating and mail services. PCs are prohibited from holding candidate forums for any political or community-based organization. (See Chancellor's Regulation D-130). PCs may hold candidate forums only for the election of their officers and the election of CEC, CCSE, CCHS or CCELL members, pursuant to Chancellor's Regulations D-140, D-150, D-160, and D-170. OFEA will assist PCs in securing space and resources needed to conduct business.

5. Maintaining and Transferring PC Records

All PC Records must be maintained for 6 years. Outgoing executive board members must ensure that records are transferred to the newly elected executive board members, including all parent contact information obtained during their term of office. Outgoing executive board members may not retain copies of PC records, including parent contact information. Transfers must occur on DOE premises, in the presence of the PC President.

Recording Secretary - Prior to the conclusion of a PC recording secretary's term, she/he must make the necessary arrangements to provide the PC's bylaws, meeting notices, agendas, and minutes from both general membership and executive board meetings to the newly elected recording secretary.

Treasurer – Prior to the conclusion of a PC treasurer's term, she/he must make the necessary arrangements to provide all financial records, as well as information on the method of record keeping used by the PC.

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6. Grievance Review Committees

Grievance Review Committees (GRCs) investigate and provide written responses to grievances filed by PAs within their respective district for elementary and middle schools, borough for high schools, and citywide for District 75. Each PC is responsible for the annual election of 3 parents from within their constituency to serve on the GRC. PCs must also elect an alternate who will serve on the GRC when a member is unavailable or must recuse her/himself due to a conflict of interest (See Section VI.B.2.e). GRC members are elected to serve a one-year term beginning July 1st and ending June 30th. It is recommended that GRC elections be scheduled immediately following PC officer elections to avoid delays in the GRC's response to PA grievances. OFEA will provide GRCs with guidelines, ongoing training and technical assistance. The corrective and disciplinary action provisions for PAs and PCs contained in Section IV apply equally to GRCs.

7. Citywide Council Selectors

CCSE – Each PC must select one parent of a student with an IEP from among its members to serve as a selector of CCSE members. In the event that there is no parent of a student with an IEP on the PC, the PC must solicit parents of students with an IEP from among its constituent PAs to volunteer to serve as a selector. Such PCs must select from among those volunteers one parent to serve as a selector of CCSE members. Parents who are candidates for the CCSE are not eligible to serve as selectors. (See Chancellor's Regulation D-150).

CCELL – Each PC must select one parent of an ELL student from among its members to serve as a selector of CCELL members. In the event that there is no parent of an ELL student on the PC, the PC must solicit parents of ELL students from among its constituent PAs to volunteer to serve as a selector. Such PCs must select from among those volunteers one parent to serve as a selector of CCELL members. Parents who are candidates for the CCELL are not eligible to serve as selectors. (See Chancellor's Regulation D-170).

8. PC Fundraising

PCs are permitted to conduct fundraisers. See Section III.C. for more detailed information regarding fundraising and other financial affairs.

F. Chancellor's Parent Advisory Council

The Chancellor's Parent Advisory Council (CPAC) is a citywide organization that advises the Chancellor on issues of importance to parents that affect New York City public school students. CPAC also supports Presidents' Councils (PC) by providing information on important issues affecting the schools and guidance in the development of local parent leadership. The president of each PC, or his/her designee, is a member of CPAC.

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1. Accessing Information

In order to effectively advise the Chancellor, the DOE will share information regarding school programs and student achievement with CPAC. Such information will include, but not be limited to, student achievement data in English language arts and math, and comparisons of student achievement in comparable grades and schools.

III. FINANCIAL AFFAIRS OF PARENT ASSOCIATIONS AND PRESIDENTS' COUNCILS

PAs and PCs must be responsible for their own financial affairs. PA and PC funds are separate and independent from school, district, borough, or personal funds. PA and PC funds are not included in determining school, district, or borough budgets. To ensure that an organization's financial affairs are aligned with their goals, the general membership of a PA or PC must be involved in the planning of all fundraisers and the expenditure of all funds.

PA and PC Debts – Debts incurred by a PA or PC are the responsibility of the PA or PC and are not the responsibility of the school, district or the DOE.

