

Category: **STUDENTS**

Issued: 10/3/08

Number: **A-660**

Subject: PARENT ASSOCIATIONS AND THE SCHOOLS

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**SUMMARY OF CHANGES**

This regulation supersedes Chancellor's Regulation A-660 dated February 17, 2006.

**Changes:**

- Written notice can now be sent to parents via email, backpack, and/or postal mail.
- To condense this regulation, information on the minimum required elements of PA and Presidents' Council bylaws has been moved to attachments.
- PA Status Reports will now be filed with the appropriate OFEA representative.
- The section on alternative methods for identifying CDEC, CCSE or CCHS parent selectors has been removed.
- Step 1 grievances will now be heard only by the Community Education Council (CEC), Citywide Council on Special Education (CCSE) or Citywide Council on High Schools (CCHS), as appropriate.
- It is recommended that PA books and records be maintained and audited by someone knowledgeable of the rules, laws and regulations applicable to PAs, as well as related business requirements. For those PAs with total annual receipts of \$50,000 or more, it is recommended that this person be a CPA or someone with a background in accounting, business or a related field.

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## ABSTRACT

This regulation supersedes CR A-660 dated 2/17/06. Pursuant to state law, each school in the New York City public school system must have a parent association (PA) or parent teacher association (PTA). PAs<sup>1</sup> in elementary and middle schools, Citywide Special Education and Alternative High School Programs will be provided with information and may request assistance from the Office for Family Engagement and Advocacy (OFEA) District Family Advocate in their respective districts. PAs in high schools will be provided with information and may request assistance from OFEA Deputy Borough Directors.

This regulation also requires each of the 32 community school districts to have a Presidents' Council, each borough to have a Presidents' Council for its high schools and Alternative High School Programs, and Citywide Special Education Schools to have a Presidents' Council.

This regulation establishes minimum standards of governance for parent associations and Presidents' Councils and sets forth the responsibilities of parent associations, Presidents' Councils, and their officers and members.

## INTRODUCTION

Parent Associations (PAs) in the public schools should assume responsibility for their own governance and actions. When necessary, support and guidance for PAs should be provided by parents, including district and borough high school Presidents' Councils established under this regulation.

The oversight responsibilities of school officials<sup>2</sup> concerning PAs and Presidents' Councils are limited to what is necessary to implement and enforce law, policy and this regulation, and to protect the rights of students, parents and staff.

## DEFINITIONS

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

- A. A Parent Association (PA) is an organization of parents of students in a New York City public school created and established by a vote of the parents that has adopted bylaws, elected officers, has regular meetings, and allows and encourages meaningful participation by its members.
- B. A Parent-Teacher Association (PTA) is established when the parent members of a PA vote to amend their bylaws to extend membership to staff.
- C. A Presidents' Council is an organization of presidents or designated representatives of parent members of PAs within a given jurisdiction, which represents PAs on a district, borough, or citywide basis.
- D. A school is a self-contained autonomous organization of students under the leadership of a principal, using its own staff and budget to provide a full instructional program. Wherever the term district is used in this regulation, it shall apply to the 32 community school districts.
- E. The term bylaws refers to the governing document that establishes the PA/PTA and provides the authority for the PA to act. Bylaws define the basic characteristics of the association, prescribe how the PA board and members function, and include rules that must be observed and cannot be suspended by either the executive board members or the parent body membership.
- F. The term parent, whenever used in this regulation, means the student's parent(s) or guardian(s), or any person(s) in a parental or custodial relationship to the student, or the student. See Section I.A.1, below.

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<sup>1</sup> PA in this regulation shall refer to both Parent Associations and Parent Teacher Associations.

<sup>2</sup> Parent coordinators have no oversight responsibilities regarding the operation and functioning of PAs.

## I. PARENT ASSOCIATIONS/PARENT TEACHER ASSOCIATIONS

Every public school in the city must establish a parent association or parent teacher association within its first year. There shall be only one officially recognized PA or PTA in each school.

The PA should be representative of all parents within the school, including parents of children in special education, English Language Learners, Title I, gifted and talented, and magnet programs.

### A. Membership – Eligibility and Participation

All parents of students enrolled in the school and on its register are automatically members of the PA in the school or schools their children currently attend. PAs are expected and required to comply with and adhere to all applicable laws, policies, rules and regulations in a way that respects the rights of all students, parents and staff.

#### 1. Parent Members and Participation

- a. Definition – The term “parent,” whenever used in this regulation, means the student’s parent(s) or guardian(s), or any person(s) in a parental or custodial relationship to the student. This includes:

- i. parents, by birth or adoption;
- ii. step-parent(s);
- iii. legally appointed guardians, foster parent, or;
- iv. persons in “parental relation” to a child or children currently attending a school.

#### b. Determination of a Person in Parental Relation

A 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, abandonment of a child or living outside of the state. 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 or children does not qualify as a person in parental relation under this regulation.

#### c. Prohibitions

A parent, as defined in this section, may not designate another individual to serve in his/her place as a member of the PA. The denial of membership under this section may be the subject of a grievance (see Section V.B. of this regulation).

#### d. Restrictions

Parents who are employed by the school their child(ren) attend may not vote or otherwise participate in:

- i. selection of or service as parent representatives to committees or the school leadership team;
- ii. school personnel matters, including tenure recommendations and screening committees for selections of supervisors and administrators.

#### 2. Staff Members

##### a. Determination

A PA may decide whether to include school staff in its organization. If the PA votes to include school staff, the parent association will become a parent teacher association (PTA). The bylaws must be amended to reflect this determination.

A PA may determine what categories of staff to include as members. Once the determination is made, all employees within a selected category (for example, paraprofessional, aide, school secretary, custodian, food service worker) must be included as members.

b. Voting

Any staff person who is a member of the association is eligible to vote, unless otherwise restricted by conflicts of interest requirements (as outlined in Section I.A.4).

c. Restrictions

i. School Supervisory Staff – Principals, assistant principals and supervisors may not be members of a PTA.

ii. School Employees – Parent coordinators cannot serve on the nominating committee, as officers or as members of the executive board of the PTA. This restriction applies equally to employees who are parent members of children in the school and are paid from a DOE funding source, e.g., tax levy, reimbursable, community-based organization contract, gift, grant, etc.

iii. Exception – When an individual's employment houses them in a school their child attends, but the individual's program is not funded by a Department of Education funding source (see above) and is not part of the regular school day program, then the individual is eligible to be a PA officer in that school.

iv. Liaisons

School employees may serve as a liaison to a PA's executive board. As a liaison, school employees may not infringe on the structure or function of the PA. Parent coordinators may be asked by the principal to serve as a liaison with a PA to collaborate on events or workshops to increase participation.

3. Payment of Dues

The payment of dues cannot be a condition for membership. Failure to pay dues shall not be grounds for denying or limiting a member's participation.

No member shall be denied the right to vote or to run for office based upon failure to pay dues.

4. Conflicts of Interest

PA members and officers should be careful to avoid acting in circumstances in which their personal interest conflicts with their interest as PA members or officers.

A PA member or officer who has any direct or indirect interest in a business dealing with the school, the community school district, the Community Education Council (CEC), Citywide Council on Special Education (CCSE), Citywide Council on High Schools (CCHS) or the Department of Education, including a contract or personnel appointment, 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.

Any CEC, CCSE or CCHS member (or any other school employee or officer) who is also a PA member must refrain from voting or otherwise participating in a decision for which he or she likely will sit on the appeal panel. Any CEC member who has participated in any way in a vote at the school about an issue that has been escalated to the CEC, CCSE or CCHS may not participate in the related council discussions.

PA decisions must be made by vote of only those members of the association who do not have a conflict of interest. In matters where a member or members has/have a conflict of interest, he or she must abstain from voting or otherwise participating in the decision.

## 5. Other Restrictions

No persons other than parent and staff as provided in Section I.A.2 are eligible for membership. There shall be no categories for honorary members, student members, former members or former officers who are not otherwise qualified for membership.

## B. Rights and Responsibilities

### 1. Rights

Principals, CECs, CCSEs or CCHSs, superintendents and employees do not have the right to interfere with the internal affairs, to supervise the activities of an association, or to implement corrective action or other sanctions, except as required to enforce policy and regulations and to protect the rights and safety of students, parents, and staff.

PAs have the following rights:

- a. Governance – Parent associations are responsible for their own actions and for the conduct of their affairs. They are not to be run by a school's principal, parent coordinator or other school officials
- b. Policy – PAs have the right to set their own policies, so long as they do not conflict with or violate law, DOE policy or regulations, or interfere with the rights of others.
- c. Representation – PAs have the right to choose their own representatives, subject to the requirements of this regulation.
- d. Information – PAs have the right to receive full and factual information relating to student achievement and the operation of schools from the school principal, as provided in Section III.
- e. Consultation – PAs have the right to meaningful consultation with school officials as appropriate on a variety of matters affecting the school, as provided in Section III.
- f. Access – PAs have the right to use school facilities for meetings and fundraising activities and to distribute PA literature through the schools, as provided in Sections I.H, I.I and I.J.
- g. Mailings – PAs may request assistance from principals to facilitate a mailing to parents, provided there is no cost or undue burden to school and staff. Under the Family Educational Rights and Privacy Act (FERPA), the school may not give parents' names and addresses to the PA without explicit consent.
- h. Grievance – Any parent may bring a grievance as provided in Section V.B.
- i. Enforcement – PAs and their members must be allowed to exercise their rights freely and without fear of penalty or retaliation. Members have the right to be treated fairly by the PA and school officials, and to file a grievance for enforcement of their rights.
- j. Membership in organizations – PAs may join any relevant national, state, or city organizations, except if the organization requires a submission to policy or bylaws that conflict in any way with law, DOE policy or Chancellor's Regulations.

### 2. Responsibilities

PAs are responsible for:

- a. Membership – PAs must actively involve all parents within the school and encourage parent attendance at all meetings and other PA activities on an ongoing basis. Parents of children in programs such as special education, including children attending a non-citywide school full time while on the register of citywide programs, English Language Learner programs, gifted and talented programs, magnet programs and Title I programs must be encouraged to fully

participate in the PA and given the opportunity to discuss matters of common interest to them and to the larger group.

- b. Accessibility – PAs must ensure equal access to information and meetings, and must consider the particular needs of parents who are disabled or non-English proficient. As appropriate, PAs should ensure availability of interpreter services, translated materials and physically accessible meeting spaces.
  - c. Meeting Times – PAs should conduct surveys of all parents at least once every two years to determine preferences for the time of scheduled meetings. Survey results shall be reviewed and presented to the full membership for possible modification of bylaws through a meeting and/or notices.
  - d. Information – PAs must make PA/PTA activity information available to all members in a timely manner, and are strongly encouraged to seek the views of members on issues of concern and to respond in writing to questions raised by members.
  - e. Representation – PAs must fairly represent the views of their members. Members have the responsibility to participate in school decision making, to select representatives to committees, and to ensure the selected committee members fulfill their duties, subject to the requirements of this regulation and the PA's bylaws.
  - f. Governance – PAs must operate in an open and democratic manner, in accordance with policy and this regulation.
  - g. Leadership – PAs must develop parent leadership capacity in the school and encourage members to fully participate and vote in elections as well as run for PA office.
  - h. Goals and Objectives – PAs are responsible for setting yearly goals and objectives that are aligned with school needs, and for planning activities to meet those goals and objectives.
  - i. Expenditures – PA expenditures must be approved by a vote of the general membership. PAs are responsible for keeping proper records, which must be maintained in the school office and made available to the general membership upon reasonable request.
  - j. Activities – PAs are responsible for using school resources and facilities allotted to them in a manner that minimizes disruption to the school.
  - k. Compliance – PAs must comply with and adhere to all applicable laws, policies, rules and regulations in a way that respects the rights of all students, parents and staff.
  - l. Records – All PA records must be maintained on file in the school. Under no circumstances are they to be kept in a private residence, business or personal vehicle.
  - m. Transfer of Records – Outgoing executive boards are required to transfer all PA records and information, including an overview of PA transactions for the school year, to the incoming executive board. It is strongly recommended that a meeting be convened in June for this purpose.
3. Participation on School Leadership Teams

PAs have the right and responsibility to elect parent representatives to serve on their School Leadership Team, and to have those representatives participate as full members of the team. Members of a CEC, CCSE or CCHS are ineligible to serve as parent members on a School Leadership Team in the district in which they serve. Department of Education employees are eligible to serve as parent members on a School Leadership Team, except if they are employed in the school or district where the school is located. (See Chancellor's Regulation A-655.)

### C. Establishment and Continuation of PAs

It is the responsibility of the principal to ensure the establishment and continuation of the school's PA.

#### 1. Establishment of PAs at New Schools

It is the responsibility of the principal to ensure that a PA is established in his/her school. The PA must have bylaws, a formal structure, and participation and support from the parent community.

The principal must notify parents of the need to establish a parent organization in writing by backpack, email and/or postal mail. A meeting must be convened as soon as possible after the school population is identified, and in advance of opening wherever possible. At the latest, the initial meeting must be held within four weeks after the school's opening. The drafting and adoption of bylaws and an expedited election must be completed within six weeks of the initial meeting.

The principal must contact OFEA and the appropriate Presidents' Council to request its assistance at the initial meeting. OFEA may designate a District Family Advocate or Deputy Borough Director to assist during the meeting.

#### 2. Re-establishment of PAs

It is the responsibility of the principal to ensure that an established PA continues in his/her school. If the PA has ceased to function for any of the reasons listed in this section, the principal shall take the following actions to re-establish it.

