

Category: **CITYWIDE COUNCIL ON HIGH SCHOOLS** Issued: 6/26/2012 Number: **D-160**  
Subject: PROCESS FOR THE NOMINATION AND SELECTION OF MEMBERS OF THE CITYWIDE COUNCIL ON HIGH SCHOOLS INCLUDING FILLING VACANCIES Page: 1 of 2

## SUMMARY OF CHANGES

This regulation is effective as of the date of its posting and it updates and supersedes Chancellor's Regulation D-160 dated March 24, 2010.

### Changes:

- The following changes have been made to the candidate eligibility requirements for nominees seeking selection to the Citywide Council on High Schools ("CCHS"): Nominees must be parents of current high school students. Eligibility is determined as of the date that the parent submits an application to run for a position on the CCHS. (See page 1, Section I.A.1)
- The conflicts of interest provision has been updated to reference Chancellor's Regulation D-125. (See page 2, Section 1.A.3.c)
- Nominees are now able to apply for more than one Community and/or Citywide Education Council. Although multiple applications are permitted, nominees will not be permitted to serve on more than one council. At the time of application, nominees who apply to serve on more than one council must rank the councils to which they are applying in order of preference. Nominees who are conditionally selected to serve on more than one council will be seated on the council that they ranked highest from among the councils to which they are conditionally selected. (See page 2, Section II.A)
- Nominees are now required to list information on their application regarding each public high school where they currently have a child in attendance. A nominee will be considered a representative of each such school. Failure to provide information regarding each school for which the nominee is a representative will be grounds for disqualification subject to the Chancellor's discretion. (See page 2, Section II.B)
- The following changes have been made to the selection process: the advisory vote has been eliminated from the process, and the procedures for conducting Nominees' Forums have been updated to provide for enhanced involvement of the Borough Presidents' Councils. (See pages 2-3, Section IV)
- If a nominee has children who attend public high schools in different boroughs, the nominee shall appear on the ballot for each borough where the nominee's children attend high school. (See page 3, Section V.A.1, footnote 4)
- A nominee who represents schools in multiple boroughs may only be selected to represent one borough on the CCHS. If a nominee is conditionally selected to represent multiple boroughs, the nominee must designate which one of the multiple boroughs s/he will represent, and will be removed from consideration for all other boroughs. (See page 3, Section V.A.2, footnote 5)
- If a runoff is necessary because one or more seats remain unfilled by operation of the restriction against selecting multiple candidates from the same school, all nominees who have not been selected already and whose children do not attend a high school already represented on the CCHS will be eligible to be selected in the runoff. (See page 3, Section V.A.3.b)
- If multiple runoffs are necessary, the runoffs will be conducted at the same time but in separate segments, with nominees grouped pursuant to the requirements of this regulation. (See page 3, Section V.A.3.d)
- Individuals interested in serving as a Citywide Council on Special Education (CCSE) appointee to the CCHS must submit an application to the Division of Family and Community Engagement (FACE). (See page 4, Section V.B)

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- Individuals interested in serving as a Citywide Council on English Language Learners (CCELL) appointee to the CCHS must submit an application to FACE. (See page 4, Section V.C)
- Nominees seeking to serve as a Public Advocate appointee to the CCHS must submit an application to the Public Advocate's office. (See page 4, Section V.D)
- Individuals interested in filling vacancies on the CCHS must submit an application, which may be obtained from the CCHS or FACE. (See page 5, Section IX.A.2)
- All references to the Office for Family Engagement and Advocacy (OFEA) have been changed to refer to the Division of Family and Community Engagement (FACE).

## ABSTRACT

The Citywide Council on High Schools (“CCHS”) consists of 13 voting members and one non-voting student member. The 13 voting members include: ten members who are parents of students attending public high schools (hereinafter referred to as “parent members”) selected pursuant to the procedures set forth in this regulation; one member appointed by the Citywide Council on Special Education (CCSE) (hereinafter referred to as “CCSE appointee”); one member appointed by the Citywide Council on English Language Learners (CCELL) (hereinafter referred to as “CCELL appointee”); and one voting member appointed by the Public Advocate of the City of New York (hereinafter referred to as “Public Advocate appointee”). This regulation details the eligibility requirements and the nomination and selection procedures for CCHS members. It also provides the process for filling vacancies. The CCHS shall perform all duties and responsibilities in accordance with the New York Open Meetings Law.