A. PA and PC Budgets**1. Bylaws Budget Process**

PAs and PCs must set forth a budget process in their bylaws. This process must meet the minimum requirements set forth in the OFEA Bylaws Templates available at <http://schools.nyc.gov/parentleadership>.

2. Proposed PA and PC Budget

PA and PC executive boards must prepare a proposed budget each year to submit for approval by the membership no later than the June general meeting. A Proposed Budget Form is available at <http://schools.nyc.gov/parentleadership>. The proposed PA budget must be submitted to the principal upon approval by the PA membership. The proposed PC budget must be submitted to OFEA upon approval by the PC membership.

B. PA and PC Bank Accounts**1. PA and PC Checking Accounts**

A checking account must be maintained in the name of the PA or PC. All PA and PC funds must be deposited into the checking account. A checkbook that provides a stub or carbon copy of each check must be used. PAs or PCs that wish to use an alternate form of checks (e.g., checks printed from financial software) must obtain permission from OFEA. If a PA or PC has difficulty opening a checking account, it must contact OFEA for assistance.

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- a) Employee Identification Number (EIN) – PAs and PCs, as separate entities, must obtain their own EIN from the Internal Revenue Service for bank account applications⁴. A PA's EIN must be on file with the principal. A PC's EIN must be on file with OFEA.
- b) Signatories – PA or PC checks must be signed by 2 officers. The PA and PC bylaws must indicate at least 3 officers, one who may be the treasurer, to be eligible signatories. The 2 signatories of a check may not be related by blood or marriage. Under no circumstances may spouses, siblings, in-laws or other relatives or members of the same household sign the same PA or PC check. A PA or PC member may not sign a check if she/he has any direct or indirect interest in the expenditure.
- c) Payees – No checks may be written to “petty cash” or “cash” as the payee. Signatories may not approve such checks.

2. Other Bank Accounts

Any accounts other than the mandatory checking account must be authorized by a vote of the membership and must be in the name of the PA or PC. However, the primary checking account must be used for all transactions, including deposits and withdrawals (e.g., if a PA or PC has a savings account, funds must be transferred from the checking account into the savings account. Funds can only be withdrawn by transferring the funds from the savings account into the checking account).

3. ATM Cards and Withdrawal Slips

PAs and PCs may not possess or use automated teller machine (ATM) cards or withdrawal slips. ATM cards and withdrawal slips obtained in connection with the opening of a bank account must be immediately destroyed. The Chancellor or designee may immediately remove any officer complicit in the violation of this provision.

C. PA and PC Fundraising

PA and PC fundraisers are not ends in themselves. They must be tied to the goals of the organization, including parent education, workshops, and school, district, or borough initiatives. Proceeds from fundraisers must be used to supplement or complement the education, social and cultural programs of schools, districts, or boroughs. On a case-by-case basis, the Chancellor may permit PAs and PCs to raise funds for humanitarian causes.

1. PA and PC Fundraising Activities Compliance

All fundraising activities must comply with the Chancellor's Regulations on Flea Markets (A-650), Fundraising Activities and Collection of Money

⁴ Contact the Internal Revenue Service to obtain an EIN: 1-800-829-4933.

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from Students (A-610), and Sale of Nutritious and Non-Nutritious Foods (A-812), as appropriate.

- a) Employee Identification Number (EIN) – PAs and PCs may not conduct any fundraising activities until they have obtained an EIN. (See Section III.B.1.a.).