- a. The principal must notify all parents in writing, by email, backpack and/or postal mail, and schedule a meeting of the general membership at which nominations of eligible candidates shall be requested and the election shall be conducted. Parents must be provided with at least ten calendar days' notice prior to the date of the meeting.
  - i. The principal's role is limited to initiating the meeting by sending appropriate notification to parents, and requesting the assistance of OFEA and the district or borough Presidents' Council to help conduct the meeting.
  - ii. If the Presidents' Council is unavailable or does not respond within five calendar days, the principal should contact the appropriate OFEA District Family Advocate or Deputy Borough Director for assistance.
  - iii. The principal may also seek the assistance of the school's parent coordinator only to assist with parent outreach. The conduct of the election or other formal reviews of bylaws or protocols may not be assigned to the parent coordinator.
- b. Failure to Elect Mandated Officers – If a PA has ceased to function because it has failed to elect the mandatory officers of president, recording secretary or treasurer by June 30 of the school year, the principal shall be responsible for reactivating the PA by October 15 of the following school year.
  - i. If a PA has a vacancy in one or more of the mandatory officer positions subsequent to the annual election,<sup>3</sup> the PA shall be required to fill the vacancy within ten calendar days. This shall be done by succession or an expedited election process. The expedited elections process will consist of one meeting where nominations will be taken from the floor, and voting will be held once nominations are completed.
  - ii. Failure to hold an expedited election will result in the PA ceasing to function.

<sup>3</sup> Annual Elections must be completed between the third Wednesday in May and the third Friday in June. Please refer to Section I.F.

c. Failure to Conduct Business – If the PA has failed to conduct PA business for two months, the principal shall notify PA officers in writing of their duty to take necessary action and advise them that they have fourteen days to comply. If the PA fails to conduct business after the fourteen-day notice, the principal shall notify OFEA and the Presidents' Council that the PA has ceased to function and assistance is needed to reconvene the PA. (See Section I.C.2.)

3. Principal Status Report – By October 30 of each school year, the principal must certify in a PA Status Report to the OFEA District Family Advocate or Deputy Borough Director that there is a functioning PA in the school in compliance with its bylaws, Department of Education policy and Chancellor's Regulations. (See Attachment No. 6.)

The PA Status Report will be reviewed to determine the need for possible intervention and/or make recommendations to OFEA's Chief Family Engagement Officer (CFEO) for appropriate corrective action. If necessary, the District Family Advocate or Deputy Borough Director shall solicit input from the appropriate Presidents' Council regarding the development of an intervention action plan.

D. PAs in Buildings with More than One School

Where there is more than one school in the same building, each school, as defined on page 2, must establish a PA. OFEA and the Presidents' Council will work with these PAs to establish a joint committee to deal with matters of parental concern.

The committee shall have the right to consultation with the school building principals on building issues, including but not limited to matters affecting the health and welfare of their children.

Where there is more than one school in the same building, the PAs must hold at least one joint building meeting per semester of all schools in the building.

E. Bylaws

Each PA must adopt a set of bylaws by vote of an assembled body of parents of children in the school. All bylaws must conform to the requirements of this regulation. Bylaws that are in conflict with the requirements of this regulation must be amended. In the absence of bylaws that conform to the requirements of this regulation, a PA may not conduct any activities, including elections and fundraisers.

1. Minimum Elements – For a detailed list of minimum requirements for PA bylaws, see Attachment No. 8.
2. Bylaw Availability – The PA must give the principal a copy of its bylaws and related amendments. These documents shall be made available in the principal's office. 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.
3. Bylaw Filing – The principal shall ensure that the PA's bylaws and amendments are on file and a copy has been forwarded to the appropriate OFEA District Family Advocate or Deputy Borough Director.
4. Bylaw Challenges – Actions taken in violation of bylaws or absent bylaws are subject to challenge under the grievance procedures set forth in Section V.B, and may be cancelled and/or declared void upon review.

F. Election of Officers

1. 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 school opening in the fall. Annual elections must be completed between the third Wednesday in May and the third Friday in June.
2. Fair Participation – Elections must be held in a manner that allows for full and fair participation of all parents. Translated documents must be available for parents who

do not read in English.

### 3. Nominations and Elections

A PA may establish a nominating committee to conduct elections. The formation and responsibilities of the nominating committee must be outlined in the bylaws. In the alternative, the bylaws may specify the steps that the executive board must take to have a valid election when a nominating committee is not/cannot be formed. In the absence of a nominating committee, the members identified by the parent body at large to assist with the nominations and election process must assume the responsibilities as outlined in this regulation and the PA's bylaws.

- a. Nomination Committee Membership – When a nominating committee is formed, a majority of the nominating committee must be selected by vote of the parent body at large. The nominating committee selects its own chairperson.
  - Restrictions – Staff may not participate on the nominating committee regardless of membership status.
- b. Nomination Committee Responsibilities – The nominating committee is responsible for:
  - i. Soliciting Candidates – The nominating committee shall solicit recommendations for candidates for consideration by canvassing the membership for candidates. Written notices soliciting recommendations must be distributed to the entire membership.
  - ii. Determining Candidate Eligibility – The nominating committee, in consultation with the principal, must verify the candidates' eligibility based on student registration or, if the student is on a District 75 register, full-time attendance in the school. The nomination committee must report to the membership that candidates being considered have been determined to be eligible after consultation with the school principal.
  - iii. Conducting Nomination meetings
    - Written Notices – The nominating committee must send written notice to the PA membership stating when and where nominations will be held. The notice must be dated and distributed at least ten calendar days before the nomination meeting.
    - Meeting Times – Meetings should be scheduled to ensure that members have the opportunity to fully participate in the process (e.g., to begin at 6:00 and end at 8:00 pm).
    - Nominations from the Floor – All members, both parents and staff, where applicable, must have the opportunity to make nominations from the floor before the closing of nominations, as should be specified in the bylaws.
- c. Elections
  - i. Written Notices – The nominating committee must send written notice to all PA members informing them of the date and time of the election and the names of all the nominated candidates, listed by office in alphabetical order by last name.
  - ii. Principal Notification – The principal must be notified of the date and time of the election by May 1 of each school year.
  - iii. Candidates
    - Addressing Membership – Candidates should 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. Candidate statements may also be posted on the school website and sent via email, backpack and/or mail.

- Presence for Vote – A candidate for office need not be present at the time of the election to be eligible to run. Candidates must advise the nominating committee or person/persons conducting the election that they can not be present at least three calendar days before the election.

#### 4. Ballots

- a. Written Ballots – Written ballots are required for contested elections having more than one nominated candidate for any office or offices.
  - Single Candidate – If there is only one candidate for an office, the recording secretary shall be instructed by motion and vote of the membership to cast one vote for the entire slate, and that action shall be included in the minutes.
- b. Alphabetical Order – Candidates must be listed on ballots in alphabetical order by last name for all offices.
- c. Listing by Office – Ballots must indicate if the candidates are running for president or co-president. Co-presidents must listed together and must be voted for as a slate.
- d. Native Language Instructions – Where possible, ballots should contain instructions in the languages spoken by parents other than English, as appropriate.
- e. Counting Ballots – Ballots must be counted immediately following the conclusion of voting and in the presence of assembled members and observers, if any. Ballots must not be removed from the school until after the official tally has been completed and reported to the assembly. There are to be no exceptions.
- f. Retention of Ballots
  - i. The PA must retain ballots on school premises for six months following the date of the election, or until the determination of any grievance filed concerning the election, whichever is later.
  - ii. Following the election, the ballots should be scanned and saved to disk if scanning capabilities are available.
- g. Certification of Elections – The principal or his/her designee must certify that the nominations and election process were conducted in accordance with this regulation and the bylaws. (See Attachment No. 10.) The parent coordinator cannot be the principal's designee.

The certification form shall be completed and signed by the principal or designee and a copy forwarded to the appropriate OFEA District Family Advocate or Deputy Borough Director within five calendar days of the completion of the election. The Principal must ensure that the incoming officers of the PA complete the PA Election Certification Form and include their contact information (e.g., names, home addresses, telephone numbers and email addresses).

- h. Reporting Election Results – Within five calendar days of conducting an election, the results of the election must be certified and reported to the appropriate OFEA District Family Advocate for elementary and middle schools, or Deputy Borough Director for high schools.

5. Designated Offices Left Open

During spring elections, executive board positions other than president, recording secretary and treasurer may be left open to accommodate parents of incoming students. Designated positions and the date and process for elections in the fall must be identified in the bylaws.

6. PA Election Problems

a. Failure to Notify Principal – The PA president and/or nominating committee chairperson must notify the principal by May 1 of the scheduled time and date for election of officers.

i. If both fail to do so, the principal shall inform all PA executive officers of this requirement and request a date and time for election to be scheduled (prior to the third Friday in June) in writing with a copy to the OFEA District Family Advocate or Deputy Borough Director and Presidents' Council.

ii. If the executive board fails to respond or take action within seven calendar days, the principal shall contact all parents and convene a meeting to expedite an election as provided in Section I.C.2.

b. Failure to Conduct Timely and Appropriate Elections – In the event that a PA fails to hold an election in a timely manner and/or the process set forth in Section I.F.3, above, fails to result in an election being scheduled and held, the principal shall have the responsibility to ensure that an expedited election is held. The principal may request assistance with outreach from the school's parent coordinator. The appropriate Presidents' Council and OFEA District Family Advocate or Deputy Borough Director must be enlisted to facilitate the election.

7. Expedited Elections

Expedited Elections are required when a PA has failed to conduct a valid annual election or has failed to fill vacancies for the mandated executive board positions of president, recording secretary and treasurer in accordance with the terms of the bylaws. (See next section for details.)

8. Filling Vacancies – All vacant mandated executive board positions must be reported by the principal to the appropriate OFEA Family Advocate or Deputy Borough Director within fourteen days of notice. OFEA shall have the responsibility to provide this information to the appropriate Presidents' Council.

a. Failure to Fill Mandated Offices During Annual Elections

i. Convening of Parents – Since a PA ceases to function if it has failed to elect mandated officers in the spring, the principal shall be responsible for convening parents by October 15 of the following school year to conduct nominations and elections. (This will also serve to reactivate the PA.)

ii. Assistance from Presidents' Council – The principal shall request in writing the assistance of the district or borough Presidents' Council to conduct the meeting.

- No Presidents' Council Action – If the Presidents' Council is unavailable or does not respond within five calendar days, the principal should contact the appropriate OFEA District Family Advocate or Deputy Borough Director for assistance.

iii. Notification – The principal is responsible for distributing written notice by email, backpack and/or postal mail to convene a meeting of parents and/or general membership at which nominations of eligible candidates shall be requested and the election shall be conducted. The meeting shall be held upon notice at a time provided for in the PA bylaws, but not on less than ten calendar days' notice. There will be no exceptions.

- iv. Nominations – There will be no nominating committee when the PA has ceased to function. All nominations will be taken from the floor. This process does not preclude the principal from requesting that the appropriate OFEA District Family Advocate or Deputy Borough Director District as well as members of the Presidents’ Council be in attendance during the meeting to provide additional technical assistance and support.
  - v. Voting – When there is more than one candidate for an office, voting will be by ballot. When there is only one candidate for each office, there still must be a vote of the membership by show of hands.
- b. Vacancy occurring prior to the start of the school year
- i. Convening of parents – The remaining mandated executive board officer(s) shall be responsible for convening parents by October 15 of the following school year to conduct nominations and elections for the vacant position(s). The PA, through the principal, may also avail itself of the assistance of the school’s parent coordinator only to assist with parent outreach.
  - ii. Assistance from Presidents’ Council – The PA shall request in writing the assistance of the district or borough Presidents’ Council to conduct the meeting.
    - No Presidents’ Council action – If the Presidents’ Council is unavailable or does not respond within five calendar days, the PA should contact the appropriate OFEA District Family Advocate or Deputy Borough Director for assistance.
  - iii. Notification – The PA shall ask the principal to distribute written notice by email, backpack and/or postal mail to convene a meeting of the parents and/or general membership at which nominations of eligible candidates shall be requested and the election shall be conducted. The meeting shall be held upon notice at a time as provided for in the bylaws, but not on less than ten calendar days’ notice.
  - iv. Nominations – All nominations will be taken from the floor. This process does not preclude the PA from requesting that members of the appropriate OFEA District Family Advocate or Deputy Borough Director be in attendance during the meeting to provide additional technical assistance and support.
  - v. Voting – When there is more than one candidate for an office, voting will be by ballot. When there is only one candidate for each office, there still must be a vote of the membership by show of hands.
- c. Vacancy Subsequent to Start of School Year
- i. Succession – PA bylaws must contain a provision for filling vacancies by succession. (i.e., vacancy in the position of president will be filled by the vice-president or next highest ranking officer).
    - Ranking of Officers – For the purposes of filling vacancies by succession, the ranking of officers shall be in the following order: president or co-presidents; vice-president or co-vice-presidents; recording secretary or treasurer.
  - ii. Special Expedited Election – In the event that the mandatory offices cannot be filled through succession, a special expedited election must be held to fill those vacancies through a process that must be outlined in the bylaws.

9. Grievances – Where questions arise concerning the validity of an election under bylaws or other legal requirements, an expedited grievance may be filed through the procedure set forth in Section V.B.4.
10. Listing of PA Officers – A list of PA officers, without home addresses and phone numbers, shall be compiled and maintained by the PA.
  - a. Availability
    - i. At schools – This list shall be available in the principal’s office and posted on parent bulletin boards.
    - ii. At PA Meetings – The PA must make copies of the list available at every PA meeting.
    - iii. To members:
      - The PA must distribute the list to all members at the beginning of the school year.
      - The PA must make copies of the list for members upon reasonable request.
  - b. Personal Contact Information
    - i. General – Personal contact information will not be made available. However, individual officers may consent in writing to make their personal contact information (e.g., home address and/or telephone number) available through the principal or PA or both.
    - ii. Presidents’ Council – Contact information for a PA’s president or representative to the Presidents’ Council will be given to the appropriate OFEA Family Advocate or Deputy Borough Director to facilitate creation of the Presidents’ Council, unless that person submits a request to the principal to withhold this information.

#### 11. Technical Assistance

The PA may seek assistance in conducting an election from the appropriate Presidents’ Council or OFEA District Family Advocate or Deputy Borough Director. The school’s parent coordinator may only be asked to assist with parent outreach. Requests can be made by officers after consultation with the executive board officers or the nominating committee.