### I. ELIGIBILITY

#### A. Parent Members and CCSE, CCELL, and Public Advocate Appointees

1. Only parents<sup>1</sup> of current high school students are eligible to self-nominate for the CCHS. Eligibility is determined as of the date that the parent submits an application to run for a position on the CCHS. A parent who is eligible at the time of application, but who ceases to have a child attending a public high school during their term of office, shall no longer be eligible to serve as of the date that they cease to be the parent of a student attending a public high school.<sup>2</sup>
2. The following persons are not eligible by statute:
  - a. Persons holding elective public office or elective or appointed party positions (except delegate or alternate delegate to a national, state, judicial or other party convention, or member of a county committee);
  - b. Current Department of Education (DOE) employees;
  - c. Persons who have been convicted of a felony or have been removed from a Citywide Council or Community Education Council (CEC) for an act of malfeasance directly related to service on such Citywide Council or CEC, or convicted of a crime directly related to service on such Citywide Council or CEC; and
  - d. Persons who are on another Citywide Council or any CEC.
3. In addition, the following persons are not eligible to serve:
  - a. Members of the Panel for Educational Policy;
  - b. Persons who have been removed from a PA/PTA, School Leadership Team, District Presidents’ Council, Borough High School Council, Title I Committee, or community school board for an act of malfeasance directly related to service on such association, team, council, committee, or board, or convicted of a crime directly related to service on such association, team, council, committee, or board; and

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<sup>1</sup> A parent is defined as a parent (by birth or adoption, step-parent or foster parent), legal guardian, or person in parental relation to a child. A person in parental relation to a child is a person who is directly responsible for the care and custody of a child on a regular basis in lieu of a parent or legal guardian.

<sup>2</sup> As required by statute, all parent members of the CCHS shall be parents of students attending public high schools.

- c. Persons who are determined to have a conflict of interest by the DOE Ethics Officer or other designee of the Chancellor based on Chancellor's Regulation D-125.

B. Students

High school students who will be seniors during their year of service and who serve on the elected student government at their school are eligible to self-nominate by submitting an application to the Citywide Student Advisory Council (CSAC). For purposes of this regulation, a senior is considered to be a student who has approximately 30 high school credits.

## II. PARENT NOMINATIONS

- A. Parents interested in serving on the CCHS shall self-nominate by submitting a completed application form online at [www.nycparentleaders.org](http://www.nycparentleaders.org). Nominees may apply for more than one Community and/or Citywide Education Council. Although multiple applications are permitted, nominees will not be permitted to serve on more than one council. At the time of application, nominees who apply to serve on more than one council must rank the councils to which they are applying in order of preference. Nominees who are conditionally selected to serve on more than one council will be seated on the council that they ranked highest from among the councils to which they are conditionally selected. The Division of Family and Community Engagement (FACE) will post timeframes for the submission of applications on [www.nycparentleaders.org](http://www.nycparentleaders.org). Parents who do not have internet access may contact FACE for a list of schools and local organizations that can provide access to a computer with internet service.
- B. Nominees are required to list information on their application regarding each public high school where they currently have a child in attendance. A nominee will be considered a representative of each such school. A nominee's failure to provide information regarding each school for which the nominee is a representative will be grounds for disqualification subject to the Chancellor's discretion.
- C. Portions of each nominee's application (name, high school child attends, statement of background and activities, and personal statement) will be posted on [www.nycparentleaders.org](http://www.nycparentleaders.org) for parents and the public to view them.

## III. SELECTORS

Selectors of the parent members of the CCHS shall be the three PA/PTA officers mandated by Chancellor's Regulation A-660 from every high school in the relevant borough.<sup>3</sup> Officers of PAs/PTAs who are candidates in the selection process shall not be eligible to cast votes in such selection process. The PA/PTA shall select a member to vote in the place of each such officer for the purposes of the selection process.

