

Community Education Councils Roles And Responsibilities



**Department of
Education**

Carmen Fariña, Chancellor

Councils: Membership and Jurisdiction

- ❑ Community Education Councils (CECs) (9 elected/2appointed)
 - District level advocacy and representation (kindergarten- 8th grade)
- ❑ Citywide Councils (elected/some appointed)
 - High Schools (CCHS)
 - Special Education (CCSE)
 - English Language Learners (CCELL)
 - CCD75
- ❑ Presidents' Councils (elected PA/PTA Presidents, or designees)
 - District level (kindergarten–8th Grade)
 - Borough level (high schools)
 - Citywide (D75 schools)
- ❑ Chancellor's Parent Advisory Council

History of the Councils

- The CEC/Citywide Councils were created by NYS Education Law to replace the Community Schools Boards
 - Their powers and duties are defined by state law
 - Chancellor's regulations only implement the provisions of state law pertaining to council membership (elections and filling vacancies)
 - CEC/Citywide Councils are independent of DOE
 - But they are “public bodies” under NYS law and are subject to special requirements (Open Meetings Law; FOIL; quorum)

The Councils' Role

- CEC/Citywide Councils have an obligation to:
 - Consult and communicate with parents and with their constituent PA/PTAs
 - ✓ Joint meetings with Presidents' Councils
 - Advocate on behalf of district schools regarding educational issues that impact the district
 - Maximize local opportunities for parental involvement by widely advertising monthly meeting agendas, hosting public hearings, liaising with school leadership teams, etc.

Quick Facts—CECs/Citywide Councils

Must

- hold at least one meeting per month (notice required: 72 hours) open to the public during which the public may discuss issues affecting the Councils' respective constituencies
- Send members' Performance Reports to the PEP each month
- Participate in trainings and continuing education programs (at least two per term; failure to attend "shall constitute cause for removal from office")

Are entitled to:

- Hire an Administrative Assistant
- Receive training opportunities
- Limited reimbursement of expenses for members

Powers and Duties of CECs

(NYS Education Law § 2590-e)

- Review the district's educational programs and assess their effect on student achievement
- Hold meetings at least every month with the superintendent where the public may discuss the current state of the schools in the district
- Submit an annual evaluation of the superintendent to the chancellor
- Provide input to the Chancellor and the City Board (PEP) on district concerns
- Serve as a liaison to School Leadership Teams
- Approve zoning lines as submitted by the superintendent
- Hold public hearings on the district's annual capacity plan and submit a plan to the Chancellor
- Prepare a district report card

Powers and Duties of the Citywide Councils

These Councils (CCHS, CCSE, CCELL and D75) have only advisory powers.

□ They can:

- Issue an annual report
- Comment on educational policies
- Make recommendations on how to improve the efficiency and delivery of services to their respective populations

□ They must:

- Hold at least one meeting per month open to the public during which the public may discuss issues affecting the Councils' respective constituencies

□ They are entitled to:

- Hire an Administrative Assistant
- Receive training opportunities

The Administrative Assistant

- ❑ NYS Ed. Law § 2590 provides that councils “may appoint a secretary”
 - All councils have an administrative assistant (the “AA”)
 - The law states that the AA shall:
 - ✓ Prepare meeting notices, agendas and minutes
 - ✓ Record and maintain accounts of proceedings and other council meetings
 - ✓ Prepare briefing materials and other related informational materials for such meetings

- ❑ DOE policy mandates that the AA handles the council’s finances
 - ✓ Preparing the budget and tracking expenses
 - ✓ Submitting PO’s and reimbursement requests
 - ✓ Purchasing with a P-Card

- ❑ Bylaws provide (Art. 2 “Elections”) that the AA convenes the annual meeting and conducts an election for the chair *pro tem* unless a new council includes officers from the previous term

Bylaws

- ❑ Bylaws are the rules councils operate by
 - Every council member must be familiar enough with the bylaws to know where to find answers when issues arise
 - A current copy should be at every meeting in case questions arise
- ❑ Councils' bylaws are based on a DOE-issued template
 - Are the provisions clear and do they make your council work smoothly?
 - ✓ Issues in most bylaws: moving hearing dates, forming committees and nominating chairs; changing the order of business; “official actions” only at “calendar meeting” and by resolution; officers named in bylaws
- ❑ Councils should review bylaws regularly and amend them to fit their needs
 - Must a a document showing date of adoption by council
 - Amendment procedure is spelled out in the bylaws
 - ✓ Any amendment takes a minimum of two calendar meetings
 - ✓ A bylaw committee is recommended (but not required)

Meetings

- ❑ All council meetings are “public” because the councils are subject to the Open Meetings Law (“OML”)
 - ✓ “Calendar” and business meetings
 - ✓ Committee (and “subcommittee”) meetings
 - ✓ Special meetings
- ❑ The notice requirements are spelled out in the OML
 - ✓ 72 hours (except for special meeting)
 - ✓ Prominently posted in public place/notice to the media
- ❑ Executive sessions are allowed for certain matters listed in the OML
 - ✓ Personnel matters and pending or threatened litigation

Meeting Agendas & Minutes

☐ Meeting Agenda/Program

- The mechanism for setting agenda topics should be spelled out in the bylaws
 - ✓ May be set at a business meeting, sometimes months in advance
 - ✓ In practice, the job often devolves to the president by default

☐ Meeting Minutes

- Are the only record of council action, so they should include all motions and votes; attendance (and absences); other matters such as program details *may* be included
- Should be in reasonably good English and should *not* include remarks attributed to named council members (especially if negative)

☐ Under OML, minutes must be posted on the council's website within two weeks (if the council maintains a regularly updated one)

- You should assume all minutes will become public and used in ways you don't anticipate (Google your name-council minutes may come up)

☐ Consider sending the AA for training on taking minutes and parliamentary procedures

Absences

- ❑ Members not attending meetings is the major cause of council dysfunction
 - Without quorum, nothing can be decided
 - The absent members' constituents are not adequately represented and informed

- ❑ Bylaws should spell out how many meetings a member may miss before sanctions are applied
 - CEC/Citywide Council members may be deemed to have vacated their seats under state law and Chancellor's regulations if they have more than 3 “unexcused absences”

- ❑ No seat is vacated automatically
 - There must be a motion/resolution at a calendar meeting to declare a seat vacant for failure to attend meetings
 - If the member resigns, an announcement of the vacancy at a calendar meeting is sufficient

Absences- (cont'd)

- ❑ CECs/Citywide Councils may declare a vacancy when a member misses a number of meetings
 - UNEXCUSED: “a member.... who refuses or neglects to attend three meetings.... without rendering in writing a good and valid excuse vacates his or her office by refusal to serve.After the third unexcused absence the community council shall declare a vacancy to the chancellor.”
 - EXCUSED: “Valid excuses” (defined in law/regulations) include death in the family, illness and work obligations and others as defined by the council
 - The member’s absence and the excuse (or lack thereof) must be recorded in the minutes

- ❑ Questions that come up often:
 - Business and calendar meeting on the same day: one or two missed meetings?
 - what if a member has more than three *excused* absences?

- ❑ Vacancies must filled by the Council within 60 days according to procedures set forth in the regulations

Thank You

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Community & Citywide
Education Councils

It all starts
with you!