2. Prohibited Fundraising Activities for PAs and PCs

- a) Sale of Movie and Theater Tickets – The sale of tickets to movies and theaters for children’s attendance is prohibited, unless the project is coordinated with teachers and/or instructional coaches and is directly connected to the curriculum.
- b) Door-to-Door Solicitation - Door-to-door solicitation of funds by children is prohibited unless the children are accompanied by a parent.
- c) Raffle Tickets – The sale of raffle tickets to or by children is prohibited. Any sale of raffle tickets must be done in compliance with the provisions of the New York State General Municipal Law and applicable regulations of the New York State Racing and Wagering Board.⁵ The law and regulations prescribe the application and licensing requirements and the conditions under which a raffle may be conducted and the proceeds of a raffle may be used. Only PAs in existence for 3 years qualify to hold any raffle events. A PA in existence for at least 3 years immediately preceding the raffle may be exempt from the application and licensing requirements if a single raffle event has net proceeds of less than \$5,000 and cumulative raffle events in a calendar year have net proceeds of less than \$20,000. All PAs must comply with the rules setting forth the conditions under which a raffle may be conducted and the proceeds used. These requirements do not apply to free raffle ticket drawings (e.g., door prizes).
- d) Gambling – All forms of gambling, including bingo, are prohibited.

3. PA Fundraiser Planning

- a) Fundraising Activities Involving Students During Instructional Hours - PA fundraising activities involving students during instructional hours are restricted to 2 per year. There are no restrictions on the number of fundraising activities during non-instructional hours. Non-instructional hours are defined as time during the school day when students are not engaged in the

⁵ See the “Parent Association Guide to Raffles” available at: <http://schools.nyc.gov/parentleadership> and www.racing.state.ny.us/charitable/Raffle_Information.htm for additional information.

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instructional process (e.g., lunch time). Distribution of information (e.g., bulletins, newsletters, notices, order forms or envelopes) related to PA fundraising activities during instructional hours does not constitute a violation of this provision of the regulation.

- b) Principal Approval - The principal's written consent is only required when the fundraising activity is held during school hours or on school property. (See Chancellor's Regulation A-610).

4. PC Fundraiser Planning

- a) Fundraising Activities Involving Students - PC fundraising activities may not involve students.
- b) Joint Planning with OFEA - Joint planning with OFEA is required for fundraising activities conducted by PCs.

5. PA and PC Membership Approvals

Plans for all fundraising activities conducted by PAs and PCs must be approved by their membership during a regularly scheduled meeting where a quorum is achieved. Membership approval must be reflected in the minutes of the meeting. Failure to obtain membership approval before initiating a fundraising activity is a violation of this Regulation.

6. PA and PC Fundraising Outreach

- a) Contacting Parents and Students – As stated in Section I.H.3., PAs and PCs may not obtain a list of students' or parents' names, addresses or any other contact information from the school, district, or borough for any purpose, including fundraising.
- b) Outreach Assistance – PAs may request assistance from the parent coordinator in publicizing fundraising activities while PCs may request such assistance from OFEA. PAs and PCs are responsible for fundraisers and any resulting funds. Parent coordinators and OFEA may not handle PA or PC funds.

7. PA and PC Fundraiser Proceeds

- a) Deposit of Funds – PAs and PCs must make every effort to deposit all cash received from a fundraising activity within 1 business day, but in any event, no longer than 3 business days.⁶ If the deposit will not be made within 1 business day, the PA or PC must ensure that all funds are secured in a locked location on school or DOE premises (e.g., the school safe). The PA must

⁶ All raffle proceeds must be deposited consistent with these requirements but no later than Wednesday of each week. See 9 NYCRR § 5624.8 (2009).

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obtain a written acknowledgement from the principal when PA funds are secured in the school, while the PC must obtain a written acknowledgement from the superintendent when PC funds are secured on DOE premises. These acknowledgements must include the dollar amount being secured. Under no circumstances may fundraiser proceeds be stored in a PA or PC member's place of work or residence.

- b) Fundraising Activity Report – PA and PC executive boards must prepare a Fundraising Activity Report, available at <http://schools.nyc.gov/parentleadership> following the completion of each fundraising activity. The report must include the total funds raised and related expenses and must be distributed to members at the next scheduled general membership meeting. PA and PC executive boards must report which program goals the funds will be used to support. A copy of the PA Fundraising Activity Report must be provided to the principal no more than 5 school days after the fundraising activity. A copy of the PC Fundraising Activity Report must be provided to the superintendent no more than 5 school days after the fundraising activity.

D. PA and PC Financial Transactions

1. PA and PC Membership Approval

All expenditures of funds by PAs and PCs must be approved by their membership during a regularly scheduled meeting where a quorum is achieved. Membership approval must be reflected in the minutes of the meeting. Failure to obtain membership approval before initiating an expenditure is a violation of this Regulation. Members must abide by Section I.E.4. concerning conflicts of interest that may arise during the approval of a PA or PC expenditure.