## IV. NOMINEES' FORUM PROCESS

- A. In each borough, the Borough High School Presidents' Council, in collaboration with FACE, will convene a Nominees' Forum where nominees for the CCHS will be permitted to make presentations to the selectors and other parents and interested parties.
- B. The Nominees' Forum must occur after the deadline for submitting nominee applications has passed, but before the designated selector vote occurs on the second Tuesday in May of the selection year. The Borough High School Presidents' Council will determine a DOE location, date, and appropriate time for the Nominees' Forum, and will acquire all the necessary permits required for the Nominees' Forum. FACE will assume the costs of all necessary permits and other fees associated with the Nominees' Forum.
- C. FACE will provide the Borough High School Presidents' Council with copies of a CCHS-specific nominees' brochure containing the names and personal statements of all nominees who are running for the CCHS in that borough, for distribution at the Nominees' Forum.

<sup>3</sup> In the case of co-presidents, co-secretaries, or co-treasurers, the remaining members of the PA/PTA executive board will determine which co-officer will serve as a selector.

FACE will provide additional logistic support for the Nominees' Forum as needed.

## V. SELECTION PROCESS

### A. Selection of parent members (voting)

1. Selectors must log on to [www.nycparentleaders.org](http://www.nycparentleaders.org) to vote. Once logged in, each selector will be provided with a ballot containing the names of nominees for the CCHS who are representatives of schools located in the borough in which the selector's child attends school.<sup>4</sup> Each selector shall vote for two nominees. FACE will provide selectors with more detailed information regarding the submission of ballots.
2. When ballots are tallied:
  - a. The two nominees with the highest number of votes in each borough will be deemed conditionally selected, subject to verification of eligibility.<sup>5</sup> However, no school may have more than one parent representative on the CCHS, except as provided in Section V.A.2.b. If more than one nominee from the same school is selected, the nominee with the highest number of votes will be deemed selected. Other nominees from the school with fewer votes will be removed from consideration and the person with the next highest number of votes from a school not already represented on the CCHS shall be deemed conditionally selected.
  - b. The restriction described in V.A.2.a shall not apply to situations where the application of the restriction would result in fewer than ten parents being selected.
3. In the event of a tie between or among nominees, or in the event that fewer than ten nominees are selected initially, a runoff selection will be conducted. In such cases, each selector shall vote for one nominee.
  - a. Where a runoff is necessary due to a tie vote for one or more seats on the CCHS, only those nominees who were in the tie will be eligible to be selected in the runoff.
  - b. Where a runoff is necessary because one or more seats remain unfilled by operation of the restriction set forth in Section V.A.2.a against selecting multiple candidates from the same school, all nominees who have not been selected already and whose children do not attend a high school already represented on the CCHS will be eligible to be selected in the runoff. If the runoff fails to result in all seats being filled, then the exception set forth in Section V.A.2.b will apply.
  - c. Where a runoff is necessary because one or more seats remain unfilled for reasons other than those specified above in Sections V.A.3.a and V.A.3.b, all nominees who have not been selected already will be eligible to be selected in the runoff.
  - d. In cases where multiple runoffs are necessary in order to comply with the requirements set forth in Sections V.A.3.a, V.A.3.b and V.A.3.c above, the multiple runoffs will be conducted at the same time but in separate segments with nominees grouped pursuant to the requirements of Sections V.A.3.a, V.A.3.b and V.A.3.c.
  - e. If the runoff selection process does not result in all seats being filled, the independent agent managing the selection process for the Department of

<sup>4</sup> If a nominee has children who attend public high schools in different boroughs, the nominee shall appear on the ballot for each borough where the nominee's children attend high school.

<sup>5</sup> A nominee who represents schools in multiple boroughs may only be selected to represent one borough on the CCHS. If a nominee is conditionally selected to represent multiple boroughs, the nominee must designate which one of the multiple boroughs s/he will represent, and will be removed from consideration for all other boroughs.

