



*Dennis M. Walcott, Chancellor*

**Notice**  
May 11, 2012

**CHANCELLOR’S REGULATION D-125—  
ETHICS CODE FOR VOTING MEMBERS AND NOMINEES FOR THE CITYWIDE  
COUNCILS AND THE DISTRICT 75 COUNCIL**

**I. Description of the subject and purpose of the proposed item under consideration.**

Chancellor’s Regulation D-125 is a new regulation. This regulation sets forth an ethics code for all voting members and nominees of the Citywide Council on Special Education, the Citywide Council on High Schools, the Citywide Council on English Language Learners, and the District 75 Council. All voting members are collectively referred to as “citywide council members” or “council members”. This regulation prescribes conflicts of interest rules regarding the conduct and outside activities of citywide council members and nominees for citywide councils. The following rules are proposed for citywide council members: (1) may not accept gifts or anything of monetary value from any person, firm, organization or business who is doing business or negotiating to do business with their council; (2) may not work for a person, firm, organization, or business, or hold a volunteer position as an officer of an organization, if the person, firm, organization, or business does business or is negotiating to do business with the DOE, and, if their job or volunteer activity requires them to communicate with and/or appear before the DOE, unless they disclose this information in writing to the DOE Ethics Officer and to the Division of Family and Community Engagement (“FACE”), and obtain written permission from the DOE Ethics Officer; (3) may not own or operate a firm, organization, or business that does business or is negotiating to do business with the DOE, unless they disclose this information in writing to the DOE Ethics Officer and FACE, and obtain written permission from the DOE Ethics Officer; (4) permission will be granted if the above-described activities do not conflict with citywide council members’ council duties and the activities do not conflict with the purposes and interests of the citywide council; (5) may not participate in council discussions or vote on any council matters related to their outside activities; (6) may not use or attempt to use council position or title, or take any official action that would financially or otherwise benefit them, their relatives, any business they work for or own, any organization where they serve as an officer, or anyone with whom they have a financial relationship; (7) may not use or disclose confidential council information, or use council resources for non-council purposes; (8) may not use council position or title to help a political candidate, political campaign, or political party; (9) may not act as lawyers or advocates for a private interest, or as experts against the DOE’s interests in any lawsuit or administrative hearing, except on behalf of their own children; (10) may not engage in any activity that interferes with

the proper discharge of their council duties; (11) may not discuss future employment with an organization the council is doing business with unless they inform the Council President and DOE Ethics Officer in writing they are recusing themselves from involvement as a council member with the organization during the negotiations; (12) are under a continuing obligation to contact appropriate DOE personnel with updates regarding their employment and other outside activities during their council service; (13) have an affirmative obligation to report violations of this regulation to the DOE Ethics Officer; (14) any council member who violates this regulation or other applicable regulations will be subject to immediate removal by FACE; (15) a council member who has been removed by FACE may appeal the removal to the Chancellor or the Chancellor's designee; (16) the Chancellor or Chancellor's designee can deem nominees ineligible to run for, be appointed to, or serve on a citywide council based on violations of this regulation, or, if it is determined the outside activities of the council member would conflict with their council duties, and the activities would conflict with the purposes and interests of the council; (17) the Chancellor or Chancellor's designee, based on special circumstances, may issue waivers of provisions of this regulation for citywide council members and nominees for citywide council; and (18) inquiries regarding this regulation should be addressed to the DOE Ethics Officer.

**II. Information regarding where the full text of the proposed item may be obtained.**

The full text of the amendments to the regulation, and the regulation in its entirety, can be found on the main page of the website of the Panel for Educational Policy:  
<http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2011-2012/June2012PEPRegulations>

**III. Name, office, address, email and telephone number of the city district representative, knowledgeable about the item under consideration, from whom information may be obtained concerning the item.**

Name: Samantha M. Biletsky  
Office: Office of the General Counsel  
Address: 52 Chambers Street, Room 308, New York, NY 10007  
Email: [RegulationD-125@schools.nyc.gov](mailto:RegulationD-125@schools.nyc.gov)  
Phone: 212-346-5203

**IV. Date, time and place of the Panel for Educational Policy meeting at which the Panel will vote on the proposed item.**

June 26, 2012 at 6:00 p.m.  
Prospect Heights Campus  
883 Classon Ave.  
Brooklyn, NY 11225