2. Emergency PA and PC Executive Board Expenditures

PA and PC bylaws must contain a process for executive boards to authorize emergency expenditures. The bylaws must outline the circumstances that warrant an emergency expenditure, a maximum dollar amount that may be allocated, and a timeline for reporting emergency expenditures to the membership. At the next general membership meeting following the emergency expenditure, members must have the opportunity to vote on whether the emergency expenditure was an appropriate use of the funds.

3. Out-of-Pocket Expenditures

A PA or PC member may be reimbursed for out-of-pocket expenses if she/he submits receipts. Such expenses must be approved by the membership. Whenever possible, membership approval should be obtained prior to making an out-of-pocket expenditure. The bylaws must define permissible out-of-pocket expenditures and the maximum dollar amount for

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which a member may be reimbursed. Reimbursement must be made by check payable to the member, and not in cash.

4. Hiring Staff

- a) Donating Funds for the School to Hire Staff – Subject to the restrictions outlined in Section III.D.5., PAs and PCs may donate funds for a school to hire supplemental staff (e.g., cluster teachers) to work during school hours. PAs and PCs may also donate funds for the school to hire staff to conduct after-school or weekend activities. PAs and PCs must obtain the approval of the school's principal. After obtaining the approval of the principal, PAs and PCs must submit a check endorsed to the school to the appropriate Senior Grants Officer (SGO) at the Integrated Service Center/Children First Network. The funds are made available to the school's budget after the SGO approves the hiring of supplemental staff.
- b) Directly Hiring Staff – Subject to the restrictions outlined in Section III.D.5., PAs and PCs may only directly hire school staff to conduct after-school or weekend activities. Staff may be hired only to work directly with students. PAs and PCs must obtain the approval of the school's principal to hire staff to conduct after-school or weekend activities. After obtaining the approval of the principal, PAs and PCs must obtain the approval of their general membership.
- c) Liability for Directly Hiring Staff – PAs and PCs must abide by all state and federal requirements, such as the filing and reporting requirements established by the Internal Revenue Service. PAs and PCs are required to withhold all federal, state and local employment taxes and properly report such taxes to the appropriate governmental bodies. PAs and PCs that choose to directly hire staff are solely liable for the claims of any party, including personal injuries, property damage or any other tort resulting from any act or omission on an employee's part. PAs and PCs must provide a comprehensive liability insurance policy which lists the school, the DOE, and the City of New York as additional insureds. PAs and PCs must use the DOE facilities in accordance with all applicable laws and DOE policies. PAs or PCs must also obtain a building permit for weekend or after-school use of the school⁷.

⁷ On September 2, 2009, the DOE and UFT entered into an agreement regarding coverage of individuals hired by PAs for the 2009-2010 school year. Hiring of all parent association teacher aides through the use of PA funds must comply with the terms of this agreement.

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Rather than directly hiring staff, it is recommended that PAs and PCs donate funds to the school for after-school and weekend activities by following the procedure outlined above, allowing the principal to administer the programs.

5. Restrictions on PA and PC Expenditures

- a) Funds Raised for a Particular Purpose – PAs and PCs are required to allocate funds raised for a particular purpose solely for the designated purpose (e.g., funds raised for senior dues may only be used to fund payment of activities for students in that grade for that school year). Should there be any funds remaining, the future use of these funds is subject to approval of the membership by majority vote.
- b) Political Contributions – PA and PC contributions to candidates for CEC, CCSE, CCHS, or CCELL membership, political parties, political groups or sectarian groups are strictly forbidden.
- c) Hiring Staff to Work During School Hours – PAs and PCs may not directly hire or donate funds for the school to hire core instructional teachers (e.g., teachers who teach core subjects such as Math, Science, English, and History) to work during school hours. PAs and PCs may not directly hire, but may donate funds for the school to hire supplemental staff (e.g, cluster teachers) to work during school hours.
- d) Hiring Administrative Staff – PAs and PCs may not hire staff to complete administrative tasks of the association or manage PA or PC programs.