Education will determine the winner by lot, utilizing the same restrictions on eligibility found in Sections V.A.3.a, V.A.3.b, and V.A.3.c above. However, in the event a nominee receives no votes in both the initial selection process and the runoff, a vacancy will be deemed to exist on the council, which shall be filled in accordance with the procedures set forth in Sections IX.A.2 and IX.A.3 of this regulation.

4. If a nominee selected in a borough becomes ineligible or is disqualified after the completion of the selection process but on or before June 25<sup>th</sup> of the selection year, the nominee who received the next highest number of votes in the borough during the initial selection process shall be deemed conditionally selected.<sup>6</sup> If advancing nominees in this fashion results in a tie, the independent agent managing the selection process for the Department of Education will determine the winner by lot. If no eligible nominee remains available to be selected, a vacancy will be deemed to exist on the CCHS, which shall be filled in accordance with the procedures set forth in Sections IX.A.2 and IX.A.3 of this regulation.
5. Parent members serve two-year terms and have no term limits.

B. Appointment by the CCSE

The CCSE shall appoint one voting member who is a parent of a high school student with an individualized education program. Such member shall serve a two-year term and has no term limits. Individuals interested in serving as a CCSE appointee to the CCHS shall request an application form from FACE, and submit their completed application form to FACE for forwarding on to the CCSE.

C. Appointment by the CCELL

The CCELL shall appoint one voting member who is a parent of a student in a bilingual or English as a second language program conducted in a NYC high school. Such member shall serve a two-year term and has no term limits. Individuals interested in serving as a CCELL appointee to the CCHS shall request an application form from FACE, and submit their completed application form to FACE for forwarding on to the CCELL.

D. Appointment by the NYC Public Advocate

The NYC Public Advocate shall appoint one voting member. The member must be a resident of the city who has extensive business, trade or education experience and knowledge, and who will make a significant contribution to improving education in the NYC schools. Such member shall serve a two-year term and have no term limits. Nominees seeking appointment to the CCHS by the Public Advocate shall obtain an application form from the Public Advocate's office, and submit their completed application form to the Public Advocate's office.

E. Appointment of student member

The Chancellor's Citywide Student Advisory Council (CSAC) will review applications submitted, may conduct interviews, and will recommend a nominee to the Chancellor for appointment.

## VI. REVIEW OF QUALIFICATIONS/ELIGIBILITY

Following the conditional selection of parent nominees but prior to their taking office, the Chancellor or his/her designee shall determine whether nominees are eligible to serve on the CCHS. If the Chancellor determines that a nominee is not eligible, the Chancellor's written decision will be made available for public inspection within seven days of its issuance at the borough and central offices of FACE. Such decision shall include the factual and legal basis for its issuance. Any nominee deemed ineligible by the Chancellor shall be replaced by the nominee who received the next highest number of votes, as long as the nominee is not from a school already represented on the CCHS.

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<sup>6</sup> For disqualifications occurring after June 25<sup>th</sup> of the selection year, the vacancy procedures in Sections IX.A.2 and IX.A.3 of this regulation will apply.

**VII. TIMING**

The selection of the CCHS shall occur on the second Tuesday in May in 2011 and every two years thereafter, with terms commencing the July 1<sup>st</sup> following selection. The selection process shall be conducted over a 90-day period. This includes time allocated for publicizing the process, parent nominations, nominees' forums, and the vote by selectors. FACE will post precise timelines to implement this regulation.

**VIII. RESIGNATIONS****A. Parent Members and CCSE and CCELL Appointees**

Resignations of parent members and CCSE and CCELL appointees must be in writing, addressed to the Chancellor. The Chancellor designates the Chief Family Engagement Officer of the Division of Family and Community Engagement to receive resignations on his/her behalf. CCSE and CCELL appointees shall also notify the appointing council of resignations in writing and address such notice to the appointing council president. Resignations shall take effect upon delivery to or filing with the Chief Family Engagement Officer, unless a future date, not more than 30 days subsequent to the date of delivery or filing, is specified. Resignations may not be withdrawn, cancelled, or amended except by consent of the Chancellor.