#### G. CEC, CCHS or CCSE Parent Selectors

For information on the selection of parent members of the Community Education Councils (CECs), please refer to Chancellor’s Regulation D-140. For information on the selection of parent members of the Citywide Council on Special Education (CCSE), please refer to Chancellor’s Regulation D-150. For information on the selection of parent members of the Citywide Council on High Schools (CCHS), please refer to Chancellor’s Regulation D-160.

#### H. Distribution, Display and Posting of Materials

1. General – PAs have the right to post and/or display bulletins, newsletters, flyers and notices at designated places in the school, and to distribute them to parents through the children of the school, subject to the requirements set forth in this section. PAs are expected to exercise reasonable judgment when it comes to the appropriateness of material placed in children’s hands. All materials to be distributed and posted must be shown to the principal.
2. Definition of Materials – Materials include print literature such as special editions, flyers, notices, and/or inserts to other material, posters, buttons, etc.
3. Restrictions – Principals are responsible for ensuring that restricted material is not posted, distributed or displayed.

- a. Campaign and Candidate Materials – No material supporting or endorsing any candidate, candidates, slate of candidates, or political organizations or committees, including PA, Presidents' Council, CEC, CCHS or CCSE candidates, may be distributed, posted or displayed in any school building by PAs.
    - Candidates who violate this provision will be subject to disqualification and deemed ineligible to run for office for that election year.
  - b. Unsuitable or inappropriate material – Unsuitable or inappropriate material, including material that is defamatory, obscene or age inappropriate, or which is disruptive to the educational process, shall not be distributed through children.
4. Principal Responsibilities – Principals must cooperate in distributing PA notices.
- a. Principal Review
    - i. General – Principals may not approve or disapprove, censor or edit the content of regular PA material to be distributed, other than as provided below. The principal's signatures need not and shall not be affixed to PA material.
    - ii. Exception – Principals are responsible for ensuring that unauthorized political or candidate material and unsuitable or inappropriate material is not posted, distributed or displayed.
    - iii. Decisions – The principal's decision shall be rendered within 24 hours after receiving the material to be distributed or posted from the PA.
  - b. Distribution through students – Principals shall establish a process for the timely delivery of PA materials to students for distribution.
  - c. Display and Posting of Material – Principals shall designate a bulletin board or other display space for the PA to display and/or post materials.
5. Appeals
- a. Level One – The PA may request an appeal of the principal's decision to distribute and/or post association materials and notices to the appropriate OFEA District Family Advocate or Deputy Borough Director within forty-eight hours after receipt of the principal's decision. The appeal request must include a copy of the materials to be distributed. The appropriate OFEA District Family Advocate or Deputy Borough Director shall consult with the CFEO and issue a decision within forty-eight hours of receipt of the PA's request.
  - b. Final Level – The PA may request an appeal of the OFEA District Family Advocate or Deputy Borough Director's decision to the Chancellor within forty-eight hours after receipt of the OFEA representative's decision. The appeal request must include a copy of the materials to be distributed. The Chancellor shall render a decision within seventy-two hours of receipt of the material in question and the request for review. The Chancellor's decision is final.
- I. Use of School Facilities
1. Entitlement
    - a. Free Use of School Building – PAs are entitled to free use of school buildings, including school safety or security coverage, for one hundred ten (110) hours per year outside of school hours. These hours apply twelve months a year and are not transferable. If there is more than one PA in the building, each is entitled to the full one hundred ten hours per year.
    - b. Storage and Internet Access – PAs must be provided with a location for storage of PA records and with internet access if it is available to the school.
    - c. Building Permit Requirement – PAs must obtain permits to use a school building

only for the purpose of establishing the time and location of meetings.

2. Sponsorship – PAs can sponsor use of the school by other organizations, such as community organizations, in accordance with bylaws and the Standard Operating Procedures Manual (SOPM). PAs cannot give up their allotted time to other organizations for their exclusive use.
3. Admission Fees – PAs can charge admission fees or receive donations, contributions or collections for programs or activities they sponsor in the school facilities, in accordance with the SOPM.
4. Restrictions
  - a. Candidate Forums – PAs are prohibited from holding candidate forums for any political organization or non-school district related organization, other than for the election of its officers. All candidates must be invited and provided with equal opportunity to participate in any such forum.
  - b. No school facility or supplies may be used on behalf of any PA office candidate or slate of candidates.

#### J. Parent Association Fundraising

PAs are permitted to conduct fundraisers. Fundraisers should not be ends in themselves but must be tied to the goals of the PA, including parent education, workshops and school-related purposes. Proceeds from fundraisers must be used to supplement or complement the educational, social and cultural programs of schools.

1. Planning – Joint planning with the principal is required when activities involve students and staff or are conducted during school hours. Joint planning with the principal is not required for activities that are not held during school hours and do not involve participation of students or staff.
2. Approvals
  - a. Approval – All fundraising activities conducted by PAs must be approved by the membership during a regularly scheduled meeting where a quorum is achieved. Failure to obtain approval of the membership prior to initiating a fundraising activity is a violation of this regulation.
  - b. Principal Approval – The principal's written consent must be obtained if the fundraising activity is held on school property or involves students. (See Chancellor's Regulation A-610.)
3. Compliance – All fundraising activities must comply with the Chancellor's Regulations on Flea Markets (A-650), Fundraising Activities and Collection of Money from Students (A-610), and Sale of Nutritious and Non-Nutritious Foods (A-812), as appropriate.
4. Activities Involving Students
  - a. Fundraising activities that involve students during school hours must be:
    - i. planned jointly with and approved by the principal (see Chancellor's Regulation A-610);
    - ii. approved by the PA membership.
  - b. Activities During School Hours – PA fundraising activities involving students during instructional hours are restricted to two 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 instructional process (i.e., lunch time and immediately prior to dismissal). Distribution of information (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.

5. Prohibited Activities – The following activities are strictly forbidden:
  - a. Sale of tickets to movies and theaters for children's attendance, unless the project is coordinated with teachers and/or instructional coaches and directly connected to the curriculum;
  - b. Door-to-door solicitations of funds by children, except where parent solicits funds with his or her children;
  - c. Sale of raffle tickets to children or distribution of raffle tickets through children;
  - d. Bingo or any other form of gambling.
6. Fundraising Activity Report – PAs must prepare a Fundraising Activity Report to be given to the principal within five calendar days after the event. The principal should post the report on a parent bulletin board. (See Attachment No. 4.) PAs must report total funds raised and related expenses to the membership at the next regularly scheduled meeting, giving a brief statement explaining what program goal the funds will be used to support.
7. Deposit of Cash Receipts – All cash received from a fundraiser must be deposited in the PA bank account within one business day.
8. Assistance – A PA may request the assistance of the parent coordinator in publicizing fundraising activities. Parent coordinators may not be asked to collect PA funds. The PA is responsible for the fundraiser and any resulting funds.
9. Parent and Student Information – A PA may not obtain a list of students' names, students' parents' names, addresses and phone numbers from the school for fundraising or any other purpose.
10. Employee Identification Number (EIN) – PAs may not conduct any fundraising activities until they have obtained an EIN. (Also see Section I.K.8 – Employee Identification Number.)
11. PAs 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, regulations, bylaws and other PA requirements. PAs that have incorporated as 501(c)(3)s must check with their own counsel for advice on additional applicable requirements related to financial matters, record retention and other areas.

#### K. PA Financial Matters

1. PA Funds – PA funds are separate and independent from school funds and budgets. PA funds cannot be combined with school, General Organization or personal funds. PA funds can only be donated to the school by vote of the membership.
2. Books – PA books and records should be maintained by a person knowledgeable of the rules, laws and regulations applicable to PAs, as well as the business requirements for maintaining books and records, as selected by the PA. It is recommended that if a PA has total annual receipts of \$50,000 or more from all sources, the books be maintained by a CPA or someone with a background in accounting, business or a related field.
3. Obligations – Legitimate financial obligations of a PA are not affected by changes in executive board members/officers.
4. Debts – Debts incurred by the PA are the responsibility of the PA and are not the responsibility of the school or Department of Education.
5. Budget – A PA's expenditures must be tied to the goals of the association, as determined by vote of the membership during a regular meeting where a quorum is achieved. This includes expenditures for parent education, workshops and school-related purposes. Members of the association must decide how money raised for

these purposes will be spent.

- a. Bylaws – Each PA must set forth a budget process in its bylaws. This process must include:
    - i. a timetable for adopting a budget each year including:
      - preparation of a budget by an outgoing PA administration;
      - a review of the prior year's budget and time during meetings for comment by the membership;
      - adoption by the membership prior to the end of the school year;
    - ii. a process for subsequent budget amendments;
    - iii. a process to authorize emergency expenditures;
    - iv. a process for counting, securing, and depositing all monies received;
    - v. a specific dollar limit on expenditures permitted prior to the first membership meeting to a fixed amount;
    - vi. minimal reimbursement levels for executive board members, if applicable.
  - b. Budget Proposal Form – Each PA must prepare a proposed budget using the attached Budget Proposal Form and distribute the completed form to the principal and the appropriate OFEA District Family Advocate or Deputy Borough Director. (See Attachment No. 5.)
6. Expenditure of Funds
- a. Approval – All expenditures of funds must be approved by vote of the PA membership for specific purposes during a regular meeting where a quorum is achieved.
  - b. Conflict of Interests – It is a conflict of interest for a PA member to receive any financial or other benefit as a result of a contract with the PA or expenditure of funds by the PA. Therefore, if a member or any member of the PA's member's family or household has a financial or other interest in a contract or other matter before the PA, the member must disclose such interest before any vote on the matter and must abstain from voting or otherwise participating in the decision.
  - c. Minimal Expenditures – Executive boards may only be reimbursed for minimal expenditures for operating expenses. The amount spent and the reason for the expenditure must be reported at the next regularly scheduled meeting before reimbursement can be given.
  - d. Emergency Expenditures – Bylaws shall contain procedures for emergency expenditures on behalf of the PA and a timeline for reporting such expenses to the membership.
  - e. Restrictions – the following expenditures are prohibited:
    - i. expenditure for political contributions, including contributions to candidates for CEC, CCHS and/or CCSE office, political parties, political groups or sectarian groups are strictly forbidden;
    - ii. tickets to social events, without a vote of the membership;
    - iii. membership in organizations, without a vote of the membership.
  - f. Hiring Instructional and Other Staff
    - i. During School Hours  
Core instructional teachers or other staff may not be hired by the PA for programs or instruction during school hours. Funds may not be contributed to the school for this purpose. However, funds may be used

- for hiring supplemental staff, e.g., art cluster teacher. Funds must be accepted by the superintendent with prior approval by the Chancellor or designee.
- ii. During Non-School Hours
    - Activities – A PA may employ staff to conduct after-school or weekend activities. Department employees may be hired only to work directly with children (e.g., tutoring, coaching sports).
    - Restrictions – PAs may not hire Department employees to run the program(s) or perform other administrative tasks.
  - iii. Filing and Reporting Requirements – The PA must adhere to all relevant filing and reporting requirements, e.g., the Internal Revenue Service. It is recommended that the association donate the funds to the school for after-school program(s) and that the principal administer the program(s).
- g. Out-of-Pocket Expenditures – A member may be reimbursed for out-of-pocket expenses if he/she submits the receipts and the expense is approved by the members during a regularly scheduled meeting where a quorum is achieved. The reimbursement shall be made by check payable to the member, and not in cash.
7. Liability Insurance – If a PA runs an after-school program, the PA must obtain appropriate liability insurance and use the facilities in accordance with all applicable federal laws, NYS laws, NYC laws and Departmental policies, including obtaining a building permit for the school.
  8. Employer Identification Number – PAs, as separate entities, must obtain their own Employer Identification Number (EIN) from the Internal Revenue Services for bank account applications. PAs may not conduct any fundraising activities until they have obtained an EIN. The PA's EIN must be maintained on file with the principal.
  9. New York State Tax Exempt Number – PAs must obtain their own New York State Tax Exempt Number for the purpose of purchasing items exempt of sales tax. PAs shall not use the school's EIN or tax exempt numbers. The PA's tax exempt status is to be used only for the association's benefit and not for the benefit of individual members.
  10. Bank Accounts
    - a. Checking Account – A checking account in the name of the PA must be maintained. The PA must use a commercial ledger checkbook.
    - b. 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.
    - c. Signatories
      - i. Dual Signatories – Checking accounts must require at least two authorized signatures on checks.
      - ii. Conflict of Interests – The dual signatories on the PA account may not be related by blood or marriage. Under no circumstances may spouses, siblings, in-laws or other relatives or members of the same family or household be authorized as dual signatories on the PA account.
    - d. ATM Cards and Withdrawal Slips – The acceptance or use of an automated teller machine (ATM) card, debit card or withdrawal slips is prohibited, and is grounds for the Chancellor or designee to immediately remove any officer complicit in the violation of this provision.

- e. Payees – PA Treasurers/Signatories may not approve checks written to “petty cash” or “cash” as the payee.
- f. Deposits – All cash received by a PA for an activity, program or fundraiser must be deposited in the PA bank account within one business day of receipt.

## 11. Records

### a. Record Keeping

- i. Financial Records – Financial records may include interim and annual financial reports, bank statements, checkbook ledgers, deposit slips, cancelled checks, minutes approving financial actions, copies of vendor contracts, inventory lists, invoices, voided checks, etc. All records reflecting expenditures, including but not limited to invoices and copies or records of tax exempt forms submitted for purchases, must be maintained as part of the PA’s financial records.
- ii. Length of Time – The PA must keep all financial records for a period of six years. If scanning capabilities exist, the records should be scanned and saved to disk.
- iii. Location of Records – All paper financial records must be maintained on school premises under the responsibility of the treasurer. Records may not be kept at a private residence.
- iv. Bylaws – Bylaws must establish a process for counting, securing and depositing monies received.
- v. Cash Receipts and Disbursements – The PA must maintain accurate cash receipts and cash disbursement books reflecting the current status of all accounts.
- vi. Inventory – The PA must maintain an inventory of all items purchased and/or donated to the PA as part of its official records.

