



*Dennis M. Walcott, Chancellor*

**Amended Notice**  
June 11, 2012

**SECOND AMENDMENT TO CHANCELLOR'S REGULATION D-140—PROCESS FOR THE NOMINATION AND SELECTION OF MEMBERS OF THE COMMUNITY EDUCATION COUNCILS INCLUDING FILLING VACANCIES**

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

On May 11, 2012, the New York City Department of Education (“DOE”) published proposed amendments to Chancellor’s Regulation D-140. Chancellor’s Regulation D-140 sets forth the DOE’s procedures for the nomination and selection of Community Education Council (“CEC”) members. The following amendments were previously proposed: (1) candidate eligibility requirements have been updated to provide that CEC nominees must be parents of students in grades K-8 who currently attend a school under the jurisdiction of the community school district in which the nominees wish to serve on the CEC; (2) eligibility is determined as of the date the parent submits an application to run for a position on a CEC; (3) the conflicts of interest provision has been expanded to apply to generalized conflict issues (as opposed to just financial conflicts); (4) nominees are permitted to submit applications for more than one CEC or Citywide Education Council; (5) nominees are required to list information on their application regarding each school under the jurisdiction of the community school district where they currently have a child in attendance; (6) if nominees wish to be eligible to fill the one seat on the CEC that is reserved by statute for the parent of a child with an individualized education program (“IEP”), they must indicate on their application that they expressly consent to the disclosure of information regarding the fact that they are an IEP parent; (7) if nominees wish to be eligible to fill the one seat on the CEC that is reserved by statute for the parent of a child who is an English language learner (“ELL”), they must indicate on their application that they expressly consent to disclosure of information regarding the fact that they are an ELL parent; (8) the parent advisory vote has been eliminated from the selection process; (9) the procedures for conducting the Nominees’ Forums have been updated to provide for enhanced involvement of the Presidents’ Councils; (10) the selection rules have been amended to provide that the seven nominees who received the highest number of votes will be deemed conditionally selected, except that no school may have more than one representative on the CEC; (11) the IEP and ELL parents who received the highest number of votes will be deemed conditionally selected, except that the IEP or ELL parent may be removed from consideration if they come from the same school as a conditionally selected parent who received a higher number of votes; (12) a nominee who is both an IEP parent and an ELL parent may fill either the seat reserved for an IEP parent or the seat reserved for an ELL parent, but not both; (13) the restrictions against selecting multiple candidates from the same school shall not apply where the application of the restrictions would result in fewer than nine parents being selected, or in no IEP parent or

ELL parent being seated on the CEC; (14) if a runoff is necessary because one or more seats remain unfilled by operation of the restrictions against selecting multiple candidates from the same school, then all nominees who have not been selected already and whose children do not attend a school already represented on the CEC will be eligible to be selected in the runoff; (15) 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; (16) nominees seeking to serve as a Borough President appointee to a CEC must submit an application to the Borough President's office; (17) individuals interested in filling vacancies on a CEC must submit an application, which may be obtained from the applicable CEC or from the Division of Family and Community Engagement (FACE); (18) 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).

This amended notice concerns the inclusion of an additional footnote which clarifies term limits for Borough President appointees to a CEC. The following new amendment is proposed: If a person is selected to fill a vacancy in a position appointed by the Borough President for a partial term of less than two years, such partial term shall not be deemed to count toward the calculation of term limits for Borough President appointees, except that no person who has previously served as a Borough President appointee for a length of time equivalent to two full terms shall be eligible to fill a vacancy in a position appointed by the Borough President. This amendment codifies an existing practice of the DOE, and is not deemed to constitute a substantial revision of Chancellor's Regulation D-140.

## **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: Juan J. Rosales  
Office: Division of Family and Community Engagement  
Address: 49 Chambers Street, Room 503, New York, NY 10007  
Email: [RegulationD-140@schools.nyc.gov](mailto:RegulationD-140@schools.nyc.gov)  
Phone: 212-346-5202

**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