

Category: **CITYWIDE COUNCIL ON HIGH SCHOOLS** Issued: 12/11/09 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 1

## **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 11, 2009.

### Changes:

- The Citywide Council on High Schools (CCHS) now consists of thirteen voting members who serve a two-year term, including: ten voting members who shall be parents of students attending high schools (two members from each borough), one voting member appointed by the Citywide Council on Special Education ("CCSE") who shall be a parent of a high school student with an individualized education program, one voting member appointed by the Citywide Council on English Language Learners ("CCELL") who shall be a parent of a student in a bilingual or English as a second language program conducted in a public high school, and one voting member appointed by the Public Advocate of the City of New York who shall be a resident of the city and have extensive business, trade or education experience and knowledge. The CCHS also includes one non-voting student member who serves a one-year term. (See page 1, Abstract and pages 3-4, Section V)
- The eligibility section has been revised to exclude members of the Panel for Educational Policy from eligibility to serve on the CCHS. (See page 1, Section I.A.3.)
- Presidents and officers of parents' associations ("PA") or parent-teachers' associations ("PTA") are no longer ineligible to serve on a CEC; however, PA/PTA presidents and officers who are candidates in the selection process shall not be eligible to cast votes in the selection process. The PA/PTA shall select a member to vote in the place of each such president or officer for the purposes of the selection process. (See page 2, Section III)
- The following changes have been made to the procedures for filling vacancies : (1) parents of high school students shall be given the opportunity to make written recommendations for filling the vacancy and to consult with the CCHS before the vacancy is filled; (2) 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; and (3) when a vacancy occurs in the position appointed by the Public Advocate, the Public Advocate shall appoint a member to serve the remainder of the unexpired term. (See page 5, Section IX)

## **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 high school students are eligible to self-nominate for the CCHS;
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
  - c. Persons who are determined to have a financial conflict of interest by the DOE Ethics Officer or other designee of the Chancellor based on the Conflicts of Interest Law of the City of New York.

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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.

**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](http://www.powertotheparents.org) interested in serving on the CCHS shall self-nominate by submitting a completed application and disclosure form online at [www.powertotheparents.org](http://www.powertotheparents.org).<sup>2</sup> The Office for Family Engagement and Advocacy (OFEA) will post timeframes for the submission of self-nominations on that site. Parents who do not have internet access may contact OFEA for a list of schools and local organizations that can provide access to a computer with internet access.
- B. Portions of each nominee's application (name, high school child attends, statement of background and activities, personal statement, and size of school) will be posted on [www.powertotheparents.org](http://www.powertotheparents.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 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. PARENT AND COMMUNITY INPUT PROCESS****A. Nominees' Forums**

1. The Office for Family Engagement and Advocacy in collaboration with Borough High School Councils will convene a nominees' forum in each borough where nominees will be permitted to make presentations to the selectors and other parents and interested parties.
2. Each Borough High School Presidents' Council may convene an additional nominees' forum. Prior to holding the forum, the Borough High School Presidents' Council must invite all the nominees to participate, and should reach out to OFEA prior to proceeding.

**B. Advisory Vote**

Following the nominees' forum, an online advisory vote open to all high school parents will take place at [www.powertotheparents.org](http://www.powertotheparents.org). OFEA will post a timeframe for the advisory vote. During this period, parents may vote using their child's OSIS number and the zip code associated with that OSIS number as a password.<sup>4</sup> After logging on, parents will be presented with a ballot containing the names of CCHS candidates in the borough where their child's school is located. Parents will then cast a non-binding, advisory vote by voting for up to ten candidates. The independent agent managing the advisory vote will provide the results of the vote to the selectors from each school. Each PA/PTA president must make the results of the advisory vote available to the PA/PTA membership.

**V. SELECTION PROCESS****A. Selection of parent members**

1. Selectors must log on to [www.powertotheparents.org](http://www.powertotheparents.org) to vote. Once logged on, selectors will be provided with a ballot containing the names of nominees for the

<sup>2</sup> Parents may apply to only one community or citywide council.

<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.

<sup>4</sup> If a family has more than one child in a school, only one vote is permitted.

CCHS from the borough in which their child's school is located and the school that the nominee's child attends. Each selector shall vote for two nominees. OFEA will provide selectors with more detailed information regarding voting.

2. When ballots are tallied:
    - a. The two nominees with the highest number of votes in each borough will be deemed selected conditionally, subject to verification of eligibility. However, no school may have more than one parent representative on the CCHS, except as provided in section V.A.2.c.
    - 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.
    - c. The restriction described in V.A.2.b shall not apply to situations where fewer than ten parents would be selected if the restriction were enforced.
  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 remains unfilled for reasons other than a tie, all nominees who have not been selected already will be eligible to be selected in the runoff, subject to the limitation on selection of only one parent from a school.
    - c. If the runoff does not result in all seats being filled, the independent agent managing the selection process for the Department of Education will determine the winner by lot, utilizing the same restrictions on eligibility found in Sections V.A.3.a and V.A.3.b 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 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>5</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.
  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.
- 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.

<sup>5</sup> For disqualifications occurring after June 25 of the selection year, the vacancy procedures in Sections IX.A.2 and IX.A.3 of this regulation will apply.

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 and have extensive business, trade or education experience and knowledge 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.

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 the Office for Family Engagement and Advocacy. Such decision shall include the factual and legal basis for its issuance. When a nominee is deemed ineligible by the Chancellor, the nominee who received the next highest number of votes in the Borough shall be deemed conditionally selected, as long as the nominee would not be ineligible to serve because he or she is from a school already represented on the CCHS.

**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 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, advisory vote by high school parents, and vote by selectors. The Office for Family Engagement and Advocacy will publish detailed 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 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>6</sup> Each absence and any written excuse provided shall be included in the official minutes of that meeting. All absences of the Public Advocate appointees 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 vacancy occurs on the CCHS, either by resignation or removal of a parent member, the CCHS shall fill the vacancy at a public meeting. Parents of high school students shall be given the opportunity to make written recommendations for filling the vacancy and to consult with the CCHS before the vacancy is filled. 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. 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.
3. If the 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.

**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. The Chancellor shall inform the CCHS and the Office for Family Engagement and Advocacy 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**

The Office for Family Engagement and Advocacy 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:

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

<sup>6</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.