- b. Transfer of Records – Prior to the conclusion of his/her term, the outgoing treasurer shall make the necessary arrangements to provide, in the presence of the principal, all records regarding PA income and expenditures to the newly elected treasurer, as well as information on the method of record keeping used by the association.

### c. Access to Records

- i. Inspection – PA financial records must be available for inspection by members upon request and reasonable notice, and at a mutually agreeable time.
- ii. Reviews – Financial records review should be conducted in the presence of the executive board members and two members at large not associated with the request.
- iii. Requests – Financial review request process should include:
  - A written request identifying the items to be reviewed;
  - The PA shall provide copies of requested items within a reasonable time;
  - Provide a review sheet for signature by PA member and executive board members identifying the materials/items reviewed.
  - Complaints – Upon receipt of a complaint, the principal, OFEA District Family Advocate or Deputy Borough Director and/or Chancellor or designees, as appropriate, shall have access to the financial records, subject to the requirements of this regulation.

## 12. Reports

- a. Treasurer's Reports and Accounting – The bylaws must include a provision for a regular accounting in writing by the treasurer to the membership. A written treasurer's report should be given at every executive board and membership meeting. Copies of the reports must be posted on the parent bulletin board and given to the school principal. This report should include a statement of income/receipts and expenditures/disbursements for the reporting period.
- b. Financial Reports
  - i. Reporting Periods – An Interim Financial Report must be prepared by the PA by January 31, and an Annual Financial Accounting must be prepared by the PA by June 30 of each school year. (See Attachments No. 1 and 2.)
  - ii. Content – This report and accounting shall include all information regarding income, profit and expenditures, and any unpaid/outstanding obligations of the PA, including all those related to fundraising activities conducted.
  - iii. Filing – The interim report and annual accounting must be filed with the principal by the dates specified above.
  - iv. Submission – The principal must submit copies of the interim report and annual accounting to the appropriate OFEA District Family Advocate or Deputy Borough Director.
  - v. Distribution – The interim report and annual accounting, or a summary thereof, must be distributed to all parents in the school through the PA bulletin newsletter, special notice or at a special meeting.

## L. Audits

Audits are conducted with the overall objective of determining the accountability of revenue and expenditure, and compliance with applicable rules, laws and regulations. Audits may be conducted internally by the PA or externally when a grievance related to the PA's funds is filed, when serious allegations are raised, or when requested in writing by resolution of an appropriate CEC, CCHS or CCSE.

1. PA Audits – PAs should conduct an internal audit to review their accounting procedures and spending.
  - a. Audit Committee – The audit committee must be selected by the general membership. The majority of the audit committee must consist of parents at large. The committee shall act as an oversight board to the audit and not as auditors.
    - Restrictions – Check signatories cannot serve on or guide the work of an audit committee.
  - b. Scope – The audit shall include a review of all available PA records, including but not limited to financial reports, the PA's approved budget, January Interim and June Annual Financial Accounting Reports, checkbook ledgers and statements, cancelled checks, receipts/bills and minutes from PA meetings.
  - c. Frequency – PA audits should be conducted on a regular basis at least once every year prior to April 1. It is also recommended that an audit be conducted when there is a change in the person holding the position of treasurer.
  - d. Auditor – It is recommended that the individual selected to conduct an audit be a CPA or someone with a background in accounting, business or a related field. The individual selected should be knowledgeable of the rules, laws and regulations applicable to PAs, as well as the business requirements for maintaining books and records.

- Restriction – The individual selected to perform the audit cannot be on the audit committee, PA membership or executive board. Under no circumstances can the individual selected be related to anyone on the executive board, audit committee and or PA membership.
- e. Report – A copy of the complete audit report must be provided to the principal and to the membership within thirty calendar days of the report's completion.
- 2. External Audits – The OFEA District Family Advocate or Deputy Borough Director, Chancellor or Chancellor's designee may conduct an audit when a grievance related to a PA's funds is filed, when serious allegations are raised or when requested by written resolution of an appropriate Presidents' Council, CEC, CCHS or CCSE.
- 3. Findings of Financial Wrongdoing or Discrepancy – If, upon the conclusion of an audit, it is determined that there is financial wrongdoing or that a financial discrepancy exists, a written statement reporting the financial wrongdoing or the existence and extent of the shortage and other relevant findings must be forwarded to the Chancellor and to the Presidents' Council, CEC, CCHS or CCSE, principal and the PA membership. The report may also recommend specific action that must be taken to prevent further financial wrongdoing or deficiencies. The CFEO or Chancellor may order disciplinary or corrective action, as appropriate.

#### M. PA Disciplinary and Corrective Action

PAs and their officers may be subject to disciplinary and/or corrective action for acts of wrongdoing and/or failure to abide by this regulation. In consultation with the OFEA District Family Advocate or Deputy Borough Director, or the Chancellor or the Chancellor's designee, the principal must take corrective action when there is a finding of wrongdoing or infraction. OFEA, the Chancellor or their designees may also order disciplinary or corrective action, as appropriate.

##### 1. Examples of Wrongdoing and Infractions

- a. Financial wrongdoing and inappropriate financial practices – Financial wrongdoing, and/or a failure to maintain records in accordance with the requirements of this section, and/or a failure to provide records or access to records, and/or a failure to provide financial accounting in January and June are infractions that will be subject to disciplinary and/or corrective action.

Additional examples of infractions and/or inappropriate financial practices that would warrant the need for the appropriate disciplinary or corrective action include but are not limited to: check payments to cash or petty cash, ongoing non-payment of vendors, failure to deposit funds in the PA checking account of the day after receipt, having dually endorsed/signed checks by members related by blood or marriage, use of the school's EIN and tax exempt number or use of the PA's EIN or tax exempt number for a purpose other than PA business, use and/or acquisition of an ATM card or withdrawal slips, or failure to file or turn over financial records as outlined in this regulation.

- b. Financial Loss – Any member or members found to have been responsible for financial loss through wrongdoing, recklessness or failure to safeguard PA funds will, in addition to the below penalties, be prohibited from serving on any PA board, Presidents' Council, school or district leadership team and Title I Parent Advisory Councils (PACs).
- c. Inappropriate Behavior – Officers who by their conduct present a threat or risk to students may be subject to immediate removal from PA office.
- d. Negligence – PA members who are found to be willfully negligent in their duties and responsibilities as outlined in the association's bylaws and/or this regulation (e.g., failure to prepare and/or distribute the January and June financial accounting reports, file the PA's EIN number and bylaws with the principal, maintain and/or safeguard the records of the PA on school premises and consult with the membership and/or principal as required by this regulation) are subject

to removal from office.

- e. Individual Wrongdoing or Criminal Acts – When a criminal act has been uncovered, remaining members of the executive board may consider filing a criminal complaint and/or pursuing criminal and/or civil remedies on behalf of the PA.

2. Disciplinary and Corrective Action

- a. Suspension of Fundraising Activities – A PA's authority to conduct fundraising activities may be suspended when there is a finding of financial wrongdoing or a comparable fiduciary infraction.
- b. Removal of Member – The Chancellor or designee will remove the member in consultation with the Department's Office of Legal Services and OFEA.
  - If an identified member or members of the PA have been removed due to financial wrongdoing in connection with association funds and removed, the bylaws shall provide for an alternate to serve in the absence of the representative. The bylaws must also outline the role of an alternate during Presidents' Council meetings in the absence of the official representative.
- c. Service Prohibition – All persons found to have engaged in inappropriate fiscal behavior and/or caused financial losses are prohibited from ever serving as an officer of school association, Title I committee, PAC, Presidents' Council or School or District Leadership Team.

## II. PRESIDENTS' COUNCILS

Each community school district is required to have a Presidents' Council. Each borough is required to have a Presidents' Council for its high schools, including Alternative High School Programs. Citywide Special Education shall have a citywide Presidents' Council. There shall be only one officially recognized Presidents' Council in each district for elementary and middle schools, in each borough for high schools, and citywide for special education.

### A. Membership

1. One representative of each PA in a public school within a district or borough is a member of a Presidents' Council.

Academies are affiliated with and represented by the school's PA and, therefore, do not have separate membership on a Presidents' Council.
2. Only current PA members are eligible to serve as representatives to Presidents' Council. There shall be only one official representative from each PA. The representative must be president, co-president or elected member. Persons who serve as president/co-president of more than one school in the district or borough may represent and vote on behalf of only one of those schools at the Presidents' Council. The PA may elect an alternate to serve in the absence of the officially designated school representative. The alternate's roles and duties will be defined in the Presidents' Council bylaws.
3. The Presidents' Council shall include a parent member of and selected by the District Title I PAC who is not employed in the district.
4. CEC, CCSE or CCHS members may not serve as a school's representative to the Presidents' Council.
5. Persons employed in the district or borough may not serve as a school's representative to the Presidents' Council.
6. For new schools, the principal must notify the Presidents' Council of the establishment of a PA in the school. The Presidents' Council must notify the new PA of its membership in the council and send notice of its next meeting.

## B. Rights and Responsibilities of Presidents' Councils

### 1. Presidents' Council's Rights

The Presidents' Council is responsible for its own actions and activities. It is not to be run by school officials. Its regular meetings may not be conducted by DOE employees, CEC members and/or superintendents.

CECs, Community or High School Superintendents, and other school officials and employees do not have the right to interfere with the internal affairs or supervise the activities of a Presidents' Council. Only the superintendent, CFEO, Chancellor and/or their designees may order corrective action or impose other sanctions, to enforce policy and regulations and to protect the rights of students, parents and staff.

Presidents' Councils have the following rights:

- a. Governance – Presidents' Councils are entitled to freedom from interference with their internal affairs or supervision of their activities, subject to the requirements of this regulation.
- b. Policy – Presidents' Councils have the right to set their own policies, so long as they do not violate law or DOE policy or regulation, or interfere with the rights of others.
- c. Representation – Presidents' Councils have the right to choose their own representatives, subject to the requirements of this regulation.
- d. Information – Presidents' Councils have the right to full and factual information relating to district or borough operations and student achievement as provided in Section III.C.2.c.
- e. Consultation – Presidents' Councils have the right to consultation on matters of student achievement and school operations as provided in Section III.C.1.b.
- f. Access – Presidents' Councils must be allocated space in the district, borough or central office, as appropriate. Reasonable access to typing, duplicating and mail services must be provided. Presidents' Councils are responsible for using district/borough resources and facilities allotted to them in a manner that minimizes disruption to the district or borough. The OFEA District Family Advocate or Deputy Borough Director will determine where access to facilities will be provided. The location of such facilities will be posted at the schools, the district office and the borough high school office, and will also be available via the city hotline (311).
- g. Grievance – Any Presidents' Council member may bring a grievance, as may a Presidents' Council, as provided in Section V.B.
- h. Enforcement – Presidents' Councils and council members are entitled to exercise their rights freely, without fear of penalty or reprisal. They have the right to be treated fairly by Presidents' Council and school system officials and to file a grievance for enforcement of their rights.

### 2. Responsibilities

- a. Governance and Representation – Presidents' Councils have the responsibility to run the council in an open and democratic manner. They must fairly represent the view of their members and all PAs within their jurisdiction and report to them on consultation with school officials.
- b. Information – Presidents' Councils have the responsibility to make information available to all members, to solicit the views of members and to respond to questions raised by members. Minutes of Presidents' Council meetings must be distributed to all PAs in their jurisdiction.
- c. Consultation – Presidents' Councils must consult with their OFEA District Family Advocate or Deputy Borough Director.

- d. Committees – Presidents’ Councils have the authority to establish committees and appoint representatives to serve on committees and, as appropriate, to ensure that representatives fulfill their duties.
- e. Leadership – Presidents’ Councils must offer and provide assistance to PAs in their jurisdiction in forming a PA, writing bylaws, observing and conducting elections, developing parent leadership and resolving disputes, upon appropriate request. Presidents’ Councils are not to investigate or offer a determination in any grievance filed by a PA or Presidents’ Council member.
- f. Compliance – Presidents’ Council’s must observe all applicable laws, policies, rules and regulations.
- g. Financial Reporting – Presidents’ Councils must file an Annual Financial Accounting of all income and expenditures by June 30. The annual accounting must be filed with the appropriate OFEA District Family Advocate or Deputy Borough Director and distributed to all Presidents’ Council members. (See Attachment No. 3.)
- h. Records – All Presidents’ Council records must be maintained in the district or borough office. Under no circumstances are records to be kept at a private residence.
- i. Transfer of Records – Outgoing executive boards are required to arrange for the orderly transfer of Presidents’ Council records and information, including an overview of Presidents’ Council transactions for the school year, to the incoming executive board. It is suggested that a meeting be convened in June for this purpose.

C. Procedural Issues

1. Adoption – Each Presidents’ Council must establish bylaws, adopted by vote of its membership.
2. Compliance – All bylaws must conform to the requirements of this regulation. Bylaws that are in conflict with the requirements herein must be amended. In the absence of bylaws that conform to the requirements of this regulation, a Presidents’ Council may not conduct any activities, including elections and fundraisers.
3. Minimum Components – For a detailed list of minimum requirements for Presidents’ Council bylaws, see Attachment No. 9.
4. Bylaws – Access and Use
  - a. The Presidents’ Council must file its bylaws and amendments with the appropriate OFEA District Family Advocate or Deputy Borough Director. The bylaws and amendments shall be available in the OFEA District Family Advocate or Deputy Borough Director’s office.
  - b. The Presidents’ Council must distribute a copy of its bylaws and amendments to each constituent PA, and make a copy of its bylaws and amendments available at every council meeting.
5. Officers’ Names, Home Addresses, and Telephone Numbers
  - a. The Presidents’ Council must file a list of officers’ names, home addresses and telephone numbers with the superintendent.

The appropriate superintendent shall forward a copy to OFEA by September 30. OFEA will provide CPAC with a copy of the citywide list of executive officers of the Presidents’ Councils.

The list shall be available in the superintendent’s office, without home addresses and phone numbers.