6. Tax Exempt Expenditures

- a) New York State Tax Exempt Number – PAs and PCs must obtain their own New York State Tax Exempt Number for the purpose of purchasing items exempt of sales tax. PAs and PCs may not use any DOE tax exempt number. Tax exempt status is to be used only for the associations' benefit and not for the benefit of individual members⁸.
- b) 501(c)(3) Status – PAs and PCs wishing to incorporate as 501(c)(3) organizations must retain their own counsel and must continue to function in full compliance with all relevant laws, policies, rules, regulations, bylaws and other requirements. PAs and PCs that have incorporated as 501(c)(3) organizations must seek advice from their own counsel concerning additional applicable requirements related to

⁸ Contact the New York State Department of Taxation and Finance for assistance: 1-800-698-2909.

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financial matters, record retention and other legal issues⁹.

E. PA and PC Financial Record Keeping

To promote transparency in attaining their goals, PAs and PCs must maintain comprehensive and organized financial records.

1. Financial Record Retention

Financial records are all records reflecting income, expenditures, refunds and any other financial transactions. Financial records must be maintained on school premises for PAs and district or borough office premises for PCs. PAs and PCs must keep all financial records for a period of 6 years. Financial records must include interim and annual financial reports, bank statements, checkbook ledgers, deposit slips, minutes approving financial actions, and invoices. If applicable, cancelled or voided checks, vendor contracts, inventory lists of purchased or donated items, copies or records of tax exempt forms submitted for purchases, and any other record reflecting income, expenditures, or any financial transactions must also be maintained.

2. Bylaws Record Keeping Protocols

PA and PC bylaws must establish a process for counting, securing, and depositing funds received. The bylaws must also establish the procedure the PA or PC will use to document all financial transactions.

3. Cash Receipts and Disbursements

Receipts must be provided to parents who pay or offer cash donations to PAs and PCs. However PAs and PCs may not offer cash reimbursements or refunds after funds have been collected and deposited.

4. Access to PA and PC Records

PA and PC financial records must be available for inspection by members upon request and reasonable notice, and at a mutually agreeable time. All requests to review financial records must be made in writing and identify the records to be reviewed. PAs and PCs must provide an opportunity for members to review requested documents within a reasonable period of time. Reviews of financial records must be conducted in the presence of the executive board and 2 general members not affiliated with the request. A review sheet identifying the reviewed documents must be signed by all members present. Upon request, PAs and PCs must make every effort to provide members with copies of the documents reviewed.

F. PA and PC Financial Reports**1. Treasurer's Report**

A written treasurer's report must be given at every executive board and general membership meeting. This report must include a statement of all

⁹ Contact the Internal Revenue Service for assistance: 1-800-829-1040.

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transactions, including income, refunds, reimbursements and other expenditures, and opening and closing balances for the reporting period. Copies of the PA treasurer's reports must be given to the principal and posted on the parent bulletin board, while copies of the PC treasurer's reports must be given to OFEA and made available to the membership.

2. PA Interim and Annual Financial Reports

An Interim PA Financial Report must be prepared by the PA and submitted to the principal by January 31st of each school year. An Annual PA Financial Report must be prepared by the PA and submitted to the principal by June 30th of each school year. Interim and Annual PA Financial Reports are available at <http://schools.nyc.gov/parentleadership>. The principal is responsible for submitting copies of the Interim and Annual PA Financial Reports to OFEA upon receipt. PAs are responsible for distributing copies of the Interim and Annual PA Financial Reports to all members.

3. PC Annual Reports

An Annual PC Financial Report must be prepared by the PC and submitted to OFEA by June 30th of each school year. The Annual PC Financial Report is available at <http://schools.nyc.gov/parentleadership>. The PC is responsible for distributing copies of the Annual PC Financial Reports to all members.

G. PA and PC Audits

Audits are reviews of financial records conducted to reconcile revenue and expenditures and determine compliance with applicable laws, policies, rules, and regulations. Audits are tools that can help PAs and PCs analyze their financial activities and assess the quality of their record keeping. Audits may be conducted internally by the PA and PC. External audits may be conducted when a grievance is filed, when serious allegations are raised, or when requested by OFEA.