**B. Public Advocate Appointees**

Resignations of appointees of the Public Advocate must be in writing, addressed to the Public Advocate. Such resignation shall take effect upon delivery to or filing with the Public Advocate, unless a future date, not more than 30 days subsequent to the date of delivery or filing, is specified. Resignations may not be withdrawn, cancelled, or amended except by consent of the Public Advocate.

**C. Student Member**

A student member's resignation must be in writing, addressed to the Chancellor. Such resignation shall take effect upon delivery to or filing with the Chancellor, unless a future date, not more than 30 days subsequent to the date of delivery or filing, is specified. Resignations may not be withdrawn, cancelled, or amended except by consent of the Chancellor.

**IX. VACANCIES****A. Parent, CCSE and CCELL Appointees, and Public Advocate Appointee Vacancies**

1. If a member of the CCHS refuses or neglects to attend three meetings of the CCHS during his/her term of office, of which s/he was properly notified, without rendering a written valid excuse, the member vacates the office.<sup>7</sup> Each absence and any written excuse provided shall be included in the official minutes of that meeting. All absences of the Public Advocate's appointee should be reported to the Public Advocate by the CCHS Administrative Assistant or President. All absences of the CCSE and CCELL appointees should be reported to the appointing council by the CCHS Administrative Assistant or President. After the third unexcused absence, the CCHS shall declare the seat vacant by resolution at a calendar meeting and notify the Chancellor (and Public Advocate, the CCSE, and the CCELL, as appropriate) of its action.
2. When a parent vacancy occurs on the CCHS, the CCHS shall fill the vacancy for the remainder of the unexpired term at a public meeting. Parents of high school students shall be given the opportunity to make written recommendations for filling the parent vacancy and to consult with the CCHS before the vacancy is filled. All individuals interested in filling a parent vacancy on the CCHS must complete an application form. Application forms may be obtained from the CCHS or from FACE.

<sup>7</sup> The following constitute valid excuses for absence: death of a relative or attendance at a relative's funeral; serious illness or injury of CCHS member or family member; mandatory court attendance including jury duty; military duty; job-related conflict which makes absence from CCHS meeting unavoidable; and other reasons the CCHS deems appropriate.

3. If the parent vacancy is not filled by the CCHS within 60 days after it is declared due to a tie vote, the Chancellor shall vote to break the tie. If the CCHS fails to fill the vacancy within 60 days for any other reason, the Chancellor may fill the vacancy.
4. When a vacancy occurs in a position appointed by the CCSE or CCELL, the appointing council shall appoint a member to serve the remainder of the unexpired term. Individuals interested in filling the CCSE or CCELL appointee vacancy shall request an application form from FACE, and submit their completed application form to FACE for forwarding onto the CCSE or the CCELL, as appropriate.
5. When a vacancy occurs in a position appointed by the Public Advocate, the Public Advocate shall appoint a member to serve the remainder of the unexpired term. Nominees seeking to fill the Public Advocate appointee vacancy shall obtain an application form from the Public Advocate's office, and submit their completed application form to the Public Advocate's office.

B. Student Vacancies

In the case of a student vacancy, the CSAC shall recommend another senior who previously self-nominated to the Chancellor for consideration to serve the remainder of the unexpired term. The Chancellor shall inform the CCHS and FACE of his/her appointment.

X. **COMPLAINT PROCESS**

Complaints about compliance with this regulation must be submitted to the Chancellor in writing within five days of the alleged violation, and must contain the specific reasons for the complaint.

XI. **TECHNICAL ASSISTANCE**

FACE will oversee implementation of the procedures contained in this regulation, and will provide technical assistance as necessary.

Inquiries pertaining to this regulation should be addressed to:

<u>Telephone:</u> 212-374-2323	<i>Division of Family and Community Engagement</i> N.Y.C. Department of Education 49 Chambers Street – Room 503 New York, NY 10007	<u>Fax:</u> 212-374-0076
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