- b. The Presidents' Council must distribute the list, without home addresses and phone numbers, at the beginning of the school year to all constituent PAs.  
The Presidents' Council must make copies of the list, without home addresses and phone numbers, available at every scheduled council meeting.
  - c. Individual officers may consent to distribution of their home addresses and/or telephone numbers through the OFEA District Family Advocate or Deputy Borough Director and/or the Presidents' Council.
6. Payment of Dues  
Dues may be solicited but not required. Payment of dues may not be a condition for membership.
  7. Establishment and Continuation of Presidents' Councils
    - a. It is the responsibility of the OFEA District Family Advocate or his/her designee to convene a Presidents' Council for his/her district if there is no council established or if it has ceased to function.
    - b. It is the responsibility of the OFEA Deputy Borough Director to convene a high school Presidents' Council for his/her borough if there is no council established or if it has ceased to function.
    - c. It is the responsibility of the Superintendent of District 75 to convene a Presidents' Council if no council has been established in District 75 or if it has ceased to function.
    - d. If there is no Presidents' Council established in a district or borough, the appropriate official must notify the constituent PAs immediately and schedule a meeting to be held within fourteen calendar days. Failure to elect officers by September 30 will cause the Presidents' Council to cease to function.
    - e. A Presidents' Council has ceased to function when it fails or is unable to conduct council business as required by this regulation or its own bylaws.
      - i. If the Presidents' Council fails to conduct business, the OFEA District Family Advocate or Deputy Borough Director shall notify council officers in writing as soon as practicable of their duty to take necessary action.
      - ii. If the Presidents' Council fails to respond or take action within seven calendar days, the OFEA District Family Advocate or Deputy Borough Director must notify the constituent PAs that the council has ceased to function, and schedule a meeting with PA presidents or representatives to be held within fourteen calendar days.
  8. Election Delays
    - a. The Presidents' Council must notify the appropriate OFEA District Family Advocate or Deputy Borough Director by June 30 of the scheduled time and date for election of officers.
    - b. If by June 30 the OFEA District Family Advocate or Deputy Borough Director has not been notified of the scheduled time and date for the election, the OFEA representative shall notify Presidents' Council officers and request a time and date for the election. If the Council fails to respond or take action within seven calendar days, the OFEA District Family Advocate or Deputy Borough Director shall contact constituent PAs and schedule a meeting as provided in Section II.C.7.
      - i. Upon the request of the OFEA District Family Advocate or Deputy Borough Director, OFEA or the Chancellor may send a representative to assist at the meeting.

ii. Upon the request of any Presidents' Council member, a representative of the Chancellor must be allowed to observe the election.

c. Where allegations arise of election irregularities or improprieties under bylaws or other legal requirements, an expedited grievance may be filed through the procedure set forth in Section V.B.4.

9. Grievances

Grievances arising within a Presidents' Council shall be governed by the grievance procedure set forth in Section V.B of this regulation.

D. Fundraising

1. All Presidents' Council fundraisers must be tied to the goals of the council, including parent education, workshops and district or borough related purposes. Determination of the use and expenditure of funds and the authorization to spend funds must be approved by the membership.
2. Fundraising activities conducted by the Presidents' Council must be:
  - a. approved by the Presidents' Council membership; and
  - b. planned jointly by the Presidents' Council with the appropriate OFEA District Family Advocate or Deputy Borough Director or designee.
3. The following activities are strictly forbidden:
  - a. the involvement of children in fundraising activities; and
  - b. any form of gambling, including bingo.
4. A brief statement showing the total amount of money raised, expenses and net proceeds must be prepared by the Presidents' Council. The statement shall be distributed to the OFEA District Family Advocate or Deputy Borough Director and members of the council, and also be made available to parents. (See Attachment No. 4.)
5. Failure to obtain approval of the Presidents' Council membership prior to initiating a fundraising activity is a violation of this regulation.

E. Record Keeping

1. Presidents' Councils are separate entities and must obtain their own Employer Identification Numbers (EIN) from the Internal Revenue Service for bank account applications. Presidents' Councils may not conduct any fundraising activities until they have obtained an EIN. In addition, Presidents' Councils must obtain their own New York State Tax Exempt Number for the purpose of purchasing items exempt of sales tax.
  - a. The Presidents' Council's tax exempt status is to be used only for the council's benefit and not for the benefit of individual members. Copies or records of tax exempt forms submitted to stores must be maintained as Presidents' Council records.
  - b. Presidents' Councils may not use the EIN or tax exempt numbers from any Department of Education office, school or program. A Presidents' Council's EIN must be maintained on file with the appropriate OFEA District Family Advocate or Deputy Borough Director.
2. Presidents' Council funds cannot be combined with school, district, borough or personal funds.
3. Checking Accounts
  - a. A checking account in the name of the Presidents' Council must be maintained. Any accounts other than the mandatory checking account must be authorized by a vote of the council membership and must be in the name of the Presidents'

Council. A commercial ledger must be used.

- b. The acquisition or use of an automated teller machine (ATM) card, debit card or withdrawal slips by the Presidents' Council is prohibited. Presidents' Councils may not write checks for "petty cash" or "cash." A member may be reimbursed for expenses if they submit a receipt and the payment is approved by the majority membership during a Presidents' Council meeting. The reimbursement check is to be made payable to the member, not to cash.
- c. Presidents' Council checking accounts must require at least two authorized signatures on checks, as must be specified in the bylaws.
  - The dual signatories on the Presidents' Council may not be related by blood or marriage. Under no circumstances may spouses, siblings, in-laws or other relatives or members of the same family or household be authorized as dual signatories on the Presidents' Council account.
4. The Presidents' Council must maintain accurate cash receipts and cash disbursement books reflecting the current status of all accounts. Bylaws must establish a process for counting, securing and depositing monies received. All cash received by a Presidents' Council for an activity, program or fundraiser must be deposited within one business day of receipt
5. All invoices reflecting Presidents' Council expenditures must be maintained on school, district or borough premises by the treasurer. The Presidents' Council must keep all financial records for a period of six years. At the start of a term, the newly elected treasurer shall receive records from his or her predecessor in office. Prior to the conclusion of his/her term, the outgoing treasurer shall make the necessary arrangements to provide all records regarding Presidents' Council income and expenditures to the newly elected treasurer, as well as information on the method of record keeping used by the Presidents' Council.
6. Treasurer's Report

The bylaws must include provisions for a regular accounting in writing by the treasurer to the membership. A treasurer's report should be given at every executive board and membership meeting, and copies of the report must be available in writing to the membership and the appropriate OFEA District Family Advocate or Deputy Borough Director. This report should include a statement of income/receipts and expenditures/disbursements for the reporting period.
7. Financial Reporting

An Annual Financial Accounting must be made by the Presidents' Council by June 30 of each school year. (See Attachment No. 3.)

  - a. This report and accounting shall include all information regarding income, profit and expenditures and any unpaid/outstanding obligations of the Presidents' Council, including all those related to all fundraising activities conducted by the Council.
  - b. The annual accounting report or summary thereof must be filed in the appropriate OFEA District Family Advocate or Deputy Borough Director's office and distributed to all Presidents' Council members through the council's bulletin, newsletter, special notice or at a special meeting.
8. Access to Records

Presidents' Council financial records must be maintained on file in the district or borough office, and are not to be kept at a private residence.

Financial records may include annual financial records, bank statements, checkbook ledgers, deposit slips, cancelled checks, minutes approving financial actions, copies of vendor contracts, inventory lists, invoices, voided checks, receipts, etc.

The financial review request process should:

- a. Include a written request from a school representative to the Presidents' Council identifying the items to be reviewed;
- b. Be in the presence of the appropriate executive board members;
- c. Provide a review sheet for signature by the reviewer and executive board members citing the materials/items reviewed.

The Presidents' Council shall provide copies of requested items within a reasonable period of time.

The appropriate OFEA District Family Advocate or Deputy Borough Director, Chancellor or Chancellor's designee shall have access to all Presidents' Council financial records.

#### F. Audits

1. It is recommended that the Presidents' Council conduct internal audits to review council accounting procedures and spending. It is recommended that an audit be conducted when the person holding the position of treasurer changes.
  - a. A majority of the audit committee must be selected by the general membership. Check signatories cannot serve on the audit committee.
  - b. A copy of the audit must be provided to the appropriate OFEA District Family Advocate or Deputy Borough Director and to the membership within thirty calendar days of completion of the audit.
2. The appropriate OFEA District Family Advocate or Deputy Borough Director or designee, or the Chancellor or Chancellor's designee may conduct an audit when a grievance related to a Presidents' Council's funds is filed, when serious allegations are raised or when requested by a Community Education Council.
3. If, upon the conclusion of an audit, it is determined that a financial discrepancy exists, a written statement reporting the existence and extent of the shortage and other relevant findings will be forwarded to the Chancellor, the appropriate OFEA District Family Advocate or Deputy Borough Director and the Presidents' Council. The report may also recommend specific action available to the Presidents' Council and remedial action that must be taken to prevent further financial deficiencies. The appropriate OFEA District Family Advocate or Deputy Borough Director or Chancellor may order disciplinary or corrective action, as appropriate.
4. Upon failure to maintain records in accordance with the requirements of this section (i.e., to provide records or access to records; failure to provide a financial accounting in June; and/or a finding of financial irregularity, impropriety or wrongdoing), the appropriate OFEA District Family Advocate or Deputy Borough Director or Chancellor, as appropriate, must take corrective action. This will include but not be limited to the prohibition of fundraising, filing of criminal charges and/or the barring of involved council members from any future leadership positions.
5. Additional examples of infractions and/or inappropriate financial practices that would warrant the need for the appropriate OFEA District Family Advocate or Deputy Borough Director and/or Chancellor or their designees to order disciplinary or corrective action include but are not limited to: check payments to cash or petty cash, ongoing non-payment of vendors, failure to deposit funds in the Presidents' Council checking account within one business day of receipt, having dually endorsed/signed checks by members related by blood or marriage, use of the school's EIN and tax exempt number or use of the Presidents' Council's EIN or tax exempt number for a purpose other than Presidents' Council business, use and/or acquisition of an ATM or debit card or withdrawal slips, and failure to file or turn over financial records as outlined in this regulation.

6. Any member or members found to have been responsible for financial loss through wrongdoing, recklessness or failure to safeguard Presidents' Council funds will, in addition to the above penalties, be prohibited from serving on any Presidents' Council board, school or district leadership team and Title I District Parent Advisory Council.
7. Presidents' Council members who are found to be willfully negligent in their duties and responsibilities as outlined in the bylaws and/or this regulation are subject to removal from office. In addition, members who by their conduct present a threat or risk to members of the district or borough community may be subject to removal from the Presidents' Council office.

In cases where these patterns of documented inappropriate behavior persist, the appropriate OFEA District Family Advocate or Deputy Borough Director, Chancellor or their designees may render a decision that would prohibit those members from serving on any Presidents' Council Board, District Leadership Team or Title I Parent Advisory Council (PAC). This determination will be made by the appropriate OFEA District Family Advocate or Deputy Borough Director and/or Chancellor or their designees in consultation with the Department's Office of Legal Services.

### **III. ADDITIONAL RIGHTS OF PAs AND PRESIDENTS' COUNCILS**

#### **A. The Budget Process**

High School and Community Superintendents must consult with Presidents' Council and PA representatives from schools within their jurisdiction during the citywide school budget process.

1. Consultation on preparation of the estimated budget shall take place prior to its submission to the Chancellor.

Access to adequate budget information must be provided to Presidents' Councils and PAs, including but not limited to:

- a. Budgets;
- b. Timelines for adoption;
- c. Allocation formulas;
- d. School-based budget and resource information.

Information must be prepared in plain language and provided in advance of the public hearing or consultation, allowing reasonable time for comment.

2. Consultation on proposed allocations shall take place during District Leadership Team meetings upon release of the final allocation of the Chancellor and prior to finalization of the budget.
3. Consultation on expenditures within each school shall take place during School Leadership Team meetings on an ongoing basis.
4. The consultation requirements set forth in Section III.C shall include development of written procedures for consultation on the budget process and certification thereof by the appropriate Community or High School Superintendents with District Leadership Teams. Title I parent involvement budget consultation must have sufficient prior notification, full factual information and parent involvement in the preparation of the budget. Minutes must be attached to the plan.

#### **B. Receipt of Mail by PAs and Presidents' Councils**

1. PAs have the right to receive mail through the school office, which will be kept for the PA in a secure place. This is the school's sole responsibility in regard to mail addressed to and left for the PA.

2. Presidents' Councils have the right to receive mail through the district, borough or central office, as appropriate, which will be kept for the Presidents' Council in a secure place. This will constitute OFEA's sole responsibility in regard to mail addressed to and left for the Presidents' Council.

C. Communication and Consultation

PAs and Presidents' Councils must receive information in a timely manner and be given the opportunity to be consulted and heard on matters that affect the schools. Each superintendent and Community Education Council is required to meet at least quarterly with the officers of the PAs within their jurisdiction. The Community Superintendent will meet with the elementary and middle schools in his/her district, and the Deputy High School Superintendent or his/her designee will meet with the high schools in his/her borough. Principals must meet at least quarterly with the PA officers in their school.

1. Procedures

Community Superintendents and Community Education Councils must establish written procedures for consultation with their respective constituents. Written procedures must include reasonable notice to PAs and Presidents' Councils, consultation on mandatory topics, information provided in a timely fashion and consultation at appropriate levels in the school system hierarchy.

a. Reasonable Notice to PAs and Presidents' Councils

Reasonable notice shall include:

- i. adequate information provided in plain language;
- ii. the opportunity for meaningful discussion in advance of a decision or action, except under exceptional circumstances;
  - "exceptional circumstances" means emergency situations for which immediate action is required;
- iii. time for PA and Presidents' Council representatives to talk to their constituencies during at least one meeting cycle.

b. Consultation on Mandatory Topics

Mandatory topics for consultation are curriculum, budget, discipline, safety, food services, special programs and innovations, repairs and construction, purchasing policies, recreational programs, and the use of federal, state and other special funds.

