



Date: March 22, 2010

Topic: Proposed Chancellor's Regulation D-180

Date of Panel Vote: March 23, 2010

Summary of Proposed Chancellor's Regulation D-180

Chancellor's Regulation D-180 is a new regulation which governs the extended use of school buildings. It establishes the procedures for organizations and individuals to follow in order to use New York City public school buildings outside normal school hours and on days when school is not in session, including weekends and holidays. It incorporates the provisions of and supercedes the Standard Operating Procedures (SOP) chapter on this topic. The regulation has been amended in accordance with the 2009 amendments to the Education Law. The regulation includes the following changes to the procedures and policy formerly set forth in the SOP:

- The types of activities for which mandatory insurance is required is expanded as well as the amount of insurance required.
- The regulation reflects the statutory requirement that PA/PTA meetings be non-exclusive and open to the general public.
- The regulation clarifies that no part of any fee shall directly or indirectly benefit or be deposited into an account which inures to the benefit of a custodial entity.
- The regulation contains a provision which allows the Chancellor to waive the regulation or any portion(s) thereof that is not otherwise required by law if he determines it to be in the best interest of the school system.

Summary of Issues Raised in Written and Oral Comments and Significant Alternatives Suggested

Comments were received regarding the responsibilities placed on the principal with respect to extended use of school buildings and the restriction on free use of school buildings by PTAs/PAs. Furthermore, due to the DOE's transition to a new financial management system, there are changes in the way DOE processes refunds to individuals or organizations that use the school for extended purposes. In addition, the amount of insurance required was expanded for certain activities.

**Analysis of Issues Raised, Significant Alternatives Proposed
and Changes Made to the Proposal**

The DOE changed the regulation to require that a payee must complete a W-9 Form and submit it to the Comptroller's Office by fax or mail in order for a refund to be issued. The DOE changed the regulation to expand the amount of insurance required for certain activities.

A copy of the regulation can be obtained at <http://schools.nyc.gov/NR/ronlyres/6CD79BF3-24B6-46D6-BA23-79309DA56B60/73771/D180121109.pdf>.