1. Internal Audit by PA or PC Committee

When a PA or PC decides to conduct an internal audit, an audit committee must be formed. The audit committee must be selected by the general membership and be comprised of a majority of general members. Signatories of PA or PC checks may not serve on or guide the work of an audit committee. The audit must include a review of PA or PC financial records, as defined in Section III.E.1.

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It is recommended that an internal audit be conducted once every year, preferably before submitting the PA or PC Annual Financial Report. However, failure to conduct an internal audit is not a reason to delay the filing of the Annual Financial Report. An internal audit should also be conducted whenever there is a change in the person holding the office of treasurer.

The audit committee's findings must be reported to the membership at the next general membership meeting and recorded in the meeting minutes. PA audit committees must provide a copy of their findings to the principal, while PC audit committees must provide their findings to OFEA.

- a) PAs and PCs with more than \$50,000 in Net Annual Income – It is recommended that PAs and PCs with more than \$50,000 in net annual income hire a CPA or a person with professional expertise in accounting, business, or a related field to conduct their internal audit. The individual selected should be knowledgeable of the laws, policies, rules, and regulations applicable to PAs and PCs. This individual must not be a member of the PA or PC, a relative of any PA or PC member, or have any direct or indirect interest in the funds.

2. External Audit by PA or PC

OFEA, the Chancellor, or the Chancellor's designee may conduct an audit when serious allegations of financial impropriety are raised, or a grievance or complaint is filed relating to the financial practices of the PA or PC. OFEA, the Chancellor, or the Chancellor's designee shall have access to all PA and PC financial records.

3. Findings of Financial Discrepancies or Wrongdoing

If a PA or PC audit reveals financial discrepancies or wrongdoing, a written statement by the audit committee or auditor must be forwarded to the Chancellor and the Chief Family Engagement Officer (CFEO). Copies of the statement must be sent to the PA or PC membership. PAs must also send copies to the principal and appropriate PC. PCs must also send copies to the appropriate superintendent. The Chancellor, the Chancellor's designee, or the CFEO may order corrective or disciplinary action.

IV. CORRECTIVE AND DISCIPLINARY ACTION

While self-determination is essential to the functioning of PAs and PCs, there are circumstances that require corrective or disciplinary action for their protection. Corrective or disciplinary action is appropriate when a PA or PC member's conduct violates laws, policies, rules, and regulations or threatens the rights of students, parents, and staff. This conduct may include:

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A. Criminal Wrongdoing or Misconduct

Complaints or allegations of criminal wrongdoing or misconduct must be reported to the police, the Chancellor, and the CFEO. PA or PC members under investigation by officers of the law may be removed from PA or PC office and prohibited from subsequently serving on any PA or PC executive board, school or district leadership team, school or district Title I Parent Advisory Council and CEC, CCSE, CCHS, or CCELL. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor, the Chancellor's designee or the CFEO.

B. Financial Discrepancies or Wrongdoing

OFEA may recommend specific action and suspend fundraising activities of PAs and PCs where members are found responsible for financial discrepancies, financial wrongdoing, inappropriate financial practices, recklessness or failure to safeguard PA or PC funds. PA or PC members engaging in such conduct may be removed from PA or PC office and prohibited from subsequently serving on any PA or PC executive board, school or district leadership team, school or district Title I Parent Advisory Council and CEC, CCSE, CCHS, or CCELL. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor, the Chancellor's designee or the CFEO.

C. Threat or Risk to Others

PA or PC members whose conduct presents a threat or risk to members of the school, district or borough community may be removed from PA or PC office. This includes frequent verbal abuse and unnecessary aggressive speech during meetings, which serves to intimidate and causes others to have concern for their personal safety. PA or PC members who have been removed from office for their conduct may be prohibited from subsequently serving on any PA or PC executive board, school or district leadership team, school or district Title I Parent Advisory Council and CEC, CCSE, CCHS, or CCELL by the Chancellor, the Chancellor's designee or the CFEO. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor, the Chancellor's designee or the CFEO.