This list is not intended to limit consultation on any subjects not included.

2. Information Provided in a Timely Fashion

a. The principal is responsible for making available to PAs for the opening of school in September:

- i. all reports and plans relating to the school, including the Comprehensive Educational Plan (CEP);
- ii. a copy of the School Leadership Team's view of information on the school's budget and budget policies for associations;
- iii. school safety, discipline and attendance plans.

b. The principal is responsible for making available to the PA:

- i. full and factual information pertaining to procedures and timetables for student testing and matters of student achievement;
- ii. regulations upon request;



Special Education vacancies, the CCSE must consult with the citywide special education Presidents' Council and other educational groups. For Citywide Council on High Schools vacancies, the CCHS must consult with the Chancellor's Parent Advisory Council and the Borough High School Presidents' Councils. Recommendations shall be submitted in writing and included in the record of the meeting at which the vacancy is filled.

#### **IV. CHANCELLOR'S PARENT ADVISORY COUNCIL (CPAC)**

The president of each district, borough and citywide Presidents' Council is a member of the Chancellor's Parent Advisory Council (CPAC). The president may appoint a representative from the Presidents' Council to serve as a non-voting representative in her/his stead. District or Borough presidents may elect an alternate designee to the president as a voting representative to CPAC.

##### **A. Designees**

When a designee is appointed or elected, a copy of the minutes reflecting this decision must be conveyed to the appropriate superintendent prior to the Presidents' Council election to establish the eligibility of the designated representative to participate in the Council election.

1. The superintendent or his/her designee shall forward this information to OFEA by September 30.
2. OFEA will forward copies of these minutes to the CPAC Executive Board in order to help facilitate their fall election process.

#### **V. CHANCELLOR'S RESPONSIBILITIES**

##### **A. Consultation**

The Chancellor must consult with CPAC.

1. The Chancellor shall provide access to the following information:
  - a. Minimum educational standards and curriculum requirements for all schools in the city district;
  - b. Results of examinations and evaluations regarding the educational effectiveness of the city's schools and programs;
  - c. School profiles;
  - d. Full and factual information pertaining to matters of student achievement, including but not limited to annual reading and math scores, comparison of the achievement of students in comparable grades and schools, and the record of achievement of the same children as they progress through the school (provided in a non-identifiable manner).

##### **B. Grievances**

The grievance mechanism set forth below in Section V.B.2. applies to disputes within or against PAs and Presidents' Councils, and to complaints concerning an action or inaction by a school, district or borough employee or official relating to a PA or Presidents' Council<sup>4</sup> that cannot be resolved pursuant to Section V.B.1.

1. Members of PAs and Presidents' Councils shall attempt to resolve disputes within their respective groups.
  - a. PAs should seek the assistance of the appropriate Presidents' Council to resolve a dispute, but Councils may not hear, render or amend any decision regarding a PA or Presidents' Council grievance. However, the Presidents'

<sup>4</sup> Parents and students have numerous rights and responsibilities set forth in other laws and regulations. Complaints by parents on behalf of themselves or their children concerning those rights that are not related to PA or Presidents' Council issues should be made in accordance with the procedures set forth in applicable regulations or guidelines.

Council shall be notified when a grievance has been filed.

- b. For action or inaction by a school official or officials, the assistance of the appropriate OFEA District Family Advocate or Deputy Borough Director may be sought to follow the appropriate procedure to file a complaint against a staff member.
  - c. Complaints or allegations of criminal wrongdoing or misconduct must be reported to the Special Commissioner of Investigations for the New York City School District.
2. For those disputes that cannot be resolved, an aggrieved party may file a grievance as set forth below.
- a. Grounds  
A grievance must be based on the violation of a PA or Presidents' Council's bylaws, or other applicable law, policy or regulation.
  - b. Standing  
Any parent, PA or Presidents' Council member, DOE official or employee or an interested party may bring a grievance.
  - c. Format  
The format of a grievance may vary, but it must be in writing and it must include the following:
    - i. statement of facts upon which the complaint is being made;
    - ii. what laws or regulations are being violated, if known to the grievant;
    - iii. supporting documentation, if any (copies may be submitted);
    - iv. name(s) and signature(s) of the person(s) making the grievance and the date;
      - grievances brought by PAs or Presidents' Councils must be signed by an officer, in accordance with bylaws.
3. Process
- a. Step 1 Grievances Filed with the Community Education Council, Citywide Council on High Schools, or Citywide Council on Special Education
    - i. A grievance must be filed with the CEC, CCHS or CCSE, as appropriate, within thirty days of the event complained of or within thirty days after the event is discovered. The CEC, CCHS or CCSE shall issue a letter acknowledging receipt of the grievance and the date of receipt.
    - ii. The aggrieved party shall have the right to receive and respond to all charges.
    - iii. A decision shall be rendered by the CEC, CCHS or CCSE within thirty days of receipt of the grievance. The decision shall be in writing and include findings of fact, where appropriate.
      - If a decision is not possible because of a continuing investigation or a referral to other authorities, the CEC, CCHS or CCSE must issue a response reflecting that fact within the thirty-day period and include a projected date for final decision. Where interim remedies are appropriate, they must be included in the response. Any response under this paragraph is subject to appeal under Step 2, as is any decision by the CEC, CCHS or CCSE.

- iv. The decision of the CEC, CCHS or CCSE is final and binding, subject to decision upon appeal under Step 2 to the Chancellor or an injunction issued by the Chancellor.
- v. The CEC, CCHS and CCSE will maintain copies of Step 1 decisions. The decisions shall be accessible and available to the public. Student names or other personally identifiable student data must be deleted from issued decisions.

b. Step 2 - Appeal to the Chancellor

The CEC, CCHS or CCSE determination may be appealed to the Chancellor.

- i. The appeal to the Chancellor must be filed within fifteen days of receipt of the decision that is being appealed. Appeals shall be sent to:

The Office of the General Counsel  
52 Chambers Street, Room 308  
New York City, New York 10007

If the CEC, CCHS or CCSE fails to issue a determination within the required deadline, the grievance may be filed with the Chancellor.

- ii. The Chancellor shall issue a letter acknowledging receipt of the grievance and the date of receipt.
- iii. The Chancellor may issue an injunction staying the Step 1 decision pending the Chancellor's decision on the merits.
- iv. The Chancellor's decision shall be made in writing, rendered within thirty days after receipt.
- v. If a decision is not possible due to a continuing investigation or referral to other authorities, the Chancellor shall issue a response reflecting that fact within the thirty-day period and include a projected date for final decision.
  - Where interim remedies are appropriate, they shall be included in the response.
- vi. The decision of the Chancellor is final and binding. The decisions shall be accessible and available to the public. Students' names or other personally identifiable student data must be deleted from issued decisions.

4. Expedited Appeal for Election Disputes

In the case of an election dispute, the following will apply:

a. Step 1 Grievances Filed with the CEC, CCHS or CCSE

A grievance must be filed within seven calendar days of the election. Grievances not filed within this time period may proceed under Section V.B.3.

A decision shall be rendered by the CEC, CCHS or CCSE within seven days of receipt of the grievance.

b. Step 2 Appeal to the Chancellor

The CEC, CCHS or CCSE determination may be appealed to the Chancellor. The appeal to the Chancellor must be filed within three calendar days of receipt of the decision that is being appealed. Appeals shall be sent to:

The Office of the General Counsel  
52 Chambers Street, Room 308  
New York City, New York 10007

The Chancellor's decision shall be in writing, rendered seven days after filing.

5. PAs and Presidents' Councils may agree to alternative conflict resolution processes, subject to the limitations in this section.
  - a. A PA or Presidents' Council cannot agree or bind itself or its members to any agreement or decision that conflicts with law, policy or regulation.
  - b. Neither PAs nor Presidents' Councils can take away the rights of PA members or others established by this regulation, including the right to file a grievance under this section.
  - c. A decision rendered in another forum will be given appropriate weight in the determination of any grievance brought under this regulation relating to the same subject or parties.

C. Certification and Enforcement

1. Certification

Principals shall have the responsibility to be aware of the PA's activities as they relate to compliance with Department of Education policy, Chancellor's Regulations and their own bylaws. Principals shall file PA Status Reports (Attachment No. 6) and documentation by October 30 and February 15 of each school year with the appropriate OFEA District Family Advocate or Deputy Borough Director. The reports shall include copies of the appropriate PA financial reports and other supporting documentation, as applicable (i.e., meeting agendas and minutes, treasurer's reports, January Interim Financial Accounting Report).

- a. The appropriate OFEA District Family Advocate or Deputy Borough Director shall review the PA Status Reports and documentation, and recommend action as appropriate, including the development of an intervention action plan to address areas of concern. The appropriate OFEA District Family Advocate or Deputy Borough Director shall also solicit input from the appropriate Presidents' Council in the development of any intervention action plan.
- b. Upon a finding of failure of PA compliance, the appropriate OFEA District Family Advocate or Deputy Borough Director shall direct the principal to initiate appropriate corrective action and, if necessary, sanctions and disciplinary procedures.
- c. The PA president or any executive board member may file a statement of disagreement regarding specific areas of the principal's PA status report with the superintendent.
- d. The appropriate OFEA District Family Advocate or Deputy Borough Director shall have the responsibility to be aware of the Presidents' Council's activities as they relate to compliance with Department of Education policy, Chancellor's Regulations and their own bylaws. The appropriate OFEA District Family Advocate or Deputy Borough Director shall file reports with the CFEO regarding the status of the Presidents' Council by October 30 and February 15 of each school year. (See Attachment No. 7.)

2. Enforcement

Upon a finding of failure of Presidents' Council compliance, the appropriate OFEA District Family Advocate or Deputy Borough Director shall initiate appropriate corrective action and, if necessary, sanction and disciplinary procedures.

- a. The president of a Presidents' Council or any executive board member may file a statement of disagreement regarding specific areas of the OFEA District Family Advocate or Deputy Borough Director's report of a Presidents' Council status with OFEA.
- b. Upon a finding of a failure to comply, the Chancellor may direct the proper school authorities to take corrective action, including the imposition of sanctions and disciplinary actions as appropriate.

**D. Services Provided by Central Headquarters**

The Office for Family Engagement and Advocacy shall:

1. in conjunction with the Office of Special Investigations, work to address concerns about possible financial impropriety;
2. train borough, school, district and parent support staff in implementing, interpreting and clarifying Chancellor's Regulation A-660;
3. act as the agent of the Chancellor concerning PAs and Presidents' Councils;
4. be available to answer questions and to provide technical assistance regarding interpretation and implementation of this regulation;
5. be available for consultation on PA and Presidents' Council issues.

**VI. INQUIRIES**

Inquiries pertaining to this regulation should be addressed to:

Telephone: 212-374-2323	<i>Office of 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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School Name/No. \_\_\_\_\_

District \_\_\_\_\_

**INTERIM PA FINANCIAL REPORT**  
**FOR THE PERIOD: JULY 1, \_\_\_\_\_ TO JANUARY 15, \_\_\_\_\_**

**MUST BE FILED WITH PRINCIPAL BY JANUARY 31**

**Income:**

**Amount:**

Beginning Balance as of 7/1/_____	\$ _____
Membership Dues (_____ @ _____)	\$ _____
Fundraising Activities: (gross receipts, not profit)	
Candy Sale	\$ _____
Picture Sale	\$ _____
Cake Sale	\$ _____
Newsletter Ads	\$ _____
Other (identify each on Addendum and attach to report)	\$ _____
After School Activity (identify each activity for which fee is charged on Addendum and attach to report)	\$ _____
Gift and Contributions Received (identify each on Addendum and attach to report)	\$ _____
Other	\$ _____
<b>Total Income for Period</b>	<b>\$ _____</b>

**Expenses:**

Stationary and Printing	\$ _____
Postage	\$ _____
Dues to Parent Organizations	\$ _____
Telephone	\$ _____
Parent Education:	
Films	\$ _____
Speakers	\$ _____
Other _____	\$ _____
Total payments to vendors for fundraising (itemize each and attach to report)	\$ _____
Printing Costs	\$ _____
Donations to School (identify each itemized purchase or amount of donation and purpose on Addendum and attach to report)*	\$ _____
After Schools Costs (identify costs related to staff and supplies on Addendum)	\$ _____
Other _____	\$ _____
<b>Total Expenses for Period</b>	<b>\$ _____</b>

\*Include gifts for the purpose of funding school staff positions or consultants.



**Fund Balance as of 1/15/** \_\_\_\_\_  
(Subtract total Expenses from total Income) **\$** \_\_\_\_\_

Distributed to Parents \_\_\_\_\_  
Date

Distributed to Principal \_\_\_\_\_  
Date

Prepared by: \_\_\_\_\_  
Print Name

Signature: \_\_\_\_\_  
PA President or Treasurer

Date: \_\_\_\_\_

School Name/No. \_\_\_\_\_ District \_\_\_\_\_

**ANNUAL PA FINANCIAL REPORT**  
**FOR THE PERIOD: JULY 1, \_\_\_\_\_ TO JUNE 30, \_\_\_\_\_**

**MUST BE FILED WITH PRINCIPAL BY JUNE 30**

**Income:**

**Amount:**

Beginning Balance as of 7/1/_____	\$ _____
Membership Dues (_____ @ _____)	\$ _____
Fundraising Activities: (gross receipts, not profit)	
Candy Sale	\$ _____
Picture Sale	\$ _____
Cake Sale	\$ _____
Newsletter Ads	\$ _____
Other (identify each on Addendum and attach to report)	\$ _____
<b>Total Income for Period</b>	<b>\$ _____</b>

**Expenses:**

Stationary and Printing	\$ _____
Postage	\$ _____
Dues to Parent Organizations	\$ _____
Telephone	\$ _____
Parent Education:	
Films	\$ _____
Speakers	\$ _____
Other _____	\$ _____
Total payments to vendors for fundraising (itemize each and attach to statement)	\$ _____
Printing Costs	\$ _____
Donations to School (identify each itemized purchase or amount of donation and purpose on Addendum and attach to statement)*	\$ _____
After Schools Costs (identify costs related to staff and supplies on Addendum)	\$ _____
Other _____	\$ _____
<b>Total Expenses for Period</b>	<b>\$ _____</b>

\*Include gifts for the purpose of funding school staff positions or consultants.