D. Officer Negligence

PA or PC officers found to be negligent in their duties and responsibilities as outlined in the bylaws or this Regulation are subject to removal. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor, the Chancellor's designee or the CFEO.

V. CERTIFICATION OF PA AND PC COMPLIANCE

To ensure that activities of PAs and PCs comply with laws, policies, rules, and regulations, and respect the rights of students, parents, and staff, status reports must be submitted by October 30th and February 15th of each school year. The principal is responsible for submitting PA Status Reports, accessible through the Principals' Portal, while OFEA is responsible for filing PC Status Reports and supporting documentation with the CFEO.

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A. Review of Status Reports

OFEA central engagement staff will review the status reports and supporting documentation. OFEA central engagement staff may recommend corrective action for PAs and PCs, including an intervention plan. When recommending corrective action for PAs, OFEA central engagement staff will solicit input from the appropriate PCs.

B. Statement of Disagreement

PA executive board members may file a statement of disagreement regarding specific areas of the PA status report with the appropriate superintendent, while PC executive board members may do so with the CFEO.

C. Failure to Comply

Should PAs or PCs fail to comply with laws, policies, rules, and regulations, the Chancellor or the Chancellor's designee may direct the proper school authorities to impose corrective and disciplinary action.

VI. DISPUTE RESOLUTION AND GRIEVANCE PROCESSES**A. PA and PC Disputes**

PAs and PCs may agree to alternative dispute resolution processes, provided that all agreements reached are in accordance with applicable laws, policies, rules, and regulations.

1. Disputes between PA Members

PAs are encouraged to resolve disputes internally. Disputes must include differences of opinion or disagreements that have bearing on PA affairs or functioning. When a PA member alleges a violation of this Regulation or the bylaws, and the matter cannot be resolved internally, the PA member or the PA president may request assistance in writing from the appropriate PC. The PC may mediate PA disputes, but may not render binding decisions. If the PC does not respond within 5 school days or is unable to resolve the dispute, the PA member may bring a formal grievance before the appropriate GRC following the process outlined in Section VI.B.

2. Disputes between PC Members

PCs are encouraged to resolve disputes internally. When a PC member alleges a violation of this Regulation or the bylaws, and the matter cannot be resolved internally, the PC member may bring a formal grievance before the appropriate GRC following the process outlined in Section VI.B.

3. Disputes between PA or PC Members and DOE Employees

To file a complaint against a DOE employee, PA or PC members must follow the process outlined in the NYC DOE Parent Complaint and Resolution

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Procedures.¹⁰ Allegations of criminal wrongdoing or misconduct must be reported to the Special Commissioner of Investigations for the NYC School District at (212) 510-1500.

B. PA and PC Grievances

When disputes within or against PAs and PCs cannot be resolved, any member may file a grievance online for assignment to the appropriate GRC or the CFEO. Grievances must be based on a violation of bylaws or other applicable law, policy or regulation.

1. Step One PA and PC Grievance Processes

- a) Filing a Step One Grievance – Grievances must be submitted online at <http://schools.nyc.gov/parentleadership>. PA grievances will be reviewed by the appropriate GRC. PC grievances will be reviewed by the CFEO.
- b) Timeliness - A grievance must be submitted no more than 30 school days after the event occurs or reasonably should have been discovered. If a PA matter was first referred to a PC for mediation as described in Section VI.A.1., this period must be extended to 35 school days. An election dispute must be submitted no later than 7 school days after the election as outlined in Section VI.B.4.
- c) Rights of the Party Against Whom the Grievance is Filed - The GRC or CFEO must notify the party against whom the grievance is filed. If a grievance has been filed against a PA or PC, the appropriate PA or PC president must be notified. The party against whom the grievance is filed has the right to receive a copy of the grievance and respond to all allegations. This copy must be unaltered except for the redaction of student names or other personally identifiable student data.
- d) Investigating a Grievance - The GRC or CFEO must investigate all grievances before drafting a decision. A GRC member who has a pre-existing relationship with any of the parties, independent knowledge of the grievance, or any conflict-of-interest must recuse her/himself from participating in the resolution of the grievance. A GRC member may not participate in the resolution of any grievance arising her/his child's school. While some grievances can be investigated and decided after a review of all submitted documentation, others may require the GRC or CFEO to convene a hearing at which the parties to the grievance may appear and present evidence.