**Fund Balance as of 6/30/** \_\_\_\_\_  
(Subtract total Expenses from total Income)

**\$** \_\_\_\_\_

Distributed to Parents \_\_\_\_\_  
Date

Distributed to Principal \_\_\_\_\_  
Date

Prepared by: \_\_\_\_\_  
Print Name

Signature: \_\_\_\_\_  
PA President or Treasurer

Date: \_\_\_\_\_

**ADDENDUM**

<b><u>Income:</u></b>	<b><u>Amount</u></b>	<b><u>Total Amount (1)</u></b>
Fundraising Activities	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Gifts and Contributions	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Other	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
<b><u>Expenses:</u></b>		
Total payments to each Vendor for Fundraising activities	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Donations to School/District: Description	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Other	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____

Note: (1) List totals on appropriate line on report/statement

District/Borough \_\_\_\_\_

**PRESIDENTS' COUNCIL ANNUAL FINANCIAL REPORT**  
**FOR THE PERIOD JULY 1, \_\_\_\_\_ TO JUNE 30, \_\_\_\_\_**

**MUST BE FILED WITH YOUR OFEA DISTRICT FAMILY ADVOCATE OR DEPUTY BOROUGH DIRECTOR  
 BY JUNE 30**

**Income:**

**Amount:**

Beginning Balance as of 7/1/_____	\$ _____
Membership Dues (_____ @ _____)	\$ _____
Fundraising Activities	\$ _____
Gifts and Contributions Received (identify each on Addendum and attach to statement)	\$ _____
Other _____	\$ _____
<b>Total Income for Period</b>	<b>\$ _____</b>

**Expenses:**

(Include actual and anticipated expenses through end of school year to facilitate distribution of this statement.)

Stationary and Printing	\$ _____
Postage	\$ _____
Telephone	\$ _____
Parent Education:	
Films	\$ _____
Speakers	\$ _____
Other _____	\$ _____
 Total payments to vendors for fundraising (itemize each and attach to report)	 \$ _____
Printing Costs	\$ _____
Donations to School (identify each itemized purchase or amount of donation and purpose on Addendum and attach to report)*	\$ _____
 Total Expenses for Period	 \$ _____

\*Include gifts for the purpose of funding school staff positions or consultants.

**Fund Balance as of 6/30/** \_\_\_\_\_  
(Subtract total Expenses from total Income) **\$** \_\_\_\_\_

Distributed to PC Members \_\_\_\_\_  
Date

Distributed to OFEA Representative \_\_\_\_\_  
Date

Signature: \_\_\_\_\_  
PC President or Treasurer

Date: \_\_\_\_\_

**ADDENDUM**

<b><u>Income:</u></b>	<b><u>Amount</u></b>	<b><u>Total Amount (1)</u></b>
Fundraising Activities	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Gifts and Contributions	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Other	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
<b><u>Expenses:</u></b>		
Total payments to each Vendor for Fundraising activities	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Donations to School/District: Description	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Other	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____

Note: (1) List totals on appropriate line on report/statement

School Name/No. \_\_\_\_\_ District/Borough \_\_\_\_\_

**FUNDRAISING ACTIVITY REPORT**

Report on Fundraising Activity of \_\_\_\_\_  
(Type – School **or** PA/PTA **or** Presidents' Council)

As of \_\_\_\_\_  
Date

Total Gross Income	Amount: \$ _____
Total Vendor Payments	\$ _____
Profit	\$ _____

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

**PA/PTA or School:**

Distributed to Parents \_\_\_\_\_ Date  
Distributed to Principal \_\_\_\_\_ Date

**Presidents' Council:**

Distributed to Council Members \_\_\_\_\_ Date  
Distributed to OFEA Representative \_\_\_\_\_ Date

Note: This form may be used by PA/PTAs, Presidents' Councils and Principals to report fundraising activities.

School Name/No. \_\_\_\_\_ District/Borough \_\_\_\_\_

**PROPOSED PA BUDGET**  
**FOR THE PERIOD: JULY 1, \_\_\_\_\_ TO JUNE 30, \_\_\_\_\_**

**MUST BE SUBMITTED TO PRINCIPAL AND OFEA DISTRICT FAMILY ADVOCATE OR  
 DEPUTY BOROUGH DIRECTOR**

**Anticipated Income:**

**Amount:**

Beginning Balance as of 7/1/_____	\$ _____
Membership Dues (____ @ ____)	\$ _____
Fundraising Activities: (gross receipts, not profit)	
Candy Sale	\$ _____
Picture Sale	\$ _____
Cake Sale	\$ _____
Bulletin Ads	\$ _____
After School Activity	\$ _____
_____	
_____	
Other	\$ _____
_____	
_____	
Total Income for Period	\$ _____

**Anticipated Expenses:**

(Include actual and anticipated expenses through end of school year to facilitate distribution of this statement)

Stationary and Printing	\$ _____
Postage	\$ _____
Dues to Parent Organization	\$ _____
Telephone	\$ _____
Printing Costs	\$ _____
Payments to vendors for fundraising	\$ _____
_____	
_____	
Donations to School	\$ _____
_____	
_____	
After Schools Costs	\$ _____
_____	
_____	
Other	\$ _____
_____	
_____	
Total Expenses for Period	\$ _____



**Anticipated Fund Balance as of 6/30/**\_\_\_\_\_   
(Subtract total Expenses from total Income)

\$ \_\_\_\_\_

Distributed to Parents \_\_\_\_\_   
Date

Distributed to Principal \_\_\_\_\_   
Date

Distributed to OFEA \_\_\_\_\_   
Date

Prepared by: \_\_\_\_\_   
Print Name

Date \_\_\_\_\_

**ADDENDUM**

<b><u>Income:</u></b>	<b><u>Amount</u></b>	<b><u>Total Amount (1)</u></b>
Fundraising Activities	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Gifts and Contributions	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Other	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
<b><u>Expenses:</u></b>		
Total payments to each Vendor for Fundraising activities	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Donations to School/District: Description	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____
Other	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	\$ _____

Note: (1) List totals on appropriate line on report/statement

**PRINCIPAL'S REPORT OF PARENT ASSOCIATION/  
 PARENT-TEACHER ASSOCIATION (PA/PTA) STATUS**

As required by Chancellor's Regulation A-660, each principal must complete and submit this report to the appropriate OFEA District Family Advocate or Deputy Borough Director by October 30 of each school year.

Principal \_\_\_\_\_ School \_\_\_\_\_ District/Borough \_\_\_\_\_

I. Date of previous spring PA/PTA election \_\_\_\_\_  
 Current number of PA/PTA Executive Board vacancies \_\_\_\_\_  
 List vacancies \_\_\_\_\_

II. Has the procedure for filling these vacancies been implemented? Yes \_\_\_\_\_ No \_\_\_\_\_

III. The following meetings have been scheduled and/or conducted in accordance with the PA/PTA bylaws and existing Department of Education policies. (Please indicate dates in the table below.)

Are meeting minutes maintained and available for each meeting? (Please indicate yes or no.)

General Membership			Executive Board			Principal's Quarterly		
Scheduled	Held	Minutes	Scheduled	Held	Minutes	Scheduled	Held	Minutes

IV. Are the PA/PTA bylaws on file in the principal's office? Yes \_\_\_\_\_ No \_\_\_\_\_

V. Financial Reporting:  
 Has the June annual report been distributed to the membership? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Is the PA/PTA's EIN on file in your office? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Is the PA/PTA's tax exempt number on file in your office? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are monthly financial reports provided to membership? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are copies of these financial reports on file in your office? Yes \_\_\_\_\_ No \_\_\_\_\_

VI. Fundraisers:                      1<sup>st</sup> Fundraiser                      \_\_\_\_\_  
 (involving students                      Activity                      Date  
 during the school                      2<sup>nd</sup> Fundraiser                      \_\_\_\_\_  
 day)                      Activity                      Date

Have fundraising activities been suspended? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain why. \_\_\_\_\_

Additional Comments/Recommendations \_\_\_\_\_

\_\_\_\_\_  
 Principal's Signature                      Date                      PA/PTA President's Signature                      Date

\_\_\_\_\_  
 District/Borough                      School                      Date Submitted to OFEA



**OFEA REPORT ON PRESIDENTS' COUNCIL STATUS**

**District/Borough** \_\_\_\_\_

As required by Chancellor's Regulation A-660, the appropriate OFEA District Family Advocate or Deputy Borough Director must complete this form by October 30 and February 15 of each school year. This report must be filed with the Chief Family Engagement Officer.

I. Date of June PC election \_\_\_\_\_  
 Current number of vacancies \_\_\_\_\_  
 List officer vacancies \_\_\_\_\_

II. Has the procedure for filling these vacancies been implemented? Yes \_\_\_\_\_ No \_\_\_\_\_

III. The following meetings have been scheduled and/or conducted in accordance with Presidents' Council bylaws and existing Department of Education policies. (Please indicate dates in the table below.)

Are meeting minutes maintained and available for each meeting? (Please indicate yes or no.)

General Membership			Executive Board			Superintendents' Quarterly		
Scheduled	Held	Minutes	Scheduled	Held	Minutes	Scheduled	Held	Minutes

IV. Are the Presidents' Council bylaws on file in the OFEA office? Yes \_\_\_\_\_ No \_\_\_\_\_

V. Financial Reporting:  
 Has the June annual report been distributed to the membership? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are the PC EIN and tax exempt numbers on file in your office? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are monthly financial reports provided to membership? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are copies of these reports on file in your office? Yes \_\_\_\_\_ No \_\_\_\_\_

VI. Fundraisers: \_\_\_\_\_  
Activity Date

Additional Comments/Recommendations \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 OFEA Representative's Signature                      Date                      Council President's Signature                      Date

\_\_\_\_\_  
 District/Borough                      Date Submitted to CFEO

**PARENT ASSOCIATION BYLAWS**

**MINIMUM REQUIREMENTS**

**I. MEMBERSHIP**

- A. Parent Membership – Parents (by birth or adoption, step-parent or foster parent), legally appointed guardians, persons in parental relation to children, including a child who is attending a non-citywide school full time while on the register of citywide programs are automatically members of the PA in the school(s) in which their child(ren) attend.
- B. Staff Membership – The bylaws must set forth the requirements for determining whether or not membership shall be extended to teachers and other staff, and the process for amending that determination. Only the parent members may vote to determine extending PA membership to staff members or whether to continue the inclusion of staff members,

**II. MEETINGS**

- A. Regularly Scheduled Meetings – The bylaws must explicitly state when monthly meetings are to be held, how meetings are called, how members are notified, and what constitutes a quorum.

At least one general membership meeting must be scheduled and held within sixty calendar days of the beginning of the school year.

- B. Meeting Notices – Regular membership meetings require a minimum of ten calendar days' written notice. Allowance for notice of special meetings to address emergency and unanticipated situations for which immediate action is required shall also be included in the bylaws.
- C. Place of Meetings – All meetings, including committee and executive board meetings must be held in a PA's home school, except in extenuating circumstances. However, high schools may seek exception to the home school requirement from the Chief Family Engagement Officer of OFEA given a high commuter population of their students. Under no circumstances are PA meetings to be held in private residences or commercial venues (e.g. restaurants and private clubs).
- D. Meeting Attendees – All meetings of a PA, including executive board and subcommittee meetings, shall be open to all members of the PA.

Other than the principal or his/her designee, outside observers and speakers are prohibited from attending unless the PA bylaws specifically allow attendance by invitation of the association after the vote. A PA must vote to invite an outside speaker for a specific purpose at a particular meeting. The PA may address the ability of the press to observe or to speak at a PA meeting separately from other observers. Parent coordinators or other staff members who do not have children in the school in which they are employed may only act as an observer at PA meetings, unless they are specifically invited by the PA to participate in meeting discussions.

- E. Recording Meetings – Use of photographic and/or recording equipment by invited guests or members is not allowed during a PA meeting, except if specifically approved by the membership or included in the bylaws.
- F. Minutes – Minutes shall be taken at all meetings. The written draft copies must be made available to the membership for approval and adoption. The draft minutes must be distributed to the membership prior to the next regularly scheduled meeting along with the meeting notices.

- G. Parliamentary Authority – Meeting rules of order should be adopted for use as a guide and included in the PA's bylaws. Where no meeting rules of order are adopted, *Robert's Rules of Order – Newly Revised* will be deemed to apply.
- III. **VOTING** – Parent and/or staff members have the right to vote, subject to the limitations noted in this regulation. Each PA's bylaws shall state that each parent and/or staff member of the PA shall have a vote. Restrictions on voting due to conflicts of interest must be included in bylaws. (See Section I.A.4 for conflict of interest requirements.) Voting by proxy or absentee ballot is strictly prohibited.
- IV. **QUORUM** – Consists of representation by at least the president and three other executive board members and at least ten parent members at large. In the absence of a quorum, a PA cannot authorize the expenditure of funds or conduct other business.
- V. **EXECUTIVE BOARD** – The Executive Board shall be comprised of the PA officers. The PA bylaws must set forth the membership and responsibilities of each officer who serves on the executive board.
- A. Mandated Officers – The Executive Board must at a minimum include three mandated officers: president, recording secretary and treasurer.
- B. Other Officers – PAs may establish additional officer positions to meet the needs of the PA. The title of each office and its description of the duties and responsibilities shall be included in the bylaws.
- C. Set-Aside Officer Positions – Designated officer positions may be left open to accommodate parents of incoming students.
1. Fall Election – Designated positions, the date and the process for election in the fall, must be set forth in the bylaws.
2. Restrictions – Mandatory officers (i.e., president, recording secretary, and treasurer) may not be designated to be set aside for incoming parents.
- D. Ratification – Executive board votes without ratification by the parent body will not be considered binding on the membership, except in those matters specified in the bylaws.
- VI. **OFFICERS – DUTIES AND RESPONSIBILITIES**
- A. Mandated Officers – At a minimum, each PA is mandated to have a president, recording secretary (the position of recording secretary is the mandatory secretary position) and treasurer.
1. General Responsibility – The mandatory officers from each school in a community school district shall select the parent members to serve on the Community Education Councils (CECs) as outlined in Chancellor's Regulation D-140, on the Citywide Council on Special Education as outlined in Chancellor's Regulation D-150, and on the Citywide Council on High Schools as outlined in Chancellor's Regulation D-160.
2. President – Convene PA meetings; represent the school at district and/or borough meetings; meet with the principal and parent coordinator to discuss parent involvement issues; attend OFEA professional development sessions.
3. Recording Secretary – Write meeting minutes; keep track of all motions and related calls for consensus and votes; cast the record of votes during elections; distribute monthly draft and adopted meeting minutes to the membership.
4. Treasurer – Provide written treasury reports at every monthly meeting and complete financial reports in January and June, as required in this regulation (see Section I.K.12.a for details); attend OFEA professional development seminars; maintain neat and orderly records.