¹⁰ The NYC DOE Parent Complaint and Resolution Procedures are available at: <http://schools.nyc.gov/Offices/OFEA/KeyDocuments/>.

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- e) Conducting a Grievance Hearing – Grievance hearings may be required when the submitted documentation is insufficient to render a decision. OFEA will schedule hearings at a time convenient to the appropriate GRC or CFEO and the parties to the grievance.

At the hearing, the grievant and the party against whom the grievance was filed must have an equal opportunity to present evidence.

- f) Step One Grievance Decisions – The GRC or CFEO must render a written decision within 30 school days of receipt of the grievance. The decision must be sent to all parties to the grievance and include findings of fact, where appropriate. Decisions of grievances relating to PAs must be sent to the appropriate principal. Decisions of grievances relating to PCs must be sent to the appropriate superintendent. OFEA must maintain copies of Step One Grievance decisions. The decisions must be accessible and available to the public. Student names or other personally identifiable student data must be deleted from issued decisions.

The GRC or CFEO must notify the parties in writing within the 30 school day period if a decision cannot be issued within 30 school days because the matter requires further investigation or referral to other authorities. A projected date for final decision must be provided. The notification may include interim remedies, which are subject to appeal under the Step Two Grievance process outlined in Section VI.B.3.

If the GRC fails to issue a decision within 30 school days or fails to notify the grievant of a delay, the grievant may notify OFEA.

- g) Step One Grievance Appeals - The decision of the GRC or CFEO is final and binding, subject to decision upon appeal or an injunction issued by the Chancellor. The grievant or the party the grievance was filed against may appeal the decision of the GRC or CFEO decision by following the Step Two Grievance process outlined in Section VI.B.3.

2. **Step Two PA and PC Grievance Process**

GRC decisions rendered in Step One PA Grievance proceedings and decisions of the CFEO rendered in Step One PC Grievance proceedings may be appealed to the Chancellor.

- a) Filing a Step Two Grievance - Appeals of Step One Grievance decisions must be submitted online at <http://schools.nyc.gov/parentleadership>.

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- b) Timeliness - The appeal to the Chancellor must be submitted within 15 school days of receipt of the decision that is being appealed.
- c) Chancellor's Injunction - The Chancellor may issue an injunction staying the Step One Grievance decision pending the Chancellor's decision on the merits.
- d) Step Two Grievance Decisions - The Chancellor's written decision must be rendered no more than 30 school days after receipt. The Chancellor will notify the parties in writing within the 30 school day period if a decision cannot be issued within 30 school days because the matter requires further investigation or referral to other authorities. A projected date for final decision must be provided. The notification may include interim remedies.

The decision of the Chancellor is final and binding. The decisions will be accessible and available to the public. Students' names or other personally identifiable student data must be deleted from issued decisions.

3. Expedited Grievance for PA or PC Election Disputes

- a) Step One Election Grievance - To ensure that PAs and PCs function and operate effectively, without unnecessary disruption, grievances disputing election practices must be submitted online within 7 school days of the election at <http://schools.nyc.gov/parentleadership>. Election grievances filed outside of this timeframe may not be heard.

A decision must be rendered within 7 school days of receipt of the grievance.

- b) Step Two Election Grievance - GRC decisions rendered in Expedited Grievance proceedings and decisions of the CFEO rendered in Expedited PC Grievance proceedings may be appealed to the Chancellor. The appeal to the Chancellor must be filed within 3 school days of receipt of the decision that is being appealed. Appeals must be submitted online at <http://schools.nyc.gov/parentleadership>.

The Chancellor's decision must be in writing, rendered within 7 school days after filing.

VII. INQUIRIES

Inquiries pertaining to this regulation should be addressed to:

Telephone: 212-374-2323	<i>Office for Family Engagement and Advocacy</i> NYC Department of Education 49 Chambers Street - Room 503 New York, NY 10007	Fax: 212-374-0076
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