- B. Other Officers – PAs may establish corresponding secretary and class parents as additional officer positions to serve as executive board members in order to meet the parent involvement needs of the PA. The title of each office and a description of its duties and responsibilities must be included in the bylaws.
- C. Qualifications for Officers – There shall be no qualifications for any office in a PA other than to be a parent of a child in the school. A parent of a child on the register of a citywide program who is attending a non-citywide program school full time may serve as an elected officer of either the Citywide Programs' PA or the PA of the host school where his/her child attends.
  - Restrictions – Members of the Community or Citywide Education Councils are not eligible to serve as elected officers of any PA. Employees of the school, including parent coordinators, may not serve as officers in the school's PA.
- D. Elected Alternate Representative to Presidents' Council – The bylaws shall provide for election of an alternate to serve as an officially designated representative to the Presidents' Council if the president cannot or does not want to serve. The bylaws must also outline conditions in which the alternate will serve as representative during PC meetings.

**VII. NOMINATION AND ELECTION OF OFFICERS**

The election of officers shall be run by the nominating committee or by an alternative method described in the PA bylaws.

- A. Nomination Committee – A PA may establish a nominating committee to conduct elections. A majority of the nominating committee must be selected by the general membership.
  - Restrictions – No member of the nominating committee may seek an executive board office. Persons employed in the school may not serve on the nominating committee.
- B. Alternative Nomination and Election Process – In the alternative, the PA bylaws must specify the process that the PA executive board must take to have a valid election when a nominating committee is not/cannot be formed.
- C. Nominations from the Floor – All members must have the opportunity to make nominations from the floor before the closing of nominations. This provision must be included in each PA's bylaws. Election ballots must be amended to include those nominations.
- D. Annual Election of Officers – Officers must be elected in the spring. The election must be completed between the third Wednesday in May and the third Friday in June of each school year. Nominations may not be closed prior to the third Wednesday in May.

**VIII. FILLING OFFICER VACANCIES** – PA bylaws must contain a provision for filling vacancies by succession (i.e., vacancy in the position of president will be filled by the vice-president or next highest ranking officer).

- A. Ranking of Officers – For the purposes of filling vacancies by succession, the ranking of officers shall be in the following order: president or co-presidents; vice-president or co-vice-presidents; recording secretary or treasurer.
- B. Special Expedited Election – In the event that the mandatory offices cannot be filled through succession, a special expedited election must be held.

**IX. TERM OF OFFICE AND TERM LIMITS** – Term of office shall be from July 1 to June 30 of the following year. Term limits, if any, must be included in bylaws. The offices of president or co-president are the same office and the same term limits apply whether a person acts as either a president or a co-president or a combination of the two for the period allowed under the term limits.

- X. **REMOVAL OF OFFICERS** – The grounds and processes for removal of officers or executive board members and process to be followed must be included in the bylaws. The Chancellor or designee has authority to remove an officer or executive board member due to criminal behavior violations of federal, state or city law, to protect the safety of students, and/or when determined to be in the best interest of the school.
- XI. **COMMITTEES** – PAs may establish committees to facilitate their work. The bylaws must set forth the process for establishing committees and the naming and selection of members.
- XII. **DUES** – PAs may solicit dues. If a PA votes to do so, the bylaws must set forth the process for determining dues and collection. Members and prospective members who are solicited for dues must be informed of their rights. (See Section I.A.3.)
- XIII. **BUDGET** – The PA's budget approval and financial expenditures process must be set forth in the bylaws. This process must include:
- A. a timetable for adopting a budget each year including:
    - 1. preparation of a budget by an outgoing PA administration;
    - 2. a review of the prior year's budget and time during meetings for comment by the membership;
    - 3. adoption by the membership prior to the end of the school year;
  - B. a process for subsequent budget amendments;
  - C. a process to authorize emergency expenditures;
  - D. a process for counting, securing, and depositing all monies received;
  - E. a specific dollar limit on expenditures permitted prior to the first membership meeting; and
  - F. minimal reimbursement levels for executive board members, if applicable.
- XIV. **BANK ACCOUNT SIGNATORIES** – The bylaws must identify the officers authorized as signatories for bank accounts. Checking accounts must require at least two authorized signatories. (See Section I.K.10 for specific requirements.)
- XV. **TREASURER'S ACCOUNTING** – The bylaws must include provisions for a monthly statement accounting in writing by the Treasurer to the membership, in addition to the required financial reports.
- XVI. **MONIES RECEIVED** – The bylaws must include a process for counting, securing and depositing monies received.
- XVII. **AUDIT** – The bylaws must include a process for establishing an audit committee and its responsibilities. (See Section I.L for specific requirements.) The Office for Family Engagement and Advocacy and Presidents' Council must be notified of Audit Committee meetings and its review of financial records.
- XVIII. **REGULAR REVIEW OF BYLAWS** – The bylaws must be reviewed by the membership upon each revision of this regulation and at least once every three years.
- XIX. **AMENDMENT OF BYLAWS** – The bylaws must contain an amendment process.

**PRESIDENTS' COUNCIL BYLAWS**

**MINIMUM REQUIREMENTS**

- I. **MEMBERSHIP** – Membership in the Presidents' Council is open only to the current PA president, co-president or elected PA member serving as the representative for each school in the district or borough.
- A. Alternates – Bylaws shall provide an alternative to serve in the absence of the officially designated school representative. The bylaws must also detail the role and duties of the alternate during Presidents' Council meeting in the absence of the officially designated school representative.
  - B. Ineligible Persons – Community and Citywide Education Council members and persons employed in the district or borough may not serve on the Presidents' Council. No exceptions will be made.
- II. **REGULARLY SCHEDULED MEETINGS** – Bylaws must specifically detail the times and locations of all regularly scheduled meetings.
- A. First meeting – The first meeting must be scheduled and held within sixty calendar days of the beginning of the school year.
  - B. Notice of Regularly Scheduled Meetings – Regular Presidents' Council membership meetings requires a minimum of ten calendar days' written notice. A schedule of the dates, times and location of all regularly scheduled meetings must be prepared and distributed at the first Presidents' Council meeting, and must be available at all council meetings.
  - C. Special Membership Meetings – Bylaws must include provisions for conducting special membership meetings to address emergency and unanticipated situations on which immediate action is required.
    - Notice of Special Membership Meetings – Bylaws must include a process for notifying Presidents' Council members when a special membership meeting needs to be convened.
  - D. Conduct of Meetings – All meetings of a Presidents' Council, including executive board and subcommittee meetings, must be open to the full membership of the Presidents' Council.
  - E. Meeting Attendees – Any member of a PA in the district or borough must be permitted to attend meetings of the Presidents' Council in that district or borough.
    - Rules concerning observers and speakers' rights for those who are not members must be included in the bylaws.
- III. **LOCATION OF MEETINGS** – All Presidents' Council meetings must be held in a school. Presidents' Councils are entitled to twenty hours of free access to school buildings per year.
- Presidents' Councils shall assume responsibility for securing a building permit and ensuring that the school or schools selected for these meetings are centrally located and accessible to all constituent PAs within the district or borough.
- A. No Consensus on Meeting Locations – In the event that the Presidents' Council membership cannot come to consensus in identifying a particular school or schools as the location(s) for their meetings, then each meeting will be held at a school within the district or borough and each school will have the opportunity to hold a meeting.
- If there are more schools in a district or borough than there are meetings in the year, the schools not included in a particular school year will be the first to host a meeting in the following school year. The school(s) designated on the annual schedule shall make space available for the designated meeting of the Presidents' Council.

- B. Restriction – Under no circumstances are any Presidents' Council meetings to be held in private residences.
- IV. **PARLIAMENTARY AUTHORITY** – Procedural rules should be adopted for use as a supplementary reference. Where no rules of order are adopted, *Robert's Rules of Order – Newly Revised* will be deemed to apply.
- V. **MINUTES** – Minutes shall be taken of all Presidents' Council meetings. Copies shall be made available to members at the next regularly scheduled Presidents' Council meeting.
- VI. **OFFICES** – The number of Presidents' Council offices, the title of each office, qualifications for office and a description of the responsibilities and duties of the elected officers must be included in the bylaws.
- A. Mandatory Offices – At a minimum, there must be a president, recording secretary and treasurer.
- B. Eligibility – Officers must be elected from among the official representatives of the constituent PAs.
- C. Annual Election of Officers – Each Presidents' Council must conduct an election of officers annually. Officers must be elected no later than September 30 from the body of elected PA presidents, co-presidents or elected alternative PA representatives.
- D. Nomination and Election Process – The process of nominations and elections must be set forth in the bylaws, including the number of offices for election, duties, term limits, and qualifications for office. All members must have an opportunity to make nominations from the floor at a nominations meeting or at a point as specified in the bylaws. This process shall be conducted by the incoming members of the Presidents' Council.
- E. Term of Office and Term Limits – Each term of office shall be from July 1 to June 30. Term limits, if any, must be included in the bylaws.
- The offices of president or co-president are the same office and the same term limits apply whether a person acts as either a president or a co-president or a combination of the two for the period allowed under term limits.
- Elected alternate representatives to the Presidents' Council serve the term of the president who is unable to serve. This term will end with a change in the office of the presidency.
- F. Removal of Officers – The grounds for removal of officers and process to be followed must be included in the bylaws.
- VII. **QUORUM** – Bylaws must specifically indicate the number of membership representatives necessary for a quorum.
- VIII. **VOTING**
- A. One Vote Per School – Each school shall be entitled to one vote.
- B. One Vote from the Title I PAC – The District Title I PAC shall be entitled to one vote.
- C. Vote by Alternate – Bylaws shall describe whether an appointed alternate serving in the absence of the officially designated representative, president, co-president or elected alternative representative shall vote on behalf of the officially elected representative. The bylaws must also outline the role of the appointed alternate during Presidents' Council meetings in the absence of the officially elected representative.
- D. Persons Representing Multiple Schools – Persons who serve as president/co-president of more than one school in the district or borough may vote on behalf of only one of those schools at the Presidents' Council.

- IX. FORMAL REVIEW AND AMENDMENT OF BYLAWS** – The bylaws must provide for regular review and amendment as necessary.
- A. Formal Review – A formal review of the bylaws must be conducted:
    - 1. at least once every three years;
    - 2. each time this regulation is re-issued.
  - B. Amendment of Bylaws – The process for amending the bylaws must be set forth in the bylaws. Bylaws can only be amended by vote of the majority membership and a vote of the executive board.
- X. BUDGET** – The Presidents' Council's budget process must be set forth in the bylaws, and should include the following:
- A. a timetable for adoption;
  - B. an authorization for making emergency expenditures;
  - C. a process for counting, securing and depositing all monies received;
  - D. the minimal expenditures for executive board members, if applicable.
- XI. AUDITS** – If a Presidents' Council requires an annual audit, the establishment and responsibilities of the audit committee must be outlined in the bylaws.
- XII. DISTRICT HIGH SCHOOL LIAISONS** – Each borough's High School Presidents' Council must elect a liaison from its membership for each district within the borough. It is the liaison's responsibility to attend meetings of that district's Presidents' Council and report back to the borough's High School Presidents' Council any relevant issues discussed at the meeting, and to share relevant borough high school issues with the District Presidents' Council.

**PA/PTA ELECTION CERTIFICATION FORM**

Elections for all Parent Associations and/or Parent Teacher Associations must be certified by the Department of Education. This form must be completed and signed by the principal or his/her designee (e.g., assistant principal). The school's parent coordinator may not be the principal's designee. The signature below certifies that the nomination and election process was conducted in accordance with Chancellor's Regulation A-660, "Parent Associations and the Schools," and the association's bylaws. The **original** signed copy of this form must be maintained on file in the principal's office. A copy of this form must be forwarded to the appropriate OFEA District Family Advocate or Deputy Borough Director within five calendar days of the completion of the election. A copy of this form must also be provided to the association.

Name of Organization (e.g., PA or PTA of IS 90): \_\_\_\_\_

District: \_\_\_\_\_ Quorum Required for PA/PTA: \_\_\_\_\_

Date of Spring/Fall Nominations Meeting: \_\_\_\_\_ Date of Spring/Fall Election Meeting: \_\_\_\_\_

Date of Expedited Nominations/Election Meeting: \_\_\_\_\_

Election Meeting Chaired by: \_\_\_\_\_

Number of Eligible Parent Voters in Attendance: \_\_\_\_\_

**INCOMING PA/PTA OFFICERS** (Please include all requested information for each incoming officer.)

Title: President

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Title: Secretary

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Title: Treasurer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_



If you have additional members on the PA/PTA Executive Board, please use the space provided on the back of this form.

Principal's Name: \_\_\_\_\_ Principal's Signature: \_\_\_\_\_

**INCOMING PA/PTA OFFICERS**

Title:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Title:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Title:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Title:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Title:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_